



# Agenda

Meeting: **Cabinet**  
Date: **19 July 2017**  
Time: **5.00 pm**  
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Cabinet**

All Councillors for information

The cabinet will consider the matters listed below on the date and at the time and place shown above. The meeting will be open to the press and public.

1. **Apologies for Absence**
2. **Declarations of Interest**

Members of the Council should declare any interests which fall under the following categories. Please see the end of the agenda for definitions\*:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

3. **Minutes (Pages 5 - 8)**

To consider and approve, as a correct record, the minutes of the meeting held on 21 June 2017.

4. **Parking Proposals for Princes Parade, Hythe and Sandgate Esplanade (Pages 9 - 34)**

Report C/17/19 puts forward proposals to introduce new on-street pay & display spaces along the Princes Parade, Hythe. Charging along this seafront will create a greater turnover of spaces. The report also makes recommendations for restrictions to be extended to include Sandgate

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Esplanade to address potential displacement parking.

5. **Princes Parade Project Development Strategy (Pages 35 - 42)**

Report C/17/25 provides details of the key elements of the future work programme for the Princes Parade project.

Implementation of the work streams identified in this report will allow a detailed and comprehensive Business Plan to be prepared that will allow Cabinet to take a decision on whether to proceed with the implementation of the project, later in the year, after the planning application has been determined

6. **General Fund Capital Budget Monitoring - 1st Quarter 2017/18 and 2016/17 Outturn (Pages 43 - 66)**

Report C/17/23 provides a projection of the latest financial position for the General Fund capital programme, based on expenditure to 31 May 2017. The report identifies variances on planned capital expenditure for the General Fund in 2017/18. The report also summarises the 2016/17 final outturn position (subject to audit) for the General Fund capital programme compared to both the latest approved budget and the quarter 4 budget monitoring position reported to Cabinet in April 2017. Finally the report also summarises the outturn position for the approved prudential indicators for capital expenditure in 2016/17.

7. **General Fund Revenue Budget Monitoring - 1st Quarter 2017/18 and 2016/17 outturn (Pages 67 - 78)**

Report C/17/26 provides a projection of the end of year financial position for the General Fund revenue expenditure based on net expenditure to 31 May 2017. The report also summarises the 2016/17 final outturn position (subject to audit) for the General Fund revenue expenditure compared to both the latest approved budget.

8. **Housing Revenue Account Revenue and Capital Budget Monitoring - 1st Quarter 2017/18 and 2016/17 Outturn (Pages 79 - 90)**

Report C/17/20 provides a projection of the end of year financial position for the Housing Revenue Account (HRA) revenue expenditure and HRA capital programme based on net expenditure to 31 May 2017. The report also summarises the 2016/17 final outturn position (subject to audit) for the HRA revenue expenditure and HRA capital programme compared to both the latest approved budget.

9. **Treasury Management and Actual Prudential Indicators Annual Report 2016/17 (Pages 91 - 104)**

Report C/17/22 reviews the council's treasury management activities for 2016/17, including the actual treasury management indicators. The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local

Authorities. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.

10. **Asset Management Framework (Pages 105 - 132)**

The Council will adopt a new Asset Management Framework from 2017 which is intended to last us through the next 5 years. This new framework replaces the previous Corporate Property Strategy 2013-2018 and the Asset Management Plan 2013-2018.

The new framework will provide Officers with clear direction for managing the corporate property portfolio whilst closely linking in with the strategic objectives set out in the Council's Corporate Plan.

11. **Shepway Places and Policies Local Plan - Submission Draft (Pages 133 - 648)**

On 14 September 2016 Cabinet agreed report C/16/35, which sought approval to publish the Preferred Options Shepway Places and Policies Local Plan for public engagement and to agree the consultation arrangements.

The Preferred Options draft was subsequently published for consultation for six weeks in October to November 2016 and the Council received over 2,000 representations from more than 600 individuals, community groups and organisations. The representations have now been considered and the Plan has been amended to reflect these and other considerations.

The new version of the plan, called the Submission Draft Places and Policies Local Plan, is attached at Appendix 1.

The next stage in the process is to publish the Submission Draft Places and Policies Local Plan and undertake public consultation for a minimum six week period in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Following this, the Places and Policies Local Plan will be submitted to the Secretary of State and an examination in public will be held.

12. **Otterpool Park landowner update (Pages 649 - 670)**

Report C/17/29 sets out the progress that has been made on the masterplanning of a new garden town, Otterpool Park. It seeks approval for some key principles that will form the basis of the framework masterplan to be submitted to support the Local Planning Authority for the Core Strategy Local Plan (CSLP) review and also in the preparation of an outline planning application.

This report contains a confidential annex, and if Members wish to refer to this document, the following resolution will be considered.

**To exclude the public for the following item of business on the grounds that it is likely to disclose exempt information, as defined in**

**paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 –**

**‘Information relating to the financial or business affairs of any particular person (including the authority holding that information). “Financial or business affairs” includes contemplated as well as current activities.’**

\*Explanations as to different levels of interest

(a) A member with a disclosable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- where a member knows a person involved, but does not have a close association with that person, or
- where an item would affect the well-being of a member, relative, close associate, employer, etc. but not his/her financial position.

Voluntary announcements do not prevent the member from participating or voting on the relevant item

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



# Minutes

## Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 21 June 2017
Present	Councillors Mrs Ann Berry, John Collier, Alan Ewart-James, David Godfrey, Mrs Jennifer Hollingsbee, Rory Love, David Monk and Stuart Peall
Apologies for Absence	Councillors Malcolm Dearden and Dick Pascoe
Officers Present:	Jeremy Chambers (Corporate Director - Strategic Operations), Katharine Harvey (Head of Economic Development), Dave Illsley (Regeneration Officer), Amandeep Khroud (Head of Democratic Services and Law), Tim Madden (Corporate Director - Organisational Change), Susan Priest (Corporate Director - Strategic Development), Alistair Stewart (Chief Executive) and Jemma West (Senior Committee Services Officer)
Others Present:	Councillor Mrs Mary E Lawes

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 30 June 2017 at 5pm. Decisions not called in may be implemented on Monday 3 July 2017..

### 8. **Declarations of Interest**

There were no declarations of interest.

### 9. **Minutes**

The minutes of the meeting held on 31 May were submitted, approved and signed by the Chairman.

### 10. **"Spirit of the Leas" Folkestone Coastal Park Heritage Lottery Fund Grant**

Following Cabinet approval in September 2016, a round one grant application was submitted to the Heritage Lottery Fund (HLF) for a project to improve access to Folkestone's Coastal Park. The round one application was successful

and the HLF has awarded a development grant of £40,300 to support a round two submission. Report C/17/14 sought Cabinet approval for submission of this round two application and to agree to consider a match funding contribution of circa £130,000 in 2019/20, should other financial contributions fail to materialise, to match the potential HLF grant of circa £470,000 to deliver the project.

The report had also been presented to the Overview and Scrutiny Committee at their meeting on 20 June 2017.

Proposed by Councillor Collier,  
Seconded by Councillor Mrs Hollingsbee; and

**RESOLVED:**

1. That report C/17/14 be received and noted.
2. That the development and submission of a round two HLF application be agreed, providing all match funding required is found from sources other than Shepway District Council.
3. That SDC officers be supported in taking a proactive approach in identifying and securing external match funding contributions to deliver the necessary project funding and delivery requirements.
4. That a report returns to Cabinet before submission of a stage 2 application.

(Voting: For 8, Against 0, Abstentions 0).

**REASONS FOR DECISION:**

- a) A decision to accept the round two development grant and allocate resources for delivering the project in 2019/20 will deliver potential benefits for the visitor economy in Folkestone and improve local residents' quality of life.
- b) There is a need to prioritise Economic Development team resources being used to develop a round two application.
- c) There could be a project funding gap should match funding not be available for the final project from other sources, in the event that a round two bid is approved by HLF.

**11. Investing Shepway's share of the Kent Business Rates Growth Pool**

Report C/17/05 sought agreement for investing Shepway District Council's share of the Kent Business Rates Growth Pool in two key employment related projects in the district: (1) Biggins Wood; and (2) the refurbishment of floors 3 and 4 of the Civic Centre.

Proposed by Councillor Collier,  
Seconded by Councillor Ewart-James; and

**RESOLVED:**

1. That report C/17/05 be noted.

2. That the use Shepway District Council's share of the Kent business rates Growth Pool for the purposes set out in paragraph 2.9 be agreed with a report returning to cabinet relating to matters outlined in paragraph 2.10.

(Voting: For 8, Against 0, Abstentions 0).

**REASONS FOR DECISION:**

Recent evidence indicates that there is a lack of high quality new business accommodation in Shepway which is inhibiting economic growth. It is therefore proposed to use Shepway District Council's share of the Kent business rates Growth Pool to address this issue and deliver a corporate plan objective of delivering more jobs in the district.

**12. National Non Domestic Rates Locally Administered Relief Scheme**

Report C/17/13 outlines the proposals for the design and implementation of the locally-administered National Non Domestic Rates relief scheme as announced in the Chancellor's Spring Budget on 8 March 2017.

The report had also been presented to the Overview and Scrutiny Committee at their meeting on 20 June 2017.

Proposed by Councillor Monk,  
Seconded by Councillor Peall; and

**RESOLVED:**

1. That report C/17/13 be received and noted.
2. That the recommended local discretionary criteria for inclusion in the Council's locally-administered National Non-Domestic Rates relief scheme, as detailed in this report, be approved in principle, and a further report be received when the details of the scheme have been developed.

(Voting: For 8, Against 0, Abstentions 0).

**REASONS FOR DECISION:**

Cabinet members were asked to approve the criteria proposed for the implementation of the new Locally-Administered National Non Domestic Rates Relief Scheme.

**13. Exploration of a Future Operating Model**

Report C/17/15 sought approval for the commissioning of a report to look at the future operating model of the council which places its focus on the customer service through the use of technology and improved efficiency for the organisation.

Proposed by Councillor Monk,  
Seconded by Councillor Collier; and

**RESOLVED:**

1. That the proposed operating model be noted;
2. That the procurement of the blueprint work as set out in the report with funding of £60,000 to be provided from the flexible capital receipts reserve be agreed.
3. That further reporting to Cabinet on completion of the blueprint stage to agree next steps be agreed.

(Voting: For 8, against 0, abstentions 0).

**REASONS FOR DECISION:**

The report explored the development of a new operating model for the council to achieve financial savings and also to place the customer first and drive efficiencies and resilience. The report looked to procure a detailed blueprint to form the basis of a future programme.

**14. Otterpool Park Capacity Funding bid to DCLG**

Report C/17/17 explained that the council had submitted a bid to government for garden town status for a new garden town, Otterpool Park, in June 2016. Its submission had been successful, and the council received £750,000 capacity funding from Department for Communities and Local Government (DCLG). It received a further £345,000 in March 2017. This paper sought endorsement for submission of a similar bid for 2017/18 to DCLG. Report C/17/17 was an emergency paper due to the tight timeframe for submitting the bid, and further additional information, to DCLG. Bidding is competitive, and missing key deadlines would put the council at a disadvantage.

Proposed by Councillor Godfrey;  
Seconded by Councillor Ewart-James; and

**RESOLVED:**

1. That the submission of the bid to DCLG for Garden Towns Capacity Funding for 2017/18 be approved.
2. That the Corporate Director, Strategic Development, be authorised to respond to DCLG and HCA on points of clarification and provide necessary additional information, following consultation with the Leader of the Council.

(Voting: For 8, against 0, abstentions 0)

**REASONS FOR DECISION:**

- a) The decision could result in ongoing funding toward the planning and delivery of Otterpool Park, which is a corporate priority.
- b) The decision will allow constructive dialogue with DCLG to continue for Otterpool Park, including access to a wider package of support that DCLG can offer.





This Report will be made public on 11 July 2017.

Report Number **C/17/19**

**To:** Cabinet  
**Date:** 19 July 2017  
**Status:** Non-Key Decision  
**Head of Service:** Andy Blaszkowicz, Head of Commercial and Technical Services  
**Cabinet Member:** Councillor A. Berry, Cabinet Member for Transport and Commercial  
**SUBJECT:** Parking Proposals for Princes Parade, Hythe and Sandgate Esplanade.

**SUMMARY:** This report puts forward proposals to introduce new on-street pay & display spaces along the Princes Parade, Hythe. Charging along this seafront will create a greater turnover of spaces. The report also makes recommendations for restrictions to be extended to include Sandgate Esplanade to address potential displacement parking.

**REASONS FOR RECOMMENDATIONS:**

Cabinet is asked to agree the recommendations set out below because:

- a) The demand for parking along the Princes Parade seafront is very high during the summer. Parking Charges should be introduced to manage the supply.
- b) It is highly likely that parking will be displaced into Sandgate Esplanade, which will add to the existing pressures.

**RECOMMENDATIONS:**

- a) To receive and note Report C/17/19.
- b) That a statutory consultation be carried out for the introduction of pay & display spaces along the north side of Princes Parade.
- c) That Sandgate Esplanade be included in the draft Traffic Regulation Order (TRO) for shared use parking (permit and P&D).
- d) That the maximum stay for on-street P&D bays be restricted to 4 hours and the proposed charges be:

Up to 1 hour	£1.20
Up to 2 hours	£2.30
Up to 3 hours	£3.40
Up to 4 hours	£4.50

- e) That the proposed operational hours for the Princes Parade P&D scheme be Monday-Sunday, 8am- 8pm, April- October.
- f) That the proposed operational hours for Sandgate Esplanade scheme be Monday-Sunday, 8am-8pm, all year round.
- g) That the proposed fees for permits for Sandgate Esplanade replicate arrangements for existing schemes in the district as follows:

Residents' Permit	£30 per year
Additional resident permit	£30 per year
Shared Resident permit	£30 per year
Resident Visitor permit	£1.04 per day
Business permit	£60 per year
Replacement lost or stolen permit	£5.20
Special permit (Health & care workers)	Free

- h) That the proposals include reduced off-street charges as shown below in Battery Point, Seapoint and Twiss Fort car parks.

£1 per hour  
£6 over 5 hours

- i) To agree that parking services review the parking situation in adjacent streets three months after the implementation of this scheme as recommended in the report on the parking study carried out by Project Centre in 2009.
- j) That Officers report back to the Cabinet Member for Transport any objections to the proposed TRO.
- k) That members agree to financing the proposed expenditure from the capital budget.
- l) That members note the potential permitted use of any generated surplus as detailed in the Road Traffic Regulation Act 1984 section 55.

## 1. BACKGROUND

- 1.1. There is an influx of visitors to the beach during summer months. This causes huge strain on the limited parking stock along the seafront and some residents and businesses have been raising concerns.
- 1.2. The council commissioned a parking study in 2009. The report on this study is attached as appendix 1. The assessment concluded that a parking scheme in Princes Parade and Sandgate Esplanade will be viable.

## 2. PROPOSALS

### Princes Parade

- 2.1 The proposal is to introduce paid for parking along the landward side of Princes Parade, Hythe. Officers recommend that the restrictions are to be operational Monday-Sunday, 8am-8pm between the months of April and September although an alternative model has been provided with the operational hours of 8am – 6pm. There is no pavement on the seaward side to place machines and they cannot be installed on the sea wall. The existing yellow lines along the landward side will be moved to the seaward side. Consideration should be given to the safety problems that may arise as people will have to cross the road to go to the beach. These issues will be discussed with KCC so that suitable pedestrian crossing(s) may be installed to address any safety issues.
- 2.2 It is proposed that pay & display only bays are installed and they are limited to a maximum stay of 4 hours. It is also proposed that the charges be:

Up to 1 hour	£1.20
Up to 2 hours	£2.30
Up to 3 hours	£3.40
Up to 4 hours	£4.50

Visitors wishing to park for longer than 4 hours should be encouraged to use the nearby council car parks.

### Sandgate Esplanade

- 2.3 Parking along the seaward side is also currently unrestricted and concerns have been raised about this area being heavily parked in the height of the summer. As it is also an attractive seaside location, it is highly likely that this area will experience significant displacement parking if restrictions are introduced along Princes Parade.
- 2.4 It is therefore recommended that the restrictions are extended to include this stretch of road Monday-Sunday, 8am-8pm, all year round although an alternative model has been provided with the operational hours of 8am – 6pm.
- 2.5 There are around 120 residential and business properties along the Sandgate Esplanade, which makes it necessary to introduce parking permits. The parking places along the seaward side could be designed as shared use bays, which will allow residents and businesses with valid permits unlimited parking whilst visitors to the area will be restricted to a maximum of four hours paid parking.
- 2.6 It is also recommended that the proposed fees for parking permits replicate arrangements in the 2017/18 pricing structure for other schemes in the district as follows:

Residents' Permit	£30 per year
Additional resident permit	£30 per year
Shared Resident permit	£30 per year
Resident Visitor permit	£1.04 per day
Business permit	£60 per year
Replacement lost or stolen permit	£5.20
Special permit (Health & care workers)	Free

- 2.7 Parking legislation requires that all TRO's should exempt blue badge holders, allowing them to park free of charge and without time limit at on-street pay & display spaces and on single and double yellow lines for up to three hours.

### **Off Street**

- 2.8 The three car parks in Sandgate Esplanade and Princes Parade: Battery Point, Sea Point and Twiss Fort are currently underused. This is because many of the visitors to the area opt to park on-street to avoid the charges. This has significant impact on the limited spaces available for residents in Sandgate Esplanade and causes parking congestion along Princes Parade.
- 2.9 To encourage more medium and long term use of the off-street facilities, it is recommended that the car park charges are set at a lower rate than the on-street charges. It is proposed that reduced off-street charges are introduced in line with the on-street P&D and are set as follows:

£1 per hour  
£6 over 5 hours

- 2.10 The concession for blue badge holders in car parks i.e. free parking for up to 3 hours should continue.

## **3. FINANCIAL IMPLICATIONS**

- 3.1 Table 1 below presents three scenarios (worst, medium & best) of estimated income & expenditure for the proposed on-street P&D schemes in Princes Parade and Sandgate Esplanade. It is also expected that the income from car parks will increase. Table 2 presents similar scenarios with the operational hours reduced to 8am-6pm.

**Table 1 ON-STREET PAY & DISPLAY INCOME & EXPENDITURE ASSUMPTIONS**

Princes Parade	320						
Sandgate Esplanade (excl permit spaces)	50						
<b>Total spaces for on-street parking</b>	<b>370</b>						
Chargeable hours per day- 8am-8pm	12						
<b>Income Assumptions</b>		<b>Worst case</b>		<b>Medium case</b>		<b>Best case</b>	
Hourly rate (based on average stay of 4 hours)	£ 1.125	<b>2017/18</b>	<b>2018/19</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2017/18</b>	<b>2018/19</b>
Summer Occupancy			<b>30%</b>		<b>50%</b>		<b>70%</b>
Winter Occupancy			<b>2%</b>		<b>5%</b>		<b>10%</b>
<b>Capital Expenditure</b>							
P&D machines incl. installation-£3k x 17	£ 51,000			£ 51,000		£ 51,000	
Lining costs	£ 3,000			£ 3,000		£ 3,000	
Signage incl installation	£ 6,000			£ 6,000		£ 6,000	
<b>Revenue Set-up Costs</b>							
TRO advertising	£ 150			£ 150		£ 150	
Printing and stationery costs	£ 1,500			£ 1,500		£ 1,500	
Temporary part-time Admin staff costs for consultation and set-up process	£ 12,600			£ 12,600		£ 12,600	
Ongoing revenue costs for cash collections, cashless parking, machine maintenance etc			£ 20,000		£ 20,000		£ 20,000
<b>Total Costs</b>		<b>£ 74,250</b>	<b>£ 20,000</b>	<b>£ 74,250</b>	<b>£ 20,000</b>	<b>£ 74,250</b>	<b>£ 20,000</b>
Estimated income from P&D							
Summer			£ 274,226		£ 457,043		£ 639,860
Winter			£ 2,457		£ 6,143		£ 12,285
Estimated income from residents & business permits (50)			£ 1,800		£ 1,800		£ 1,800
<b>Total Income</b>		0	<b>£ 278,483</b>	0	<b>£ 464,985</b>	0	<b>£ 653,945</b>
<b>Net Income (-) /expenditure</b>		<b>£ 74,250</b>	<b>- £258,483</b>	<b>£ 74,250</b>	<b>- £444,985</b>	<b>£ 74,250</b>	<b>- £633,945</b>

<b>Table 2</b>		<b>ON-STREET PAY &amp; DISPLAY INCOME &amp; EXPENDITURE ASSUMPTIONS</b>					
Princes Parade	320						
Sandgate Esplanade (excl permit spaces)	50						
<b>Total spaces for on-street parking</b>	<b>370</b>						
Chargeable hours per day- 8am-6pm	10						
<b>Income Assumptions</b>		<b>Worst case</b>		<b>Medium case</b>		<b>Best case</b>	
Hourly rate (based on average stay of 4 hours)	£ 1.125	<b>2017/18</b>	<b>2018/19</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2017/18</b>	<b>2018/19</b>
Summer Occupancy			<b>30%</b>		<b>50%</b>		<b>70%</b>
Winter Occupancy			<b>2%</b>		<b>5%</b>		<b>10%</b>
<b>Capital Expenditure</b>							
P&D machines incl. installation-£3k x 17		£ 51,000		£ 51,000		£ 51,000	
Lining costs		£ 3,000		£ 3,000		£ 3,000	
Signage incl installation		£ 6,000		£ 6,000		£ 6,000	
<b>Revenue Set-up Costs</b>							
TRO advertising		£ 150		£ 150		£ 150	
Printing and stationery costs		£ 1,500		£ 1,500		£ 1,500	
Temporary part-time Admin staff costs for consultation and set-up process		£ 12,600		£ 12,600		£ 12,600	
Ongoing revenue costs for cash collections, cashless parking, machine maintenance etc			£ 20,000		£ 20,000		£ 20,000
<b>Total Costs</b>		<b>£ 74,250</b>	<b>£ 20,000</b>	<b>£ 74,250</b>	<b>£ 20,000</b>	<b>£ 74,250</b>	<b>£ 20,000</b>
Estimated income from P&D							
Summer			£ 228,521		£ 380,869		£ 533,216
Winter			£ 2,048		£ 5,119		£ 10,238
Estimated income from residents & business permits (50)			£ 1,800		£ 1,800		£ 1,800
<b>Total Income</b>		0	<b>£ 232,369</b>	0	<b>£ 387,788</b>	0	<b>£ 545,254</b>
<b>Net Income (-) /expenditure</b>		<b>£ 74,250</b>	<b>- £212,369</b>	<b>£ 74,250</b>	<b>- £367,788</b>	<b>£ 74,250</b>	<b>- £525,254</b>

3.2 There has not been any historical data to base occupancy rates so the following assumptions have been made when calculating the potential income:

- The charges are set based on the average stay of 4 hours which equates to an hourly rate of at £1.125 On Street
- Total number of on street spaces for pay & display use -370
- A total of 50 spaces will be available for P&D users in Sandgate Esplanade
- 12 hr charging period- 8am-8pm all days with table 2 showing 10 hr charging period 8am-6pm, all days.
- Resident permits will cost £30 and business permits will cost £60 pa.
- A total of 50 resident/business permits will be sold

3.3 Enforcement of the on street places would not need the Civil Enforcement Officers to deviate from their current patrol routes and could be absorbed within existing resources. The proportion of time spent at each allocated location would be adjusted accordingly. However, additional resource of 12.6K for a temporary part-time support officer (18.5 hours per week) will be required to assist with the additional administrative work associated with the implementation of the schemes.

3.4 Although the aim of the on-street parking operation is to improve traffic management for the benefit of the community, it must be run efficiently, effectively and economically. The statutory guidance states that such operations should be self-financing as soon as practicable.

3.5 The on-street operation has had a net cost to the council over the years (details shown on Table 3 below), and this position cannot be sustained. The main reason for the deficits is because the vast majority of the on-street parking places are free of charge and permit charges have remained very low, when compared with other districts.

<b>Table 3 On-Street Parking Account Summary</b>			
		£	£
2011/12			
	Income		303687.55
	Costs		534595.48
	<b>Net Expenditure</b>		<b>230907.93</b>
2012/13			
	Income		443653.69
	Costs		629237.36
	<b>Net Expenditure</b>		<b>185583.67</b>
2013/14			
	Income		487424.75
	Costs		656408.79
	<b>Net Expenditure</b>		<b>168984.04</b>
2014/15	Income		533347.25

Costs	681482.8
<b>Net Expenditure</b>	<b>148135.55</b>

2015/16 Income	556835.03
Costs	638489.6
<b>Net Expenditure</b>	<b>81654.57</b>

- 3.6 The potential income from this scheme suggests that on-street parking operations will be self-financing from 2018/19 onwards and there may be a surplus in the account if the schemes are fully implemented.
- 3.7 Parking legislation states that any surplus income in relation to on-street must be spent on transport related activities as detailed in section 55(4) of the Road Traffic Regulation Act 1984 (attached as Appendix 2). Further to this, under an agreement with Kent County Council, any net income from on-street parking over £100k can only be spent on transport related schemes with Kent County Council's approval. Transport related activities include the provision and maintenance of off-street car parks, facilities for public passenger transport, highway improvement projects and environmental improvements such as outdoor recreational facilities available to the general public without charge.
- 3.8 To implement the scheme in 2017/18, a Capital budget of £60,000 and a Revenue budget of £14,250 will be required. The additional revenue costs for 2018/19 and subsequent years will be £20k. No income will be received until 2018/19, and the income calculations are based on the new scheme being ready for 1<sup>st</sup> April 2018 (i.e. a full year).

#### **4 CONCLUSIONS AND SUMMARY**

- 4.1 The key objective of these proposals is for the council to have the ability to effectively manage parking in these areas during periods of high demand.
- 4.2 Pay & display parking, although controversial, is a highly effective way of managing parking pressures. Experience has shown that people who have paid to park are far more likely to comply with restrictions, which in turn reduces the cost of enforcement of limited waiting. P&D also encourages better use of alternate means of transportation, walking, cycling and car sharing.
- 4.3 Officers believe that limiting the on-street parking to a maximum stay of 4 hours and reducing the off-street charges will encourage better use of the car parks particularly for long-term use. This in turn, will relieve on-street parking congestion during periods of high demand.

#### **5. RISK MANAGEMENT ISSUES**

- 5.1 A summary of the perceived risks follows:

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
The on & off street places historically have been free	Medium	Medium	Residents and businesses need to be well informed



and if they became chargeable there is likely to be some opposition from local residents & businesses.			about the reasons behind the Council's decision. Full public consultations and press releases to communicate plans.
There is a close relationship between parking enforcement, parking charges and other available parking. Officers have attempted to consider these issues in a holistic way, but there is a risk that income will not be achieved.	Medium	Low	Civil Enforcement Officers to frequently patrol surrounding roads/car parks to dissuade motorists from breaking parking restrictions. The new on street parking scheme will prevent drivers from parking in unsuitable areas. It is also proposed to review parking in adjacent uncontrolled streets 3 months after implementation.

## 6. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

### 6.1 Legal Officer's Comments (DK)

Subject to the Council complying with the Road Traffic Regulation Act 1984 and to relevant SDC officers liaising with Kent CC upon the proposals, there are no legal implications arising directly out of this report.

### 6.2 Finance Officer's Comments (RH)

All the financial implications are covered in the body of the report. Funding required for 2017/18 - Capital of £60,000 and Revenue £14,250. Additional revenue costs for 2018/19 and subsequent years will be £20,000. The proposed scheme will generate a surplus which will off-set the on-going deficit.

### 6.3 Diversities and Equalities Implications (SS)

There are no negative implications arising from this report, particularly in relation to holders of disabled badges. The existing concessions in car parks will continue to apply.

## 7. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

*Officer: Andy Blaszkowicz, Head of Commercial and Technical Services*

*Telephone:* 01303 853684  
*E-mail:* [Andy.blaszkowicz@shepway.gov.uk](mailto:Andy.blaszkowicz@shepway.gov.uk)

The following background documents have been relied upon in the preparation of this report:

None

**Appendices:**

Appendix 1 – Suitability assessment report

Appendix 2 – Road Traffic Regulation Act 1984 Section 55

# PROJECT CENTRE

## Sandgate Parking Study

### Final Report

Shepway District Council

November 2009



**DOCUMENT CONTROL**

Project Centre has prepared this report in accordance with the instructions from Shepway District Council. Project Centre shall not be liable for the use of any information contained herein for any purpose other than the sole and specific use for which it was prepared.

Report Reference	Issue	Description	Originator	Checked	Authorised
492 101 0105	Final	Sandgate Parking Study	Gordon Walker 23.11.09	Stacy Amey 24.11.09	Ian Hastings 24.11.09

**CONTACT**

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CONTENTS PAGE	PAGE NO.
EXECUTIVE SUMMARY	1
1. CLIENT REQUIREMENTS	3
2. SITE INSPECTIONS AND OBSERVATIONS	4
3. SUITABILITY ASSESSMENT OF THE PROPOSED DESIGN	6
4. PROPOSED PAY & DISPLAY TARIFF	7
5. RECOMMENDATIONS AND FURTHER AREAS FOR CONSIDERATION	8
QUALITY	9

## EXECUTIVE SUMMARY

Sandgate Esplanade and Princes Parade give access to part of the attractive coastline of Kent which attracts many tourists and local visitors to the area throughout the year.

The existing on street parking controls are required to be reviewed due to the increasing number of visitors to the area together with the fact that Shepway DC are already proposing to introduce a charge within the off street car parks in the area.

The proposed design by Shepway DC officers is considered to be a viable scheme and in keeping with the nearby coastal towns which already have on street parking charges.

In consideration of the proposed parking scheme on the seafront the only issue that should be highlighted is the possibility of displacement from the seafront into the roads off Sandgate High Street which with the exception of some waiting restrictions and limited waiting free bays on Sandgate High Street remain uncontrolled. Whilst the traders of this shopping area are likely to be against charges it is recommended that a monitoring exercise should take place prior to the implementation of the proposed parking scheme on the seafront and three months after the operational date to determine if there has been a displacement of visitor parking.

## 1. CLIENT REQUIREMENTS

1.1 Project Centre has been commissioned by Shepway District Council to undertake a parking study of the Councils proposals to introduce Shared Use and Pay & Display parking bays on Sandgate Esplanade and Princes Parade. Shepway DC is proposing to introduce parking charges in the off street car parks in this area and the overall objective of the Sandgate Parking study is to encourage visitors to utilise the car parks and free up space on street.

1.2 The following list contains a summary of the outputs of this report:

- A suitability assessment of the proposed design of the parking bays carried out by Shepway DC officers;
- A recommendation of the proposed parking charges and maximum length of stay for vehicles parking within the proposed bays;
- An estimate of the number of Pay & Display machines required to allow visitors to pay the parking charges and
- Any recommendations and further considerations.

## 2. SITE INSPECTION AND OBSERVATIONS

- 2.1 A site inspection was carried out on 16<sup>th</sup> November 2009 to carry out a suitability assessment of the proposed design provided by Shepway DC officers to convert the existing free parking area on the southern side of Sandgate Esplanade to Shared Use parking bays and provide Pay & Display parking bays on the North side of Princes Parade along its entire length.

### Sandgate Esplanade

- 2.2 The current parking restrictions on Sandgate Esplanade provides free parking on the southern side and yellow line waiting restrictions on the northern side together with restricted bus stops at various locations along its entire length. There are residential properties on the northern side of the Esplanade and due to the lack of off street parking many of the residents and their visitors currently park on the Esplanade free of charge.



Photo 2.2 Sandgate Esplanade 1



### Princes Parade

- 2.3 The current parking restrictions on Princes Parade provide free parking on the southern side and double yellow line waiting restrictions on the northern side along its entire length. Currently vehicles park on the southern side adjacent to the 750mm high flood protection barrier. There are three Council owned free car parks on Princes Parade, Battery Point Car Park at the eastern end, Seapoint Car Park and Twiss Road Car Park at the western end. Shepway DC proposes to introduce parking charges in these car parks in 2010.



Figure 2.3 Princes Parade 1

### **3. SUITABILITY ASSESSMENT OF THE PROPOSED DESIGN**

#### **Sandgate Esplanade**

- 3.1 The proposed design on Sandgate Esplanade is to convert the existing free parking area on the southern side to Shared Use parking bays. The existing restricted bus stops and waiting restrictions opposite junctions will remain and the new proposals will produce 107 parking spaces (5.5 metre long standard length bays).
- 3.2 Shared Use parking bays would be available to resident and business permit holders and visitors purchasing a Pay & Display ticket.
- 3.3 The proposed charges by Shepway DC would be £25 for a 12 month Resident permit and £50 for a 12 month Business permit. Permit holders will be eligible to park with no time limit within the Shared Use bays.

#### **Princes Parade**

- 3.4 The proposed design to Princes Parade is to relocate the existing double yellow line waiting restrictions to the southern side of the road adjacent to the flood protection barrier and provide Pay & Display bays on the northern side of the road. These new proposals will produce 320 parking spaces (5.5 metre long standard length bays).

#### **Assessment**

- 3.5 The implementation of the parking controls proposed by Shepway DC in tandem with the charges in the off street car parks will fulfil the Council's objective to encourage visitors to use the car parks to free up spaces in the proposed Shared Use and Pay & Display parking bays.
- 3.6 There would be a requirement to provide 5 Pay & Display machines in Sandgate Esplanade and 12 Pay & Display machines in Princes Parade to allow visitors to purchase a ticket to park within these bays. This calculation is based upon a maximum spacing of 150 metres between the machines.
- 3.7 Shepway DC officers are proposing a tariff of £1.10 per hour within the off street car parks therefore it is recommended to implement a tariff of £1.20 per hour with a maximum stay of 4 hours within the new on street parking bays to encourage visitors to use the off street car parks. Please refer to item 4.1 for a comparison of parking charges in neighbouring coastal towns.

#### 4. PROPOSED PAY & DISPLAY TARIFF

4.1 To assist Shepway DC officers to make a financial assessment Project Centre have contacted the neighbouring Councils which have coastal towns similar to Folkestone where there are already on street parking charges which are detailed below. Shepway DC officers have already confirmed the intention to charge £1.10 per hour for parking in their off street car parks in the area therefore a £1.20 per hour tariff with a 4 hour maximum stay would be in keeping with the other coastal towns.

■ Broadstairs	£ 1.10/hour
■ Ramsgate	£ 1.10/hour
■ Dover	£ 1.10/hour
■ Deal	£ 1.10/hour
■ Sandwich	£ 0.90/hour

## 5. RECOMMENDATIONS AND FURTHER AREAS FOR CONSIDERATION

- 5.1 It is recommended that the proposals are progressed to statutory consultation, following approval by the Council, with the proposed design using a tariff of £1.20 per hour with a maximum stay of 4 hours for the Pay & Display charges.
- 5.2 A total of 17 Pay & Display machines will be required for this parking scheme.
- 5.3 Having undertaken an initial study it is concluded that whilst the introduction of a Shared Use and Pay & Display scheme is viable there is one key area that requires further investigation;
- The roads off Sandgate High Street would remain uncontrolled and visitors to the area are likely to park in a free parking bay rather than making a payment to park. A design could be proposed to incorporate the roads off Sandgate High Street within the scheme however consultation would be required with the local residents and traders in this shopping area. A monitoring exercise could be carried out prior to the implementation of the parking controls on the seafront and then a further survey and review three months after the operational date of the scheme to identify any displacement if there are concerns in incorporating the roads off Sandgate High Street within the existing proposals.

## Quality

It is the policy of Project Centre to supply Services that meet or exceed our clients' expectations of Quality and Service. To this end, the Company's Quality Management System (QMS) has been structured to encompass all aspects of the Company's activities including such areas as Sales, Design and Client Service.

By adopting our QMS on all aspects of the company, Project Centre aims to achieve the following objectives:

- Ensure a clear understanding of customer requirements;
- Ensure projects are completed to programme and within budget;
- Improve productivity by having consistent procedures;
- Increase flexibility of staff and systems through the adoption of a common approach to staff appraisal and training;
- Continually improve the standard of service we provide internally and externally;
- Achieve continuous and appropriate improvement in all aspects of the company;

Our Quality Management Manual is supported by detailed operational documentation. These relate to codes of practice, technical specifications, work instructions, Key Performance Indicators, and other relevant documentation to form a working set of documents governing the required work practices throughout the Company.

All employees are trained to understand and discharge their individual responsibilities to ensure the effective operation of the Quality Management System.



FS 77166

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**PART IV**  
**PARKING PLACES**

*Parking on highways for payment*

**55 Financial provisions relating to designation orders. E+W**

(1) A local authority shall keep an account of their income and expenditure in respect of parking places **[F1]** for which they are the local authority and which are—

(a) in the case of **[F2]** in the case of **[F2]** the council of a London borough and the Common Council of the City of London, parking places on the highway; and

(b) in the case of any other authority, designated parking places.]

(2) At the end of each financial year any deficit in the account shall be made good out of the **[F3]** general fund **[F4]** or, in Wales, council fund], and (subject to subsection (3) below) any surplus shall be applied for all or any of the purposes specified in subsection (4) below and, in so far as it is not so applied, shall be appropriated to the carrying out of some specific project falling within those purposes and carried forward until applied to carrying it out.

(3) If the local authority so determine, any amount not applied in any financial year, instead of being or remaining so appropriated, may be carried forward in the account kept under subsection (1) above to the next financial year.

**[F5]**(3A) **[F6]** Transport for London,]] The council of each London borough and the Common Council of the City of London shall, after each financial year, report to the **[F7]** Secretary of State] on any action taken by them, pursuant to subsection (2) or (3) above, in respect of any deficit or surplus in their account for the year.

(3B) The report under subsection (3A) above shall be made as soon after the end of the financial year to which it relates as is reasonably possible.

(4) The purposes referred to in subsection (2) above are the following, that is to say—

(a) the making good to the **[F8]** general fund **[F4]** or, in Wales, council fund] of any amount charged to that fund under subsection (2) above in the 4 years immediately preceding the financial year in question;

(b) meeting all or any part of the cost of the provision and maintenance by the local authority of **[F9]** off-street parking accommodation, whether in the open or under cover;]

(c) the making to other local authorities, **F10** . . . or to other persons of contributions towards the cost of the provision and maintenance by them, in the area of the local authority or elsewhere, of **[F9]** off-street parking accommodation, whether in the open or under cover;]

**[F11]** (d) if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes—

(i) meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services,

(ii) the purposes of a highway or road improvement project in the local authority's area,

(iii) in the case of a London authority, meeting costs incurred by the authority in respect of the maintenance of roads maintained at the public expense by them,

(iv) the purposes of environmental improvement in the local authority's area,

- (v) in the case of such local authorities as may be prescribed, any other purposes for which the authority may lawfully incur expenditure;]
- (e) in the case of a London authority, meeting all or any part of the cost of the doing by the authority in their area of anything—
  - (i) which facilitates the implementation of the London transport strategy, and
  - (ii) which is for the time being specified in that strategy as a purpose for which a surplus may be applied by virtue of this paragraph;
- (f) in the case of a London authority, the making to any other London authority of contributions towards the cost of the doing by that other authority of anything towards the doing of which in its own area the authority making the contribution has power—
  - (i) to apply any surplus on the account required to be kept under subsection (1) above; or
  - (ii) to incur expenditure required to be brought into that account.

**[F12** For the purposes of subsection (4)(d)(ii)—

(4A)

- (a) a highway improvement project means a project connected with the carrying out by the appropriate highway authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Highways Act 1980) of a highway in the area of a local authority in England or Wales; and
- (b) a road improvement project means a project connected with the carrying out by the appropriate roads authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Roads (Scotland) Act 1984) of a road in the area of a local authority in Scotland.]

**[F13** For the purposes of subsection (4)(d)(iv) "environmental improvement" includes—

(4B)

- (a) the reduction of environmental pollution (as defined in the Pollution Prevention and Control Act 1999 (c. 24); see section 1(2) and (3) of that Act);
- (b) improving or maintaining the appearance or amenity of—
  - (i) a road or land in the vicinity of a road, or
  - (ii) open land or water to which the general public has access; and
- (c) the provision of outdoor recreational facilities available to the general public without charge.

(4C) Regulations for the purposes of subsection (4)(d)(v) above—

- (a) may prescribe all local authorities, particular authorities or particular descriptions of authority,
- (b) may make provision by reference to whether the authority or authorities in question have been classified for the purposes of any other enactment as falling or not falling within a particular category, and
- (c) may make provision for the continued application of that provision, in prescribed cases and to such extent as may be prescribed, where an authority that is prescribed or of a prescribed description ceases to be so.]

**F14**(5) .....

**F15**(6) .....

**F16**(7) .....



- [F17]**(8) For the purpose of enabling Transport for London and any other London authorities to discharge jointly any functions conferred by virtue of subsection (4)(f) above by a joint committee established under section 101(5) of the **M1** Local Government Act 1972, sections 101(5) and 102 of that Act shall have effect as if Transport for London were a local authority.
- (9) In the application of this section in relation to Transport for London, any reference to its general fund shall be taken as a reference to the financial reserves for which provision is made under section 85 (4)(c) of the Greater London Authority Act 1999 in calculating Transport for London's component budget for the financial year in question.
- (10) In this section—
- “London authority” means Transport for London, a London borough council or the Common Council of the City of London;
- “the London transport strategy” means the transport strategy prepared and published under section 142 of the Greater London Authority Act 1999.]

**Annotations:****Extent Information**

- E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

**Amendments (Textual)**

- F1** Words in s. 55(1) substituted (5.7.1993, 4.10.1993, 6.12.1993, 31.1.1994, 5.4.1994 and 4.7.1994 respectively for specified London boroughs and otherwise prosp.) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 81, Sch. 7 para. 5(2); S.I. 1993/1461, art. 3(1)(e)(f); S.I. 1993/2229, art. 3(e)(f); S.I. 1993/2803, art. 2(e)(f); S.I. 1993/3238, art. 2(e)(f); S.I. 1994/81, art. 3(e)(f); S.I. 1994/1482, art. 2(a), Sch.; S.I. 1994/1484, art. 2(a)
- F2** Words in s. 55(1)(a) inserted (3.7.2000) by 1999 c. 29, s. 282(2) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, Sch.
- F3** Words substituted by Local Government Finance Act 1988 (c. 41, SIF 81:1, 103:2), s. 137, Sch. 12 Pt. III para. 42 (1)–(3)
- F4** Words in s. 55(2)(4)(a) inserted (1.4.1996) by 1994 c. 19, s. 22(1), Sch. 7 Pt. II para. 38(6)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3
- F5** S. 55(3A)(3B) inserted (5.7.1993, 4.10.1993, 6.12.1993, 31.1.1994, 5.4.1994 and 4.7.1994 respectively for specified London boroughs and otherwise prosp.) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 81, Sch. 7 para. 5(3); S.I. 1993/1461, art. 3(1)(e)(f); S.I. 1993/2229, art. 3(e)(f); S.I. 1993/2803, art. 2(e)(f); S.I. 1993/3238, art. 2(e)(f); S.I. 1994/81, art. 3(e)(f); S.I. 1994/1482, art. 2(a), Sch.; S.I. 1994/1484, art. 2(a)
- F6** Words in s. 55(3A) inserted (3.7.2000) by 1999 c. 29, s. 282(3)(a) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, Sch.
- F7** Words in s. 55(3A) substituted (3.7.2000) by 1999 c. 29, s. 282(3)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, Sch.
- F8** Words substituted by Local Government Finance Act 1988 (c. 41, SIF 81:1, 103:2), s. 137, Sch. 12 Pt. III para. 42 (1)–(3)
- F9** Words in s. 55(4)(b) and (c) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), Sch. 8 para. 46(2); S.I. 1991/2286, art. 2(2), Sch. 2; S.I. 1991/2288, art. 3, Sch.
- F10** Words in s. 55(4)(c) repealed (1.10.1991) by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 81, 83, Sch. 7, para. 5(4), Sch. 8; S.I. 1991/2054, art. 3, Sch.
- F11** S. 55(4)(d) substituted (E.W.) (4.10.2004 for E. and 26.10.2006 for W.) by Traffic Management Act 2004 (c. 18), ss. 95(2), 99 (with s. 38); S.I. 2004/2380, art. 2(f); S.I. 2006/2826, art. 2(d)
- F12** S. 55(4A) inserted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), Sch. 8 para. 46(4); S.I. 1991/2288, art. 3, Sch.
- F13**

S. 55(4B)(4C) inserted (4.10.2004 for E. and 26.10.2006 for W.) by Traffic Management Act 2004 (c. 18), **ss. 95 (3), 99** (with **s. 38**); S.I. 2005/2380, **art. 2(f)**; S.I. 2006/2826, **art. 2(d)**

**F14** S. 55(5) repealed (S.) (1.11.1991) by Roads (Scotland) Act 1984 (c. 54, SIF 108), **ss. 128(1), 156(3)**, **Sch. 10 para. 4(1)**, **Sch. 11** and repealed (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108) s. 168(1) (2), **Sch. 8 para. 46(5)**, **Sch. 9**; S.I. 1991/2286, **art. 2(2)**, **Sch. 2**; S.I. 1991/2288, **art. 3**, **Sch.**

**F15** S. 55(6) repealed (1.4.1996) by 1994 c. 19, **ss. 22(1), 66(8)**, **Sch. 7 Pt. II para. 38(6)(b)**, **Sch. 18**; (ss. 54(5)(7), 55 (5), **Sch. 17 paras. 22(1), 22(3)**); S.I. 1996/396, **art. 3**

**F16** S. 55(7) repealed by Local Government Act 1985 (c. 51, SIF 81:1), **ss. 1, 102(2)(3)**, **Sch. 17**

**F17** S. 55(8)(9)(10) inserted (3.7.2000) by 1999 c. 29, **s. 282(5)** (with **Sch. 12 para. 9(1)**); S.I. 2000/801, **art. 2**, **Sch.**

#### Modifications etc. (not altering text)

**C1** S. 55 modified (5.7.1993) by S.I. 1993/1474, **art. 5(1)**

S. 55 modified (4.10.1993) by S.I. 1993/2237, **art. 5(1)**

S. 55 modified (6.12.1993) by S.I. 1993/2804, **art. 4(1)**

S. 55 modified (31.1.1994) by S.I. 1993/3239, **art. 4(1)**

S. 55 modified (1.1.1997) by S.I. 1997/3038, **art. 5(1)**

S. 55 modified (1.7.1997) by S.I. 1997/1342, **art. 5(1)**

S. 55 modified (1.6.1998) by S.I. 1997/1134, **art. 5(1)**

S. 55 modified (15.11.2004) by The Road Traffic (Special Parking Area) (GLA Roads and GLA Side Roads) Order 2004 (S.I. 2004/2684), **art. 4(1)**

**C2** S. 55 applied (with modifications) (30.12.2003) by London Local Authorities and Transport for London Act 2003 (c. iii), **s. 11**

**C3** S. 55 applied (with modifications) (E.) (31.3.2008) by The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S.I. 2007/3483), **reg. 25**

**C4** S. 55 applied (with modifications) (W.) (31.3.2008) by The Civil Enforcement of Parking Contraventions (General Provisions) (Wales) Regulations 2008 (S.I. 2008/614), **regs. 10, 11**

**C5** S. 55 applied (with modifications) (W.) (22.5.2008) by The Civil Enforcement of Parking Contraventions (General Provisions) (Wales) (No. 2) Regulations 2008 (S.I. 2008/1214), **regs. 10, 11**

**C6** S. 55 applied (with modifications) (W.) (25.3.2013) by The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013 (S.I. 2013/362), **regs. 1, 23**

#### Marginal Citations

**M1** 1972 c. 70.

### 55 Financial provisions relating to designation orders. S

(1) A local authority shall keep an account of their income and expenditure in respect of parking places **[F1]** for which they are the local authority and which are—

(a) in the case of **[F2]** in the case of **[F2]** the council of a London borough and the Common Council of the City of London, parking places on the highway; and

(b) in the case of any other authority, designated parking places.]

(2) At the end of each financial year any deficit in the account shall be made good out of the **[F3]** general fund **[F4]** or, in Wales, council fund], and (subject to subsection (3) below) any surplus shall be applied for all or any of the purposes specified in subsection (4) below and, in so far as it is not so applied, shall be appropriated to the carrying out of some specific project falling within those purposes and carried forward until applied to carrying it out.

(3)

This Report will be made public on 11 July 2017.

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



**C/17/25**

Report Number

**To: Cabinet**  
**Date: 19<sup>th</sup> July 2017**  
**Status: Non Key Decision**  
**Head of service: Andy Jarrett – Head of Strategic Development Projects**  
**Cabinet Member: Councillor David Monk – Leader of the Council**

**SUBJECT: Princes Parade Project Development Strategy**

## **SUMMARY:**

This report provides details of the key elements of the future work programme for the Princes Parade project.

Implementation of the work streams identified in this report will allow a detailed and comprehensive Business Plan to be prepared that will allow Cabinet to take a decision on whether to proceed with the implementation of the project, later in the year, after the planning application has been determined

## **REASONS FOR RECOMMENDATION:**

To allow the development of the Princes Parade Project to proceed in accordance with the resolution of Cabinet on 7<sup>th</sup> February 2017.

## **RECOMMENDATIONS:**

- 1. To receive and note report C/17/25**
- 2. That Cabinet endorse the work programme identified in the report in order that a full business case and financial appraisal may be prepared for their consideration, prior to the commencement of construction, should planning permission be granted.**

## **1. Background**

- 1.1 Development of the current project has been underway since 2012, as set out in the timeline recently published on the Council's website. It is anticipated that the planning application for the scheme will be considered by the Planning and Licencing Committee in the autumn of 2017.
- 1.2 At its meeting on 7<sup>th</sup> February 2017 (report C16/102) Cabinet resolved that should planning permission be granted, then the full business case and financial appraisal should be considered by Cabinet prior to any building work proceeding.
- 1.2 The period during which the planning application is being considered by the local planning authority provides an opportunity to further develop the associated delivery detail, including the business case and financial appraisal, in order that the project may proceed in a timely manner should planning permission be granted

## **2. Proposed Further Work to Prepare the Business Plan and Financial Appraisal**

- 2.1 A recommended schedule of further work is set out below that will allow the requested business case and financial appraisal to be prepared.

### **A - Preparation of the Business Case for the Affordable Recreation Centre**

- 2.2 The decision to proceed with the development of the Affordable Recreation Centre, on the Princes Parade site, was informed by advice from Strategic Leisure that was reported to Cabinet in 2012 and 2014 (C/12/51 and C/14/01) and further updated in 2016. This advice, based on the recognised assessment criteria from Sport England, sought to establish the demand for such a facility taking into account local provision and the local demographic profile.
- 2.3 Given that a design and specification for the ARC has now been agreed by Cabinet it is recommended that now is an appropriate time to prepare a full and detailed business case. The objective would be to provide a comprehensive document that provides the Council with an updated assessment of the affordability and deliverability of the new facility and thus the information required to make a firm decision to proceed. The business case would also provide an indication of the expected level of revenue turn-around that should be incorporated into the Council's Medium Term Financial Strategy bearing in mind the current and projected revenue demands of the existing Hythe pool and facilities. The key elements of the business case are listed below :-

- An updated health and fitness market assessment

- A review of the financial performance of the existing pool and facilities at South Road, Hythe.
- Income, expenditure and throughput projections for new leisure centre of the specification agreed.
- Considerations of the financial implications of alternative management models for the new centre (e.g. outsourcing to a leisure trust, etc)
- Affordability analysis including a projected cashflow assessment.
- Soft market testing with potential leisure operators
- Advice on the ongoing project management requirements required to deliver the project and the associated costs.

2.4 It is estimated that this work will take approximately 12 weeks to complete.

### **B - Phasing and Residential/Commercial Land Disposal Advice**

2.5 The construction of the Affordable Recreation Centre will, in part, be funded by the disposal of the land identified within the masterplan for residential and commercial use. The value and timing of that funding will be dependent upon the implementation and disposal strategy. The advice of a commercial property advisor will therefore need to be sought. The advice will be a key input into the capital funding strategy described below.

2.6 At an appropriate point in the development of the project it will also be necessary to commission work related to the marketing and disposal of the residential and commercial land. This is normally based on a percentage of the sales value secured.

### **C - Capital Funding Strategy for the Project**

2.7 In addition to the business case it is recommended that a capital funding strategy be prepared that considers how the capital costs of delivering the totality of the scheme will be assembled. The strategy will be informed by a full scheme cost plan and the residential and commercial disposal advice referred to in this report.

2.8 The key output of the capital funding strategy will be a financial route map, to include the decommissioning of Hythe Swimming Pool that will set out a cash flow projection for the whole scheme and identify the internal and external borrowing requirements. It is proposed that the capital funding strategy be prepared in-house by members of the Finance team, supported by the Strategic Development Projects Team, but be subject to an independent external review.

### **D - Procurement of and Contracting with an Operator for the ARC**

2.9 The current Hythe Swimming Pool facility is run by Shepway District Council with management support provided by Medway Leisure. Options for the operation of the new facility include the current arrangement, use of either an existing or newly formed leisure trust, or a private operator.

- 2.10 Consideration of these options and the development of the appropriate documentation to secure an ARC operator and implement the procurement process will require specialist advice from an experienced leisure consultancy. It is recommended that the procurement options available to the Council be set out in the Business Plan, although the process to secure an operator will clearly not commence until Cabinet have considered the business case and financial appraisal and taken a decision to proceed with the implementation of the scheme.
- 2.11 Once an operator for the ARC has been selected it will be necessary to draw up a detailed contract between them and the District Council that covers a range of issues including the service specification, maintenance requirements and the detail of the financial arrangements. In addition to advice related to the nature of the operator and the procurement process specialist legal support for the operator procurement will also be required.

### **E - Princes Parade Business Plan**

2.12 In order for Cabinet to be able to take a final decision as to whether to proceed with the implementation of the Princes Parade project, and release the resources required, it will be necessary for it to consider an overall business plan that ties together all the key elements of the project and incorporates the requested business case and financial appraisal. Completion of the work streams identified in section 2 of this report, along with existing information such as the RIBA Stage 3 design and detailed site information, will allow such a document to be prepared. It recommended that the report consists of the following :-

- Chapter 1 – ARC Business case
- Chapter 2 – Design Proposals
- Chapter 3 – Capital Cost Plan
- Chapter 4 – Capital Funding Strategy
- Chapter 5 – Project Execution Plan
- Chapter 6 – Project Delivery Team
- Appendix 1 - Updated Risk Register

2.13 It is proposed that responsibility for the production of this documents is undertaken in-house by SDC officers with progress reported on a regular basis to the Princes Working Group and Princes Parade Advisory Panel.

### **3. Long Term Development of Public Open Space at Princes Parade**

3.1 The proposed scheme includes a substantial area of public open space. It is likely that any planning approval for the Princes Parade scheme will require this to be delivered to a certain standard and at a certain point within the development of the scheme. An allocation of capital funding will need to be included within the overall cost plan for the scheme and the capital funding strategy, and this cost included in any viability calculations.

3.2 However, beyond any requirements linked to a future planning approval, this open space has the potential to be developed as a high quality

destination play area, in accordance with the emerging Shepway Play Area Review. This provides an opportunity to develop, through engagement with the local community, a very high quality public park (of a standard similar to, but distinct from, the Folkestone Coastal Park) capable of meeting a range of local need. In order to not compromise the delivery of the ARC it will be necessary to secure additional external funding through, for example, S106 contributions secured from other local schemes or through bids for external funding.

3.3 In order to advise Cabinet on the best delivery and long term management option to pursue it is recommended that a report covering the subject areas listed below is commissioned.

A. Specification of open space and design including :-

- Concessions
- Toilets
- Destination play space
- Facilities etc.

B. Involvement of community in the design at an early stage

C. Delivery options and phasing

D. Long term management options

E. Implications for capital funding strategy

#### **4. Proposed Timescales and Milestones**

4.1. The timescale for each of the work stream outlined in this report are shown below :-

- Report to Cabinet to consider Business Plan (post planning decision) – Autumn / Winter 2017
- Procurement of an ARC operator – Spring 2018
- Contracting with the ARC operator – Summer 2018
- Construction commences – Autumn 2018
- ARC opens - 2020

#### **5. Conclusion**

5.1 The development of the Princes Parade Project, beyond the submission of the planning application, will require further advice to be sought in order that the requested business case and financial appraisal can be prepared. It is recommended that Cabinet support the approach outlined above with a view to that document being presented to them for consideration later in the year following the determination of the planning application.

#### **6. RISK MANAGEMENT ISSUES**

6.1 A summary of the perceived risks is as follows :-

Perceived risk	Seriousness	Likelihood	Preventative action
Business case for Affordable Recreation Centre shows a low level of revenue turn-around	High	Low	Review pricing and potential income sources as part of the development of the business case, informed by soft market testing.
Delays to the process of determining the application for planning permission, resulting in delays to the consideration of the business plan.	High	Medium	Local planning authority to appoint a dedicated case officer.  Application to be progressed in accordance with an agreed Planning Performance Agreement that commits both the LPA and the applicant to meeting agreed performance standards.

**Legal Officer's Comments (NE)**

There are no legal implications arising directly from this report however legal will continue to be involved in the project as and when required.

**Finance Officer's Comments (LH)**

There are no financial implications arising directly from this report however, budget approval will be sought at the appropriate time through the Budget setting process.

**Diversities and Equalities Implications (DS)**

There are no diversities and equalities implications directly arising from this report.

**7. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officers prior to the meeting

Andy Jarrett – Head of Strategic Development Projects  
 Telephone: 07713081278  
 Email: [andy.jarrett@shepway.gov.uk](mailto:andy.jarrett@shepway.gov.uk)

Dave Shore – Strategic Development Projects Manager  
 Telephone: 01303 853459



Email: [dave.shore@shepway.gov.uk](mailto:dave.shore@shepway.gov.uk)

The following background documents have been relied upon in the preparation of this report:

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This Report will be made public on 11 July 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/23**

**To:** Cabinet  
**Date:** 19 July 2017  
**Status:** Non-Key Decision  
**Head of Service:** Pat Main, Interim Head of Finance  
**Cabinet Member:** Councillor Malcolm Dearden, Finance

**SUBJECT: GENERAL FUND CAPITAL BUDGET MONITORING – 1st QUARTER 2017/18 AND 2016/17 OUTTURN**

**SUMMARY:** This monitoring report provides a projection of the latest financial position for the General Fund capital programme, based on expenditure to 31 May 2017. The report identifies variances on planned capital expenditure for the General Fund in 2017/18. The report also summarises the 2016/17 final outturn position (subject to audit) for the General Fund capital programme compared to both the latest approved budget and the quarter 4 budget monitoring position reported to Cabinet in April 2017. Finally the report also summarises the outturn position for the approved prudential indicators for capital expenditure in 2016/17.

**REASONS FOR RECOMMENDATIONS:**

- a) Cabinet is asked to agree the recommendations set out below because it needs to be kept informed of the General Fund capital programme position and take appropriate action to deal with any variance from the approved budget.
- b) CIPFA's Prudential Code for Capital Finance requires the actual prudential indicators for the financial year to be reported.

**RECOMMENDATIONS:**

1. To receive and note Report C/17/23.

## 1. INTRODUCTION AND BACKGROUND

1.1 As part of the council's normal budget monitoring process this report updates Cabinet on the latest position for the General Fund capital programme at the 1st quarter of 2017/18, based on expenditure to 31 May 2017, compared to the latest budget, approved as part of the Medium Term Capital Programme by Full Council on 22 February 2017 (minute 183 refers). This report also compares the 2016/17 outturn (subject to audit) for the capital programme to both the latest approved budget and the projected position at quarter 4. The projected position at quarter 4 of 2016/17 was reported to Cabinet on 19 April 2017 (minute 67 refers). Specifically, this report:-

- i) Identifies variances on planned expenditure for 2017/18 arising from both the 2016/17 outturn and other projected changes for the overall capital programme and explanations of these differences,
- ii) considers the impact any changes to the overall capital programme will have on the financing resources required to fund it.
- iii) summarises the 2016/17 outturn position for the approved prudential indicators for capital expenditure.

## 2. 2016/17 FINAL OUTTURN COMPARED TO THE LATEST APPROVED BUDGET AND QUARTER 4 PROJECTION

2.1 The following table provides a summary of the final outturn for the General Fund capital programme in 2016/17 compared to both the latest budget and the quarter 4 projected position. Full details are shown in Appendix 1 to this report. The final outturn figures are consistent with the draft Statement of Accounts and subject to the audit of the accounts.

General Fund Capital Programme 2016/17	Latest Budget 2016/17	Quarter 4 Projection 2016/17	Final Outturn 2016/17	Variance Q4 to Outturn	Variance Budget to Outturn
	£'000	£'000	£'000	£'000	£'000
<b>Service Units</b>					
Commercial & Technical Services	4,075	3,797	3,811	14	(264)
Democratic Services & Law	101	104	100	(4)	(1)
Finance	2,740	2,809	2,735	(74)	(5)
Human Resources	20	10	9	(1)	(11)
Communities	1,015	1,025	1,020	(5)	5
Strategic Development Projects	1,589	1,507	1,506	(1)	(83)
<b>Total General Fund Capital Expenditure</b>	<b>9,540</b>	<b>9,252</b>	<b>9,181</b>	<b>(71)</b>	<b>(359)</b>

General Fund Capital Programme 2016/17	Latest Budget 2016/17	Quarter 4 Projection 2016/17	Final Outturn 2016/17	Variance Q4 to Outturn	Variance Budget to Outturn
<b>Capital Funding</b>					
Capital Grants	(3289)	(3,475)	(4,087)	(612)	(798)
External Contributions	(569)	(562)	(43)	519	526
Capital Receipts	(2,027)	(1,892)	(1,756)	136	271
Revenue	(3,655)	(2,273)	(2,190)	83	1,465
Borrowing	-	(1,050)	(1,105)	(55)	(1,105)
<b>Total Funding</b>	<b>(9,540)</b>	<b>(9,252)</b>	<b>(9,181)</b>	<b>71</b>	<b>359</b>

2.2 The following table summarises the reasons for the net reduction in the final outturn expenditure compared to the latest approved budget:

	2016/17 Budget to Outturn Variances	£'000
1	Net impact of reprofiling expenditure on schemes between 2016/17 and 2017/18	(579)
2	Disabled Facilities Grants and Loans – increase in demand met from Better Care Fund grant in-hand.	148
3	Coronation Parade, Folkestone – additional expenditure met from EA Grant	136
4	Eligible expenditure on the Digital Delivery of Services project able to be met from the government's Flexible Use of Capital Receipts Guidance lower than anticipated (Note – unused qualifying capital receipts remain available to support future efficiency initiatives until 2019)	(74)
5.	Other net minor changes	10
	<b>Total Variance</b>	<b>( 359 )</b>

### 3. CAPITAL PROGRAMME 2017/18 – PROJECTED OUTTURN

3.1 The latest projection for the total cost and funding of the General Fund capital programme for 2017/18 is £7,162,000, an increase of £250,000 compared to the latest budget of £6,912,000. Full details are shown in Appendix 2 to this report and the following table summarises the position across the Service Units and also outlines the impact on the capital resources required to fund the programme:

<b>General Fund Programme 2017/18</b>	<b>Latest Budget 2017/18</b>	<b>Quarter 1 Projection 2017/18</b>	<b>Variance</b>
<b>Service Unit</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Commercial & Technical Services	3,416	3,416	-
Democratic Services & Law	112	112	-
Finance	1,178	1,178	-
Human Resources	11	11	-
Communities	1,163	1,413	250
Strategic Development Projects	1,032	1,032	-
<b>Total General Fund Capital Expenditure</b>	<b>6,912</b>	<b>7,162</b>	<b>250</b>
<b>Capital Funding</b>			
Capital Grants	(2,395)	(2,645)	(250)
External Contributions	(1,007)	(1,007)	
Capital Receipts	(959)	(959)	
Revenue	(2,551)	(2,459)	92
Borrow	-	(92)	(92)
<b>Total Funding</b>	<b>(6,912)</b>	<b>(7,162)</b>	<b>(250)</b>

3.2 The projected variance of £250,000 relates entirely to an anticipated and welcomed increase in expenditure on Disabled Facilities Grants and Loans for private sector housing improvements to help residents remain in their own properties. The additional expenditure will be met from the government's Better Care Fund grant allocation.

3.3 The projections contained in this report are based on the most accurate information at the current time and every effort is made to ensure the capital programme is delivered on time and in budget. Some capital schemes are more difficult to project accurately in terms of both the timing of expenditure and the final cost. In particular it is difficult to accurately project the timing of expenditure for the Disabled Facilities Grants and Loans and the release of funding to Oportunitas Limited for its housing acquisitions programme.

#### **4. IMPACT OF PROGRAMME CAPITAL FUNDING RESOURCES**

4.1 One of the key principles underlying the council's Medium Term Financial Strategy is the capital programme is funded from available or realised capital resources. The only exception to this is where a scheme is subject to grant funding or external contributions in which case no commitment is made against these until the funding is confirmed. Borrowing is only to be used to support schemes expected to generate a net revenue saving and/or future capital receipt. The latest forecast for the General Fund capital programme conforms to this key principle.

4.2 The latest position regarding the council's available capital receipts to fund capital expenditure is shown in the following table:

<b>Capital Receipts Position Statement</b>	<b>£'000</b>
Receipts in hand at 31 <sup>st</sup> May 2017	(6,772)
Less:	
Committed towards General Fund capital expenditure	1,359
Committed towards HRA capital expenditure	3,455
Ring-fenced for specific purposes	1,266
Contingency for urgent or unforeseen capital expenditure	500
<b>Balance available to support new capital expenditure</b>	<b>(192)</b>

## **5. PRUDENTIAL INDICATORS OUTTURN 2016/17**

- 5.1 The Local Government Act 2003 requires the Authority to have regard to the Chartered Institute of Public Finance and Accountancy's *Prudential Code for Capital Finance in Local Authorities* (the Prudential Code) when determining how much money it can afford to borrow. The objectives of the Prudential Code are to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable, and that treasury management decisions are taken in accordance with good professional practice. Appendix 3 compares the approved indicators with the outturn position for 2016/17. The actual figures have been taken from or prepared on a consistent basis with the Authority's draft Statement of Accounts. The Authority has complied with all the limits set as part of the approved indicators for 2016/17.

## **6. CONCLUSIONS**

- 6.1 The outturn position for 2016/17 is consistent with the draft Statement of Accounts.
- 6.2 The projected outturn shown for the General Fund capital programme for 2017/18 reflects the position based on actual expenditure and forecasts at 31 May 2017. The projected increase in expenditure can be met from capital grants received.
- 6.3 The projected outturn for the programme is funded mainly from existing available capital resources and only requires a small amount of borrowing to support it.

## **7 RISK MANAGEMENT ISSUES**

- 7.1 A summary of the perceived risks follows:

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
Capital resources not available to meet the cost of the new projects.	High	Medium	Capital receipts required have already been realised for the majority of the programme. Schemes subject to future capital resources will only commence once these are realised. Schemes supported by grant funding will only commence once fully approved and committed by the relevant body.
Cost of new projects may exceed the estimate.	High	Medium	Capital monitoring procedures in place allowing prompt early action to be taken to manage the risk effectively.

## **8. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

### **8.1 Legal Officer's Comments (DK)**

There are no legal implications arising directly out of this report.

### **8.2 Finance Officer's Comments (LW)**

This report has been prepared by Financial Services. There are no further comments to add.

### **8.3 Diversities and Equalities Implications**

The report does not cover a new service or policy or a revision of either and therefore does not require an Equality Impact Assessment.

## **9. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

*Lee Walker, Group Accountant*



Tel: 01303 853593. e-mail :[lee.walker@shepway.gov.uk](mailto:lee.walker@shepway.gov.uk)

The following background documents have been relied upon in the preparation of this report:

None

Appendices:

Appendix 1 – General Fund Capital Programme 2016/17 Outturn

Appendix 2 – General Fund Capital Programme 2017/18 Q1 Projection

Appendix 3 – Prudential Indicators Outturn Report 2016/17

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GENERAL FUND CAPITAL PROGRAMME 2016/17 OUTTURN							
2016/17							
Item No	Service Area and Scheme	Latest Approved Budget	Q4 Projection	Outturn	Variance Q4 to Outturn	Variance Budget to Outturn	Comments - Variance Budget to Outturn
		£'000	£'000	£'000	£'000	£'000	
<b>Andy Blaszkowicz - Head of Commercial and Technical Services</b>							
1	Improvements to Hawkinge Yard	29	0	0	0	-29	Slippage - Final stage of scheme planned to be completed in 2017/18
2	Grounds Maintenance Vehicle and Equipment Replacement Programme	231	45	36	-9	-195	Slippage - vehicles on order with deliveries expected during by Summer 2017
3	Coast Protection - Coronation Parade Urgent Repairs to Sea Wall	45	40	40	0	-5	Saving - Repairs to storm damaged wall undertaken in Spring 2016. £35K grant from Environment Agency towards work.
4	Coast Protection - Coronation Parade, Folkestone	2,995	3,100	3,131	31	136	All externally funded. Increased cost of renovating the concrete structure being met by additional grant funding by the Environment Agency
5	Coast Protection - Greatstone Dunes Management & Study	12	12	13	1	1	Scheme externally funded by the Environment Agency
6	Coast Protection - Hythe to Folkestone Beach Management (from 2015)	247	188	192	4	-55	Spring 2017 beach recycling delayed until April 2017. Scheme externally funded by the Environment Agency
7	General Fund Property - Health and Safety Enhancements	207	101	108	7	-99	Civic Centre fire alarm system replaced in 2016/17. Further works to Civic Centre and other locations expected to be completed from April 2017
8	Lifeline Capitalisation	42	42	42	0	0	

Item No	Service Area and Scheme	Latest Approved Budget	Q4 Projection	Outturn	Variance Q4 to Outturn	Variance Budget to Outturn	Comments - Variance Budget to Outturn
		£'000	£'000	£'000	£'000	£'000	
9	Responsive Repairs Contract - New Vehicle	16	16	15	-1	-1	
10	Royal Military Canal Enhancements	45	45	40	-5	-5	
11	Parking Self-Serve System	31	28	10	-18	-21	Slippage - Final stage of scheme planned to be completed in 2017/18
12	Hythe Pool Improvements	175	180	180	0	5	
13	Payers Park	0	0	4	4	4	Residual expenditure met by an external contribution
	<b>Total - Head of Commercial and Technical Services</b>	<b>4,075</b>	<b>3,797</b>	<b>3,811</b>	<b>14</b>	<b>-264</b>	
	<b>Amandeep Khroud - Head of Democratic Services and Law</b>						
14	PC Replacement Programme	21	21	17	-4	-4	
15	Server Replacement Programme	36	39	39	0	3	
16	Virtual Desktop Technology	44	44	44	0	0	
	<b>Total - Head of Democratic Services and Law</b>	<b>101</b>	<b>104</b>	<b>100</b>	<b>-4</b>	<b>-1</b>	

Item No	Service Area and Scheme	Latest Approved Budget	Q4 Projection	Outturn	Variance Q4 to Outturn	Variance Budget to Outturn	Comments - Variance Budget to Outturn
		£'000	£'000	£'000	£'000	£'000	
	<b>Pat Main - Interim Head of Finance</b>						
17	Oportunitas Loan & Share Capital Phase 1 (Housing Acquisitions Programme)	2,100	2,169	2,169	0	69	Budget partly reprofiled from 2017/18
18	Digital Delivery of Services Project	640	640	566	-74	-74	Expenditure met under capital receipts dispensation lower than originally anticipated
	<b>Total - Head of Finance</b>	<b>2,740</b>	<b>2,809</b>	<b>2,735</b>	<b>-74</b>	<b>-5</b>	
	<b>Andrina Smith - Head of Human Resources</b>						
19	Burials Software System	21	10	9	-1	-12	Slippage to 2017/18
	<b>Total - Head of Human Resources</b>	<b>21</b>	<b>10</b>	<b>9</b>	<b>-1</b>	<b>-12</b>	

Item No	Service Area and Scheme	Latest Approved Budget	Q4 Projection	Outturn	Variance Q4 to Outturn	Variance Budget to Outturn	Comments - Variance Budget to Outturn
		£'000	£'000	£'000	£'000	£'000	
	<b>Sarah Robson - Head of Communities</b>						
20	Disabled Facilities Grant	500	640	648	8	148	Increase in demand for grants in the latter part of 2016/17. Additional cost to be met from 'Better Care Fund' grant in-hand.
21	Home Safe Loans	55	55	57	2	2	
22	Warm Home Loans Scheme	30	30	33	3	3	
23	Empty Properties Initiative	430	300	258	-42	-172	Jointly funded scheme with KCC. Partly reprofiled to 2017/18
24	Community Safety Unit Replacement Van	0	0	16	16	16	Reprofiled from 2017/18
25	3G Football Pitch Cheriton Road			8	8	8	Residual expenditure met by an external contribution
	<b>Total - Head of Communities</b>	<b>1,015</b>	<b>1,025</b>	<b>1,020</b>	<b>-5</b>	<b>5</b>	

Item No	Service Area and Scheme	Latest Approved Budget	Q4 Projection	Outturn	Variance Q4 to Outturn	Variance Budget to Outturn	Comments - Variance Budget to Outturn
		£'000	£'000	£'000	£'000	£'000	
	<b>Andy Jarrett - Head of Strategic Development Projects</b>						
26	Hythe Environmental Improvements	39	32	32	0	-7	Slippage to 2017/18
27	Princes Parade - Preparatory Costs	500	425	369	-56	-131	Slippage to 2017/18
27	Corporate Property Development Projects	1,050	1,050	1,105	55	55	Budget partly reprofiled from 2017/18
	<b>Total - Head of Strategic Development Projects</b>	<b>1,589</b>	<b>1,507</b>	<b>1,506</b>	<b>-1</b>	<b>-83</b>	
	<b>Total General Fund Capital Expenditure</b>	<b>9,540</b>	<b>9,252</b>	<b>9,181</b>	<b>-71</b>	<b>-359</b>	

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GENERAL FUND CAPITAL PROGRAMME 2017/18 QUARTER 1 PROJECTION					
Item No	Service Area and Scheme	Latest Approved Budget	Q1 Projection	Variance Budget to Q1 Projection	Comments
		£'000	£'000	£'000	
	<b>Andy Blaszkowicz - Head of Commercial and Technical Services</b>				
1	Improvements to Hawkinge Yard	29.0	29.0	0.0	Project underway, expected completion date of 31.10.17
2	Grounds Maintenance Vehicle and Equipment Replacement Programme	284.0	284.0	0.0	
3	Pumping Stations - New Vehicle	25.0	25.0	0.0	New vehicle to be purchased within current financial year subject to service review
4	Coast Protection - Coronation Parade, Folkestone	2,575.0	2,575.0	0.0	Entirely funded from Environment Agency grant and National Grid contribution
5	Coast Protection - Greatstone Dunes Management & Study	15.0	15.0	0.0	Funded from Environment Agency grant
6	Coast Protection - Hythe to Folkestone Beach Management (from 2015)	305.0	305.0	0.0	Funded from Environment Agency grant
7	General Fund Property - Health and Safety Enhancements	99.0	99.0	0.0	0

<b>GENERAL FUND CAPITAL PROGRAMME 2017/18 QUARTER 1 PROJECTION</b>					
<b>Item No</b>	<b>Service Area and Scheme</b>	<b>Latest Approved Budget</b>	<b>Q1 Projection</b>	<b>Variance Budget to Q1 Projection</b>	<b>Comments</b>
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	
8	Lifeline Capitalisation	42.0	42.0	0.0	
9	Royal Military Canal Enhancements	20.0	20.0	0.0	0
10	Parking Self-Serve System	22.0	22.0	0.0	0
	<b>Total - Head of Commercial and Technical Services</b>	<b>3,416.0</b>	<b>3,416.0</b>	<b>0.0</b>	

<b>GENERAL FUND CAPITAL PROGRAMME 2017/18 QUARTER 1 PROJECTION</b>					
<b>Item No</b>	<b>Service Area and Scheme</b>	<b>Latest Approved Budget</b>	<b>Q1 Projection</b>	<b>Variance Budget to Q1 Projection</b>	<b>Comments</b>
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	
	<b>Amandeep Khroud - Head of Democratic Services and Law</b>				
11	PC Replacement Programme	32.0	32.0	0.0	
12	Server Replacement Programme	60.0	60.0	0.0	0
13	Virtual Desktop Technology	20.0	20.0	0.0	0
	<b>Total - Head of Democratic Services and Law</b>	<b>112.0</b>	<b>112.0</b>	<b>0.0</b>	

GENERAL FUND CAPITAL PROGRAMME 2017/18 QUARTER 1 PROJECTION					
Item No	Service Area and Scheme	Latest Approved Budget	Q1 Projection	Variance Budget to Q1 Projection	Comments
		£'000	£'000	£'000	
	<b>Pat Main - Interim Head of Finance</b>				
14	Oportunitas Loan & Share Capital Phase (Housing Acquisitions Programme)	1,178.0	1,178.0	0.0	Project underway, expected completion date of 31.10.17
	<b>Total - Head of Finance</b>	<b>1,178.0</b>	<b>1,178.0</b>	<b>0.0</b>	
	<b>Andrina Smith - Head of Human Resources</b>				
15	Burials Software System	11.0	11.0	0.0	0
	<b>Total - Head of Human Resources</b>	<b>11.0</b>	<b>11.0</b>	<b>0.0</b>	

GENERAL FUND CAPITAL PROGRAMME 2017/18 QUARTER 1 PROJECTION					
Item No	Service Area and Scheme	Latest Approved Budget	Q1 Projection	Variance Budget to Q1 Projection	Comments
		£'000	£'000	£'000	
	<b>Sarah Robson - Head of Communities</b>				
16	Disabled Facilities Grant	500.0	750.0	250.0	Extension of Home Enablement Scheme to October 2018 proposed, plus development of Health and Housing Co-ordinator scheme and continuation of Winter Warmth loans, in addition to normal DFG spend will maximise the use of the available funding from the BCF.
17	Home Safe Loans	100.0	100.0	0.0	Proposal to raise individual loan limit to £20K will ensure budget spend. All loans funded from recycled loans.
18	Warm Home Loans Scheme	0.0	0.0	0.0	0
19	Empty Properties Initiative	563.0	563.0	0.0	0
20	Community Safety Unit Repl Van	0.0	0.0	0.0	0
	<b>Total - Head of Communities</b>	<b>1,163.0</b>	<b>1,413.0</b>	<b>250.0</b>	

<b>GENERAL FUND CAPITAL PROGRAMME 2017/18 QUARTER 1 PROJECTION</b>					
<b>Item No</b>	<b>Service Area and Scheme</b>	<b>Latest Approved Budget</b>	<b>Q1 Projection</b>	<b>Variance Budget to Q1 Projection</b>	<b>Comments</b>
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	
	<b>Andy Jarrett - Head of Strategic Development Projects</b>				
21	Hythe Environmental Improvements	7.0	7.0	0.0	0
22	Princes Parade - Preparatory Costs	381.0	381.0	0.0	Professional advice to support the planning application process
23	Corporate Property Development Projects	552.3	552.3	0.0	0
24	Biggins Wood Commercial Development	91.7	91.7	0.0	0
	<b>Total - Head of Strategic Development Projects</b>	<b>1,032.0</b>	<b>1,032.0</b>	<b>0.0</b>	
	<b>Total General Fund Capital Expenditure</b>	<b>6,912.0</b>	<b>7,162.0</b>	<b>250.0</b>	

## Appendix 3

### Prudential Indicator Outturn Report 2016/17

**Capital Expenditure:** The Authority's capital expenditure and financing, including the Housing Revenue Account, is summarised in table 1 below and is consistent with the draft statement of accounts for 2016/17:

**Table 1**

<b>Capital Expenditure and Financing</b>	<b>2016/17 Estimate £'000</b>	<b>2016/17 Actual £'000</b>	<b>Difference £'000</b>
General Fund	9,540	9,181	(359)
HRA	12,422	5,518	(6,904)
<b>Total Expenditure</b>	<b>21,962</b>	<b>14,699</b>	<b>(7,263)</b>
Capital Receipts	(4,641)	(2,632)	2,009
Government Grants	(3,289)	(4,087)	(798)
External Contributions	(569)	(43)	526
Revenue (GF)	(3,655)	(2,190)	1,465
Revenue (HRA)	(6,387)	(2,169)	4,218
Major Repairs Reserve	(3,421)	(2,473)	948
Borrowing	-	(1,105)	(1,105)
<b>Total Financing</b>	<b>(21,962)</b>	<b>(14,699)</b>	<b>7,263</b>

**Capital Financing Requirement:** The Capital Financing Requirement (CFR) shown in table 2 below, measures the Authority's underlying need to borrow for a capital purpose:

**Table 2**

<b>Capital Financing Requirement</b>	<b>31.03.17 Estimate £m</b>	<b>31.03.17 Actual £m</b>	<b>Difference £m</b>
General Fund	17.346	18.452	1.106
HRA	47.417	47.417	-
<b>Total CFR</b>	<b>64.763</b>	<b>65.869</b>	<b>1.106</b>

The CFR rose by £1.1m as capital expenditure financed by debt outweighed resources put aside for debt repayment.

**Actual Debt:** The Authority's actual debt at 31<sup>st</sup> March 2017 is shown in table 3 below:

**Table 3**

<b>Debt</b>	<b>31.03.17 Estimate £m</b>	<b>31.03.17 Actual £m</b>	<b>Difference £m</b>
Borrowing	59.447	59.447	-
Finance leases	-	-	
PFI liabilities	-	-	
<b>Total Debt</b>	<b>59.447</b>	<b>59.447</b>	<b>-</b>

**Gross Debt and the Capital Financing Requirement:** In order to ensure that over the medium term debt will only be for a capital purpose, the Authority should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence and is shown in table 4 below:

**Table 4**

<b>Debt and CFR</b>	<b>31.03.17 Estimate £m</b>	<b>31.03.17 Actual £m</b>	<b>Difference £m</b>
Total debt	59.447	59.447	-
Capital financing requirement	66.877	67.983	1.106
<b>Headroom</b>	<b>7.430</b>	<b>8.536</b>	<b>1.106</b>

The total debt remained below the CFR during the forecast period.

**Operational Boundary for External Debt:** The operational boundary is based on the Authority's estimate of most likely (i.e. prudent but not worst case) scenario for external debt. It links directly to the Authority's estimates of capital expenditure, the capital financing requirement and cash flow requirements, and is a key management tool for in-year monitoring. Other long-term liabilities comprise finance lease, Private Finance Initiative and other liabilities that are not borrowing but form part of the Authority's debt. The operational boundary for external debt is shown in table 5 below:



**Table 5**

<b>Operational Boundary and Total Debt</b>	<b>31.03.17 Boundary £m</b>	<b>31.03.17 Actual Debt £m</b>	<b>Complied</b>
Borrowing	64.0	59.447	✓
Other long-term liabilities	-	-	✓
<b>Total Debt</b>	<b>64.0</b>	<b>59.447</b>	✓

**Authorised Limit for External Debt:** The authorised limit is the affordable borrowing limit determined in compliance with the Local Government Act 2003. It is the maximum amount of debt that the Authority can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements. The authorised limit for external debt is shown in table 6 below:

**Table 6**

<b>Authorised Limit and Total Debt</b>	<b>31.03.17 Boundary £m</b>	<b>31.03.17 Actual Debt £m</b>	<b>Complied</b>
Borrowing	66.5	59.477	✓
Other long-term liabilities	-	-	✓
<b>Total Debt</b>	<b>66.5</b>	<b>59.447</b>	✓

**Ratio of Financing Costs to Net Revenue Stream:** This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income. The ration of financing costs to net revenue stream is shown in table 7 below:

**Table 7**

<b>Ratio of Financing Costs to Net Revenue Stream</b>	<b>31.03.17 Estimate %</b>	<b>31.03.17 Actual %</b>	<b>Difference %</b>
General Fund	37.4%	<b>25.3%</b>	(12.1%)
HRA	39.1%	<b>23.5%</b>	(15.6%)

The reduction to the General Fund ratio is partly due to the decision use £1.1.m of borrowing instead of revenue resources to meet some of the cost of the General Fund capital programme.

The change to the HRA ratio is due to a reduction in the revenue funding of capital because of the reprofiling of the HRA capital programme from 2016/17 to 2017/18.

**Adoption of the CIPFA Treasury Management Code:** The Authority adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2011 Edition* in February 2012.

**HRA Limit on Indebtedness:** The Authority's HRA CFR, shown in table 8 below, should not exceed the limit imposed by the Department for Communities and Local.

**Table 8**

<b>HRA CFR</b>	<b>31.03.17 Limit £m</b>	<b>31.03.17 Actual £m</b>	<b>Complied</b>
HRA Capital Financing Requirement	<b>61.0</b>	<b>47.4</b>	✓

This Report will be made public on 11 July 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/26**

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**To:** Cabinet  
**Date:** 19 July 2017  
**Status:** Non-Key Decision  
**Head of Service:** Pat Main – Interim Head of Finance  
**Cabinet Member:** Councillor Malcolm Dearden - Cabinet Member for Finance

**SUBJECT:** GENERAL FUND REVENUE BUDGET MONITORING 2017/18 - 1<sup>ST</sup> QUARTER AND 2016/17 FINANCIAL OUTTURN

**SUMMARY:** This monitoring report provides a projection of the end of year financial position for the General Fund revenue expenditure based on net expenditure to 31 May 2017. The report also summarises the 2016/17 final outturn position (subject to audit) for the General Fund revenue expenditure compared to both the latest approved budget.

**REASONS FOR RECOMMENDATIONS:**

Cabinet is asked to agree the recommendations set out below because Cabinet needs to be kept informed of the General Fund budget position and take appropriate action to deal with any variance from the approved budget and be informed of the final 2016/17 position.

**RECOMMENDATIONS:**

1. To receive and note Report C/17/26.
2. As detailed in paragraph 3.14, to allocate £0.581m of unspent 2016/17 budgets to the Carry Forward Reserve.
3. As detailed in paragraph 3.21, to allocate £1.989m in 2016/17 to a separate Otterpool Park Reserve.
4. As detailed in paragraph 2.17, to approve the allocation of a further £0.716m to the Otterpool Park Reserve at Quarter 1, 2017/18.

## **1. INTRODUCTION**

- 1.1 This report informs Cabinet of the likely projected outturn on General Fund revenue expenditure for 2017/18.
- 1.2 The projections are based on actual expenditure and income to 31 May 2017. Some caution therefore needs to be exercised when interpreting the results. However, a thorough budget monitoring exercise has been carried out.
- 1.3 This report also brings the 2016/17 financial monitoring to a conclusion. It sets out the General Fund's financial position at year end (subject to audit) and compares it against the latest approved budget.
- 1.4 The formal Statement of Accounts for 2016/17 is being audited over July and the audited set will be submitted to Audit and Standards Committee in September 2017 for approval.

## **2. GENERAL FUND REVENUE BUDGET MONITORING 2017/18**

- 2.1 The table below provides a summary of the projected outturn compared to the latest budget for 2017/18.

General Fund Net Cost of Services	Manager	Original		Latest		Variance
		Budget	Virements	Approved	Projected	
		£000s	£000s	Budget	Outturn	£000s
Strategic Development	Susan Priest	95	-	95	95	-
Leadership Support	Suzy Tigwell	817	(3)	814	775	(39)
Communications	Mark Luetchford	241	-	241	232	(9)
Democratic Services & Law	Amandeep Khroud	4,789	27	4,816	4,765	(51)
Human Resources	Andrina Smith	963	-	963	1,004	41
Finance	Pat Main	4,227	(15)	4,212	5,075	863
Communities	Sarah Robson	2,257	-	2,257	2,290	33
Strategic Development Projects	Andy Jarrett	359	36	395	395	-
Economic Development	Katharine Harvey	472	(36)	436	473	37
Planning	Ben Geering	828	-	828	826	(2)
Commercial & Technical Services	Andy Blaszkowicz	2,549	(6)	2,543	2,306	(237)
<b>Sub-Total - Heads of Service</b>		<b>17,597</b>	<b>3</b>	<b>17,600</b>	<b>18,236</b>	<b>636</b>
Unallocated Net Employee Costs		(224)	-	(224)	(224)	-
Recharges to Non General Fund Accounts						-
<b>Total for Service</b>		<b>17,373</b>	<b>3</b>	<b>17,376</b>	<b>18,012</b>	<b>636</b>
Internal Drainage Board Levies		444	-	444	444	-
Interest Payable and Similar Charges		526	-	526	526	-
Interest and Investment Income		(451)	-	(451)	(451)	-
New Homes Bonus Grant		(1,572)	-	(1,572)	(1,572)	-
Other Non Service Related Government Grants		(899)	-	(899)	(899)	-
Town and Parish Council Precepts		2,053	-	2,053	2,053	-
Minimum Revenue Provision		389	-	389	389	-
Capital Expenditure Financed from Revenue		2,190	269	2,459	2,459	-
<b>Net revenue expenditure before the use of reserves.</b>		<b>20,053</b>	<b>272</b>	<b>20,325</b>	<b>20,961</b>	<b>636</b>
Net Transfer to/from(-) Earmarked Reserves		(240)	30	(210)	151	361
<b>Total to be met from Taxpayers and Formula Grant</b>		<b>19,813</b>	<b>302</b>	<b>20,115</b>	<b>21,112</b>	<b>997</b>
Transfer to/from(-) the Collection Fund		(203)	-	(203)	(203)	-
Revenue Support Grant and Re-distributed NDR		(848)	-	(848)	(848)	-
Business Rates Income		(3,747)	-	(3,747)	(3,747)	-
Demand on the Collection Fund		(11,445)	-	(11,445)	(11,445)	-
<b>SURPLUS(-)/DEFICIT FOR THE YEAR</b>		<b>3,570</b>	<b>302</b>	<b>3,872</b>	<b>4,869</b>	<b>997</b>

2.2 Overall at Quarter 1 there is a projected increase in net expenditure of £0.997m on the General Fund. The main reasons are as follows:

	£000s	£000s	£000s
<b>Increased Income</b>			
On Street Parking	(103)		
Off street Parking	(84)		
Building Control	(36)		
New Hythe T.C. Grounds Maint. Contract	(19)	<b>(242)</b>	
<b>Reduced Income</b>			
Cemeteries	39		
Market income	25		
Loss of income re Resource Centre	40		
Reduced income re Coast protection	24		
Reduced shingle extraction	13	<b>141</b>	
<b>Increased Expenditure</b>			
Housing Benefit	165		
Housing Rebates	604		
Finance	157		
Miscellaneous small variations	13	<b>939</b>	
<b>Decrease in Expenditure</b>			
Council Tax reduction Scheme	(30)		
Customer Services	(38)		
Electoral Services	(20)		
Committee Services	(34)		
Leadership	(39)		
Folkestone Sports Centre Contract	(11)		
Property	(30)	<b>(202)</b>	
Transfer to Earmarked Reserves		<b>361</b>	
<b>Total variance against budget</b>			<b>997</b>

- Car Parking.
- 2.3 Projection for both on-street and off-street parking increased in line with 2016/17 outturn.
- Building Control
- 2.4 The projection is in line with 2016/17 trends.
- New Hythe Town Council grounds maintenance contract.
- 2.5 Additional salary costs of £20k offset by £39k contract income.
- Cemeteries
- 2.6 2017/18 income has been projected on the basis of 2016/17 which showed a significant reduction in income.
- Market Income
- 2.7 This income has reduced as a result of continued under-utilisation of available spaces.

### Resource Centre

- 2.8 The expenditure budget for the resource centre was removed from the 2017/18 budget; however there remains a £40k income target that will no longer be realised.

### Coastal Protection

- 2.9 Reduction in grant received. Coast protection includes long term schemes contributed to by Kent County Council as a loan agreement, therefore income will reduce year on year as schemes drop out.

### Shingle Extraction

- 2.10 There is an anticipated reduction in shingle extraction in line with previous periods.

### Housing Benefit/Rent Rebates

- 2.11 A variance in demand has resulted in a projected net increase in costs. The majority of this variance is as a consequence of a significant increase in bed and breakfast accommodation claims which in some cases are eligible for very restricted levels of subsidy. If this trend continues throughout 2017/18 the forecast budget shortfall will be £769k. Prevention continues to play a key role in our work with homeless/threatened with homeless customers. The addition of two externally funded posts, Family Housing Solutions Officer and Prevention Plus Officer, will pilot working intensively with families and those individuals with complex needs. Officers are exploring ways to mitigate the rise in homeless through initiatives such as the existing Social Lettings Agency, alongside new initiatives including the feasibility of acquiring temporary accommodation and reviewing the robustness of staffing resources

### Finance

- 2.12 The planned service restructure is now in progress but a number of senior posts will continue to be covered on an interim basis until implementation is complete. Whilst a small reduction in the overall excess cost is anticipated in this year the full budget savings from the restructure will not be realised until 2018/19.

### Folkestone Sports Centre Contract

- 2.13 The contract in respect of the Sports Centre has an agreed annual reduction in contract value.

### Capital Financed from Revenue

- 2.14 In line with the outturn on the General Fund Capital Budget Monitoring report, also on this agenda, it is projected that this cost will be approximately £2.459 million in 2017/18. The assumption made here is that this will be funded:

	£000s
General Reserve	1,501
Earmarked Reserves	958
<b>Total</b>	<b>2,459</b>

This is an increase of £0.269m in the budgeted sum as a result of re-profiling capital schemes between financial years. Where capital expenditure is financed from revenue there is no net cost to the General Fund because it is funded from reserves.

#### Net Movement in Reserves

- 2.15 Based on the projected outturn set out in this report, as at 31 March 2018 the council's net movements in earmarked reserves are expected to be:

#### **Movement in Earmarked Reserves**

	<b>Balance at 01/04/2017</b>	<b>Latest Budget</b>	<b>Change</b>	<b>Outturn</b>	<b>Balance at 31/03/2018</b>
	<b>£000s</b>	<b>£000s</b>	<b>£000s</b>	<b>£000s</b>	<b>£000s</b>
Business Rates	2,682	-	-	-	2,682
Carry Forward	1,117	(55)	-	(55)	1,062
Corporate initiatives	754	(339)	(100)	(439)	315
IFRS Reserve	67	(18)	-	(18)	49
Invest to Save	366	-	-	-	366
Leisure	146	50	-	50	196
New Homes Bonus (NHB)	2,431	(75)	358	283	2,714
VET Reserve	876	(339)	103	(236)	640
Economic development	2,027	(150)	-	(150)	1,877
Otterpool	1,989	716	-	716	2,705
Maintenance of Graves	12	-	-	-	12
	<b>12,467</b>	<b>(210)</b>	<b>361</b>	<b>151</b>	<b>12,618</b>

Otterpool Park Reserve (see also paragraph 3.18)

- 2.16 Cabinet paper C/16/106 (7 March 2017) provided an update on the Otterpool Park development. At that point in time it was acknowledged there remained a potential funding gap across the timescale addressed in the paper.
- 2.17 Subsequently, in line with the recommendation from CMT of 11 April 2017, the net services budget underspend of £0.716m at the end of 2016/17 (see paragraph 3.3 above) has been transferred to the Otterpool Park Reserve. This amends the reserve balance from £1.989m (see paragraph 3.17) at the end of financial year 2016/17, to £2.705m (paragraph 2.16). In due course during 2017/18, expenditure attributable to this reserve will be confirmed and charged accordingly.

### **3. GENERAL FUND OUTTURN 2016/17**

- 3.1 The Narrative Report of the unaudited Statement of Accounts 2016/17 reports the following year end position. This report however expands further on the detail.
- 3.2 The projected outturn shows a surplus of £1.452m against the latest approved estimated withdrawal of £3.827m. This represents an improvement of £5.279m compared to the original approved 2016/17 budget. This is after deducting the unspent budgets that were carried forward amounting to £0.581m.



3.3 The outturn for the General Fund in 2016/17 is summarised below:

**GENERAL FUND NET REVENUE EXPENDITURE  
VARIANCE ANALYSIS 2016/17 - SUMMARY  
Outturn report 2016/17**

<b>General Fund Net Cost of Services</b>	<b>Original Budget £000s</b>	<b>Latest Approved £000s</b>	<b>Projected Outturn £000s</b>	<b>Variance £000s</b>
Leadership Support	781	846	883	37
Communications	250	248	231	(17)
Democratic Services & Law	5,708	5,816	5,749	(67)
Human Resources	881	771	829	58
Finance	4,164	4,332	4,960	628
Communities	2,363	2,733	2,670	(63)
Strategic Development Projects	410	868	642	(226)
Economic Development	560	642	490	(152)
Planning	637	819	708	(111)
Commercial & Technical Services	1,453	1,672	915	(757)
<b>Sub-Total - Heads of Service</b>	<b>17,207</b>	<b>18,747</b>	<b>18,077</b>	<b>(670)</b>
Unallocated Net Employee Costs	64	(128)	(174)	(46)
<b>Total for Service</b>	<b>17,271</b>	<b>18,619</b>	<b>17,903</b>	<b>(716)</b>
Internal Drainage Board Levies	436	436	436	-
Interest Payable and Similar Charges	576	576	573	(3)
Interest and Investment Income	(605)	(635)	(581)	54
New Homes Bonus Grant	(1,950)	(1,950)	(1,950)	-
Other Non Service Related Government Grants	(763)	(763)	(832)	(69)
Town and Parish Council Precepts	1,827	1,827	1,827	-
Minimum Revenue Provision	405	405	405	-
Capital Expenditure Financed from Revenue	5,374	5,380	2,273	(3,107)
<b>NET REVENUE EXPENDITURE BEFORE USE OF RESERVES</b>	<b>22,571</b>	<b>23,895</b>	<b>20,054</b>	<b>(3,841)</b>
Net Transfer to/from(-) Earmarked Reserves	(1,708)	(3,105)	(4,543)	(1,438)
<b>TOTAL TO BE MET FROM TAXPAYERS &amp; FORMULA GRANT</b>	<b>20,863</b>	<b>20,790</b>	<b>15,511</b>	<b>(5,279)</b>
Transfer to/from(-) the Collection Fund	(589)	(589)	(589)	-
Revenue Support Grant and Re-distributed NNDR	(1,736)	(1,736)	(1,736)	-
Business Rates Income	(3,799)	(3,799)	(3,799)	-
Demand on the Collection Fund	(10,839)	(10,839)	(10,839)	-
<b>SURPLUS(-)/DEFICIT FOR THE YEAR</b>	<b>3,900</b>	<b>3,827</b>	<b>(1,452)</b>	<b>(5,279)</b>

3.4 The main reasons for the £5.279m underspend for 2016/17 are as follows:

<b>Significant Movements</b>	<b>£000s</b>	<b>£000s</b>	<b>Note</b>
<b>Increased income</b>			
Bulky waste	-20		3.8
Legal Charges	-35		
Training Courses	-16		
Licences	-25		
On Street Parking	-219		3.6
Off Street Parking	-157		3.6
Building Control	-38		
Crematorium and Fishermans Beach	-37		
Non Service related Grants	-69		3.5
Various	<u>-304</u>	<b>-920</b>	
<b>Reduced Income</b>			
Garden Waste	35		3.8
Hythe Pool	38		3.9
Individual Election Register	43		
Cemeteries	42		3.1
Court Costs	50		
Loss of DCLG Council Tax Reduction Grant	91		3.7
Market Rents	10		
Shoreline Management (Extraction)	<u>25</u>	<b>334</b>	
<b>Increased Expenditure</b>			
Housing Benefit and Rent Rebates	257		3.11
Council Tax Reduction Scheme	55		3.7
Homelessness	<u>49</u>	<b>361</b>	3.12
<b>Reduced Expenditure</b>			
Community grants	-132		3.16
Contract changes (indexation)	-141		3.15
Capital Expenditure	-3107		3.13
Transfer to Earmarked reserves	-1438		3.14
Miscellaneous items	<u>-236</u>	<b>-5054</b>	
		<u><b>-5279</b></u>	

Other Non-Service Related Government Grants.

3.5 The increase was mainly due to additional Section 31 grants to meet additional business rate costs.

Car Parking Income.

3.6 Both the on-street and off-street parking services have continued to see an substantial increase in income due to greater usage and an increase in penalty notices issued.

Council Tax Reduction Grant

- 3.7 This grant was withdrawn by the Department for Communities and Local Government (DCLG) and combined with the increase in costs associated with this scheme.

#### Waste Management

- 3.8 There has been a reduction in the take up of Garden Waste service, offset to a degree by the increase in income from the collection of bulky household waste. The budget for Garden Waste was increased in line with the fee increase in 2016/17; the increase in fees resulted in an initial reduction in the number of subscribers. Recent activity indicates the number of subscribers is increasing again and expectation is that the budget will be achieved in 2017/18.

#### Hythe Pool

- 3.9 Pool income reduced while the pool was closed for refurbishment.

#### Cemeteries

- 3.10 Continued trend of reduced income from cemeteries that is anticipated to continue into future years.

#### Housing Benefit and Rent Rebates

- 3.11 These areas are a major element of expenditure for the council but over which little control that can be applied. Government subsidy is received in respect of expenditure incurred but to varying rates which results in an element of cost remaining with the council. The increased expenditure is a very small percentage of overall expenditure incurred. Increased demand from the homeless for bed and breakfast accommodation (which attracted a much lower rate of subsidy) has also impacted on this budget.

#### Homelessness

- 3.12 This area is demand-led and has seen an increase in demand for bed and breakfast accommodation which has resulted in a greater need for management support. This is an on-going trend.

#### Capital Financed from Revenue

- 3.13 In line with the outturn on the General Fund Capital Budget Monitoring report, also on this agenda, this cost was £2.273m in 2016/17, a variance of -£3.107m from budget. There is no net cost to the General Fund because it is funded from Reserves.

#### Transfers to Earmarked Reserves

- 3.14 The table at paragraph 3.17 below sets out the various Earmarked Reserves that the council holds. The Carry-Forward reserve includes £0.581m which was approved by CMT on 28 March 2017 as budgeted revenue expenditure relating to 2016/17 to be carried forward to 2017/18.

#### Contract Changes

- 3.15 A number of contracts have benefitted in year from a reduced inflationary increase.

#### Community Grants

- 3.16 Reduced expenditure resulting from approved budget reductions.

### Net Movement in Reserves

- 3.17 Based on the outturn as at 31 March 2017 the council's net movements in earmarked reserves were:

#### **Movement in Earmarked Reserves**

	<b>Balance at 01/04/2016</b>	<b>Latest Budget</b>	<b>Change</b>	<b>Outturn</b>	<b>Balance at 31/03/2017</b>
	<b>£000s</b>	<b>£000s</b>	<b>£000s</b>	<b>£000s</b>	<b>£000s</b>
Business Rates	2,460	(31)	253	222	2,682
Carry Forward	1,650	(1,342)	809	(533)	1,117
Corporate Initiatives	1,226	(808)	336	(472)	754
Corporate Property	20	(20)	-	(20)	-
IFRS Reserve	84	(22)	5	(17)	67
Invest to Save	381	(15)	-	(15)	366
Leisure	246	50	(150)	(100)	146
New Homes Bonus (NHB)	1,757	599	75	674	2,431
VET Reserve	942	(316)	250	(66)	876
Economic Development	2,251	(1,200)	976	(224)	2,027
Otterpool Park	-	-	1,989	1,989	1,989
Maintenance of Graves	12	-	-	-	12
	<b>11,029</b>	<b>(3,105)</b>	<b>4,543</b>	<b>1,438</b>	<b>12,467</b>

#### Otterpool Park Reserve

- 3.18 The management of spending commitments and funding streams related to the Otterpool Park development has, at times, been complex to administer. Consequently, it is proposed to set up a separately identified reserve for Otterpool Park, in line with previously-reported funding and expenditure plans (updated below), ensuring that the funding for this project is ring-fenced. This will simplify the administration of the scheme and allow money to be drawn down as and when it is needed.
- 3.19 Cabinet paper C/16/106 (7 March 2017) provided an update on the Otterpool Park development. Funding of £2.145m (other than existing budget provision) was noted. Subsequently, this funding (and further items identified below) has been identified as a separate reserve as at the end of financial year 2016/17.
- 3.20 Further DCLG Garden Towns Capacity Funding of £0.345m was received in March 2017, amending the total funding to £2.490m.
- 3.21 Actual spend for the 2016/17 financial year on the development attributable to the funding amounted to £0.501m, leaving a balance of £1.989m from the funding identified above. This is shown at in the table at paragraph 3.17.

#### 4. RISK MANAGEMENT ISSUES

4.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
The latest projection of the outturn could be materially different to the actual year end position	Medium	Low	Regularly reviewing monthly budget monitoring to identify key expenditure and income variances and taking remedial action where possible.
Fluctuating interest rate movement impacting on investment returns	Medium	Low	Interest rate forecasts regularly reviewed. Investment portfolios split between fixed rate/fixed term deposits to help manage impact of interest rate movement.
Adverse weather conditions impacting on car parking income	Medium	Low	Regularly reviewing monthly budget monitoring to identify key income trends/variances and taking remedial action where possible.
Increase in claimants receiving housing benefits due to the economic climate	Medium	Medium	Regularly reviewing the number of claimants receiving benefits and highlighting any significant increases as early as possible so remedial action can be taken where possible
Increase in homelessness numbers due to the changes to the benefit system	High	High	Regularly reviewing the homelessness situation and highlighting any significant increases as early as possible so remedial action can be taken where possible.

#### 5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

##### 5.1 Legal Officer's Comments (DK)

There are no legal implications arising from this report.

##### 5.2 Finance Officer's Comments (AK)

This report has been prepared by Financial Services. There are therefore no further comments to add.

### 5.3 **Diversities and Equalities Implications (PM)**

The report does not cover a new service/policy or a revision of an existing service or policy therefore does not require an EIA.

## 6. **CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councilors with any questions arising out of this report should contact the following officer prior to the meeting

*Alan King, Group Accountant*

*Telephone: 01303 853213 Email: [alan.king@shepway.gov.uk](mailto:alan.king@shepway.gov.uk)*

The following background documents have been relied upon in the preparation of this report:

Budget projection working papers

This Report will be made public on 11 July 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/20**

**To:** Cabinet  
**Date:** 19 July 2017  
**Status:** Non-Key Decision  
**Head of Service:** Pat Main, Interim Head of Finance  
**Cabinet Members:** Councillor Malcolm Dearden, Finance and  
Councillor Alan Ewart-James, Housing

**SUBJECT:** HOUSING REVENUE ACCOUNT REVENUE AND  
CAPITAL BUDGET MONITORING 2017/18 – 1<sup>ST</sup>  
QUARTER AND 2016/17 FINANCIAL OUTTURN

**SUMMARY:** This monitoring report provides a projection of the end of year financial position for the Housing Revenue Account (HRA) revenue expenditure and HRA capital programme based on net expenditure to 31 May 2017. The report also summarises the 2016/17 final outturn position (subject to audit) for the HRA revenue expenditure and HRA capital programme compared to both the latest approved budget.

**REASONS FOR RECOMMENDATIONS:**

Cabinet is asked to agree the recommendations set out below because Cabinet needs to be kept informed of the Housing Revenue Account position and take appropriate action to deal with any variance from the approved budget and be informed of the final 2016/17 position.

**RECOMMENDATIONS:**

1. To receive and note Report C/17/20.

## 1. INTRODUCTION

- 1.1 This report informs Cabinet of the likely projected outturn on HRA revenue and capital expenditure for 2017/18.
- 1.2 The projections are based on actual expenditure and income to 31 May 2017. Some caution therefore needs to be exercised when interpreting the results. However, a thorough budget monitoring exercise has been carried out.
- 1.3 This report also brings the 2016/17 financial monitoring to a conclusion. It sets out the HRA's financial position at year end (subject to audit) and compares it against the latest approved budget. The report covers both revenue and capital spend for last year (see section 4).
- 1.4 The formal Statement of Accounts for 2016/17 is being audited over July and the audited set will be submitted to Audit and Standards Committee in September 2017 for approval.

## 2. HOUSING REVENUE ACCOUNT REVENUE 2017/18 (see Appendix 1)

- 2.1 The table below provides a summary of the projected outturn compared to the latest budget for 2017/18.

	Latest Budget £'000	Projection £'000	Variance £'000
Income	(16,032)	(16,032)	0
Expenditure	11,254	11,230	(24)
HRA Share of Corporate Costs	226	226	0
<b>Net Cost of HRA Services</b>	<b>(4,552)</b>	<b>(4,576)</b>	<b>(24)</b>
Interest Payable/Receivable etc	1,570	1,570	0
<b>HRA Surplus/Deficit</b>	<b>(2,982)</b>	<b>(3,006)</b>	<b>(24)</b>
Revenue Contribution to Capital	3,762	8,419	4,657
<b>Decrease/(Increase) to HRA Reserve</b>	<b>780</b>	<b>5,413</b>	<b>4,633</b>

- 2.2 The table shows that overall at quarter 1 there is a projected increase in net expenditure of £4.633m on the HRA.



The main reasons for this are as follows:-

	<b>£'000</b>
Increase in revenue contribution to capital (see 2.3 below)	4,657
Increase in repairs and maintenance (see 2.4 below)	30
Increase in supervision and management (see 2.5 below)	11
Decrease in bad debts provision (see 2.6 below)	<u>(65)</u>
<b>Total net projected Housing Revenue Account increase</b>	<b><u>4,633</u></b>

- 2.3 The increase in revenue contribution to capital relates to the slippage of the capital programme in 2016/17 and largely relates to the new build/acquisition programme underspend. The amount of revenue contribution to capital will change from year to year depending on the profile of the new build/acquisition programme.
- 2.4 The increase in repairs and maintenance relates to Fire Alarm upgrades works at Mittel Court and Prescott House which are expected to be completed by the end of June 2017.
- 2.5 The increase in supervision and management relates to an increase of £5k in the audit work programme for 2017/18, £15k slippage of the HRA New Build programme in 2016/17 for feasibility studies work required for 2017/18 and a reduction in premises insurance of £10k for HRA due to lower claims history.
- 2.6 The underspend within bad debt provision relates to there being minimal expected impact during 2017/18 since the phased implementation of Universal Credit in January 2016.
- 2.7 The financial projections have been compared to the previous year's outturn and analysed in detail. These have been adjusted where genuine underspends have previously occurred or where there has been a change to current activity levels.
- 2.8 Overall, the HRA reserve at 31 March 2018 is expected to be £1.967m compared with £6.600m in the latest budget.

### **3. HOUSING REVENUE ACCOUNT CAPITAL 2017/18 (see Appendix 2)**

- 3.1 The original budget for HRA capital programme in 2017/18 is £8.098m and the projected outturn for the year is £15.261m, an overspend of £7.163m relating to the required carry forwards from 2016/17. For information, appendix 2 outlines the current schemes contained within the programme.
- 3.2 The reasons for the increase in expenditure are as follows:-

	<b>£'000</b>
New Build Programme (see 3.3 below)	6,432
Fire Protection Works (see 3.4 below)	359
Re-roofing (see 3.5 below)	165
Environmental Works (see 3.6 below)	155
Heating Improvements (see 3.7 below)	30
Garage Improvements (see 3.8 below)	23
<b>Total slippage in expenditure from 2016/17</b>	<b><u>7,163</u></b>

- 3.3. Carry forward required due to the new build/acquisition programme relating to the re-profiling of phase 1 and 2 of the Military Road new build programme. The phase 1 deposit was paid in 2016/17 however, the balance for phase 1 and the deposit for phase 2 will be paid in 2017/18 and then the balance for phase 2 will be made in 2018/19. The detailed reports on the relevant sites will be brought to Cabinet at the appropriate time.
- 3.4 Carry forward relates to protection upgrade works at Nailbourne Court and Romney Marsh House which will be completed during 2017/18.
- 3.5 Carry forward required on re-roofing is due to 5 pitched roofs not being completed in 2016/17 as there has been a delay in obtaining the specifications for this work to be completed.
- 3.6 Carry forward required due to works being delayed at Rowan Court, Win Pine House, Sir John Moore Avenue and Nailbourne Court due to delays in the procurement process. Works estimated to be completed by the end of July 2017.
- 3.7 Carry forward required due to boiler upgrade at Mittel Court not commencing until 2017/18.
- 3.8 Carry forward required due to works being delayed on garage improvements at Brook Lane Cottages, now commencing in 2017/18.
- 3.9 The following table compares the resources required to finance the projected outturn for the HRA capital programme in 2017/18. The variation shown below corresponds to the figure in section 3.1, above.

<b>2017/18 HRA</b>	<b>1-4-1 Capital Receipts</b>	<b>Revenue Contribution</b>	<b>Major Repairs Reserve</b>	<b>Total</b>
	£'000	£'000	£'000	£'000
Projected Outturn	3,445	8,419	3,397	15,261
Approved	1,516	3,762	2,820	8,098
Variation	1,929	4,657	577	7,163

#### 4. HRA REVENUE AND CAPITAL 2016/17 OUTTURN

##### 4.1 Final Revenue outturn compared to latest approved budget

4.1.1 The Narrative Report of the unaudited Statement of Accounts 2016/17 reports the following year end position. This report however expands further on the detail.

HRA Net Revenue Expenditure 2016/17	Latest Approved Budget 2016/17	Final Outturn 2016/17	Variance Budget to Outturn
	£'000	£'000	£'000
Income	(16,113)	(16,170)	(57)
Expenditure	11,324	7,158	(4,166)
HRA Share of Corporate Costs	235	222	(13)
<b>Net Cost of HRA Services</b>	<b>(4,554)</b>	<b>(8,791)</b>	<b>(4,237)</b>
Interest Payable/Receivable	1,622	1,638	16
<b>HRA Surplus/Deficit</b>	<b>(2,932)</b>	<b>(7,153)</b>	<b>(4,221)</b>
Other items of Income & Expenditure	(25)	3,469	3,494
Repayment of Debt	900	0	(900)
Revenue Contribution to Capital	6,387	2,169	(4,218)
<b>Decrease/(Increase) to HRA Reserve</b>	<b>4,330</b>	<b>(1,515)</b>	<b>(5,845)</b>

4.1.2 The above table shows that the final position is £5.845m better than the latest approved budget.

4.1.3 The large decrease in expenditure and the large increase in other items of income & expenditure mainly relates to the valuation of the housing stock. The housing stock is externally valued and increased by 6.5% during 2016/17, this change is shown within other items of income & expenditure and then reversed out under expenditure.

4.1.4 The main reasons for the £5.845m underspend, compared to the latest approved budget, are as follows:

HRA	Variance
Net Revenue Expenditure	£000
Charges for services and facilities	28
Pension costs adjustment	15
Interest receivable	14
Special management	6

Rents, rates and taxes	2	65
Revenue contribution to capital expenditure	(4,218)	
Repayment of debt	(900)	
Repairs and maintenance	(326)	
General management	(176)	
Provision for bad or doubtful debts	(105)	
Dwelling rents	(80)	
Depreciation costs	(79)	
HRA Share of Corporate Costs	(13)	
Debt management expenses	(7)	
Non dwelling rents	(6)	
	<u>(5,910)</u>	
<b>Final year end movement compared to latest approved budget</b>		<b><u>(5,845)</u></b>

### 4.3 Final Capital outturn compared to latest approved budget

4.3.1 The table below shows that the final position on the HRA Capital programme is £6.904m less than the latest approved budget.

HRA Capital Programme 2016/17	Latest Approved Budget 2016/17	Final Outturn 2016/17	Variance Budget to Outturn
	£'000	£'000	£'000
<b>HRA Capital programme</b>	<b>12,422</b>	<b>5,518</b>	<b>(6,904)</b>

4.3.2 The main reasons for the £6.904m variance, compared to the latest approved budget are as follows:

HRA Capital Programme	Variance £000
New Build/Acquisitions programme	(5,793)
Lift Replacement	(283)
External Enveloping	(198)
Re-roofing	(162)
Environmental Works	(154)
Fire Protection Works	(112)
Heating Improvements	(85)
Void Capital Works	(82)
Thermal Insulations	(40)
Bathroom Improvements	(29)
Treatment Works	(19)
Play Areas	(9)
Other net variances	(6)
	<u>(6,972)</u>

Kitchen Replacements	34	
Disabled Adaptations	26	
Rewiring	8	
		68
<b>Variance</b>		<b>(6,904)</b>

## 5. CONCLUSION

- 5.1 The HRA revenue outturn 2016/17 is £5.845m better than the latest approved budget.
- 5.2 The HRA capital outturn 2016/17 is £6.904m better than the latest approved budget.
- 5.3 The financial results are subject to audit.
- 5.4 The projected outturn for both the HRA revenue expenditure and capital programme for 2017/18 reflects the position based on actual expenditure and forecasts at 31 May 2017.

## 6. RISK MANAGEMENT ISSUES

- 6.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
The latest projection of the outturn could be materially different to the actual year end position.	Medium	Medium	Areas at greater risk of variances are being closely monitored and an update will be made to Cabinet if appropriate when this report is considered to allow action to taken.
Capital receipts (including right to buy sales) not materialising	Medium	Low	The capital programme uses realised capital receipts only.
Insufficient capacity to manage delayed expenditure along with new year programme	Medium	Medium	The 2017/18 to 2018/19 capital programme will need to continue to be reviewed to take account of the capacity to manage the programme. 2017/18 planned expenditure will need to be reviewed to determine whether any expenditure will fall into 2018/19 and beyond.
Significant amendments	High	Low	The formal accounts have been prepared in

having to be made to the financial results following audit.			accordance with professional standards and best accounting practice.
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## 7. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

### 7.1 Legal Officer's Comments (DK)

There are no legal implications arising from this report.

### 7.2 Finance Officer's Comments (LH)

This report has been prepared by Financial Services. There are therefore no further comments to add.

### 7.3 Diversities and Equalities Implications (DA)

The report does not cover a new service/policy or a revision of an existing service or policy therefore does not require an EIA.

## 8. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

*Leigh Hall, Group Accountant*

*Tel: 01303 853231 Email: [leigh.hall@shepway.gov.uk](mailto:leigh.hall@shepway.gov.uk)*

The following background documents have been relied upon in the preparation of this report:

Budget projection working papers

### **Appendices:**

[Appendix 1](#) Housing Revenue Account revenue budget monitoring report at 31 May 2017

[Appendix 2](#) Housing Revenue Account capital budget monitoring report at 31 May 2017

HOUSING PORTFOLIO	LATEST APPROVED BUDGET £000	PROJECTED OUTTURN £000	VARIANCE £000	REASON
<b>INCOME</b>				
Dwelling rents	14,649	14,649	0	
Non-dwelling rents	352	352	0	
Charges for services and facilities	979	979	0	
Contributions from general fund	52	52	0	
<b>Total Income</b>	<b>16,032</b>	<b>16,032</b>	<b>0</b>	
<b>EXPENDITURE</b>				
Repairs and maintenance	3,279	3,309	30	Carry forward required to complete fire alarm upgrades works to Mittel Court and Prescott House.
Supervision and management	3,905	3,916	11	£15k carry forward required for feasibility studies relating to new build programme; £5k increase in audit work; (£10k) premises insurance due to lower premiums.
Rents, rates and taxes	23	23	0	
Depreciation charges of fixed assets	3,885	3,885	0	
Debt management expenses	22	22	0	
Bad debts provision	140	75	-65	Due to minimal impact after the implementation of Universal Credit.
<b>Total Expenditure</b>	<b>11,254</b>	<b>11,230</b>	<b>-24</b>	
<b>Net</b>	<b>-4,778</b>	<b>-4,802</b>	<b>-24</b>	
HRA Share of Corporate and Democratic Costs	226	226	0	
<b>Net Cost of HRA Services</b>	<b>-4,552</b>	<b>-4,576</b>	<b>-24</b>	
Interest payable	1,677	1,677	0	
Interest and investment income	-85	-85	0	
Premiums and discounts	-22	-22	0	
<b>(SURPLUS)/DEFICIT</b>	<b>-2,982</b>	<b>-3,006</b>	<b>-24</b>	
<b>MOVEMENTS IN HRA BALANCE FOR 2017/18</b>				
Revenue contribution to capital	3,762	8,419	4,657	Carry forward required due to delay in new build programme.
Surplus/deficit for the year	-2,982	-3,006	-24	
<b>Increase/Decrease in Net Movement in HRA Balance</b>	<b>780</b>	<b>5,413</b>	<b>4,633</b>	
HRA Reserve balance brought forward	-7,380	-7,380	0	
HRA Reserve balance carried forward	<b>-6,600</b>	<b>-1,967</b>	<b>4,633</b>	

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PORTFOLIO AND SCHEMES	LATEST APPROVED BUDGET	PROJECTED OUTTURN	VARIANCE	COMMENTS
<b>HOUSING PORTFOLIO</b>	<b>£'000</b>	<b>£000</b>	<b>£000</b>	
<b>1. Planned Improvements</b>				
Windows & Doors	210	210	0	Carry forward required for pitched and flat roofs programme, due to delays during the procurement process. Carry forward required as boiler replacement for Mittel Court deferred to 17/18 due to delays in procurement.
Re-roofing	200	365	165	
Heating Improvements	450	480	30	
Kitchen Replacements	300	300	0	
Bathroom Improvements	200	200	0	
Voids Capital Works	300	300	0	
Disabled Adaptations	300	300	0	
Sheltered Scheme upgrades	110	110	0	
Rewiring	100	100	0	
Lift Replacement	100	100	0	
Thermal Insulation	50	50	0	
Fire Protection Works	65	424	359	
	2,385	2,939	554	
<b>2. Major Schemes</b>				
External Enveloping *	380	380	0	Carry forward required at Brook Lane Cottages due to works delayed.
Garages Improvements	45	68	23	
Treatment Works	10	10	0	
	435	458	23	
<b>3. Environmental Improvements</b>				
Environmental Works	200	355	155	Carry forward required for works at Rowan Court, Win Pine House, Sir John Moore Avenue and Nailbourne Court.
New Paths	15	15	0	
Play Areas	10	10	0	
	225	380	155	
<b>4. Other Schemes</b>				
New Builds/Acquisitions	5,053	11,485	6,432	Carry forward required due to delay in programme.
	5,053	11,485	6,432	
<b>TOTAL</b>	<b>8,098</b>	<b>15,261</b>	<b>7,163</b>	
<b>FUNDING</b>				
Major Repairs Reserve	2,820	3,397	577	
Revenue Contribution	3,762	8,419	4,657	
1-4-1 Capital Receipts	1,516	3,445	1,929	
<b>TOTAL FUNDING</b>	<b>8,098</b>	<b>15,261</b>	<b>7,163</b>	

\* This includes all items of the property structure that is external, such as roof, chimneys, gutters, fascias, eaves and repointing.

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This report will be made public on 11 July 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/22**

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**To:** Cabinet  
**Date:** 19 July 2017  
**Status:** Non-Key Decision  
**Head of Service:** Pat Main, Interim Head of Finance  
**Cabinet Member:** Councillor Malcom Dearden, Finance

**SUBJECT:** TREASURY MANAGEMENT ANNUAL REPORT 2016/17

**SUMMARY:** This report reviews the council's treasury management activities for 2016/17, including the actual treasury management indicators. The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.

**REASONS FOR RECOMMENDATION:**

Cabinet is asked to agree the recommendations set out below because:-

- a) Both CIPFA's Code of Practice on Treasury Management in the Public Services and their Prudential Code for Capital Finance in Local Authorities, together with the Council's Financial Procedure Rules, require that an annual report on treasury management is received by the Council after the close of the financial year.

**RECOMMENDATION:**

1. To receive and note Report C/17/22.

## **1. INTRODUCTION**

- 1.1 The annual treasury report is a requirement of the council's reporting procedures. It covers the treasury activity for 2016/17 compared to the approved strategy for the year. It also summarises the actual treasury management indicators for 2016/17 compared to those approved by Full Council.
- 1.2 The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.
- 1.3 Full Council approved the original Treasury Management Strategy for 2016/17 on 18 February 2016 (Report A/15/22 refers). On 19 October 2016 Cabinet received an update on the council's treasury management activities and projections against the approved treasury management indicators for 2016/17 (Report C/16/60 refers).
- 1.4 The council's formal treasury management reporting arrangements comply with the requirements of the CIPFA's Treasury Management Code and also provide the opportunity for proper scrutiny of the council's treasury management activities.

## **2. ECONOMIC COMMENTARY**

(Commentary supplied by Arlingclose Ltd, the council's Treasury Advisor)

### **2.1. Economic Background**

- 2.1.1 Politically, 2016/17 was an extraordinary twelve month period which defied expectations when the UK voted to leave the European Union and Donald Trump was elected the 45<sup>th</sup> President of the USA. Uncertainty over the outcome of the US presidential election, the UK's future relationship with the EU and the slowdown witnessed in the Chinese economy in early 2016 all resulted in significant market volatility during the year. Article 50 of the Lisbon Treaty, which sets in motion the 2-year exit period from the EU, was triggered on 29<sup>th</sup> March 2017.
- 2.1.2 UK inflation had been subdued in the first half of 2016 as a consequence of weak global price pressures, past movements in sterling and restrained domestic price growth. However the sharp fall in the Sterling exchange rate following the referendum had an impact on import prices which, together with rising energy prices, resulted in CPI rising from 0.3% year/year in April 2016 to 2.3% year/year in March 2017.
- 2.1.3 In addition to the political fallout, the referendum's outcome also prompted a decline in household, business and investor sentiment. The repercussions on economic growth were judged by the Bank of England to be sufficiently severe to prompt its Monetary Policy Committee (MPC) to cut the Bank Rate to 0.25% in August and embark on further gilt and

corporate bond purchases as well as provide cheap funding for banks via the Term Funding Scheme to maintain the supply of credit to the economy.

- 2.1.4 Despite growth forecasts being downgraded, economic activity was fairly buoyant and GDP grew 0.6%, 0.5% and 0.7% in the second, third and fourth calendar quarters of 2016. The labour market also proved resilient, with the ILO unemployment rate dropping to 4.7% in February, its lowest level in 11 years.
- 2.1.5 Following a strengthening labour market, in moves that were largely anticipated, the US Federal Reserve increased rates at its meetings in December 2016 and March 2017, taking the target range for official interest rates to between 0.75% and 1.00%.

## **2.2 Financial Markets**

- 2.2.1 Following the referendum result, gilt yields fell sharply across the maturity spectrum on the view that Bank Rate would remain extremely low for the foreseeable future. After September there was a reversal in longer-dated gilt yields which moved higher, largely due to the MPC revising its earlier forecast that Bank Rate would be dropping to near 0% by the end of 2016. The yield on the 10-year gilt rose from 0.75% at the end of September to 1.24% at the end of December, almost back at pre-referendum levels of 1.37% on 23<sup>rd</sup> June. 20- and 50-year gilt yields also rose in Q3 2017 to 1.76% and 1.70% respectively, however in Q4 yields remained flat at around 1.62% and 1.58% respectively.
- 2.2.2 After recovering from an initial sharp drop in Q2, equity markets rallied, although displaying some volatility at the beginning of November following the US presidential election result. The FTSE-100 and FTSE All Share indices closed at 7342 and 3996 respectively on 31<sup>st</sup> March, both up 18% over the year. Commercial property values fell around 5% after the referendum, but had mostly recovered by the end of March.
- 2.2.3 Money market rates for overnight and one week periods remained low since Bank Rate was cut in August. 1- and 3-month LIBID rates averaged 0.36% and 0.47% respectively during 2016-17. Rates for 6- and 12-months increased between August and November, only to gradually fall back to August levels in March, they averaged 0.6% and 0.79% respectively during 2016-17.

## **2.3 Credit Background**

- 2.3.1 Various indicators of credit risk reacted negatively to the result of the referendum on the UK's membership of the European Union. UK bank credit default swaps saw a modest rise but bank share prices fell sharply, on average by 20%, with UK-focused banks experiencing the largest falls. Non-UK bank share prices were not immune, although the fall in their share prices was less pronounced.
- 2.3.2 Fitch and Standard & Poor's downgraded the UK's sovereign rating to AA. Fitch, S&P and Moody's have a negative outlook on the UK. Moody's has

a negative outlook on those banks and building societies that it perceives to be exposed to a more challenging operating environment arising from the 'leave' outcome.

- 2.3.3 None of the banks on the Authority's lending list failed the stress tests conducted by the European Banking Authority in July and by the Bank of England in November, the latter being designed with more challenging stress scenarios, although Royal Bank of Scotland was one of the weaker banks in both tests. The tests were based on banks' financials as at 31st December 2015, 11 months out of date for most. As part of its creditworthiness research and advice, the Authority's treasury advisor Arlingclose regularly undertakes analysis of relevant ratios - "total loss absorbing capacity" (TLAC) or "minimum requirement for eligible liabilities" (MREL) - to determine whether there would be a bail-in of senior investors, such as local authority unsecured investments, in a stressed scenario.

### 3. TREASURY POSITION AT 31 MARCH 2017

- 3.1 On 31 March 2017, the Authority had net borrowing of £25.2m arising from its revenue and capital income and expenditure, a decrease on 2016 of £3.2m. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors and the year-on-year change are summarised in table 1 below.

Table 1: Balance Sheet Summary

	<b>31.3.16 Actual £m</b>	<b>2016/17 Movement £m</b>	<b>31.3.17 Actual £m</b>
General Fund CFR	17.8	0.7	18.5
HRA CFR	47.4	-	47.4
<b>Total CFR</b>	<b>65.2</b>	<b>0.7</b>	<b>65.9</b>
Less: Usable reserves	(32.5)	(4.7)	(37.2)
Less: Working capital	(4.3)	0.8	(3.5)
<b>Net borrowing</b>	<b>28.4</b>	<b>(3.2)</b>	<b>25.2</b>

- 3.2 Net borrowing has decreased mainly due to an increase in usable reserves resulting from delays to the HRA capital programme. This has increased the balances to for the HRA General Reserve and the Major Repairs Reserve.
- 3.3 The Authority's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low. The treasury management position as at 31 March 2017 and the year-on-year change in show in table 2 below.

Table 2: Treasury Management Summary

	<b>31.3.16 Balance £m</b>	<b>2016/17 Movement £m</b>	<b>31.3.17 Balance £m</b>
Long-term borrowing	59.5	(1.7)	57.8
Short-term borrowing	0.6	1.1	1.7
<b>Total borrowing</b>	<b>60.1</b>	<b>(0.6)</b>	<b>59.5</b>
Long-term investments	(16.3)	9.4	(6.9)
Short-term investments	(14.5)	(8.0)	(22.5)
Cash and cash equivalents	(0.9)	(4.0)	(4.9)
<b>Total investments</b>	<b>(31.7)</b>	<b>(2.6)</b>	<b>(34.3)</b>
<b>Net borrowing</b>	<b>28.4</b>	<b>(3.2)</b>	<b>25.2</b>

Note: the figures in the table are from the balance sheet in the Authority's statement of accounts, but adjusted to exclude operational cash, accrued interest and other accounting adjustments.

- 3.4 The decrease in net borrowing is mainly due to the reprofiling of the Authority's capital expenditure programme between 2016/17 and 2017/18. As the table above shows, there has been a movement in investment funds from long term to short term. There are two main reasons for this switch. Firstly it ensures sufficient cash will be available to meet the Authority's planned expenditure in 2017/18. Secondly it reflects a strengthening of the Authority's investment counterparty criteria by using shorter durations, in particular with regards to the 'bail-in' requirements on banks and building societies.

#### **4. BORROWING ACTIVITY 2016/17**

- 4.1 At 31 March 2017, the Authority held £59.5m of loans, a small reduction of £0.6m on the previous year, as part of its strategy for funding previous years' capital programmes. Following the introduction of the Housing Revenue Account (HRA) Self-Financing regime in 2012 the Authority operates a two pool debt approach allocating its loans between the General Fund and HRA. The year-end borrowing position and the year-on-year change in show in table 3 below.

Table 3: Borrowing Position – Two Pool Debt Approach

	<b>31.3.16 Balance £m</b>	<b>2016/17 Movement £m</b>	<b>31.3.17 Balance £m</b>	<b>31.3.17 Rate %</b>
<u>General Fund</u>				
Public Works Loan Board	8.4	-	8.4	5.56%
Local authorities (long-term)	0.5	-	0.5	2.32%
Local authorities (short-term)	0.6	(0.6)	-	-
<b>Total General Fund borrowing</b>	<b>9.5</b>	<b>(0.6)</b>	<b>8.9</b>	<b>5.37%</b>
<u>Housing Revenue Account</u>				
Public Works Loan Board	50.6	-	50.6	3.44%
<b>Total HRA borrowing</b>	<b>50.6</b>	<b>-</b>	<b>50.6</b>	<b>3.44%</b>
<b>Total borrowing</b>	<b>60.1</b>	<b>(0.6)</b>	<b>59.5</b>	<b>3.73%</b>

- 4.2 The weighted average maturity of the overall loans portfolio at 31 March 2017 is 14.4 years.
- 4.3 The Authority's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective.
- 4.4 In furtherance of these objectives no new borrowing was undertaken in 2016/17, while existing loans were allowed to mature without replacement. As outlined in section 3 of this report, the Authority's CFR exceeded its gross borrowing position by £6.4m at 31 March 2017, i.e. it used internal borrowing from its cash surpluses to meet this difference. This strategy enabled the Authority to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.
- 4.5 The "cost of carry" analysis performed by the Authority's treasury management advisor Arlingclose did not indicate any value in borrowing in advance for future years' planned expenditure and therefore none was taken.
- 4.6 **Debt Rescheduling** – Opportunities to undertake debt rescheduling were monitored throughout the year in conjunction with Arlingclose. However, as expected, PWLB interest rates did not reach a level where it would have been beneficial to undertake debt rescheduling to create a net saving in borrowing costs.



## 4.7 Temporary Borrowing

4.7.1 The Authority can borrow temporarily at times to meet cash outflows not covered by receipts and to finance capital expenditure which will ultimately be met from long term loans or grant receipts due. During 2016/17 the only activity was to repay a series of relatively small loans totalling £0.6m to Folkestone Town Council.

## 5. INVESTMENT ACTIVITY 2016/17

5.1 The Authority holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During 2016/17, the Authority's investment balance ranged between £33.4 and £54.1 million due to timing differences between income and expenditure. The Authority had an average investment balance of £42.9m during 2016/17 generating a return of 1.25% over the year. The year-end investment position and the year-on-year change in show in table 4 below. A list of the individual investments held at 31 March 2017 is shown in appendix 1 to this report.

Table 4: Investment Position

	<b>31.3.16 Balance £m</b>	<b>2016/17 Movement £m</b>	<b>31.3.17 Balance £m</b>
Banks & building societies (unsecured)	12.5	0.5	13.0
Covered bonds (secured)	-	3.3	3.3
Government (incl. local authorities)	13.0	(5.0)	8.0
Money Market Funds	0.8	4.0	4.8
Other Pooled Funds	5.3	(0.1)	5.2
<b>Total investments</b>	<b>31.6</b>	<b>2.7</b>	<b>34.3</b>

5.2 Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

5.3 These objectives have been broadly met during the year. Although the level of unsecured lending to banks and building societies has risen by £0.5m over the year it should be noted that the duration around these investments has been reduced thereby reducing the risk of default over the longer term.

At the same time the Authority has started to diversify into more secure investment classes such as covered bonds.

- 5.4 The progression of risk and return metrics are shown in the extracts from Arlingclose's quarterly investment benchmarking in table 5 below.

Table 5: Investment Benchmarking

	<b>Credit Score</b>	<b>Credit Rating</b>	<b>Bail-in Exposure</b>	<b>WAM* (days)</b>	<b>Income Return</b>
<u>Shepway</u>					
30.06.2016	3.98%	AA-	48%	200	1.39%
30.09.2016	4.41%	AA-	64%	168	1.26%
31.12.2016	4.29%	AA-	61%	107	1.18%
31.03.2017	4.36%	AA-	61%	141	1.35%
<b>Shepway average</b>	<b>4.26%</b>	<b>AA-</b>	<b>59%</b>	<b>154</b>	<b>1.30%</b>
<b>Similar LAs</b>	<b>4.27%</b>	<b>AA-</b>	<b>65%</b>	<b>133</b>	<b>1.17%</b>
<b>All LAs</b>	<b>4.28%</b>	<b>AA-</b>	<b>63%</b>	<b>53</b>	<b>0.92%</b>

- 5.5 The investment benchmarking, which is a snapshot at the end of each quarter, demonstrates the Authority had a similar risk profile as both its peer group and the wider local authority population in 2016/17 (measured against other Arlingclose clients only) and, pleasingly, achieved a higher income return than both.
- 5.6 The Authority's best performing investment in 2016/17 was its £5.2m externally managed pooled property fund. The CCLA Local Authorities' Property Fund generated a total net return of £241k or 4.6% compared to the average value of the fund during the year. The capital value of the Authority's investment in the fund fell by £82k over the year partly reversing previous gains of £269k. The reduction reflected a small anticipated downturn in commercial property values during the year. Because this fund has no defined maturity date, but is available for withdrawal after a notice period, its performance and continued suitability in meeting the Authority's investment objectives is regularly reviewed. In light of the fund's continued impressive income return and the Authority's latest cash flow forecasts, investment in this fund has been maintained for the year.

## 6. FINANCIAL SUMMARY

- 6.1 The following table summarises the council's net interest cost for its treasury management activities in 2016/17 and shows the outturn is in line with the approved estimate:

	2015/16 Actual	2016/17 Latest Estimate	2016/17 Actual	2016/17 Variance Estimate to Actual
	£'000	£'000	£'000	£'000
Interest Paid	2,232	2,220	2,217	(3)
Interest Received	(543)	(538)	(536)	2
Net Interest	1,689	1,682	1,681	(1)
<u>Net Impact</u>				
General Fund	22	50	35	(15)
H.R.A	1,667	1,632	1,646	14
	1,689	1,682	1,681	(1)

\*It should be noted that the interest paid and received on treasury management activities features as part of the Financing and Investment Income disclosed in the Authority's draft Statement of Accounts for 2016-17.

## 7. COMPLIANCE WITH INVESTMENT LIMITS AND TREASURY INDICATORS

7.1 The Corporate Director for Organisational Change is pleased to report that all treasury management activities undertaken during 2016/17 complied fully with the CIPFA Code of Practice and the Authority's approved Treasury Management Strategy. Compliance with specific investment and borrowing limits and Treasury Indicators is demonstrated in appendix 2 to this report.

## 8. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

### 8.1 Legal Officer's Comments (DK)

There are no legal implications arising directly out of this report other than those clearly stated in the report itself.

### 8.2 Finance Officer's Comments (LW)

This report has been prepared by Financial Services and relevant financial implications are included within it.

### 8.3 Diversities and Equalities Implications

The report does not cover a new service or policy or a revision of either and therefore does not require an Equality Impact Assessment.

## 9. CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

*Lee Walker, Group Accountant (Capital and Treasury Management)*  
*Telephone: 01303 853593 Email: lee.walker@shepway.gov.uk*

The following background documents have been relied upon in the preparation of this report:

Arlingclose Ltd – Model Treasury Management Annual Report Template

**Appendices:**

Appendix 1 – Investments held at 31 March 2017

Appendix 2 – Compliance with specific investment and borrowing limits and Treasury Indicators

## APPENDIX 1 – INVESTMENTS HELD AT 31 MARCH 2017

Counterparty	Amount £	Terms	Interest Rate %
<b>Banks and Building Societies (unsecured)</b>			
Lloyds	2,000,000	1 Year Fixed to 06/07/2017	1.05
Royal Bank of Scotland	3,001,748	1 Year Certificate of Deposit to 12/05/2017	1.48
Santander	2,500,000	60 Day Notice Account to 09/06/17	0.50
Santander	2,500,000	60 Day Notice Account to 09/06/17	0.50
Lloyds	3,000,000	1 Year Fixed to 06/07/2017	0.90
<b>Covered Bonds ( Secured)</b>			
Nationwide Building Society	1,001,908	Covered Floating Rate Note to 17/07/17	0.43
Nationwide Building Society	510,855	Covered Floating Rate Note to 17/07/17	0.53
Yorkshire Building Society	1,740,167	Covered Fixed Rate Bond to 12/04/2018	0.57
<b>Government</b>			
Peterborough City Council	3,000,000	2 Year Fixed Deposit to 29/09/17	0.92
Lancashire County Council	5,000,000	2 Year Fixed Deposit to 29/09/17	1.00
<b>Money Market Funds</b>			
Standard Life MMF	509,000	Money Market Fund instant access.	0.28
BNP Paribas MMF	4,341,000	Money Market Fund instant access.	0.30
<b>Other Pooled Funds</b>			
CCLA Property Fund	5,187,015	Commercial Property Fund	*4.60
<b>Total Investments</b>	<b>34,291,693</b>		
* Net of Fees			

## APPENDIX 2 – COMPLIANCE WITH SPECIFIC INVESTMENT AND BORROWING LIMITS AND TREASURY INDICATORS

Compliance with specific investment limits is demonstrated in table 1 below.

**Table 1: Specific Investment Limits**

	<b>2016/17 Maximum</b>	<b>31.3.17 Actual</b>	<b>2016/17 Limit</b>	<b>Complied</b>
Any single UK organisation, except UK Government	£5m	£5m	£5m	✓
Any single non-UK organisation	£4m	-	£4m	✓
Individual foreign countries	£4m	-	£4m	✓
Foreign countries (maximum all non-UK investments)	£7m	-	£8m	✓
Any group of funds under the same management - UK	£5m	£5m	£5m	✓
Any group of funds under the same management – non-UK	-	-	£4m	✓
Non-specified investments	£16.2m	£6.9m	£17m	✓

Compliance with the authorised limit and operational boundary for external debt is demonstrated in table 2 below.

**Table 2: Debt Limits**

£m	<b>2016/17 Maximum</b>	<b>31.3.17 Actual</b>	<b>2016/17 Operational Boundary</b>	<b>2016/17 Authorised Limit</b>	<b>Complied</b>
Borrowing	60.1	59.5	64.0	66.5	✓
PFI & finance leases			-	-	✓
<b>Total debt</b>	<b>60.1</b>	<b>59.5</b>	<b>64.0</b>	<b>66.5</b>	✓

Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure. The total debt was not above the operational boundary during 2016/17.

### **Treasury Management Indicators**

The Authority measures and manages its exposures to treasury management risks using the following indicators.

**Interest Rate Exposures:** This indicator is set to control the Authority’s exposure to interest rate risk. Compliance with the upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of interest payable and receivable is shown in table 3 below:

**Table 3: Interest Rate Exposures**

	<b>31.3.17 Actual</b>	<b>2016/17 Limit</b>	<b>Complied</b>
Upper limit on fixed interest rate exposure:			
Debt	99.9%	100%	✓
Investments	39.1%	100%	✓
Upper limit on variable interest rate exposure:			
Debt	0.1%	20%	✓
Investments	60.9%	80%	✓

**Maturity Structure of Borrowing:** This indicator is set to control the Authority’s exposure to refinancing risk. Compliance with the upper and lower limits on the maturity structure of fixed rate borrowing is shown in table 4 below:

**Table 4: Maturity Structure of Borrowing**

	<b>31.3.17 Actual</b>	<b>Upper Limit</b>	<b>Lower Limit</b>	<b>Complied</b>
Under 12 months	2.9%	30%	0%	✓
12 months and within 24 months	3.2%	40%	0%	✓
24 months and within 5 years	6.2%	50%	0%	✓
5 years and within 10 years	35.3%	80%	0%	✓
10 years to 20 years	18.0%	100%	0%	✓
20 years to 30 years	6.1%	100%	0%	✓
30 years to 40 years	7.0%	100%	0%	✓
40 years to 50 Years	0%	100%	0%	✓

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

**Principal Sums Invested for Periods Longer than 364 days:** The purpose of this indicator is to control the Authority’s exposure to the risk of incurring losses by seeking early repayment of its investments. Compliance with the limits on the long-term principal sum invested to final maturities beyond the period end is shown in table 5 below:

**Table 5: Principal Sums Invested for Periods Longer than 364 days**

At 31.3.17	2016/17	2017/18	2018/19
Actual principal invested for longer than 364 days	£1.8m	-	-
Limit on principal invested beyond 364 days	£17m	£17m	£17m
Complied	✓	✓	✓

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This report will be made public on 11 July 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



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Report Number **C/17/21**

**To:** Cabinet  
**Date:** 19<sup>th</sup> July 2017  
**Status:** Non - key Decision  
**Head of Service:** Andy Blaszkowicz  
**Cabinet Member:** Councillor Dick Pascoe, Property Management and Environmental Health

**Subject: ASSET MANAGEMENT FRAMEWORK**

**SUMMARY:** The Council will adopt a new Asset Management Framework from 2017 which is intended to last us through the next 5 years. This new framework replaces the previous Corporate Property Strategy 2013-2018 and the Asset Management Plan 2013-2018.

The new framework will provide Officers with clear direction for managing the corporate property portfolio whilst closely linking in with the strategic objectives set out in the Council's Corporate Plan.

**REASONS FOR RECOMMENDATIONS:**

Cabinet is asked to note the report and agree the recommendations set out below because:

- a) The Council's corporate property department requires a clear framework for which to operate.
- b) The Council is under significant financial pressure and the framework outlines a clear strategy to ensure our property assets are fit for purpose, are held for specific reasons and financial returns are maximised.

**RECOMMENDATIONS:**

1. To receive report C/17/21.
2. To approve the Asset Management Policy and the Asset Management Strategy as appended to this report.

## 1. BACKGROUND

- 1.1 The Council has a significant property estate comprising of around 800 land and property assets. It is crucial that these assets are managed corporately in a way that best serves the district and delivers services in line with the Strategic Objectives set out in the Council's Corporate Plan.
- 1.2 The Council faces significant shortfall in its finances in the years to come. The Asset Management Framework is key to ensuring that the council has a sustainable asset base and that the Council's property assets are managed efficiently, minimising unnecessary expenditure whilst maximising income.

## 2. INTRODUCTION

- 2.1 The new Asset Management Framework comprises three separate elements as follows:
- Asset Management Policy
  - Asset Management Strategy
  - Asset Management Plan



- 2.2 The benefit of adopting such a structure is that many areas relating to the general approach to asset management are likely to remain constant for a number of years, and by having three separate elements, with different 'lives' the Council can cut down the need to keep rewriting elements every year. It also aids clarity for elected members, senior managers and property officers by separating out our policy principles which everyone is working towards and the short to medium term actions on which the Council will be working.
- 2.3 This report will summarise the three separate elements of the Asset Management Framework whilst also considering governance through the Asset Management Board.

### 3.0 ASSET MANAGEMENT POLICY

- 3.1 The Asset Management Policy (*attached at Appendix 1*) is deliberately intended to be a short and concise document that describes the principles adopted by the council in applying asset management to achieve the authority's strategic objectives.

- 3.2 It describes the Council's commitment to property asset management and will be endorsed at a senior level.
- 3.3 It demonstrates to the public and all stakeholders, including senior decision makers, elected members, practitioners and service providers, how asset management supports the Council's corporate policies. It also provides a visible commitment to achieving the benefits that can be delivered through good asset management.
- 3.4 The Council's Corporate Plan sets out the Council's long-term vision for improving the lives for all those who, live, work and visit the district. The Council's asset management policy is a high level document that is underpinned by a number of the Council's key strategies and plans and is overseen by the Asset Management Board. It will support the delivery of the six strategic objectives set out in the Council's Corporate Plan 2017-2020.
- 3.5 These Strategic Objectives underpin our asset management approach and vision;

***'An efficient and effective estate which supports the delivery of the strategic objectives set out in the Council's Corporate Plan'***

- 3.6 A key element of achieving our goals is how we use all our resources, and this includes our land and buildings. There needs to be a clear plan which balances aspirations in terms of rationalisation, future service delivery, regeneration and investment. This asset management policy establishes some clear policy principles by which we will manage those land and buildings, and it will remain in place for up to 5 years.

#### **4.0 ASSET MANAGEMENT STRATEGY**

- 4.1 The Asset Management Strategy (*attached at Appendix 2*) is a clear and concise high level document setting out how property asset management is delivered for the Council to meet our long term corporate goals and objectives.
- 4.2 It sets out how the long term objectives for managing the asset portfolio are met, including statutory obligations, stakeholder needs and the overall performance of property assets, within the context of any constraints, such as funding.
- 4.3 The strategy is expected to remain in place for up to 5 years, but will be revised as necessary before that, should the Corporate Plan, Medium Term Financial Strategy or the Asset Management Policy be revised or updated.
- 4.4 Strategic Property Asset Management has not previously been fully embedded in the Council. Moving forward we are ambitious to deliver more through the effective management of our property portfolio. We see the delivery of this Strategy/Policy and Plan, essential to this and the sustainability of our portfolio.

4.5 There are 5 objectives of the Asset Management Strategy that will help deliver a more sustainable asset base and the Council's Corporate Objectives:

1. *Embed a culture that recognises that property assets are a key corporate resource, where decisions need to be made which are linked to corporate and service objectives and balancing a wide number of views and needs.*
2. *Maintain and develop the management of our property assets to improve over time how those assets work for us, provide value for money and minimise the costs of operating them.*
3. *Demonstrate how the innovative use of property assets, in partnership with others, can improve Shepway and the lives of the people that live, work, play and visit.*
4. *Support Economic Growth and Regeneration in the District.*
5. *Support the District in meeting its Housing need.*

4.6 The purpose of each objective and how we will achieve them is detailed within the strategy.

4.7 The Asset Management Strategy is also summarised in the 'strategy on a page' (attached at Appendix 3).

## **5.0 ASSET MANAGEMENT PLAN**

5.1 The Asset Management Plan (*not included as it is an operational document for which the report is not seeking approval*) provides clear and measurable actions that will be implemented over the short term of 2 to 3 years, as part of delivering the Asset Management Strategy.

5.2 Our intention is to report regularly on progress with delivering this Action Plan, which shall be at least quarterly.

5.3 Schedules A to C within the plan set out our intended actions and activities planned for the coming three years that will help in delivering our asset management strategy. The three schedules represent the three categories of action / activity, namely:

- A. Organisational arrangements
- B. Policy development
- C. Property specific activities

5.4 It should be noted that many of the actions set out in the plan are interdependent. The successful delivery of this plan will require a 'whole organisation approach'.

## **6.0 GOVERNANCE - ASSET MANAGEMENT BOARD**

6.1 It is clear through the Officer and Member working group meetings that in-order to fully embed the Asset Management Framework throughout the organisation then senior managers from across the organisation need to be involved.

6.2 An Asset Management Board will be set up with member and senior management representation from relevant service areas.

6.3 The Asset Management Board will be a member / officer working group. It will be an advisory body that takes any decision making power from the delegated authority of officers attending as set out in the Council's Constitution. It will make decisions only where priorities are already agreed by Cabinet. It will also ensure that necessary consultation is carried out with CMT and Cabinet as part of the decision making process.

6.4 A draft 'terms of reference' for the Asset Management Board (*attached within Appendix 2 AMS page 13*) details the role of the board and the suggested members.

## **7.0 CONCLUSIONS:**

7.1 The Asset Management Framework will provide the mechanisms to deliver an efficient and effective estate which supports the delivery of the strategic objectives set out in the Council's Corporate Plan.

7.2 Adopting the Asset Management Framework will enable corporate 'buy in' to the management of the Council's corporate property assets and provide strategic direction for the property portfolio.

7.3 It will provide a rigorous challenge process to ensure assets are well managed, efficient and held for the specific purposes of delivering the Council's services and the strategic objectives set out in the Council's Corporate Plan.

7.4 It will optimise income from corporately held property assets.

7.5 It will minimise liabilities by providing the mechanisms for disposing of surplus assets.

## **8. LEGAL / FINANCIAL AND OTHER CONTROLS / POLICY MATTERS**

8.1 Consideration has been given to the following:

**Legal** (DK) – There are no legal implications arising directly out of this report.

**Finance** (PM) – This report does not have any specific budget implications. The Asset Management Framework should be considered alongside the Council's Medium Term Financial Strategy (MTFS) and capital and revenue budgets; together they provide the basis for management of the Council's resources going forward.

By 2020, revenue support grant funding from the government is expected to have ceased and the Council will rely on council tax, business rates and other income sources, including property income, to fund its activities. It will therefore be more important than ever that the Council manages the costs of asset ownership while optimising income returns. The Framework will provide clear direction for managing the corporate property portfolio whilst closely linking in with the strategic objectives as set out in the Council's Corporate Plan and MTFS.

**Equalities** – There are no equality issues arising from this report.

## **9. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officers prior to the meeting.

Andy Blaszkowicz, Head of Commercial and Technical Services  
Telephone: 01303 853684  
Email: [Andy.blaszkowicz@shepway.gov.uk](mailto:Andy.blaszkowicz@shepway.gov.uk)

**List of Appendices:**

**Appendix 1: Asset Management Policy**

**Appendix 2: Asset Management Strategy**

**Appendix 3: Asset Management Strategy 'on a page'**

**Folkestone**

Hythe & Romney Marsh

Shepway District Council



# Asset Management Policy 2017 – 2022

July 2017

## **The Asset Management Policy**

This Asset Management Policy is deliberately intended to be a short and concise document that describes the principles adopted by the council in applying asset management to achieve the authority's strategic objectives.

It describes the Council's commitment to property asset management and has been endorsed at a senior level.

It demonstrates to the public and all stakeholders, including senior decision makers, elected members, practitioners and service providers, how asset management supports the Council's corporate policies. It also provides a visible commitment to achieving the benefits that can be delivered through asset management

The Council's Corporate Plan sets out the Council's long-term vision for improving the lives for all those who live, work and visit the district.

The Council's asset management policy is a high level document that is underpinned by a number of Council key strategies and plans and is overseen by the Asset Management Board. It will support the delivery of the six strategic objectives set out in the Council's Corporate Plan 2017-2020:

- More Homes: Providing and enabling the right amount, type and range of housing across the district
- More Jobs: Working with businesses to provide jobs in a vibrant local economy
- Appearance Matters: Providing an attractive and clean environment
- Health Matters: Keeping our communities healthy and safe
- Achieving Stability: Providing financial stability through a commercial and collaborative approach
- Delivering Excellence: Recognising the commitment of staff and members to deliver excellent services

These Strategic Objectives underpin our asset management approach and vision for '*an efficient and effective estate which supports the delivery of the strategic objectives set out in the Council's Corporate Plan*'

A key element of achieving our goals is how we use all our resources, and this includes our land and buildings. There needs to be a clear plan which balances aspirations in terms of rationalisation, future service delivery, regeneration and investment. This asset management policy establishes some clear policy principles by which we will manage those land and buildings, and it will remain in place for up to 5 years.

### **Key Policy Principles**

In developing strategy and delivering actions and activities relating to our land and buildings, we will ensure that they meet certain agreed goals. These are not in any particular list of priority and the key challenge for the Council is ensuring that we maintain an appropriate balance between all these elements to ensure that we make strategic use of our land and buildings to build upon the attractiveness of the district:

- Land and buildings are not 'owned' by the services that occupy them but are owned for the benefit of the people of Shepway. When decisions are made they are made in a way that provides the best overall outcome for the Council and the



## District

- Land and buildings will be efficiently used meaning that we will not waste money or waste space
- Land and buildings will do what we want them to do and will be fit for purpose
- Our land and buildings will be managed to contribute positively to a sustainable Shepway through supporting the growth of enterprise, local businesses, support innovation and attract inward investment. We will support the provision of premises that are needed in the right area to facilitate this
- Where we can we will use our land and buildings to contribute positively to a sustainable Shepway to ensure that the number and quality of homes in Shepway meets housing needs
- Aligned to the efficient and effective utilisation of other resources such as finance, ICT and staff
- We will use our land and buildings to support our local communities to give us progressive, healthy, safe and vibrant communities
- Our land and buildings will make efficient use of energy and meet any energy efficiency standards
- We will use our land and buildings in order to build the attractiveness of the District for visitors, which will bring money to the area and support local businesses
- We will take full advantage of opportunities for partnerships, community asset transfer and collaboration with other public, third and private sector organisations in delivering value for money
- We will use our assets to optimise returns, maximise external funding and commercial opportunities
- Where we have land and buildings that generate rental income from tenants we will make sure that the income we get is the best we could expect and we will be constantly looking for new income generating opportunities
- We know that things change. We want to make sure as best we can that our land and buildings are continually challenged to ensure that they remain adaptive, and innovative and are flexible enough to keep improving how and what we do

### **Key Asset Management Principles**

In addition to the above key policy principles, we will also work to key asset management principles for the property portfolio. Once management principles are agreed it will be important to clearly define them over the coming months, so that everyone inside and outside the organisation understands their meaning. This will be vital as we take asset decisions in the future and set ourselves performance or outcome targets. Crucially, all of these principles are subject to the availability of budgets. Our asset management principles are to ensure that assets are:

- Acquired and retained only when needed for a specific identified purpose
- Maintained in good condition
- Fit for their intended purpose

- Kept clean, tidy, presentable and well signposted
- Used as intensively as possible
- Well located and accessible to those that need them
- Meet all statutory requirements with clarity around liabilities that Shepway has retained and those that have been passed to third parties
- No new legal requirements to be taken on by Shepway unless absolutely necessary for the greater good
- Land and buildings will be resilient to physical, economic and social change
- Demonstrate good value for money for all financial spending

**Folkestone**

Hythe & Romney Marsh

Shepway District Council



# Asset Management Strategy 2017 - 2022

**July 2017**

## Introduction

This Asset Management Strategy is a clear and concise high level document setting out how property asset management is delivered for the Council to meet our long term corporate goals and objectives.

It sets out how the long term objectives for managing the asset portfolio are met, including statutory obligations, stakeholder needs and the overall performance of property assets, within the context of any constraints, such as funding.

This Strategy is expected to remain in place for up to 5 years, but will be revised as necessary before that should the Corporate Plan, Medium Term Financial Strategy or the Asset Management Policy be revised or updated.

## Financial Context

Our medium term financial strategy sets out the Council's position over the next five years. With the central government grant for local authorities ending and uncertainty about business rates it is imperative that all Council services and assets are managed efficiently.

The table below shows the financial shortfall the council faces moving forward:

Accounting Year	2017/18	2018/19	2019/20	2020/21	2021/22
	£	£	£	£	£
<b>Revised Shortfall</b>					
<b>In year deficit</b>	0	574,791	1,151,439	1,742,126	3,057,398
<b>(cumulative)</b>	0	574,791	1,726,230	3,468,352	6,525,755

As the table above illustrates the Council faces significant shortfall in its finances in the years to come. The Asset Management Strategy, Asset Management Policy and Asset Management Plan are key to providing the framework to ensure that the council has a sustainable asset base and ensuring that the Council's property assets are managed efficiently, minimising unnecessary expenditure whilst maximising income.

## Significant achievements to date

We have:

- Established new ways of working which has rationalised process and enabled a flexible approach to working practices allowing space to be freed up at the Civic Centre. This has resulted in other floors being let to local businesses which has assisted their growth and generated an income stream for the Council. Further floors are currently being marketed.
- Ambitious plans to develop housing and commercial sites across the district. Current projects involve the creation of a new garden town at Otterpool and exciting housing projects at Bigginswood in Folkestone and Princes Parade, Hythe.

## What we want to achieve

Although the council has delivered some significant strategic projects, moving forward we will bring together the whole Council into a cohesive approach to Strategic Property Asset Management. We are ambitious to deliver more through the effective management of our property portfolio. We see the delivery of this Strategy/Policy and Plan, essential to this and the sustainability of our portfolio.

## Our Portfolio

The council holds a varied portfolio of assets including around 200 that generate a rental income. These include industrial units, office accommodation, agricultural land and a small number of recreational assets such as beach huts

The value of these assets shown and defined in the balance sheet as at 31<sup>st</sup> March 2017 is as follows:

Land and Buildings	£14,748,628
Investment Property	£ 7,831,000
Surplus	£ 259,000
<u>Assets held for Sale</u>	<u>£ nil</u>
Total Value	£22,838,628

NB this figure does not include Infrastructure or Community Assets

A summary of what is included in our portfolio is set out at below

- Operational buildings; e.g. civic office, depots, one stop shop, public toilet, car parks
- Leisure facilities e.g. The Leas Cliff Hall, Hythe swimming pool, bowling greens and sports pitches;
- Parks, gardens and open spaces
- Cemeteries and crematorium
- Historical and heritage assets; Christchurch Tower, martello towers and Military Canal
- Agricultural land
- Industrial units;
- Coastal protection structures
- Land leased to Lydd Airport
- Non-operational land that may be suitable for development
- Surplus assets and
- Assets held for sale

### The objectives of this strategy are to:

1. Embed a culture that recognises that property assets are a key corporate resource, where decisions need to be made which are linked to corporate and service objectives and balancing a wide number of views and needs
2. Maintain and develop the management of our property assets to improve over time how those assets work for us, optimise returns and minimise the costs of operating them
3. Demonstrate how the innovative use of property assets, in partnership with others, can improve Shepway and the lives of the people that live, work, play and visit.
4. Support Economic Growth and Regeneration in the District
5. Support the District in meeting its Housing need

## Purpose of Objectives and how we will achieve them

### **Objective 1**

Embed a culture that recognises that property assets are a key corporate resource, where decisions need to be made which are linked to corporate and service objectives and balancing a wide number of views and needs

---

#### Which Corporate Aims this objective supports:

- More Homes
- More Jobs
- Appearance Matters
- Health Matters
- Achieving Stability
- Delivering Excellence

#### Purpose

- Ensure property assets support delivery of strategic objectives of the Council's Corporate Plan and Medium Term Financial Strategy
- Provide clear direction for the management of the portfolio
- Optimise efficient use of resources

#### We will achieve this through:

- The governance structure put in place through the Asset Management Board
- A Corporate landlord model
- An Asset challenge programme for all assets
- Aligning financial and service planning with asset planning
- Ensuring Business Planning supports investment/disinvestment decisions
- Effective capital prioritisation model
- Robust information management
- Training programme for staff and elected members on strategic asset management issues

### **Objective 2**

Maintain and develop the management of our property assets to improve over time how those assets work for us, optimise returns and minimise the costs of operation

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#### Which Corporate Aims this objective supports:

- More Homes
- More Jobs
- Appearance Matters
- Health Matters
- Achieving Stability
- Delivering Excellence

#### Purpose

- Ensure ownership and occupation of assets is robustly challenged
- Occupation and use of assets is optimised
- Running costs are minimised

- Rate of return and opportunity cost of holding assets is fully understood to allow informed decisions on the future of assets
- Listed and heritage assets are protected

#### We will achieve this through:

- The governance structure put in place through the Asset Management Board
- Working with directorates to support their service plans and planning processes to ensure that asset implications are identified and considered at the earliest opportunity
- Implementing a robust asset challenge process to include all assets including third party occupation of our asset.
- Provide a commercial approach to the Council's portfolio to optimise rental income generation from third party use of our assets where feasible.
- Any lease to a third party should be at least overall cost neutral to the council
- Obtaining comprehensive and accurate data on our asset base
- Introducing effective performance management of assets
- Dispose of assets which are either surplus to requirements or not achieving any other strategic objectives
- Condition survey programme feeding into development of a corporate maintenance strategy
- Business Process Reengineering
- Adopt lifecycle planning in decision making

#### **Objective 3**

Develop innovative partnerships to maximise the benefit of the corporate asset base and improve Shepway and the lives of the people that live, work, play and visit.

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#### Which Corporate Aims this objective supports:

- More Homes
- More Jobs
- Appearance Matters
- Health Matters
- Achieving Stability

#### Purpose

- Co-location with other partners
- Develop Integrated Service Delivery Partnerships
- Provide assets that are accessible to communities
- Listed and heritage assets are protected

#### We will achieve this through:

- Public and Partner Engagement (including developers)
- One Public Estate
- Joint service delivery
- Community Asset Transfer, transfer responsibility for assets, where appropriate, allowing locality assets to be managed at a local level, delivering local services
- Explore opportunities for internal shared / integrated assets
- Sub-regional working/partnerships
- Work closely with East Kent Neighbours



- Developing a strategic approach to ensure responsible stewardship and unlock the potential of historic buildings and heritage assets, particularly those at risk.

#### **Objective 4**

Support Economic Growth and Regeneration in the District

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#### Which Corporate Aims this objective supports:

- More Homes
- More Jobs
- Achieving Stability

#### Purpose

- Ensure that all the council's key strategies are aligned including financial strategies, investment strategy, economic development strategy, housing strategy and property strategies. This will ensure a holistic approach to maximise opportunities for regeneration, new housing and to stimulate economic growth

#### We will achieve this through:

- The governance structure put in place through the Asset Management Board
- Aligning Property with Economic Growth and Planning Policy
- Engagement with the Private sector and with other public bodies
- Adopting innovative delivery solutions
- Holding commercial property assets that are fit for purpose and meet the needs of the business community
- After consideration of a detailed business case which considers all implications to the council e.g. legal, whole life costs etc., acquire strategic sites for future development to generate income and act as a catalyst for inward investment
- Through a review of current property investment/commercial portfolio identify latent or under-developed income potential and release unproductive investment property where those assets are not meeting any of the council's strategic objectives

#### **Objective 5**

Support the District in meeting its Housing Need

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#### Which Corporate Aims this objective supports:

- More Homes
- More Jobs
- Achieving Stability

#### Purpose

- To ensure that the district can provide high quality affordable homes to meet the needs of the local community

#### We will achieve this through:

- The governance structure put in place through the Asset Management Board
- Aligning Property with Housing Strategy and Planning Policy

- Acquire strategic sites for future development which will support housing need in the district.
- Places and policies local plan

## Governance

Strong governance is needed to ensure that we deliver on the objectives set out in this strategy as well as any future objectives. We need to strategically understand the impact and demands placed on the portfolio and that these are fully in accordance with the Council's Asset Management Framework.

These governance arrangements will be carried out by the Asset Management Board in accordance with the terms of reference set out in Appendix 1.

## Asset Challenge

The council's property assets are a valuable resource and one which will be managed in an efficient and effective way and in line with the council's corporate aims. If the resource is not managed correctly there is potential for wasting revenue on keeping assets that are either unnecessary or inefficient. Equally there is capital value locked into each of the assets which if the asset is no longer required, could be realised through disposal. Where assets are still required then the wrong asset in the wrong location can make a difference to the efficiency of services delivered and impact negatively on customer access to services. If property assets are not well maintained this affects the customer experience and can impact negatively on the council's reputation in the community.

The council holds a wide range of assets within the current portfolio. This comprises car parks, public conveniences, leisure facilities, offices, depots, community centres, historic assets, cemeteries and a crematorium, assets leased to the third sector, as well as a number of commercial properties and development sites. The purpose of holding these assets varies but it is fair to say that historically it has not always been clear as to the strategic purpose for holding the assets.

The purpose for holding each asset needs to be clear so that the performance of each asset can be linked to its strategic purpose for holding it.

The council's assets cannot be managed in isolation from other council policies and strategies, as they are closely linked to the achievement of our strategic priorities. A key element of achieving our goals is how we use all our resources, including our property in delivering all council strategies.

We consider that the portfolio should be categorised into three main parts and the principles by which these asset categories are managed and challenged will vary considerably, as described further below.

We do not consider that the council should hold assets that are surplus to requirements or do not meet any of the strategic objectives of the council. However until such time as the entire portfolio, including any assets currently categorised as surplus has been challenged we consider it appropriate to include a fourth category of assets categorised as surplus. The reason for retaining these assets or not actively seeking their disposal should be rigorously challenged.

### **1. Assets for service delivery**

The purpose for holding these assets is for service delivery and the asset challenge process for these assets will reflect this. This asset group includes those assets that may be leased to the third sector/community groups. Therefore the asset challenge process will be in the areas of ensuring an appropriate balance between the following elements:

- Operating costs,

- Future maintenance liability and costs
- Location and accessibility for our customers
- Suitability of the assets for their purpose and the users, this includes the current location of the asset
- Opportunities to exploit partnerships with other public or private sector bodies and agencies to improve efficiency of cost or efficiency of service delivery
- Opportunity cost, by this we mean what value do we have tied up in the asset which has the potential to be realised.

The broad principles of the asset challenge process for this group of assets is set out at Appendix 2.

These challenge principles, once applied, enable the council to generate improved visibility of what is included in this asset category and whether or not, on an asset by asset basis they justify being retained for this purpose.

## **2. Assets for Investment return**

As at 31<sup>st</sup> March 2016 the council had assets shown in the balance sheet as investment property, at a value of £6,753,000 and an income of £86,000. Looking simply at the income obtained from these assets against the capital tied up it can be seen that the council is only achieving a return of 1.2735%. Indeed the return is likely to be less than this if management costs were taken into consideration. Some of these assets are newer acquisitions while others have been in our ownership for a great many years and are a legacy from previous investment and acquisition decisions.

A review of these assets through the asset challenge process should be undertaken with a view to understanding what we own, what they cost and what benefit is derived from them. As a result of this challenge process it should be established which of these assets should continue to be regarded as investments and to determining whether or not any of the assets should be disposed of or should be more properly held within the asset category below, of being held for economic development and regeneration.

It is recommended that as part of the asset challenge process the assets are categorised in accordance with the following principle portfolio elements

- Assets correctly recorded as investment property by virtue of the potential for generating long term capital growth or capital receipt
- Assets correctly recorded as investment property by virtue of the investment revenue return they generate (this to be benchmarked against other investment return)
- Assets incorrectly recorded as investment property by virtue of not generating adequate investment return or capital growth.

The broad principles of the asset challenge process for this group of assets is set out at Appendix 2.

These challenge principles, once applied, enable the council to generate improved visibility of what is included in this asset category and whether or not, on an asset by asset basis they justify being retained for this purpose.

A second stage to this process is the question of exposure to risk, for example where the council might be holding a high proportion of assets in a narrow sector of the market. On this basis, assets that individually might justify retention based on their investment performance and return, might nevertheless need to be disposed of so that a more balanced property investment portfolio can be established, which meets the requirements of the CIPFA Treasury Management Code.

As part of the assessment of exposure to risk the council should consider:

- Length of leases. Short lease term exposes the council to the risk of higher voids at times of market volatility, but also to increased managements costs, as every lease event, such as a lease renewal – involves a direct cost which is not recoverable
- Tenant profile. Tenant profile for short term tenancies will not necessarily provide the council with the risk balance of covenant strength that it would ideally choose, so this too exposes the council to greater risk
- Shorter leases term and poor covenant strength will increase management costs which will subsequently mean that that the rate of return is significantly impacted.

### **3. Assets for economic development and regeneration**

If an asset is not held for service delivery or its investment return then it must be held for economic development and regeneration. Assets in this group will include those held for town centre regeneration or those that are held as they present the council with some key opportunities for adding community contribution. Whilst there may be some income generation associated with this group of assets they are not held primarily for this income. Their prime purpose for retention is to be a catalyst for regeneration or for the contribution they make to the local economy, including impact on the local business economy, housing and supporting jobs. Even assets that do not generate a positive financial contribution can nevertheless contribute significantly to these key areas.

The assets in this category will not provide what could be regarded as an investment return, as the revenue they generate would not be at a level that a typical investor would find attractive given the risk of holding them. Indeed there may be instances where the level of income is exceeded by the costs associated with their retention. Where this is the case the council will make a decision to retain the assets based upon the wider economic or community benefits outweighing financial losses or the very small financial surpluses.

The asset management principle by which this group of assets will be challenged is via the rationale set out in Appendix 2.

### **4. Surplus Assets**

If an asset is not held for service delivery, investment return or economic development and regeneration then without evidence to the contrary it should be assumed that there is not strategic reason for holding the assets and its disposal should be actively pursued.

Assets held within surplus will only be held within the surplus category for a short period of time i.e. until such times as an active disposal process can be determined. If an asset

cannot be disposed of for example if there is no market then the council will strategically consider alternative arrangements for the future of the asset.

The asset management principle by which this group of assets will be challenged is via the rationale set out in Appendix 2.

## Performance Improvement

The council does not currently undertake routine measurement of property performance. We therefore need to embark on a programme of performance data gathering. This data gathering needs to include property specific data, such as condition, running costs, carbon emissions etc. however we must also focus on wider matrices in terms of outcomes.

That is not to say that some premises related data is not important. The condition of our assets for example is of vital importance and is one of our underlying asset management principles.

Although we do currently have some performance data we do not currently have it in an easily accessible way and are not at this stage able to provide detailed performance forecasting or targets. However in future iterations of this strategy we will be able to do this and also be able to report on gaps between target performance and actual performance.

## The Future

We are keen to challenge the status quo in relation to property assets. We have a duty to those that contribute to local taxation, and who take an interest in how we use our resources to demonstrate probity and prudence. We will through the asset management board continually review what we are doing and why, consider whether it appears to be working and look at how it could be improved.

With the current financial constraints on local government, which are unlikely to improve in the foreseeable future, we have to ensure that where business or community activities have become reliant upon council support – either directly via financial support or through favourable occupational terms for assets – that this reliance is tested to satisfy ourselves that it is healthy, sustainable and in the long term best interests of the council and those that we are supporting.

Whilst we have described in this section the need to challenge the use of assets and asset groups, we regard challenge as being a 'constant'. Our challenge will not necessarily be at fixed points in time but will remain flexible to adapt to changing circumstances. It will be treated as integral to proper business planning and not seen as an adjunct to the corporate business planning processes.

Our challenge processes are not necessarily driven towards reducing the property holding; where strategic property acquisition will deliver for us and our communities then this will be considered.

The delivery of this strategy and our asset management plan will allow us to achieve our goals to ensure that our valuable land and buildings resources are used to deliver in accordance with the council's key strategies and that we have a portfolio that is sustainable for the future.

## Appendix 1 Terms of Reference for Asset Management Board

### **Role**

The Asset Management Board is a senior governance body with clear remit to be the Council's advisory body with regard to the Council's Asset Management Framework and activities relating to it.

The role of the Board is as follows:

- To bring together the whole council with a cohesive, strategic approach to managing its asset base
- To develop, review and update the Asset Management Framework
- To raise the profile of the Corporate Landlord model and Asset Management and associated good practice
- Ensure that assets are not 'owned' by the services that occupy them but are owned for the benefit of the people of Shepway. When decisions are made they are made in a way that provides the best overall outcome for the Council and the District
- To take full advantage of opportunities for partnerships, community asset transfer and collaboration with other public, third and private sector organisations in delivering value for money
- To translate service implications from corporate aims, and service planning into the asset management process
- To ensure that the Asset Management Plan is delivered
- To define the asset challenge programme, the parameters for each asset type, manage the programme and make recommendations on the outcomes
- To consider cases for disposals and acquisitions
- To produce annual out-turn reports which include Performance Indicators and benchmarking for a range of property projects and programmes to CMT
- Assist in advising on the prioritisation of capital spend to include consideration of business case, whole life costs including legal and revenue implications
- Review Asset Management Plan annually
- Ensure regular feedback to CMT and Cabinet when required
- Ensure arrangements are in place for all property statutory compliance

### **Composition and Frequency of Meetings**

Representation at the Asset Management Board will include the Cabinet Member for Property Management and Environmental Health and senior officers, where representatives are not able to attend a suitable alternative will attend in their place.

The Board will meet monthly for the first year then after that the frequency of meetings will be reviewed.

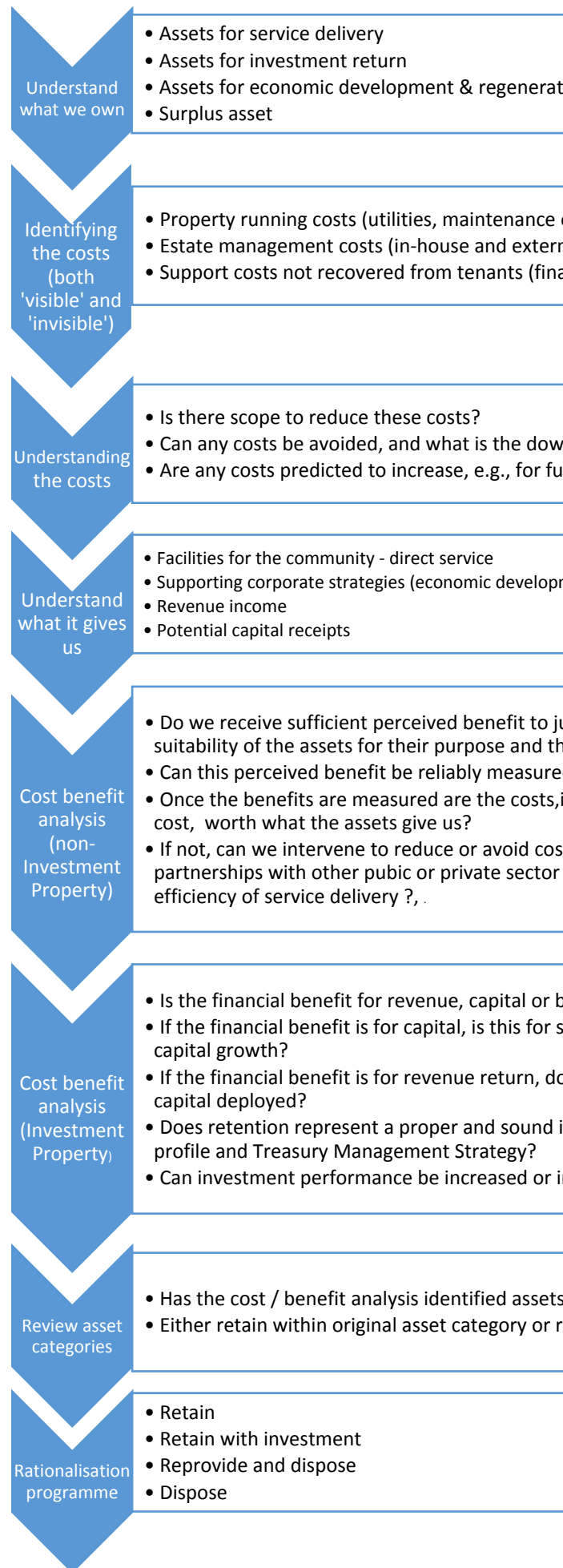
### **Decision Making**

The Asset Management Board is an strategic officer / member group. It is mainly an advisory body and takes any decision making power from the delegated authority of officers attending as set out in the Council's Constitution. It makes decisions only where priorities are already agreed by Cabinet. It also ensures that necessary consultation is carried out with CMT and Cabinet and relevant directors as part of the decision making process.

## Membership of Asset Management Board

- Corporate Property Officer
- Cabinet Member for Property Management and Environmental Health
- Corporate Director for Strategic Operations
- Estates and Asset Manager
- Head of Planning
- Head of Strategic Projects
- Head of Communities
- Head of Economic Development
- Group Accountant – Capital and Treasury Management
- Communications Manager (When required)
- Legal representation (when required)
- Engineering and Buildings Manager (when required)





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**TO DELIVER AN EFFICIENT AND EFFECTIVE ESTATE WHICH SUPPORTS THE DELIVERY OF THE STRATEGIC OBJECTIVES SET OUT IN THE COUNCIL'S CORPORATE PLAN**

Our Strategic Property vision is:

Our Property Strategy Objectives are:

Purpose of these objectives:

Page 131

How we will achieve this:

<p>1. Embed a culture that recognises that property assets are a key corporate resource</p>	<p>2. Maintain and develop the management of our property assets to improve how those assets work for us, optimising returns and minimising the costs of operation</p>	<p>3. Develop innovative partnerships to maximise the benefit of the corporate asset base and improve Shepway and the lives of the people that live, work, play and visit here.</p>	<p>4. Support Economic Growth and Regeneration in the District</p>	<p>5. Support the District in meeting its Housing need</p>
<ul style="list-style-type: none"> <li>Ensure property assets support delivery of the Council's strategic objectives and Medium Term Financial Strategies</li> <li>Provide clear direction for the management of the portfolio</li> <li>Optimise efficient use of resources</li> </ul>	<ul style="list-style-type: none"> <li>Ensure ownership and occupation of assets is robustly challenged</li> <li>Occupation and use of assets is optimised</li> <li>Running costs are minimised</li> <li>Rate of Return &amp; opportunity cost of holding assets is fully understood to allow informed decisions.</li> <li>Listed and heritage assets are protected</li> </ul>	<ul style="list-style-type: none"> <li>Co-location with other partners</li> <li>Provide Integrated Service Delivery Partnerships</li> <li>Provide assets that are accessible to communities</li> <li>Listed and heritage assets are protected</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that all councils key Strategies are aligned including financial strategies, investment strategy, economic development strategy, housing strategy and property strategies to stimulate growth and regeneration</li> </ul>	<ul style="list-style-type: none"> <li>To ensure that the district can provide high quality affordable homes to meet the needs of the local community</li> </ul>
<ul style="list-style-type: none"> <li>Governance structure put in place through the Asset Management Board (AMB)</li> <li>A Corporate landlord model</li> <li>Asset challenge programme</li> <li>Aligning service planning with asset planning</li> <li>Ensuring Business Planning supports investment/ disinvestment decisions</li> <li>Aligning asset planning with financial planning</li> <li>Effective capital prioritisation</li> <li>Robust information management</li> <li>Training programme for staff and elected members on strategic asset management issues</li> </ul>	<ul style="list-style-type: none"> <li>Governance structure put in place through AMB</li> <li>Work with directorates to support service plans &amp; planning processes to ensure that asset implications are identified &amp; considered</li> <li>Implement robust asset challenge process to include all assets</li> <li>Taking a commercial approach to the portfolio to optimise rental income generation from third party use of our assets where feasible.</li> <li>Any lease to third party should be at least overall cost neutral to council</li> <li>Obtaining comprehensive &amp; accurate data on assets</li> <li>Introduce performance management</li> <li>Dispose of assets which are either surplus to requirements or not achieving any other strategic objectives</li> <li>Condition survey programme feeding into development of corporate maintenance strategy</li> <li>Business Process Reengineering</li> <li>Adopt lifecycle planning in decision making</li> </ul>	<ul style="list-style-type: none"> <li>Governance structure put in place through the Asset Management Board</li> <li>Public and Partner Engagement (including developers)</li> <li>One Public Estate</li> <li>Joint service delivery</li> <li>Community Asset transfer</li> <li>Explore opportunities for internal shared/integrated assets/services</li> <li>Sub-regional working/partnerships</li> <li>Work closely with East Kent Neighbours</li> <li>Developing strategic approach to ensure responsible stewardship &amp; unlock potential of historic buildings and heritage assets, particularly those at risk</li> </ul>	<ul style="list-style-type: none"> <li>Governance structure put in place through the Asset Management Board</li> <li>Aligning Property with Economic Growth and Planning Policy</li> <li>Engagement with private sector and with other public bodies</li> <li>Adopting innovative delivery solutions</li> <li>Holding commercial property assets that are fit for purpose and meet the needs of the business community</li> <li>After consideration of a detailed business case acquire strategic sites for future development to generate income and act as a catalyst for inward investment</li> <li>Review of current property investment/commercial portfolio</li> </ul>	<ul style="list-style-type: none"> <li>Governance structure put in place through the Asset Management Board</li> <li>Aligning Property with Housing Strategy and Planning Policy</li> <li>Acquire strategic sites for future development which will support housing need in the district.</li> <li>Places and policies local plan</li> </ul>

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This Report will be made public on 11 July 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/27**

**To:** Cabinet  
**Date:** 19 July 2017  
**Status:** Key Decision  
**Head of service:** Ben Geering – Head of Planning  
**Cabinet Member:** Councillor John Collier – District Economy

**SUBJECT: SHEPWAY PLACES AND POLICIES LOCAL PLAN – SUBMISSION DRAFT**

**SUMMARY:**

On 14 September 2016 Cabinet agreed report C/16/35, which sought approval to publish the Preferred Options Shepway Places and Policies Local Plan for public engagement and to agree the consultation arrangements.

The Preferred Options draft was subsequently published for consultation for six weeks in October to November 2016 and the Council received over 2,000 representations from more than 600 individuals, community groups and organisations. The representations have now been considered and the Plan has been amended to reflect these and other considerations.

The new version of the plan, called the Submission Draft Places and Policies Local Plan, is attached at Appendix 1.

The next stage in the process is to publish the Submission Draft Places and Policies Local Plan and undertake public consultation for a minimum six week period in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Following this, the Places and Policies Local Plan will be submitted to the Secretary of State and an examination in public will be held.

**REASONS FOR RECOMMENDATIONS:**

Cabinet is asked to agree the recommendations set out below in order to allow progress to be made on the submission and examination of the Shepway Places and Policies Local Plan.

**RECOMMENDATIONS:**

1. To receive and note report C/17/27 ;
2. To give delegated authority to the Head of Planning in consultation with the Cabinet Member for the District Economy to make any amendments that may be necessary to the Places and Policies Local Plan prior to the submission consultation to reflect:
  - a) Updates to supporting evidence, including the findings of the Sustainability Appraisal and the Infrastructure Delivery Plan; and
  - b) The results of any current pre-application discussions with developers regarding the sites allocated in the Places and Policies Local Plan, such as the former Silver Spring site, Park Farm, Folkestone; and
  - c) The results of further checking and proof-reading for the purpose of improving clarity and consistency and updating factual information; and
3. To agree the Submission Draft Places and Policies Local Plan document for public consultation subject to recommendation 2 above; and
4. To approve the submission of the Places and Policies Local Plan to the Secretary of State following the end of the consultation period.

## 1. BACKGROUND

- 1.1 The Shepway District Places and Policies Local Plan (PPLP) identifies sites for development to meet the targets established in the 2013 Core Strategy and also sets out general development management policies that will be used to assess planning applications. The plan covers the period 2006-2031.
- 1.2 The Preferred Options PPLP allocates 55 sites for development, providing a total of around 2,500 new dwellings, as well as sites for mixed-use development, business, retail, leisure, hotel and other uses. Other policies seek to protect town centres, and provide general guidance on topics including housing, the economy, community, transport, the natural environment, climate change, health and wellbeing and the historic environment.<sup>1</sup>

## 2. 2016 PREFERRED OPTIONS PUBLIC CONSULTATION

- 2.1 Consultation on the Preferred Options PPLP was undertaken between 7 October and 19 November 2016. The consultation resulted in the submission of over 2,000 comments from more than 600 residents, community groups, businesses and other organisations.
- 2.2 This represents a good response rate and compares favourably with other plans at a similar stage in the plan-making process. Regarding the consultation:
  - A summary report has been prepared by the Communications Team (see Appendix 2) which presents some headline figures on the numbers of individuals who responded to the consultation and the methods they used to respond. This shows marked increases from the 2015 Issues and Options consultation in both the numbers of people responding and those responding using electronic means;
  - The full text of the comments received can be viewed on the Council's consultation portal at:  
[http://consult.shepway.gov.uk/portal/pplp/preferred\\_options?pointId=3549386](http://consult.shepway.gov.uk/portal/pplp/preferred_options?pointId=3549386);
  - Given the number of comments received a summary report of the main issues raised against each chapter and policy of the Preferred Options PPLP has been prepared (see Appendix 3); and
  - During the consultation period a number of exhibitions were held at Hythe, New Romney, Lydd, Sellindge, Hawkinge and Folkestone from 11 to 27 October 2016 and a summary of comments received at these exhibitions has been prepared (see Appendix 4).

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<sup>1</sup> The text of the Preferred Options PPLP is available to view on the Council's website at: [https://www.shepway.gov.uk/media/3897/Places-and-Policies-Local-Plan-Oct-2016/pdf/Places\\_and\\_Policies\\_Local\\_Plan\\_Final\\_Plan\\_2.pdf](https://www.shepway.gov.uk/media/3897/Places-and-Policies-Local-Plan-Oct-2016/pdf/Places_and_Policies_Local_Plan_Final_Plan_2.pdf)

- 2.3 In addition to comments from local people, residents' groups, landowners and developers, the Council also received representations from all the 'statutory' bodies (Environment Agency, Historic England, Natural England and Kent County Council) and from Southern Water, Highways England and other infrastructure providers.
- 2.4 A number of points should be noted when considering this material:
- Summaries are given for comments related to each policy or area of supporting text - figures given are for individual comments and do not represent numbers of participants;
  - Where people have objected to a proposal they have often made related points against a number of different parts of the plan (such as a policy and related paragraphs of supporting text) and these comments are counted separately; and
  - In some circumstances it has been difficult to relate a comment to a particular site or policy and officers have used their judgment to assign a comment to the most relevant part of the plan.
- 2.5 The PPLP is divided into two main sections:
- Part One – Places, which allocates specific sites for development; and
  - Part Two – Policies, which contains general development management policies relating to all development proposals, including the allocated sites and any other relevant planning applications that may come forward in the district.
- 2.6 Overall, the 'Places' section of the Plan received the most comments. The 'Policies' section received fewer comments. This is to be expected given that members of the public are likely to have more interest in specific development site, particularly where they are close to where they live.
- 2.7 While all allocations in the 'Places' section received comments, the allocations that received the most representations were:
- Princes Parade, Hythe (nearly 500 comments);
  - The Battle of Britain Museum, Hawkinge (50 comments);
  - Greatstone Car Park (26 comments); and
  - Land to the south of New Romney (21 comments).
- 2.8 A number of other sites, such as Duck Street, Elham, Sellindge sites and Lympe Airfield also received around 20 comments each.
- 2.9 The 'Policies' section of the Plan received fewer representations in total, with the Transport chapter receiving the most (representations largely highlighted concerns relating to infrastructure and development).
- 2.10 In addition to the comments relating to the proposed sites and development management policies, a number of comments were received promoting new sites, either in addition to, or substituting for, the proposed allocations. In total 17 new sites were submitted in:



- The settlements of Hawkinge, Sellindge, Lyminge and Stanford in the North Downs Area; and
- New Romney, Lydd Littlestone, Brenzett, Brookland and Dymchurch in the Romney Marsh Area.

No new sites were submitted in the Urban Area (Folkestone and Hythe).

### **3. PROPOSED AMENDMENTS TO THE PLACES AND POLICIES LOCAL PLAN**

- 3.1 The next stage in the process of plan preparation, following consultation on the Preferred Options PPLP, is to consider the representations and amend the plan where it is considered necessary.
- 3.2 The Planning Policy team has assessed the representations and made proposed amendments to the PPLP. While opportunities have been made to respond to consultation comments where possible, it should be recognised that the great majority of the site allocations received objections. The purpose of the plan is to meet the outstanding development requirements of the 2013 Core Strategy and the plan must therefore allocate sites for development to meet these requirements. Sites submitted in addition to, or in substitution for, the allocations in the Preferred Options PPLP have been assessed using the same methodology as the existing allocations and the results of this process are outlined below.
- 3.3 Given the nature of the proposed changes a complete new version of the plan, the Submission Draft Places and Policies Local Plan, is provided in Appendix 1. Rather than highlighting at every place within the plan where changes have been made, the main amendments are outlined below.
- 3.4 A key area for the Inspector to examine will be the housing supply: how the plan is meeting the housing requirements set by the 2013 Core Strategy and the likelihood that development sites will come forward.
- 3.5 Officers have undertaken further analysis of the housing land supply position, evaluating how the PPLP will meet the Core Strategy requirement, and this is summarised in Appendix 5 to this report. This shows that, taking into account the proposed deletions and additions highlighted below, the *minimum* housing targets would be exceeded in all three Core Strategy character areas (the Urban Area, Romney Marsh and North Downs).
- 3.6 Overall the Core Strategy sets a minimum target of 8,750 new dwellings over the plan period (2006-2031) for the district and the expected delivery figure is 9,760 dwellings. Sufficient flexibility is therefore provided to account for unforeseen circumstances. The development supply position will be updated with new information as the plan progresses to the next stages.

#### **Further work being undertaken**

- 3.7 The Planning Policy Team is undertaking some final pieces of work for the PPLP including:

- Finalising the Infrastructure Delivery Plan (IDP) with infrastructure providers. The IDP shows what infrastructure is needed over the plan period and how it will be delivered and will be published alongside the PPLP as a supporting document; and
  - Sustainability Appraisal (see Paragraphs 4.1 to 4.2 below).
- 3.8 In addition to this, pre-application discussions are underway on some sites proposed for allocation in the PPLP, such as the former Silver Spring site, Park Farm, Folkestone (Policy RL11 in the Submission PPLP).
- 3.9 Given this, delegated authority is sought for the Head of Planning, in consultation with the Cabinet Member for the District Economy, to make any necessary amendments to policies and supporting text arising from this work and pre-application discussions before the submission consultation begins (see Recommendations 2(a)-(c)).

### **General amendments**

- 3.10 The opportunity has been taken to make changes throughout the plan to improve clarity and consistency. In addition:
- New material is given at the start of the plan to set out the purpose of the submission consultation and to explain how people should submit their comments;
  - Information has been added to the Introduction to explain the relationship between the PPLP and the 2013 Core Strategy and to set out the remaining development requirements that the PPLP is seeking to meet;
  - The Glossary has been expanded and updated to include an explanation of the general planning terms used throughout the plan; and
  - Updates have been made to reflect recently completed evidence and new Government proposals (such as the Housing White Paper) published since the Preferred Options PPLP was finalised in September 2016.

### **Site allocations proposed for deletion**

- 3.11 There are seven sites allocated in the Preferred Options PPLP that are now proposed to be deleted. These are as follows:
- Policy UA18: Land East of Coolinge Lane, Sandgate - This site was allocated for 60 dwellings and open space. It is now proposed to be deleted due to objections, including from Sport England, over the loss of the playing pitches;
  - Policy ND4: Land at Duck Street, Elham – This site was allocated for five dwellings but is proposed to be deleted due to highway and access constraints reducing the total number of dwellings that the site would support;
  - Policy ND6 (part): Land at Brook Lane, Sellindge – This site was allocated for 11 dwellings but is proposed for deletion due to inadequate access;

- Policy ND8: Land rear of Barnstormers, Stone Street, Stanford - This site was allocated for five dwellings but is proposed for deletion due to inadequate access;
- Policy ND9: Land at Folkestone Racecourse – This site was allocated for 11 dwellings but has been withdrawn by the owner;
- Policy RM5: Land to the South of New Romney – This site was allocated for up to 400 dwellings and health care and community facilities. Following the close of the consultation a majority landowner contacted the Council stating that she did not wish her land to be allocated for development. Officers have spoken with the site’s promoters but doubt still remains over the site’s availability; it is therefore proposed to be deleted; and
- Policy RM7 (part): Peak Welders, Lydd – This site was allocated for 18 dwellings but is proposed for deletion due to inadequate access.

3.12 In addition to these sites, it is proposed that UA17: The Shepway Resource Centre, Military Road, Folkestone is deleted as development has advanced on site.

#### **New sites proposed for allocation**

3.13 17 new sites were submitted as part of the 2016 consultation, in addition to, or in substitution for, the allocations put forward in the Preferred Options PPLP.

3.14 Officers have visited these sites and assessed them using the same methodology for site selection used throughout the plan preparation process. In addition the sites have been assessed as part of the Sustainability Appraisal being undertaken on the plan. Appendix 6 sets out the 17 sites and recommendations following the appraisal.

3.15 Of the sites that were submitted, three are considered to be suitable for allocation:

- Land at Cherry Gardens, New Romney (PO20, Appendix 6) – This is a free-standing site that is proposed for allocation for 10 dwellings (new policy RM1);
- Land at Rye Road, Brookland (PO19, Appendix 6) – This site adjoins the proposed allocation at Lands north and south of Rye Road, Brookland (formerly numbered RM12) and would represent a small extension to the existing allocation (amended policy now renumbered RM13); and
- Land at Rhee Wall Road, Brenzett (PO18, Appendix 6) – This site adjoins the proposed allocation at Land adjacent to Moore Close, Brenzett (formerly numbered RM13) and would represent a small extension to the existing allocation (amended policy now renumbered RM14).

#### **Amendments to existing policies**

3.16 In addition to reviewing the deliverability of existing allocations and assessing the newly promoted sites, the opportunity has also been taken to review the policy requirements of the remaining site allocations.

3.17 Minor amendments have been made throughout the plan to update developer contributions where particular infrastructure requirements are known, such as in relation to health, education, public rights of way and other schemes. Other changes have been made, for example, regarding standard wording relating to archaeological constraints and sewerage and waste water infrastructure requirements.

3.18 The Preferred Options PPLP invited respondents to submit sites for Local Green Space designation. Local Green Spaces are defined in the National Planning Policy Framework (NPPF) as spaces of special protection close to the communities they serve, holding a particular significance; they should not be extensive tracts of land (NPPF, paragraph 77). 45 areas of land in Hythe, Lympne and Saint Mary in the Marsh were put forward to be considered for this designation. These were assessed against the NPPF criteria by officers, but the great majority did not meet the requirements for designation. Given this, it is considered that a district-wide policy in the PPLP is not suitable; however, designations can still be identified in Neighbourhood Plans, as the NPPF allows for. Former Policy C5: Local Green Spaces has therefore been deleted.

3.19 In addition to the above, more extensive amendments have been made to:

- Land adjoining the Marsh Academy, New Romney - As a result of the proposed deletion of Land to the South of New Romney (formerly Policy RM5), the allocation at Land adjoining the Marsh Academy, New Romney (now renumbered Policy RM5) has been amended to include provision for a medical facility. Officers have been in discussion with the landowner (Kent County Council) to provide a new healthcare facility under the 'hub' approach, whereby the County Council would retain a landowner interest as landlord. Initial feasibility work is being undertaken by the South Kent Coast Clinical Commissioning Group and Kent County Council to draw up a viable and deliverable scheme; and
- Land adjacent Kent Battle of Britain Museum, Aerodrome Road, Hawkinge (Policy ND3) – The Council received objections to this allocation from the Battle of Britain Museum and its supporters, stating that the allocation of the site for housing would seriously restrict the museum's current operations and its ability to expand. Officers have discussed the situation with representatives from the museum and the neighbouring landowners to try to encourage agreement between the parties. In the absence of any agreement, it is proposed to amend the policy to reduce the capacity of the site to 50 dwellings and to add in a requirement for provision of land for tourism use to serve the museum's expansion.

#### **Reordering of the plan for clarity**

3.20 A new Retail and Leisure Chapter (Chapter 11) has been created, taking the retail centre policies from the 'Places' section and adding new retail and leisure policies to provide more comprehensive development management guidance.

3.21 Other policies have been reordered within the chapters for clarity, grouping similar issues together. As a result of deletions, additions and reordering, policies have been renumbered throughout the plan.

### **New development management policies**

3.22 New policies have been added to a number of chapters in the 'Policies' section as set out below:

- Dwellings to Support a Rural-based Enterprise (Policy HB7, Chapter 9: Housing and the Built Environment) – This policy is intended to provide guidance on proposals for farm workers' dwellings;
- Annexe Accommodation (Policy HB9, Chapter 9: Housing and the Built Environment) – This policy is intended to provide guidance on proposals for attached and free-standing annexes for dependants' accommodation;
- Houses in Multiple Occupation (HMOs) (Policy HB13, Chapter 9: Housing and the Built Environment) – This policy is intended to provide guidance on proposals for Houses in Multiple Occupation (HMOs) requiring planning permission (proposals involving more than six people);
- Redevelopment of Existing Employment Sites (Policy E2, Chapter 10: Economy) – This policy is intended to protect existing employment sites from redevelopment for other uses;
- Retail Hierarchy (Policy RL1, Chapter 11: Retail and Leisure) – This policy is intended to direct new town centre developments to established centres in the hierarchy;
- Other District and Local Centres (Policy RL7, Chapter 11: Retail and Leisure) – This policy is intended to protect smaller centres including Hawkinge, Lydd, Lyminge, Elham, Sellindge and Dymchurch;
- Development Outside Town, District and Local Centres (Policy RL8, Chapter 11: Retail and Leisure) – This policy is intended to prevent development for town centre uses outside established centres;
- Design, Location and Illumination of Advertisements (Policy RL9, Chapter 11: Retail and Leisure) – This provides guidance on proposals for advertisements, including illuminated advertisements; and
- Shop Fronts, Blinds and Security Shutters (Policy RL10, Chapter 11: Retail and Leisure) – This provides guidance on proposals affecting shop fronts.

## **4. Sustainability Appraisal**

4.1 Sustainability Appraisal (SA) is a systematic process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

4.2 Work on the SA has been undertaken throughout the plan-making process and has informed the PPLP as it has developed. The latest Submission Draft PPLP is being assessed by the Council's consultants and the results of this process may necessitate some minor amendments to the plan. Recommendation 2(a) of this report recommends that delegated authority be given to the Head of Service in consultation with the Cabinet Member for

the District Economy to make these amendments prior to the start of the submission consultation.

## **5. NEXT STAGES**

- 5.1 If approved for consultation by Cabinet on 19 July 2017, following the recommendations in this report, officers will then prepare the Submission Draft PPLP and consultation materials, and will arrange public notices and send out consultation letters and emails to individuals and organisations on the Council's consultation database.
- 5.2 Consultation on the Submission Draft PPLP is formal and must meet certain legislative requirements; for example respondents must state whether they consider the plan is 'sound' or 'not sound' and, if they consider it 'not sound', they must give reasons why. The Planning Policy Team is working with the Communications Team to ensure this will be presented as clearly and accessibly as possible.
- 5.3 If approved, it is anticipated that consultation on the Submission Draft PPLP could begin in September, running for six weeks to finish in October 2016.
- 5.4 Further work will also need to be undertaken before and during this period on a number of supporting documents in preparation for submission of the PPLP to the Secretary of State. These include:
  - Finalising the Infrastructure Delivery Plan (IDP);
  - Updating the Statement of Community Involvement (SCI);
  - Updating the Local Development Scheme (LDS);
  - Preparing a Consultation Statement and Duty to Cooperate statement to demonstrate how the Council has met its statutory requirements;
  - Preparing a self-assessment of the soundness and legal compliance of the plan following guidance set out by the Planning Advisory Service (PAS); and
  - Updating the plan's Equalities Impact Assessment.
- 5.5 The Council will also need to engage a Programme Officer for the examination. The Programme Officer acts as the point of contact between the Inspector, the Council and all interested parties. (No parties can have contact with the Inspector other than through the Programme Officer, except during the public hearing sessions.) The Programme Officer must be in place prior to submission of the plan to the Secretary of State. The post of Programme Officer could be filled through an internal secondment, although the Programme Officer needs to be independent of the Council's planning function and cannot have had any prior involvement in the preparation of the plan.
- 5.6 Before submission, the Council will work with the Programme Officer to prepare materials for the Inspector. Documents should be properly referenced and submitted in both hard copy and electronic form and placed on the Council's website. The Council must submit two copies of the representations received during the submission consultation, one in policy order and the other in number order.

- 5.7 The Council must also prepare a consultation statement demonstrating how it has involved people at each stage of developing the plan, the number of comments it received and the main issues raised, including at the final submission consultation stage.
- 5.8 The PPLP and supporting materials will then be submitted to the Secretary of State (in practice the Planning Inspectorate or PINS). This is likely to be in October/November 2017 and will depend in part on the numbers of comments received at this stage.
- 5.9 The examination of the PPLP begins on its submission to the Secretary of State. From this point onwards, the timetable is determined by PINS and indicative timings are set out in guidance.<sup>2</sup> However, the guidance stresses the importance of preparation before submission, stating: *“It is well worth investing the time in producing a focused and comprehensive statement of the main issues ... as this will be the first introduction of the Inspector to the likely issues to be addressed in the examination ... Because of the time it takes to clarify matters and the impact on Inspector preparation time PINS may decline to start an examination if material has not been submitted in this way ...”*<sup>3</sup>
- 5.10 Guidance states that in most cases it is achievable for hearing sessions to begin within 10 weeks of submission, but this will depend on the readiness of the local planning authority, the complexity of the plan and whether the Inspector identifies any matters that need to be addressed before proceeding to the hearings stage.
- 5.11 After initially appraising the plan, supporting documents and representations, the Inspector will then confirm the start date of the hearings and the Council will need to arrange for a venue and ensure that notice is sent out at least six weeks in advance.
- 5.12 The Inspector determines which matters will be examined and who will be invited to participate. Participants will then be notified and the Council will prepare statements on the particular matters identified by the Inspector. The Council will also need to decide whether additional support (such as internal and external expertise or legal advice) may be required to support officers at the hearings.
- 5.13 Assuming that PINS’ timetable is met, hearing sessions could commence in December 2017. Experience elsewhere suggests that the hearing sessions may require around eight sitting days. Guidance gives five to nine hearing days as typical for a site allocations plan.<sup>4</sup> Hearing sessions on the PPLP could therefore close in early January 2018.
- 5.14 Following the close of the hearing sessions, it is likely that some modifications will need to be made to the plan arising from the debate at the examination and matters raised by the Inspector. The most significant of these, known as ‘main modifications’, will need to be consulted on and

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<sup>2</sup> Procedural Practice in the Examination of Local Plans, The Planning Inspectorate, June 2016

<sup>3</sup> Procedural Practice in the Examination of Local Plans, paragraphs 1.10-1.11

<sup>4</sup> Procedural Practice in the Examination of Local Plans, page 8

appraised through the SA process. This will take place as the Inspector's report is being finalised.

- 5.15 On close of the main modifications consultation and receipt of a favourable Inspector's report, the Council can then proceed to adopt the PPLP. It will then be used to decide planning applications on the sites identified in the plan and the development management policies can be used to decide any other relevant planning applications that may come forward for development in the district.

## 6. RISK MANAGEMENT ISSUES

- 6.1 A summary of the perceived risks is as follows:

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
The Council falls behind in its programme for producing a new Places and Policies Local Plan.	Medium	Medium	The Council has maintained a five year housing land supply. The preparation of appropriate supporting evidence will minimise the risks of the plan being found 'unsound'. On submission of the plan, the timetable is in the hands of the Planning Inspectorate, and the Council will be responding to requests for evidence and information to a timetable set by the Inspector.
Other local authorities do not agree the Duty to Co-operate has been met or don't agree to implement its provisions.	Medium	Medium	Continued dialogue with partner authorities is taking place through the various discussion forums that exist. No issues were raised relating to the Duty to Cooperate by partner authorities during the Preferred Options consultation. The Council will need to provide evidence of its approach through the Consultation



			Statement and Duty to Cooperate Statement (see Section 5 above).
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## **7. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

### **7.1 Legal Officer's Comments**

There are no legal implications arising directly from this report but progress with the PPLP will need to meet the requirements set out in applicable legislation, including the Planning and Compulsory Purchase Act 2004.

### **7.2 Finance Officer's Comments**

There are no resource implications arising directly from this report. Progress with the PPLP is being undertaken with existing staff resources within the Planning Service. Financial resources will be needed to procure specialist evidence, and to pay the Inspector's fees, the Programme Officer's fees and other costs (such as venue hire, advertisements and printing). Depending on the route taken to appoint a Programme Officer there may be costs involved. Other costs are contained within existing budgets.

### **7.3 Diversities and Equalities Implications**

There are no equalities implications arising directly from this report. As highlighted, the PPLP will need to be supported by an Equalities Impact Assessment and the Inspector will consider these issues in assessing the soundness of the plan

### **7.4 Communications**

The support of the Communications Team was crucial in increasing online responses to the consultation and their support will be needed at key stages in finalising the plan, particularly consultations on Submission and Main Modifications to make sure we reach out to residents and stakeholders so that they can express their views online.

## **8. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

**Ben Geering, Head of Planning**

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Email: [david.whittington@shepway.gov.uk](mailto:david.whittington@shepway.gov.uk)

The following background documents have been relied upon in the preparation of this report:

The Submission Draft Places and Policies Local Plan lists supporting evidence that has been used to formulate the plan throughout the document and in the Appendices.

***(Note: only documents that have not been published are to be listed here)***

**Appendices:**

- Appendix 1: Submission Draft Places and Policies Local Plan (July 2017)
- Appendix 2: Summary of 2016 Preferred Options Places and Policies Local Plan Consultation – Numbers of Respondents and Methods of Consultation Response (Report prepared by the Communications Team)
- Appendix 3: Summary of 2016 Preferred Options Places and Policies Local Plan Consultation – Main Issues Raised
- Appendix 4: Summary of Comments Received During 2016 Preferred Options Places and Policies Local Plan Consultation Exhibitions
- Appendix 5: Meeting the District’s Housing Needs – 2017 Submission Draft Places and Policies Local Plan
- Appendix 6: New Sites Submitted During the 2016 Preferred Options Places and Policies Local Plan Consultation

**Appendix 1: Submission Draft Places and Policies Local Plan (July 2017)**

## Policy Index

1 Policy Index .....	4
2 Foreword .....	12
3 Introduction .....	14

## Part One - Places

4 Introduction .....	29
5 Urban Character Area .....	40
6 Romney Marsh Character Area .....	106
7 North Downs Character Area .....	158

## Part Two - Development Management Policies

8 Introduction .....	207
9 Housing and the Built Environment .....	210
10 Economy .....	248
11 Retail and Leisure .....	266
12 Community .....	300
13 Transport .....	316
14 Natural Environment .....	338
15 Climate Change .....	362
16 Health and Wellbeing .....	378
17 Historic Environment .....	386

## Glossary

Glossary .....	396
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## Appendices

<b>1 Evidence Base Documents .....</b>	<b>409</b>
<b>2 Nationally Described Space Standards .....</b>	<b>414</b>
<b>3 Schedule of Policies To Be Deleted .....</b>	<b>420</b>

## Policy Index

## 1 Policy Index

### Places

#### Urban Area

East Station Goods Yard, Folkestone

Rotunda and Marine Parade Car Parks, Lower Sandgate Road, Folkestone

The Royal Victoria Hospital, Radnor Park Avenue, Folkestone

3-5 Shornccliffe Road, Folkestone

Ingles Manor, Castle Hill Avenue, Folkestone

Shepway Close, Folkestone

Former Gas Works, Ship Street, Folkestone

Highview School, Moat Farm Road, Folkestone

Brockman Family Centre, Cheriton

The Cherry Pickers Public House, Cheriton

Affinity Water, Shearway Road, Cheriton

Encombe House, Sandgate

Smiths Medical Campus, Hythe

Land at Station Road, Hythe

Land at the Saltwood Care Centre

St. Saviour's Hospital, Seabrook Road, Hythe

Foxwood School, Seabrook Road, Hythe

Princes Parade, Hythe

Hythe Swimming Pool, Hythe

#### Romney Marsh

Land off Cherry Gardens, Littlestone

Land off Victoria Road West, Littlestone



Land rear of the Old School House, Church Lane, New Romney

Land west of Ashford Road, New Romney

Land adjoining The Marsh Academy, Station Road, New Romney

Kitewell Lane, rear of Ambulance Station, Lydd

Land south of Kitewell Lane

Station Yard, Station Road, Lydd

Former Sands Motel, Land adjoining pumping station, Dymchurch Road, St Mary's Bay

Land rear of Varne Boat Club, Coast Drive, Greatstone

Car park, Coast Drive, Greatstone

The Old Slaughterhouse, 'Rosemary Corner', Brookland

Lands north and south of Rye Road, Brookland

Land adjacent to Moore Close, Brenzett

### **North Downs**

Former Officers Mess, Aerodrome Road, Hawkinge

Mill Lane, rear of Mill Farm, Hawkinge

Land adjacent Kent Battle of Britain Museum, Aerodrome Road, Hawkinge

Land east of Broad Street, Lyminge

General Sellindge Policy

Former Lymyne Airfield

Camping and Caravan Site, Stelling Minnis

Land adjoining 385 Canterbury Road, Densole

Etchinghill Nursery, Etchinghill

Land adjacent to the Golf Course, Etchinghill

## **Policies**

### **Housing and the Built Environment**

Quality Places Through Design

Cohesive Design

Internal and External Space Standards

Self-build and Custom Housebuilding Development

Replacement Dwellings in the Countryside

Local Housing Needs in Rural Areas

Dwellings to Support a Rural-based Enterprise

Alterations and Extensions to Residential Buildings

Annexe Accommodation

Development of Residential Gardens

Loss of Residential Care Homes and Institutions

Development of New or Extended Residential Institutions (C2 Use)

Houses in Multiple Occupation (HMOs)

Accommodation for Gypsies and Travellers

### **Economy**

Allocated Employment Sites

Redevelopment of Existing Sites

Tourism

Hotels and Guest Houses

Touring and Static Caravan, Chalet and Camping Sites

Farm Diversification

Reuse of Rural Buildings

Provision of Fibre to the Premises

## **Retail and Leisure**

Retail Hierarchy

Folkestone Major Town Centre

Hythe Town Centre

New Romney Town Centre

Cheriton District Centre

Sandgate Local Centre

Other District and Local Centres

Development Outside Town, District and Local Centres

Design, Location and Illumination of Advertisements

Shop Fronts, Blinds and Security Shutters

Former Silver Spring Site Park Farm, Folkestone

Former Harbour Railway Line

## **Community**

Creating a Sense of Place

Safeguarding Community Facilities

Provision of Open Space

Provision of Children's Play Space

## **Transport**

Street Hierarchy and Site Layout

Parking Standards

Residential Garages

Parking for Heavy Goods Vehicles

Cycle Parking

## **Natural Environment**

Enhancing and Managing Access to the Natural Environment

Biodiversity

Protecting the District's Landscapes and Countryside

Equestrian Development

Light Pollution and External Illumination

Land Stability

Contaminated Land

Integrated Coastal Zone Management

Development Around the Coast

## **Climate Change**

Reducing Carbon Emissions

Sustainable Design and Construction

Sustainable Drainage Systems (SuDS)

Wind Turbine Development

Small Scale Wind Turbines and Existing Development

Solar Farms

## **Health and Wellbeing**

Promoting Healthier Food Environments

Improving the Health and Well-being of the Local Population and Reducing Health Inequalities.

Development That Supports Healthy, Fulfilling and Active Lifestyles

Promoting Active Travel

## **Historic Environments**

Heritage Assets

Archaeology

Local List of Heritage Assets

Folkestone's Historic Gardens



## Foreword

## 2 Foreword

### Places and Policies Local Plan - Submission Draft Consultation

[ To be rewritten with Cabinet Member for the District Economy ]



**Cllr John Collier**

**Cabinet Member for the District Economy**



## Introduction

## 3 Introduction

### How to Comment

This document is Shepway District Council's Submission Draft Places and Policies Local Plan.

The Submission Draft Local Plan has been published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Representations are invited during a six-week period from [start date] to [end date]. **Representations must be received by 5:00pm on [end date] in order to be considered.**

**3.1** The Submission Draft Local Plan has been published in order for representations relating to issues of 'soundness' to be made prior to its submission to the Secretary of State. Representations from the public, landowners, developers and other stakeholders will be considered alongside the submitted plan by an independent Planning Inspector, who will conduct an examination of the plan.

#### Making Appropriate Representations

**3.2** The purpose of the examination will be to consider whether the Places and Policies Local Plan is legally compliant (under the provisions of the Planning and Compulsory Purchase Act, 2004) and whether it is 'sound'.

**3.3** You are therefore advised to ensure that your representations relate to these matters:

- If you are making representations on the way in which the plan has been prepared and published, it is likely that your comments will relate to a matter of legal compliance; and/or
- If it is the actual content on which you wish to comment, it is likely that your comments will relate to the 'soundness' of the document. A plan that is 'sound' is defined in the Government's National Planning Policy Framework (NPPF) as one that meets the four tests set out below.

### Tests of Soundness

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

(NPPF, paragraph 182)

**3.4** If your representation seeks a change to the plan, you will need to say why you consider that it is not currently sound and try to support your representation with evidence of why you think it should be changed. You should try to state precisely how the document should be changed.

**3.5** You should give careful consideration to how you wish your representation to be dealt with by the planning Inspector: by written representations or by exercising the right to be heard. Only where you are seeking a change to the plan will you have the right to be heard during a hearing session. Please note that written representations carry exactly the same weight in the examination process as representations made in person at the hearings.

**3.6** To assist you to make your representations in an appropriate manner:

- If you make representations through the Council's online consultation portal you will be automatically prompted to comment in relation to the legal compliance and/or soundness of the document. A detailed guidance note is provided electronically; or
- If you make your representations by email or in writing, an editable form and guidance note is available for you to download. You are advised to use the form to ensure that your representation relates directly to the matters that will be considered by the Inspector.

**3.7** Comments can be made in a number of ways, as set out below:

### Using the Consultation Portal

**3.8** The Places and Policies Local Plan and accompanying Sustainability Appraisal can be viewed, and comments made directly online, using the Council's consultation portal at <http://consult.shepway.gov.uk>. Detailed guidance notes on the test of soundness are included on the portal.

### Using a Response Form

**3.9** Alternatively, a response form (for filling in electronically or printing out) can be downloaded from the Council's website at [web address] or you can request a paper copy by phoning [phone number].

**3.10** This form can be returned in the following ways:

- By email to: [group email address]
- By post to: Planning Policy, Planning Services, Shepway District Council, Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY.

### Consultation Documents

**3.11** This consultation includes the following documents:

- Submission Draft Places and Policies Local Plan;
- Response form for the Places and Policies Local Plan. This response form includes guidance notes on the 'tests of soundness'; and
- Supporting documents, including the Sustainability Appraisal Final report.

**3.12** The documents can also be viewed at the following locations for those without access to a computer: [details to be confirmed]

If you have any queries about this consultation, or would like further advice about how to make your representation, please contact:

Shepway District Council Planning Policy

Email: [group email address]

Telephone: [phone number]

## About This Document

**3.13** Shepway District Council is required to produce a document, or suite of documents, to deliver the planning strategy for Shepway District, to guide development and provide a consistent approach to decision making, forming the statutory 'development plan'. In addition to these documents, the Council must also produce:

- A Local Development Scheme (LDS) that sets out the timetable for the preparation of the documents;
- A Statement of Community Involvement (SCI) setting out how the Council will engage with the public and stakeholders in the preparation of the documents; and
- An Authority Monitoring Report (AMR), which reports on the implementation of the development plan policies.

## Core Strategy Local Plan

**3.14** The development plan sets out the Council's policies and proposals for the development and use of land in the district. The statutory development plan for Shepway District currently includes the adopted 2013 Shepway Core Strategy Local Plan, as well as saved policies from the 2006 Shepway District Local Plan.

**3.15** The Core Strategy is the overarching planning policy document and sets out the long term vision and strategic policies for the district. The Core Strategy makes provision from 2006 to the end of March 2031, to ensure a long-term framework is in place. It sets out economic, social and environmental aims for the district and the amount and type of development and strategic development locations for major developments.

**3.16** The Core Strategy identifies three strategic needs. These are to:

1. Improve employment, educational attainment and economic performance in Shepway;
2. Enhance the management and maintenance of the rich natural and historic assets in Shepway; and
3. Improve quality of life and sense of place and the vibrancy and social mix of neighbourhoods, particularly where this minimises disparities.

**3.17** To meet these needs the Core Strategy sets out the target amounts of development to 2025/26 and beyond to 2030/31 (Policy SS2: Housing and the Economy Growth Strategy):

- For residential development it identifies a core objective to deliver a minimum of 350 dwellings a year on average until 2030/31. For the first 20 years of the plan period (2006/07-2025/26) a target of 8,000 dwellings is set, with a minimum requirement of 7,000 dwellings;

- For business uses a target of 20ha is set to 2025/26; and
- For retail development a target of 35,000sqm is set to 2025/26.

(More information on these targets is provided in the Introduction to Part One - Places of this plan.)

### **Core Strategy Review and Otterpool Park Proposals**

The Council has made a commitment in the Local Development Scheme to review the 2013 Core Strategy to provide a framework for the district beyond 2031. Work has begun on this review, including the production of new evidence on future housing requirements; this work is taking place alongside the final stages of preparing the Places and Policies Local Plan.

In addition to this, the Government has accepted Shepway District Council's bid for a new Garden Town at Otterpool Park and work is underway to produce a masterplan for this proposed new settlement.

The Places and Policies Local Plan has been prepared to provide for the level of growth identified in the 2013 Core Strategy and to set out more detailed development management policies to guide development proposals. **The levels of development set out in this plan therefore do not go beyond those already established by the 2013 Core Strategy.**

In due course, the development allowed for in this plan (as well as completed schemes and sites with planning permission) will be taken into account in preparing the Core Strategy Review. The Review will also test any proposals for a new settlement.

As with the Places and Policies Local Plan, the Core Strategy Review will be subject to extensive public consultation and an independent examination before it is adopted. There will therefore be many opportunities for local people and other stakeholders to influence the Core Strategy Review and Otterpool Park proposals as part of future consultations; as they do not form part of the Submission Draft Places and Policies Local Plan they are not dealt with further in this document.

## **Shepway District Places and Policies Local Plan**

**3.18** This plan is the Shepway District Places and Policies Local Plan, and is one of the documents that will, when adopted, form part of the development plan. The allocations and policies within this plan cover the whole district and will be used to consider the suitability of development proposals. The plan covers the period from 2006 to 2031, in line with the adopted Core Strategy.

**3.19** The Places and Policies Local Plan sits below the Core Strategy and has two functions:

- To allocate enough land for future development to meet the requirements set out in the Core Strategy for residential, employment, community and other needs; and
- To provide development management policies that will be used to assess planning applications and guide future development.

**3.20** The plan will therefore play an important role in shaping the future of the district and ensuring that the aims set out in the Core Strategy are met, providing local communities, landowners, developers and infrastructure providers with certainty about the future pattern of development in the district. The policies in the plan will ensure that new developments are sustainable, the natural and historic environment is maintained and that people's quality of life is improved and healthy lifestyles are encouraged.

**3.21** When the plan is adopted by the Council, it will replace the saved policies in the 2006 Shepway District Local Plan. (The 2006 Local Plan policies that will be replaced on adoption of this plan are set out in Appendix 3).

**3.22** The sites to which the policies apply are illustrated on the Policies Map that accompanies this plan. The sites are referenced by the policy number. The Policies Map also shows other key policies, such as protected open spaces.

**3.23** The chapters also contain accompanying text in numbered paragraphs to support the policies. The text describes the context to each settlement, site or topic area and, where relevant, makes reference to supporting studies and evidence.

**3.24** Where known, the allocations identify specific requirements that developments will need to deliver, but these requirements will be continually reassessed in light of the latest information on infrastructure needs set out in the Council's Infrastructure Delivery Plan (IDP) and as part of any planning application.

**3.25** The policies set out in this plan are not the only considerations that will be used to assess development proposals. Depending on the proposal, a range of other policies and guidance may also apply, such as:

- Government guidance set out in the [National Planning Policy Framework](#) (NPPF) and [Planning Practice Guidance](#) (PPG);
- Policies in the 2013 [Core Strategy Local Plan](#);
- Relevant Supplementary Planning Documents (SPDs) or design guidance; and
- Neighbourhood Development Plans.

## Other Planning Requirements

The policies in this plan do not repeat requirements already set out in other documents, except where relevant, nor do they include standard requirements (such as the need to provide connections to drainage or sewerage infrastructure), other than where specifically identified by service providers. Depending on the proposal, Transport Assessments, Transport Statements, Travel Plans, assessments of land stability, ecological assessments and other information may also be needed; for reasons of concision standard planning requirements are not repeated in the policies.

## Local Validation Requirements

There are two levels of requirements when submitting planning applications and supporting information, set at national and local levels:

- **National requirements** - In relation to national requirements, the [Planning Portal](#) gives further information.
- **Local requirements** - Regarding local requirements, local planning authorities are able to publish their own lists. The Council has adopted a local list of validation requirements which is available on the [Council's website](#). The local validation requirements are different for householder and non-householder developments and make it clear for applicants and agents what drawings and reports are required to be submitted alongside planning applications. If all the required information is provided at the start of the process this can help to reduce the time taken for planning applications to be determined.

## Policy Context

**3.26** The preparation of this plan has taken account of the relevant national and local planning policy context. The plan has also been informed by a number of evidence base studies. In addition, the infrastructure requirements identified in the IDP and the findings of the Sustainability Appraisal and Appropriate Assessment have been crucial in developing the policies.

**3.27** Shepway District has significant environmental constraints, with a large proportion of the district covered by the Kent Downs Area of Outstanding Natural Beauty (AONB) designation (other areas are also important for the setting of the AONB), international, national and locally protected sites for wildlife and areas and sites of historic importance. There are also areas of high flood risk, particularly along the coast and in Romney Marsh. This calls for a balance between the need for growth and policies of protection within these sensitive areas.



## National Planning Policy

**3.28** National planning policy is set out in the [National Planning Policy Framework](#) (NPPF) and accompanying [Planning Practice Guidance](#) (PPG), which covers elements of spatial planning and the operation of the planning system. This policy framework covers broad topic areas such as local plan preparation, housing, employment, town centres, built heritage, biodiversity and the creation of strong, safe and prosperous communities. Local authorities are required to take national policy into account by ensuring that their plans and policies are consistent with this guidance. National planning policy is also material to the consideration of individual planning applications and appeals.

**3.29** Since the Core Strategy was adopted in 2013, there have been a number of changes to government legislation and policy which have been considered when developing this plan; some of these are already in operation and others are in development or awaiting the publication of final guidance. Key areas include:

- Starter Homes - for first-time buyers only and purchasers under the age of 40. These will also count as 'affordable homes' under the definition in the NPPF;
- Self-build and custom housing - the Council maintains a register of people interested in building their own homes. New legislation places a duty on local authorities to have regard to the self-build and custom housebuilding register when carrying out their planning, housing, land disposal and regeneration functions;
- Permission in principle (PiP) has been introduced for housing-led development which will provide developers with greater certainty of consent at an earlier stage in the development cycle. PiP will be granted on the adoption of a local plan or a neighbourhood development plan;
- Brownfield registers will provide house builders with up-to-date and publicly available information on all brownfield sites available for housing locally. PiP may also apply to such sites; and
- Amendments to the definition of 'travellers' in Government guidance (['Planning policy for traveller sites'](#), 2015).

**3.30** In preparing this plan the Council has also considered Government papers such as ['Fixing the Foundations: Creating a more prosperous nation'](#) (HM Treasury, 2015) and ['Towards a one nation economy: A 10-point plan for boosting productivity in rural areas'](#) (DEFRA, 2015).

**3.31** More recently the Government published ['Fixing our broken housing market'](#) (DCLG, 2017), its Housing White Paper, which contains a number of proposals to boost the supply of housing. While many of the proposals in the Housing White Paper have yet to be implemented, its general approach complements the Places and Policies Local Plan, particularly in the allocation of a range of smaller sites. to encourage small- and medium-sized housebuilding firms, and in the promotion of self-build and custom housebuilding.

## Local Planning Policy

**3.32** As outlined above, the policies in this plan sit within the framework for the district already established by the Core Strategy. As well as setting out the general level and distribution of development for the plan period, the Core Strategy also contains policies on: flood risk; town centres; infrastructure planning; affordable housing; rural and tourism development; green infrastructure; and water and coastal management. The requirements of these policies are not repeated within this plan: the development management policies in Part Two are intended to add further detail only where it is necessary.

**3.33** The Core Strategy also allocates a number of strategic development sites at Folkestone Seafront and Shorncliffe Garrison, Folkestone; other broad locations for development are identified at New Romney and Sellindge. In addition, the 2006 Shepway District Local Plan Review allocated a mixed-use development at the former Nickolls Quarry, Hythe. These sites now have planning permission or are under construction and the developments have been taken into account in the level and distribution of growth set out within this plan.

## Neighbourhood Planning

**3.34** In accordance with the provisions of the Localism Act 2011, neighbourhood planning allows town and parish councils and other qualifying bodies to shape new development within their areas through the production of Neighbourhood Development Plans or Orders. When 'made' (brought into legal force by the local planning authority), they will also form part of the development plan.

**3.35** In Shepway a number of parishes have had Neighbourhood Areas designated. (This is the first stage of Neighbourhood Plan preparation and is the confirmation of the area which the Neighbourhood Plan or Order will cover). The areas that have been designated so far are:

- Hythe;
- Lympne;
- New Romney;
- St Mary in the Marsh; and
- Sellindge.

**3.36** Of these St Mary in the Marsh Parish Council has produced a draft plan which has been submitted to the District Council for further consultation before it is taken forward to the next stage of examination.

**3.37** The District Council actively engages with town and parish councils that wish to prepare a Neighbourhood Development Plan or Order. Neighbourhood Plan policies can cover a variety of planning policy areas, addressing issues at the local level, as long as these policies are in general conformity with the strategic policies in the local plan.

## **Evidence Base and Other Considerations**

**3.38** In addition to the policies and guidance outlined above, the Places and Policies Local Plan has been influenced by a range of evidence documents. A full list of the evidence base is included at, Appendix 1 'Evidence Base Documents'. The key evidence that supports this plan is summarised below.

### **Shepway Corporate Plan 2017-2020**

**3.39** This document sets out the Council's vision for the district from 2017 to 2020 and how the Council intends to realise that vision.

**3.40** The vision is 'Prosperous and ambitious - Working for more jobs and homes in an attractive district'. To help achieve this, the document sets out six strategic objectives:

- More jobs;
- More homes;
- Appearance matters;
- Health matters;
- Achieving stability; and
- Delivering excellence.

**3.41** These objectives will be supported by policies throughout this plan; in allocations for new housing and employment sites and also in the development management policies in Part Two, which give a high priority to good design. Chapter 16: Health and Wellbeing also sets out a number of policies to promote healthy lifestyles to support the 'Health matters' objective.

### **Sustainability Appraisal and Strategic Environmental Assessment**

**3.42** The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that economic, social and environmental gains should be sought jointly through the planning system. It indicates that plans need to take local circumstances into account, so that they respond to the different opportunities for sustainable development that are available in different areas.

**3.43** It is a legal requirement under Section 39(2) of the Planning and Compulsory Purchase Act (2004) that new or revised plans are subject to a process of sustainability appraisal (SA). Plans must also be subject to Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC (the SEA Directive) transposed by the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations).

**3.44** Sustainability appraisals are used to test local plan policies and proposals to ensure that they are consistent with the aims of sustainable development and meet legislative requirements. A sustainability appraisal must also incorporate the requirements of the SEA Directive, to ensure that significant environmental impacts are identified and taken into account. The process involves:

- The assessment of the current state of the environment;
- The identification of likely significant effects on the environment; and
- The identification of possible measures to prevent or mitigate these effects.

**3.45** A Sustainability Appraisal Report has been prepared alongside this plan to fulfil the SA and SEA requirements. The SA explains the methodology by which the evolving strategy and policies have been appraised. It also demonstrates how the appraisal has informed the selection of sites. The SA considers the impact of individual sites on sustainability objectives and also the cumulative impact of allocations. Where potential adverse impacts are highlighted, mitigation measures have been identified to remove or reduce the adverse effect and enhance beneficial effects.

### **Habitat Regulations Assessment and Appropriate Assessment**

**3.46** A Habitat Regulations Assessment (incorporating an Appropriate Assessment) has also been carried out to test whether the plan alone, or in combination with other plans and projects, is likely to have an adverse impact on the integrity of the designated nature conservation sites including the Dungeness complex of Special Areas of Conservation (SAC), Folkestone to Etchingill Escarpment SAC, Parkgate Down SAC, Dover to Kingsdown Cliffs SAC, Lydden to Temple Ewell Downs SAC, Special Protection Areas (SPA) and Ramsar sites and other sites which benefit from European wildlife protection within 15km of the district boundary.

### **Equalities Impact Assessment**

**3.47** An Equalities Impact Assessment (EqIA) has been undertaken on the Submission Draft Places and Policies Local Plan. Undertaking an EqIA helps ensure that equality is properly considered and that, as far as possible, the plan has a positive impact on specific groups.

## Infrastructure Requirements

**3.48** The broad location and distribution of growth within the plan has already been confirmed through the Core Strategy and Appendix 2 to the Core Strategy identifies the infrastructure projects needed to deliver this growth. Although new development is allocated in locations benefiting from existing facilities and services, it is important to ensure that any additional infrastructure needed is delivered as part of the site allocations.

**3.49** In addition to the work supporting the Core Strategy, the Council also produced an [Infrastructure Assessment and Delivery Plan](#) in June 2015 to support the introduction of the Community Infrastructure Levy. As infrastructure requirements are continually changing, this document is being reviewed and updated to support the plan and ensure that infrastructure is provided in a timely way.

**3.50** Core Strategy Policy SS5: District Infrastructure Planning also requires that: *"Development should provide, contribute to or otherwise address Shepway's current and future infrastructure needs. Infrastructure that is necessary to support development must exist already, or a reliable mechanism must be available to ensure that it will be provided at the time it is needed."* Some infrastructure requirements will be site specific and, where known, these requirements are identified in the allocations in this plan, but in other cases additional infrastructure will be needed to serve the district's growing population and improve the delivery of services; the Community Infrastructure Levy (CIL) will help to deliver this strategic infrastructure.

**3.51** CIL is a flat-rate levy, with charges based on the size, type and location of new development, as a set charge per square metre of new floorspace. CIL charges for the district came into effect on 1 August 2016. The CIL charge is in addition to any site-specific planning obligations required to mitigate the direct impacts of a development. More information on CIL can be found on the [CIL pages](#) of the Council's website. The different types of infrastructure to be funded from CIL and from site-specific planning obligations are set out in the Council's [Regulation 123 List](#) (June 2016).

## Duty to Co-operate

**3.52** While producing the plan, the Council has complied with the statutory Duty to Co-operate established by [Section 110](#) of the Localism Act 2011. The Act requires local planning authorities *"to engage constructively, actively and on an ongoing basis"* on planning matters that impact on more than one area and to have regard to the requirements of neighbouring authorities and the approach they are taking to develop policies and allocations.

## Structure of the Places and Policies Local Plan

**3.53** The Places and Policies Local Plan is divided into two main sections:

- Part One - Places; and
- Part Two - Development Management Policies.

### **Structure of the Places and Policies Local Plan**

**Part One - Places** identifies locations for development within the three character areas of the district established by the Core Strategy:

- The Urban Area (Folkestone and Hythe);
- The Romney Marsh Area; and
- The North Downs Area.

Policies in Part One will be used to assess planning applications that come forward on sites identified in the policies.

**Part Two - Development Management Policies** sets out general policies relating to a number of topic areas including:

- Housing and the built environment;
- Economy;
- Retail and leisure;
- Community;
- Transport;
- Natural environment;
- Climate change;
- Health and wellbeing; and
- Historic environment.

Policies in Part Two will apply to all proposals, whether for the sites allocated in this document or planning applications submitted on other sites in the district.

**3.54** Appendices set out the evidence documents that have informed the plan and a glossary is also provided of many of the planning terms and abbreviations used in the plan.

## Part One - Places

## Introduction



## 4 Introduction

### Places

**4.1** As outlined in the general introduction to this plan, the spatial strategy for the district is set out in the 2013 [Shepway Core Strategy Local Plan](#). The Core Strategy establishes the overarching development requirements and strategic policies for the district as well as strategic allocations and broad locations for development. Core Strategy Policy SS2: Housing and the Economy Growth Strategy establishes overall targets for residential, economic and retail development in the district.

**4.2** In this plan Part One - Places allocates sites to meet the remaining Core Strategy requirement, taking into account development that has already taken place since the start of the plan period in 2006.

**4.3** Part One is divided into three sections covering:

- The Urban Area (Folkestone and Hythe);
- The North Downs Area; and
- The Romney Marsh Area.

### The Strategy for Shepway District

**4.4** The Core Strategy establishes the quantities of key types of development that will be delivered in the district from 2006 to 2026 and beyond to 2031. These quantities have been derived from a combination of national policy and local evidence of need. Some of the figures have been updated in light of continued monitoring (for example, annual monitoring of housing completions) and also from new studies and evidence (such as updated evidence on retail and employment needs). The role of this plan is to identify sites to meet the needs identified in the Core Strategy (or updated needs); the allocations primarily relate to the provision of new housing, employment, retail and mixed-use development.

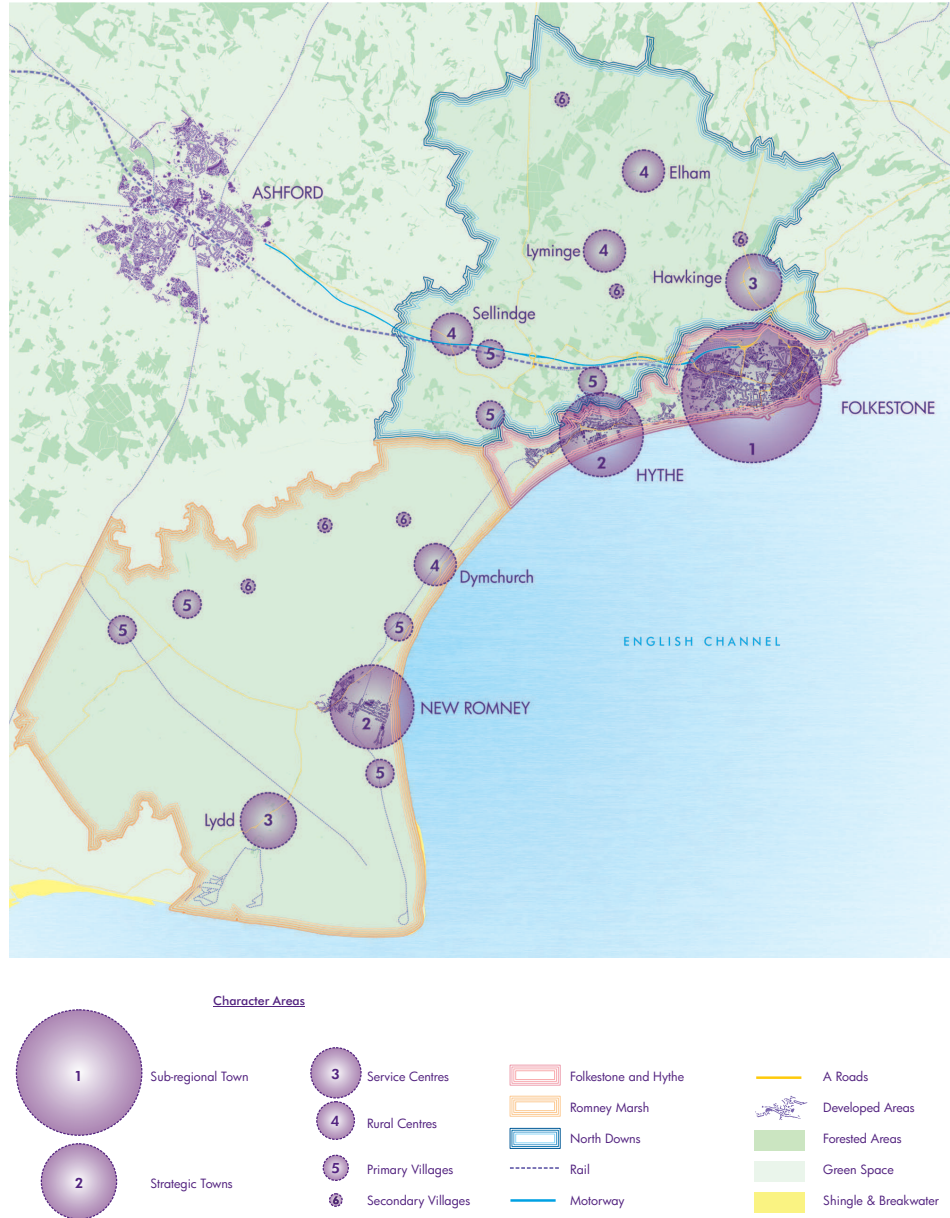
**4.5** The settlement hierarchy set out in the Core Strategy (Policy SS3: Place-Shaping and Sustainable Settlements Strategy) has been applied in this plan and development is therefore focused at the larger settlements within the Urban, Romney Marsh and North Downs Areas.

**4.6** Table 4.1 below sets out this hierarchy. Figure 4.1 illustrates the distribution of these settlements within the district and the character areas.

Status and Strategic role	Urban Area	Romney Marsh Area	North Downs Area
<p><b>The Sub-Regional Town:</b> To accommodate substantial residential, commercial and social development. To provide improved international and national transport links, and a good choice of employment, retail, cultural/leisure and public services for the whole of Shepway, adjoining districts and visitors.</p>	Folkestone		
<p><b>Strategic Towns for Shepway:</b> To accommodate significant development - in so far as consistent with maintaining historic character - appropriate to the needs of their wider hinterlands in Shepway, and maintaining the viability of their local transport hubs, town centres and higher order tourism, employment and public services.</p>	Hythe	New Romney Town (incorporating Littlestone-on-Sea)	
<p><b>Service Centres for Shepway:</b> To accommodate development appropriate to Shepway and their own needs, in order to grow and consolidate their position as District Centres serving the local hinterland with shops, employment and public services.</p>		Lydd Town	Hawkinge
<p><b>Rural Centres:</b> To develop - consistent with enhancing the natural and historic environment - in a manner that supports their role as integrated tourist and local centres providing shops and services for a significant number of residents, visitors, and also for other villages in the North Downs or Romney Marsh.</p>		Dymchurch	Elham, Lyminge, Sellindge

Status and Strategic role	Urban Area	Romney Marsh Area	North Downs Area
<b>Primary Villages:</b> To contribute to strategic aims and local needs; and as settlements with the potential to grow and serve residents, visitors and neighbourhoods in the locality with rural business and community facilities.		St Mary's Bay, Greatstone-on-Sea, Brookland, Brenzett	Lympne, Saltwood, Stanford/Westenhanger
<b>Secondary Villages:</b> To continue to provide crucial rural facilities to visitors and their own residents and workforce, in line with local needs, their environment, and role as relatively small country settlements.		Ivychurch, Newchurch, Burmarsh	Stelling Minnis, Densole, Etchinghill

**Table 4.1 Core Strategy District Settlement Hierarchy**



**Figure 4.1 Settlement Hierarchy**

**4.7** Table 4.2 below sets out the target requirements for different development types (from Core Strategy Policy SS2: Housing and the Economy Growth Strategy).

Use	Target Amount of Additional Development 2006/07 to 2025/26
Housing (Class C3)	Core long-term objective - minimum 350 dwellings a year to 2030/31 (8,750 dwellings) Target approximately 8,000 (minimum 7,000) dwellings to 2025/26
Industrial, warehousing and offices (B Classes)	Approximately 20ha gross to 2025/26
Goods retailing (Class A1)	Approximately 35,000sqm to 2025/26

**Table 4.2 Core Strategy Target Development Requirements**

**Meeting the District's Housing Needs**

**4.8** The Core Strategy sets out the broad framework for new housing development across the district and this is broken down proportionally for the different character areas as follows:

- Urban Area - 75 per cent of new residential development (to the nearest 5 per cent);
- Romney Marsh Area - 10 per cent of new residential development (to the nearest 5 per cent); and
- North Downs Area - 15 per cent of new residential development (to the nearest 5 per cent).<sup>(1)</sup>

**4.9** Table 4.3 below sets out the housing land supply position for the Places and Policies Local Plan, using information from the monitoring year 2015/16 (this will be updated as new monitoring information becomes available).

**4.10** The table shows the Core Strategy housing requirement for the three character areas in the left hand column (column A). The table then totals the new housing development that has already taken place since the base date of the Core Strategy in 2006 through completed dwellings, as well as sites under construction and unimplemented permissions at 2016 (columns B, C and D). To this total is added the allocations in this plan and an allowance for the Core Strategy strategic site at New Romney, excluding those sites that had planning permission in 2016 (column E). An allowance is made for 'windfall' delivery (small sites of 1 to 4 dwellings that are not allocated but continue to come forward for development) in accordance with the Core Strategy (column F). The right hand column (column G) gives the total projected supply over the Core Strategy plan period (2006-2031).

**4.11** Regarding the figures it should be noted that:

1 Core Strategy paragraphs 5.80, 5.114 and 5.139

- An allowance of 10 per cent has been made for non-delivery for permissions that have not started on site (column D) and for the Local Plan and Core Strategy allocations (column E). The allowance for non-delivery is a conservative estimate to take account of planning permissions that may lapse (where development does not start before the date specified in the permission) and allocated sites that may be developed for fewer homes than identified in the relevant policy or where delivery extends beyond the end of the plan period;
- Smaller sites have been deducted from the outstanding permissions (column D) to avoid any potential double-counting with the windfall allowance (column F); and
- The windfall allowance is as set out in the Core Strategy and supporting evidence, where just under 1,000 dwellings is allowed for the final 13 years of the plan period (2018/19-2030/31).<sup>(2)</sup>

**4.12** Comparison of columns A and G shows that the Core Strategy's minimum housing land requirements will be met for all three character areas, with sufficient flexibility to take account of unforeseen circumstances.

Minimum Targets	Supply and Total Projected Delivery					
Number of homes (A)	(B) Completions 06/07-15/16	(C) Under construction at 2016	(D) Permissions not started at 2016	(E) Places & Policies Local Plan/Core Strategy	(F) Windfall	(G) Total projected delivery (B + C + D + E + F)
<b>Urban Area - 75 per cent of total (+/- 5 per cent)</b>						
<b>6,563</b>	1,713	629	3,063	927	637	<b>6,969</b>
<b>Romney Marsh Area - 10 per cent of total (+/- 5 per cent)</b>						
<b>875</b>	392	56	163	551	195	<b>1,357</b>
<b>North Downs Area - 15 per cent of total (+/- 5 per cent)</b>						
<b>1,313</b>	519	40	367	365	143	<b>1,434</b>
<b>District Total</b>						
<b>8,750</b>	2,624	725	3,593	1,623	975	<b>9,760</b>

**Table 4.3 Places and Policies Local Plan - Housing Land Supply Position 2006-31**

<sup>2</sup> Core Strategy Table 4.2 and Figure 6.2

## Meeting the District's Employment Needs

**4.13** The Core Strategy sets out target amounts of employment development in Policy SS2: Housing and the Economic Growth Strategy. Core Strategy Table 4.1 identifies a target of approximately 20ha additional gross industrial, warehousing and office (B classes) from 2006/07 to 2025/26, based on the evidence in the Shepway Employment Land Review (Nathaniel Lichfield and Partners, 2011). Policy SS2 states that this target will be monitored and updated evidence will be used to inform the Places and Policies Local Plan.

**4.14** Since the adoption of the Core Strategy, the Council has completed an update of the Employment Land Review (ELR) (Lichfields, 2017) and this has been used to inform the allocations in this plan. The updated ELR concludes that, based on the current supply of employment space from existing planning permissions and allocated sites, the balance between supply and demand suggests there is a sufficient supply of employment space to meet the estimated office and industrial requirements over the period 2016 to 2026, and also beyond to 2031.

**4.15** More information on this is set out in Chapter 10: Economy.

## Meeting the District's Retail Needs

**4.16** Core Strategy Policy SS2: Housing and the Economic Growth Strategy also identifies a target for the provision of new retail space (Class A1). Core Strategy Table 4.1 identifies a target of approximately 35,000sqm gross new retail space from 2006/07 to 2025/26, based on the evidence in the Retail Need Assessment Study (Kent County Council, 2010). The policy states that this target will be monitored and updated evidence will be used to inform the Places and Policies Local Plan.

**4.17** Since the adoption of the Core Strategy, the Council has completed the Town Centres Study (PBA, 2015) and this has been used to inform the allocations in this plan. Retail is a particularly fast-changing sector and the Town Centres Study highlights a number of trends, such as the growth in e-commerce, that have impacts on planning for new retail development.

**4.18** Chapter 11: Retail and Leisure sets out more information on the provision of retail space in the district's centres.

## General Policy Requirements

**4.19** As outlined in the general introduction, the policies in this plan are not the only considerations that will apply to development proposals. The policies in Part One - Places have been drafted to add relevant detail and are not intended to repeat requirements set out elsewhere. Some general requirements are highlighted below, along with information about the Council's local validation list.

## General Policy Requirements

The individual policies for the sites allocated in this plan set out a range of criteria that development must adhere to. Policies in the [National Planning Policy Framework](#) (NPPF) will apply, as will the national [Planning Practice Guidance](#).

In addition, there are a number of other relevant policies in the Core Strategy and Part Two of the Local Plan that will apply to the sites allocated in this plan, and for concision these are not repeated in Part One.

These requirements include, but are not limited to, the following:

- Design and layout should take account of the design policies in Part Two and in particular accord with Building for Life 12 Criteria, as set out in Policy HB2: Cohesive Design;
- Affordable housing should be provided in accordance with Core Strategy Policy CSD1: Balanced Neighbourhoods for Shepway. For affordable housing need the Council will support priority being given to people with a local connection to a specific parish or village;
- At least 20 per cent of market housing should comply with at least Building Regulation part M4(2), or successor specification, in accordance with Core Strategy Policy CSD2: District Residential Needs;
- A Phase 1 Habitat Survey should be undertaken by a licenced ecologist to assess the presence of Protected Species on or near the sites, in accordance with Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation;
- Proposals for development within zones at risk of flooding, or at risk of wave over-topping near to the coastline, will require a Site Specific Flood Risk Assessment, in accordance with national policy and guidance and Core Strategy Policy SS3: Place-Shaping and Sustainable Settlements Strategy. Local Plan Policies NE8: Integrated Coastal Zone Management and NE9: Development Around The Coast provide further guidance;
- Proposals for development on sites where land instability is suspected, for example as identified by British Geological Survey mapping, must be accompanied by a land stability assessment in accordance with Local Plan Policy NE6: Land Stability;
- Proposals for development affecting land where contamination is suspected must be accompanied by a contamination assessment, in accordance with Local Plan Policy NE7: Contaminated Land. The assessment should be phased starting with a Phase 1 Investigation (or Desk Study) the results of which will determine the requirement for a Phase 2 Investigation (intrusive investigation), which will in turn determine any requirement for a Remediation Strategy and Verification Report;



- Open space and children's play space should be provided in line with Local Plan Policies C3: Open Space and C4: Children's Play Space
- Allotments should be provided where there is evidence of demand and where development would result in the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) in accordance with Local Plan Policy HW3: Development that Supports Healthy, Fulfilling and Active Lifestyles; and
- Development should help to meet Shepway's current and future infrastructure needs through Community infrastructure Levy (CIL) payments and/or planning obligations in accordance with Core Strategy Policy SS5: District Infrastructure Planning. (More information on CIL is provided in the general introduction to this plan.)

### Local Validation Requirements

There are two levels of requirements when submitting planning applications and supporting information, set at national and local levels:

- **National requirements** - In relation to national requirements, the [Planning Portal](#) gives further information; and
- **Local requirements** - Regarding local requirements, local planning authorities are able to publish their own lists. The Council has adopted a local list of validation requirements which is available on the [Council's website](#). The local validation requirements are different for householder and non-householder developments and make it clear for applicants and agents what drawings and reports are required to be submitted alongside planning applications. If all the required information is provided at the start of the process this can help to reduce the time taken for planning applications to be determined.



## Urban Character Area

## 5 Urban Character Area

### Introduction

**5.1** The Urban Character Area consists of the towns of Folkestone and Hythe, including Sandgate and Cheriton, and the immediate countryside around. The Urban Area is located on the eastern side of the district where the southern edge of the North Downs escarpment meets the sea, close to the district boundary with Dover.

**5.2** The Core Strategy sets out a vision for the Urban Character Area:

*"... the towns would develop, realising the major economic opportunities, especially through High Speed 1 rail service as the bedrock of an improved low-carbon transport system ... Through a combination of increased market confidence, public sector assistance and an active voluntary sector, central and north Folkestone's range of housing, employment opportunities and community services will match the rest of the urban area. Folkestone would be seen as a major events town with cultural and artistic festivals and regeneration will be apparent in the improved urban environment. Hythe will continue to be an attractive hub for Shepway residents and visitors, with a niche of small shops and traders in the attractive and pedestrian-friendly High Street environment ... The town will benefit from new sports facilities more attractions and leisure facilities by the sea and by the Royal Military Canal ..."*

**5.3** To ensure this vision Core Strategy Policy SS1: District Spatial Strategy sets out the strategic priorities for the Urban Character Area as:

*"The future spatial priority for new development in the Urban (Folkestone and Hythe) Area is on promoting the development of vacant previously developed land, central Folkestone and the north of the town, and other locations within walking distance of Folkestone Central railway station; securing new accessible public green space, plus regenerating western Hythe."*

**5.4** The Core Strategy sets out a requirement that approximately 75 per cent <sup>(1)</sup> of all new residential development in the district as well as the majority of new commercial development should be located in the Urban Area by 2030/31.

**5.5** To achieve this, the following sections set out development allocations for:

- Folkestone;
- Cheriton;
- Sandgate; and
- Hythe.

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1 To the nearest 5 per cent. Shepway District Council Core Strategy (2012) Modifications Technical Note

**5.6** Each settlement is briefly described and allocations are then identified. This chapter should also be read alongside other chapters in the plan, in particular Chapter 11: Retail and Leisure, which sets out policies for the centres of Folkestone, Cheriton, Sandgate and Hythe, as well as site allocations for the former Silver Spring Site, Park Farm and the Former Harbour Railway Line, Folkestone.

## Folkestone

**5.7** Folkestone is the principal town within the district with a population of approximately 46,500. Folkestone's heritage can be traced back to prehistoric times and through the Romans, the Saxons and the Normans. However the small town and fishing port of Folkestone did not develop significantly until the 1800s with the arrival of the railway from London, which transformed the town into a successful cross-channel port and tourist destination. In the years since the First and Second World Wars the town has continued to rebuild and rebrand itself, and the building of the M20 and the Channel Tunnel has meant that Folkestone has undergone major change. Most recently the town has sought to reinvent itself as a hub for the arts and culture.

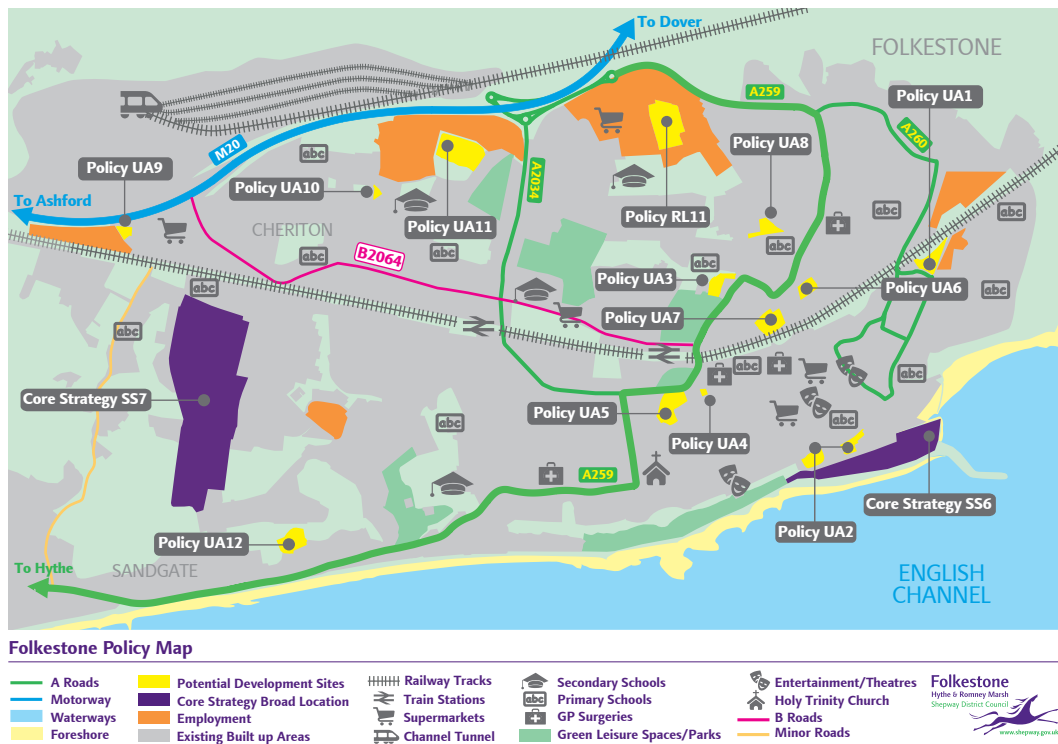
**5.8** For the purpose of this plan the Urban Area includes the centres of Cheriton and Sandgate. The town has a wide range of services and facilities reflecting its function, including three secondary schools, 14 primary schools and two railway stations served by High Speed 1, with travel times of 56 minutes to London. The town is also served by the M20/A20, which provides strategic road connections to London, Ashford and Dover.

**5.9** The Core Strategy settlement hierarchy identifies Folkestone as a Sub-Regional Town, whose role is *"To accommodate substantial residential, commercial and social development and to provide improved (inter-) national transport links, and a good choice of employment, retail, cultural/leisure and public services for the whole of Shepway, adjoining districts and visitors"* (Table 4.1 of this plan).

**5.10** Integral to the delivery of the aims of the Core Strategy is that development is supported by the timely provision of infrastructure. For Folkestone, the following infrastructure requirements are identified as strategically critical (Core Strategy, Appendix 2: Infrastructure Projects):

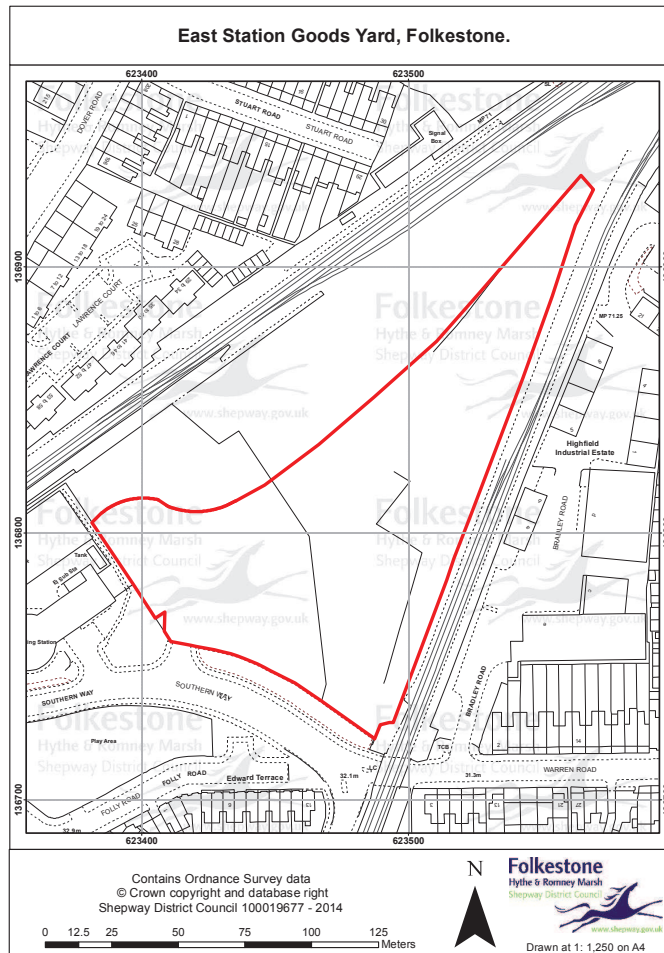
- Upgrades to improve vehicular capacity, safety, ease of use, and cycle and pedestrian movement at Cheriton High Street A20/Spur junction;
- Folkestone Seafront priority connections including Tram Road;
- Upgrade of facilities, including pedestrian accessibility and public realm improvements for both stations;
- Improved bus network;
- Provision of new two form entry primary school at Shorncliffe; and
- Provision of public access open space and nature conservation area at Seabrook/Shorncliffe.

**5.11** Since the adoption of the Core Strategy many of these schemes have either been completed (priority connections) or are to be delivered through the development of strategic sites and Section 106 agreements. For example, Core Strategy Policies SS6: Spatial Strategy for Folkestone Seafront and SS7: Hythe Strategy set out the policy requirements for the delivery of Folkestone Seafront and Shorncliffe Garrison, both of which have planning permission.



Picture 5.1 Folkestone Policy Map

## East Station Goods Yard, Southern Way, Folkestone



**Picture 5.2 East Station Goods Yard, Southern Way, Folkestone**

**5.12** East Station Good Yards amounts to approximately 1.25ha of brownfield land adjacent to the former railway spur on Southern Way, Folkestone. It was historically used as a railway goods yard until it became redundant. Since then it has been occupied by a number of commercial uses, including as a builder's yard, a skip storage facility and for the manufacture of paving slabs. These commercial activities have now ceased and the site has been vacant for a number of years.

**5.13** The site is broadly triangular and lies between the mainline railway line along the north-western boundary and a disused spur on the eastern side that previously serviced Folkestone Harbour. South of the site is the A260 Southern Way beyond which is a well-established residential area. Vehicular access to the site is gained by a steep curve from Southern Way.

**5.14** The site frontage is visually very open, due to its raised position approximately 2m above street level. The site slopes from north to south and is predominately covered by grass, with some trees and overgrown hedgerows. Consideration should be given to how any potential impact on the street scene could be minimised.

**5.15** There is a good range of shops, services, transport links and employment opportunities nearby that make the site well-suited to a mix of both conventional housing and some supporting commercial premises compatible with residential uses.

**5.16** In respect of key constraints, a minimum of a 50m acoustic buffer between the developable area and operational railway line should be included in any development in order to adequately mitigate the noise and vibration associated with the rail traffic. It will also be necessary to undertake a thorough investigation of existing ground conditions in advance of the granting of permission for redevelopment. This is to ensure that any potential for contamination associated with earlier uses is identified and mitigated prior to any development coming forward.

**5.17** The site is adjacent to a Southern Waste Water Treatment Works and so there may be instances of unpleasant odours arising as a result of the treatment process, despite operating practises being in place to prevent air pollution. Consequently, new development should be adequately separated from the Treatment Works in order to minimise land-use conflict and to safeguard the amenity of future residents. In addition, it will be necessary for the archaeological potential to be surveyed prior to the commencement of any works on site in order to have appropriate mitigation measures in place to respond and record to any findings of note.

**5.18** The site can be developed without adverse impact on the amenities of the occupants of existing residential properties in the area. Planning permission was granted in 2016 (Y14/0928/SH) for a mixed-use development of 41 dwellings and 1,000sqm of commercial space. Accordingly, it is proposed to allocate the site for residential led mixed-use development in line with the existing permission.



## Policy UA1

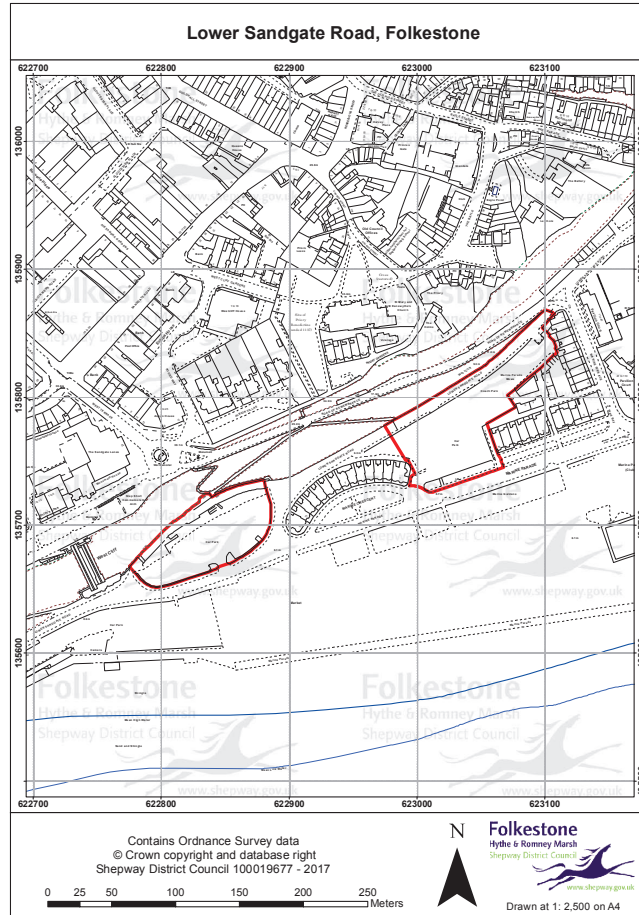
### **East Station Goods Yard, Folkestone**

The site is allocated for residential led mixed-use development with an estimated capacity of 40 dwellings and 1,000sqm complementary Class B1 (office) / B8 (storage and distribution) commercial floorspace.

Development proposals will be supported where:

1. There is a comprehensive masterplan for the site to ensure that neither the employment nor the residential elements if developed separately would prejudice the implementation of the whole development;
2. Approximately 1,000sqm B1/B8 commercial floorspace is provided in a way that would be compatible with new housing without having an adverse impact on the ongoing operation of the commercial uses or the amenities of future residential occupants;
3. Vehicular access to the site is from Southern Way;
4. Appropriate and proportionate contributions are made towards the upkeep and/or improvement of the existing play facilities on Folly Road;
5. Any potential contamination from former use is investigated, assessed and if appropriate, mitigated as part of any development;
6. Masterplanning of the site takes account of the nearby Southern Way Waste Water Treatment Works to minimise land-use conflict;
7. An acoustic survey is provided as part of any application to ensure that the noise and vibration from the adjacent railway lines can be satisfactorily mitigated;
8. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and
9. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Rotunda and Marine Parade Car Parks, Lower Sandgate Road, Folkestone



**Picture 5.3 Rotunda and Marine Parade Car Parks, Lower Sandgate Road, Folkestone**

**5.19** Folkestone Seafront and Harbour have been subject to various regeneration proposals over the years aimed at reconnecting the town with the coast and reinvigorating Folkestone as a place to live, work and visit. A comprehensive redevelopment scheme received outline planning permission in January 2015 (Y12/0897/SH) for up to a thousand residential units with a range of commercial spaces designed to serve the new community and to make a significant contribution towards the local economy. The proposals are underpinned by Core Strategy Policy SS6: Folkestone Seafront.

**5.20** The Rotunda and Marine Parade Car Parks lie within the heart of the Folkestone Seafront policy area and are under-used and of a poor quality. They provide an important link between the town and seafront and form part of an area already identified for residential use and improved accessibility between the Upper and Lower Leas.

**5.21** The Rotunda Car Park is approximately 1.02ha and extends east from the Leas Lift Funicular Railway to Marine Crescent to the west. The site is raised approximately 1m above its surroundings and slopes gently from its northern boundary at the bottom of the cliff beneath the Road of Remembrance, south toward Lower Sandgate Road. The Marine Parade Car and Coach Park is situated 100m further east and amounts to an area of 0.7ha situated between Marine Crescent fronting Marine Parade, extending behind properties on Marine Terrace and sharing a northern boundary with Lower Sandgate Road.

**5.22** The site's proximity to Folkestone Town Centre means that there would be access to a range of shops, services, transport links and employment opportunities making it well-suited for residential use. The Coastal Park to the west also provides excellent access to public open space.

**5.23** In respect of key constraints, both car parks are situated within the Folkestone Leas and Bayle Conservation Area, close to or adjoining a series of Listed Buildings and within an area of archaeological potential. At present, based on the low contribution the sites currently make to the setting of these assets, built heritage does not represent an overriding constraint on development. However any development must preserve or enhance the characters and settings of these important assets; of particular note is the adjacent Grade II\* Leas Lift. The Lift closed to the public in January 2017 following a report by the Health and Safety Executive, which concluded that the type of braking system the lift uses was said to be *"unreliable and prone to failure"*. Appropriate and proportionate contributions will be sought in order to secure a sustainable future for the lift and its role in improving connections to the town centre. Finally, the Rotunda Car Park site is directly adjacent to a Biodiversity Action Plan Priority Habitat (deciduous woodland). Therefore, development should be informed by an assessment to identify features of ecological interest and seek to conserve and enhance biodiversity within the site.

**5.24** Both sites are well served by pedestrian and cycle links to Folkestone Town Centre, by the cliff pathways between the Road of Remembrance, Lower Sandgate Road, the seafront and harbour. Core Strategy Policy CSD6: Central Folkestone Strategy requires development within the policy area to contribute towards the enhancement of these existing routes. In addition, the Council is also keen to re-establish the disused cliff pathway running behind the Rotunda Car Park linking to the Leas Lift.

## Policy UA2

### **Rotunda and Marine Parade Car Parks, Lower Sandgate Road, Folkestone**

The Rotunda Car Park is allocated for residential development with an estimated capacity of 100 dwellings and the Marine Car and Coach Park is allocated for residential development with an estimated capacity of 65 dwellings.

Development proposals will be supported where:

1. The design and layout of any new buildings improves and enhances connectivity between the seafront and Folkestone Town Centre;
2. Appropriate and proportionate contributions are made towards improvements in connectivity between the seafront and Folkestone Town Centre, which should include the necessary upgrades to return the Leas Lift to service and/or its ongoing maintenance through a Section 106 agreement;
3. The existing accesses are retained with new emergency access provided through Lower Sandgate Road;
4. The scale, design and layout of any new buildings preserve or enhance the character and setting of nearby heritage assets including the Folkestone Leas and Bayle Conservation Area and nearby Listed Buildings;
5. Mitigation and enhancement measures are incorporated into the design to minimise effects on the local Biodiversity Action Plan Priority Habitat;
6. Any potential contamination from former uses is investigated, assessed and if appropriate, mitigated as part of the development;
7. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and
8. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Royal Victoria Hospital, Radnor Park Avenue, Folkestone



**Picture 5.4 Royal Victoria Hospital, Folkestone**

**5.25** The Royal Victoria Hospital was built in 1890. However, since the 1970s the medical services offered at the hospital have been scaled back and relocated to more suitable modern accommodation at the William Harvey Hospital in Ashford following a shift toward regional hospital care in East Kent. While the hospital remains operational, there are large areas of the existing campus that are no longer utilised and therefore it is necessary to plan positively for its future re-use. The allocation of this site will not affect the continual operation of the hospital.

**5.26** The site is wrapped to the south and to the west by Radnor Park, which includes a children's play area as well as bowling greens and fishing lakes; a short distance further to the west is also Folkestone Sports Centre. A footpath and cycle path runs along the northern boundary, providing a quick and direct link between William Avenue and Park Farm Road. To the east is a well-established residential area.

**5.27** The hospital premises are effectively split into two parcels of land each measuring approximately 1ha in size. The low-rise modern element to the west provides a Minor Injuries Unit and general outpatient services; while the original Victorian element is no longer appropriate for modern healthcare and forms the basis of the site allocation.

**5.28** The main Victorian building consists of a red brick and tiled external finish. There are a series of gable features and the building is three storeys in height and plays a prominent role in the street scene. To the rear of the existing building is a range of outbuildings and extensions that are of no architectural merit. Given this, a residential re-use of the site could include both conversion of the attractive existing building into residential apartments and redevelopment of the more modern additions and surplus land to the rear for family housing.

**5.29** The site is in a highly sustainable location within the heart of Folkestone, between Folkestone Town Centre and Cheriton High Street, where there are a range of shops, services, leisure facilities and employment opportunities. It is also close to key public transport links, including Folkestone Central Station and the Bouverie Place Bus Station.

**5.30** In respect of key constraints, highway access is relatively constrained by the narrow nature of the surrounding streets and the one-way traffic system. Accordingly, it will be necessary to consider highway and parking mitigation measures to ensure that existing hospital access and parking is not compromised, nor traffic conditions worsened, as a result of redevelopment. While the site is neither a Listed Building nor situated within a designated Conservation Area, the former hospital building is considered to be a heritage asset and as such this status should be given some weight. Furthermore, part of the site is within a Biodiversity Action Plan Priority Habitat (deciduous woodland). Therefore, development should be informed by an assessment to identify features of ecological interest and should seek to conserve and enhance biodiversity within the site.

**5.31** The site is close to Radnor Park, an identified strategic play location within the district. Therefore contributions should be made for off-site enhancements of the public open space and play facilities at the park.

## Policy UA3

### **The Royal Victoria Hospital, Radnor Park Avenue, Folkestone**

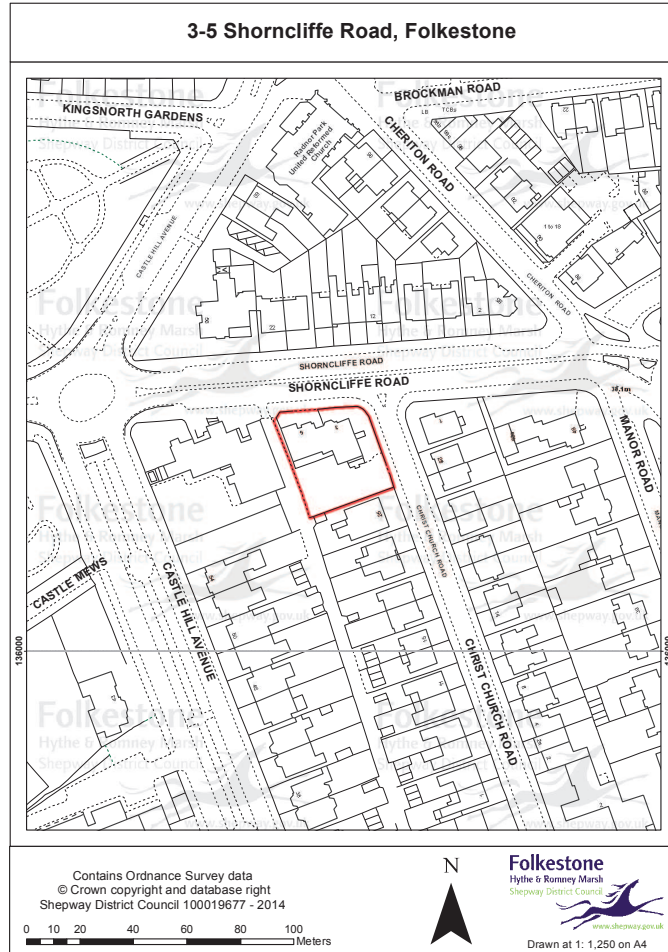
The site is allocated for residential development with an estimated capacity of 42 dwellings.

Development will be permitted for 16 new homes through residential conversion of the original Victorian building. The rear part of the site should be cleared to provide approximately 26 new build dwellings.

Development proposals will be supported where:

1. There is a comprehensive masterplan that ensures a coherent approach to both the conversion of the original Victorian building and the redevelopment of the rear aspect of the site;
2. A high quality conversion preserves or enhances the character and setting of the Victorian elements of the original hospital building;
3. The design and scale of proposals to the rear aspect of the site are of a manner that would enhance the wider setting of the area;
4. Traffic flow and parking provision is assessed to ensure that the development does not put undue pressure on the local highway network and that adequate parking provision is provided so that there are no detrimental parking impacts on Radnor Park Avenue. If required, mitigation measures or parking permit restrictions should be applied to ensure the free flow of traffic;
5. Appropriate and proportionate contributions are made towards the upkeep and/or improvement of open space and existing play facilities at Radnor Park;
6. Mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
7. Any potential contamination from former use is investigated, assessed and if appropriate, mitigated as part of the development;
8. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and
9. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

### 3-5 Shorncliffe Road, Folkestone



**Picture 5.5 3-5 Shorncliffe Road, Folkestone**

**5.32** 3-5 Shorncliffe Road is a former Shepway District Council office complex last used by East Kent Housing, a registered social landlord, prior to the organisation vacating the premises in September 2015. It has since remained unlet for commercial purposes. A prior approval application (Y16/0022/PA) has established that prior approval is required for the change of use from offices (Class B1a) to residential (Class C3).

**5.33** The building is three storeys in height and has a red brick triple gable front façade. The building was originally constructed for housing, but converted to offices in the mid 1960s. During this time, it has been utilised for a variety of local authority uses prior to the consolidation of services at the main Council office complex on Castle Hill Avenue.



**5.34** The site measures approximately 0.15ha in size. Immediately west of the property is a Home Office facility, while all other boundaries face residential properties of similar three-storey character and design. The rear of the building has vehicular access to Christ Church Road and a car park providing approximately 15 car parking spaces.

**5.35** Land at Shepway Close is in a highly sustainable location on the outskirts of Folkestone Town Centre, which offers easy and convenient access to a wide range of shops, services, leisure facilities and employment opportunities. It is also close to key public transport links, including Folkestone Central Station and the Bouverie Place Bus Station.

**5.36** In respect of key constraints, the site is located north-east of the Folkestone Leas and Bayle Conservation Area and regard must be had to this designation to ensure any development preserves or enhances its character and setting.

**5.37** Given the location in a predominately residential area close to Folkestone Town Centre, redevelopment as a single apartment block would represent the most appropriate use for the site. If the neighbouring Home Office building (7 Shorncliffe Road) becomes available for redevelopment, then the two sites should be considered together in a comprehensive scheme.

## Policy UA4

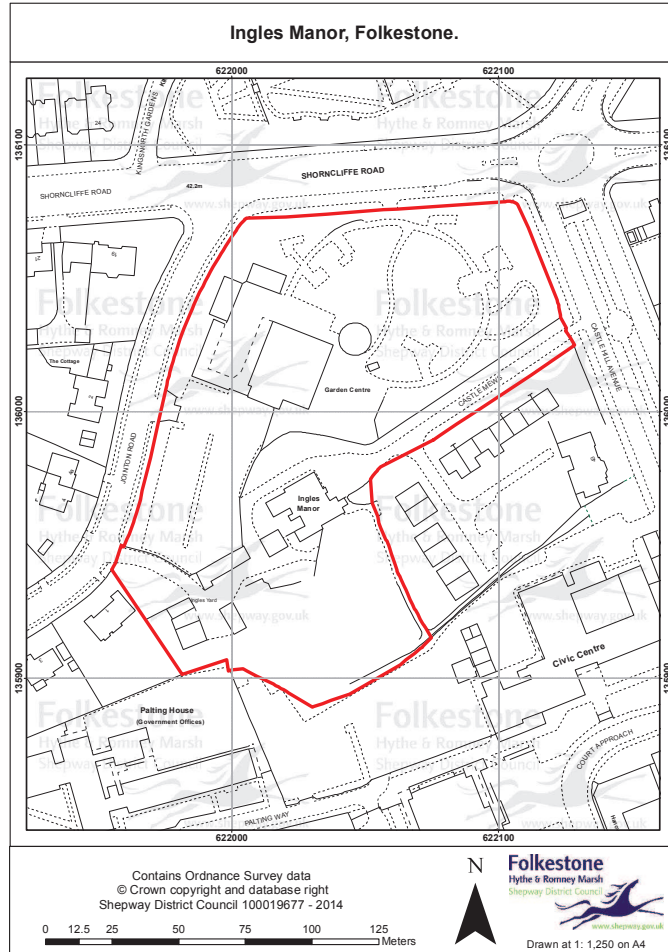
### 3-5 Shorncliffe Road, Folkestone

The site is allocated for residential development with an estimated capacity of 20 residential apartments.

Development proposals will be supported where:

1. The scale, design and layout of any new buildings preserve or enhance the character and setting of nearby heritage assets including the Folkestone Leas and Bayle Conservation Area; and
2. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Ingles Manor, Castle Hill Avenue, Folkestone



**Picture 5.6 Ingles Manor, Castle Hill Avenue, Folkestone**

**5.38** Ingles Manor is an early eighteenth century Manor House with associated ancillary buildings set within approximately 1.9ha of under-utilised land; it also incorporates the former Folkestone Garden Centre which closed in early 2017. The site is situated centrally within the town, within an established residential and commercial area of Folkestone, which offers easy and convenient access to a wide range of shops, services, leisure facilities and employment opportunities. It is also close to key public transport links including Folkestone Central Station and the Bouverie Place Bus Station

**5.39** The site is situated between Shorncliffe Road to the north, Castle Hill Avenue to the east and Jointon Road to the west. It is bordered to the south by the car park and curtilages of Shepway District Council’s offices and those of Palting House. Other than the government offices in the vicinity and the education facility to the

north-west in Shorncliffe Road (K College), the immediate area is mainly residential. The municipal open space of Kingsnorth Gardens lies opposite to the north of the site.

**5.40** The site can effectively be split into two. The northern part consists of the former Folkestone Garden Centre, including a series of retail buildings, customer car parking and park-like gardens enclosed by and containing a number of mature trees. The site is dissected by the historic avenue leading to the Grade II listed Manor House together with its ancillary cottage and buildings, all of which are in commercial use accommodating a range of small businesses and light industrial uses, within the southern part of the site.

**5.41** In respect of key constraints, the part of the site that incorporates the Grade II listed Ingles Manor and its curtilage Listed Buildings is situated within the Folkestone Leas and Bayle Conservation Area. Accordingly, regard must be had to these important heritage assets to ensure any development preserves or enhances their character and setting. As part of any development proposal the listed ancillary barns within the curtilage of Ingles Manor should be retained and converted for viable uses, consistent with their conservation. The site also includes a number of established trees, some of which are the subject of Tree Preservation Orders. These make an important contribution to the character and appearance of the site and should be incorporated into any design proposal.

**5.42** The site falls within the Central/West Development Arc, which forms part of Core Strategy Policy CSD6: Central Folkestone Strategy and is a focus for strategic commercial development. The area around Castle Hill Avenue benefits from being in easy walking distance of Folkestone Central Station and the Leas and may be the most appealing part of Shepway to attract high quality businesses and office development. The Ingles Manor site presents an opportunity for a mixed-use development providing major new offices, retail businesses or other services that will contribute to the wider regeneration of the town.

**5.43** Outline planning permission has been granted for the redevelopment of the site to provide 46 new homes and 1,600sqm of Class B1a (office) commercial floorspace to be delivered in phases alongside the housing development (Y12/0767/SH). Phase one for 13 dwellings has been completed; however, on the basis that works are yet to be fully completed, the site is allocated to provide certainty that the land will come forward for development.

## Policy UA5

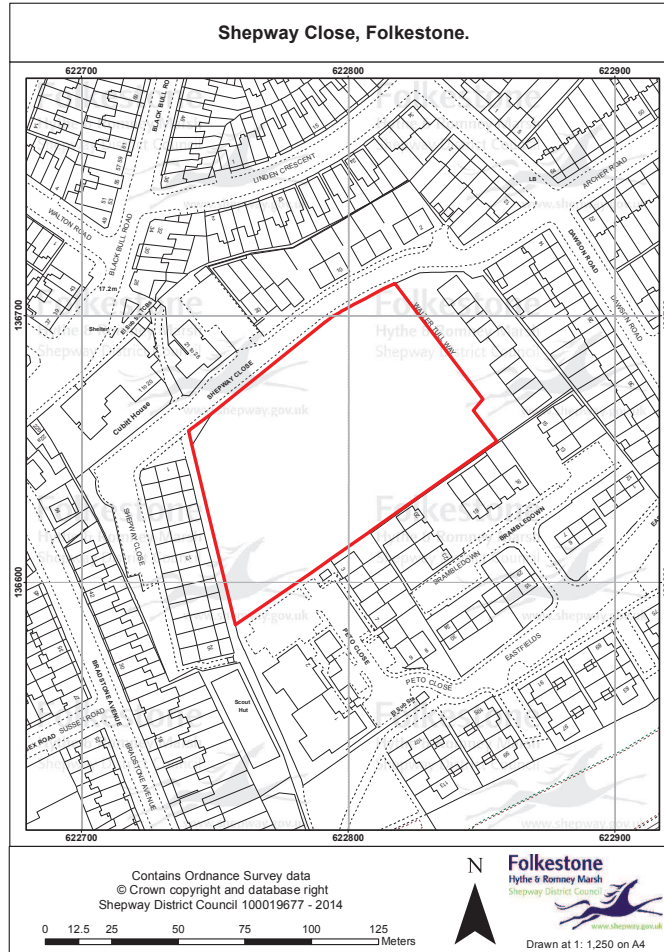
### **Ingles Manor, Castle Hill Avenue, Folkestone**

Ingles Manor is allocated for mixed-use development with an estimated capacity of 46 dwellings and 1,600sqm of complementary Class B1a (office) commercial floorspace.

Development proposals will be supported where:

1. A comprehensive masterplan is prepared for the redevelopment of the site in accordance with the total requirements of this and other local plan policies;
2. They are accompanied by a landscape strategy that retains a substantial amount of the existing tree cover including those protected by Tree Preservation Orders or individual or groupings considered to be important to the appearance of the site and which should be integral to the overall design and layout of the scheme;
3. An assessment is carried out of the impact on any heritage assets within the site and appropriate measures put in place to preserve or enhance the buildings and their settings;
4. The scale, design and layout of any new buildings preserve or enhance the character and setting of nearby heritage assets, including the Folkestone Leas and Bayle Conservation Area;
5. Approximately 1,600sqm B1a additional commercial floorspace is provided in a way that would be compatible with new housing without having an adverse impact on the ongoing viability of the commercial uses or the amenities of future residential occupants; and
6. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Land at Shepway Close, Folkestone



**Picture 5.7 Land at Shepway Close, Folkestone**

**5.44** Land at Shepway Close amounts to approximately 0.79ha of undeveloped scrubland. Historically, it has been designated as an Area of Potential Open Space in the Local Plan (2006), but it has neither been accessible to, nor useable by, the public. An active approach has therefore been taken to provide both additional family housing and a usable and accessible area of open space.

**5.45** The site lies in the centre of a well-established residential area. The northern boundary is marked by Shepway Close, which provides the only vehicular access, and residential properties adjoin the site to the east, south and west. A footpath and cycle path runs along the western boundary, providing a direct link between Black Bull Road and Dover Road.

**5.46** The site is currently fenced off by hoardings and chain link fencing. It rises gradually from north-west to south-east and consists of overgrown grassland and sporadic boundary trees along the south-eastern perimeter. The unkempt nature of the site has attracted anti-social behaviour and fly-tipping in recent years.

**5.47** The site is in a sustainable location, a short distance from Folkestone Town Centre but with a few local shops and services on Black Bull Road, which is also a public transport route. It is also close to a number of employment sites at Park Farm, Highfield and Bowles Well Gardens Industrial Estates.

**5.48** In respect of key constraints, the untouched nature of the site means it will be necessary for a thorough investigation of its wildlife potential to be undertaken prior to any development or clearance. Furthermore, the slight north-south gradient of the site should be subject to careful consideration as any design evolves.

**5.49** With a sensitive design, the site could be developed at a density consistent with its surroundings to provide new homes without adverse impact on the amenities of nearby residents. In addition, a minimum of 0.15ha of land should be included in the design to provide a usable area of public open space for the benefit of existing and future residents. This open space should be designed as a natural play area incorporating children's play equipment with elements such as boulders, tree trunks, earth mounds and planting to increase the scope for imaginative games. This open space should be integral to the wider design to ensure it is delivered and is not vulnerable to future pressure for development.

## Policy UA6

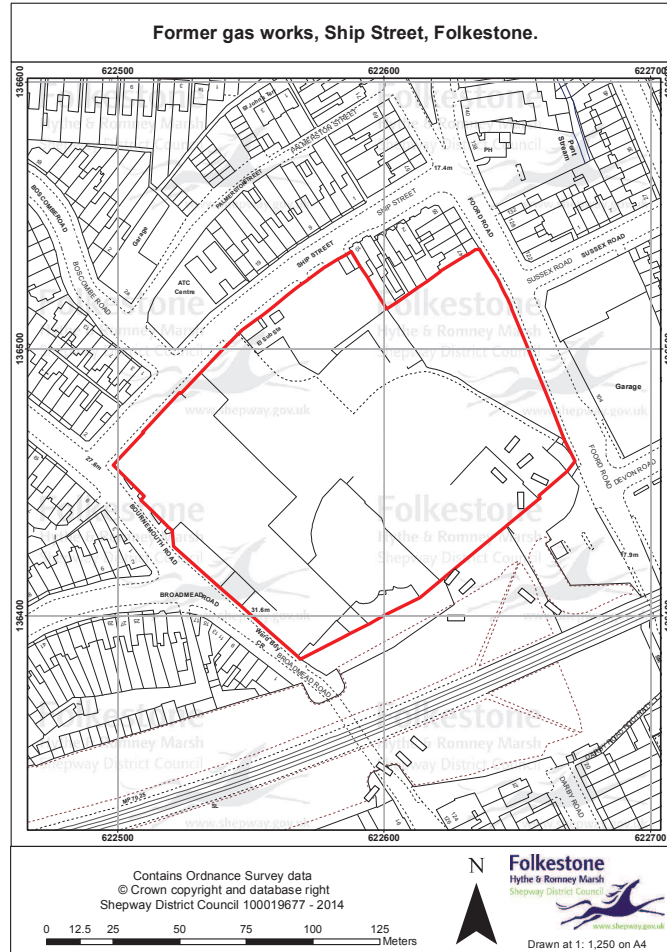
### Shepway Close, Folkestone

The site is allocated for residential development with an estimated capacity of 35 dwellings and 0.15ha of public open space.

Development proposals will be supported where:

1. An area of 0.15ha is provided as landscaped open space including a natural play area, which should be integral to the overall layout. A management company or other solution should be established for its long term maintenance;
2. They are accompanied by a full ecological survey and adequate biodiversity mitigation measures implemented where necessary;
3. A strategy for the management of surface water is included within the development proposals;
4. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and
5. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Former Gas Works, Ship Street, Folkestone



**Picture 5.8 Former Gas Works, Ship Street, Folkestone**

**5.50** The Former Gas Works on Ship Street amounts to approximately 1.5ha of National Grid land that is surplus to requirements following its decommissioning.

**5.51** The site consists of scrubland, almost all of the structures relating to the former use having been removed approximately 15 years ago. The boundary is marked on three sides by a substantial red brick wall, and to the south by a large group of trees that provide a natural buffer to the railway line as well as a green backdrop. Existing access to the site is from Ship Street and/or Foord Road.

**5.52** The site is situated within a largely residential area, although there are a small number of non-residential uses nearby, including a Tesco Express, self-storage facility, car sales forecourt, MOT testing facility and the Air Training Corp Centre.



**5.53** The former Gas Works is in a highly sustainable location on the outskirts of Folkestone Town Centre, which offers easy and convenient access to a wide range of shops, services, leisure facilities and employment opportunities. It is also close to key public transport links including Folkestone Central Station and the Bouverie Place Bus Station.

**5.54** In respect of key constraints, there is a substantial rising east-west gradient from the bottom of Foord Road to the junction with Bournemouth Road, although this should not be a significant constraint on development. The relatively untouched nature of the site over the last decade means it will be necessary for a thorough investigation of the wildlife potential of the site to be undertaken. The site is close to the Grade II listed railway viaduct; regard must be had to ensure any development preserves or enhances the character and setting of this heritage asset. Decontamination works have been undertaken, but there is still a need for a programme of monitoring. Flood risk will also need to be investigated as a small part of the site falls within Flood Zone 3a.

**5.55** With a suitable design, the site could be developed for residential use at a density consistent with its surroundings, with the opportunity for self-build or custom build plots. An area of public open space could also be included, integral to the wider design, although the site is within a short walking distance of Radnor Park. Due to the level changes and urban nature of this site, the development may not be able to provide 10m rear gardens as required by Policy HB3: Internal and External Space Standards; however any development proposal would need to demonstrate that inter- and over-looking will not occur and that acceptable levels of amenity space can be provided for occupants.

**5.56** The site is close to Radnor Park, an identified strategic play location within the district. Therefore contributions should be made for off-site enhancements of the public open space and play at Radnor Park.

## Policy UA7

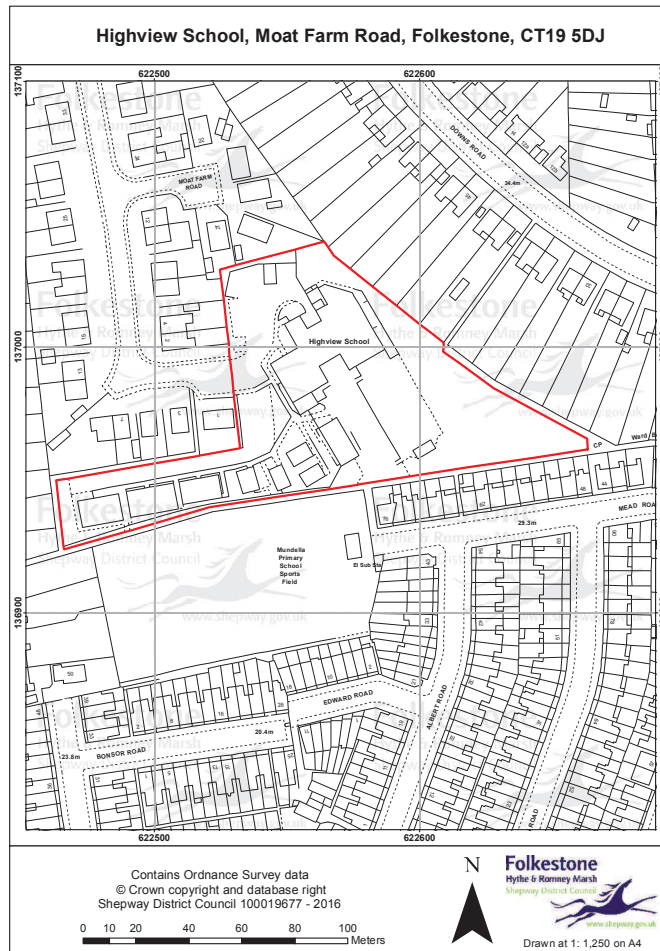
### **Former Gas Works, Ship Street, Folkestone**

The site is allocated for residential development with an estimated capacity of 100 dwellings.

Development proposals will be supported where:

1. The design approach utilises the special characteristics of the site to deliver a high quality and innovative urban development;
2. The scale, design and layout of any new buildings preserve or enhance the character and setting of nearby heritage assets including the nearby Grade II listed Railway Viaduct;
3. Any potential contamination from former use is investigated, assessed and if appropriate, mitigated as part of the development;
4. A full ecological and arboricultural survey is undertaken and adequate biodiversity mitigation measures implemented where necessary;
5. It can be demonstrated that each property will benefit from an acceptable level of private amenity space to meet the needs of occupants through an innovative design and layout;
6. Appropriate and proportionate contributions are made towards the upkeep and/or improvement of open space and existing play facilities at Radnor Park to mitigate any on-site under-provision;
7. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
8. At least 5 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development.

## Highview School Moat Farm Road, Folkestone



**Picture 5.9 Highview School, Moat Farm Road, Folkestone**

**5.57** As part of its education planning, Kent County Council took the decision to merge Highview and Foxwood Schools into a new enlarged and purpose-built facility. Re-branded 'The Beacon', the new school on Park Farm Road, Folkestone opened in September 2016. This coincided with the closure of both the former facilities at Highview and Foxwood in Folkestone and Hythe respectively; as a result the sites are now vacant and available for redevelopment.

**5.58** The Highview School site is an irregular shaped area of land approximately 0.9ha in size, consisting of a range of school buildings and structures. These include both single-storey and two-storey buildings and associated areas of hardstanding and play space. Vehicular access is from Moat Farm Road.

**5.59** Housing surrounds the school campus to the north, east and south. Downs Road is an area of mainly family homes, while Moat Farm Road is characterised by smaller bungalows. To the southeast corner of the site are playing fields associated with Mundella Primary School, independent of the former Highview School. A footpath and cyclepath runs along the full length of the southern boundary, providing a quick and direct link between Park Farm Road, Black Bull Road and Mead Road.

**5.60** The site is in a sustainable location, a short distance from Folkestone Town Centre, but with a few local shops and services on Black Bull Road, which is also a public transport route. It is also close to the Park Farm Industrial Estate.

**5.61** In respect of key constraints, there is a slight gradient rising from the entrance of the site to the rear boundary with Downs Road. Otherwise, the site is relatively constraint free.

## Policy UA8

### **Highview School, Moat Farm Road, Folkestone**

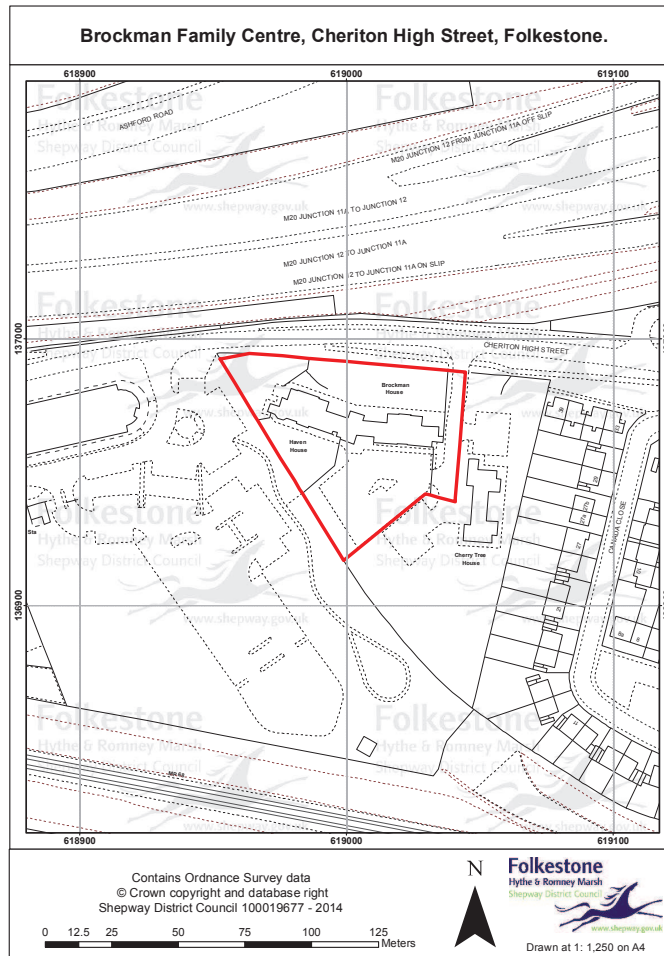
The site is allocated for residential development with an estimated capacity of 27 dwellings.

Development proposals will be supported where:

1. The design includes appropriate links to the local footpath network that connects Park Farm and Black Bull Road and incorporates measures to minimise opportunities for anti-social behaviour;
2. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes;
3. Traffic flow and parking provision is assessed to ensure that adequate parking provision is provided so that there are no detrimental parking impacts on Moat Farm Road; and
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Cheriton

### Brockman Family Centre



**Picture 5.10 Brockman Family Centre, Cheriton**

**5.62** Brockman House and Haven House is a former Kent County Council office complex last used by Social Services as a facility for children and parents, known as the Brockman Centre, but the buildings have remained vacant following the withdrawal of funding in 2009/10.

**5.63** The site is approximately 0.87ha in size and consists of two large linked buildings characterised by a series of hipped roof and gable features with a traditional brick and tile appearance. The buildings are not of any architectural merit, nor are they of a modern energy-efficient nature that would make them well-suited to conversion. There is a large car park situated on the southern side and mature

landscaping to the north. The latter provides a large degree of screening from Cheriton High Street. Accordingly, a comprehensive redevelopment would provide the most suitable and positive approach to secure a future for the site.

**5.64** The site is broadly triangular in shape and lies on the periphery of a well-established residential area of Cheriton. It is bounded to the north and south by the M20 motorway and the Folkestone to Ashford railway line respectively, while there are residential properties adjoining the site to the east and the Cheriton Parc Business Estate is immediately to the west. Existing access is from Cheriton High Street.

**5.65** The site is in a sustainable location close to a range of shops, local services including schools and doctors' surgeries, leisure facilities and employment opportunities at Cheriton Parc. It also has good connections with the strategic road network at Junction 12 of the M20, as well as public transport links including the local bus network and the Eurotunnel terminal.

**5.66** The site is relatively unconstrained. It is broadly flat, previously-developed and benefits from a well-established vehicular access. The absence of any dwellings close to the site also means that redevelopment is unlikely to have an adverse impact on existing residents.

**5.67** With a suitable design, the site could be developed for houses and this would not be out of character with its surroundings. Alternatively, because of its unconstrained nature, the site could potentially accommodate a number of apartments in a single complex. On the basis that both forms of development are likely to be acceptable in planning terms, to a large degree it will be for the local housing market to determine the most appropriate form of development for the site, subject to other Local Plan requirements.

## Policy UA9

### **Brockman Family Centre, Cheriton**

The site is allocated for residential development with an estimated capacity of 26 houses or 50 apartments.

Development proposals will be supported where:

1. A full ecological and arboricultural survey is undertaken and adequate biodiversity mitigation measures implemented where necessary;
2. Existing trees and hedgerows around the perimeter of the site are retained and enhanced;
3. There is on-site provision of open and play space to meet the needs of the development, for which a management company or other solution should also be established for its long term maintenance; and
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## The Cherry Pickers Public House, Cheriton



**Picture 5.11 The Cherry Pickers Public House, Cheriton**

**5.68** The Cherry Pickers is a derelict public house within a largely residential area of Cheriton. The site was badly damaged by fire in May 2014 and is no longer in a safe condition. Prior to the fire, there had been a series of different operators who had tried to make the pub financially viable, without success.

**5.69** The site is broadly triangular in shape and covers approximately 0.23ha. It consists of a two-storey gable-ended building with a single storey flat roof extension. To the front is a small area of seating, while a larger beer garden is located on the northern side of the building.

**5.70** The surrounding area is characterised by different forms of residential properties with Ashley Avenue offering a mix of both old and new homes and a series of small modern infill developments.



**5.71** The site is accessible to a range of local facilities including the nearby Pent Valley Leisure Centre as well as some small-scale retail units that provide a local service. There is good access to the public transport network by both bus routes and Folkestone West Railway Station. A range of shops and services is accessible on Cheriton Road.

**5.72** In respect of key constraints, to the eastern side is a 13 space car park accessed through an established vehicular crossover from Ashley Avenue. However, because of current parking arrangements, visibility to the site is somewhat constrained and therefore some alterations to parking restrictions will be needed as part of any residential proposal. This is most likely to include an area of new double yellow line restrictions.

**5.73** The site is located on the border between Groundwater Source Protection Zone 2 and Zone 3 and is therefore in a sensitive location from a groundwater protection point of view. Any development will therefore need to adhere to Core Strategy Policy CSD5: Water and Coastal Environmental Management in Shepway.

**5.74** Based on the degree of work needed to bring the site back into use, and previous problems of viability, it is unlikely that a new public house operator would be willing to make the necessary investment to re-establish the facility. Accordingly, and given the residential character of the surroundings, redevelopment for residential reuse is appropriate.

## Policy UA10

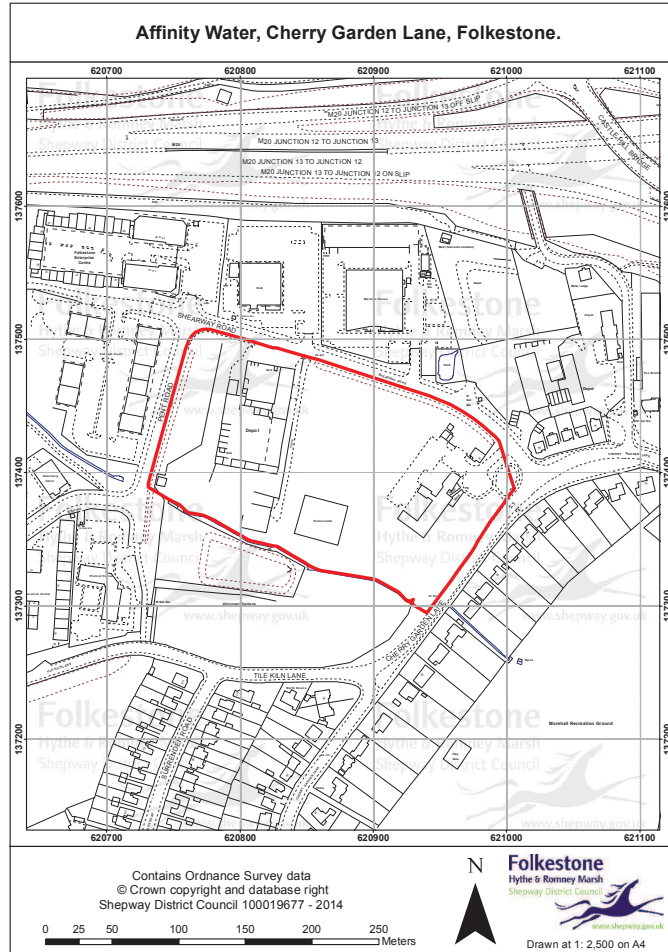
### **The Cherry Pickers Public House, Cheriton**

The site is allocated for residential development with an estimated capacity of 10 houses or 20 apartments.

Development proposals will be supported where:

1. Primary vehicular access is achieved from Ashley Avenue with the necessary highway mitigation measures incorporated to ensure safe visibility and access;
2. Appropriate and proportionate contributions, through a Section 106 agreement, are made towards the upkeep and/or improvement of open space and existing play facilities at Cheriton Recreation Ground;
3. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Affinity Water, Cherry Garden Lane, Cheriton



**Picture 5.12 Affinity Water, Cherry Garden Lane, Cheriton**

**5.75** Affinity Water is the water supplier to the Folkestone and Dover Area. Its operations are located within Cheriton, with facilities on both the northern and southern sides of Shearway Road, west of Cherry Garden Lane. As part of its long term estate management plans, the company’s intention is to consolidate its existing offices, headquarters, depot and social club, currently located to the south of Shearway Road, at its landholdings to the north. This would result in approximately 2.87ha of land becoming available for redevelopment.

**5.76** The site is situated slightly below the level of Shearway Road, and consists of very low-density employment use. To the west is a depot that consists of a small courtyard of single storey buildings with associated car parking. To the east is a small number of slightly larger two-storey buildings. In between is a large extent of open green space and two private tennis courts.

**5.77** The southern boundary is demarcated by the Pent Stream and an avenue of trees provides a landscaped buffer to the allotments beyond. To the north is further land in Affinity Water's ownership, as well as Bannatyne's Health Club and offices situated in Martello House. Shearway and Concept Court Business Parks are located to the west of the site.

**5.78** The site is in a sustainable location, close to a range of shops at Park Farm, local services including schools, doctors' surgeries, leisure facilities and employment opportunities at Shearway Business Park. It also has good connections with the strategic road network at Junction 13 of the M20 as well as public transport links including the local bus routes along Cherry Garden Avenue.

**5.79** In respect of key constraints, the Pent Stream runs along the southern boundary. While only a small area of the site is within Flood Zone 2 and 3, there are a number of historical instances of flooding associated with the Pent further downstream; any development should not create or make flooding worse elsewhere. The site is located in Groundwater Source Protection Zone 1 and therefore must ensure that there will be no contamination of groundwater sources. There is a private playing field and tennis courts for the use of Affinity Water employees as well as a number of established trees which are the subject of Tree Preservation Orders along its north, south and east perimeters, as well as throughout the site. Any future residential use will need to be carefully planned to ensure that the amenities of future occupants are acceptable given the neighbouring land uses; an electricity pylon is located in the south west corner, with power cables crossing the western edge of the site. A small area is identified as an Area of Archaeological Potential.

**5.80** The Shepway Economic Development Strategy (EDS) (2015-2020) aims to attract new businesses that will bring job opportunities to the district and create confidence so that the private sector continues to invest in Shepway. It concludes that there are limited development sites available in the right location and therefore the Council needs to explore opportunities to identify new employment sites in and around the district's three motorway junctions. In addition, the Employment Land Review (ELR) (2017) identifies Shearway Business Park as a significant employment site, characterised by a number of high quality modern office and industrial units with low vacancy levels, suggesting that the site is highly attractive to the market and as such should be retained for employment uses. The Affinity Water site was designated as an Employment Opportunity Site in the Local Plan (2006) and given the aspirations and conclusions of the EDS and ELR any development proposal should deliver an element of employment in the form of B1a office accommodation.

**5.81** With a suitable design, the site could be developed for a mix of residential and employment uses with the opportunity for self-build or custom build plots. Residential development should be directed towards the eastern end of the site; this should be low level (one or two storeys) and fronting Cherry Garden Lane to ensure that the development complements existing residential development nearby. However, due to the level changes and the scale and massing of neighbouring commercial

buildings, a scheme could also incorporate an element of flatted residential accommodation further into the site. Given that a significant proportion of the existing site is classified as open space, masterplanning should also provide an area of public open space; this could include the avenue of cherry trees along the southern perimeter. The western part of the site should be allotted for a degree of business space fronting Pent Road.

## Policy UA11

### **Affinity Water, Shearway Road, Cheriton**

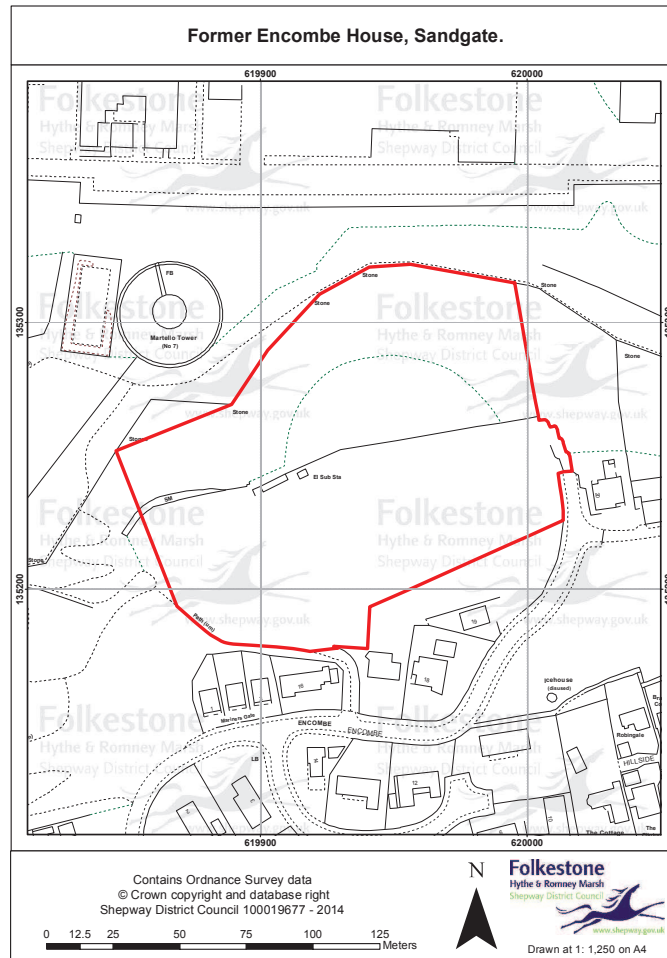
The site is allocated for residential development with an estimated capacity of 70 dwellings, 3,500sqm of complementary Class B1a (office) commercial floorspace and an area of public open space.

Development proposals will be supported where:

1. A comprehensive masterplan is prepared for the redevelopment of the site, which also demonstrates how the existing facilities will be re-provided within the area north of Shearway Road;
2. Approximately 3,500sqm B1a of new commercial floorspace is provided at the western end of the site in a way that is compatible with the neighbouring commercial uses and new housing, without having an adverse impact on the continuing viability of the commercial uses or the amenities of future residential occupants;
3. The proposals acknowledge the surrounding urban grain by creating a strong residential frontage onto Cherry Garden Lane and ensuring that the design complements the existing development in the locality;
4. Proposals are accompanied by a landscape strategy that retains a substantial amount of the existing tree cover including those protected by Tree Preservation Orders within an area(s) of landscaped open and play space, which should be integral to the overall design and layout of the scheme;
5. Accompanied by a Site-specific Flood Risk Assessment and demonstrate that any potential risks associated with the Pent Stream can be mitigated and/or safely managed;
6. A footpath and appropriate lighting is provided on southern edge of Shearway Road to connect with Cherry Garden Lane;
7. Public footpaths HF19A and HF20 that link Shearway Road and Tile Kiln Lane are reinstated and enhanced;
8. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes;
9. There will be no contamination of groundwater sources;
10. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
11. At least 4 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development.

## Sandgate

### Former Encombe House, Encombe, Sandgate



**Picture 5.13 Former Encombe House, Sandgate**

**5.82** The central part of the site formally contained Encombe House, which was demolished in the late 1980s following structural damage caused by subsidence. The site has remained vacant since then but evidence of the former house is visible in the form of hard surfaces and concrete retaining structures. The area of Encombe, of which this site forms part, was originally a mature parkland landscape interspersed with footpaths.

**5.83** The site amounts to approximately 1.65ha of brownfield derelict land, comprising an open plateau with wooded hillsides (part of the Sandgate Escarpment) to the west and at the rear. Encombe is an attractive residential street set into the hillside north of the Sandgate Esplanade; the site is accessed from the A259 at Sandgate Esplanade.

**5.84** The site is enclosed to the north, east and west by the Sandgate Escarpment, which is punctuated by a series of Martello Towers. Martello Tower No.7 directly adjoins the site to the north-east and the Shorncliffe Barracks are set slightly further away at the top of Hospital Hill. There are also public footpaths adjoining the northern, western and south-western parts of the boundary. To the south, the land falls away sharply towards Sandgate Esplanade.

**5.85** In respect of key constraints, the site is subject to a number of Tree Preservation Orders. It is situated in close proximity to Martello Tower No 7, a Scheduled Monument, within an Area of Archaeological Importance, a Local Landscape Area and within the setting of the Sandgate High Street Conservation Area. In addition the site lies within an area of potential land instability and therefore any proposals should conform with Policy NE6: Land Stability.

**5.86** Planning permission exists for the redevelopment of the site to provide 36 new apartments in three individual blocks. Accordingly, it is considered appropriate to allocate the site for development to ensure its long-term delivery. Furthermore, the entire site is within a Biodiversity Action Plan Priority Habitat (deciduous woodland). Therefore, development should be informed by an assessment to identify features of ecological interest and seek to conserve and enhance biodiversity within the site.

**5.87** Planning permissions (Y11/0122/SH and Y15/1154/SH) exists for the erection of 36 two- and three-bedroom flats in three pavilions.

## Policy UA12

### **Encombe House, Sandgate**

The site is allocated for residential development with an estimated capacity of approximately 36 residential apartments.

Development proposals will be supported where:

1. Mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
2. There is a landscaping scheme which retains a substantial amount of the existing tree cover including those trees protected by Tree Preservation Orders and any groups or individual trees important to the appearance of the site;
3. The scale, design and layout of any new buildings preserve or enhance the character and setting of nearby heritage assets including the nearby Scheduled Ancient Monument and the Sandgate High Street Conservation Area; and
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.



## Hythe

**5.88** Hythe is a coastal town on the edge of Romney Marsh. During Medieval times, the town developed as a harbour and was, during Tudor times, a member of the confederation of Cinque Ports. The town also played an important role in the defence of the country during the Napoleonic wars with the construction of the Royal Military Canal. Built to repel invasion the canal now gives central Hythe a distinctive and attractive character. Now shaded by trees, the canal, 30 feet (10m) wide, passes into the marsh from the middle of the town. Also built around the same time as a defence against possible invasion by Napoleon were the Martello Towers; in total 74 of these towers were built between Folkestone and Seaford. This history has resulted in many unique features in the town.

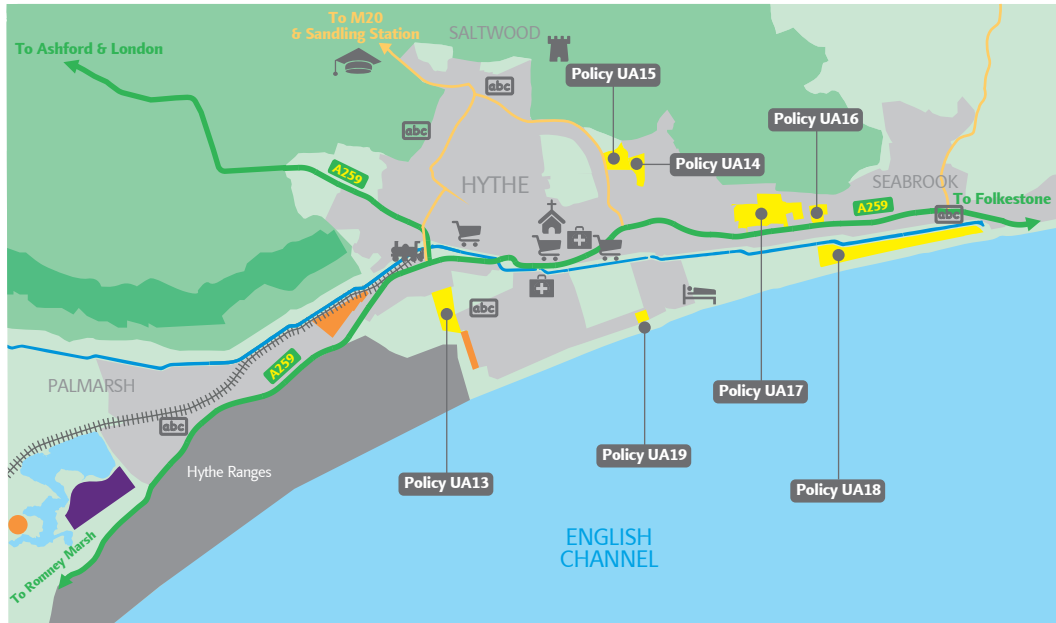
**5.89** Today Hythe has a population of 14,516. The town has a wide range of services and facilities including a secondary school and five primary schools.

**5.90** The Core Strategy settlement hierarchy identifies Hythe as a Strategic Town, along with New Romney, whose roles are to *"... accommodate significant development - in so far that it is consistent with maintaining historic character - appropriate to the needs of their wider hinterlands in Shepway, and maintaining the viability of their local transport hubs, town centres and higher-order tourism, employment and public services"* (Table 4.1 of this plan).

**5.91** Core Strategy Policy CSD7: Hythe Strategy seeks to attract additional employment to the town, especially within the town centre. Other measures proposed in the strategy include delivering public realm improvements that enhance pedestrian circulation within the main retail area and improving the setting of historic buildings. Additional mixed-use development will be focused to the west of the town and on the seafront. The strategy also calls for the expansion of Hythe's tourism and leisure industries.

**5.92** An integral objective of the Core Strategy is that development is supported by the timely provision of infrastructure. For Hythe, the following infrastructure requirements are identified as strategically critical (Appendix 2: Infrastructure Projects):

- Scanlon's Bridge - A259/A261- Upgrades to improve vehicular capacity, safety, ease of use and cycle and pedestrian movement by 2016; and
- Flood Defences - Hythe Ranges - Reinforcement of Defences including construction of rock revetment by 2021.

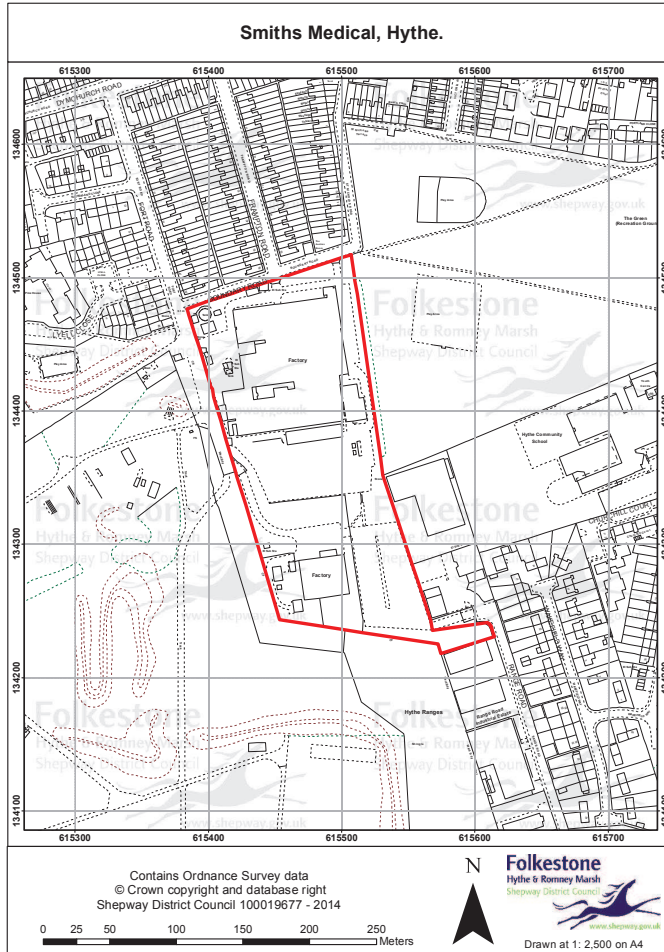


Hythe Policy Map



Picture 5.14 Hythe Policy Map

## Smiths Medical, Hythe



**Picture 5.15 Smiths Medical, Hythe**

**5.93** The Smiths Medical site is a Class B1 (business) and B2 (general industrial) commercial facility located on Boundary Road, Hythe. Historically there has been a mix of uses on the site comprising offices, research and development facilities, industrial and some manufacturing operations, which led to it being protected for employment use. However, the attractiveness of the facilities has declined in recent years, which has resulted in reduced use of the site.

**5.94** The site is approximately 3.2ha in size and includes a number of different industrial uses and buildings. The main facilities are mostly located at the northern extent of the site and are single storey warehouses, albeit there are some two-storey office elements. The buildings vary in size and style; however, they largely no longer meet modern commercial needs. An ancillary car park is located to the south of the main buildings.

**5.95** South of the main campus is a more modern factory building and car park, which has a gated access from Fort Road. To the north of the site are established residential roads (Fort Road, Frampton Road and Nicholas Road) made up of predominantly Victorian and Edwardian two-storey terraced houses. East is Hythe Green, a large recreation ground that contains both children's play facilities and a multi-use games area. South and west is the Hythe Ranges, Ministry of Defence land.

**5.96** The site is in a sustainable location close to a range of shops, local services, including schools and doctors' surgeries, leisure facilities and employment opportunities.

**5.97** In respect of key constraints, the site is close to the Hythe Wastewater Treatment Works. New development must be adequately separated from the wastewater treatment works to safeguard the amenity of future occupiers and users from odour dispersal at pumping stations and this should be considered as part of any masterplanning process. The whole site is located within Flood Zone 3 (coastal flooding); although, the higher section of the site (southern) is identified as being at lower risk of flooding in the Council's Strategic Flood Risk Assessment. Accordingly, it has undergone the necessary sequential and exceptions tests and is considered appropriate for development in order to meet the identified housing requirements for the Urban Area. The south-east corner of the land forms part of the Hythe Ranges Local Wildlife Site, although the area is laid to hardstanding in the form of a car park; in addition a very small area of the site falls within a Biodiversity Action Plan Priority Habitat (perennial vegetation of stony banks). Therefore, development should be informed by an assessment to identify features of ecological interest and should conserve and enhance biodiversity within the site.

**5.98** The site was a designated Employment Site in the Shepway District Local Plan (2006) at a time where the existing facilities were in higher demand. In the past re-development for other uses would have been resisted; however, the National Planning Policy Framework is clear that employment sites should not be retained in areas of high housing need unless there are strong economic reasons not to allow a change of use. Accordingly, as employment demand for the site has declined, it is now allocated to allow redevelopment.

**5.99** The size of the site in this location will require proportionate contributions to the expansion of Oakland's Health Centre, made through a S106 agreement, so as to ensure the impact of the development is mitigated.

**5.100** Redevelopment of the site should deliver a highway connection between Fort Road and Range Road in order to provide a secondary access to serve the development. Minor highway upgrades to improve the visibility splays at the junction of St Nicholas Road and Dymchurch Road will also be required.

**5.101** In considering future re-use, the site is sustainably located and previously-developed. It is therefore appropriate to allocate the site for a relatively high density of new housing, with the southern factory element being retained for commercial use. In addition there is an opportunity for self-build and custom build plots to be provided and improvements to the area of hardstanding within the Local Wildlife Site.

### Policy UA13

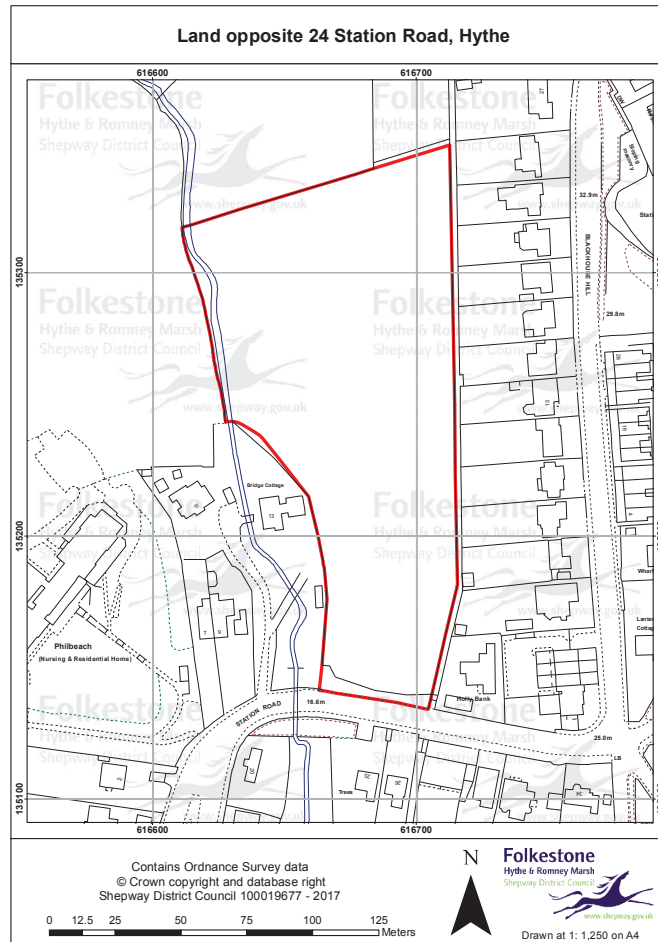
#### Smiths Medical Campus, Hythe

The site is allocated for mixed-use development with an estimated capacity of approximately 80 dwellings and 2,000sqm of B1 (business) / B8 (storage and distribution).

Development proposals will be supported where:

1. Primary vehicular access for residential and business is achieved from Fort Road with a secondary vehicular access connection to Range Road. There should be no vehicular access from Boundary Road;
2. Highway improvements at the junction of St Nicholas Road at Dymchurch Road are provided to the satisfaction of the Local Highways Authority;
3. The established factory unit and car park located at the southern extent of the site are retained or replaced;
4. Appropriate and proportionate contributions are made to the expansion of Oaklands Health Centre through a S106 agreement;
5. Ecological investigations are undertaken and adequate mitigation and enhancement measures are incorporated into the design to minimise effects on the Hythe Ranges Local Wildlife Site;
6. Proposals are accompanied by a Site-specific Flood Risk Assessment and demonstrate that any risks can be mitigated and/or safely managed;
7. The masterplanning of the site is informed by an odour assessment to take account of nearby wastewater treatment works in order to minimise land use conflict;
8. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes;
9. Any potential contamination from the former use is investigated, assessed and if appropriate, mitigated as part of the development;
10. The archaeological potential of the land is properly considered and measures agreed to monitor and respond to any finds of interest; and
11. At least 4 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development.

## Land at Station Road, Hythe



**Picture 5.16 Land Opposite 24 Station Road, Hythe**

**5.102** Land at Station Road is an undeveloped parcel of land that has previously been used as a paddock for grazing horses. It lies on the urban fringe of Hythe in an area largely surrounded by established housing. Historically, planning permission was granted for a 24-bed hospice but the consent was never implemented.

**5.103** The site area extends to approximately 1.25ha and is predominately grassland, overgrown and unkempt in appearance. The southern extent of the site is situated slightly below the level of Station Road and rises gradually from south to north and west to east. The site also benefits from strong tree-lined boundaries that are protected by group Tree Preservation Orders which, in combination with the sloping and undulating topography of the site, provide a very strong sense of enclosure. There is an established vehicular access from Station Road.

**5.104** North of this parcel is a thick tree belt of protected trees beyond which is the residential curtilage of two large detached properties - Saltwood Lodge and Meadow View. A footpath runs along the full length of the eastern boundary with a ribbon of detached and semi-detached properties that front Blackhouse Hill beyond. To the south is Station Road, while the western boundary of the site is bound by Bridge Cottage, land associated with the Saltwood Care Centre and the Mill Stream.

**5.105** The site is in a sustainable location close to a range of shops and local services in Hythe High Street, as well as a choice of schools, doctors' surgeries and leisure facilities. It also benefits from being close to public transport links, in particular the local bus network along the A259 Seabrook Road.

**5.106** In respect of key constraints, the footpath on the left hand side of Station Road cannot be extended to link up with the proposed allocation. Therefore, an appropriate pedestrian crossing will be required to enable pedestrians to cross safely from the development to the established footpath that provides a safe route into Hythe. The site is subject to a number of Tree Preservation Orders along its perimeter to the north, east and west. In addition, a small area of the site is within Flood Zones 2 and 3 and as such any development should not create or make flooding worse elsewhere. Finally, the site lies within an area of potential land instability and therefore any proposals should conform with Policy NE6: Land Stability.

**5.107** The size of the site in this location will require proportionate contributions to the expansion of Oakland's Health Centre, made through a Section 106 agreement.

**5.108** Based on the characteristics and location of the site, a development scheme of mostly detached family houses, two storey in height with gardens, mirroring the surrounding development would be appropriate, at a density of approximately 30 dwellings per hectare.

## Policy UA14

### **Land at Station Road, Hythe**

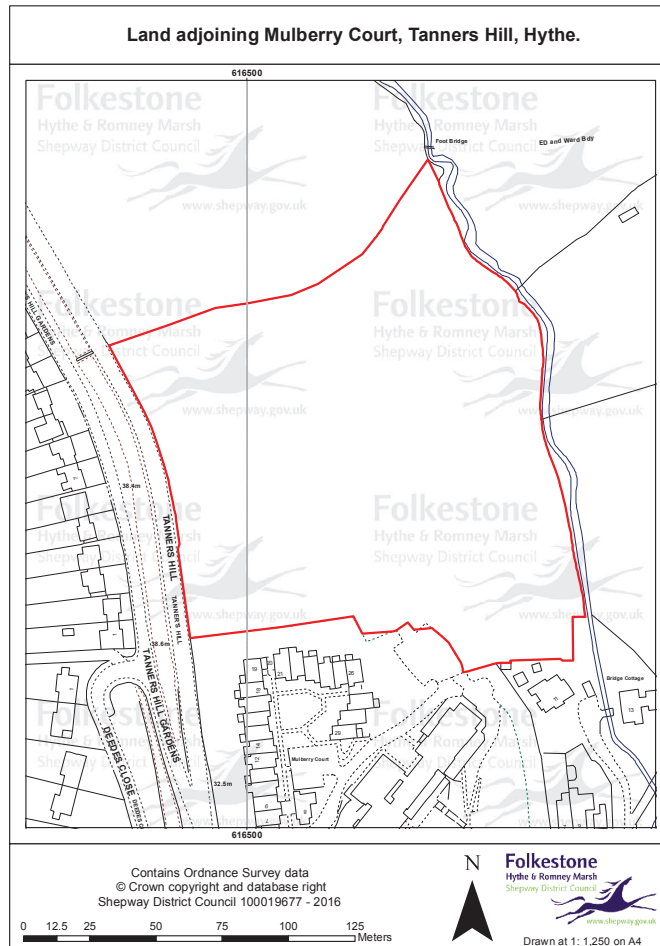
The site is allocated for residential development with an estimated capacity of approximately 30 family-sized dwellings.

Development proposals will be supported where:

1. The development is designed to a high standard and would not have a harmful impact on the character and setting of the nearby Kent Downs Area of Outstanding Natural Beauty;
2. An appropriate pedestrian crossing point, in the form of dropped kerbs and tactile paving, is provided;
3. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
4. Ecological and arboricultural investigations are undertaken and adequate mitigation measures identified to ensure development does not have an adverse impact on protected trees or protected species;
5. Appropriate and proportionate contributions are made to the expansion of Oaklands Health Centre through a Section 106 agreement;
6. They are accompanied by a Site-specific Flood Risk Assessment with development directed to sequentially preferential locations within the site in terms of flood risk; and
7. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.



## Land at the Saltwood Care Centre, Hythe



**Picture 5.17 Land at the Saltwood Care Centre, Hythe**

**5.109** To the west of the Station Road site is surplus land adjacent to the Saltwood Care Centre and Retirement Village which is considered a suitable location for providing further retirement living accommodation. Planning permission was granted in 2017 (Y15/0720/SH) for 84 extra-care homes.

**5.110** The site is approximately 2.1ha in size and consists most of scrubland, with a number of trees scattered throughout that are covered by a group Tree Preservation Order. The site forms part of the curtilage of the care centre and is thought to be a neglected garden. The site slopes steeply from west to east towards the Mill Stream which flows along the eastern boundary. Vehicular access is currently by Saltwood Care Centre.

**5.111** The site is positioned on the urban fringe of Hythe abutting the Kent Downs Area of Outstanding Natural Beauty to the north and a public right of way running along its boundary. East is an area of grassland and the rear of properties that front Blackhouse Hill. Immediately to the south is the existing Saltwood Care Centre, known as Philbeach House, and west are the established residential areas of Hythe and Saltwood.

**5.112** The site is in a sustainable location close to a range of shops and local services in Hythe High Street, as well as a choice of schools, doctors' surgeries and leisure facilities - albeit at the bottom of Tanners Hill. It also benefits from being close to public transport links, in particular the local bus network along the A259 Seabrook Road.

**5.113** In respect of key constraints, the site is directly adjacent to the Kent Downs Area of Outstanding Natural Beauty and covered by a blanket Tree Preservation Order that may have some wider ecological potential. The perceived impact on the setting of the Area of Outstanding Natural Beauty and blanket Tree Preservation Order needs to be balanced against the requirement to address Hythe's ageing population and significant work will still be required to identify trees that are worthy of long-term protection. Part of the site is within a Biodiversity Action Plan Priority Habitat (traditional orchard); therefore development should be informed by an assessment to identify features of ecological interest and seek to conserve and enhance biodiversity within the site. Finally, the site lies within an area of potential land instability and therefore any proposals should conform with Policy NE6: Land Stability.

**5.114** The size of the site in this location will require proportionate contributions to the expansion of Oakland's Health Centre, made through a Section 106 agreement.

**5.115** With a suitable design, it is considered that the site allocation is appropriate in order to meet specific identified need for residential care and nursing accommodation in a location that adjoins the existing Saltwood Care Centre and to support an enlargement of the existing retirement community.

## Policy UA15

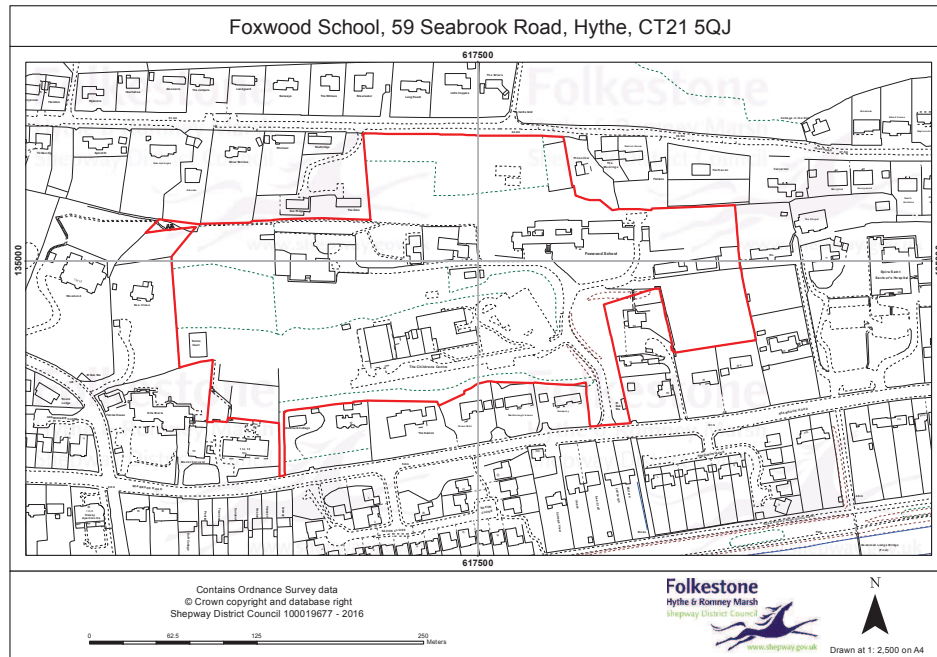
### **Land at the Saltwood Care Centre, Hythe**

The site is allocated for 84 Class C2 or C3 Extra Care Units.

Development proposals will be supported where:

1. The development meets the needs of the ageing population and is restricted to occupation for those over 65 years of age;
2. On-site care provision is made through an appropriate contract that requires a minimum of 2 hours of care, to be provided by a Care Quality Commission registered provider;
3. All of the Extra Care Units are designed to wheelchair accessible homes standards (M4(3): Category 3) of the Building Regulations;
4. Appropriate communal facilities are provided to meet the needs of the residents;
5. Access is provided to meet the needs of residents and to provide connectivity to the existing care centre site and the surrounding area;
6. Proposals are accompanied by a landscape strategy that retains a substantial amount of the existing tree cover and demonstrates that the landscape character is protected;
7. Appropriate and proportionate contributions, through a Section 106 agreement, are made to the expansion of Oaklands Health Centre;
8. Mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
9. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider; and
10. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Foxwood School and St Saviour's Hospital, Seabrook Road, Hythe



Picture 5.18 Foxwood School, Seabrook Road, Hythe



**Picture 5.19 St. Saviour's Hospital, Seabrook Road, Hythe**

**5.116** As part of its education planning, Kent County Council took the decision to merge Highview and Foxwood Schools into a new enlarged and purpose-built facility. Re-branded 'The Beacon', the new school on Park Farm Road, Folkestone opened in September 2016. This coincided with the closure of both the former facilities at Highview and Foxwood in Folkestone and Hythe respectively; as a result of these changes the sites are now vacant and available for redevelopment.

**5.117** Similarly St. Saviour's Hospital, located immediately east of Foxwood School, is a former private hospital that closed in late 2015. Since this time, the premises have been vacant so a future new use needs to be planned.

**5.118** Both Foxwood School and St. Saviour's Hospital are on large plots fronting Seabrook Road. Due to the nature of the street, and the significant rising topography, both sites are located at a higher level to that of the street. In the case of the hospital,

this means that the main building is prominent from the street scene. In comparison, Foxwood School is generally more screened, due to the housing in front and significant tree planting.

**5.119** Foxwood School constitutes the larger of the two sites and covers an area of 6.3ha. There are approximately eight buildings spread across the site in two distinct areas; these vary from traditional pitched-roof school buildings to more modern flat-roofed facilities. The site also benefits from a well-established tree-lined driveway.

**5.120** The hospital site is smaller, measuring 1.14ha and includes three buildings. The original building dates from the 1850s with substantial extensions in the 1960s to accommodate a hospital. West of the main building is the oldest element of the site, the Dutch House (71 Seabrook Road), that predates the hospital use. The third building, to the east, is an annexe added to extend the hospital.

**5.121** Both sites have an established vehicular access from Seabrook Road on the southern boundary and are in a sustainable location, close to a range of shops and local services as well as schools, doctors' surgeries, leisure facilities and employment opportunities in Hythe, Seabrook and Folkestone. They also benefit from being close to public transport links, in particular the local bus network along the A259 Seabrook Road.

**5.122** In respect of key constraints, development proposals will need to conform with Policies HB1 and HB2 to ensure that the design does not harm the character of the Seabrook Road area, which is characterised by relatively large detached houses set within spacious plots on the hillside overlooking the town to the west and the canal and coastline beyond to the south, and interspersed with mature vegetation. The sites are also immediately south of the Kent Downs Area of Outstanding Natural Beauty and Tree Preservation Orders also apply to both sites. The sites are also located near the Royal Military Canal - a Scheduled Monument and Local Wildlife Site; consideration should be given to the setting of this heritage asset. Furthermore, part of the Foxwood site is within a Biodiversity Action Plan Priority Habitat (deciduous woodland and additional habitats). Therefore, development should be informed by an assessment to identify features of ecological interest and conserve and enhance biodiversity within the site.

**5.123** The redevelopment of St Saviour's Hospital site will require contributions to the expansion of Oakland's Health Centre, made through a Section 106 agreement. The Foxwood School is not expected to contribute to this specific project, due to the site having already part-funded the development of the new 'Beacon' school on Park Farm Road, Folkestone, which also incorporates substantial community facilities.

**5.124** Given the limited school capacity in the locality, the developments will add to pressure on pupil places and so will be required to mitigate this impact. At present, Seabrook Primary School is located on a small, constrained site with limited facilities to serve a 0.5 form entry school. The school does, however, have a separate playing

field, where planning permission has previously been granted for a replacement facility. Kent County Council, the Education Authority, has confirmed that there is capacity within the Eversley Road site to provide for a new one form entry Primary School, together with retained playing pitches, subject to further investigation; a new two form entry school is due to open at Shorncliffe Garrison in 2019/20 that will also provide capacity in the locality. The requirement for further education provision in Hythe, as a result of the allocations in policies UA16, UA17 and UA18, will be further explored by the District and County Councils. Should a new school require funding, appropriate resources could be secured from the Community Infrastructure Levy or development contributions through Section 106 agreements.

**5.125** A controlled crossing should be provided across Seabrook Road to improve access to Princes Parade and the beach, as well as an upgrading of the public highway known as College Bridge, which links the A259 with the Royal Military Canal and link the sites with the canal and the public right of way to the north.

**5.126** In considering future proposals, St Saviour's Hospital is considered suitable to provide a mix of apartments and family accommodation. Foxwood School could be redeveloped at a higher density because of its position behind properties on Seabrook Road and should include self-build and custom build plots in accordance with Policy HB4. Furthermore, opportunity exists to provide a mix of conventional housing and apartment blocks that replicate the large-scale buildings already found on the site.

## Policy UA16

### **St Saviour's Hospital, Seabrook Road, Hythe**

St. Saviour's Hospital is allocated for a landscape-led residential development with an estimated capacity of approximately 50 dwellings.

Development proposals will be supported where:

1. The design is landscape-led to take account of the environmental and topographical features of the site and to ensure important long and short distance views are maintained;
2. The character and setting of the Kent Downs Area of Outstanding Natural Beauty, the Seabrook Road area; and the Royal Military Canal Local Wildlife Site are preserved;
3. The scale, design and layout of any new buildings preserve or enhance the character and setting of nearby heritage assets including the Grade II Listed Building, The Black Cottage; and Scheduled Monument, the Royal Military Canal;
4. The Dutch House (71 Seabrook Road) is retained and incorporated into the design;
5. Access is derived from Seabrook Road with no vehicular access from Cliff Road;
6. Appropriate and proportionate contributions, through a S106 agreement, are made to the expansion of Oaklands Health Centre;
7. Appropriate and proportionate contributions are made towards the provision of a controlled crossing on Seabrook Road to improve access to Princes Parade and the seafront;
8. The public highway known as College Bridge that links the A259 with the Royal Military Canal is upgraded to the satisfaction of the Local Highways Authority;
9. Appropriate and proportionate contributions, through a S106 agreement, are made towards the upkeep and/or improvement of open space and existing play facilities at Princes Parade;
10. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
11. An appropriate mix of housing and/or apartments is provided that respects the constraints of the site.



## Policy UA17

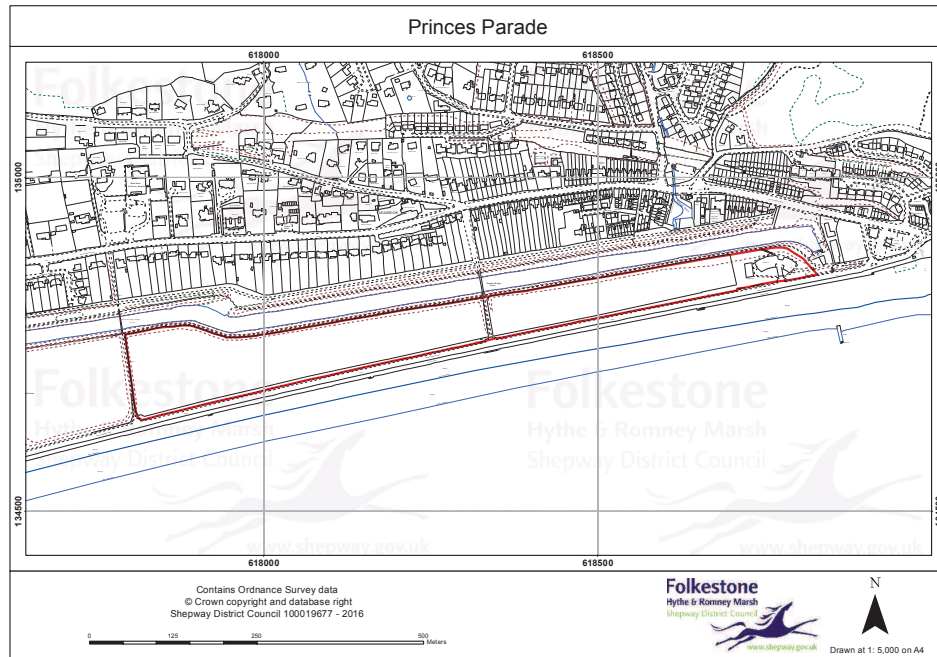
### **Foxwood School, Seabrook Road, Hythe**

Foxwood School is allocated for a landscape-led residential development with an estimated capacity of approximately 150 dwellings.

Development proposals will be supported where:

1. The design is genuinely landscape-led to take account of the environmental and topographical features of the site and to ensure important long and short distance views are maintained and the playing pitches are retained and enhanced as part of the landscape scheme;
2. The character and setting of the Kent Downs Area of Outstanding Natural Beauty, the Seabrook Road area and the Royal Military Canal Local Wildlife Site are preserved;
3. The scale, design and layout of any new buildings preserve or enhance the character and setting of nearby heritage assets including the Grade II Listed Building, The Black Cottage; and Scheduled Monument, the Royal Military Canal;
4. Access is derived from Seabrook Road with no vehicular access from Cliff Road;
5. Appropriate and proportionate contributions are made towards the provision of a controlled crossing on Seabrook Road to improve access to Princes Parade and the seafront;
6. The public highway known as College Bridge that links the A259 with the Royal Military Canal is upgraded to the satisfaction of the Local Highways Authority;
7. There is on site provision of play space to meet the needs of the development for which a management company or other solution should also be established for its long term maintenance;
8. Ecological and arboricultural investigations are undertaken and adequate mitigation and enhancement measures are incorporated into the design of the Foxwood School development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
9. A connection from the site is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider;
10. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
11. An appropriate mix of housing and/or apartments is provided that respects the constraints of the sites; and
12. At least 6-8 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development.

## Princes Parade, Hythe



**Picture 5.20 Princes Parade, Hythe**

**5.127** Land at Princes Parade, Hythe occupies a prominent position on the coastline between Princes Parade, a 2km seafront promenade that links the Esplanade at Sandgate to the West Parade at Hythe and the Royal Military Canal. It was historically used as the municipal landfill waste site during the 1960s and 1970s and later additional material was placed on the site as part of a programme to de-silt the canal in 2002/03. Since this time the land has lain vacant with access restricted to the public.

**5.128** The site is approximately 7.2ha and is tightly sandwiched between the Royal Military Canal, a Scheduled Ancient Monument, to the north and Princes Parade and the coastline to the south. At the centre of the site is a pedestrian crossing; here Seaview Bridge crosses the canal and a path then runs up to a former white wooden tram shelter on Princes Parade, providing an important link between the seafront and Seabrook Road. Either side of the canal bank are public bridleways, to the south is the historic towpath and to the north the historic Military Road, with a further public footpath on the top of the northern bank. North of the bridleway are the rear gardens of properties that front Seabrook Road and properties on Seabrook Gardens, Beacon Terrace and Hannant Court which directly front onto the northern bridleway. It is also abutted by a children's play area to the east and the Hythe Imperial Hotel golf course to the west. Vehicular access to the site would be achieved from Princes Parade.

**5.129** The land itself has an overgrown appearance, predominately covered with scrub as well as a significant number of relatively young trees. The land has been artificially raised by approximately 4m from the level of the adjacent golf course as a result of its former use for landfill. Consequently, the ground beneath is contaminated and the site is of limited recreational value. It is therefore appropriate to plan positively for a new use, whilst minimising the harm caused to the designated heritage asset, the Royal Military Canal, and its setting.

**5.130** Princes Parade is in a sustainable location offering convenient access to a range of shops and local services, as well as schools, doctors' surgeries, leisure facilities and employment opportunities in Hythe, Seabrook and Folkestone. It also benefits from being close to public transport links, in particular the bus network along the A259 Seabrook Road.

**5.131** Approximately 1.5km to the west of the site, the Council owns and operates Hythe Swimming Pool. The facility was opened in 1975 and is used by a number of individuals, schools and clubs, with Hythe Aqua Club having over 700 members. Recent inspection work of Hythe Pool revealed that the pool continues to require extensive maintenance and repairs to comply with health and safety standards and to ensure that it can stay open in the short to medium term. To secure the medium term future of the pool it has been estimated that it will be necessary to invest up to £1 million over a two to five year period; it is therefore no longer efficient to maintain the existing facilities.

**5.132** The Council has accepted the need to replace Hythe Swimming Pool. Lee Evans Partnership LLP were appointed to assess potential site options that could accommodate a new swimming pool in October 2015. <sup>(2)</sup>The study concluded that the two preferred site options were:

- **Hythe Green:** The site was potentially the most appropriate site for a new leisure facility. Whilst there were constraints, it was considered that these could be overcome with careful planning of access and high quality design. However, the site proved to be undeliverable due to issues concerning land ownership and a restrictive legal covenant which prevents the development of any part of The Green; and
- **Princes Parade:** The site was also thought to be a good option as the site is close to the existing swimming pool, within the Council's control and offers scope for comprehensive redevelopment, including remediation of contaminated land and re-use of a brownfield site. There is considerable potential for providing additional community benefits including provision of high quality public open space along the canal side and beachfront.

**5.133** Other sites considered but rejected included:

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2 Options Appraisal and Site Analysis, for the provision of a Leisure Centre for Hythe

- **Nickolls Quarry:** The Council has a site option for a leisure centre at the Martello Lakes development on the former Nickolls Quarry. However, this option was rejected because it is considered too remote from central Hythe and the existing pool site; there are also concerns regarding deliverability as the timings are not within Shepway District Council control;
- **South Road:** The site of the existing Hythe Swimming Pool was considered too small to accommodate the design specification of a modern new leisure facility and its associated parking requirements. It was also considered an unviable option as the project relies on releasing a capital value from the site which would not be possible; and
- **South Road Recreation Ground:** The site is in a good central location, and has no known abnormal costs. However, it was rejected because of the harmful impact on the Conservation Area and on the amenity of residents.

**5.134** Given this, it is proposed that any development of Princes Parade should accommodate a replacement leisure facility to provide a sustainable and efficient facility to meet the needs of the present and future population. Any development proposals will need to demonstrate the need for additional facilities beyond those to be replaced. Any new leisure centre would be funded by Shepway District Council through a combination of land receipts from the sale of land designated for residential and commercial use at Princes Parade (UA18); the existing swimming pool site (Policy UA19); and use of section 106 planning agreement monies owing from the Nickolls Quarry development.

**5.135** In respect of key constraints, the site is situated adjacent to the Royal Military Canal, which is a Scheduled Monument and an Area of Archaeological Potential. It is the only canal built as a fortification in the country and was part of a coastal defence system constructed between 1804 and 1809 for the purpose of defeating the expected landing and deployment of Napoleon's troops using the favourable location of Romney Marsh. The canal was re-used as an anti-invasion defence in World War II. The canal runs for a total of 28 miles from the site, through Hythe and then inland to Appledore, before joining the eastern River Rother at Iden Lock, from where it becomes part of first the Rother and then the River Brede, before being canalised from Winchelsea to its western terminus at Cliff End on the coast.

**5.136** The canal is 19m wide and 3m deep. The excavated soil was piled up on the northern bank to form a steep banquette and make an earth parapet from which soldiers could shoot unobstructed across the canal onto the lower ground on the seaward side. Behind this earth fortification there was a military road where soldiers could be moved without being seen. The canal itself was designed with kinks to allow enfilading fire along its length if the enemy attempted to cross. The Seabrook end of the Royal Military Canal is a particularly interesting section of the canal and this interest reinforces the monument's significance. Here the canal terminates and the water is allowed through the sluice gates to enter the sea. It was thought to be

particularly vulnerable from attack and was heavily defended by the redoubts on the canal's edge, as well as two Martello Towers and the Shorncliffe Battery mounted on walls behind and to the east.

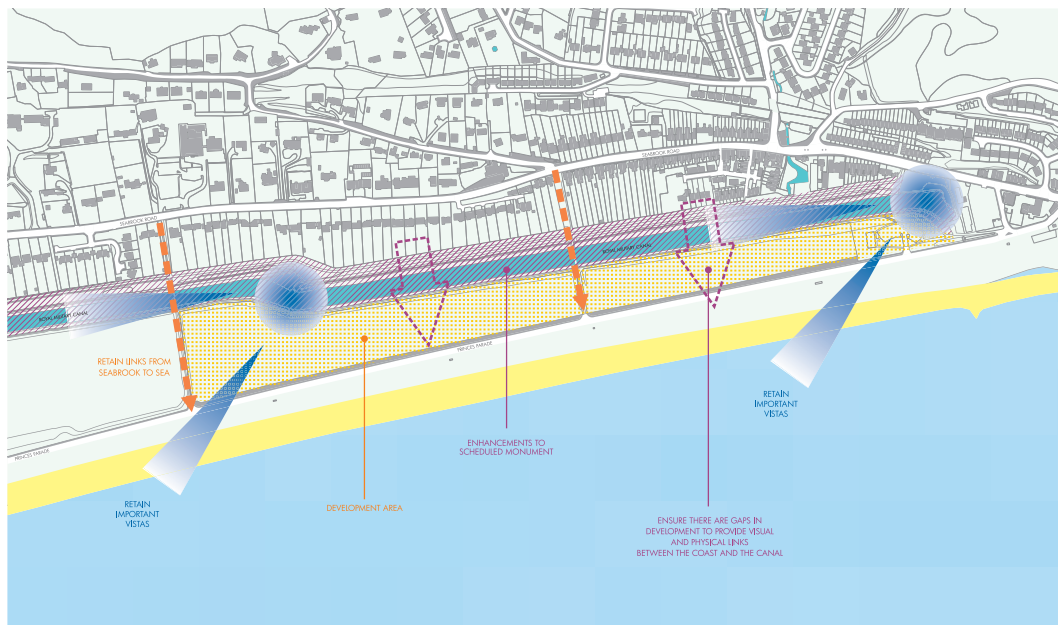
**5.137** The National Planning Policy Framework (paragraph 132) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through the alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, should be wholly exceptional.

**5.138** Over the past centuries a number of developments have slowly eroded and altered the setting of the canal at the eastern extent of Princes Parade. These include the creation of a new sealed road and sea wall in the nineteenth century along Princes Parade, which would have reduced some of the effectiveness of the original defences through the reduction in visibility to the sea from the northern parapet. This would have had a negative impact on the significance of the canal at Seabrook. Since then, the raising of the ground by using it as a refuse tip to the south of canal has reduced people's ability to appreciate the defensive logic of this part of the canal and has had a negative impact on its significance as a historically important site. The growth of planting on each side of the canal has further reduced people's ability to understand the original Military Engineer's intentions. Therefore, any development proposal for the site should seek to identify specific opportunities within the area for the conservation and enhancement of the Royal Military Canal to better reveal its significance.

**5.139** It will also be necessary for a thorough investigation of existing ground conditions to be carried out. This is to ensure that any potential for contamination associated with earlier uses is identified and mitigated as part of the redevelopment of the site. In addition, it will be necessary for the archaeological potential to be surveyed prior to the commencement of any works in order to have appropriate mitigation measures in place to respond to and record any findings of note.

**5.140** The site is close to the Sandgate Road Seabrook Pumping Station. New development must be adequately separated from the pumping station to safeguard the amenity of future occupiers and users from vibration of the equipment and this must be considered as part of any masterplanning process. The Royal Military Canal to the north is a Local Wildlife Site and that part of the development site falls within a Biodiversity Action Plan Priority Habitat (*Festuca rubra* maritime grassland and fixed dunes with herbaceous vegetation). Therefore, development should be informed by an assessment to identify features of ecological interest and seek to conserve and enhance biodiversity within the site.

**5.141** It is considered that the site could be developed for a mix of residential, leisure, commercial and recreational uses. Due regard should be given to the visual prominence of the site and its relationship with the Royal Military Canal; and it is essential that any future proposals minimise any harm caused to the significance of the canal by acknowledging and enhancing its historic significance and setting, through a well considered, high quality, sensitive and innovative design.



Princes Parade, Hythe: Key Considerations

### Picture 5.21 Princes Parade, Hythe: Key Considerations

**5.142** Key aspects include enhancing the areas around the 'kinks', which were the location of gun emplacements, and the redoubt towards the far eastern point where the canal meets the sea. Any proposals should be landscape-led, retaining the linear character of the canal, its relationship with the undeveloped southern bank and should identify key views from and to the site. In addition, there is further potential for a greater mix of uses on site to enhance the vibrancy of the proposed leisure and recreational uses, as part of a comprehensively masterplanned development. This should incorporate significant areas of public open space that enhance the use and enjoyment of the Royal Military Canal and improve connectivity and public accessibility between the canal and coast.

**5.143** An opportunity also exists to deliver much needed new housing, which will also help fund leisure and community facilities. It is considered that the site has the potential to deliver around 150 new homes but any new development will have to fully consider the constraints of the site, specifically the Scheduled Ancient Monument.

Any development will need to be masterplanned to ensure an appropriate mix of homes and to retain the openness of the coastline landscape. There should be a mix of accommodation types to meet a variety of housing needs. There is also an opportunity for eight self-build and custom build plots to be provided as part of the development.

**5.144** The Shepway Play Area Review (June 2017) also identifies the Royal Military Canal Play Area at the eastern end of Princes Parade as a destination play space. Development proposals present a significant opportunity to address deficiencies associated with the site by improving the range and quality of some of the open space and play equipment as well as supporting facilities such as toilets and changing rooms.

## Policy UA18

### Princes Parade, Hythe

The site is allocated for mixed-use redevelopment to include up to 150 residential dwellings, a leisure centre; hotel; public open space; and small scale commercial uses.

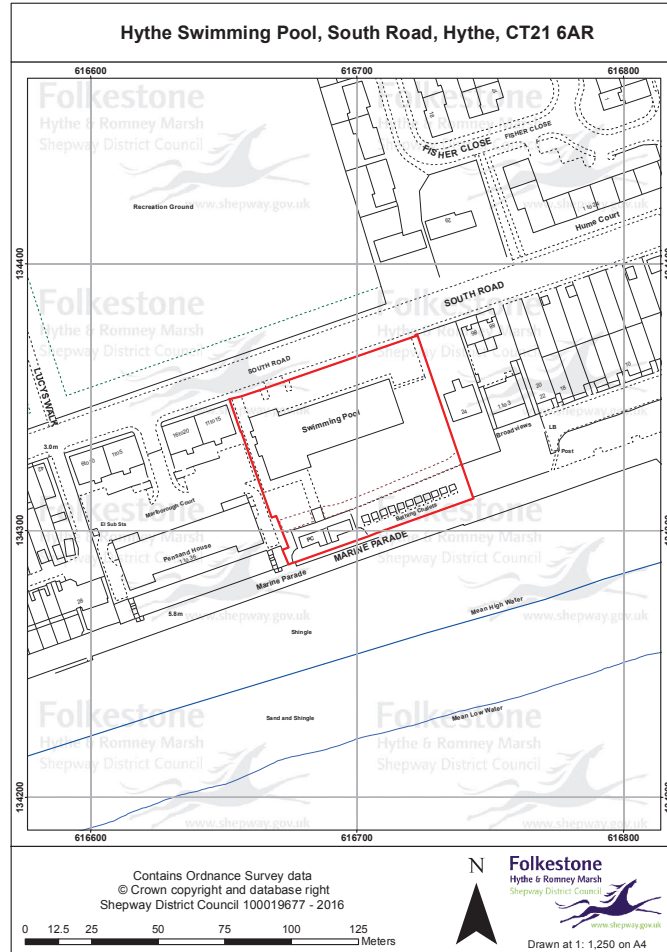
Development proposals will be supported where:

1. They form a single comprehensive masterplan of the entire site which meets with the policy requirements of this plan and the Core Strategy. The mix of uses shall include:
  - A substantial community recreation and leisure facility including an appropriate replacement for Hythe Swimming Pool, with further investigation of the inclusion of other facilities;
  - High quality public open and play space of at least 45% percent of the site area (including the promenade); incorporating the enhancement of, and linking between, the canal and beach front and accessibility east to west along the canal and coast; and
  - An appropriate mix of well designed homes within a landscape-led setting, including appropriate accommodation for the elderly, affordable housing and self-build and custom build plots in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
2. They are accompanied by an appropriate heritage assessment to demonstrate that the harm to key features of the Royal Military Canal and its historic setting, which contribute to its significance as a Scheduled Ancient Monument, would be minimised and that the overall scheme would not result in substantial harm to the heritage asset;
3. Any less than substantial harm is clearly demonstrated to be outweighed by the public benefits of the proposal, which should include heritage benefits;
4. Any potential contamination from its former use is investigated, assessed and if appropriate, mitigated as part of the development;
5. Highway and junction improvements are provided as required to the satisfaction of the Local Highways Authority;
6. Traffic flow and parking provision is assessed to ensure that the development does not put undue pressure on the local highway network and that adequate parking provision is provided so that there are no detrimental parking impacts on Princes Parade;
7. Improvements are delivered to the public bridleway along the north side of the canal to enhance its amenity value;



8. At least two links between the canal crossings and Princes Parade are provided as dedicated public footpaths or bridleways;
9. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider;
10. The masterplanning of the site takes account of the nearby pumping station to allow for odour dispersal and help prevent unnecessary unacceptable impact from vibration;
11. Access is maintained to the existing or reconfigured underground sewerage infrastructure for maintenance and up-sizing purposes;
12. Ecological and arboricultural investigations are undertaken and adequate mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat; and
13. Appropriate protection, preservation and integration of the Royal Military Canal Local Wildlife Site is provided and there is a demonstrable net gain in the protection of wildlife.

## Hythe Swimming Pool, South Road, Hythe



**Picture 5.22 Hythe Swimming Pool, South Road, Hythe**

**5.145** Hythe Swimming Pool is situated on South Road within central Hythe. It remains in operation at present, but the pool has become outdated and no longer represents a viable community facility. Accordingly, the Council is currently looking at opportunities to provide a modern new replacement swimming pool facility at nearby Princes Parade. In turn, this would release the existing site for development.

**5.146** The site covers 0.5ha of previously developed land. The pool building itself is housed in a single storey pitched-roof building, with a low flat-roofed extension to the western side. A car park for approximately 22 cars is provided to the front of the building and a 1920s café, public toilets and beach huts are located to the south.

**5.147** North of the site is an open recreation ground, while immediately south is the seafront. To the east and west sides of the site are established residential properties. To the west, a mix of two and a half storey houses front South Road and apartments facing the seafront. To the east is a range of dwelling types, including apartments. Marine Parade, a pedestrian promenade, runs along the southern boundary, with the beach beyond this.

**5.148** The site is in a sustainable location close to a range of shops and local services in Hythe High Street, as well as a choice of schools, doctors' surgeries and leisure facilities. It also benefits from being close to public transport links, in particular the local bus network along the A259 Seabrook Road.

**5.149** There are no known constraints associated with the site.

**5.150** It is envisaged that development could take a similar form to that of the land to the west, with conventional housing fronting South Road and apartments adjoining the seafront, while retaining and enhancing the existing café, public toilets and beach huts within any scheme or re-providing the facilities nearby.

## Policy UA19

### Hythe Swimming Pool, Hythe

The site is allocated for residential development with an estimated capacity of approximately 50 dwellings.

Development proposals will be supported where:

1. Appropriate and proportionate contributions, through a S106 agreement, are made towards the upkeep and/or improvement of open space and existing play facilities at Hythe Recreation Ground;
2. It can be demonstrated that a replacement facility is to be delivered locally;
3. The café, public toilets and beach huts are retained or replaced;
4. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and
5. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.



## Romney Marsh Character Area

## 6 Romney Marsh Character Area

### Introduction

**6.1** With flat, open and exposed landscapes formed by human activity and its relationship to the sea, Romney Marsh is different to the rest of the district. The twelfth century saw the start of a reclamation project, where embankments were built to enclose large blocks of land, and the start of drainage organisation. For a long part of its history, this was a benighted part of the county, where many local people perished from 'Marsh Fever'. As a result of a lack of manpower to undertake more labour intensive forms of agriculture, the Marsh became famous for sheep farming. This form of animal husbandry has, in turn, helped to shape the landscape. The open and remote qualities have inspired many writers and artists.

**6.2** The Marsh is home to some of the UK's rarest species and a large proportion of the area is designed as a National Nature Reserve, Special Area of Conservation (SAC), Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI). In addition to this, a Ramsar site was officially designated in early 2016. Dungeness and Rye Harbour comprise the largest cusped shingle foreland in Europe, one of the few such large examples in the world. The extensive marshes of the hinterland, now a mixture of arable and grazing land dissected by an extensive network of ditches and watercourses, support a rich flora and fauna and form a striking contrast to the coastal habitats of sandy and shingle beaches, freshwater pits, sand dunes, saline lagoons and flooded gravel pits. The open water network is a vital component of the marshes' irrigation and drainage network. The coast continues to evolve; pressures of sea level rise and climate change will result in coastal change. Informed decision making will be critical in helping coastal communities and habitats adapt to change. Much of the area is well below the high tide level and as such, is at risk of flooding.

**6.3** Scattered settlements are linked by long, straight, open roads. Towns and villages have a distinctive architectural character, some have weather-boarding and hung tiles and many have medieval churches at their core. However, overall, built development account for a small proportion of this rural area. The transport links are sparse and this, coupled with the nature of the landscape, rural isolation and lack of employment, means that parts of the Marsh suffer from social and economic deprivation.

**6.4** Dungeness Point is dominated by the nuclear power station sites and their associated transmission lines that extend inland from the coast, forming the backdrop to views both within and outside the area. The military has historically been an important presence in the area, and today the Military of Defence is a major landowner on the shingle foreland at the Lydd and Hythe ranges.

**6.5** Lydd Airport has been a significant feature for more than 50 years and, by 2019, is expected to have implemented planning consent for extended runways and a new terminal building, to allow passenger flights using aircraft the size of Boeing

737 or Airbus 319, thereby creating up to 200 more jobs locally. In addition, commercial fishing on Dungeness Point, the military firing ranges at Lydd, ongoing gravel extraction from the shingle and the Little Cheyne Court Wind Farm all make their mark on the landscape.

**6.6** The nuclear power stations at Dungeness have been central to the Marsh's economy for many years contributing some £50 million to the local economy annually. They employ some 1,200 people, many of whom live on the Marsh and further away in Shepway, Ashford and Rother districts. The decommissioning of the power stations will have a big impact on the area's economy. Decommissioning of the Magnox 'A' site is underway with the site planned to enter care and maintenance in 2027. EDF Energy's 'B' station is now expected to cease generation in 2028, following which a lengthy process of decommissioning would ensue. In response to this, and supported by Magnox and the Nuclear Decommissioning Authority, Shepway District and Kent County Council produced a socio-economic action plan for Romney Marsh to ensure the area has a sustainable economic future and remains a great place to live. This led to the formation of the [Romney Marsh Partnership](#) in 2012 to lead the delivery of the [Romney Marsh Socio-Economic Action Plan](#), an economic strategy to tackle the negative impacts of nuclear decommissioning. In the case of the Dungeness sites, the potential for employment creation through smaller-scale nuclear generated power and ancillary uses relating to the nuclear or other industries will be kept under review.

**6.7** The Core Strategy sets out the aspirations for the area. At the heart of this vision for New Romney is improving the lives of local people through access to well paid employment, improved infrastructure, transport and essential services. At the same time the special coastal ecology and wildlife sites, particularly Dungeness, will continue to be a special haven for rare species and actively managed to ensure sustainability. Another key theme is that the natural assets, coastal habitats and key infrastructure will show greater adaptability to climate change. Given that the Marsh has a history of reclaiming land from the sea and trying to stop its subsequent inundation, this theme will remain a challenge.

**6.8** In accordance with Core Strategy Policy SS1: District Spatial Strategy, *"The future spatial priority for new development in the Romney Marsh Area is on accommodating development at the towns of New Romney and Lydd, and at sustainable villages; improving communications; protecting and enhancing the coast and the many special habitats and landscapes, especially at Dungeness; and avoiding further co-joining of settlements and localities at the most acute risk to life and property from tidal flooding."*

**6.9** Following this, development proposals should:

- Retain the rural character of villages, ensuring that any new development is sensitively sited and screened with native trees to minimise its impact on views.

Materials should be carefully chosen to blend with the existing built environment, and to minimise the visual intrusion of large structures;

- Ensure that new development is of an appropriate scale and massing, so that existing vernacular buildings are not dwarfed;
- Protect the settings of historic sites and buildings, paying particular attention to the visual impacts of structures which appear on the horizon in views; and
- Take into account the linear landscape pattern and traditional tree species when integrating any new development into the landscape.

**6.10** The Core Strategy sets out a requirement that approximately 10 per cent of new dwellings should be located in this area in accordance with the plan's Spatial Strategy by 2030/31 <sup>(1)</sup>. (The Introduction to Part One provides more information on the Core Strategy's development targets).

**6.11** The Core Strategy sets out a settlement hierarchy in Policy SS3: Place-Shaping and Sustainable Settlements Strategy which guides the distribution of development to particular locations, taking into account existing facilities and where future investment will be focused.

**6.12** The sections below set out policies and site allocations for settlements within the Romney Marsh Character Area in line with the following settlement hierarchy:

- Strategic Town - New Romney (incorporating Littlestone-on-Sea);
- Service Centre - Lydd;
- Rural Centre - Dymchurch;
- Primary Villages - St Mary's Bay, Greatstone-on-Sea, Brookland and Brenzett; and
- Secondary Villages - Ivychurch, Newchurch and Burmarsh.

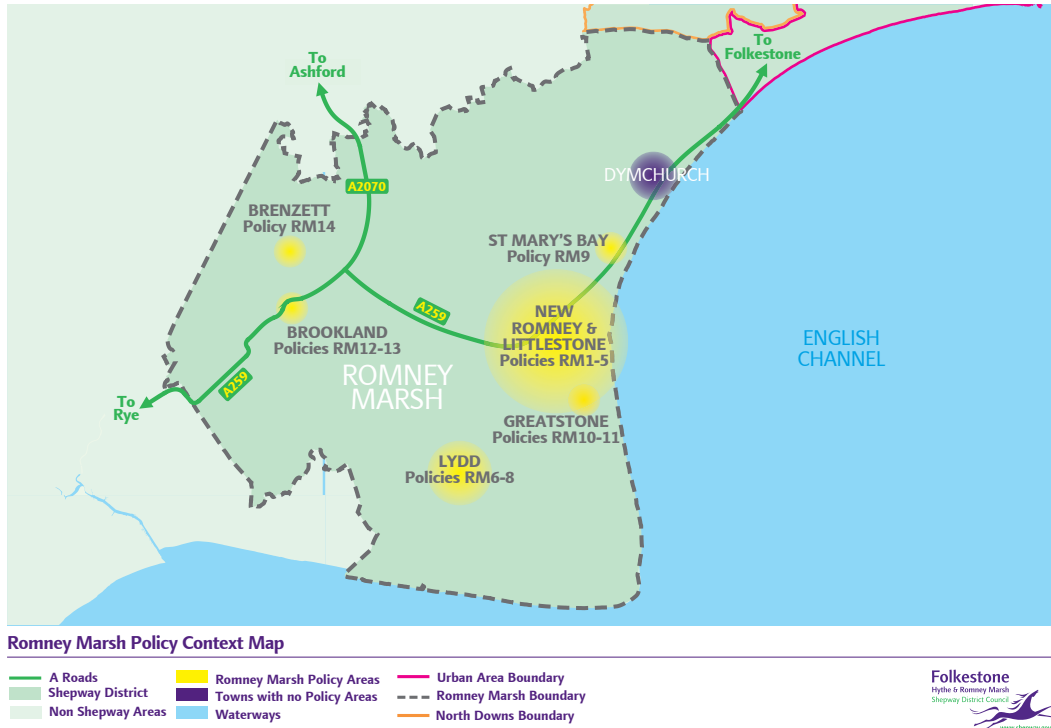
The chapter closes by describing Dungeness.

**6.13** This chapter should be read in conjunction with others in the plan, in particular Chapter 11: Retail and Leisure, which contains policies for the centres of New Romney, Lydd and Dymchurch (Policy RL7: Other District and Local Centres).

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1 To the nearest 5 per cent SDC (2012) Modifications Technical Note





Picture 6.1 Romney Marsh Policy Map

## Strategic Town - New Romney Town (incorporating Littlestone-on-Sea)

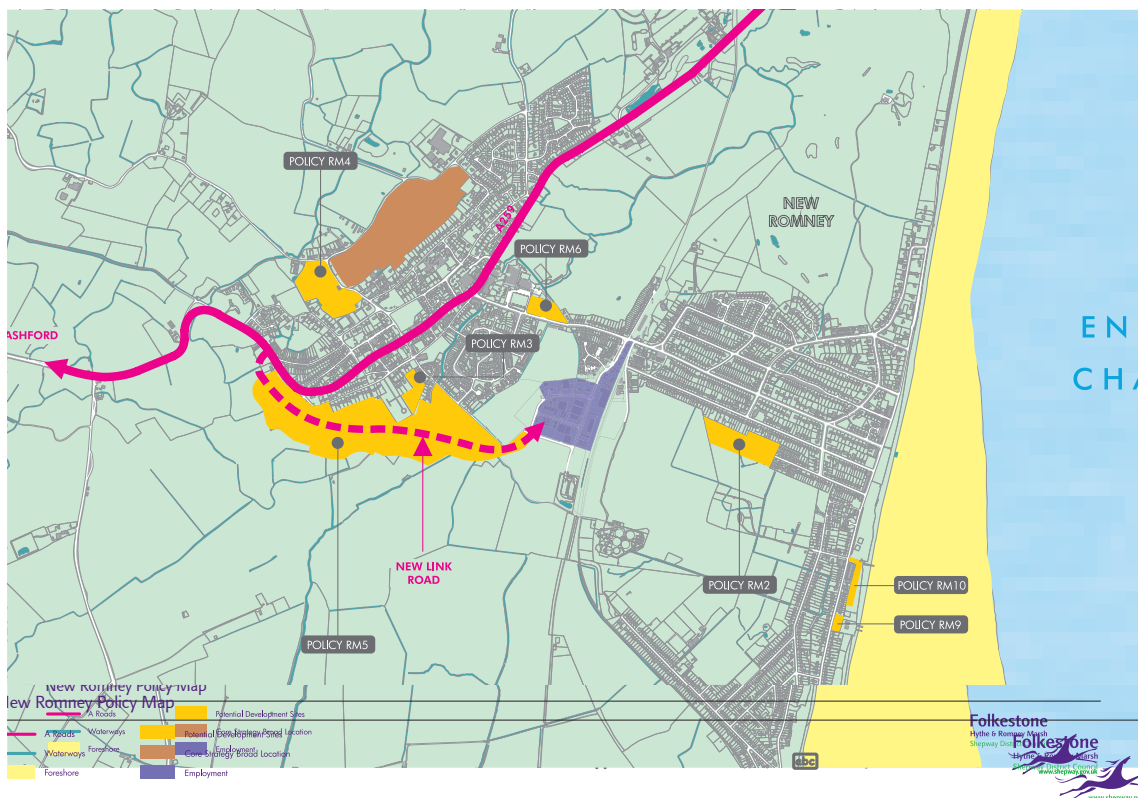
**6.14** New Romney is a late Anglo-Saxon (850-1066AD) settlement, which grew into a small trading town. By the eighth century the coastline had changed dramatically and New Romney became a prominent port on the new harbour that had formed. A Royal Charter of 1155AD names New Romney as one of the five original Cinque Ports. They were originally formed for military and trade purposes and were at the height of their influence from 1150 to 1350AD. New Romney and Hythe were important suppliers of salt to London, but in the latter part of the thirteenth century a series of severe storms weakened the coastal defences of Romney Marsh. The storm that hit the southern coast of England in 1287AD changed the coastline and the landscape of Romney Marsh definitively. New Romney, still an important harbour at the time, became surrounded by land and suddenly found itself a mile from the sea.

**6.15** Today the town of New Romney retains a range of historic buildings. These include the ruins of St John's Priory, a medieval Cistercian Priory established in the thirteenth century. Early fourteenth century high-status domestic buildings are found at 3 and 4 West Street. The imposing Norman St Nicholas Church, once adjacent to the harbour, is the only survivor of six parish churches once serving the town.

**6.16** New Romney has a range of shops, eating places and services along its High Street, a petrol station and a supermarket, as well as a primary school and a secondary school. The town extends to the north-east and south-east, with mainly residential dwellings extending down to the communities of Littlestone and Greatstone on the coast. These dwellings are interspersed with business premises, many of which are residential and care homes.

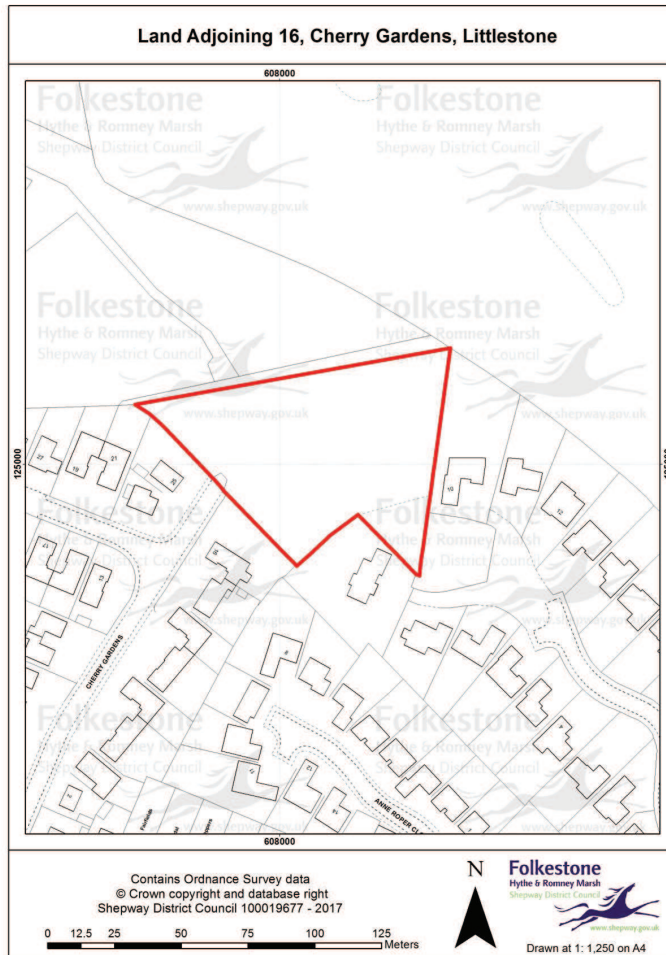
**6.17** According to Core Strategy Policy SS1: District Spatial Strategy, *"The strategic growth of New Romney is also supported to allow the market town to fulfil its potential to sustainably provide for the bulk of the housing, community infrastructure and commercial needs of the Romney Marsh Area."*

**6.18** Policy CSD8: New Romney Strategy establishes New Romney as a key market town in Romney Marsh. The policy seeks to enhance New Romney's High Street by improving the public realm and pedestrian circulation. Other measures include improving the setting of historic buildings within the High Street, minimising the environmental impact of traffic and investing in community facilities.



Picture 6.2 New Romney Policy Map

## Land off Cherry Gardens, Littlestone



**Picture 6.3 Land off Cherry Gardens, Littlestone**

**6.19** The site is located to the north of Littlestone, accessed from Cherry Gardens where there is an existing vehicular access and two footpaths into the site. The site is currently used for pasture and is sandwiched between areas of residential development, adjoining the settlement boundary. Although it is on the edge of the settlement, the site is in a sustainable location and within walking distance of the facilities and services of Littlestone and New Romney.

**6.20** The south eastern boundary of the site adjoins Cherry Gardens, a residential street which is characterised by dwellings of varied architectural design and size, but typically comprises set back, detached bungalows to the eastern side of the street and two-storey, detached dwellings to the west.

**6.21** Trees on the south east of the site are protected by a blanket Tree Preservation Order (TPO), beyond which is Orchard Drive, a residential cul-de-sac containing large two-storey detached properties set within generous plots.

**6.22** To the north west of the site is open agricultural land, while to the north east is Littlestone golf course, with the SSSI and Ramsar designations bordering the north eastern edge of the site. There is an existing mature hedgerow to the northern boundary of the site which should be retained and enhanced, together with the trees to the south eastern boundary.

**6.23** The site is 0.6ha in size and is considered suitable for 10 dwellings depending on the size and layout.

### Policy RM1

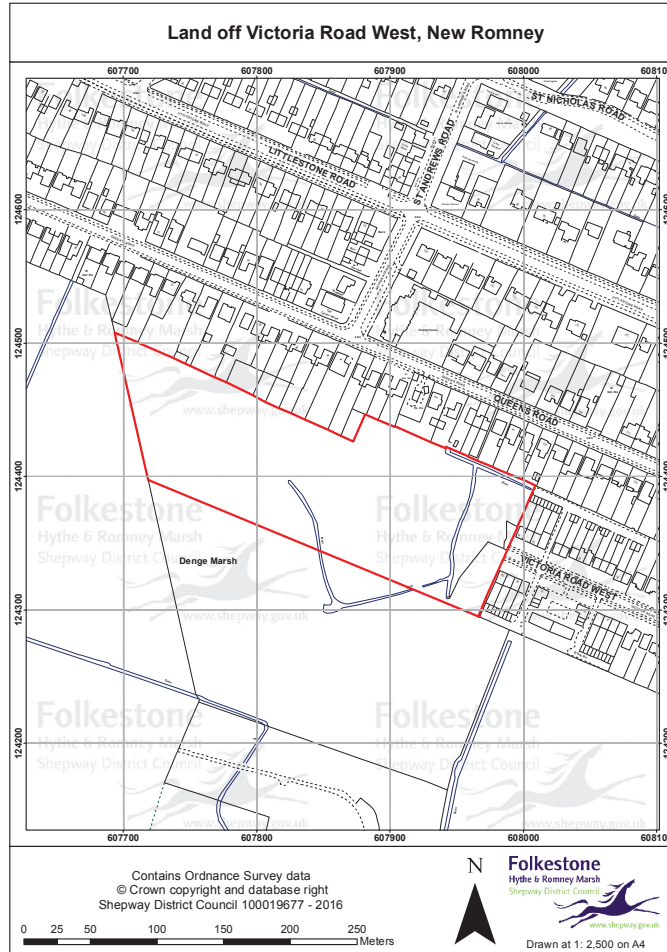
#### **Land off Cherry Gardens, Littlestone**

Land off Cherry Gardens, Littlestone is allocated for residential development with an estimated capacity of 10 dwellings.

Development proposals will be supported where:

1. Vehicular access to the site is provided from Cherry Gardens;
2. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced, particularly along the northern, eastern and south eastern boundaries;
3. The northern building edge is fragmented and softened with a strong focus on landscaping to form a buffer;
4. The proposal acknowledges the surrounding urban grain, fronting dwellings onto streets and following the existing built edge wherever possible;
5. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
6. The development avoids adverse effects on the adjacent Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest and Ramsar designations, incorporating biodiversity enhancement measures;
7. A Phase 1 Habitat Survey is undertaken by a licensed ecologist to assess the presence of Protected Species on or near the site; and
8. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Land off Victoria Road West, Littlestone



**Picture 6.4 Land off Victoria Road West, Littlestone**

**6.24** This site is located to the south west of Littlestone, at the northern end of Victoria Road West and to the rear of properties fronting onto Queens Road. The site is open countryside and forms part of a larger field used for grazing animals, with few features. The site adjoins the settlement boundary and would be a logical continuation of the existing pattern of development in the area, which predominantly consists of long, wide, linear roads running to the coast. Although it is on the edge of the developed area, the site is in a sustainable location and within walking distance of the facilities and services of New Romney and Littlestone.

**6.25** Adjoining the site to the north are the residential gardens of properties fronting onto the south side of Queens Road, with a boundary featuring a mixture of hedgerow and fencing. Development here is predominantly modern but with a mixture of dwelling types and sizes. To the east is Victoria Road West, separated from the site with a

farm gate and fencing; development here is very uniform being predominantly two-storey and neo-Georgian in appearance. Immediately to the south and west is open grazing land with no existing boundaries.

**6.26** Shepway District Council is working with Kent County Council on options to fund and deliver a new healthcare facility under the 'hub' approach in New Romney on the site subject to proposed Policy allocation RM5. Funding through S106 contributions has been gained from sites identified within Policy CSD8 of the Core Strategy and further funding can be provided through contributions from sites in Policies RM2 and RM4 of this plan. Other funding options may also come forward in due course. Initial feasibility work is being progressed by both the South Kent Coast Clinical Commissioning Group and Kent County Council to draw up a viable and deliverable scheme.

**6.27** The site includes land with archaeological potential, and development should ensure that it avoids or significantly mitigates the impact of 'significant' flood risk on part of the site, as highlighted by the Council's Strategic Flood Risk Assessment.

**6.28** In order to avoid potential pollution impacts from surface run-off and/or foul drainage, connection to sewerage drainage should be a requirement for any application, and based on confirmation of sufficient capacity at the local sewage treatment works.

**6.29** New development must be adequately separated from pumping stations to safeguard the amenity of future residents from vibration of the equipment and this must be considered as part of any masterplanning process.

**6.30** Lastly, land within the site has been identified as a Mineral Safeguarding Area for storm beach gravel. If appropriate, for example in relation to the site's coastal flood prevention properties and biodiversity value, the storm beach gravel should be worked prior to development.

**6.31** The site is 2.9ha in size and is considered suitable for 70 dwellings with the opportunity for some self-build and custom build plots, depending on the size and layout.

## Policy RM2

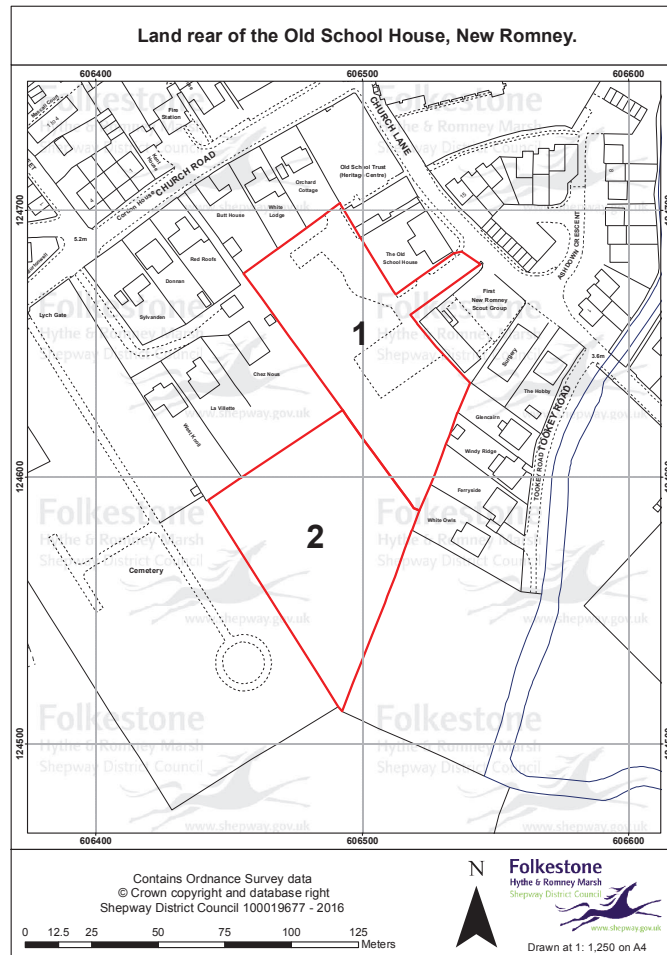
### **Land off Victoria Road West, Littlestone**

Land off Victoria Road West, Littlestone is allocated for residential development with an estimated capacity of 70 dwellings.

Development proposals will be supported where:

1. Vehicular access to the site is from Victoria Road West, and a suitable layout is provided to enable an emergency access along the southern boundary of the site to the satisfaction of the local highway authority. Adequate parking to serve the new development should be provided;
2. At least 4 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
3. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
5. Provision is made for open and play space on site or adjacent, and reinforces the integration and connectivity of green infrastructure in accordance with Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation;
6. Mitigation measures are employed to prevent adverse effects on the nearby Ramsar, Special Area of Conservation and Site of Special Scientific Interest, and where possible provide biodiversity enhancements;
7. Appropriate and proportionate contributions are made to healthcare facilities in New Romney through a site-specific Section 106 agreement; and
8. The masterplanning of the site takes account of the nearby pumping station to allow for odour dispersal and prevent unacceptable impact from vibration.

## Land rear of the Old School House, Church Lane, New Romney



**Picture 6.5 Land rear of the Old School House, Church Lane, New Romney**

**6.32** This site forms two parcels of land, located south of the commercial centre of the town, within the settlement boundary. The sites can provide small-scale infill development in a sustainable location a few steps from a surgery and within walking distance of a range of local shops and services. They also benefit from a location outside Flood Zones 2 and 3, an important factor in the Marsh area. Part of Site 1 consists of hardstanding which is used for car parking, the remainder is scrubland with fairly dense vegetation. Site 2 is a more open, grassed area, used as a garden and recreation area.



**6.33** Site 1 is surrounded by development on all sides, to the north east the site adjoins the old school building, the Scout Headquarters hut and the doctors' surgery on Church Lane. Site 2 adjoins New Romney Cemetery to the west, residential development on Church Road to the north, open countryside to the south and Site 1 to the north.

**6.34** These two sites have indicative capacities of 10 dwellings each, creating an overall capacity across the adjacent sites of 20 dwellings. Site 1, which accesses from Church Lane, measures 0.4ha, while Site 2, adjacent to the cemetery, measures 0.44ha. Planning permission was granted (Y15/0235/SH) in May 2017 for the erection of 14 dwellings together with associated parking and landscaping on Site 1, whilst planning permission was granted for Reserved Matters on Site 2 (Y16/0567/SH) in September 2016 for the erection of four dwellings with associated access. However, should planning permission on these sites lapse, the Council considers that it is important that both of these sites come forward for development through a single unified masterplan and proposal.

### Policy RM3

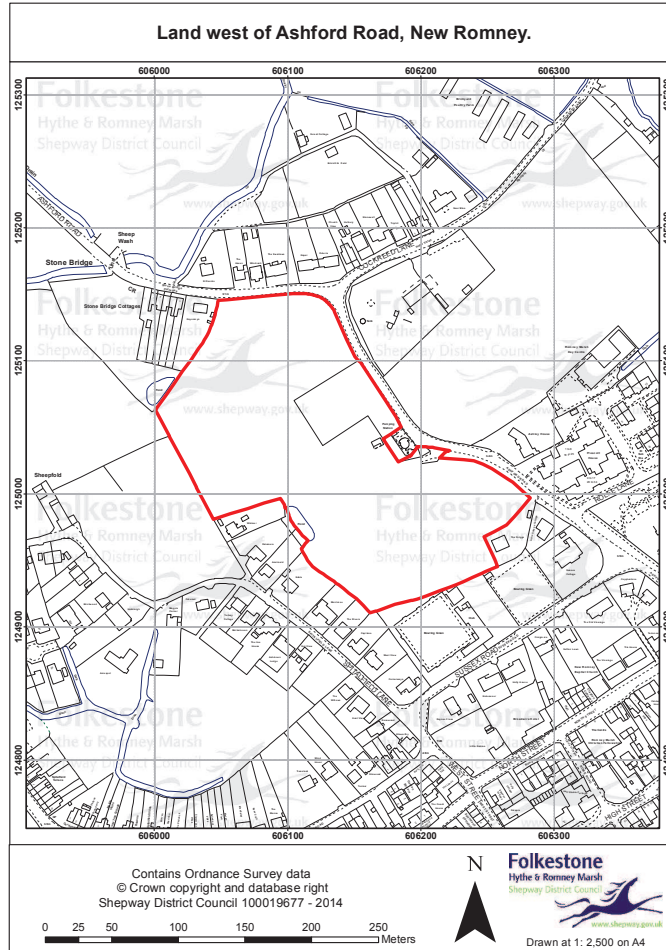
#### **Land rear of the Old School House, Church Lane, New Romney**

Land rear of the Old School House, Church Lane is allocated for residential development with an estimated capacity of 20 dwellings.

Development proposals will be supported where:

1. Vehicular access to the site is provided from Church Lane;
2. Both sites are integrated in a unified masterplan, and come forward for development together in accordance with the masterplan;
3. Pedestrian permeability is ensured within and beyond the site to the public rights of way network;
4. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
5. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
6. The design of the development preserves or enhances the character and setting of nearby heritage assets, including the Grade I Listed Church of St Nicholas, New Romney High Street Conservation Area and other nearby Listed Buildings;
7. A Phase 1 Habitat Survey is undertaken by a licenced ecologist to assess the presence of Protected Species on or near the site;
8. Existing trees and hedgerows around the perimeter of the site are retained and enhanced; and
9. The design of the development takes account of the setting of the cemetery directly adjacent, softening the south and western edge of the development with a strong focus on landscaping.

## Land west of Ashford Road, New Romney



**Picture 6.6 Land west of Ashford Road, New Romney**

**6.35** The Core Strategy highlighted a broad location for the strategic direction of New Romney's expansion in its Policy CSD8: New Romney Strategy. This area comprises a linear block to the north-west of the centre of the town, between Rolfe Lane and Cockreed Lane. To complement and extend this allocation, an area of land to the south-west has been allocated, rounding-off this part of the settlement. It is not envisaged that there will be a further requirement to extend beyond this site in this plan period.

**6.36** The site is in a sustainable location close to New Romney High Street, and is adjacent to the broad location allocation and the settlement boundary. The site consists of fields which are used to graze horses and a couple of small structures and sheds related to horse keeping. The site is bounded by a mixture of mature hedgerow and fencing, with a further mature hedgerow cutting the site in two running

from east to west. Ashford Road runs along the east of the site and beyond this is land allocated for development in the broad location identified by the Core Strategy. In addition there is a sewage pumping station immediately adjoining the site, the implications of this on the development will require further investigation with Southern Water. To the south of the site is residential development and the New Romney Bowls Club. To the south west the site adjoins the gardens of residential properties on Spitalfield Lane, a mixture of modern, detached dwelling types and to the west, further open grazed fields. Ashford Road also runs along the north of the site and across from this are further residential properties, mostly modern, detached and either bungalows or two-storey dwellings.

**6.37** Shepway District Council is working with Kent County Council on options to fund and deliver a new healthcare facility under the 'hub' approach in New Romney on the site subject to proposed Policy allocation RM5. Funding through S106 contributions has been gained from sites identified within Policy CSD8 of the Core Strategy and further funding can be provided through contributions from sites in Policies RM2 and RM4 of this plan. Other funding options may also come forward in due course. Initial feasibility work is being progressed by both the South Kent Coast Clinical Commissioning Group and Kent County Council to draw up a viable and deliverable scheme.

**6.38** New development must be adequately separated from the pumping station to safeguard the amenity of future residents from vibration of the equipment and this needs to be considered as part of any masterplanning process. The layout of the scheme should also seek to either avoid building over, or facilitate the diversion of, existing sewerage infrastructure to allow access for maintenance and improvements.

**6.39** The site is 3.22ha in size and is considered suitable for 60 dwellings, with the opportunity for some self-build and custom build plots, depending on the size and layout.

## Policy RM4

### Land west of Ashford Road, New Romney

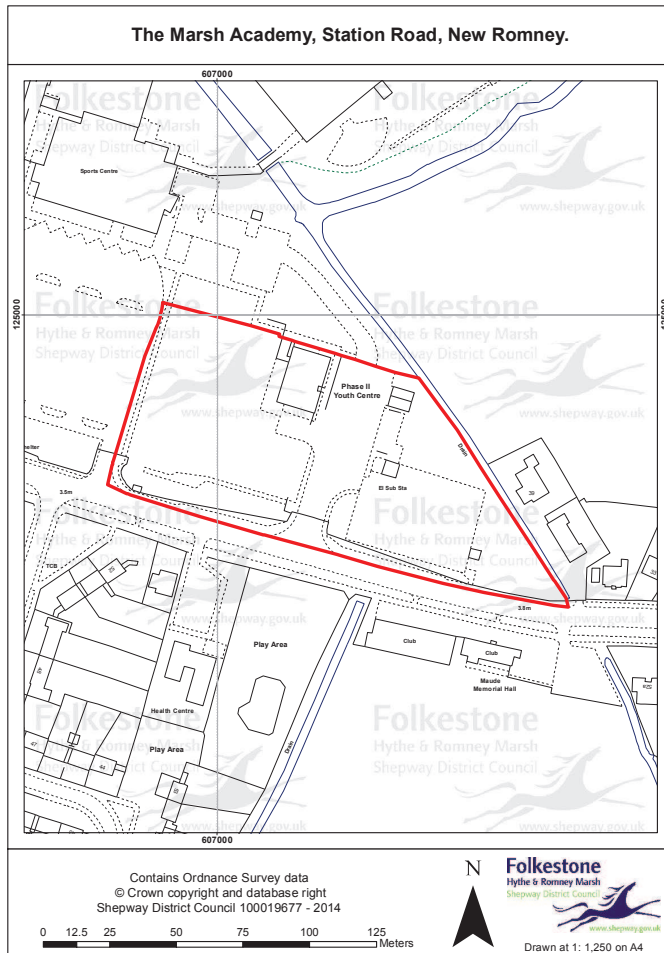
Land west of Ashford Road, New Romney is allocated for residential development with an estimated capacity of 60 dwellings.

Development proposals will be supported where:

1. A footpath and appropriate lighting is provided along the road frontage with Ashford Road;
2. Access is provided through the existing site access on Ashford Road, with an additional emergency access provided at the north of the site;
3. A pedestrian crossing point is provided to the satisfaction of the local highway authority across Ashford Road, to include dropped kerbs and tactile paving;
4. A Traffic Assessment is undertaken to take account of the cumulative impact of development on the local road network, and contributions will be sought for any required improvements to mitigate the impact of the development;
5. At least 3 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
6. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
7. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
8. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
9. The design of the development responds to the town's historic character and seeks to preserve or enhance the character and setting of the New Romney High Street Conservation Area;
10. Provision is made for open and play space on site or nearby, and reinforces the integration and connectivity of green infrastructure in accordance with Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation;
11. The rural western edge of the development is fragmented and softened with a strong focus on landscaping to form a buffer;
12. A Phase 1 Habitat Survey is undertaken by a licenced ecologist to assess the presence of Protected Species on or near the site. The pond on this site should be assessed for ecological importance and, if appropriate, compensation for its loss (if it occurs) will be required;
13. The masterplan should deliver enhancements to public access within greenspaces on the site, connecting and improving the existing public rights of way;

14. Appropriate and proportionate contributions are made to healthcare facilities in New Romney through a site-specific Section 106 agreement;
15. The masterplanning of the site should take account of the nearby pumping station to allow for odour dispersal and help prevent unacceptable impact from vibration; and
16. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes.

**Land adjoining The Marsh Academy, Station Road, New Romney**



**Picture 6.7 Land adjoining the Marsh Academy, New Romney**

**6.40** Following the redevelopment of the school site, the footprint of the school building has been greatly reduced. This land, which borders existing built development, has been put forward for a mixed-use development comprising a medical facility and some residential use, together with other community uses. While an existing community facility is located on the site, the majority of the land is previously developed and covered by scrub and grass.

**6.41** This site is brownfield and adjacent to the New Romney settlement boundary. Given this, and that other constraints on the site are minimal, there is potential for the development of a mixed-use community hub in this location. The site is well-bounded to the north and north-east, so that the possibility of further encroachment into the countryside is reduced, and it is well placed to access existing local services. The site is located relatively centrally to serve the population of New Romney and Littlestone-on-Sea, as well as the wider area.

**6.42** Shepway District Council is working with Kent County Council, as landowner, to discuss options to fund and deliver a new healthcare facility under the 'hub' approach, whereby the County Council would retain a landowner interest as landlord. Funding through S106 contributions has been gained from sites identified within Policy CSD8 of the Core Strategy and further funding can be provided through contributions from sites in Policies RM2 and RM4 of this plan. Other funding options may also come forward in due course. Initial feasibility work is being progressed by both the South Kent Coast Clinical Commissioning Group and Kent County Council to draw up a viable and deliverable scheme.

**6.43** To support delivery of necessary underground sewage infrastructure, a connection to the sewerage network at the nearest point of adequate capacity must be provided on this site.

**6.44** The site is 0.98ha in size and is considered suitable for a medical facility under the 'hub' model that could provide for other community uses, together with some residential use to support the delivery of the facility.



## Policy RM5

### **Land adjoining The Marsh Academy, Station Road, New Romney**

Land adjoining the Marsh Academy, Station Road is allocated for a mixed-use development to provide a medical facility under the 'hub' model that could provide for other community uses. Residential uses will be permitted on the site to support the delivery of the medical facility.

Development proposals will be supported where:

1. A single comprehensive masterplan is formed for the site;
2. On-site medical facilities are provided under an appropriate healthcare hub that could provide for other community uses to serve the town of New Romney and the wider rural area;
3. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
4. The north, north-east edge of the development should have a strong focus on landscaping to form a buffer between the Romney Marsh Local Landscape Area, utilising Landscape and Visual Impact Assessment to inform the master plan;
5. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
6. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
7. An appropriate number of self-build or custom built plots are provided in accordance with Policy HB4: Self-build and Custom Housebuilding Development; and
8. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

## Service Centre - Lydd

**6.45** Lydd developed as a settlement during the Romano-British period on a shingle island when the coast at the time cut off Lydd from the mainland. The settlement continued into the Saxon period, with the Saxon church using Roman materials as part of its construction. All Saints Church has been described as the 'Cathedral of the Marsh' and the town has the greatest number of medieval houses on the Marsh. Lydd reached the height of its prosperity during the thirteenth century, when it was a corporate member of the Cinque Ports. As with much of the Marsh, the town was a base for smuggling in the eighteenth and nineteenth centuries.

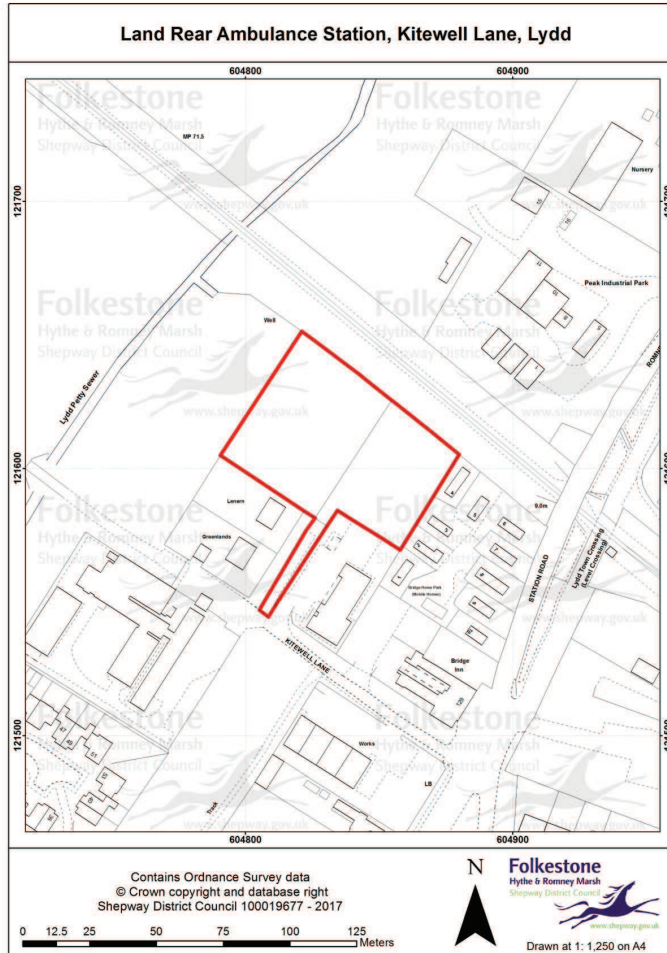
**6.46** Lydd is the second largest centre on the Romney Marsh, with a population of about 5,500. The airport north of the town is well-established and has attracted significant investment proposals. Lydd is within the Dungeness Shingle Landscape Character Area, which is described further below.

**6.47** The Core Strategy priority in Policy SS1: District Spatial Strategy is for development which helps to maintain and support the local role of the market town of Lydd, and to address its regeneration needs.

**6.48** The northern part of Lydd centres on the railway line that connected Appledore and Dungeness. However, passenger services at Lydd Station ceased on 6 March 1967, with freight services ending on 4 October 1971. Since then, various light industrial uses emerged flanking the railway line, while residential uses filled the gap between the historic centre and the railway. Light industrial uses remain, but there is a need to consolidate the locality into a coherent place and a strong need for some provision of local services for residents.

**6.49** A moderate amount of growth is proposed for Lydd in this plan period, with an opportunity for some self-build and custom build housing plots.

## Kitewell Lane, rear of the Ambulance Station, Lydd



**Picture 6.8 Kitewell Lane, rear of Ambulance Station, Lydd**

**6.50** This site lies immediately south-west of the railway line in north Lydd, accessed from Kitewell Lane where there is an existing access adjacent to the Ambulance Station. The site is currently unused scrubland located behind the Ambulance Station and two residential properties (Lern and Greenlands) on Kitewell Lane.

**6.51** The eastern boundary of the site adjoins the rear gardens of properties located in Home Park, a small cul-de-sac accessed from Kitewell Lane. The north eastern boundary runs adjacent to the railway line, while the western boundary borders the Local Wildlife Site, with the SSSI beyond.

**6.52** The site is 0.39ha and is considered suitable for 8 dwellings, depending on the size and layout.

## Policy RM6

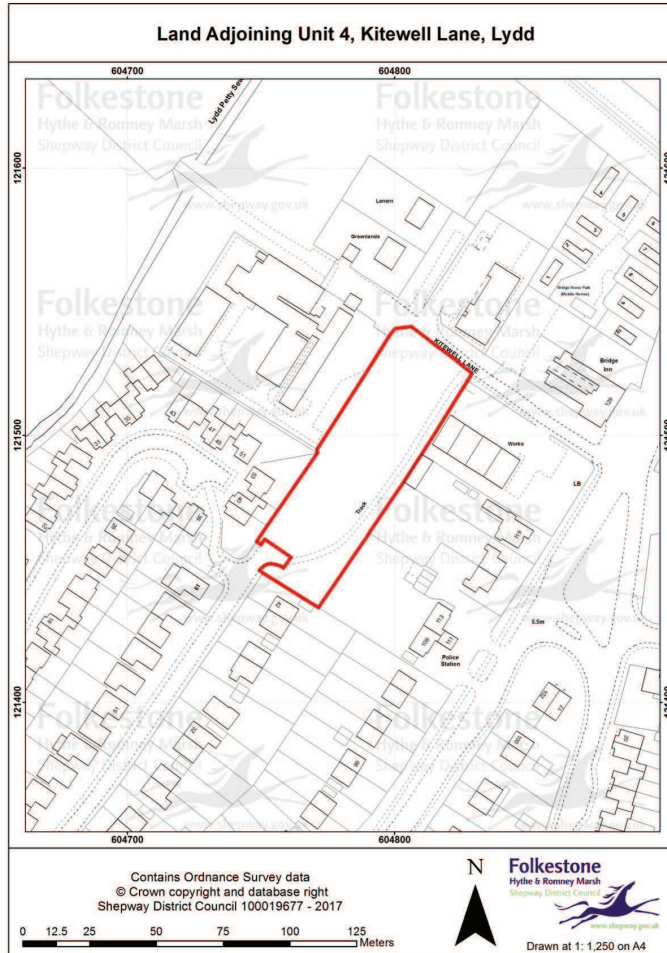
### **Kitewell Lane, rear of the Ambulance Station, Lydd**

Kitewell Lane, rear of the Ambulance Station, Lydd is allocated for residential development with an estimated capacity of 8 dwellings.

Development proposals will be supported where:

1. Kitewell Lane is widened to a minimum of 4.1m in width with a 1.2m wide footpath to accommodate the proposed development, within the extent of the adopted highway. The access spur to serve the site is to be laid out as a shared surface with a 1m service strip on one side. The access strategy will be to the satisfaction of the local highway authority;
2. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
3. Appropriate protection, preservation and integration of the Local Wildlife Site is provided;
4. The development avoids adverse effects on the adjacent Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest and Ramsar designations, incorporating biodiversity enhancement measures;
5. Any potential contamination from the site's former use is investigated, assessed and if appropriate, mitigated as part of the development;
6. A Phase 1 Habitat Survey is undertaken by a licensed ecologist to assess the presence of Protected Species on or near the site; and
7. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Land South of Kitewell Lane, Lydd



**Picture 6.9 Land South of Kitewell Lane, Lydd**

**6.53** This site is located between Kitewell Lane and Poplar Lane in north Lydd, within the settlement boundary. It is an oblong strip of unoccupied scrubland and was previously allocated for employment uses. Employment development has not come forward and, given the proximity of residential uses, it is now considered suitable for housing.

**6.54** The site is broadly uneven, with an informal track running between Poplar Lane and Kitewell Lane, and is relatively unconstrained. While pedestrian permeability should be maintained within and around the site, vehicular access should only be from Poplar Lane.

**6.55** To the north east and north west of the site there are light industrial and storage units. The south east and south west boundaries of the site adjoin existing residential properties.

**6.56** The layout of any scheme should seek to either avoid building over, or facilitate the diversion of existing sewage infrastructure so that it can continue to perform its function effectively and allow access for necessary maintenance and improvement.

**6.57** The site is 0.51ha and is considered suitable for nine dwellings, depending on the size and layout.

### **Policy RM7**

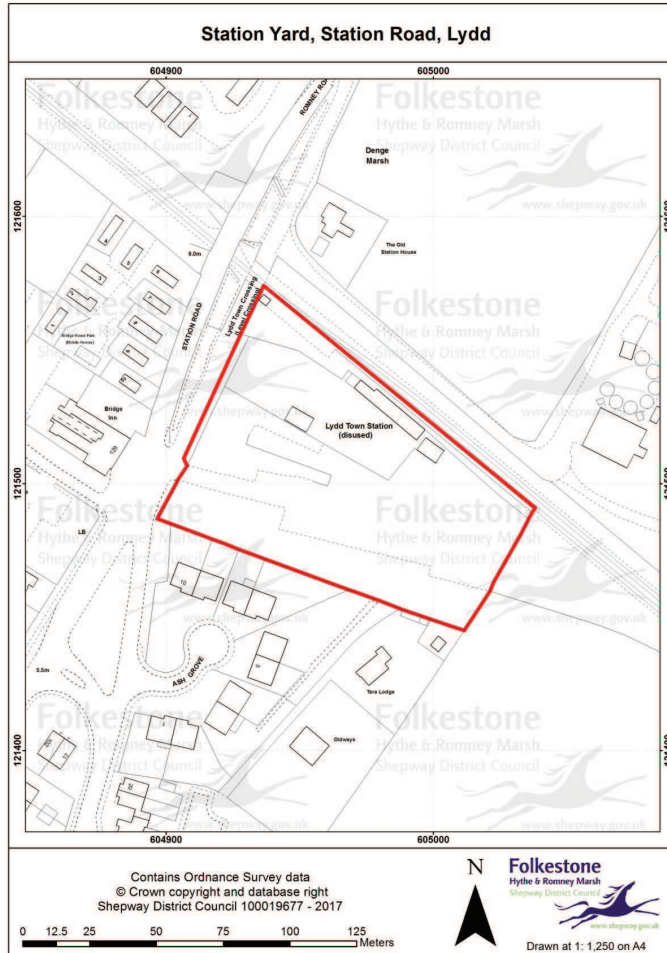
#### **Land South of Kitewell Lane, Lydd**

Land South of Kitewell Lane, Lydd is allocated for residential development with an estimated capacity of 9 dwellings.

Development proposals will be supported where:

1. Vehicle access to the site is provided from Poplar Lane;
2. Development ensures pedestrian permeability throughout and beyond the site, with pedestrian links to Poplar Lane and Kitewell Lane;
3. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
4. Any potential contamination from former use is investigated, assessed and if appropriate, mitigated as part of the development;
5. A Phase 1 Habitat Survey is undertaken by a licensed ecologist to assess the presence of Protected Species on or near the site;
6. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
7. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes.

## Station Yard, Station Road, Lydd



**Picture 6.10 Station Yard, Station Road, Lydd**

**6.58** This site is located to the north of Lydd on the eastern side of Station Road within the settlement boundary. The site is accessed from Station Road which runs adjacent to the western boundary of the site. The site comprises the former Lydd Railway Station.

**6.59** Previously the Council has sought to encourage employment uses on this site. However, the market has not delivered any feasible proposal and, given the proximity of residential uses, it is now considered suitable for housing to secure the future of the site and the retention of its important historic assets.

**6.60** There remain two buildings relating to the station on the site, and their reuse will anchor a sense of place, character and history to any new development. To this end, a character analysis of this site will be sought prior to development. Given the general lack of services in this part of Lydd, the creation of a local shop would be encouraged, utilising the existing buildings.

**6.61** The northern boundary of the site runs adjacent to the railway line. The southern boundary of the site adjoins the rear gardens of properties located in Ash Grove, a small residential cul-de-sac characterised by semi-detached bungalows. To the east of the site there are open fields.

**6.62** The size of the site in this location will require proportionate contributions to healthcare improvements at the Orchard House Surgery in Lydd made through a Section 106 agreement.

**6.63** Land within this site has been identified as a Mineral Safeguarding Area for storm beach gravel. If appropriate, for example in relation to the site's coastal flood prevention properties and biodiversity value, the storm beach gravel should be worked prior to development.

**6.64** The site is 0.87ha and is considered suitable for 30 dwellings, depending on the size and layout.



## Policy RM8

### **Station Yard, Station Road, Lydd**

Station Yard, Station Road, Lydd is allocated for residential development with an estimated capacity of 30 dwellings.

Development proposals will be supported where:

1. The up-platform, main station building, goods shed, and loading dock are all retained and returned to use, ideally for retail or other compatible use, to provide the locality with missing services and to maintain the link with North Lydd's past. An assessment of these historic assets is undertaken;
2. A Traffic Regulation Order is sought to close access from Station Road onto Harden Road next to the application site, and ensure that traffic accesses the site from the junction slightly further south. This is due to the existing private access onto Station Road having limited visibility due to the railway bridge. This part of Harden Road should then become two-way for vehicular traffic;
3. A footpath connection is delivered by the scheme to link up with Ash Grove to enable sustainable journeys to and from the site;
4. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
5. Appropriate protection, preservation and integration of the Local Wildlife Site is provided;
6. The development avoids adverse effects on the adjacent Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest and Ramsar designations, incorporating biodiversity enhancement measures;
7. Any potential contamination from the former use is investigated, assessed and if appropriate, mitigated as part of the development;
8. A Phase 1 Habitat Survey is undertaken by a licensed ecologist to assess the presence of Protected Species on or near the site;
9. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
10. An appropriate number of self-build or custom built plots are provided in accordance with Policy HB4: Self-build and Custom Housebuilding Development; and
11. Appropriate and proportionate contributions are made to healthcare facilities in Lydd through a site-specific Section 106 agreement.

## Rural Centre - Dymchurch

**6.65** Dymchurch gets its name from the Anglo Saxon place '*Deman Ciric*' meaning 'Judge's burial ground' and was probably a place of execution at that time. The sea wall was originally built by the Romans and the settlement is mentioned in the Domesday Book. Dymchurch was the main centre of the marsh where the governors administered justice from the New Hall on New Hall Close, which dates from 1575.

**6.66** The area was run by twenty-three Lords of the Manors of Romney Marsh (also known as 'The Lords of the Levels'). The Lords of the Level, jurats and bailiffs met to discuss and govern the Marsh area and this group still meets annually although they no longer have any powers. The court was always busy as smuggling was rife in the area because of its remote location. Dymchurch is the setting for the Dr Syn novels, involving smuggling, in which the protagonist attempts to help the people of Dymchurch and the surrounding area evade excise tax.

**6.67** Dymchurch has been the frontline against threats of invasion, both by enemy forces and by the sea. The Martello Towers provided security from foreign powers, and the great sea wall from the risk of flooding.

**6.68** While residential development would generally be encouraged in a rural centre with access to a range of services, and is supported by Core Strategy policy, the Strategic Flood Risk Assessment indicates that the vast majority of undeveloped sites relating to this settlement are subject to 'significant' flood risk. In addition, local infrastructure would require upgrading to allow for substantial development. For these reasons, no sites have been allocated in Dymchurch for this plan period. However, windfall sites could come forward if they can be made acceptable to the Environment Agency in mitigating flood risk and are in accessible locations.

## Primary Villages - St Mary's Bay, Greatstone-on-Sea, Brookland and Brenzett

### St Mary's Bay

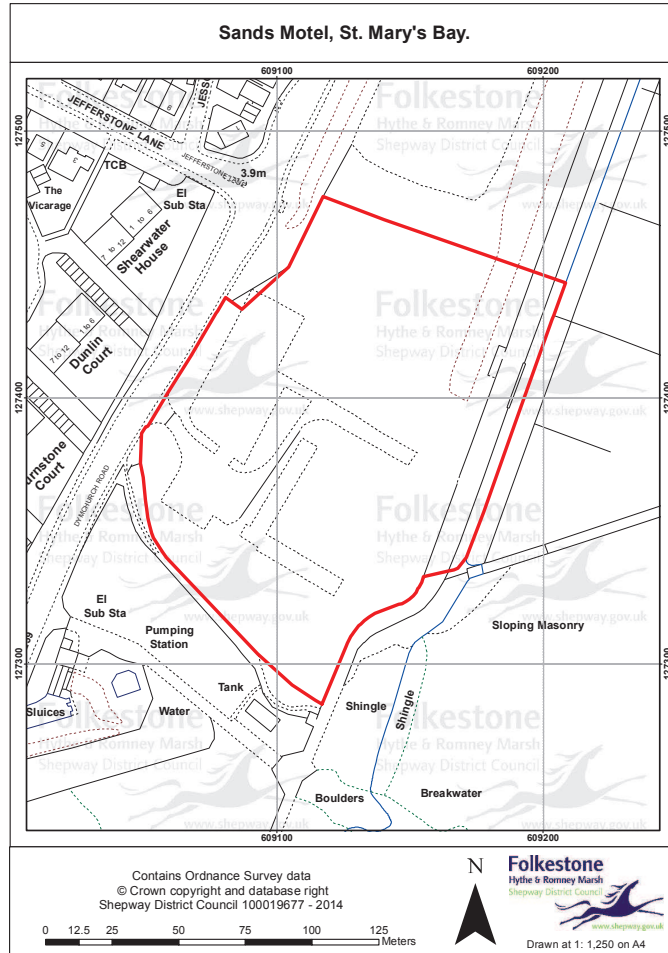
**6.69** St Mary's Bay is a relatively new development in the area, created as a seaside village to cater for the 1920s boom in seaside holidays. The area had its heyday in the 1960s and today contains a number of static caravan and holiday parks as well as a number of second homes alongside permanent residences.

**6.70** St Mary's Bay, Dymchurch, and much of New Romney, including Littlestone and Greatstone, are situated within the Romney Marsh Coast Landscape Character Area. This comprises a strip of developed east-facing coastline, including shingle, sandy beaches and sand dunes. Settlements are connected by the Romney, Hythe and Dymchurch Railway, and small-scale steam engines are a regular sight.

**6.71** This stretch of coastline needs constant defence from the sea, as much of the development is at or below sea level. The Dymchurch wall was started in 1288 to supplement the protection provided by natural banks of shingle. Today, the sea wall runs for much of the length of the character area, and in the northern part is a highly-engineered structure, defended on the seaward side with rock armour. As well as invasion from the sea, Romney Marsh has also been threatened with invasion by armies crossing the channel. Consequently, the coastline contains a number of defensive structures, including distinctive Martello Towers from the Napoleonic Wars. The area is also a popular holiday destination, and contains many caravan parks and associated tourism development.

**6.72** The settlement offers a reasonable level of service provision yet, like Dymchurch, suffers from 'significant' flood risk on many of its undeveloped sites. For this reason, only one site is considered suitable for designation in this plan period.

## Former Sands Motel, Land adjoining the Pumping Station, Dymchurch Road, St. Mary's Bay



**Picture 6.11 Former Sands Motel, Land adjoining the Pumping Station, Dymchurch Road, St. Mary's Bay**

**6.73** The site is located to the east of St Mary's Bay, fronting the Dymchurch Road (A259) on the coast. The site is previously developed and within the settlement boundary. Part of the site was once the location for a motel but the motel buildings no longer exist, and today the site consists of scrubland with some hardstanding.

**6.74** The site is a sustainable location, as the village facilities and services are within close walking distance, including bus stops, the village hall, post office and public house.

**6.75** To the north of the site is a grassed area used for seasonal car parking and a building containing public toilets. Immediately to the east of the site the land rises up to the sea wall and promenade with the sandy beach beyond. To the south is a pumping station and the Rugby Club campsite land and buildings beyond. The west of the site is bounded by hedgerow and trees, with Dymchurch Road and a bus stop. The area beyond the road is residential; closest to the site are Shearwater House and Dunlin Court, which are two three-storey blocks of flats, set back from the road with a large grassed area.

**6.76** In respect of constraints to the south the site adjoins the designated Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest and is located 2km away from a Special Protection Area and wetland of international importance, known as a Ramsar site. In addition a large part of the site is recognised for its archaeological potential.

**6.77** Shepway District Council is working with Kent County Council on options to fund and deliver a new healthcare facility under the ‘hub’ approach in New Romney on the site subject to proposed policy allocation RM5. Other funding options may also come forward in due course. Initial feasibility work is being progressed by both the South Kent Coast Clinical Commissioning Group and Kent County Council to draw up a viable and deliverable scheme.

**6.78** To support the delivery of necessary underground sewage infrastructure, a connection to the sewerage network at the nearest point of adequate capacity must be provided.

**6.79** Approximately 55 per cent of this site is within a national Biodiversity Action Plan Priority (BAP) Habitat (coastal and floodplain grazing marsh) while approximately 70 per cent is within a local BAP Priority Habitat (other grazing marsh pasture sub-communities). Therefore, development should be informed by an assessment to identify features of ecological interest and should conserve and enhance biodiversity within the site.

**6.80** Lastly, land within the site has been identified as a Mineral Safeguarding Area for storm beach gravel. If appropriate, for example in relation to the site's coastal flood prevention properties and biodiversity value, the storm beach gravel should be worked prior to development.

**6.81** The site is 1.6ha in size and is considered suitable for 85 dwellings, depending on the size and layout. Planning permission was granted (Y07/1566/SH) in June 2016 for the erection of 85 dwellings and formation of a new access.

## Policy RM9

### **Former Sands Motel, Land adjoining pumping station, Dymchurch Road, St Mary's Bay**

Land at the former Sands Motel site is allocated for residential development with an estimated capacity of 85 dwellings.

Development proposals will be supported where:

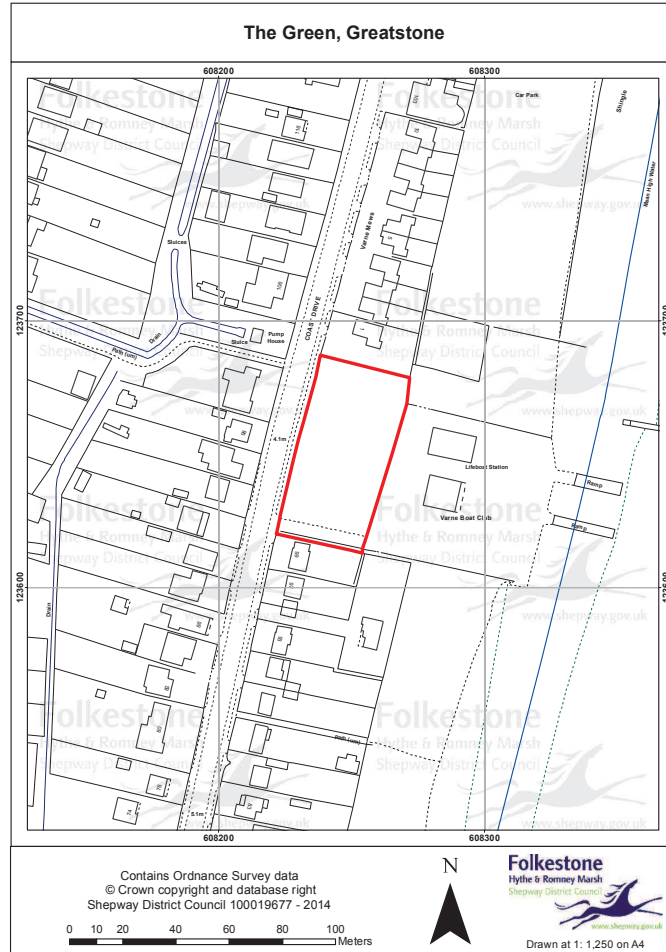
1. Highway improvements are provided to serve the development, including the widening of the A259 by 1.2m from the north side of Jefferstone Lane southwards over a distance of approximately 135m, allowing right turn lanes into both Jefferstone Lane and the new development;
2. Existing vehicle access from Dymchurch Road is upgraded to serve the development;
3. Contributions are provided to lengthen and widen the bus stop on the east side of the A259;
4. The existing pelican crossing is upgraded to a puffin crossing;
5. Development ensures pedestrian permeability throughout and beyond the site to the public rights of way network;
6. The existing seasonal car park to the north of the site is upgraded and enlarged to provide 205 parking spaces, 29 of which should be disabled. Surfacing should make provision for surface water drainage;
7. The site is raised to provide a base platform at 5.5m ODN to make the development safe from flood risk;
8. A public coastal park and play area alongside the public car park are provided, together with arrangements for the future management of these areas, to be no less than 0.82ha in size;
9. The development avoids adverse effects on the Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest and Special Protection Area, incorporating biodiversity enhancement measures;
10. Mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
11. An appropriate number of self-build or custom built plots are provided in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
12. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
13. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

## Greatstone-on-Sea

**6.82** Greatstone is a village situated between farmland and a nature reserve to the west and the English Channel to the east, forming a linear extension of Littlestone southwards down the coast. It has a fine sandy beach popular with bathers and wind surfers alike. Greatstone is centered around Dunes Road, extending, generally parallel to the coast, to Clark Road to the north, adjacent to Littlestone. To the south it extends to the south end of Leonard Road, adjacent to Lydd-on-Sea. Nearly all its properties are residential with a few shops, local pubs, restaurants, holiday homes and two holiday parks. In the 1920s the area was predominantly covered by sand dunes and consisted of just a few properties mainly used as holiday homes. There was widespread development in the 1960s and 1970s, however, leading to the sizable community it is today.

**6.83** Two modest infill allocations are proposed for Greatstone in this plan period.

## Land rear of Varne Boat Club, Coast Drive, Greatstone



**Picture 6.12 Land rear of Varne Boat Club, Coast Drive, Greatstone**

**6.84** The site is a gap in the development which runs along Coast Drive in Greatstone. The site adjoins the settlement boundary and is previously developed land, having been occupied by public conveniences, however, a concrete base in a grassed area is now all that remains.

**6.85** The site is surrounded on three sides (north, south and west) by mostly modern residential dwellings. To the north and south these are prominently two-storey detached or semi-detached properties; however to the west the properties are predominantly bungalows. To the east the site adjoins the Varne Boat and Social Club and Lifeboat Station. Beyond this is the beach which is designated as a Site of Special Scientific Interest (Dungeness, Romney Marsh and Rye Bay) and Special Protection Area and wetland of international importance, known as a Ramsar site.



**6.86** Approximately 92.5 per cent of this site is within a local Biodiversity Action Plan Priority Habitat (fixed dunes with herbaceous vegetation). Therefore, development should be informed by an assessment to identify features of ecological interest and should conserve and enhance biodiversity within the site.

**6.87** The site is 0.23ha in size and is considered suitable for five dwellings, depending on the size and layout. Planning permission (Y15/1132/SH) has been granted for an outline application for the erection of four detached dwellings.

## Policy RM10

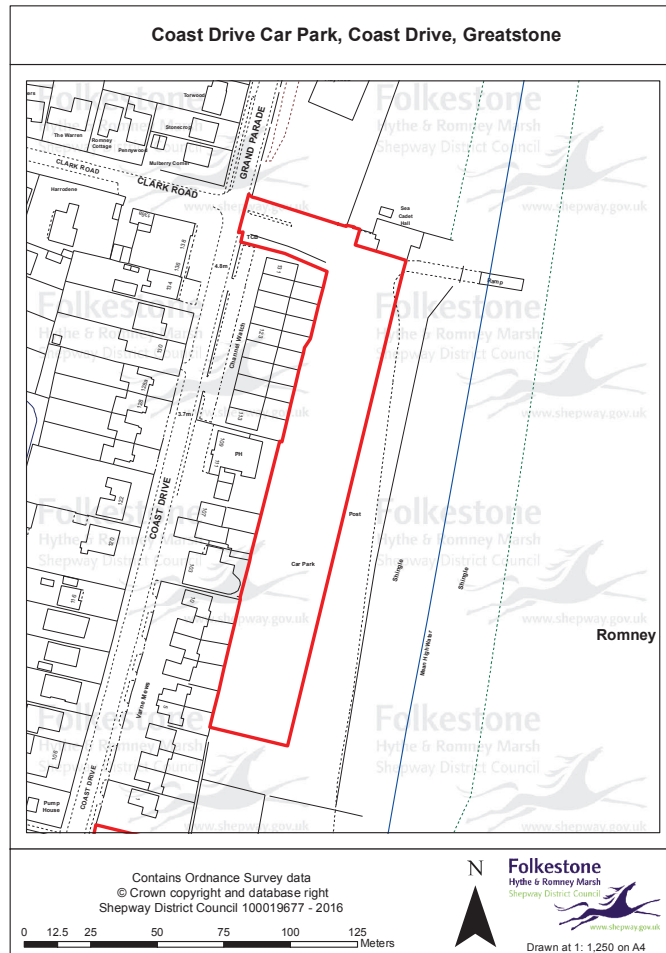
### **Land rear of Varne Boat Club, Coast Drive, Greatstone**

Land rear of Varne Boat Club, Coast Drive is allocated for residential development with an estimated capacity of 5 dwellings

Development proposals will be supported where:

1. Within dwellings, no sleeping accommodation is provided at ground floor level due to the site's location within Flood Zones 2 and 3;
2. A buffer zone of 15m is provided around the existing Environment Agency river culvert that traverses the site;
3. Development fronts Coast Drive, respecting and maintaining the established building line;
4. Biodiversity enhancement measures are put in place to minimise any effects on the Special Protection Area and wetland of international importance and Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest;
5. The archaeological potential of the land is properly considered and measures agreed to monitor and respond to any finds of interest; and
6. Mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat.

## Car park, Coast Drive, Greatstone



Picture 6.13 Car Park, Coast Drive, Greatstone

**6.88** This site is to the north of Varne Boat Club, accessed off Coast Drive and is currently used as a car park.

**6.89** The site is a narrow strip running behind houses and a restaurant which front onto Coast Drive; these properties all lie to the west of the site and are predominantly two storeys in height and modern in construction. To the south of the site is a boat store and grassed area, with the Lifeboat Station beyond. To the north is the Seawatch Hut which is used by the Sea Cadets, beyond this is a recreation and play area and a parade of beach huts. To the east is the beach which is designated as a Site of Special Scientific Interest (Dungeness, Romney Marsh and Rye Bay) and Special Protection Area and wetland of international importance, known as a Ramsar site.

**6.90** Approximately 50 per cent of this site lies within a local Biodiversity Action Plan Priority Habitat (fixed dunes with herbaceous vegetation). Development should therefore be informed by an assessment to identify features of ecological interest and seek to conserve and enhance biodiversity within the site.

**6.91** Lastly, land within the site has been identified as a Mineral Safeguarding Area for storm beach gravel. If appropriate, for example in relation to the site's coastal flood prevention properties and biodiversity value, the storm beach gravel should be worked prior to development.

**6.92** The site is 0.47ha and is proposed for allocation with an indicative capacity of 16 dwellings depending on the size and layout, incorporating a number of public car parking spaces.

## Policy RM11

### **Car park, Coast Drive, Greatstone**

Car park, Coast Drive is allocated for residential development with an estimated capacity of 16 dwellings.

Development proposals will be supported where:

1. A Traffic Assessment is undertaken to assess the loss of part of the car park on this site. This should demonstrate the impact on local roads in the vicinity. There must be a commitment to retention and improvement of the access to the eastern part of the existing car park for continuing public use and a further 50 public car parking spaces within the allocation site;
2. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
3. Biodiversity enhancement measures are put in place to minimise any effects on the Special Protection Area and wetland of international importance and Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest;
4. Mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
5. The archaeological potential of the land is properly considered and measures agreed to monitor and respond to any finds of interest; and
6. The England Coast Path is accommodated in the site layout to ensure pedestrian permeability throughout and beyond the site.

## Brookland

**6.93** Perhaps the earliest reference to Brookland comes from the 1252-3 Calendar of Charter Rolls of the Reign of Henry III, but a century earlier a custumal noted the expansion of 80 acres of Christ Church tenant land, *de brocland*.

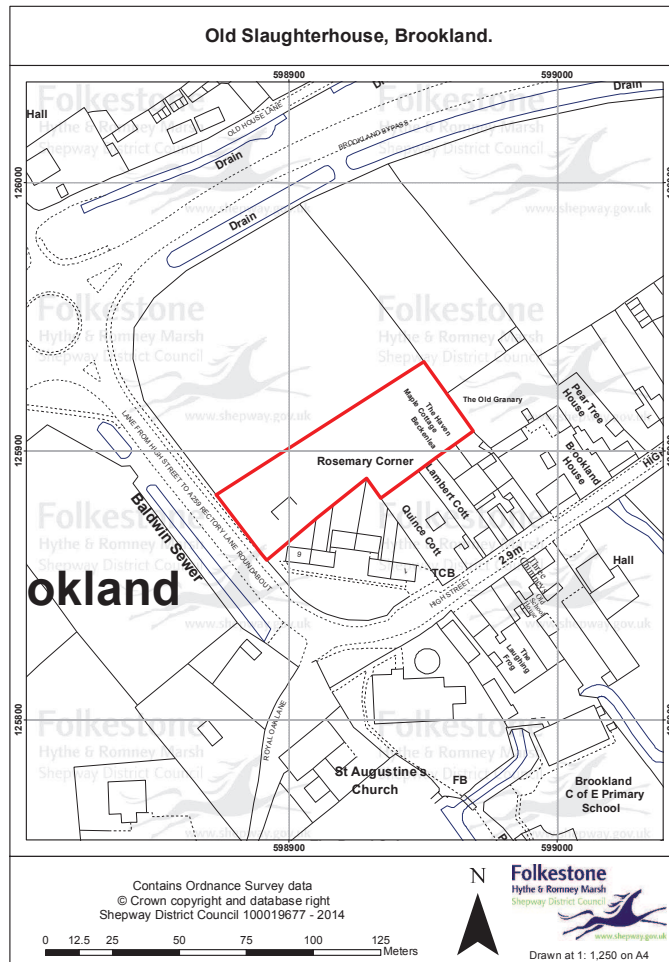
**6.94** Today's village is a small community of some 200 dwellings, with a primary school, church, cemetery, two public houses and a village hall. St. Augustine's Church has the unusual, if not unique, feature of an entirely wooden spire separate from the body of the church.

**6.95** The landscape character area is labelled 'Brookland Farmlands'. It is constituted by an area of marsh which was reclaimed from the sea and settled in the early medieval period. This process was undertaken systematically, creating a strongly linear landscape, with parallel lanes and field boundaries, although the pattern is stronger at the western end of the Landscape Character Area. The historic pattern of strip-shaped parish boundaries also shows how the reclaimed land was divided between existing parishes located in Romney Marsh Proper. The only village within this character area is Brookland, although there are scattered farms (mostly along roads) and the ruin of Midley Church. This is the most densely-treed area on the Marsh, and parallel lines of trees (mostly willow) and hedgerows are a distinctive feature of this area. The area is predominantly arable land, although there are some small areas of surviving sheep pasture.

**6.96** The settlement of Brookland is physically divided between its older and newer parts, with the older part covered by a Conservation Area designation. The newer part is over 200m to the west, beyond the Brookland Bypass, as is formed entirely of late twentieth century residential development.

**6.97** A moderate amount of growth is proposed in Brookland in this plan period.

## The Old Slaughterhouse, 'Rosemary Corner', Brookland



**Picture 6.14 The Old Slaughterhouse, 'Rosemary Corner', Brookland**

**6.98** The site is located off Straight Lane, on the edge of the older part of Brookland village, adjoining the settlement boundary. This site constitutes previously development land contiguous with the existing built-up area of Brookland and its Conservation Area. Today there is not much remaining on site to show its former use, other than some brickwork and fencing, and it is now mostly scrub. The site is located within a very short walking distance of the local services and facilities, such as the primary school, church and public house.

**6.99** To the south the site adjoins residential development, namely Rosemary Corner which is a cluster of modern 1960s and 1970s bungalows on the corner of Straight Lane and High Street, appearing to be out of keeping with this part of the village. Also bordering the site to the south east are a number of gardens of dwellings

fronting onto High Street; the majority of these houses are listed and are in the historic core of Brookland. The west of the site fronts directly onto Straight Road. The north and east adjoin agricultural fields, but at present there is no obvious boundary between the site and the fields to the north.

**6.100** The site is 0.27ha in size and is considered suitable for 5 dwellings depending on the size and layout.

### Policy RM12

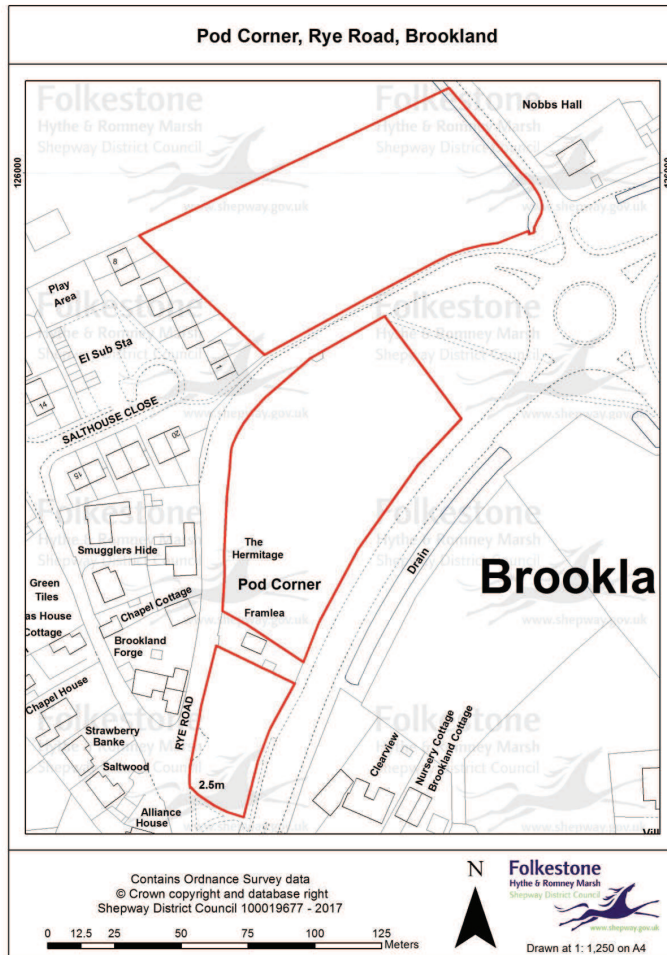
#### **The Old Slaughterhouse, 'Rosemary Corner', Brookland**

The site is allocated for residential development with an estimated capacity of 5 dwellings.

Development proposals will be supported where:

1. The design and layout of the development preserves or enhances the setting of the nearby Brookland Conservation Area, Listed Buildings and heritage features;
2. A Phase 1 Habitat Survey is undertaken by a licenced ecologist to assess the presence of Protected Species on or near the site;
3. The north west and north east boundaries are softened with a strong landscape buffer; and
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

## Land north and south of Rye Road, Brookland



**Picture 6.15 Lands north and south of Rye Road, Brookland**

**6.101** The aspirations for Brookland for this plan period also include three sites which relate to the newer part of the village, all of which are situated north of the Brookland Bypass. The sites can come forward for development together or individually, but in the first instance they should all be masterplanned together, to achieve a coherent design that includes public open space and play space to meet the deficit identified in the Open Space Strategy and Play Area Review. This location is, in principle, a relatively sustainable one for a rural setting.

**6.102** Land north of Rye Road is a field to the north of Brookland at the cross roads of Rye Road to the south and Rectory Lane to the east. To the north are further open fields, with no boundary at present separating the site from the field beyond. To the west the site adjoins the gardens of residential dwellings on Salthouse Close; these dwellings are modern, two-storey semi-detached properties.

**6.103** Land south of Rye Road is an agricultural field lying between the Brookland Bypass (A259) to the east and Rye Road to the west. To the south is a two-storey house, Framlea, and the site faces existing modern, two-storey dwellings to the west of Rye Road. The majority of the site is bounded by a mixture of mature hedgerow and trees, with a particularly strong boundary running along the A259. To the north west across Rye Road is the site known as Land north of Rye Road.

**6.104** Further to the south of Rye Road is land adjoining Framlea; an area of scrubland. Proposals for this site have been dismissed at appeal, based on existing policies, however it is considered that this site is suitable for development, if masterplanned coherently with the two sites to the north, to meet the future housing needs identified within the Core Strategy.

**6.105** The layout of any scheme should seek to either avoid building over, or facilitate the diversion of, existing sewage infrastructure, to allow access for maintenance and improvements.

**6.106** Land north of Pod Corner, Brookland, has a site area of 0.72ha, and an indicative capacity of 15 dwellings. To the south, land north of Framlea, Rye Road, Pod Corner, Brookland, has a site area of 0.63ha and can accommodate approximately 10 dwellings dependent on the size and layout. Land adjoining Framlea has a site area of 0.15ha and can accommodate approximately four dwellings depending on size and layout.



## Policy RM13

### **Lands north and south of Rye Road, Brookland**

These sites are allocated for residential development with an estimated capacity of 15 dwellings for land north and 14 dwellings for lands south of Rye Road, including land adjoining Framlea.

Development proposals will be supported where:

1. A masterplan is produced showing how the three sites integrate with each other and the existing settlement; including the provision of on site open space and play space;
2. Substantial planting and landscaping is included along the northern boundary of land north of Pod Corner, and on the south-eastern boundary of lands south of Rye Road adjacent to the Brookland Bypass. This is to inhibit encroachment into open countryside and to protect resident amenity from a significant road, respectively;
3. The 30mph speed limit is extended towards the A2070 roundabout in the interests of highway safety;
4. Existing trees and hedgerows around the perimeter of the sites are retained and enhanced;
5. Development on all sites should create a strong frontage to Rye Road, and ensure the developments complement existing residential development in the locality;
6. Existing watercourses on the sites are integrated into the development;
7. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
8. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
9. The design of the development preserves or enhances the setting of the nearby Grade I and II Listed Buildings and Conservation Area;
10. Provision is made for open and play space on site or nearby, and reinforces the integration and connectivity of green infrastructure in accordance with Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation;
11. A Phase 1 Habitat Survey is undertaken by a licenced ecologist to assess the presence of Protected Species on or near the site;
12. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and
13. An appropriate number of self-build or custom built plots are provided in accordance with Policy HB4: Self-build and Custom Housebuilding Development.

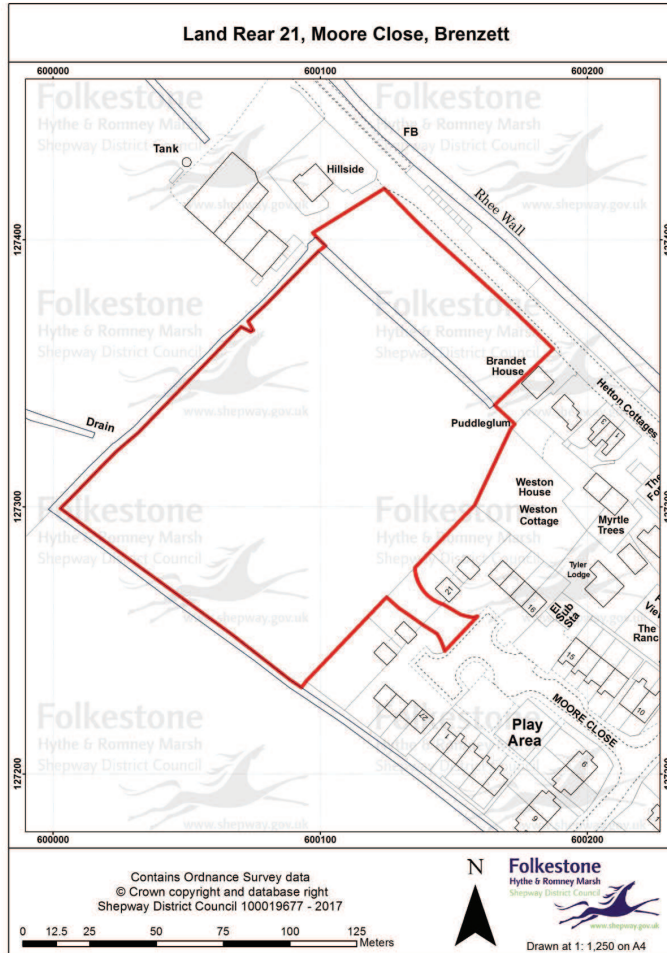
## **Brenzett**

**6.107** The name Brenzett means 'burnt stable', and its agricultural origins echo to this day with its situation towards the centre of the Romney Marsh, surrounded by open land. The old Roman road from Appledore to New Romney runs through the village. This was a causeway known as the Rivi Vellum or Rhee Wall, which was built to hold back the river Rother, and today it remains a transport hub at the crossroads of the A2070 to Ashford and the A259 to Hastings and Folkestone.

**6.108** Brenzett benefits from a limited range of services, including its primary school, having served the community for over 150 years, as well as a petrol station and associated shop.

**6.109** A small amount of growth is proposed in Brenzett, both to meet local need and to support an expanded level of service provision in the settlement.

**Land adjacent to Moore Close, Brenzett**



**Picture 6.16 Land adjacent to Moore Close, Brenzett**

**6.110** The site is located in the north west of Brenzett and can be accessed from Rhee Wall Road and the cul-de-sac Moore Close where there is a gap in development to enable access to the site beyond. The southern portion of the site is currently an open agricultural field, behind existing development, while the northern area of the site is currently scrubland. The site has two separate landowners, therefore the sites can come forward for development together or individually, but in the first instance they should be masterplanned together to achieve a coherent design.

**6.111** The south east of the site adjoins residential gardens for dwellings on Moore Close; the properties here are predominantly two-storey, modern terraced housing. It also adjoins a garden for a dwelling on Rhee Wall Road (B2080) to the south; here there is a Grade II Listed Building (Weston Cottage) close by. The north east of the

site runs adjacent to Rhee Wall Road. To the north are some agricultural buildings and to the north west and south west is open agricultural land. The site is bounded by a mixture of hedgerow and trees.

**6.112** New development must be adequately separated from the waste water treatment works to safeguard the amenity of future residents from odour dispersal and this should be considered as part of any masterplanning process.

**6.113** The overall site is 2.36ha in size, and if both sites are integrated in a unified masterplan and come forward for development together in accordance with the masterplan, the sites are considered suitable for approximately 40 dwellings depending on the size and layout. If the sites come forward individually, then the southern site is considered suitable for approximately 20 dwellings due to highways constraints, while the northern site has an indicative capacity of 6 dwellings depending on size and layout.

## Policy RM14

### Land adjacent to Moore Close, Brenzett

The site is allocated for residential development with an estimated capacity of 40 dwellings; or 20 dwellings for the southern section of the site and 6 dwellings for the northern part of the site, if the sites come forward individually.

Development proposals will be supported where:

1. A masterplan approach demonstrates how the sites integrate with each other and the existing settlement;
2. Preferred vehicular access is from Rhee Wall Road, with an alternative access from Moore Close;
3. A footpath and appropriate lighting is provided on Rhee Wall Road to connect with the existing footway to the east;
4. Development creates a strong frontage to Rhee Wall Road, and ensure the developments complement nearby residential development;
5. An appropriate number of self-build or custom built plots are provided in accordance with Policy HB4: Self-Build and Custom Housebuilding Development;
6. Existing trees and hedgerows around the perimeter of the sites are retained and enhanced;
7. Existing watercourses on the site are integrated into the development;
8. A surface water drainage strategy forms a fundamental constituent of the design concept for the site, and is submitted to the satisfaction of the statutory authority;
9. A Phase 1 Habitat Survey is undertaken by a licenced ecologist to assess the presence of Protected Species on or near the site;
10. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
11. The design of the development preserves or enhances the setting of the nearby Grade II Listed Buildings; and
12. An odour assessment is undertaken to inform the masterplanning of the site to ensure adequate distance between the waste water treatment works and any proposed sensitive land use for reasons of amenity.

## Secondary Villages - Ivychurch, Newchurch and Burmarsh

**6.114** Brenzett and the Marsh's secondary villages are situated within the Romney Marsh Proper Farmlands Landscape Character Area. This comprises the area of Romney Marsh which was drained and settled by the end of the Saxon period, although in Roman times it comprised salt marsh surrounding a tidal lagoon.

**6.115** Today it is mainly arable farmland (with pockets of sheep pasture) but until recent years it had been used predominantly for grazing sheep. Fields are usually divided by a network of drainage ditches, although there are some hedgerows alongside roads. The predominance of ditches (which are often not visible from roads and paths) as field boundaries creates an open feel to the landscape. Nevertheless it feels relatively settled, with evenly-spaced historic villages interspersed with farms. The towers of village churches are distinctive features within the landscape, and there are some trees, particularly around villages. The villages are connected by a network of distinctive narrow lanes. Many of these lanes are sinuous in form and raised above the surrounding fields, reflecting their origins as salt-marsh creeks which were embanked as part of the process of reclaiming land from the sea over a thousand years ago.

**6.116** Given the relative size of these settlements, development options would always be small, but over this plan period no sites have been allocated in any of these villages.

### **Ivychurch**

**6.117** The Parish of Ivychurch is substantial, stretching down the marsh to the East Sussex border. It follows parcels of land down to the south-west which were progressively 'inned' from the twelfth century. However, Ivychurch itself is a small place with a population of only 170. Ivychurch has only a public house as a local service. Trains can be caught from Hamstreet about five miles north which give access to Ashford and London.

### **Newchurch**

**6.118** Newchurch has its name derived from the Anglo Saxon 'Niwe Circa' meaning 'new burial ground' and is mentioned in the Domesday Book. Historically, the village was the centre of the sheep and wool trade on Romney Marsh and the surrounding areas. In the village there is a restaurant, the Newchurch Social Club and the Village Hall.

### **Burmarsh**

**6.119** Burmarsh, one of the most easterly communities on Romney Marsh, has been established since the Anglo Saxon period. The name refers to this area of marshland having traditionally belonged to the Burghers of Canterbury - the '*burh-merc*', or 'marsh of the town dwellers'. It is a pretty settlement with some more recent late twentieth century residential development. However, it does not benefit from good access to services, and it is situated in an area of 'significant' flood risk more or less in its entirety. For this reason, further development in the plan period would be a challenge to achieve.

## Dungeness

**6.120** Having evolved over centuries of isolation, interrelations and harsh lifestyles, the culture of Dungeness is unique. Traditionally, there was no road onto the spit and people had to move around by using contraptions called backstays, which were attached to a person's feet creating a large surface area, therefore making walking across shingle much easier.

**6.121** The Dungeness Shingle Landscape Character Area includes the settlement of Lydd. Dungeness is a unique environment within the UK, comprising extensive deposits of shingle, interspersed with smaller areas of farmland, wetland and settlement. Shingle ridges further inland are well-established, while those at the sea's edge are very mobile, and the landform is constantly evolving. The earliest evidence for settlement on Romney Marsh has been found here, including prehistoric tools and pottery associated with Roman salt production. The area is of international importance for its wildlife and habitats, including its bird life, and the rare and often colourful plants which colonise the shingle, including low-lying prostrate vegetation. Much of the area is a National Nature Reserve, and is popular with visitors.

**6.122** This is an extraordinarily evocative and powerful landscape, its mood constantly changing in response to light, weather and season. The landscape is dominated by a combination of natural shingle (and associated vegetation) with a strong horizontal form, and large man-made vertical structures including lighthouses, Dungeness Nuclear Power Station, pylons and sound mirrors. There are also structures associated with continuing military use of the area. The historic town of Lydd has strong visual and cultural connections with Dungeness. On Dungeness itself, settlement comprises fishermen's huts and temporary buildings, which give it a sense of impermanence, a quirky character and a very strong sense of place.

**6.123** This area, despite its well-established designations, is a victim of its own success. Drawn by the romanticism of the bleak, desolate fishing shed on the coast, 'weekenders' are gradually imposing order on the wilderness with smart, careful landscaping. There are still more permanent residents at Dungeness than there are temporary visitors, but this small change has caused a shift in the landscape towards something bordering well kept.

**6.124** Given the uniqueness of Dungeness, planning applications should take into account and respect the following important designations and design advice:

1. Dungeness Conservation Area, and guidance in the Conservation Area Appraisal;
2. The Article 4 Direction for the settlement;
3. International, European and National wildlife and biodiversity guidance, including for the Ramsar site;
4. The Dungeness Shingle Landscape Character Assessment; and
5. The Shepway Heritage Strategy.





## North Downs Character Area

## 7 North Downs Character Area

### Introduction

**7.1** The north of the district has its own distinct character, forming almost half of the land area of Shepway; it has been identified as the North Downs Character Area in the Core Strategy and is predominantly but not exclusively designated as part of the wider Kent Downs Area of Outstanding Natural Beauty (AONB). The countryside outside the AONB to the south forms part of its setting; it has a more open aspect with a major transport corridor running through, with the M20, high speed rail link and Eurotunnel connecting the district to London and France. The North Downs Area accounted for 19,800 of the district's population in the census (2011).

**7.2** The AONB within the North Downs Character Area is a landscape of drama and intimacy, characterised by rolling topography, steep escarpments and attractive valleys covered by a mix of woodland and open areas of farmland consisting of patchwork field patterns and mature hedgerows. This area, nestled between Folkestone and Canterbury, is centred on traditional, attractive villages such as Elham, Lyminge and Stelling Minnis and encompasses Hawkinge, the largest settlement in the North Downs, which has been the focus of considerable housing growth in recent years. There are historically good connections to Canterbury and the coast, with the attractive Elham Valley Way, the disused Elham Valley railway line and the Roman road Stone Street all running through and shaping the area over the years. Development in the AONB is restricted and the [National Planning Policy Framework](#) (NPPF) confirms that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty (paragraph 115).

**7.3** The Kent Downs character is formed out of the relationship of its towns, villages and individual buildings with 13 different landscape character areas identified across the AONB. Making the correct planning decisions on development both within the AONB, and within its setting, is crucial to ensure that the AONB is conserved and enhanced in accordance with the [Countryside and Rights of Way Act 2000](#) (the CROW Act). The [Kent Downs AONB Unit](#) acts as an advisor to local authorities on planning and development to help them carry out their 'duty of regard' as set out in that Act.

**7.4** Planners and developers working within the AONB are encouraged to refer to the [Kent Downs AONB Management Plan](#) and supporting guidance when making decisions on planning applications and drafting planning policies. The Management Plan sets in place clear aims, policies and actions for the conservation, management and enhancement of the AONB for a five year period and also sets a longer term vision. The Management Plan was formally adopted by the Council in 2014 and provides guidance for planning applications and drafting policies.

**7.5** [Natural England](#) (NE), the Government's advisor for the natural environment in England, is the statutory consultee for the AONB and the Kent Downs AONB Unit works closely with NE on all applications on which it is consulted. The AONB Unit only responds to planning consultations when requested, in accordance with an agreed protocol, and the comments of the AONB relate only to the impact of the application or the policy on the components of natural beauty as set out in the Management Plan, and not on other planning issues.

**7.6** A number of documents have been produced by the Kent Downs AONB Unit and should be referred to by the local planning authority, for guidance in policy making and decision taking, and also by promoters and developers in formulating proposals. These include:

- [Kent Downs Landscape Design Handbook](#);
- [Rural Streets and Lanes: A Design Handbook](#);
- [Renewable Energy Technologies and Protected Landscapes](#);
- [Kent Downs Farmstead Guidance](#); and
- [Managing Land for Horses](#).

## Background

**7.7** Most of the villages within the Kent Downs AONB are relatively prosperous with good rural transport connections to a range of urban centres, resulting in these villages playing an important role in providing services and facilities to the smaller more inaccessible hamlets which are a characteristic of the Downs. Other key characteristics of the North Downs, in addition to the beauty of the natural environment, are attractive villages with a reasonable level of facilities including popular primary schools, historic public houses, health care provision and good recreational facilities, which underpin vibrant village communities. These positive characteristics make the area popular with tourists and residents and have resulted in the location attracting some of the highest house prices in East Kent. This desirability has implications for home ownership and the provision of affordable housing in the villages within the AONB.

**7.8** The southwest of the North Downs Character Area is outside the AONB, with the parishes of Sellindge and Stanford and part of Lympne and Saltwood located within the 'Postling Vale' Landscape Character Area, located between the Downs to the north/north east and the Hythe escarpment to the south, with the fringes of Folkestone to the east.

**7.9** Part of this area is bisected west to east by the major transport infrastructure of the M20 motorway, HS1/Eurostar railway line, domestic rail and the Eurotunnel terminus. This infrastructure is a relatively recent addition to the landscape and has impacted on existing rural communities. While these major routes now largely replace the historic coaching route (the current A20) its legacy remains, with sporadic ribbons

of development and linear or fragmented communities along its length. In recent years Operation Stack has also affected this area, with vehicles re-routing along the A20 and ad-hoc lorry parking impacting on local residents.

**7.10** This part of the district is popular for its active village communities, access to services and close proximity to the countryside and coast, with the nearby transport opportunities opening up wider commuting options for residents. The Core Strategy has previously allocated strategic development at Sellindge, with planning permission now granted for the development of 250 homes alongside a new village green, extensions to the primary school and doctors' surgery, new parish offices and facilities and works to the highway to reduce the speed and dominance of vehicles.

**7.11** The area has significant heritage assets, including castles at Westenhanger, Lympe and Saltwood, while Port Lympe reserve, surrounding a Grade II\* house, is the district's most popular tourist destination, with over 300,000 visitors a year. Folkestone Racecourse, which closed in 2012, is located within this area and has recently hosted annual events, also bringing significant tourism to the area.

**7.12** Hythe provides the nearest town to this part of the North Downs, with Ashford to the north west and Folkestone to the south east.

**7.13** Core Strategy Policy SS1: District Spatial Strategy seeks the development of a hierarchy of sustainable, integrated and well-served villages that will meet housing, employment and social needs of the North Downs and to secure the sustainable management of the environment, recognising opportunities and the context of infrastructure and nearby towns. In addition the Core Strategy set out a target for approximately 15 per cent <sup>(1)</sup> of Shepway's new dwellings developed by 2030/31 to be located in this character area as well as potential employment sites and tourist facilities with significant growth potential (the Introduction to Part One of this plan provides more information on the Core Strategy's development targets).

**7.14** The Core Strategy sets out a settlement hierarchy in Policy SS3: Place-Shaping and Sustainable Settlements Strategy which guides the distribution of development to particular locations taking into account existing facilities and where future investment will be focused (Table 4.1 of this plan).

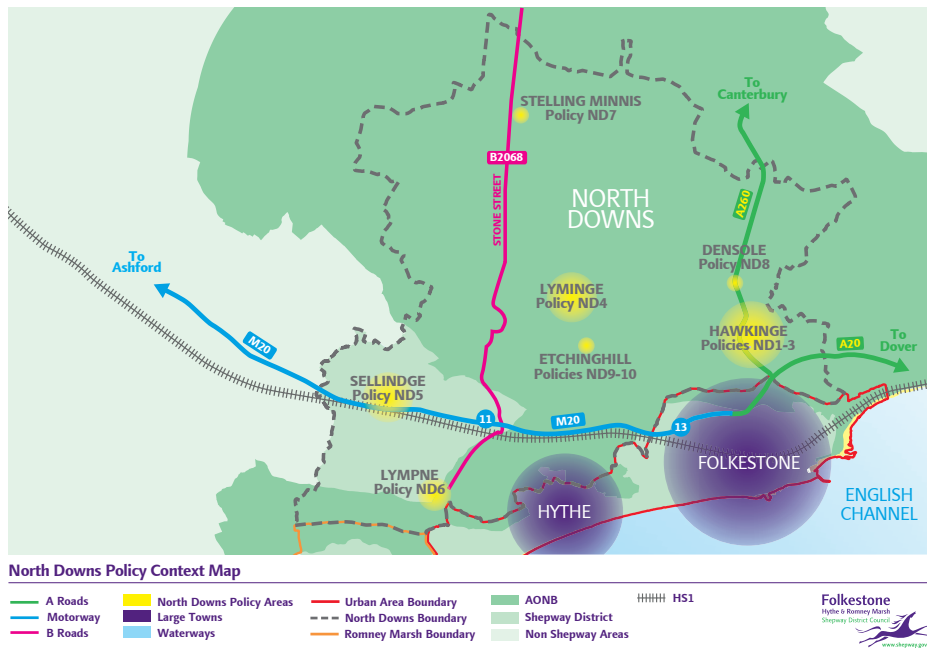
**7.15** The sections below set out policies and site allocations for settlements within the North Downs Character Area in line with the settlement hierarchy:

- Service Centre - Hawkinge;
- Rural Centres - Elham, Lyminge and Sellindge;
- Primary Villages - Lympe, Saltwood and Stanford/Westenhanger; and
- Secondary Villages - Stelling Minnis, Densole and Etchinghill.

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1 To the nearest 5 per cent. SDC (2012) Modifications Technical Note

**7.16** This chapter should be read in conjunction with others in the plan, in particular Chapter 11: Retail and Leisure, which contains policies for the centres of Hawkinge, Lympne, Elham and Sellindge (Policy RL7: Other District and Local Centres).



**Picture 7.1 North Downs Policy Context Map**

## Service Centre - Hawkinge

**7.17** The role of a service centre as set out in the Core Strategy is to *"accommodate development appropriate to Shepway and their own needs, in order to grow and consolidate their position as district centres serving the local hinterland with shops, employment and public services."* Hawkinge is the only service centre in the North Downs Character Area.

**7.18** Hawkinge is located in the Kent Downs AONB, three miles from Folkestone and over the last two decades this settlement has been the focus for major housing growth in the district. The area has grown significantly from a small village into a town. It is now by far the largest settlement in the North Downs Character Area. The Parish of Hawkinge (and Paddlesworth) had a population of 8,002 in the 2011 census, which is a significant increase from the previous census.

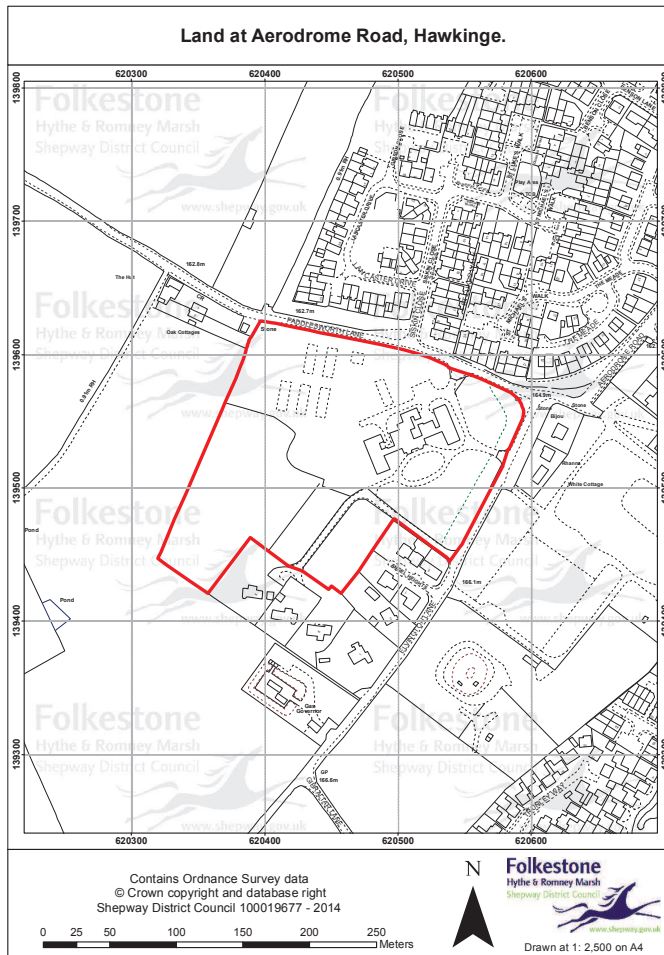
**7.19** Hawkinge benefits from a community centre, village hall, sports pavillion, a variety of shops, two primary schools, a modern care facility at Hawkinge House and good transport links to both Folkestone and Canterbury. The town also has significant historic links with the Battle of Britain and hosts the Battle of Britain Museum, which attracts local visitors and others from far afield.

**7.20** The strategic priority for Hawkinge set out in the Core Strategy is to consolidate the settlement through local services and improve community facilities, together with expanding the availability of employment and transport options (paragraph 5.147).

**7.21** Hawkinge Policy Map to come....

**7.22** Reflecting the Core Strategy's objective of consolidation, the following sites are allocated for residential development.

## Former Officers' Mess, Aerodrome Road, Hawkinge



**Picture 7.2 Former Officers' Mess, Aerodrome Road, Hawkinge**

**7.23** The Former Officers' Mess site is 3.75ha and located on the corner of two rural lanes, Paddlesworth Lane and Elvington Lane, on the western edge of the town. The site is well-contained by landscape features and within the settlement boundary. It is now a vacant brownfield site where the remains and footprints of a number of buildings are still visible. Formerly the site was the location for a WWII Officers' Mess; in more recent years the buildings were used to accommodate the Hawkinge Youth Adventure Centre. The site is on the rural edge of Hawkinge but within walking distance of many of the town's facilities and services.

**7.24** The site was previously safeguarded in the 2006 Local Plan Review for a new secondary school, but the Local Education Authority, Kent County Council, has confirmed it no longer requires the site. It is therefore no longer necessary to

safeguard the site, and allocating it for residential development, as a brownfield site within the settlement boundary, is an appropriate alternative use and consistent with the Core Strategy's objectives.

**7.25** North and south of the site is predominantly modern residential development with a mixture of dwelling types but mainly terraced houses to the north and detached houses to the south in larger plots. They are all two- or two-and-a-half-storey properties. To the east and south east, on the opposite side of Elvington Lane, is the Battle of Britain Museum and former airfield. The area immediately to the west of the site is open countryside with fields in agricultural use.

**7.26** At 3.75ha in size, the site is considered suitable for 70 dwellings, depending on the size and layout. Development here is proposed at a low density because of its setting in the Kent Downs AONB on the edge of the town. The design should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is particularly important that within the AONB the design is inspired by the local character (Policy HB2: Cohesive Design), and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination). To support the delivery of necessary underground sewage infrastructure, a connection to the sewerage network must also be provided at the nearest point of adequate capacity.



## Policy ND1

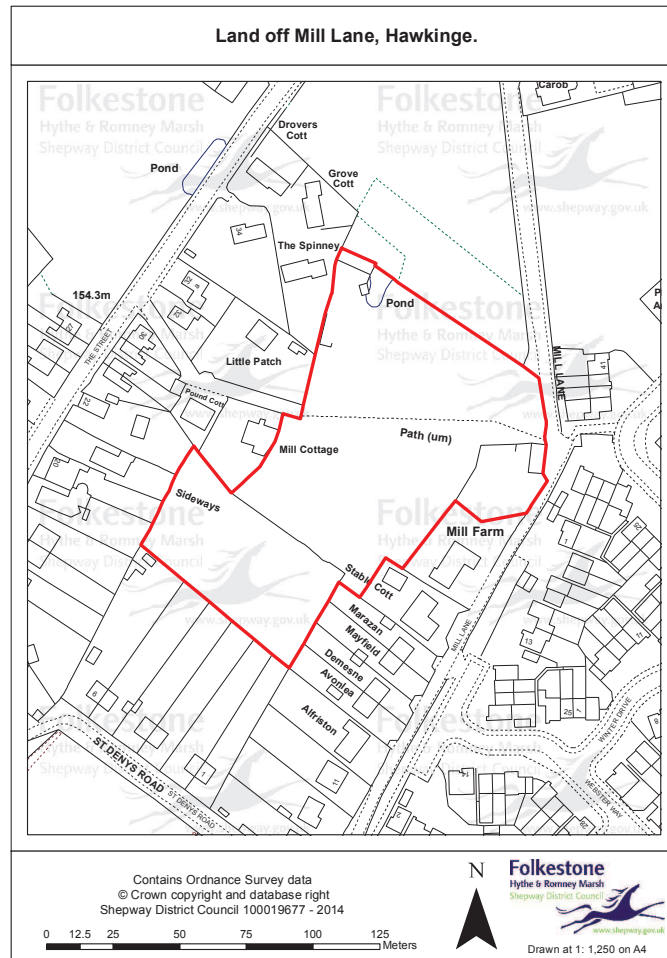
### **Former Officers' Mess, Aerodrome Road, Hawkinge**

The site is allocated for residential development with an estimated capacity of 70 dwellings.

Development proposals will be supported where:

1. The proposal achieves the highest quality design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. The proposal enhances the western boundary through the use of extensive landscaping;
3. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
4. Open spaces and planting are used to provide a visual link to the countryside and an attractive backdrop to development;
5. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
6. Provision is made for open and play space on site;
7. Measures are taken to avoid pollution to groundwater; and
8. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

## Mill Lane to the rear of Mill Farm, Hawkinge



**Picture 7.3 Mill Lane to the rear of Mill Farm, Hawkinge**

**7.27** The Mill Lane site is a 1.1ha parcel of land between The Street and Mill Lane, in an older part of the town. The site is well-related to the existing settlement, in a central location within the settlement boundary of Hawkinge, a short walking distance from facilities and services. Despite the site's central location it has a semi-rural character and was formally fields comprising part of Mill Farm. The site consists of open land and disused agricultural buildings with a public footpath crossing the site to link The Street and Mill Lane. This site is bounded by trees, scrub and fencing which provides good screening.

**7.28** The site has residential development on three sides. To the west of the site on The Street there are large two-storey detached dwellings. To the south west of the site there are older semi-detached houses and bungalows. South of the site, the houses in St Denys Road are two-storey semi-detached dwellings with long rear

gardens. To the east of the site, Mill Lane predominately comprises detached and semi-detached bungalows and chalet bungalows. On the opposite side of Mill Lane is a higher density, modern residential development of two-storey semi-detached and terraced houses. To the north is an area of woodland which is covered by a group Tree Preservation Order.

**7.29** At 1.1ha in size, the site is considered suitable for 14 dwellings, depending on the size and layout. Development here is proposed at a low density because of the semi-rural character of this part of Hawkinge and its wider setting within the Kent Downs AONB. The design of proposals should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is important that within the AONB the height of buildings is inspired by the local character (Policy HB2: Cohesive Design) and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination). Outline planning permission (Y15/0741/SH) was granted in May 2016 for residential development on this site.

## Policy ND2

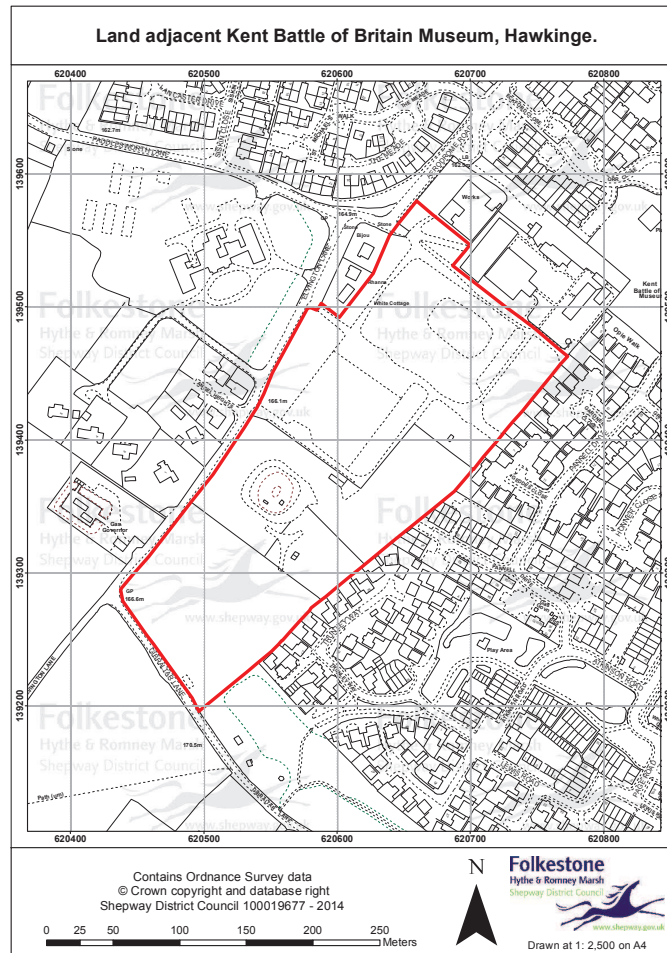
### **Mill Lane to the rear of Mill Farm, Hawkinge**

The site is allocated for residential development with an estimated capacity of 14 dwellings.

Development proposals will be supported where:

1. The proposal achieves the highest quality of design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
3. Primary vehicle access is provided onto Mill Lane with suitable visibility splays;
4. Footpaths are provided to link in with the existing public rights of way and footpath network;
5. The public right of way is retained and enhanced;
6. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
7. Measures are taken to avoid pollution to groundwater.

## Land adjacent Kent Battle of Britain Museum, Aerodrome Road, Hawkinge



**Picture 7.4 Land adjacent to Kent Battle of Britain Museum, Aerodrome Road, Hawkinge**

**7.30** The site is located on Aerodrome Road and Elvington Lane, on the western edge of the town. The site is currently an undeveloped part of the former WWII airfield, comprising demolished hangars, a taxi-way, a refuelling area and a fuel store. This is a large site within the settlement boundary, bounded by scrub and fencing. The site has previously been allocated through the 2006 Shepway Local Plan Review for tourism use in connection with the Battle of Britain Museum; although it has not been developed so far, the museum is keen to extend onto this land as the buildings on its present site are used to capacity and there is limited parking.

**7.31** The site is on the edge of Hawkinge, however it is within walking distance of the main facilities and services, such as primary school, public house and supermarket. Immediately to the north of the site is the privately-operated Battle of Britain Museum. The museum is the oldest established and largest collection of Battle

of Britain artifacts on show in the country. Adjoining the site to the east and south east are a number of residential streets, the gardens of which back onto the site. These are characterised by a mixture of dwelling types (detached, semi-detached and terraced) but they are all mainly two- or two-and-a-half-storeys. To the west and south west is the Former Officers' Mess site, further sporadic residential development and open countryside. The majority of the site is well-contained by existing built development.

**7.32** At 5.5ha in size, the site is considered suitable for a mixed-use scheme which contains some residential development as well as at least 2ha of land safeguarded for the museum's future expansion. Development here is proposed at a low density because of its setting in the Kent Downs AONB on the edge of Hawkinge. The design of proposals should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is important that within the AONB the height of buildings is inspired by local character (Policy HB2: Cohesive Design) and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination). To support the delivery of necessary underground sewage infrastructure a connection to the sewerage network must also be provided at the nearest point of adequate capacity.

### Policy ND3

#### **Land adjacent Kent Battle of Britain Museum, Aerodrome Road, Hawkinge**

The site is allocated for a mixed-use scheme including residential development with an estimated capacity of 50 dwellings and 2ha of land for tourism use in connection with expansion of the Battle of Britain Museum.

Development proposals will be supported where:

1. The proposal achieves the highest quality of design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. The proposal acknowledges surrounding street patterns and urban grain, with a greater density of housing against the existing built edge;
3. Development ensures pedestrian permeability within and beyond the site and links to the existing public rights of way network;
4. Open spaces and planting are used to provide a visual link to the countryside and an attractive backdrop to development;
5. The rural edge of the development adjacent to Gibraltar Lane is retained as an undeveloped buffer, with the development that adjoins this softened with a strong focus on landscaping;
6. The primary vehicle access is located on Aerodrome Road with appropriate visibility splays provided, as agreed with the Highways Authority;
7. Any potential contamination from the former use is investigated, assessed and if appropriate, mitigated as part of the development;
8. An assessment of non-designated heritage assets is carried out and used to inform the design work. Features and structures associated with the site's former use as a World War II airfield are retained wherever possible to provide a link with the site's past;
9. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
10. Measures are taken to avoid pollution to groundwater.

### **Rural Centres - Elham, Lyminge and Sellindge**

**7.33** The status and strategic role of a Rural Centre as defined within the Core Strategy settlement hierarchy is *"To develop - consistent with enhancing the natural and historic environment - in a manner that supports their role as integrated tourist and local centres providing shops and services for a significant number of residents,*

*visitors and also for other villages in the North Downs ..."* (Table 4.1 of this plan). There are three rural centres within the North Downs Area: Elham, Lyminge and Sellindge. No residential development is allocated at Elham in this plan.

## **Elham**

**7.34** Elham is an historic and picturesque village in the heart of the Kent Downs AONB. It is located approximately half-way along the Elham Valley, five miles north east of Folkestone and nine miles south of Canterbury. The Parish of Elham has a population of 1,509 (census 2011) and comprises the village of Elham, as well as several smaller outlying hamlets. The village benefits from a good number of facilities and services, including two traditional village public houses, a restaurant, primary school, village store, farmers' market, an active village hall, cricket club and tennis courts. Elham is one of the most historically interesting and picturesque villages in East Kent and as a result is a key centre for visitors to the North Downs.

**7.35** Elham retains a strong historic core with 43 Listed Buildings in a large Conservation Area, with fine buildings from its late medieval and Tudor heyday, including the large Grade I listed Church of St Mary, a number of fine timber-framed houses of the fifteenth, sixteenth and seventeenth century, and two market places, one in the picturesque village square and the other at the bottom of the High Street where the road widens out.

## **Lyminge**

**7.36** Lyminge is a historic village which lies in the Elham Valley within the Kent Downs AONB, about five miles north of Folkestone and 12 miles south of Canterbury. It is the second largest settlement in the North Downs with a parish population of 2,717 (census 2011) (Lyminge Parish also contains Etchinghill and Rhodes Minnis). Lyminge is considered an important settlement in the future strategy for the North Downs Character Area.

**7.37** Lyminge has a broad range of shops, as well as local services including a primary school, two doctors surgeries, pharmacy, village store with integrated post office, local Age UK Day Centre, library, hairdressers and various sports clubs, including Sibton Park Cricket Club. Lyminge also has a very socially active community with a residents' association and village hall that hosts many clubs and groups.

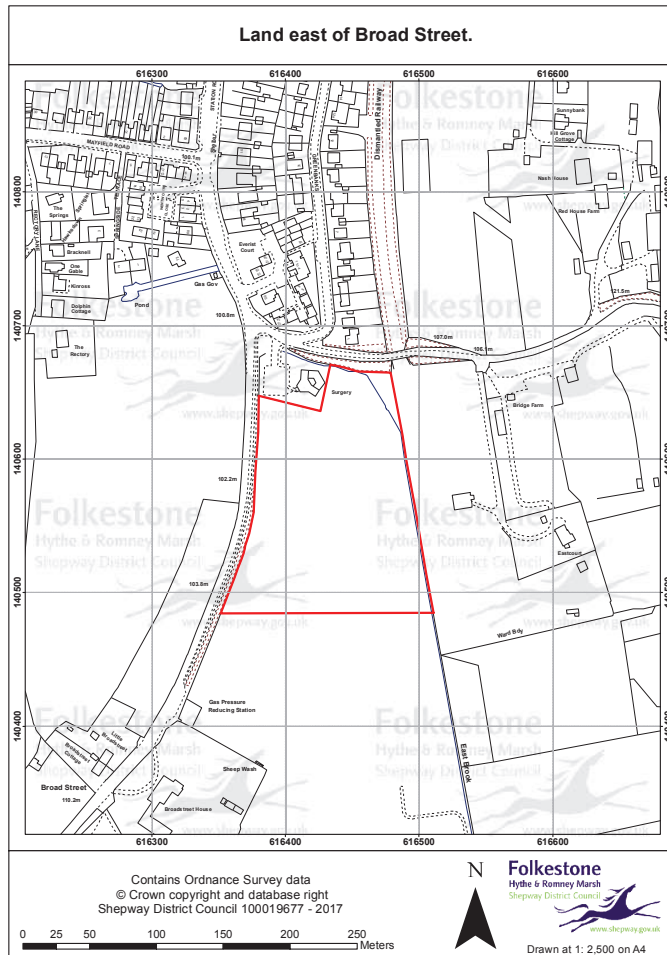
**7.38** The Elham Valley Railway ran from Canterbury to the port at Folkestone through the village from 1887 until eventually closing in 1947. The station building remains in the village and is today used as the library, the only permanent library in the character area.

**7.39** An understanding of the history of Lyminge has been helped by local archaeological work undertaken in the village for over half a century. 1,300 years ago, an Anglo-Saxon monastery stood in the village of Lyminge, presided over by a royal abbess. Excavations have shown that Lyminge was an important place before this, with Anglo-Saxon occupation extending back into the fifth century.

**7.40** There is a strong desire within the Parish Council and local community for an improved public right of way between Lyminge and Etchinghill; currently the two parts of the parish are separated by the Etchinghill Golf Course. Local people walk between the settlements to access facilities, such as the school and doctors' surgery, and at present the network requires them to cross over Broad Street because there is no pavement along this section of the road. In addition, it has been a long-term ambition of Kent County Council to provide public access along the alignment of the old railway line between Lyminge and Penne. The following site allocation provides an opportunity to help secure the northern extent of that route between Lyminge and Etchinghill.



## Land east of Broad Street, Lyminge



**Picture 7.5 Land East of Broad Street, Lyminge**

**7.41** The site is located to the south of Lyminge, on Broad Street, the main route into the village from the south. The site is currently part of the Etchinghill Golf Course.

**7.42** To the north the site adjoins the New Lyminge doctors' surgery, surgery car park and Red House Lane, with mature hedgerow and trees along the boundary with Red House Lane. To the east the site is bounded by mature hedgerow and trees, the other side of this is the cutting for the now disused Elham Valley Railway, with a detached residential dwelling and farm beyond. To the south lies Etchinghill Golf Course and the nearby Grade II Listed Building, Broad Street House. The west has a more mature hedgerow and trees separating the site from Broad Street and open fields to the far side of the road.

**7.43** The site is on the edge of Lyminge, but is considered a sustainable location as this section of Broad Street has a footpath and the village facilities and services are within close walking distance, including the doctors surgery, primary school and church. In terms of constraints, the site is located within Source Protection Zone 2 and is therefore in a sensitive location for groundwater protection point.

**7.44** The site is 2.1ha in size and is considered suitable for 30 dwellings, depending on the size and layout. Development here is proposed at a low density because of its setting in the Kent Downs AONB on the edge of the village. The site will require proportionate contributions to healthcare improvements at the New Lyminge Surgery made through a S106 agreement. This is also an opportunity for self-build or custom build plots. The design of proposals should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is particularly important that within the AONB the design is inspired by the local character (Policy HB2: Cohesive Design) and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination). To support the delivery of necessary underground sewage infrastructure, a connection to the sewerage network must also be provided at the nearest point of adequate capacity.

## Policy ND4

### Land east of Broad Street, Lyminge

The site is allocated for residential development with an estimated capacity of 30 dwellings.

Development proposals will be supported where:

1. The proposal achieves the highest quality of design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. At least 2 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
3. An assessment is carried out of the impact on the setting of the nearby Listed Building and appropriate measures put in place to preserve or enhance its setting;
4. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
5. A strong landscape buffer is provided along the southern boundary in order to maintain the sense of openness and avoid settlement coalescence;
6. Open spaces and planting are used to provide a visual link to the countryside and an attractive backdrop to development and separation from the golf course;
7. Primary vehicle access is onto Broad Street, with suitable visibility splays provided, as agreed with the Highways Authority;
8. Traffic calming measures (for example build-outs) are provided along the site boundary adjoining Broad Street to slow traffic to 30mph, this will include the relocation of the village entrance sign and gates;
9. The public right of way is enhanced between Lyminge and Etchinghill, with a new public right of way provided to the rear of Broad Street House linking back into the existing footway network along Broad Street;
10. Provision of a public bridleway along the alignment of the old railway line between Lyminge and Etchinghill is to be progressed with Kent County Council, with a proportionate contribution towards the cost of scheme implementation, alongside progression of relevant orders to permit the correct rights of public access across land under the control of the site promoter;
11. Appropriate and proportionate contributions are made to healthcare improvements at the New Lyminge Surgery through a S106 agreement;
12. The archaeological potential of the land is properly considered and understood and any proposal is informed by an appropriate desk-based assessment and a field evaluation;

13. Appropriate mitigation measures are employed to prevent pollution to groundwater; and
14. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

## Sellindge

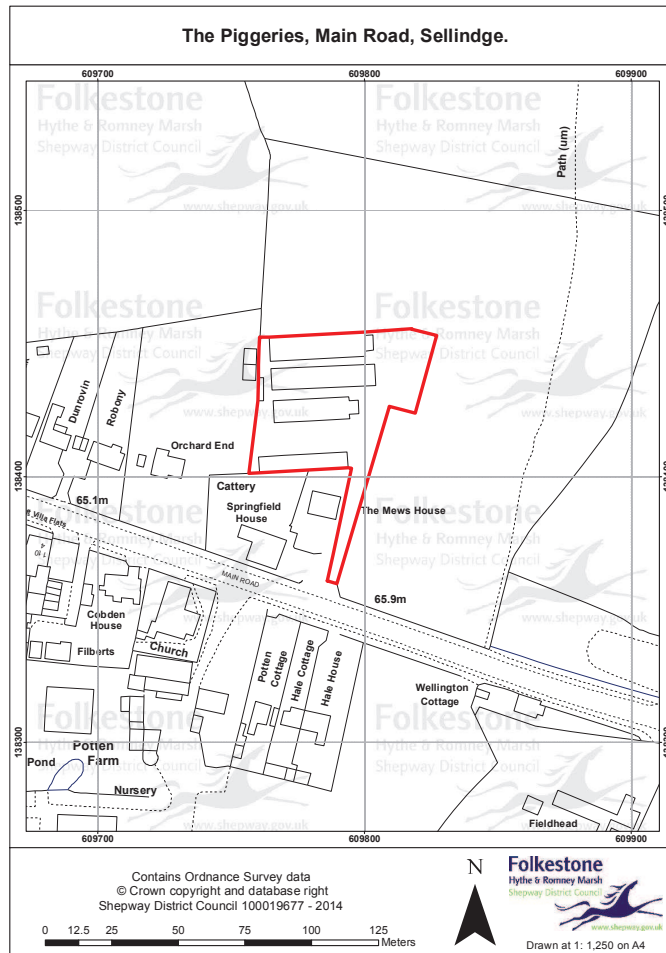
**7.45** Sellindge is a rural village in the west of the district, lying on the A20, the historic coaching route linking Folkestone with London. Sellindge is not located in the Kent Downs AONB, however it does lie within the setting of the AONB. The village is close to the major transport infrastructure that crosses the district, with M20 junction 11 and Westenhanger station close by. The parish has a population of 1,601 (census 2011), making it the third largest settlement in the North Downs Area.

**7.46** Sellindge is a socially active community and the parish has one of the greatest range of facilities in the North Downs Area, including a doctors' surgery, primary school, village shop with integrated post office, busy village hall, residents' association, sports and social club, a few shops and a public house. The parish is made up of a number of residential areas, the majority are linear in pattern and appear sporadically along the A20, which connects Hythe and Ashford. Subsequently Sellindge has a fragmented character, made up of many parts but with the main unifying feature being the A20 around which they have historically developed.

**7.47** The Core Strategy sought to create a central village core (through Policy CSD9: Sellindge Strategy) by allocating a broad location for development, and planning permission has now been granted for a scheme that meets the original objectives of the policy (Y14/0873/SH). This development will provide for a village green, parish offices and shop, expansion of the primary school and doctors' surgery and will also deliver highway works that will reduce traffic speeds through the village.

**7.48** Given the scale of the Core Strategy broad location, and the process undertaken to identify a suitable site for the expansion of the village, further large scale development is not proposed within this plan. A number of smaller sites are allocated for residential development in Policy ND5: General Sellindge Policy. These are described in turn below.

## The Piggeries, Main Road, Sellindge



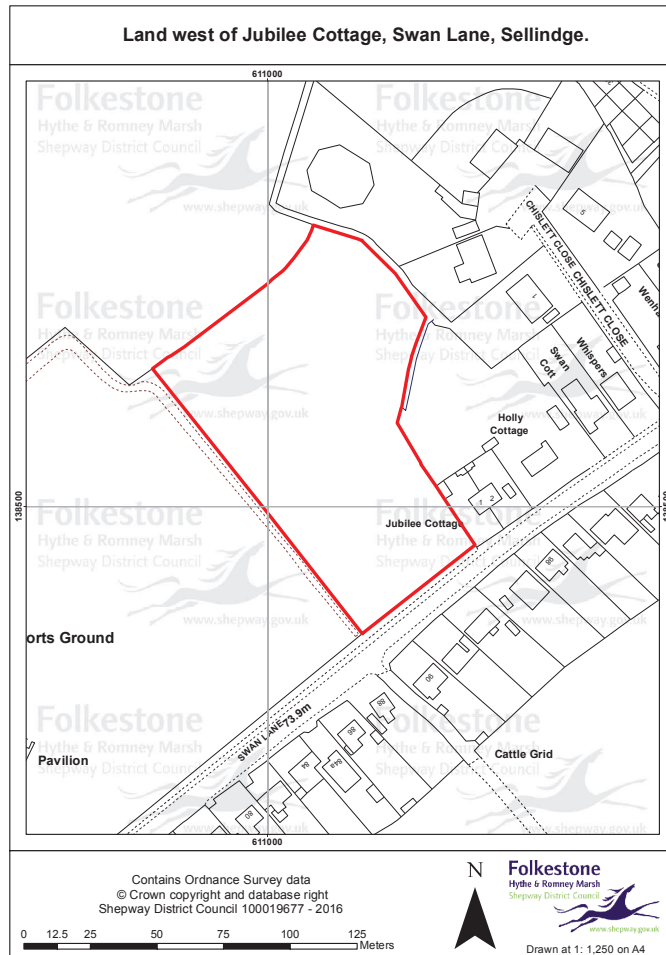
**Picture 7.6 The Piggeries, Main Road, Sellindge**

**7.49** This site is located on the A20, past the central village but adjoining the settlement boundary. The site is a former piggery, which now lies vacant and derelict. This site boundary has a tight focus on the existing piggery buildings and its immediate curtilage, wrapping around the back of ‘Springfield’ and extending parallel to land associated with ‘Orchard End’. It is therefore well integrated to these properties which are part of a small ‘island’ of development between the designated parts of Sellindge, that is the central village and Stone Hill. Its location on the eastern side of this development means it is more conveniently located to village facilities than some other locations outside central Sellindge, particularly the public house and the farm shop opposite.

**7.50** The nearby properties to the west and south are predominantly one or two storey detached dwellings in sizable plots, all fronting onto the A20. To the north and east of the site is open scrubland with views to the Kent Downs AONB. Beyond this is a nearby Ancient Woodland; development should avoid any direct effects on this woodland.

**7.51** The site is 0.3ha in size and is considered suitable for five dwellings, depending on the size, layout and suitable access. To support the delivery of necessary underground sewage infrastructure, a connection to the sewerage network at the nearest point of adequate capacity must also be provided.

## Land West of Jubilee Cottage, Swan Lane, Sellindge



**Picture 7.7 Land west of Jubilee Cottage, Sellindge**

**7.52** This site fronts onto Swan Lane, on the north east edge of Sellindge village. The open site adjoins the settlement boundary and is currently leased out for agricultural purposes. The site is close to the Grade II Listed Building, Holly Cottage, and is bounded with hedgerows and trees. Swan Lane has a pavement on the western side of the road which runs to the main facilities in Sellindge. In addition there is a bus service that runs along Swan Lane, consequently, although this site is towards the edge of the village, it is in a reasonably sustainable location and would integrate well with the existing built form.

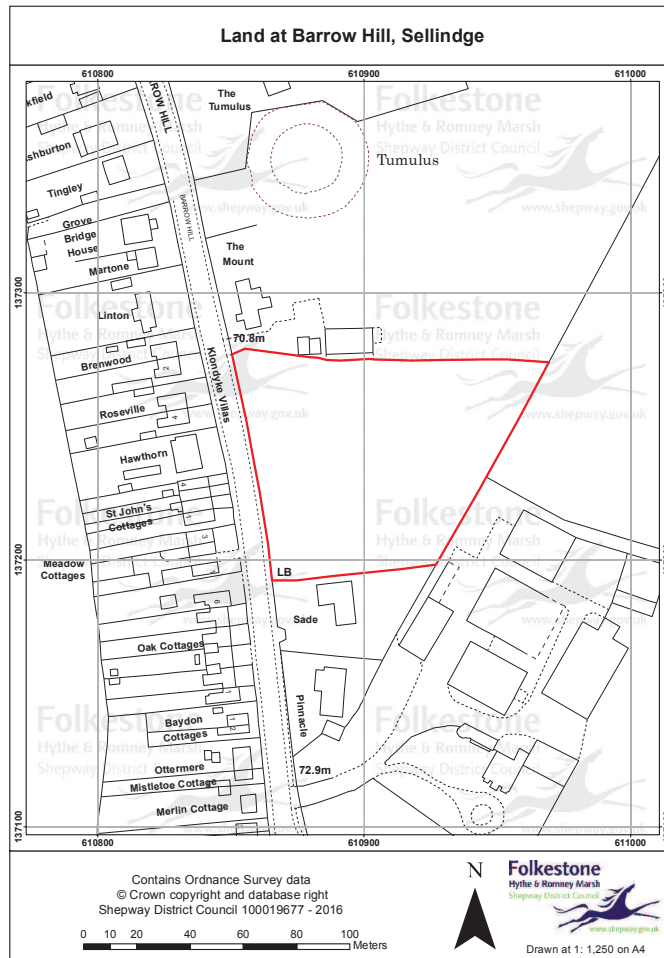
**7.53** There are houses to the north east and south east of the site. The properties to the north east directly adjoin the site, with the garden of Jubilee Cottage sharing a boundary, the properties, including Holly Cottage, are predominantly two-storey, detached dwellings. The properties to the south east are separated from the site by Swan Lane; here the properties are slightly raised and predominantly one- or

two-storey detached dwellings. To the south west is the Sellindge Sports and Social Club and to the north west open farm land. The site adjoins a historic landfill site; the contamination status of the land will need to be addressed at the planning application stage.

**7.54** The site is 1.9ha in size and is considered suitable for 15 dwellings, depending on the size and layout. The potential risk of flooding will need to be addressed in any planning application. To support the delivery of necessary underground sewage infrastructure a connection to the sewerage network must also be provided at the nearest point of adequate capacity.



## Land at Barrow Hill, Sellindge



**Picture 7.8 Land at Barrow Hill, Sellindge**

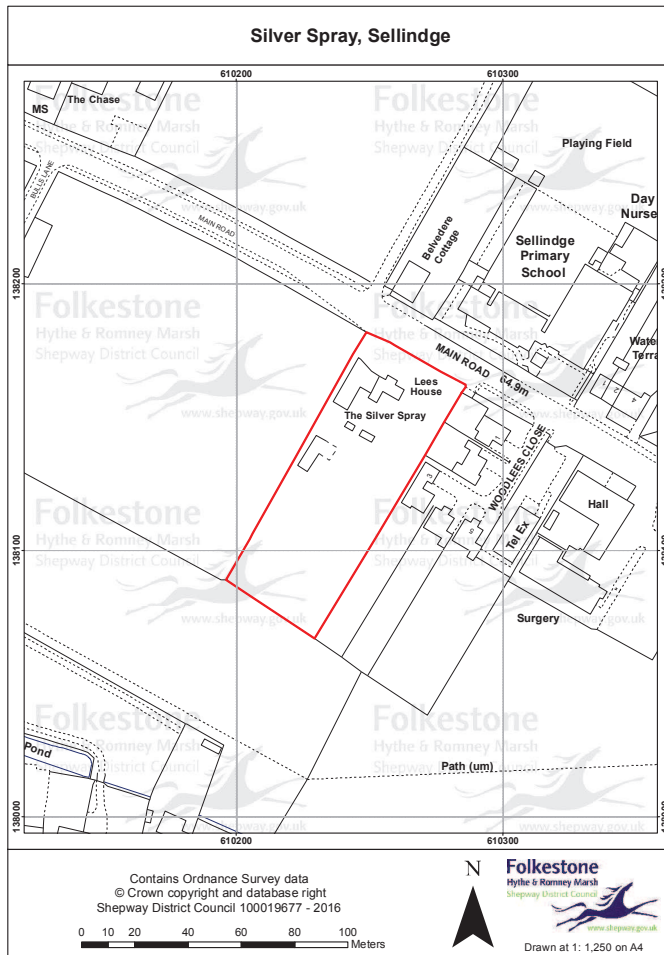
**7.55** The Barrow Hill part of the parish is physical divided from the main village by the motorway and railway. This site is located in Barrow Hill to the south of Sellindge, adjoining the settlement boundary and fronting onto the A20. Barrow Hill has a footpath along both sides of the road; the facilities in the central area are therefore considered walkable and in addition there are bus stops on both sides of the road.

**7.56** The land is a grassed field, bounded by a hedgerow, trees and fencing in part. The west of the site fronts onto the A20 with houses across from this; the properties are mostly two-storeys with a mixture of housing types and ages. There is also limited residential development to the south, although the houses are more modern detached bungalows, with Barrow Hill Farm lying beyond to the south east. To the north is The Mount, a two-storey detached dwelling on a sizeable plot with a

Bronze Age burial mound in the grounds. To the east are farm buildings and agricultural fields. The site has residential development on either side of it as well as on the opposite side of the road, it is therefore forms a gap in the built form.

**7.57** The site is 0.69ha in size and is considered suitable for 15 dwellings, depending on the size and layout.

## Silver Spray, Sellindge



**Picture 7.9 Silver Spray, Sellindge**

**7.58** This site is centrally located close to the facilities in Sellindge and fronting onto the A20. The site consists of a residential dwelling, out-buildings and garden which is bordered by hedgerow, trees and fencing in part.

**7.59** The site adjoins the broad location identified in Core Strategy Policy CSD9: Sellindge Strategy on two sides, to the north west and south west. To the south east is a small cluster of residential dwellings, predominantly two-storey, detached properties, the village hall, doctors' surgery and telephone exchange building. To the north east is the A20 with further houses and the primary school on the opposite side of the road.

**7.60** The site is 0.45ha in size and is considered suitable for five dwellings, depending on the size and layout.

## Policy ND5

### General Sellindge Policy

The following sites are allocated for residential development with indicative capacities as follows:

- The Piggeries, Main Road Sellindge - 5 dwellings;
- Land West of Jubilee Cottage, Swan Lane, Sellindge - 15 dwellings;
- Land at Barrow Hill, Sellindge - 15 dwellings; and
- Silver Spray, Sellindge - 5 dwellings.

Development proposals will be supported where:

1. The design incorporates adequate landscaping to mitigate impact on the setting of the countryside;
2. Existing trees and hedgerows around the site boundary are retained and enhanced;
3. The proposal complements the surrounding street pattern and urban grain, fronting dwellings onto existing streets and following the existing built edge wherever possible; and
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

### Site Specific Criteria

The following additional site-specific criteria should also be complied with:

#### **The Piggeries, Main Road:**

1. The development should avoid direct effects on the nearby ancient woodland; and
2. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

#### **Land West of Jubilee Cottage:**

1. An assessment is carried out of the impact on the setting of the nearby Grade II Listed Building and appropriate measures put in place to preserve or enhance its setting;
2. The design, layout and landscaping of the site mitigates the impact on the setting of the Kent Downs Area of Outstanding Natural Beauty including incorporation of landscaping to filter views of the development from the Area of Outstanding Natural Beauty to the north;

3. Any potential contamination from the former use of the adjoining land is investigated, assessed and if appropriate, mitigated as part of the development; and
4. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

## Primary Villages - Lympne, Saltwood and Stanford/Westenhanger

**7.61** The status and strategic role of a primary village within the Core Strategy settlement hierarchy is *"To contribute to strategic aims and local needs; and as settlements with the potential to grow and serve residents, visitors and neighbourhoods in the locality with rural business and community facilities"* (Table 4.1 of this plan). There are three primary villages located in the North Downs Area: Lympne, Saltwood and Stanford / Westenhanger. No residential development is allocated in this plan at Saltwood and Stanford / Westenhanger.

### Lympne

**7.62** The village of Lympne lies on the edge of the Kent Downs AONB, in the south west of the character area, about seven miles west of Folkestone, two miles west of Hythe and eight miles east of Ashford. Lympne has a parish population of 1,575 (census 2011) and a few services, including a village shop with integrated post office, primary school, village hall and public house.

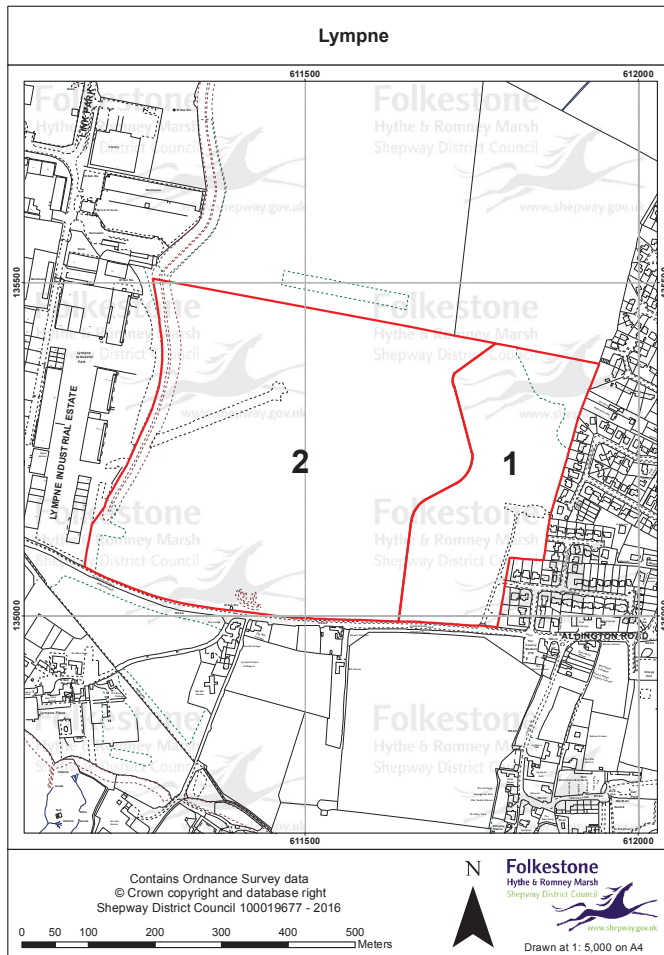
**7.63** Lympne is mainly centred around the Roman road of Stone Street (now the B2068), linking the coast with Canterbury. Today Lympne has good connections and is seen as very accessible, with Westenhanger Station approximately three miles to the north of the village and the M20 motorway junction beyond this. Subsequently Ashford, London and even mainland Europe are within commuting distance.

**7.64** The AONB boundary wraps around Lympne incorporating its historic core, immediately to the south and east of the village. It is the area outside the AONB that has predominantly seen most recent modern residential development over the last half century, with a number of cul-de-sacs created running off Stone Street and Aldington Road. To the west of the village lies the Lympne Industrial Estate and Link Park. Beyond this, on the edge of the village, is Port Lympne Reserve, an award winning wild animal park set in over 600 acres, and the most popular visitor attraction in the district.

**7.65** Historic Lympne and the Lympne Conservation Area is situated around the Church of St Stephen which dates from the early Norman times (1100AD). The remains of the original tower can be seen in fragments on the south side of the present church. The church abuts Lympne Castle, which is a beautiful thirteenth century, Grade I Listed Building. The church and castle enjoy a secluded setting back from the B2067, occupying an impressive vantage point on top of a shallow

gradient cliff known as the Hythe Roughts. Wide-ranging views overlook the English Channel, with Hythe to the east and the Royal Military Canal and Romney Marsh spreading out below, towards Dungeness in the south. On clear days France can be seen in the far distance.

## Former Lympne Airfield



**Picture 7.10 Former Lympne Airfield**

**7.66** This site is located to the west of the village, adjoining the AONB and the settlement boundary. The site is on the former Lympne airfield which was a military and later civil airfield, ceasing operation in 1984; some limited hardstanding remains. Much of the former airfield is open land, with views to the motorway and AONB beyond this. This location is sustainable, within walking distance of the local services, facilities and employment opportunities at Lympe Industrial Estate.

**7.67** For the purpose of this allocation the site has been divided into two separate parcels, Site 1 and Site 2. Site 1 is allocated for residential development with the opportunity for some self-build and custom build plots, whereas Site 2 is to remain undeveloped in order to avoid settlement coalescence, but with the addition of a suitable footpath.

**7.68** Site 1 is bounded by hedgerow, trees and fencing in part. On its eastern side it adjoins the village of Lymgne and a number of residential properties in Beacon Way, Tournay Close, Harman Avenue and Belcaire Close. The properties on these roads are predominantly detached bungalows in a cul-de-sac arrangement built in the late twentieth century. To the west of the site is the Lymgne Industrial Estate, to the north a large area of land, Link Park, which will be developed for industrial and business uses. To the south is the Aldington Road and the AONB boundary; here there are thick hedgerows and trees, with fields beyond and the occasional detached property.

**7.69** Site 1 is 7ha in size and is considered suitable for 125 dwellings, depending on the size and layout. Development here is proposed at a low density because of its setting on the edge of the village, adjoining the Kent Downs AONB.

**7.70** Development must be informed by an assessment to identify features of ecological interest and must conserve and enhance biodiversity within the site, in particular taking account of the adjoining Kent Biodiversity site and the particular features of its designation.

**7.71** The size of the site in this location will require proportionate contributions to improvements at the Newingreen Junction, a specific constraint in the area, as well as education, health and public transport contributions, made through a S106 agreement. Site 2 is 33ha and will remain undeveloped and should be enhanced by providing appropriate landscaping and planting. To support the delivery of necessary underground sewage infrastructure, a connection to the sewerage network at the nearest point of adequate capacity must be provided. The layout of any scheme should also seek to either avoid building over, or facilitate the diversion of, existing sewage infrastructure to allow access for necessary maintenance and improvement.



## Policy ND6

### Former Lymgne Airfield

Site 1 is allocated for residential development with an estimated capacity of 125 dwellings.

Development proposals will be supported where:

1. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced as part of a comprehensive landscaping scheme;
2. The northern building edge is fragmented and softened with a strong landscape buffer;
3. Open spaces and planting are used to provide a visual link to the countryside and North Downs Scarp and an attractive backdrop to development;
4. Mitigation and enhancement measures should be incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
5. A landscape buffer is provided between the existing edge of the village to the east of the site and the new development;
6. On-site open space is provided within Site 1 to meet the recreational needs of residents;
7. At least 6 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
8. Appropriate and proportionate contributions are made to improvements at the Newingreen Junction, the expansion of Palmarsh Primary School and expansion of Oaklands Health Centre through a S106 agreement;
9. Site 2 remains undeveloped and enhanced to retain the separation between Lymgne and the Business Park;
10. A new footpath across Site 2 is provided in parallel with the development of Site 1;
11. The proposal complements the surrounding street pattern and urban grain, fronting dwellings onto existing streets and following the existing built edge wherever possible;
12. Footpaths are provided to link to the existing public rights of way network;
13. A primary vehicle access is provided onto Aldington Road and an emergency access is provided onto Aldington Road or Tournay Close;
14. An assessment of non-designated heritage assets and an archaeological survey is carried out and appropriate mitigation measures put in place if required;
15. Features and structures associated with the site's former use as a WWII airfield are retained wherever possible to provide a link with the site's past;

16. Any potential contamination from its former use is investigated, assessed and if appropriate, mitigated as part of the development;
17. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider; and
18. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes.

## **Saltwood**

**7.72** Saltwood village is located immediately to the north of Hythe on high ground, with picturesque views over the Romney Marsh and the English Channel. The AONB boundary wraps tightly around the built edge of the village to the north, east and west, giving the village a rural feel. To the south Saltwood merges with the town of Hythe and the coast. Saltwood parish contains two other settlements, Pedlinge and Sandling, which are both small hamlets. The parish has a population of 850 (census 2011).

**7.73** The village has a well-defined centre around the village green. Within the centre of the village, or within a short distance, are a range of services and facilities including a village shop, restaurant, public house, primary school, village hall, play ground and cricket club.

**7.74** To the north and north east of the built edge of the village lie Saltwood Castle and the Church of St Peter and St Paul. Saltwood Castle, once owned by the Archbishops of Canterbury, was the overnight resting place of four knights on their journey to Canterbury to murder Thomas Becket. To the north west of the village is Brockhill Park Performing Arts College, an 11-18 academy which is located within Brockhill Country Park and is the only secondary school in the North Downs Character Area.

**7.75** Saltwood has good transport connections. To the north is the M20 motorway, with Folkestone and Ashford easily accessed within a short journey time. Sandling Railway Station, also to the north, is a short walking distance from the centre of the village, with connections to Folkestone, Ashford and London. In addition there is a regular bus service.

## **Stanford and Westenhanger**

**7.76** Stanford is located to the south west of the character area close to Westenhanger and Lympne, but physically separated from the south by major transport infrastructure. Stanford lies about 3.5 miles from Hythe, outside the AONB and is divided by the M20 into Stanford North and Stanford South. The parish population is 429 (census 2011).

**7.77** Despite its close proximity to the motorway and railway line, Stanford still remains rural in character, with the majority of development having taken place on Stone Street in a linear fashion. The facilities in the village are limited, but include a public house and church.

## **Secondary Villages - Stelling Minnis, Densole and Etchinghill**

**7.78** The status and strategic role of secondary villages within the Core Strategy settlement hierarchy is *"To continue to provide crucial rural facilities to visitors and their own residents and workforce, in line with local needs, their environment, and role as relatively small country settlements"* (Table 4.1 of this plan). There are three secondary villages within the North Downs Area: Stelling Minnis, Densole and Etchinghill.

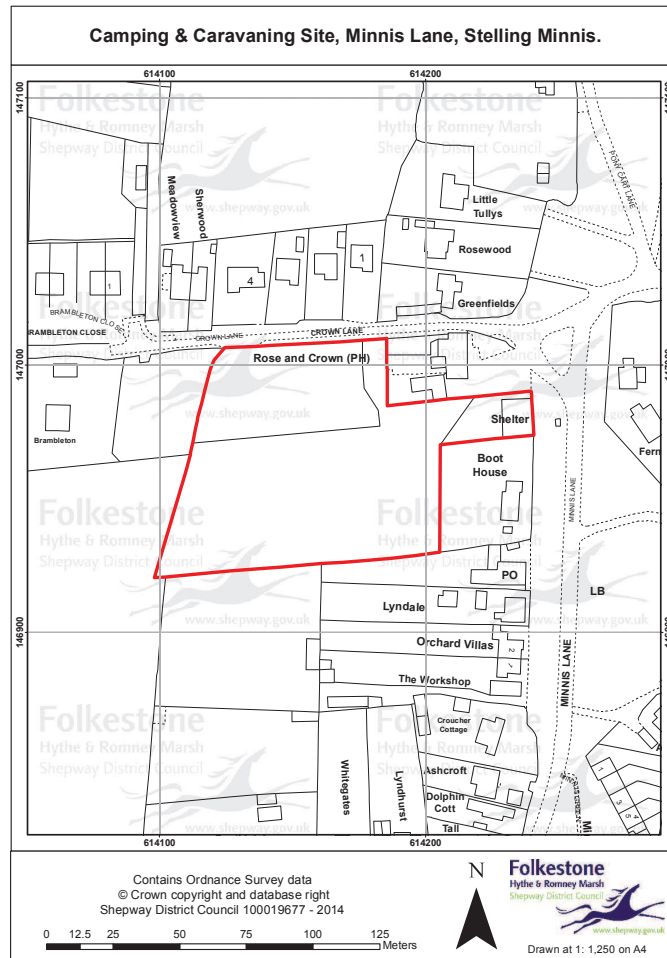
### **Stelling Minnis**

**7.79** Stelling Minnis lies seven miles to the south of Canterbury within the Kent Downs AONB, to the east of Stone Street (B2068), the Roman road linking Lympne and Canterbury. A 'minnis' was ancient common pasture land cleared from the wooded upper slopes of the Kent chalk downland. Stelling Minnis Common is a large tract of privately owned land of 50ha and is one of the last remaining manorial commons in Kent. It was originally used by cottagers to graze their animals, collect bracken, hay and fallen or dead wood. Today the Minnis is managed by volunteers drawn from the local community to act on behalf of the owners. Their work is guided by a management plan to enhance the biodiversity of the Minnis and promote the wellbeing of local residents and the wider community.

**7.80** The Minnis does not have a settlement boundary or core area, but ribbon development has taken place along the network of roads that criss-cross the open land. Stelling Minnis has limited facilities and services, but these do include a primary school, village store with integrated post office, public house and village hall. It has a parish population of 578 (census 2011).

**7.81** A popular tourist attraction within Stelling Minnis is the Grade I listed wooden Smock Mill, built in 1866 and restored to full working condition in 2003. Alongside the windmill is a museum exhibiting the history of the mill and the common; the windmill and museum attract many visitors.

## Camping and Caravan Site, Minnis Lane



**Picture 7.11 Camping and Caravan Site, Stelling Minnis**

**7.82** The site is located behind the Rose and Crown Public House on the corner of Minnis Lane and Crown Lane. The site is used as a camping and caravan site. The site is close to the limited services with the village, including the public house and village store. Development here should complement the surrounding built form.

**7.83** The site is bounded to the north, south and west by mature trees and hedgerows. To the north is Crown Lane with predominantly detached one- and one-and-a-half-storey bungalows on the far side of the road, adjoining the site. To the east, sharing a boundary, is the public house, the Boot House and the village shop; these are all two-storey detached properties. Beyond this is a Local Wildlife Site. To the west and south west lie open fields and scrub.

**7.84** The site is 0.47ha in size and is considered suitable for 11 dwellings, depending on the size and layout. Development here is proposed at a low density because of the site's setting in the Kent Downs AONB and to reflect the existing settlement pattern of Stelling Minnis. The design of proposals should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is particularly important that within the AONB the design is inspired by the local character (Policy HB2: Cohesive Design) and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination). The layout of any scheme should also seek to either avoid building over, or facilitate the diversion of, existing sewage infrastructure to allow access maintenance and improvement.

## Policy ND7

### Camping and Caravan Site, Stelling Minnis

The site is allocated for residential development with an estimated capacity of 11 dwellings.

Development proposals will be supported where:

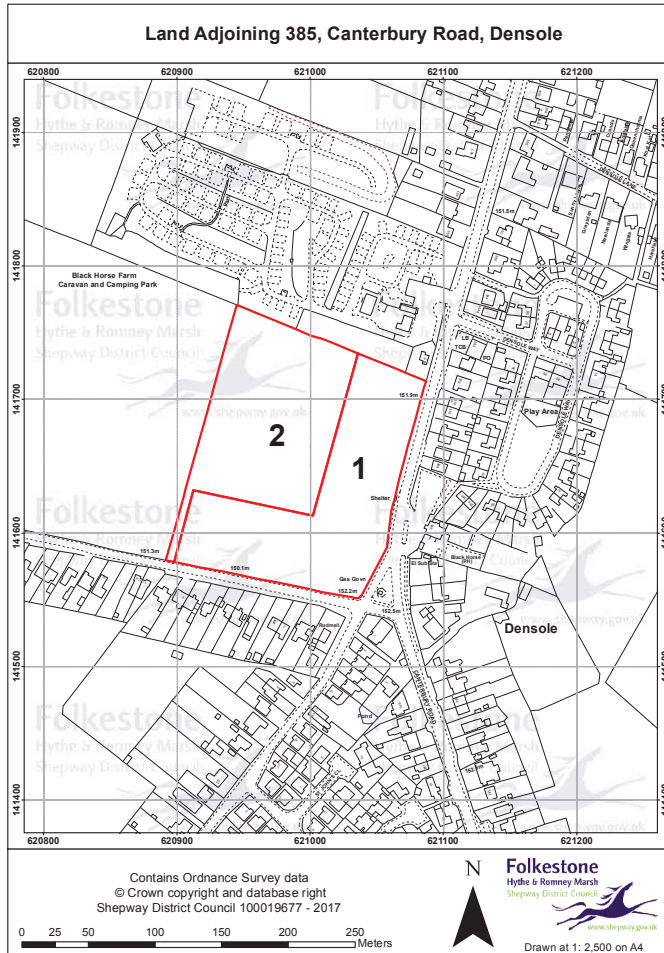
1. The proposal achieves the highest quality design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced unless required for access;
3. The west and south west building edge is fragmented and softened with a strong landscape buffer;
4. Open spaces and planting are used to provide a visual link to the countryside and an attractive backdrop to development;
5. Biodiversity enhancement measures are incorporated into the design of the development;
6. The proposal complements the surrounding street pattern and urban grain, fronting dwellings onto existing streets and following the existing built edge wherever possible;
7. A primary vehicle access is provided onto Minnis Lane;
8. The relocation of the bus shelter is agreed with both Stelling Minnis Parish Council and the owners of the Stelling Minnis Common;
9. Replacement car parking is provided for the public house;
10. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
11. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes.

## **Densole**

**7.85** Densole is a small village located in the Kent Downs AONB just north of Hawkinge, three miles from Folkestone and 12 miles from Canterbury. The majority of housing in Densole is modern and focused around the A260 and a cross-roads network where three roads meet and development runs from it in a linear fashion. Two further pockets of development to the north east and south west of the central cross-roads contain a network of cul-de-sacs.

**7.86** The village has limited facilities which include a public house, caravan park and shop with integrated post office; however the wider services and facilities in Hawkinge are only 1km away. The village has good transport links, with Canterbury, Hawkinge and Folkestone being easily accessible by public transport (bus services 16 and 16a).

## Land adjoining 385 Canterbury Road, Densole



**Picture 7.12 Land adjoining 385 Canterbury Road, Densole**

**7.87** This site is located on the corner of two roads, Coach Road and Canterbury Road (A260), on the western side of Densole, adjoining the settlement boundary. It is in a central location and development here could fit in well with the existing built form of Densole.

**7.88** The site is an open field bounded by mature hedgerows and trees. Adjoining the site to the north is Black Horse Farm Caravan Park, a popular site accommodating many visitors to the area. There is an area of modern housing, predominantly semi-detached bungalows of one- or one-and-a-half storeys, to the south and east. To the west of the site is open farm land.

**7.89** As the site will provide a frontage onto Canterbury Road, development should facilitate a speed limit reduction, footway improvements and a gateway feature as part of its contribution to highway improvements. The site promoter will be required to enter into discussions with Kent County Council and Kent Police as part of the planning application process.

**7.90** The site is divided into two parcels; Site 1 is 1.5 ha in size and is considered suitable for 25 dwellings, depending on the size and layout. Development here is proposed at a low density because of its setting in the Kent Downs AONB. The design of proposals should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is particularly important that within the AONB the design is inspired by the local character (Policy HB2: Cohesive Design) and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination).

**7.91** To support the delivery of necessary underground sewage infrastructure a connection must also be provided to the sewerage network at the nearest point of adequate capacity. The layout of any scheme should also seek to either avoid building over, or facilitate the diversion of, existing sewage infrastructure to allow access for maintenance and improvement.

**7.92** Site 2 is proposed for allotment gardens, subject to demand and discussions with the parish council regarding management and adoption. If there is no demand for allotments then Site 2 should remain as agricultural land.



## Policy ND8

### Land adjoining 385 Canterbury Road, Densole

Site 1 is allocated for residential development with an estimated capacity of 25 dwellings; Site 2 is considered suitable for allotments if there is demand or to remain as agricultural land.

Development proposals will be supported where:

1. The proposal achieves the highest quality design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
3. The western building edge is fragmented and softened with a strong landscape buffer;
4. Open spaces and planting are used to provide a visual link to the countryside and an attractive backdrop to development;
5. The proposal complements the surrounding street pattern and urban grain, fronting dwellings onto existing streets and following the existing built edge;
6. Developments fronts onto Coach Road and Canterbury Road;
7. The public right of way is retained and enhanced;
8. At least 1-2 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
9. Traffic calming measures, new footpaths and crossing points are provided to link in with the existing public rights of way network;
10. The archaeological potential of the land is properly considered and measures agreed to monitor and respond to any finds of interest;
11. Measures are taken to avoid pollution to groundwater;
12. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider; and
13. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes.

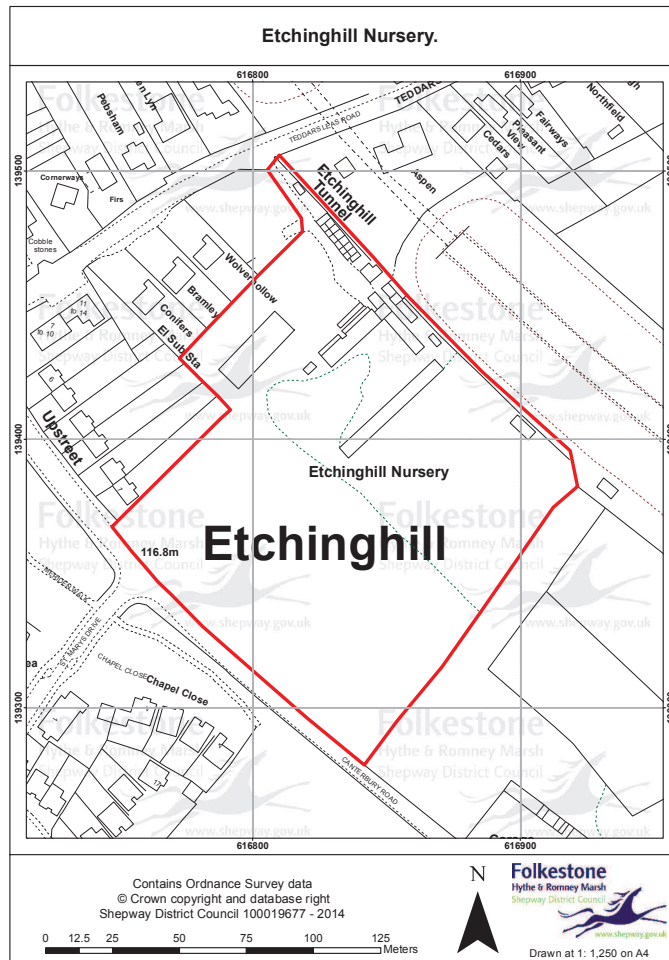
## Etchinghill

**7.93** The village of Etchinghill lies within the Parish of Lyminge, within the AONB about 5km north of Hythe and 2 miles south of the village of Lyminge. Lyminge and Etchinghill are separated by the Etchinghill Golf Course, a popular hilly golf course with the club house complex and entrance based in Etchinghill. Etchinghill has limited services and facilities, but these do include a public house, active residents'

association, village hall, recreation ground and cricket club. However access to facilities such as the school, doctors' surgery and convenience shop requires a trip to Lyminge. Allocations in Etchinghill will require proportionate contributions to healthcare improvements at the New Lyminge Surgery made through a S106 agreement in order to support the increase in practice list size and to continue to serve the existing population without any dilution of services.

**7.94** Links between the two parts of the village need to be improved, as the existing public right of way across the golf course involves crossing a fast road at the Lyminge end on Broad Street. The allocations in Etchinghill and Lyminge will help bring the two parts of the village together by securing contributions towards a new public bridleway. To the east of Etchinghill are the remains of the Elham Valley Railway, which previously ran through the area and will be the location for the new bridleway. The majority of development has taken place to the west of the railway cutting, focused around a central cross-roads. During the 1990s the St Mary's Hospital site, a former workhouse in Etchinghill to the west of the hamlet, was demolished with the creation of 52 new dwellings, a new village hall and amenity space.

## Etchinghill Nursery



**Picture 7.13 Etchinghill Nursery**

**7.95** This site is located to the south east of Etchinghill, adjoining the settlement boundary and in a central location with facilities and services a short walk away. The site consists of a former plant nursery, with disused horticultural buildings and an adjoining field, now only partial used for horticulture. The site fronts onto Canterbury Road, the main route through Etchinghill. An appropriately designed scheme could fit in well with the established urban grain.

**7.96** The north west of the site is bounded by residential development, along Canterbury Road and Teddars Leas Road. The housing here is a mix of fairly modern detached and semi-detached two-storey dwellings with large gardens backing directly onto the site; there is also a small development of flats on the corner of Teddars Leas Road that does not directly adjoin the site. In addition there is a small plot of land with planning permission for two detached dwellings on Teddars Leas Road

which does share a boundary with the site. Beyond this is the village's historic core and a number of Listed Buildings: the design of the development will need to preserve or enhance the setting of these buildings.

**7.97** To the north east is the former railway embankment, with extensive mature hedgerows and trees. The south east of the site is bounded by hedgerows and trees with a field immediately beyond. To the south west are further hedgerows and trees with Canterbury Road running along this side of the site, with St Marys Drive and the recreation ground on the opposite side of the road. There will be the opportunity to reinforce the village gateway features on Canterbury Road as part of the development.

**7.98** The site is 1.6ha in size and is considered suitable for 30 dwellings, depending on the size and layout. Development here is proposed at a low density because of its setting in the Kent Downs AONB on the edge of the village. The design of proposals should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is particularly important that within the AONB the design is inspired by the local character (Policy HB2: Cohesive Design) and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination).

**7.99** To support the delivery of necessary underground sewage infrastructure a connection must be provided to the sewerage network at the nearest point of adequate capacity. The layout of any scheme should also seek to either avoid building over, or facilitate the diversion of, existing sewage infrastructure to allow access for maintenance and improvement. Potential flood risk will need to be addressed as part of any planning application.

## Policy ND9

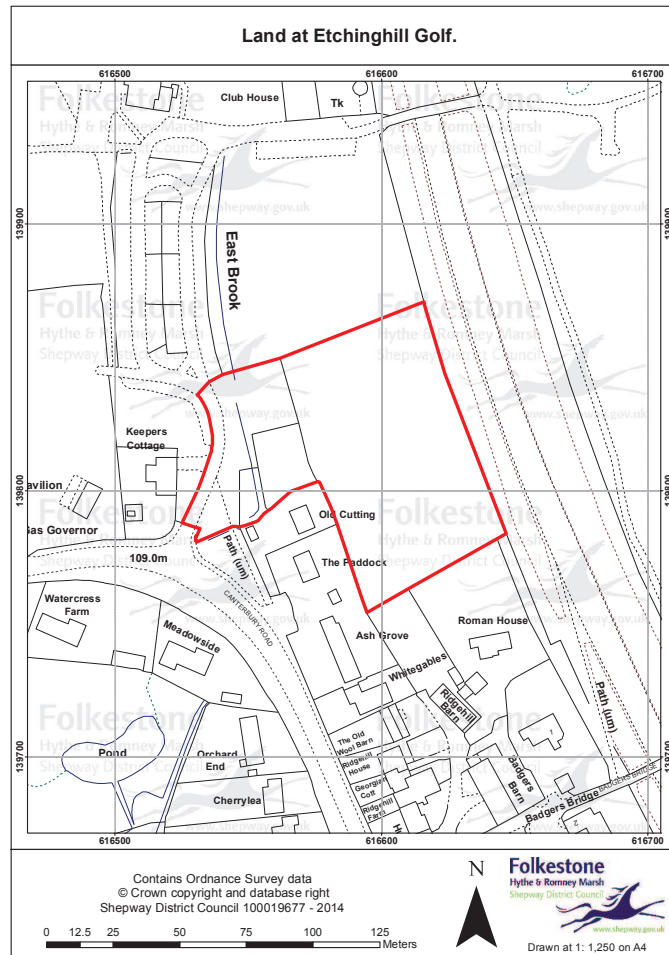
### **Etchinghill Nursery, Etchinghill**

The site is allocated for residential development with an estimated capacity of 30 dwellings.

Development proposals will be supported where:

1. The proposal achieves the highest quality of design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. Proposals include a landscaping scheme, particularly around the southern boundary, retaining the existing trees and hedgerows unless required for access, to ensure a soft edge to the village and retain its rural character;
3. Open spaces and planting are used to provide a visual link to the countryside and an attractive backdrop to development;
4. At least 1-2 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
5. Primary vehicle access is onto Canterbury Road, with suitable visibility splays provided and widening where appropriate;
6. New footpaths, crossing points and measures to calm traffic are provided to link in with the existing public rights of way network;
7. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place;
8. The design of the development minimises effects on the setting of the nearby Listed Buildings;
9. Mitigation and enhancement measures are provided to avoid adverse effects on the Folkestone to Etchinghill Escarpment Site of Special Scientific Interest;
10. Appropriate contributions are made towards a new public bridleway along the alignment of the old railway line between Lyminge and Etchinghill and healthcare improvements at the New Lyminge Surgery through a Section 106 agreement;
11. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider; and
12. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes.

## Land adjacent to the Golf Course, Etchinghill



**Picture 7.14 Land adjacent to the Golf Course, Etchinghill**

**7.100** This site is located to the north of Etchinghill, partly adjoining the settlement boundary and within the Etchinghill Golf Course complex. The site is currently an open, flat field not used by the golf course, located within walking distance of the limited services and facilities within the hamlet. The access for the site is from the existing access road serving the golf course.

**7.101** The majority of the site is bounded by mature trees and hedgerow. The south and west of the site is predominantly residential, single storey, detached bungalows. Beyond this is the village’s historic core and a number of Listed Buildings; the design of the development will need to preserve or enhance the setting of these buildings. The area immediately to the north of the site is further open land within the golf complex and to the east is the formal Elham Valley Railway cutting, extensive vegetated.

**7.102** The site is 0.74ha in size and is considered suitable for 11 dwellings, depending on the size and layout. Development here is proposed at a low density because of its setting in the Kent Downs AONB on the edge of the village. The design of proposals should reflect the guidelines set out in the Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook. In addition it is particularly important that within the AONB the design is inspired by the local character (Policy HB2: Cohesive Design) and new lighting should also be controlled to help conserve dark night skies (Policy NE5: Light Pollution and External Illumination).

### Policy ND10

#### Land adjacent to the Golf Course, Etchinghill

The site is allocated for residential development with an estimated capacity of 11 dwellings.

Development proposals will be supported where:

1. The proposal achieves the highest quality of design of both buildings and surrounding space and reinforces local rural distinctiveness through layout, design, scale and the use of high quality materials to help maintain the Kent Downs Area of Outstanding Natural Beauty as a special place;
2. The highest quality materials are used and traditional building techniques are employed;
3. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced;
4. Open spaces and planting are used to provide a visual link to the countryside and an attractive backdrop to development;
5. Provision of a public bridleway, along the alignment of the old railway line between Lyminge and Etchinghill, is progressed with Kent County Council, with a proportionate contribution towards the cost of scheme implementation, alongside progression of relevant orders to permit the correct rights of public access across land under the control of the site promoter;
6. Appropriate and proportionate contributions are made to healthcare improvements at the New Lyminge Surgery through a S106 agreement;
7. Measures to calm traffic are improved and reinforced;
8. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place; and
9. The development avoids adverse effects on groundwater.





## Part Two - Development Management Policies

## Introduction

## 8 Introduction

### Development Management Policies

**8.1** The policies in Part Two provide guidance on a range of topics:

- Housing and the Built Environment;
- Economy;
- Retail and Leisure;
- Community;
- Transport;
- Natural Environment;
- Climate Change;
- Health and Wellbeing; and
- Historic Environment.

**8.2** The policies in this section provide a basis for considering planning applications within Shepway, both for the allocated sites in Part One and development proposals that come forward on other sites in the district. They complement the area-based policies in Part One, and will contribute to the effective management of development in the district.

**8.3** It is important to read the plan as a 'whole', that is with reference to all the policies that may be relevant; policies should not be read in isolation. They reflect local circumstances and are in addition to requirements already set out in the [National Planning Policy Framework](#) (NPPF) and [Planning Practice Guidance](#) (PPG). The Introduction to Part One highlights some of the other considerations that may apply in assessing development proposals.



## Housing and the Built Environment

## 9 Housing and the Built Environment

### Introduction

**9.1** This chapter contains policies dealing with a range of matters relating to the built environment and proposals for residential development and other forms of accommodation. The sections below contain policies covering:

- General design considerations, relating to all types of development;
- Housing-related topics, such as housing design, space standards, self-build and custom housebuilding, new residential development in the countryside, local needs housing and dwellings to support a rural-based business;
- Alterations of and extensions to dwellings, the development of gardens and proposals to build annexes to homes; and
- Other forms of accommodation, including residential care homes and institutions, houses in multiple occupation and gypsy and traveller accommodation.

### General Design Considerations

**9.2** This section contains general design policies that apply to all types of development.

**9.3** The [National Planning Policy Framework](#) (NPPF) places quality design at the heart of the planning system, making it clear that good design is a key aspect of sustainable development and place-making, indivisible from good planning (NPPF, paragraph 56). Further detail is provided in Core Strategy policies, particularly Policy SS3: Place-Shaping and Sustainable Settlements Strategy.

**9.4** This plan seeks to meet the NPPF requirement for "*robust and comprehensive*" design policies that "*establish a strong sense of place*" (paragraph 58) and provide more detail to policies in the Core Strategy.

### Quality Places Through Design

**9.5** Achieving good design is about creating places, buildings and spaces that work well for everyone, are attractive, long lasting and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of places. Research has shown that good urban design adds economic, social and environmental value. It increases retail rents, commercial trading, footfall and average residential value, yet does not necessarily cost more or take longer to deliver than poor design.

**9.6** Furthermore, good design has intrinsic benefits to health and wellbeing; encouraging journeys on foot or bicycle, while increasing social interaction and creative play. Evidence shows that good design reduces the perception and risk of

crime. In addition, the integration of green space within a development can provide opportunities for carbon storage and habitats for wildlife and can lower surface water run off and reduce the 'urban heat island' effect.

**9.7** Development should be led by sound urban design principles, such as those set out in the [Building for Life 12 standard](#), the adopted [Kent Design Guide](#) and the [Kent Downs Area of Outstanding Natural Beauty \(AONB\) Landscape Design Handbook](#). Wider guidance is provided in the [Manual for Streets](#), while local guidance may also be set out in Village Design Statements, Conservation Area Appraisals and Neighbourhood Plans.

**9.8** The Council has a strong record of working with partners to assess design quality and in particular has worked with [Design South East](#) to increase skills and knowledge in the local authority. The Council has also implemented Design Review for a number of strategic and smaller applications and will continue to promote this through Planning Performance Agreements and other means where appropriate.

**9.9** The objective of good design is not necessarily to copy local features, which can create pastiche development, but to reference local character, layout, scale and materials within a proposal in a new way to ensure it contributes positively to its surroundings.

## Policy HB1

### Quality Places Through Design

Planning permission will be granted where the proposal:

1. Makes a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings and land uses, particularly with regard to layout, scale, proportions, massing, form, density, materiality and mix of uses so as to ensure all proposals create places of character;
2. Facilitates circulation and ease of movement within the locality for all users, promoting low vehicle speeds, integrated resident and visitor parking and prioritising active forms of travel with roads, footways and paths appropriately located to allow for natural surveillance while maximising legibility;
3. Creates, enhances and integrates areas of public open space, green infrastructure, biodiversity and heritage and other public realm assets;
4. Does not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. In assessing the potential impacts of new build residential development on neighbouring dwellings, the Council will apply the same guidelines as for alterations and extensions set out in Policy HB8;
5. Provides a clear definition between the public and private realm, incorporating high quality hard and soft landscaping, boundary treatments, public open spaces and lighting, including details of future maintenance and management; and
6. Complies with other relevant policies within the development plan and responds positively to the design policies and guidance contained within relevant Town and Village Design Statements and Neighbourhood Plans.

**9.10** The [Sandgate Design Statement](#) was adopted as a Supplementary Planning Document (SPD) in 2013; proposals in Sandgate should have regard to the advice and policies this contains. The Council may consider the introduction and use of other appropriate guidance, such as design codes. Where adopted, these will be a material consideration in decisions on planning applications.

## Housing Policies

**9.11** This section contains policies setting out design criteria for new housing developments, space standards, requirements for self-build and custom build homes and for providing affordable housing in the rural area and homes to support rural-based enterprises.



## **Cohesive Design**

**9.12** Proposals should demonstrate a comprehensive approach to design, avoiding the need for retrofitting as much as possible. Design and Access Statements will be scrutinised to understand how the chosen scheme has developed.

**9.13** A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture.

**9.14** Planning applications for development with an element of public use will be assessed for their provision for access for disabled persons in respect of site layout and for the relationship between buildings and their car parking areas and other public access points. (Requirements for car parking are set out in Chapter 13: Transport.)

## **Building for Life 12**

**9.15** Building for Life (BfL)12 is the latest iteration of the government-endorsed industry standard for well-designed homes and neighbourhoods. It was developed by a consortium led by the former Commission for Architecture and the Built Environment (CABE) at the Design Council, Design for Homes and the Home Builders Federation, with support from Nottingham Trent University. The Council supports the BfL standard and will seek to achieve all its recommendations within major developments as far as is reasonably practicable.

**9.16** The BfL 12 standard should be used throughout the design process and is a useful tool for the Council, developers and the community to assess proposals in a structured way. All major housing developments should include BfL12 assessments as part of planning applications in accordance with local validation requirements, while BfL12 should form the basis for engagement with communities prior to the submission of a planning application.

**9.17** The BfL criteria have been used to inform Policy HB2 below. 12 criteria are grouped under three themes:

- Integrating into the neighbourhood;
- Creating a place; and
- Street and home.

**9.18** Detailed consideration of the BfL 12 standard will help to ensure that a comprehensive approach is taken to the design of new housing developments. The Council will assess Design and Access Statements and application drawings to ensure proposals deliver development of the highest quality and are inclusive in their design and layout. Large scale development proposals should include masterplans, parameter plans and design code documents where required.

## Policy HB2

### **Cohesive Design**

For major housing developments or complex proposals or on sensitive sites, a design statement should be prepared which demonstrates compliance with Building for Life 12, as far as is reasonably practicable. The statement should demonstrate how the proposal:

### **Integrates into the Neighbourhood**

1. Integrates into its surroundings by reinforcing existing connections and creating new ones where appropriate; while also respecting existing buildings and land uses along the boundaries of the development site;
2. Provides (or is located close to) community facilities such as shops, schools, workplaces, parks, play areas, pubs and cafés;
3. Has good access to public transport to help reduce car dependency; and
4. For housing development, provides a mix of housing types and tenures that meet local requirements.

### **Creates a Place**

5. Creates a place with a locally inspired or otherwise distinctive character, well related to the local landscape character;
6. Takes advantage of existing topography, landscape features (including water courses), trees which contribute positively to the landscape; wildlife habitats, existing buildings, heritage assets, site orientation and micro-climates;
7. Integrates buildings with landscaping to define and enhance streets and spaces and turn street corners well; and
8. Makes it easy for residents and visitors to find their way around.

### **Creates Streets and Homes**

9. Creates streets that encourage low vehicle speeds and social interaction;
10. Provides well integrated parking that does not dominate the street;
11. Clearly defines public and private spaces and ensures they are attractive, can be well managed and are safe; and
12. Provides adequate external storage space for refuse and recycling as well as storage for vehicles and cycles.

## Affordable Housing and Starter Homes

**9.19** The Council's requirement for the provision of affordable homes is set out in Core Strategy Policy CSD1: Balanced Neighbourhoods for Shepway. Since this policy was adopted, the Government has introduced two main changes to legislation and guidance relating to planning obligations and Starter Homes.

**9.20** Firstly, the Government has introduced legislation that limits the requirement to provide affordable homes to developments of 11 or more dwellings or, when in Areas of Outstanding Natural Beauty, five dwellings or more.

Given this, Core Strategy Policy CSD1 will still be used when considering planning applications for housing development outside the Kent Downs Area of Outstanding Natural Beauty (AONB) where they are for 11 dwellings or more in accordance with the policy requirements:

- Development proposing (or land capable of accommodating) 11 to 14 dwellings (net gain) should provide at least two affordable dwellings on-site, subject to viability; and
- Development proposing (or land of 0.5ha or more in size) 15 or more dwellings (net gain) should provide 30 per cent affordable dwelling on-site, subject to viability.

Within the Kent Downs AONB, the threshold of five dwellings or more will continue to be used, in accordance with Policy CSD1.

**9.21** Secondly, the Government introduced the [Housing and Planning Act 2016](#), which contains provisions relating to Starter Homes. Starter Homes are new dwellings, available to purchase only by qualifying first-time buyers which are sold at a discount of at least 20 per cent of the market value and are subject to restrictions on sale or letting. The sale price is subject to a cap of £250,000 outside London.

**9.22** The Starter Homes [exception sites policy](#) set out in Planning Practice Guidance encourages applications for development for Starter Homes on under-used or unviable industrial and commercial land that has not been currently identified for housing. It also restricts local planning authorities from seeking developer contributions from such schemes. Local planning authorities are encouraged to work in a positive and active way with landowners and developers to secure a supply of land suitable for Starter Homes exception sites in their areas.

**9.23** A Starter Home is expected to be well-designed and suitable for young first time buyers. The Council will work with developers to determine what size and type of Starter Home is most appropriate, reflecting the local housing market and the proposed site.

**9.24** The Council will update the Affordable Housing Supplementary Planning Document to reflect the new legislation and guidance relating to affordable housing obligations and Starter Homes.

## Access and Inclusion

**9.25** Local planning authorities are required by the NPPF to develop robust policies that help to create safe and accessible environments (paragraph 58). They should also encourage high quality and inclusive design (paragraph 57) and use evidence to plan to meet the needs for housing for different groups (paragraph 50).

**9.26** The Council will expect all buildings and places to meet the highest standards practicable for access and inclusion. Building Regulations Part M addresses access to and use of buildings. The Regulations contain a basic minimum standard for access and use which should be applied to all new dwellings (M4(1)), and two optional requirements for increasing accessibility for those with lower levels of mobility.

**9.27** Core Strategy Policy CSD2: District Residential Needs requires all developments of 10 dwellings or more (Class C3) to include 20 per cent of market dwellings which meet [Lifetime Homes](#) standards, unless demonstrated to be unfeasible in design or viability terms. The Council will now require all developments of 10 dwellings or more to include a minimum of 20 per cent of market dwellings meeting M4(2) Category 2 (Accessible and Adaptable Dwellings), which can include units of M4(3) Category 3 (Wheelchair User Dwellings) if desired or as part of affordable or extra-care housing requirements. This requirement will apply to new build schemes only, and will be secured through the use of planning conditions.

## Internal and External Space Standards

**9.28** Inadequate space within homes is an issue of increasing importance to home buyers. The former Commission for Architecture and the Built Environment (CABE) produced a report, '[Space standards: the benefits](#)' (2010) which summarised the seven main benefits of sufficient internal space as:

- Improved health and wellbeing resulting from privacy and social activity;
- Enhanced family life and the opportunity for children to study uninterrupted;
- Opportunities for home working, increased productivity and therefore wider economic benefit;
- Increased flexibility and adaptability to changing needs;
- The ability to respond to occupants' changing physical requirements over their lifetimes;
- Reduced overcrowding; and
- A more stable housing market driven by an understanding of long-term need rather than short-term investment.

**9.29** The Government has since set out standards in '[Technical housing standards - nationally described space standard](#)' (DCLG, March 2015) but these are currently discretionary. The standards aim to ensure new developments provide adequate

space for residents to undertake everyday activities comfortably. Locally, while many new developments have met or exceeded these standards, many one and two bedroom dwellings are falling short.

**9.30** To improve the quality of new homes in the district, proposals will be assessed against Policy HB3: Internal and External Space Standards. (The 'Technical housing standards' are set out in full with further supporting information in Appendix 2) The Council will particularly scrutinise applications for Houses in Multiple Occupation against these standards to ensure that proposals provide acceptable living space for residents (see also Policy HB13: Houses in Multiple Occupation).

**9.31** For flats, it is expected that usable balconies or terraces are provided for all units in new build developments. In the case of conversions of existing buildings, balconies or terraces should be provided wherever feasible and where they would not take away from the character of the existing building or street scene.

**9.32** For houses, a larger area of private external space is necessary to accommodate a storage shed, a sitting out area, washing line or rotary drier, planting and play and amenity space. These features can make a garden attractive, support people's health and wellbeing, and provide valuable habitats for wildlife.

## Policy HB3

### Internal and External Space Standards

Planning permission will be granted for new build residential development and conversions for residential use where the proposed scheme:

1. Meets the nationally described technical housing space standard, or subsequent updates to the standard, including minimum floor-to-ceiling heights;
2. Provides an area of private open space for each new or converted dwelling as one or both of the following:
  - A private usable balcony area with a minimum depth of 1.5m for flats, as long as this does not reduce the privacy of neighbouring dwellings;
  - An area of private garden for the exclusive use of an individual dwelling house of at least 10m in depth and the width of the dwelling. In the case of infill developments there should be sufficient space retained for the original dwelling;
3. Demonstrates consideration of the acoustic environment of outside spaces so they can be enjoyed as intended;
4. Provides each dwelling with discretely designed and accessible storage space for the different types of refuse bin; and
5. Provides bicycle storage in accordance with Policy T5: Cycle Parking.

Number of Bedrooms (b)	Number of Bed Spaces (Persons)	1 Storey Dwellings (sqm)	2 Storey Dwellings (sqm)	3 Storey Dwellings (sqm)	Built-in Storage (sqm)
1b	1p	39 (37) <sup>(1)</sup>	-	-	1.0
	2p	50	58	-	1.5
2b	3p	61	70	-	2.0
	4p	70	79	-	
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

Number of Bedrooms (b)	Number of Bed Spaces (Persons)	1 Storey Dwellings (sqm)	2 Storey Dwellings (sqm)	3 Storey Dwellings (sqm)	Built-in Storage (sqm)
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

**Table 9.1 Technical housing standard - nationally described space standard**

1. *Where a one bedroom, one person property has a shower instead of a bathroom, the floor area may be reduced from 39sqm to 37sqm.*

For certain types of conversions, including those of heritage assets or buildings in Conservation Areas, a communal garden for the exclusive use of the residents of a group of flats may be acceptable in place of individual balconies or terraces. On particularly constrained sites, as an exception, commuted sums may be paid to provide off-site amenity areas.

The Council will only consider variations to the external space standards if it can be demonstrated through the Design and Access Statement or site masterplanning that such an approach is needed to reflect the character of the area or provide for a mix of units within a development that create a higher density suitable to the urban nature of the site. In such instances communal or public open space should be provided or be made available within the immediate locality.

The Council will expect 20 per cent of homes on major new build developments to meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended).



**9.33** A private outdoor space is one which is not significantly overlooked from the street or other public place. Private balconies on the front elevation of flats may be acceptable if the building is set back from the street onto which they face or otherwise designed to create privacy. If the building is sited on or close to the back edge of the pavement, a balcony on the front elevation, where the activities of the occupants can be easily observed by passersby, is not likely to provide an acceptable private outdoor space; however, recessed balconies may provide sufficient privacy.

**9.34** In calculating the size of communal gardens, the Council will have regard to the size of the different flats. For example, a building containing seven flats, three of which have four bedspaces and four of which have three bedspaces, should provide a private amenity area of at least 45sqm  $((3*7)+(4*6))$ .

### **Self-build and Custom Housebuilding**

**9.35** 'Self-build' is the practice of aspiring homeowners creating their own homes. The self-builder's input may vary from undertaking the actual building work to contracting out all the work to an architect or building package company, or contracting the development of the shell of a building and completing the internal building work themselves. Consequently it is now also commonly termed 'custom housebuilding' (that is where the home is custom-built to the individual's specification, rather than being designed and built by a construction company to a standard specification). Self-build and custom housing can be built or commissioned by individuals or people collaborating as a group.

**9.36** Self-build and custom housebuilding has a number of advantages over mainstream developer-led models of construction. These include:

- Lowering development costs;
- Improving housing choice;
- Increasing use of innovative techniques and green technologies;
- Improving build quality;
- Increasing business for local suppliers, trades people and other small businesses;
- Enhancing local construction skills; and
- Providing a greater diversity of supply.

**9.37** There are, however, a number of challenges facing self-build and custom housebuilders, including:

- Lack of access to available plots;
- Unwillingness of financial institutions to lend against self-build homes;
- Planning and other regulatory requirements; and
- Securing the provision of infrastructure to the plot or scheme.

**9.38** The [Self-build and Custom Housebuilding Act 2015](#) places duties on local authorities to keep a register of individuals who wish to acquire serviced plots of land for self-build and custom housebuilding projects and to have regard to these registers in carrying out planning and other functions. Self-build and custom housebuilding registers provide local planning authorities with valuable information on demand in their areas and evidence which can be used to inform planning policies and decisions on planning applications.

**9.39** National guidance in the NPPF states that local planning authorities should identify and make provision for the housing needs of different groups in the community including those wishing to build their own homes. Planning Practice Guidance also makes it clear that the Government is keen to support and encourage individuals and communities who want to build their own homes, and is taking active steps to stimulate the growth of the self-build market.

**9.40** One measure to help self-builders has been to grant them an exemption from the Community Infrastructure Levy (CIL). The CIL exemption will apply to those who build their own homes or commission a home from a contractor, housebuilder or sub-contractor. Individuals claiming the exemption must own the property and occupy it as their principal residence for a minimum of three years after the work is completed. This provision is intended to boost the availability of self-build and custom housebuilding plots to meet the needs of those registered with the local planning authority.

**9.41** Shepway District Council is keen to support self-build and custom housebuilding. The Council's self-build and custom housebuilding register allows people to register their interest in these opportunities. (Further information is also available on the [self-build portal](#), provided by the [National Custom and Self Build Association](#).) The Council will support qualifying bodies in delivering self-build and custom housebuilding projects through the Neighbourhood Plan process as well as through community self-build projects.

**9.42** Further evidence of the need for self-build and custom housebuilding will be gathered through future revisions of the Council's Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Assessment (SHMA), as well as the register itself. Using the policy criteria below it is calculated that the site allocations in this plan will provide for at least 36 self-build and custom housebuilding plots by 2031 which is likely to be further supplemented by 'windfall' development of smaller sites (below five dwellings) which often deliver self-build homes.

**9.43** Policy HB4 requires sites above qualifying thresholds to provide a proportion of homes in the form of self-build or custom house build plots. Requirements for individual sites are also highlighted in relevant policies in Part One of this plan. Exceptions may be allowed where the scheme proposed is a predominantly high-density, flatted development where provision of a self-build or custom build element would not be deliverable. Developers should consider delivery models and

site management issues carefully at the outset. The affordable housing requirement of the site should be calculated on the total number of homes being delivered on a site, including the self-build or custom build element.

## Policy HB4

### Self-build and Custom Housebuilding Development

The Council will support self-build and custom housebuilding development by requiring:

1. All sites within the Folkestone and Hythe Urban Area delivering more than 40 dwellings to supply no less than 5 per cent of dwelling plots for sale to self-build or custom housebuilders on the Council's register; and
2. All sites within the North Downs and Romney Marsh Areas delivering more than 20 dwellings to supply no less than 5 per cent of dwelling plots for sale to self-build or custom housebuilders on the Council's register.

Development on sites on and above these thresholds shall be subject to the following criteria:

1. Design parameters for self-build and custom housebuilding plots shall be submitted within any outline planning application as part of the Design and Access Statement and shall be in compliance with other policies in the plan;
2. Plots shall be provided with outline planning permission, services to the boundary and access to the public highway or internal road layout;
3. Plots shall be appropriately marketed to self-build and custom housebuilders for a period of at least 12 months from commencement of the development before consideration is given to a return to open market units; and
4. Self-build and custom housebuilding plots shall be appropriately integrated within the wider development, in accordance with relevant policy requirements and contribute towards the wider plan objectives for the maintenance and management of the public realm.

The Council will consider proposals for self-build and custom build homes on schemes below these thresholds positively, subject to other policies in the plan. The Council will encourage local communities to provide plots for self-build and custom build homes in Neighbourhood Plans.

## Residential Development in the Countryside

**9.44** Paragraph 55 of the NPPF states that local planning authorities should avoid isolated new homes in the countryside unless there are special circumstances, such as that:

- They are essential for rural workers to live near their work;
- They would provide a viable use of a heritage asset;
- They would involve the re-use of redundant buildings that would lead to an enhancement of the immediate setting; or
- They would result in a development of exceptional quality.

**9.45** Where proposals are to replace dwellings in the countryside, the Council will support proposals that are carefully managed to protect the character of the rural area. This will also apply to other residential associated development, such as garages. To avoid overbearing and bulky dwellings and associated development in isolated locations, the Council will pay particular attention to the design, scale and materials proposed. This is especially important in the north of the district, where most of the countryside is within the Kent Downs Area of Outstanding Natural Beauty and in Romney Marsh, which has a flat, open and exposed character. Proposals for replacement dwellings will, therefore, be required to justify the design approach and will need to meet the design policies in this plan.

**9.46** Where proposals are for replacement dwellings that are not located on the original footprint of the existing house, the Council will seek, through a planning condition, to secure the demolition of the existing dwelling within three months of the occupation of the replacement, in order to prevent two dwellings remaining on site.

**9.47** Where planning permission is granted for a replacement dwelling this may be subject to a condition withdrawing permitted development rights for residential extensions and out-buildings. This is to protect the countryside from intrusive development by bringing future alterations to the new property within the control of the planning system.

## Policy HB5

### Replacement Dwellings in the Countryside

Planning permission will be granted for replacement dwellings in the countryside provided that:

1. The existing dwelling has a lawful residential use;
2. It can be demonstrated that the scale, bulk, massing, external appearance, architectural detailing, materials, lighting and location within the site does not harm the wider landscape, the functioning of neighbouring uses or the amenities of nearby residents; and
3. It can be demonstrated that a suitable access can be achieved.

Where permission is granted, Permitted Development Rights may be removed in order to control future alterations or extensions that may impact on the landscape and rural character of an area.

Where permission is granted and an alternative location is proposed, a planning condition will be used to ensure that the existing dwelling is removed within three months of the occupation of the replacement dwelling.

Planning permission for residential-related outbuildings, such as garages, will be granted provided that it can be demonstrated that the scale, bulk, massing, location within the site and materials used do not harm the wider landscape, the functioning of neighbouring uses or the amenities of nearby residents.

### Local Housing Needs in Rural Areas

**9.48** The viability of local communities and local facilities such as shops and schools can be threatened if local people, particularly young families, are unable to afford to stay in an area. The NPPF supports local housing needs; as paragraph 54 states, local planning authorities should *"be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate ..."*

**9.49** These 'exception sites' will be provided in addition to the allocation of land through the local plan, and will be developed on land which would not normally be released for housing. They will have to meet the criteria set out in Policy HB6 below.

**9.50** In assessing local needs, the requirements of the following groups of people resident in the parish of the proposed development, or adjoining parishes, will be considered. The requirement for local needs housing will be demonstrated by the inability of households to gain access to accommodation suited to their needs at an

affordable cost and within the limits of their disposable income. A parish survey will need to show that a significant number of households are in this position. The survey should include quantitative information on the following:

- Households currently resident in accommodation unsuited to their circumstances for physical, medical or social reasons, and where the homes are incapable of being improved;
- Persons who are dependants of households resident in the parish;
- Households including persons employed full-time in the parish, on other than a short-term basis, or who will be taking up such employment, or who provide an important service requiring them to live locally;
- Persons who are not currently resident, but have retained long-standing links with the local community or who have moved away due to lack of affordable housing; and
- Other cases of local need, if considered justified by the local planning authority.

**9.51** For supporting evidence, 'resident' is interpreted as a person with three years' continuous residence in the parish or alternatively, residence of any five out of the last ten years. To ensure priority for the affordable housing is given to people in local housing need, the Council will require the affordable housing provider to enter into a legal agreement with cascade provisions, under which applicants with a connection to the parish (through residence, employment or close family) are given first priority, followed by those with a connection to neighbouring parishes, and then those in the rest of the district.

**9.52** In the majority of cases, all homes on exception sites should be affordable, as these sites are granted as exceptions to general policies restricting development in the countryside. This may not always be possible, however, without subsidy: an element of market housing may therefore be permitted on exception sites where no public subsidy is available and where changing the tenure of the affordable homes would not assist the scheme's viability or properly address local needs.

**9.53** The developer must demonstrate that the inclusion of market housing is required to enable the site to be developed primarily for affordable housing. Developers seeking to justify a lower proportion of affordable housing will be required to demonstrate why a housing scheme solely providing affordable homes is unviable and identify what level of affordable provision would be viable. The financial viability assessment should be prepared by the applicant. Where agreement is not reached, external consultants will be appointed to undertake a further independent viability assessment. The applicant will be expected to meet the costs of the independent assessment.

## Policy HB6

### Local Housing Needs in Rural Areas

Planning permission will be granted for proposals for local needs housing within or adjoining villages of a suitable scale and type to meet identified needs provided that:

1. The need cannot satisfactorily be met on: sites with planning consent for housing; through an allocated site in this local plan or a Neighbourhood Plan; from redevelopment, infill or conversion in line with other plan policies; or by other means;
2. The local need has been clearly identified by a detailed parish survey and the size, mix and tenure of the dwellings would help to meet the identified need. It may be necessary to take into account the needs in adjacent parishes so as to relate catchment areas to settlements;
3. The development has been designed and will be available at a cost capable of meeting the identified local need; and
4. The site is well-related in scale and siting, to the settlement and its services and is capable of development without significant adverse landscape, ecological, environmental, historic environment or highway safety impacts.

If a viability appraisal demonstrates that it is not viable to provide all the homes in the scheme as affordable dwellings, consideration will be given in order of preference to:

1. Changing the tenure mix of the affordable homes and/or the application of any available public subsidy; and only then to
2. Including the minimum market housing necessary to make the scheme viable and still remain an exception site.

### Dwellings to Support a Rural-based Enterprise

**9.54** In many instances it will be possible for workers in agricultural and land-based occupations to live in a town or village near to their business. However, occasionally the nature of agricultural and other rural enterprises makes it essential for someone to live on the site, or close to the enterprise. Applications for planning permission in such circumstances will need to demonstrate that the enterprise or intention to engage in one is genuine and will be sustained for a reasonable period of time to justify granting permission for a dwelling in the countryside where it would otherwise be refused. It will be necessary to establish that the enterprise needs one or more workers to be readily available at most times; for example, to provide essential care to animals or processes at short notice or to deal quickly with emergencies that could cause serious loss of crops or produce.

**9.55** Such dwellings may be exceptionally permitted in open countryside only because of the needs of the enterprise. Planning Practice Guidance allows for this as a special circumstance which can justify the presumption against new homes in the open countryside. As this is a departure from policy, the planning permission will be subject to a condition restricting occupation.

**9.56** In meeting the needs of rural workers, preference will be given to the re-use or replacement of existing buildings over the erection of new dwellings in order to avoid further development in the countryside. The erection of a new dwelling could not be justified where an existing dwelling serving the site, holding or enterprise (or closely associated with it) has either recently been sold off or in some other way effectively separated from it. The assessment of the design quality, scale, landscape impact and effect on local character of the proposed dwelling will be considered against other relevant policies in the development plan.

**9.57** The Council will seek advice on the viability of the proposed enterprise and, where future viability is uncertain, it will resist new permanent dwellings in the countryside. In these circumstances a temporary planning permission for a caravan may be granted to enable the applicant to demonstrate that the enterprise is viable.

**9.58** The size and nature of such dwellings should be commensurate with the reasonable needs of the business. Unusually large dwellings in relation to the staff needs of the enterprise, or expensive construction in relation to an enterprise's income, will not be permitted.

**9.59** When marketing a dwelling subject to an occupancy condition, if other buildings are associated with the dwelling, the marketing must include the dwelling being offered for sale independently of the other buildings.



## Policy HB7

### Dwellings to Support a Rural-based Enterprise

1. Proposals for permanent dwellings in the countryside for full-time workers in agriculture, forestry or in another business where a rural location is essential, will be permitted if special circumstances can be demonstrated by meeting the following criteria:

- There is a clear existing functional need for one or more workers to be readily available at most times;
- The enterprise has been established for at least three years and is, and is likely to remain, financially viable;
- There is no other accommodation within the site, holding or nearby which is currently suitable and available, or could be made available and suitable through conversion and change of use;
- A dwelling or building suitable for conversion to a dwelling within the site or holding has not been sold on the open housing market without an agricultural or other occupancy condition in the last year; and
- The proposed dwelling is no larger than that required to meet the reasonable needs of the enterprise;

2. Where it cannot be demonstrated that the enterprise has been established for at least three years and is financially viable, or where it is a new enterprise, the siting of a temporary dwelling may be permitted for up to three years where the other criteria are met, and in addition there is clear evidence demonstrating:

- A firm intention and ability to develop the enterprise;
- That the enterprise has been planned on a sound financial basis; and
- That the functional need cannot be fulfilled by another existing building on the site or holding or any existing accommodation; and

3. Where a new dwelling is permitted, this will be the subject of a condition ensuring the occupation will be limited to a person solely or mainly working, or last working, in agriculture, forestry or in another business where a rural location is essential, or a surviving partner of such a person, and to any resident dependents.

The relaxation of an occupancy condition will only be permitted where it can be demonstrated that:

- There is no longer a continued need for the dwelling on the site or holding or for the enterprise, or to house surviving partners and any resident dependents;

- There is no long term need for a dwelling with restricted occupancy to serve a need in the locality; and
- The property has been marketed locally for a reasonable period (a minimum of 12 months) at a price which reflects the existence of the occupancy condition.

## **Alterations, Extensions, Annexes and Development of Gardens**

**9.60** This section sets out detailed policies relating to alterations, extensions and annexes to dwellings and developments in residential gardens.

### **Alterations and Extensions to Dwellings**

**9.61** The majority of planning applications involve extensions and alterations to existing dwellings, although many extensions can be carried out under permitted development rights.

**9.62** While it is important that residents are able to adapt existing accommodation to suit their needs, it is equally important that any alterations do not detract from the character of an area, individually or cumulatively. Careful design of home extensions and alterations, however, can enhance both the appearance of the individual property and local character, so creating desirable places to live. The following policies aim to ensure that this transformation is managed to retain and improve local character.

**9.63** Householder applications need to take account of considerations including: amenity; outlook; proportion and scale; and balance and harmony. These are explored in turn below.

**9.64** Amenity is usually understood to mean the effect of a development on visual and aural factors in the immediate neighbourhood or vicinity of a site. Relevant factors include: loss of privacy, light, outlook, parking, landscaping and open space; overshadowing; and the creation of an overbearing sense of enclosure.

**9.65** Unsympathetic extensions can affect the outlook of and light to the habitable rooms of neighbouring homes. Natural light is an important element in a good quality living environment. Effective orientation of buildings and windows can reduce the need for electric lighting, while sunlight can contribute towards meeting some of the heating requirements of homes through passive solar heating.

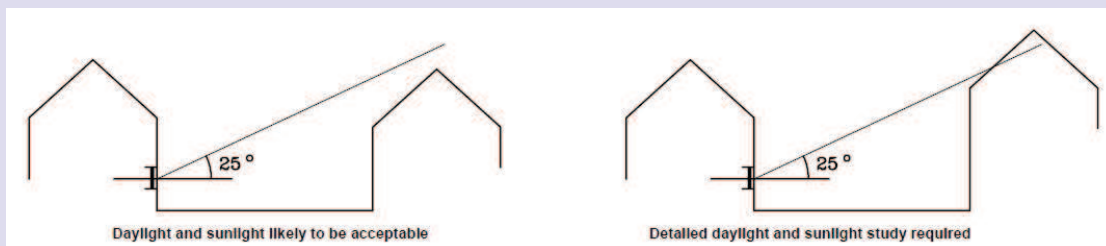
**9.66** Two-storey rear extensions to semi-detached and terraced dwellings can be very prominent in views from adjoining dwellings and can dominate outward views from adjoining ground floor windows, appearing excessively large and dominant. Because of this, the following principles will be applied when considering applications.

### The 25 Degree and 45 Degree Tests

The [Building Research Establishment's](#) (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' (2011) sets out two helpful tests for determining the acceptability of an extension in terms of its potential impact on neighbouring dwellings: the 25° and 45° tests.

#### The 25 Degree Test

The 25° test is used where development is opposite a window according to the diagram below.

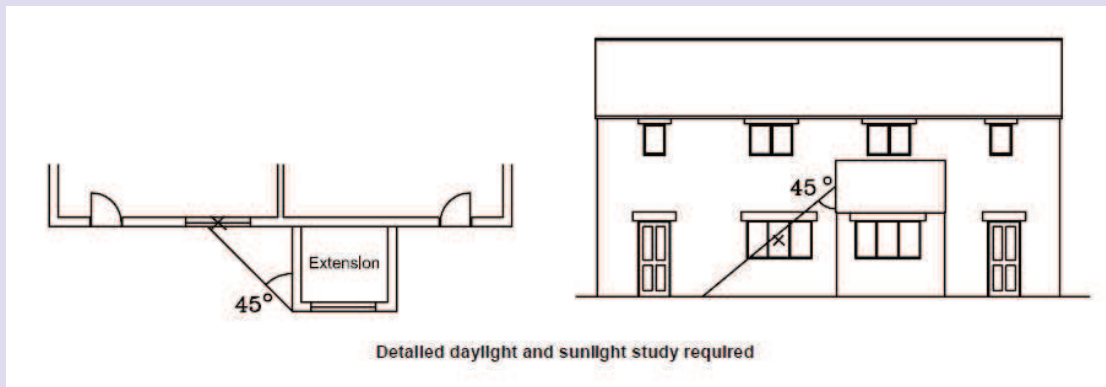


#### The 25 Degree Test

If the whole of the proposed development falls below a line drawn at 25° from the horizontal (above left), then there is unlikely to be a substantial effect on daylight and sunlight. However, if the proposed development would be above the 25° line (above right), further assessment will be required.

#### The 45 Degree Test

The 45° test is used for extensions that are perpendicular to a window according to the diagram below:



#### The 45 Degree Test

Where the 25° or 45° tests are not met, it may still be shown that natural light levels are acceptable, subject to checking using the BRE's detailed tests, including:

- Vertical sky component;
- Daylight distribution / no skyline (where room layouts are known);
- Average daylight factor; and
- Annual probable sunlight hours.

The same general principles will also apply in assessing the impact of new build residential development on existing dwellings neighbouring or close to the new proposal.

**9.67** In the maintenance of proportion and scale, extensions and alterations should generally be subordinate to the original house; the extension or alteration should be in proportion to the original building. (For the purposes of Policy HB8, 'original' means as existing on 1 July 1948 or in relation to a dwelling built after that date, as so built, unless the dwelling has subsequently been replaced. This is to avoid the impact of cumulative extensions over a number of years.)

**9.68** Balance and harmony can aid legibility of a street scene. Proposed extensions should generally respect and reflect the form, scale and architectural style of the original building and area. This can be achieved by:

- Respecting the proportions, integrity and character of the original house;
- Using an appropriate roof form;
- Matching or reflecting materials and details; and
- Matching and reflecting window styles and positions.

## Policy HB8

### **Alterations and Extensions to Residential Buildings**

Alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line, and detailing of the original building. Proposals should avoid unacceptable overlooking or loss of privacy and should not adversely affect the amenity enjoyed by the occupiers of neighbouring properties and not have a detrimental impact on the street scene, either by themselves or cumulatively.

Applications for extensions to existing residential buildings will be permitted where:

1. The extension does not cause undue overshadowing of neighbouring properties and allows adequate light and ventilation to existing rooms within the building. Single storey extensions should be designed so as to fall within a 45° angle from the centre of the nearest ground floor window of a habitable room or the kitchen of the neighbouring property. In the case of two-storey extensions, the 45° angle is taken from the closest quarter point of the nearest ground floor window of a habitable room or kitchen. This covers all elevations of the neighbouring property and conservatories, if they are clearly used as a habitable room. Patio or fully glazed doors will be treated as windows for this test, but not solid panel doors or those half-glazed;
2. For side extensions care should be taken to avoid creating a terracing effect which could result by extending up to the boundary. A minimum distance of one metre should be maintained from the boundary to any part of the extension above single storey level;
3. Single-storey flat-roofed extensions will be permitted only if they are well-designed, and the proposed extension would not be generally visible from a public place and would serve only as an adjunct to the main building. Use of 'green' or 'brown' roofs will be encouraged. Two-storey flat-roofed extensions will not be considered acceptable, unless the property itself is of a flat roof design;
4. Loft conversions requiring dormer extensions will be in proportion to the existing roof, thus maintaining overall building proportions. They should avoid presenting a top-heavy and flat-roofed appearance. Planning applications for extensions in roof spaces which front a highway will ensure that the proposed structure avoids damage to the architectural and aesthetic character of the existing building, and maintains the integrity of the street scene;
5. To maintain the visual quality of the street:

- The width of the extension should be less than or equal to half the width of the original frontage of the property;
  - The depth of the extension should be less than or equal to half the depth of the garden;
  - The extension should respect the building line to all streets onto which the property faces;
  - The extension should be subordinate to the property;
  - The extension should be of materials that complement those of the existing building;
  - Fenestration should complement the proportions and alignment of fenestration in the existing building; and
  - The extension should maintain the open character of the plot, where this is a feature of the street scene;
6. Alterations and extensions to dwellings in areas of high flood risk should not create floor levels below those of the existing dwelling, and this should be demonstrated on the submitted drawings. This is to ensure the safety of the occupants;
  7. Alterations and extensions should respect the building and location's character and should not result in unacceptable harm to heritage assets (whether designated or not) or their setting;
  8. Proposals for alterations and extensions to dwellings in the countryside should be proportionate to the size and scale of the original dwelling and must not adversely impact on the quality and character of the landscape or be detrimental to the rural setting; and
  9. Garages should be set back six metres from the highway boundary. This is to enable a vehicle to stand clear of the highway while the doors are being opened or for cleaning or maintenance purposes.

**The Council will also apply the considerations set out above in assessing the impact of new build residential development on existing dwellings neighbouring or close to the proposal.**

### **Annexe Accommodation**

**9.69** There are circumstances where extensions or annexes are required to accommodate dependant relatives, such as the elderly, which will help them maintain separate lifestyles but allow relatives or carers to be close for help and assistance if needed. While the Council is supportive of such extensions as annexes, there is concern that these could become separate dwellings after the use has ceased. In these situations, the Council's preference is for a Section 106 agreement to be negotiated to ensure that such extensions and annexes are used only in conjunction with the existing dwelling.

**9.70** Standalone annexes will be supported where it can be demonstrated that there is a need for such a facility; for example, to provide a home for elderly or infirm relatives unable to live independently or accommodation for carers. The standalone annexe should be sited appropriately and there should be a functional relationship between the occupation of the main dwelling and the annexe. It is unlikely that a standalone annexe located outside the curtilage of the main dwelling will be acceptable.

**9.71** In circumstances where annexes are within the curtilage of a listed building, a building that is a heritage asset or a conservation area, it may be difficult to achieve an acceptable design. Where these proposals cannot be sited and designed in an acceptable way they will not be supported.

## Policy HB9

### Annexe Accommodation

Annexes for dependants' accommodation, especially in the countryside, should be attached wherever possible. Proposals for attached annexes will be judged against the relevant criteria in Policy HB8. The attached annexe should have access to the existing dwelling and cannot be capable of being converted to a separate dwelling when the need for the annexe ceases.

Proposals for detached annexe accommodation to a residential property will be permitted where:

1. The existing residential property enjoys a lawful residential use;
2. The proposed annexe would not materially harm any neighbouring uses;
3. The scale and appearance of the proposed annexe is sympathetic and modest in proportion to the principal dwelling and site;
4. The proposed annexe is sited to achieve a clear dependency between the annexe and the main dwelling;
5. The proposed annexe is designed sensitively to complement the existing dwelling and is clearly ancillary and visually subordinate to it in design and massing;
6. The proposed annexe respects the dwelling's character and does not result in unacceptable harm to heritage assets (whether designated or not) or their setting; and
7. Where the proposed annexe is outside the settlement boundary, it does not have an adverse impact on the quality and character of the landscape or its rural setting.

A proposed annexe to a residential property in an area of high flood risk should not create floor levels below that of the existing dwelling, and this should be demonstrated on the submitted drawings.

### Development of Residential Gardens

**9.72** Residential gardens can provide suitable, well located development sites. However, gardens also add to the character of our urban areas and soften the built environment. They provide spaces for amenity and recreation that improve the health and wellbeing of residents and they also create habitats for wildlife, particularly where the gardens are well established. The uncontrolled loss of residential gardens can lead to a piecemeal pattern of development and lose these health, wellbeing and wildlife benefits.



**9.73** It is therefore important to manage the development of residential gardens and the Council will apply the following policy, which should be considered alongside others in the plan, particularly policies HB2: Cohesive Design and HB3: Internal and External Space Standards.

## Policy HB10

### Development of Residential Gardens

Development proposals involving the complete or partial redevelopment of residential garden land within settlement boundaries will be permitted provided that:

1. The proposal responds to the character and appearance of the area, as well as the layout and pattern of the existing environment, taking into account views from streets, footpaths and the wider residential and public environment;
2. The plot to be developed is of an appropriate size and shape to accommodate the proposal, taking into account the scale, layout and spacing of nearby buildings, the amenity of adjoining residents and the requirements for living conditions set out in Policy HB3: Internal and External Space Standards;
3. Adequate access and parking is provided; and
4. The proposal incorporates established trees wherever possible. Any loss of biodiversity value on the site is mitigated, and where practicable, measures to enhance biodiversity through habitat creation or improvement are incorporated.

## Other Forms of Accommodation

**9.74** This section contains policies dealing with other forms of accommodation, including residential care homes, houses in multiple accommodation and gypsy and traveller accommodation.

### Residential Care Homes and Institutions

**9.75** Residential care homes and institutions take a number of different forms. They are, depending on circumstances, likely to fall into one of two use classes as set out in the Town & Country Planning (Use Classes) Order 1987 (as amended):

- C2 - residential institutions; or
- C3 - dwelling houses.

Hostel accommodation is considered to be

*sui generis*

(in its own class) under the Order.

**9.76** Residential institutions are defined in Use Class C2 of the Order. This definition covers residential institutions and other non-custodial institutions where a significant element of care is provided for the residents. This can cover a range of uses such as:

- Nursing and convalescent homes;
- Children's homes;
- Community care and care homes for the elderly;
- Centres for those with severe disabilities; and
- Residential schools.

**9.77** In relation to Use Class C3b dwelling houses, this is defined as up to six people living together as a single household and receiving care. For example, this could include supported housing schemes such as those for people with learning disabilities or mental health problems.

**9.78** Given the demographic profile of Shepway and the historic development of its coastal settlements, many care homes and institutions have been established in the district. However, with the changing nature of the industry and the requirement for improved service provision and for larger sites to increase the viability of businesses, the Council anticipates significant changes in the building stock over the plan period. It is expected that larger Victorian properties that have so far supported residential care in the district will become too costly to reconfigure to modern standards, and that these will be brought forward for conversion or redevelopment for other uses.

**9.79** Kent County Council's (KCC) [Kent Social Care Accommodation Strategy 'Better Homes: Greater Choice'](#) (July 2014) notes of the district that the average care home is 27 beds, and that this is one of the lowest average sizes in the county. It states that "*Shepway will need more fit for purpose residential and nursing homes in future. There are a high number of converted Victorian properties that are unable to accommodate the more complex individual that we are seeing in today's care homes.*" There is, therefore, a pressing need to provide policy guidance to assess proposals for changes of use, demolition and new build in this plan period.

**9.80** At the national level, the policy and regulatory framework for residential care and nursing homes is the responsibility of the Department of Health and the Care Quality Commission (CQC). The CQC is the independent regulator for health and social care in England and is responsible for making sure that health and social care services provide people with safe, effective, compassionate and high-quality care. The CQC also encourages improvements in care services; it monitors, inspects and regulates services to make sure they meet fundamental standards of quality and

safety and publishes its findings, including performance ratings, to help people choose care providers. Details of the national standards for residential care homes can be found on the [Commission's](#) website.

**9.81** Kent County Council is the body responsible locally for Adult Health and Social Care. KCC has recently changed its procedures for commissioning and care in response to the Health and Social Care Act 2012, the Care Act 2014 and restrictions on local government finances. KCC's [Strategic Statement 2015-2020 'Increasing Opportunities, Improving Outcomes'](#) outlines a commitment to enabling more people to remain in their homes, thus reducing the need for transfer to residential institutions. In its [Social Care, Health and Wellbeing - Community Support Market Position Statement](#) (February 2016) KCC highlights *"plans to facilitate a continued decrease in the number of publicly funded care home placements, as we look to develop more personalised housing options, including Extra Care Housing, supported living and Shared Lives."*

**9.82** There will therefore be an increased need in the district over this plan period for the relocation and reconfiguration of existing residential care homes and institutions (C2 or *sui generis* use class) to meet the standards of KCC and the Care Quality Commission.

**9.83** Where this cannot be achieved within the existing building, there will be a need for the building's conversion to other uses, or else an impetus for demolition of the building and new build development on the site. Policy HB11 will be applied to proposals for the loss of residential care homes and institutions.

## Policy HB11

### Loss of Residential Care Homes and Institutions

Planning permission will be granted for the conversion of a residential care home or institution (C2) to residential (C3), hotel or bed and breakfast (C1) or non-residential institution (D1) use, or the demolition of the building or buildings and new build development for these uses, if the following are satisfied:

1. The applicant has provided a viability report demonstrating that:
  - A residential care or institutional use in the current building is not economically sustainable;
  - Extension or adaption is not viable; and
  - The property has been actively marketed at a reasonable rate for a period of at least 12 months and no reasonable offers have been made;
2. Design and layout take account of the design and sustainable construction policies within this plan, as far as is reasonably practical;
3. It can be demonstrated that levels of traffic movements can be successfully accommodated on the local road network;
4. Development does not result in increased noise or disturbance which impacts on neighbouring residential amenity; and
5. In the case of redevelopment for residential (C3) use, the development provides affordable housing in accordance with Core Strategy Policy CSD1: Balanced Neighbourhoods for Shepway.

The Council will resist the demolition of a residential care home or institution that is a heritage asset or where the building is within a Conservation Area.

### New or Extended Residential Institutions

**9.84** KCC's 'Better Homes: Greater Choice' highlights that there will be a particular demand for quality residential accommodation in Shepway, focused in Folkestone, Hythe, New Romney and Lydd. Already, the district has among the highest proportions of people who live in residential care in Kent, and this need is unlikely to decrease. Both the District and County Councils support provision of accommodation to meet the requirements of those in special need of supervision so that they are fully integrated into existing communities and can live in sustainable locations.

**9.85** The principles of sustainability in location and design apply equally to the development of new residential institutions as to general residential development. Policy HB12 sets out criteria for the assessment of proposals for new or extended residential institutions.

## Policy HB12

### Development of New or Extended Residential Institutions (C2 Use)

Planning permission will be granted for the development of new residential institutions, or the conversion of existing properties to this use, subject to the following requirements:

1. Accommodation is designed and built to the Care Quality Commission's (CQC) Fundamental Standards;
2. The proposal is in a sustainable location with access to local services, leisure and community facilities, including shops, healthcare and public transport in accordance with Core Strategy Policies DSD: Delivering Sustainable Development and SS3: Place-Shaping and Sustainable Settlements Strategy;
3. The proposal is compatible with surrounding land uses, so that the development does not cause substantial disturbance or detrimental impact to neighbours and is not located in an area subject to significant noise or other disturbance, or reasonably likely to be so as a result of the expansion of existing businesses, in accordance with National Planning Policy Framework paragraph 123;
4. The design and layout of the proposal are in accordance with the design policies in this Local Plan, as well as the parking requirements of Policy T2;
5. Sufficient open and defensible amenity space is provided for use by residents, staff and visitors; and
6. The site and immediate surroundings have a gentle topography to facilitate pedestrian movement and access to services and public transport facilities.

### Houses in Multiple Occupation

**9.86** Parts of the district, particularly the older parts of Folkestone, are characterised by large properties built in previous centuries to accommodate larger families and their domestic staff. Many of these are unsuited to modern household requirements and have been converted into smaller units. In areas where there is still pressure for conversions, the Council needs to manage this to ensure that this does not result in over-intensive development, both for neighbouring residents, who may be affected by the additional traffic or amenity impacts, and the future occupants, who have to cope with inadequate living accommodation.

**9.87** Houses in Multiple Occupation (or HMOs) are defined as more than one household occupying a single dwelling where all facilities are not self-contained. The Use Classes Order 2015 allows for a change of use from C3 (dwelling) to C4 (House in Multiple Occupation) for three to six people without the need for planning permission. For proposals involving more than six people planning permission is required and the Council will apply Policy HB13.

**9.88** Smaller HMOs - those for three to six people - may be controlled by serving an Article 4 direction on a particular area; this removes permitted development rights so that the proposals require planning permission. Although no Article 4 directions are currently in force restricting this permitted development right, the Council will monitor the situation to see if it becomes necessary in areas where there are particular problems.

**9.89** The standard of accommodation provided in HMOs is often poor and the Council has an continuing policy of improvement of HMOs. The Council is particularly concerned that poorly managed HMOs can be a source of considerable nuisance to adjoining occupiers and nearby residents, and can lead to the deterioration of the residential environment.

#### **Licensing of Houses in Multiple Occupation**

The Council operates a system of mandatory licensing of houses in multiple occupation. Converted blocks of flats that fall within the definition of an HMO will not be subject to mandatory licensing, unless there are any facilities such as kitchens and bathrooms which are shared or not fully self contained. In order to be licensed, the local authority must be satisfied that the house meets a prescribed amenity standard, is managed by a fit and proper person and that there are suitable management arrangements in place; this licencing regime is operated using the Council's powers under the Housing Act and is separate from the planning controls outlined above. Developers of HMO accommodation will therefore be required to present a detailed management plan for the proposed scheme.

**9.90** Policy HB13 deals with planning applications for HMOs involving more than six people that are decided through the planning system.

## Policy HB13

### Houses in Multiple Occupation (HMOs)

Proposals for Houses in Multiple Occupation (HMOs) will only be permitted where the proposed development, taken by itself or in combination with existing HMOs in the vicinity of the site, would not result in an unacceptably harmful impact on:

1. Residential amenity, caused by increased noise and disturbance;
2. The character or appearance of the street scene or neighbourhood;
3. The character or appearance of the building, including from inappropriate or insufficient arrangements for storage, including for refuse and bicycles; and
4. Highway safety, caused by insufficient on-site parking provision thereby resulting in an unacceptable increase in on-street parking.

Off-street car parking should be provided in accordance with the parking standards set out in Policy T2. Parking provision should not cause unacceptable detriment to the street scene through the loss of trees or gardens.

Proposals that do not provide for sufficient off-street and dedicated parking in accordance with the parking standards will be required to provide a parking survey, undertaken by an independent technical consultant, in accordance with the Lambeth methodology to demonstrate that adequate on-street parking capacity will remain available once a proposal is completed and occupied.

Permissions granted will normally be subject to a condition that restricts the number of occupants allowed to reside at the property as their main residence.

## Gypsies and Travellers

**9.91** The Government's '[Planning policy for traveller sites](#)' (DCLG, August 2015) defines 'gypsies and travellers' as: "*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*"

**9.92** In assessing whether a person falls within this definition, local planning authorities should consider:

- Whether the person has previously led a nomadic habit of life;

- The reasons for ceasing their nomadic habit of life; and
- Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

**9.93** The [East Kent Gypsy, Traveller and Travelling Showpeople Accommodation Assessment](#) (Salford Housing and Urban Studies Unit, April 2014) reflecting the guidance in the now superseded Planning Policy for Traveller Sites (2012), recommended a need of seven traveller pitches for the period 2013-2027. However, the new definition of gypsies and travellers means that this requirement will need to be reviewed by more up-to-date evidence.

**9.94** Given this, the Council is currently working with a consortium of Kent local planning authorities in commissioning a new Gypsy and Traveller Accommodation Assessment. This evidence will be used to inform the Core Strategy Review.

**9.95** The Council is positive about providing appropriately located sites for members of the gypsy and traveller community. Given the low overall requirement for pitches identified in the 2012 assessment, a criteria-based policy will be used to provide flexibility in the location of the small amount of development required. It is expected that some pitches will be provided on and adjoining existing permitted sites in the district, and such development will be supported by the local planning authority subject to Policy HB14 and other relevant policies.



## Policy HB14

### Accommodation for Gypsies and Travellers

Planning permission will be granted for gypsy and traveller accommodation which will contribute to meeting the needs of those households conforming to the definition set out in 'Planning policy for traveller sites', subject to the following:

1. The development safeguards the health of occupiers and provides a satisfactory level of amenity for them, by reference to factors including but not limited to: the space available for each family; noise; odour; land contamination; other pollution or nuisance; flood risk; and the disposal of refuse and foul water;
2. The site is in a sustainable location, well related to a settlement with a range of services and facilities and is, or can be made, safely accessible on foot, by cycle or public transport;
3. Adequate vehicular access, sight lines and space for turning and manoeuvring can be provided;
4. The development will not give rise to an unacceptable impact on amenity for residents in the vicinity of the development, or, in the case of nearby commercial users, result in the imposition of new constraints on the way in which such users can operate their businesses;
5. If the proposal involves the development of land originally identified in this Local Plan for another purpose, the loss of such land is justified by the desirability of providing additional gypsy and traveller accommodation; and
6. There is no adverse effect on the landscape, environmental or other essential qualities of countryside, including the Kent Downs Area of Outstanding Natural Beauty or Natura 2000 sites, Sites of Special Scientific Interest, national or local nature reserves or heritage assets.

The exception to the above criteria relate to applications for the expansion of existing permitted gypsy and traveller sites, in which case only criteria 1 and 4 will apply. However, it must be demonstrated that those households still conform to the gypsy and traveller definition, and that expansion will result in additional gypsy and traveller pitches.



## Economy

## 10 Economy

### Introduction

**10.1** This chapter contains policies dealing with a range of matters relating to the economy. Policies cover:

- The allocation of new sites for employment;
- The redevelopment of existing employment sites;
- Tourism development, hotels and guest houses and touring and static caravan sites, chalet and camping sites;
- The rural economy, including farm diversification and the re-use of rural buildings; and
- The provision of broadband or Fibre to the Premises (FTTP).

### National and Local Policy Context

**10.2** The [National Planning Policy Framework](#) (NPPF), as one of its core planning principles, states that local planning authorities should set out a clear vision which positively and actively encourages sustainable economic growth (paragraph 17). Local planning authorities must also balance the need for economic growth against the need to make the most efficient use of land; the NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose and they should consider applications for alternative uses to support sustainable local communities (paragraph 22).

**10.3** More recently, the Government has published a Green Paper, '[Building Our Industrial Strategy](#)' (2017). The objective of the strategy is *"to improve living standards and economic growth by increasing productivity and driving growth across the whole country"*. The strategy focuses on ten 'pillars' to drive forward the economy:

- Science, research and innovation;
- Skills;
- Infrastructure;
- Business growth and investment;
- Procurement;
- Trade and investment;
- Affordable energy;
- Sectoral policies;
- Driving growth across the whole country; and
- Creating the right institutions to bring together sectors and places.

Comments were invited on the Green Paper from 23 January to 17 April 2017 and the Government is currently considering the responses.

**10.4** In 2015 the Government published '[Towards a one nation economy: A 10-point plan for boosting productivity in rural areas](#)' (DEFRA, 2015). To increase rural productivity, the Government put forward a plan focusing on:

- Extensive, fast and reliable broadband services;
- High quality, widely available mobile communications;
- Modern transport connections;
- Access to high quality education and training;
- Expanded apprenticeships in rural areas;
- Enterprise Zones in rural areas;
- Better regulation and improved planning for rural businesses;
- More housing;
- Increased availability of affordable childcare; and
- Devolution of power.

**10.5** The Council's Corporate Plan and the Core Strategy set out the importance of the boosting the local economy, increasing job opportunities and educational attainment in Shepway. Core Strategy Policy SS2: Housing and the Economic Growth Strategy sets out targets for the provision of additional employment land in the district, based on the findings of the [Shepway Employment Land Review](#) (2011) (this is dealt with in more detail below). Core Strategy Policy CSD3: Rural and Tourism Development of Shepway promotes economic diversification through the re-use of rural buildings, the protection of existing employment sites and the promotion of economic development within settlements. Policies within this chapter provide more policy guidance on these topics.

**10.6** Alongside this, the Council, together with business partners such as the [South East Local Enterprise Partnership](#) (LEP) and [Locate in Kent](#), assists new investors planning to locate to the area and helps existing businesses develop and expand.

## The District's Economy

**10.7** The Council has recently updated the 2011 Employment Land Review to take account of new evidence and economic trends. The Employment Land Review (ELR) (2017) indicates that the district's economy has recorded relatively strong employment growth over recent years when benchmarked against the regional and national growth levels. The [Shepway Economic Development Strategy 2015 - 2020](#) indicates that the economy of the district has improved over the years with the number of jobs increasing by 24 per cent between 2000 and 2012; full time earnings have also increased and unemployment has fallen. The jobs forecast is also predicted to grow more quickly than the South East average to 2031.

**10.8** There are a number of key sectors in the district that are well represented in the local economy which provide a particular advantage for growth. These are:

- Financial and insurance services;

- Creative industries (including media and IT);
- Business and professional services (including engineering-related scientific consultancy and research and development);
- Transport and logistics;
- Energy;
- Tourism, culture, retail and recreation; and
- Advanced manufacturing.

**10.9** In addition London Ashford Airport, just outside of Lydd, plays a valuable role in the local economy. The airport has planning permission for an extended runway and a new terminal building and the Council will ensure that the economic growth opportunities from the airport's development are fully harnessed in the future.

**10.10** Nevertheless, there are still some problems with the overall health of the economy in the district:

- Jobs are generally lower paid and lower skilled;
- There is a deficit of opportunities and workers in the knowledge industries;
- Despite recent improvements the district still has relatively low economic activity and employment rates;
- Claims for Jobs Seekers' Allowance are higher than the South East average;
- Full time earnings are lower than the South East average and national wages; and
- Productivity, as measured by gross value added (GVA) per job, has been running increasingly behind the South East over the last 12 years.

**10.11** The 2017 ELR indicates that that there is also:

- A shortage of skilled labour in the district to support the requirements of local businesses;
- A lack of good quality commercial space to meet modern occupier needs; and
- An absence of strategic road access to much of the district outside Folkestone.

These drawbacks have contributed to the district being highly self-contained, in terms of local businesses operating in mostly local markets, with few inward investments attracted to the Shepway economy.

**10.12** The decommissioning of Dungeness A nuclear power plant has also resulted in the loss of employment in the area. The impact is being offset by a number of schemes to help new businesses to develop. These include the ['Marsh Million'](#), a £1 million three-year economic growth fund for the Romney Marsh area, funded by the Magnox Socio-economic programme, Kent County Council, Ashford Borough Council and Shepway District Council. Kent County Council is the Accountable Body for the scheme, with support provided by the Romney Marsh Partnership and other public and private sector partners.

**10.13** To help overcome these problems, the Shepway Economic Development Strategy sets out the ambitions for economic growth and considers four priorities to achieve this. The priorities are to:

- Build on current and emerging economic strengths;
- Boost productivity and support business growth;
- Promote further investment by maximising the value of the district's assets and stimulating confidence; and
- Improve education and skills attainment.

**10.14** The Council is actively seeking to bring forward sites to address the lack of private sector investment and tackle the lack of skills in the area through apprenticeship schemes and local strategies such as the [Folkestone Community Led Local Development Programme Strategy](#) (CLLD). The CLLD's overall strategic objective is to promote social and economic cohesion in Fokestone through interventions to help residents in the most deprived communities access jobs and to support businesses in the area to grow and provide new job opportunities.

### Allocated Employment Sites

**10.15** The Core Strategy sets out under 'Strategic Need A' that one of the key aims is *“to deliver a flexible supply of employment land in terms of location, size and type”*. Policy SS2: Housing and the Economy Growth Strategy specifically identifies a target of approximately 20ha (gross) to be delivered between 2006/07 and 2025/26 inclusive, with approximately 7ha being delivered in the first four years of the plan period.

**10.16** Since the adoption of the Core Strategy, the 2017 ELR has reviewed the future requirements for office and industrial employment uses. The updated ELR considered three scenarios: Labour Demand; Past Completion Rates; and Labour Supply. The table below sets out the demand of the three scenarios.

	1. Labour Demand	2. Past Completion Rates	3. Labour Supply
<b>OFFICES</b>			
Requirements	18,690	-14,600	18,650
Current Supply (Allocations and permissions)	50,825		
<b>Surplus/Shortage</b>	+32,135	+65,425	+32,175
<b>INDUSTRIAL</b>			
Requirements	-5,000	15,540	-5,100

	1. Labour Demand	2. Past Completion Rates	3. Labour Supply
Current Supply (Allocations and permissions)	97,745		
<b>Surplus/Shortage</b>	+102,745	+82,205	+102,845

**Table 10.1 Demand/Supply Balance for Office and Industrial Space in Shepway (sqm) 2016 - 2026**

**10.17** Regarding the existing supply, the ELR finds that generally the range of employment sites show good activity and low vacancy rates. In particular, a low level of vacancy was evident among industrial sites, demonstrating that much of the current industrial stock is meeting a need in the market. This includes good occupancy at lower quality sites, with high demand at the lower end of the rental market. Overall, occupancy levels in the office market appear to be lower than the industrial market.

**10.18** Looking forward, the ELR concludes that, based on the current supply of employment space from extant planning permissions and allocated sites, there is a sufficient supply of employment space to meet the estimated office and industrial requirements under all three future growth scenarios over the period 2016 to 2026, and also beyond to 2031.

**10.19** However, there are some considerations - particularly around the balance of supply between Folkestone and the rest of the district and the quality of available employment sites - that mean that the situation will need to be closely monitored to see if further intervention, beyond the protection and allocation of land through planning policy, is necessary. The ELR particularly recommends the regular assessment of sites and the preparation of an employment land trajectory through the Council's Authority Monitoring Report (AMR). The Council will therefore monitor this in future updates of the AMR; any change to the employment strategy will be addressed through the Core Strategy Review.

**10.20** To support the requirements of local businesses, the plan will ensure a good range of industrial sites and premises are delivered across the district. The total quantity of employment land identified to meet the requirements of the Core Strategy and updated evidence is set out in Policy E1.



## Policy E1

### Allocated Employment Sites

The sites identified below are protected for business uses under use classes B1 (business), B2 (general industrial) and B8 (storage and distribution), unless otherwise stated.

Site	Floorspace (sqm)	Uses
Shearway Business Park, Folkestone	11,650	B1 - B8
Cheriton Parc, Folkestone	15,000	B1a
Ingles Manor, Folkestone	1,600	B1
Park Farm (Silver Spring site), Folkestone	<i>TBC</i>	B1
Affinity Water site, Cherry Garden site, Folkestone	3,500	B1a
Folkestone Harbour	500	B1a
Hawkinge West, Hawkinge, Folkestone	2,366	B1 and B8
Nickolls Quarry, Hythe	15,000	B1
Link Park (Phase1 and 2) Lympne Hythe	73,175	B1, B1c, B2 and B8
Mountfield Road Phase 3 and 4, New Romney	9,010	B1, B1c, B2 and B8
Harden Road, Lydd	840	B1 and B1a
Dengemarsh Road, Lydd	11,725	B1 Mixed

A proportion of non-business class uses (up to 25 per cent) will be permitted provided it can be demonstrated that:

1. The use will add to the attractiveness and function of the employment site;
2. There is full justification of its location within the wider employment site; and
3. Proposals comply with other Local Plan policies, including those relating to Retail and Leisure.

## Redevelopment of Existing Employment Sites

**10.21** The Council considers that there is a need to protect employment sites in the district that have a reasonable prospect of continuing in that use throughout the plan period. While it is acknowledged that some employment land may be lost through the effects of national policy (such as permitted development rights allowing the change of use of offices to residential) evidence in the ELR indicates that there is a need for the retention of land and properties to support the employment needs of Shepway.

**10.22** The overall assessment of existing employment sites in the ELR indicates that the district contains a reasonable range of sites of differing condition and type. While some of these sites support ageing premises and infrastructure, they display good activity and low vacancy. In particular a low level of vacancy was evident on industrial sites, demonstrating that much of the current industrial stock is meeting a need in the market. Existing employment sites, therefore, play an important role in the district's economy as they provide a range of premises to meet the different business needs of the district.

**10.23** The ELR also indicates that over an eleven year period (2002/03 to 2013/14), while there was a small net gain in employment land overall, there was a net loss of office space (1,300sqm), which was offset by an average gain of industrial space (2,400sqm). However, over the same period there was an increase in B1 office job numbers, yet less jobs in B2 and B8 industries. Therefore, loss of office sites, especially in the urban area where demand is greatest, should therefore only be allowed when they are no longer fit for purpose and would not meet the future need.

**10.24** Other issues highlighted in the ELR indicate that the district is reliant on a few large sites to meet the overall requirements set out in the Core Strategy. There is therefore a need to ensure existing sites are retained to continue to provide other options for businesses.

**10.25** Where employment sites are considered for alternative uses, the Council will expect any proposals to demonstrate why the site is no longer required. This should be through an assessment of neighbouring uses, showing why it would not be viable to redevelop the site for new employment uses or, if the property has been empty, evidence of the marketing that has taken place over the previous six months. It will also be necessary to show that the proposed new use would not undermine neighbouring employment uses.

**10.26** To ensure that employment land or property is retained to meet the requirements of the Shepway economy, the following policy will apply. This policy will not apply to any sites identified on the Council's Brownfield Land Register as these will go through a separate assessment process.

## Policy E2

### Redevelopment of Existing Employment Sites

Existing employment sites are protected for business purposes under classes B1 and B8. Proposals to fully or partly redevelop existing employment sites for alternative uses will be permitted provided that it is demonstrated that:

1. The existing or former employment use is no longer appropriate in terms of neighbouring uses or impacts on the natural environment; or
2. The site or premises has been subject to sustained marketing over a six month period prior to the submission of the planning application but the site or premises has remained unlet or unsold for all appropriate types of B class employment use and nor reasonable offers have been received;
3. It does not prevent or limited opportunities for any remaining land left undeveloped coming forwarded for employment purposes;
4. Any established businesses are relocated to appropriate alternative premises within the local area; and
5. The site is unviable for redevelopment for an alternative employment use.

In addition, proposals should demonstrate that the proposed new use does not undermine neighbouring employment uses or their future development.

## Tourism

**10.27** There is a wide variety of tourist attractions within the district including:

- Water-related sports along the stunning coast line;
- Key attractions such as Port Lympne Reserve and the [Romney Hythe and Dymchurch Railway](#);
- Numerous heritage assets;
- Expansive wild landscapes; and
- New initiatives, such as the [Creative Quarter](#) in Folkestone.

**10.28** This tourism offer is an important aspect of the district's economy. The value of tourism to the local economy was estimated at £235,213,000 in 2013 and tourism is believed to employ over 4,500 people (12 per cent of the workforce)<sup>(1)</sup>.

**10.29** The Council is keen to promote further investment in new facilities and attractions (such as the new tree house accommodation at Port Lympne) that broadens the overall offer, ensures visitors stay longer and helps diversify the

<sup>1</sup> COOL Activity 1.2 Economic Impact Research The Economic Impact of the Kent Visitor Economy 2013 Shepway District Feb 2015

economy. The Council has produced a Tourism Destination Management Plan for Shepway to support and expand the visitor economy, making the most of local resources and assets, identifying and addressing key gaps, and putting the district in a strong position for the future.

**10.30** The Heritage Strategy will identify opportunities to use the district's heritage assets as part of its tourism offer. Shepway is rich in heritage and its strength lies in the cumulative nature of its heritage assets; outstanding examples include the arrangement of Napoleonic defences, the Martello Towers, the Redoubts and forts, the Royal Military Canal, which extend along the coast and across the Romney Marsh; and the unique landscapes of the Romney Marsh and Dungeness. The vast majority of Shepway's heritage is accessible to the public, at least externally and some of these assets may be public buildings or in publicly accessible areas, such as Folkestone Harbour Arm.

**10.31** Proposals for new tourist development should comply with the locational policies in the [National Planning Policy Framework](#) (NPPF) and Core Strategy and be located within the settlements in the hierarchy (Core Strategy Policies SS3: Place-Shaping and Sustainable Settlements Strategy and SS4: Priority Centres of Activity Strategy). Where proposals are located outside the settlements, in the open countryside, they should utilise existing buildings, especially if it would bring a heritage asset into viable use. New tourist-related development in the countryside will need to provide clear justification for the proposal's location.

## Policy E3

### Tourism

Planning permission will be granted in or on the edge of town centres for proposals to provide new tourism development including hotels, guesthouses, bed and breakfast, self catering accommodation and new visitor attractions where:

1. The location is well related to the highway network and is accessible by a range of means of transport, including walking and cycling and by public transport;
2. The massing, materials and overall design of the proposal does not have a detrimental impact on the wider landscape, heritage assets or surrounding built form;
3. There is no detrimental impact on neighbourhood amenities;
4. There is no detrimental impact on biodiversity assets; and
5. Evidence is provided that demonstrates how the proposal contributes to the diversification of tourist attractions in the district and the need for the development.

New tourist accommodation and attractions in the countryside will be permitted in exception circumstances where it can be demonstrated that:

1. Available sites within or on the edge of settlements are not suitable and the proposal clearly indicates why an open countryside location is needed;
2. There are no suitable vacant buildings in the locality that could be converted;
3. The development is viable and will have significant economic and other benefits to the locality to outweigh any harm; and
4. Where the proposal is located within the Kent Downs Area of Outstanding Natural Beauty, or its setting, it would comply with Policy NE3.

Proposals for new residential accommodation to serve tourism development in the countryside will be required to comply with Policy HB7.

### Hotels and Guest Houses

**10.32** The Council wishes to retain a range of good quality hotel and guest house accommodation in the district, which will appeal to all types of tourist, and will resist the loss of visitor accommodation where this would be detrimental to the tourist economy. The upgrading of existing stock or conversion to other tourist-related uses will be supported, subject to environmental considerations.

**10.33** In the operation of this policy the Council will have regard to available evidence from local hotel and tourist organisations concerning tourist demands and requirements.

## Policy E4

### Hotels and Guest Houses

Applications for the change of use or redevelopment of hotels, guest houses or self-catering units which would result in a loss of visitor accommodation will only be permitted where:

1. The standard and type of accommodation that is, or could be provided at reasonable cost, is unsuited to meet visitor demands; or
2. In the case of hotels and guest houses, the premises or site are poorly located in relation to the areas of main tourist activity or tourist routes, and uses in the immediate vicinity are predominantly unrelated to tourism or incompatible with the continued tourist use of the premises; and
3. In addition to the above, it has been demonstrated that the business has been marketed at a reasonable rate and for a period of 12 months.

### Touring and Static Caravan Sites, Chalet and Camping Sites

**10.34** Touring and static caravan facilities, chalets and camping sites play an important role in tourism by providing long- and short-stay self-catering accommodation. Most sites are, however, located along the coastline and can have an unacceptable visual impact on the wider landscape and be detrimental to the special environment that draws people to the area. The Council will, therefore, seek to consolidate and improve existing caravan sites through minor expansions, limited infill and the diversification to other forms of self-catering accommodation, rather than through the development of new sites.

**10.35** Proposals for the change of use of caravan parks from tourism to permanent residential use will be permitted in sustainable locations and where it can be demonstrated that the accommodation is no longer required for tourism.

**10.36** Flood risk is also an important consideration for a change of use to residential as there are stricter provisions set out in the [Planning Practice Guidance](#) for permanent residential use than for tourist use. Residential caravans are classed as 'highly vulnerable' and should not be located in areas identified as Flood Zone 3. Applicants for sites within Flood Zone 3 should also consider the flood hazard mapping in the Council's [Strategic Flood Risk Assessment](#) (Herrington Consulting Ltd, 2015).

## Policy E5

### Touring and Static Caravan, Chalet and Camping Sites

Proposals for the infilling, expansion and diversification of existing lawful touring and static caravan, chalet and camping sites will be permitted where:

1. The proposal would not harm the character or appearance of the countryside or coastline or conflict with other countryside and environmental protection policies;
2. The site has good access through a local distributor road to the primary road network, and any local roads needed to gain access to the site are capable of accommodating the extra traffic generated without undue hazard or inconvenience to local residents or other road users;
3. Minor expansions are located to minimise their effect on local amenity, and should as far as possible, be screened from public roads, open spaces or footpaths, and where necessary a scheme of landscaping should be submitted with the proposal to achieve this;
4. The proposal does not significantly affect the best and most versatile agricultural land;
5. The proposal does not substantially interfere with the amenities of residents in nearby dwellings;
6. The diversification is compliant with the holiday use; and
7. The demand for the infilling, expansion and diversification can be demonstrated.

Proposals for change of use to residential use will only be permitted where:

1. The site is within an existing settlement boundary and is well-related to the built up area;
2. The site is acceptable in terms of highway access;
3. The proposal would not have a significant impact on the wider landscape and biodiversity;
4. It can be demonstrated that the accommodation is no longer required for holiday use; and
5. The location is not within an area of high flood risk.

## Rural Economy

**10.37** The rural area plays an important economic role and over the past few decades rural businesses have become increasingly diverse. According to the Government's ['Towards a one nation economy: A 10-point plan for boosting](#)

[productivity in rural areas](#)' the trend towards greater diversification is continuing and economic activity is becoming more dynamic, facilitated in part by improved information communications.

**10.38** The Government has pledged to improve rural productivity through the provision of extensive, fast and reliable broadband services, modern transport connections, expanded apprenticeships and providing strong conditions for rural business growth. This Local Plan will help to ensure that the district can benefit from these initiatives.

### **Farm Diversification**

**10.39** The Government encourages diversification of the rural economy through the development of new farm enterprises to sustain and develop rural businesses, thereby supplementing farmers' incomes and providing new and more varied employment opportunities for local people, to replace jobs lost through structural changes to the agricultural industry.

**10.40** Examples of farm diversification include packing and processing of farm produce, farm shops, craft workshops, sporting facilities and holiday accommodation. Proposals to diversify will be supported where there is no detrimental impact on the character, appearance and nature conservation value of the countryside.

**10.41** With regard to farm shops, permission will be granted where it can be demonstrated that the proposal would not impact on any nearby shopping facilities in local towns or villages. (Applicants should also have regard to Policy RL8: Development Outside Town, District and Local Centres.)



## Policy E6

### Farm Diversification

Planning permission will be granted for the diversification of farm businesses where:

1. The proposal is compatible with surrounding buildings and the location in terms of scale and design;
2. There would be no detrimental impact on local amenity or the character, appearance or nature conservation value of the rural landscape. This criterion will be given additional weight in the Kent Downs Area of Outstanding Natural Beauty, and nature conservation designations;
3. Adequate provision is made for access, servicing and parking;
4. Any retailing proposed relates to the sale of farm produce and would not harm the viability of retail facilities in nearby centres in accordance with Policy RL8: Development Outside Town, District and Local Centres;
5. The proposal would not prejudice the agricultural working of the farm unit; and
6. Where practicable, the proposal re-uses an existing agricultural building.

### Reuse of Rural Buildings

**10.42** The Council will support the re-use or adaptation of rural buildings, such as barns and stables, for new commercial, industrial, recreational or tourism-related uses that assist in the diversification of the rural economy or meets specific needs of rural communities.

**10.43** Proposals will be acceptable if they are in keeping with their surroundings in terms of their form, bulk and general design and do not generate unacceptable impacts on environmental, traffic or other grounds. Where physical alterations are involved, they should generally respect local building styles and materials.

**10.44** With regard to heritage assets (including archaeology), whether designated or not, the historic character of traditional farmsteads and farm buildings, as well as their settings, can be retained and enhanced through sympathetic change and development. The NPPF stresses the importance of:

- Retaining and enhancing local character and distinctiveness; and
- Conserving heritage assets in a manner appropriate to their significance and putting them to viable uses consistent with their conservation.

**10.45** The Shepway Heritage Strategy states that farmsteads that are dated after 1900 are far less likely to represent the historic character of the local area due to development and alterations. All of the substantially complete traditional farmsteads within Shepway District are considered to be of 'moderate significance'. Heritage Statements produced for planning applications should refer to the Heritage Strategy in their evaluation of the significance any historic assets affected by the proposals.

**10.46** The Government has published changes to the permitted development rights for the change of use of some rural buildings to business or residential uses. Beyond the scope of these permitted development rights the following policy will apply.

## Policy E7

### Reuse of Rural Buildings

Planning applications for the conversion of existing rural buildings and/or the creation of new buildings that support the development and expansion of the rural economy or tourist industry (including visitor accommodation), will be approved where:

1. The building is of permanent and substantial construction and the proposed conversion is sympathetic to the building's intrinsic character, appearance and setting and is capable of being implemented without significant extensions or alterations to the existing building and would not damage the historic fabric, character or setting of a historic asset;
2. Development would not prejudice the agricultural working of a farm unit or the vitality and functioning of nearby rural towns and villages;
3. Access, servicing and parking requirements can be met without detriment to the visual or other amenities in the locality;
4. Where the proposal is within the Kent Downs Area of Outstanding Natural Beauty or its setting, it is of a high quality of design of buildings and surrounding space and reinforces local distinctiveness to help maintain the Area of Outstanding Natural Beauty as a special place;
5. There is no detrimental impact on residential amenity; and
6. There is no detrimental impact on the protected species, sites or features of nature conservation interest.

Where a rural building can accommodate a business reuse in accordance with criteria 1 to 3 above, proposals for conversion to a residential use which is not ancillary to a scheme for business reuse, will need to be justified through a statement detailing the efforts made to secure a business reuse in the first instance and, in addition, the proposal would involve the re-use of a traditional building of architectural or historic merit that is worthy of retention.

## Promotion of Fibre to the Premises (FTTP)

**10.47** The e-technology sector is undergoing major changes and the Government, through its broadband agency [Broadband Delivery UK](#) (BDUK) is supporting investment to:

- Provide superfast broadband coverage to 90 per cent of the UK by early 2016 and 95 per cent by December 2017;
- Provide access to basic broadband (2Mbps) for all from December 2015; and
- Explore options to provide superfast coverage to the hardest to reach parts of the UK.

**10.48** The availability, reliability and speed of broadband provision is now a key consideration for house buyers and many view it as essential as the standard utilities. Similarly, it is also a key concern for the business sector.

**10.49** In light of changing work patterns, the increase in remote office working, and the need for local businesses to maintain an online presence, the Council is aware of the need for all development to ensure sites are serviced to be able to provide the fastest available broadband speeds.

**10.50** The NPPF supports the provision of infrastructure in achieving sustainable economic growth, stating that: *"the development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services"* (paragraph 42). It also requires that, *"in preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband"* (paragraph 43).

**10.51** In addition to this, in 2015 the [Secretaries of State for Communities and Local Government and for Culture, Media and Sport](#) wrote to local authorities to advise them *"through Local Plans and when considering planning applications to ensure whenever possible commercial and residual new builds are able to access superfast broadband"*.

**10.52** Locally Kent County Council (KCC) is working with BDUK to improve access to superfast broadband services through its ['Making Kent Quicker'](#) programme. This work has brought superfast broadband to more than 125,000 homes and businesses, meaning that 92 per cent of properties across the county can now access a superfast broadband service of at least 24mbps. KCC is now working with BDUK on a second project and aims to achieve 95 per cent coverage by the end of 2017 and 95.7 per cent coverage by September 2018.

**10.53** Ashford Borough Council, adjoining Shepway District, has been a pioneering authority in requiring fibre to the premises (FTTP) for all new developments. Policy E8 follows the successful approach established by Ashford and requires the provision of FTTP as part of major developments.

**10.54** There are, however, challenges in terms of the viability of provision, particularly in more remote areas. The policy below is targeted towards schemes promoting 10 residential units or more and proposals that deliver reasonably sized, or larger, employment uses. Schemes that fall below these thresholds will be encouraged to deliver FTTP wherever practical to try to ensure that the district's fibre network is delivered to its maximum capacity. There may be schemes that come forward which cannot fulfil the policy requirements; in these circumstances, the applicant should provide evidence to demonstrate that a departure from policy is justified. Evidence could include problems of viability, physical access to the site or proximity to the nearest point on the fibre network.

**10.55** Where a FTTP solution is not possible, provision of technologies capable of providing speeds in excess of 24Mbps should be delivered wherever practical.

## Policy E8

### Provision of Fibre to the Premises

All major developments within Shepway District will enable Fibre to the Premises (FTTP).

For smaller schemes the Council will expect FTTP to be provided where practical.

Where it can be demonstrated that FTTP is not practical due to special circumstances, then technologies that can provide speeds in excess of 24Mbps should be delivered wherever practical.

## Retail and Leisure

## 11 Retail and Leisure

### Introduction

**11.1** This chapter contains policies dealing with a range of matters relating to town centres, retail and leisure development. Policies cover:

- The hierarchy of retail centres within the district;
- Town, district and local centres and development outside these centres;
- Advertisements, shop fronts, blinds and security shutters; and
- Mixed-use development allocations.

**11.2** The chapter begins with some background on recent trends affecting town centres and the retail and leisure sectors, as well as an overview on national and local planning policies relating to retail and leisure.

### Background

#### National Trends

**11.3** The Council's [Shepway Town Centres Study](#) (PBA, 2015) highlights a number of pressures affecting town centres. The market context for town centres, and retail in particular, is fast changing. The role of town centres is not as straight forward as it has historically been and indications are that those town centres which have a diverse range of uses tend to be more robust in the face of economic changes.

**11.4** Key trends in the retail and leisure sectors identified by the Town Centres Study are:

- **Polarisation to higher order centres** - The 'polarisation trend' refers to the preference of retailers to concentrate trading activities in larger schemes, within larger centres. Retailers recognise that greater efficiency can be achieved by having a strategic network of large stores offering a full range of their products, rather than a network of smaller-format stores which are only able to offer a limited range of products. Middle-order centres such as Folkestone are particularly susceptible to this trend, as retailers seeking to locate within the south-east are likely to focus their efforts on destinations such as Lakeside, Bluewater, Brighton and Royal Tunbridge Wells;
- **Growth of the convenience goods sector** - The convenience goods sector (everyday essential items particularly food) has become a key driver of growth since the economic downturn. The sector has traditionally been dominated by the 'big four' supermarket operators, but increasingly both higher-quality operators and discount retailers are gaining market share;
- **Growth in commercial leisure** - Most commentators predict that commercial leisure (uses such as cafes, bars, restaurants and cinemas) will constitute a growing share of town centre floorspace. This is partly a replacement driven by

reduced demand for traditional shopping space and an increase in leisure spending. There is scope for town centres to capitalise on this, promoting themselves as 'destinations' in their own right; and

- **Growth in online shopping and e-commerce** - Online shopping has increased at a rapid pace in recent years, particularly in the comparison goods sector (retail items not bought on a frequent basis, such as electrical goods and clothing). Online shopping is perceived to offer a number of significant advantages over 'traditional', high street-format shopping, including lower prices, a wider choice, and the ability of customers to easily search out bargains. However, the competition is not a straight forward choice between online shopping and the high street as new technologies are promoting an integration between the two, to the point where a town centre that embraces digital technologies can find itself in a strong position.

## National Policy and Guidance

**11.5** Against this changing context, Government policy highlights the importance of promoting the vitality and viability of town centres. The [National Planning Policy Framework](#) (NPPF) states that local planning authorities should: "*recognise town centres as the heart of their communities and pursue policies to support their viability and vitality*" and "*promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres*" (paragraph 23). To achieve this, local planning authorities should "*allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres*" and should aim to meet identified needs in full (paragraph 23).

**11.6** The Government's [Planning Practice Guidance](#) sets out further detail, including a section on 'Ensuring the vitality of town centres'. This states that a positive vision or strategy for town centres is key to ensuring their success; this will enable economic growth and provide a wide range of social and environmental benefits. Any strategy should be based on evidence of the current state of town centres, and opportunities to meet development needs and support their viability and vitality should be taken.

**11.7** In addition to these policies and guidance, [High Streets at the Heart of Our Communities](#) (CLG, 2012) (the Government's response to [The Portas Review](#)) suggests a number of ways to revitalise town centres. While some of these focus on the management of streets and spaces, planning also has a key role to play through, for example:

- Promoting better access for cycling and walking to help improve air quality and reduce congestion;
- Reducing street clutter (such as signs, hoardings and railings) and rethinking how urban spaces could be used to bring life back to town centres; and
- Encouraging a variety of uses, including social, entertainment, cultural and market uses, as a vital part of town centres.

**11.8** The potential of urban spaces to bring life back to towns is explored further in '[Re-imagining urban spaces to help revitalise our high streets](#)' (CLG, 2012). Some key messages are that:

- Open spaces, streets, squares, green spaces and the network of pavements and pedestrian thoroughfares are what hold town centres together;
- Local authorities should develop a shared vision to transform town centres to encourage visitors, working with local communities, businesses, landowners and developers;
- The evening and night-time economy should be encouraged through promoting a mix of uses and events outside of shop opening times and using sensitive lighting schemes to enhance the appearance of towns and improve public safety;
- Local authorities should promote the use of public buildings for a mix of leisure, social, cultural and educational uses to encourage people back into town centres and to visit towns in the evening and night-time; and
- The use of high quality and locally distinctive features and materials can enhance town centres and help attract customers and businesses.

### **Core Strategy Local Plan**

**11.9** The Core Strategy sets out a number of objectives for the district, including enhancing the viability, vitality and appeal of its town centres. Folkestone is identified as a significant commercial, cultural and tourism centre.

**11.10** The Core Strategy explains that town and village centres in Shepway play a critical role in anchoring economic activity within the district. There remains a need to carefully manage the location and development of retail to maintain Shepway's position in relation to other competing retail centres outside the district. There is also a preference for retailers to locate to out of town locations within the district. However, the district's town centres continue to "*retain a strong, practical and symbolic significance*" (paragraph 4.95).

**11.11** The Core Strategy provides a settlement hierarchy for the district (set out in the introduction to Part One). This confirms Folkestone as the highest-order centre in the district, a 'Sub-Regional Town', where substantial residential, commercial and social development should be accommodated, and where the focus should be for retail, leisure, cultural and public services for the whole of the district.

**11.12** Hythe and New Romney are identified as second-tier 'Strategic Towns for Shepway' where significant development will also be accommodated; Lydd and Hawkinge are third-tier 'Service Centres'; and Dymchurch, Elham, Lyminge and Sellinge are smaller 'Rural Centres'.



**11.13** Regarding retailing, the Core Strategy sets the objective to *"accommodate the majority of Shepway's identified needs for retail, office and leisure uses through new development to improve their vitality, public realm, mix of uses, and daytime and evening economy"* (Table 4.4: Priority Centres of Activity Network).

**11.14** Retail development should be focused on the most sustainable towns and villages, with Folkestone, Hythe and New Romney identified as the district's main town centres. The Core Strategy promotes Folkestone as a well-connected, legible and sustainable town and proposes upgrades to the public realm as well as an enhanced choice of independent shops, cafes, restaurants and galleries. In order to support the new dwellings set out in the Core Strategy, a target is set for the development of 35,000sqm of goods retailing space (Use Class A1). (These targets are based on previous retail evidence, particularly the [Shepway Retail Needs Assessment](#) (KCC, 2010), which has been updated by the 2015 Shepway Town Centres Study.)

## Retail Hierarchy

**11.15** To ensure the long term vitality and viability of the district's town centres, the Council will focus development for retail, leisure and other main town centre uses within town centres (a 'town centre first' approach). Development should be appropriate to the size and function of the centre in which it is located.

**11.16** A strong town centre policy enables and encourages town centre uses to be developed within the centres, and also allows the Council to reject proposals that could draw trade away from established shopping areas. Town centre uses are defined in the NPPF and include retail, leisure, entertainment facilities, intensive sports and recreation uses, offices, arts, culture and tourism development.<sup>(1)</sup> Given the context outlined above, the Council will support the provision of a diverse range of uses which appeal to a wide range of age and social groups. Social and cultural experiences provide attractions drawing people to centres and businesses such as restaurants, cafes and pubs can support high street shops. In addition, as the NPPF highlights, residential development can play an important role in ensuring the vitality of centres.

**11.17** A diversity of uses adds to a town centre, making it more attractive, but a concentration of uses in a small area which detract from a centre's variety will be resisted. For changes of use to restaurants, pubs or takeaways within town centres, in particular, the Council will consider the proximity of other similar uses and whether

1 Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure; entertainment facilities; the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

a proliferation of the same use within the same immediate area would be likely to affect the vitality and viability of the centre or would be in conflict with other objectives, such as the need to manage traffic, noise or litter.

**11.18** The Core Strategy identifies a hierarchy of town centres and this forms the basis of the policy below.

### Policy RL1

#### Retail Hierarchy

Within the designated town centres in the retail hierarchy, planning permission will be granted for the development of a range of town centre uses that add to the vitality and viability of the centres, except where the proposed development is in conflict with other policies or environmental objectives.

The Council will seek to enhance the established character and diversity of town centre uses and avoid over-concentration of particular uses that would be detrimental to the character or function of an area. Residential development will also be permitted where it would enhance the vitality and viability of town centres.

Development should be of an appropriate scale in accordance with the centre's position in the following hierarchy:

- Major Town Centre - Folkestone;
- Town Centres - Hythe and New Romney;
- District Centres - Cheriton, Hawkinge and Lydd; and
- Local Centres - Sandgate, Lyminge, Elham, Sellindge and Dymchurch.

#### Retail Need

**11.19** Based on the factors outlined above, as well trends such as population growth and increased spending, the Town Centres Study highlights quantitative requirements in the district over the plan period for retail floorspace needs. These requirements are based on an assessment of spending patterns within and beyond the district. The Study identifies the following patterns:

- **Comparison goods (non-food) shopping** - The district retains just over 50 per cent of spending, totalling around £188m a year, of which around £105m is spent in Folkestone Town Centre. Ashford (around £80m) and Canterbury (around £60m) account for the majority of comparison spending outside the district; and
- **Convenience goods (food) shopping** - The district retains 77 per cent of spending, totalling around £200m a year of which foodstores in Folkestone

account for £121m of spending. Ashford (£34m) and Dover (£9m) account for the majority of convenience spending outside the district.

**11.20** Based on these patterns, the following requirements have been identified.

	2014	2017	2021	2026	2031
<b>Comparison Goods (<sup>2</sup>) Floorspace Requirement (sqm net, rounded)</b>	0	1,100	3,600	<i>8,000</i>	<i>12,800</i>
<b>Convenience Goods (<sup>3</sup>) Floorspace Requirement (sqm net, rounded)</b>	-4,400	-4,200	-3,600	<i>-2,700</i>	<i>-1,600</i>

*NB: Figures are cumulative. Figures in italics are indicative.*

**11.21** The Town Centres Study finds that there is a need for the quality of comparison retail space to be enhanced, especially in Folkestone, to create a more mid-market offer to reduce the expenditure lost to surrounding centres and, through the provision of larger retail units, to meet the needs of national retailers. This is likely to require the modernisation of existing floorspace as well as the identification of opportunity sites. The planning permission at Folkestone Harbour includes up to 10,000sqm of commercial floorspace including A1 (shops), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) uses. This will provide a high quality town centre uses at a waterside location which will go some way to meeting the identified needs, alongside the cultural, tourism and leisure space provided at the Harbour Arm.

**11.22** The Study also considers the NPPF's requirement for suitable sites to meet its town centre needs. After considering the identified potential uses of each Folkestone town centre site as a short-term, medium-term or long-term opportunity, the Study concludes that there is limited potential for development in the short-to-medium term, and the identified sites are unlikely to represent realistic opportunities for meeting qualitative and quantitative needs. The sites with the greatest potential for redevelopment are the Folkestone Bus Station site and existing retail units on Guildhall Street / Shellons Street.

<sup>2</sup> Other goods not classified as convenience goods such as clothing, fridges, televisions

<sup>3</sup> Broadly defined as food, drinks, tobacco, newspapers, magazines, cleaning materials, toilet articles

## Town Centre Designations

**11.23** Folkestone, Hythe and New Romney have designated town centres. The following sections set out policies for development within the town centre boundaries of these settlements. Other policies deal with district centres and local centres, following the hierarchy set out in Policy RL1.

### Folkestone Town Centre

**11.24** Core Strategy Policy SS4: Priority Centres of Activity Strategy focuses town centre uses in centres in line with national policy. The Core Strategy also includes a policy for Folkestone, Policy CSD6: Central Folkestone Strategy, which identifies 'arcs' where new development should deliver investment in commercial, cultural and educational uses and contribute to public realm improvements that enhance the physical environment, to create a sense of security and improve connections. The 'arcs' consist of the 'Central/West Development Arc' and the 'Seafront/Creative Regeneration Arc'.

**11.25** The importance of town centres and their role as the heart of the local community is recognised in the NPPF. Paragraph 23 states that planning policies for town centres should promote competitive environments and the management and the growth of centres and support their viability and vitality.

**11.26** Folkestone is defined as a 'Major Town Centre' in the retail hierarchy and is the focus for comparison goods shopping, civic facilities, tourism, arts and culture in the district. The centre contains a number of supermarkets and therefore also provides a convenience goods function.

**11.27** The Town Centres Study identifies a number of distinct areas where the mix and quality of the shopping environment differs substantially. The primary retail area is focused around the pedestrian element of Sandgate Road and the more recent Bouverie Place Shopping Centre. In this part of the town centre retail uses dominate, and in common with many other towns, there is a move towards more value-orientated retailers alongside established national retailers. The opening of the Bouverie Place Shopping Centre has succeeded in bringing a number of higher-profile retailers to the town, to complement its long established department store on Sandgate Road.

**11.28** The secondary retail areas are the peripheral areas which adjoin the primary retail areas; these include the un-pedestrianised section of Sandgate Road, Cheriton Place, Guildhall Street and Rendezvous Street. In these areas, the diversity of uses is less focused on retail, with a greater mix of services such as estate agents, cafés, pubs and bars. These areas are generally quieter, with lower levels of pedestrian activity, and some parts of these secondary areas also have higher levels of vacancy. Rendezvous Street however has significant footfall and has established itself as a vibrant area connecting the High Street with the Creative Quarter, with its own 'café culture'.

**11.29** The [Creative Quarter](#), comprised principally the Old High Street and Tontine Street, is an area which has been revitalised under the guidance of the [Creative Foundation](#), an independent arts charity. The Foundation started in 2002 and has overseen the restoration of over 90 buildings. Many shops in the area are currently being redeveloped, and the area is being promoted as a hub for creative industries. This area offers predominantly smaller, independent retail units and includes a number of boutiques, specialist retailers and exhibition space. The Creative Foundation has also led the development of the [Quarterhouse](#) arts venue, which occupies a prominent position on Tontine Street, and provides an important cultural facility for Folkestone and the wider East Kent area, putting on theatre, live comedy and live music performances and film screenings. The Creative Quarter is a particularly important asset to the town, offering a good and changing mix of independent retailers and cafés, as well as the Quarterhouse arts centre, but despite being entirely complementary to the more ‘mainstream’ offer elsewhere in the town, it needs to be better integrated with the wider area to fulfil its full potential.

**11.30** The Town Centres Study concludes that, on the whole, Folkestone Town Centre is only performing adequately. The diversity of uses can be considered to be reasonable, but the focus of the retail offer is only on meeting day-to-day uses, rather than higher-order, more specialist comparison goods. The town centre benefits from good accessibility by car and public transport (although linkages between the town centre, railway station and seafront require improvement). Environmental quality is also poor in places.

**11.31** The Study highlights two areas which need to be addressed to ensure the long term vitality and viability of the town. These are:

- **The evening economy** - Folkestone lacks an evening economy, particularly in respect of family restaurants and commercial leisure facilities, which reduces the attractiveness of the centre as anything other than a shopping destination; and
- **The high level of vacant units** - Investment in some areas with higher levels of vacancy, such as Guildhall Street, is required in the short term to help address this. Such investment may include the improvement of the shopping environment and public realm, modernisation of shop units, and investment in the promotion of the different ‘quarters’ of the town centre.

**11.32** Work by the [Folkestone Coastal Community Team](#) also highlights:

- The lack of connections between the town and the seafront;
- The need for improvement to the public realm;
- The importance of maximising events in arts and culture;
- The need for support for the hotel sector and green links; and
- The need to enhance the ‘café culture’ and the evening economy.

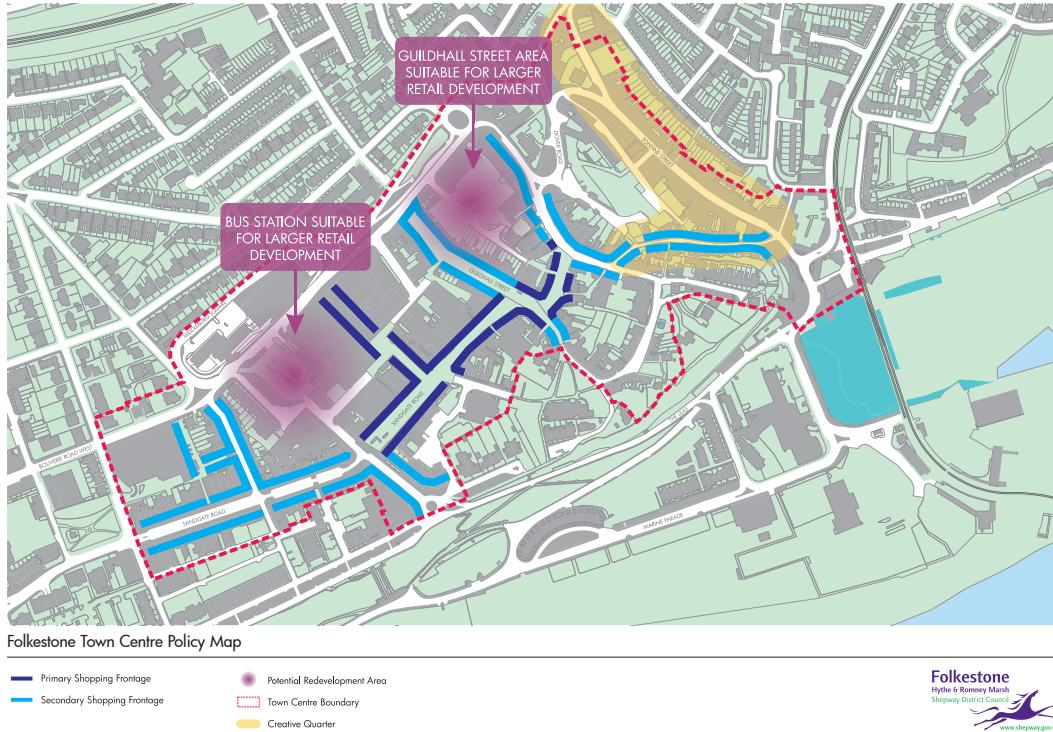
Policies in this plan, together with those in the Core Strategy, seek to assist with these aims.

**11.33** The [Folkestone Triennial](#) provides the town centre with a significant regional, national and, at times, international attraction which, alongside the significant investment in the Creative Quarter and Folkestone Seafront and Harbour, will continue to deliver increased activity over the plan period. In addition, other schemes continue to be delivered; for example, planning permission was granted in 2016 for the creation of a new Urban Sports Park in Tontine Street and this is due to open in 2018.

**11.34** The Primary Shopping Frontage in Folkestone has been successful at preventing the loss of retail uses at ground floor level in the main shopping areas of the town. The primary shopping area is compact in nature, running the extent of the pedestrianised precinct of Sandgate Road and the top end of Rendezvous Street. It also includes the new Bouverie Place development. The area is characterised by a high proportion of retail units; many of them occupied by multiple retailers. While it is important to maintain a concentration of shops, other town centre uses - such as bars, nurseries or doctors' surgeries, education, civic buildings, health, museums and galleries - could help to improve the vitality and viability of the centre by drawing people in.

**11.35** Secondary Shopping Frontages have been designated at the eastern end of Sandgate Road, the northern part of Guildhall Street and The Old High Street. The designation seeks to provide an area where there is a greater mix of town centre uses to support the primary area, providing a wide range of shops, services and restaurants as well as space where more specialist and individual shops can locate to (due to the availability of smaller and cheaper units). These areas would also be suitable for small businesses, provided that they retain active frontages and traditional shop fronts. Proposals for A5 (hot food takeaways) uses will be permitted, provided that they meet the requirements of policies in this chapter and Policy HW1: Promoting Healthier Food Environments. In relation to 'appropriate sui generis uses', these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.

**11.36** The Town Centres Study also highlights the need for improvements to the public realm and pedestrian enhancements between the Harbour, town centre and railway station. The Core Strategy sets out a requirement in Policy CSD6: Central Folkestone Strategy for public realm improvements and, since then, a collaborative project between Kent County Council, Shepway District Council, Folkestone Town Council and the Creative Foundation has delivered improve signage around Folkestone Town Centre.

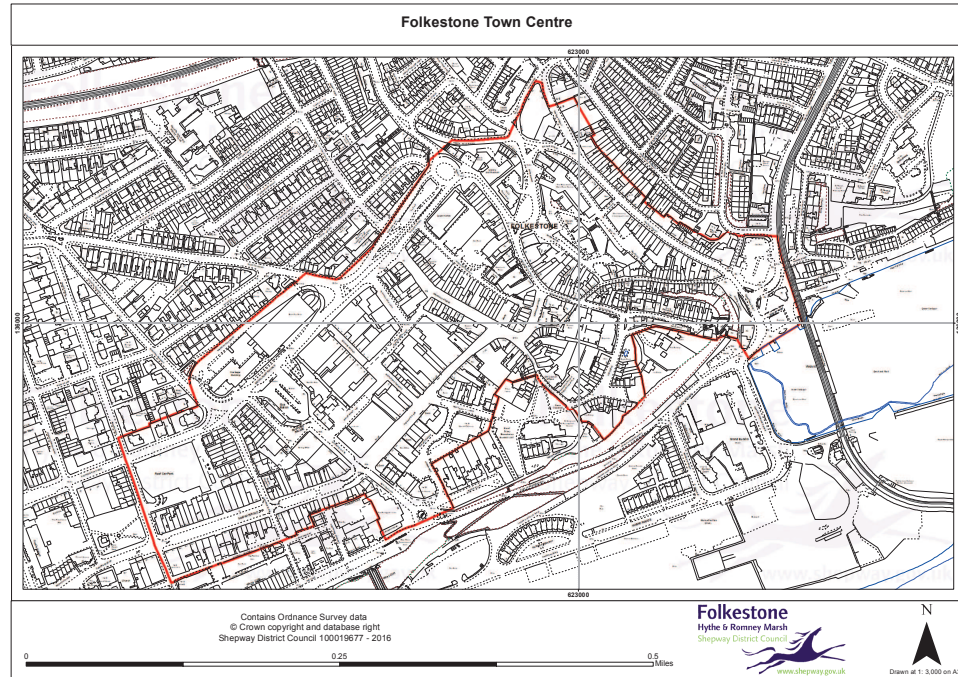


### Folkestone Town Centre Policy Map

**11.37** Policy RL2: Folkestone Town Centre is intended to promote development that will add to the vitality and viability of the town, including town centre uses that will enhance the evening economy. It also identifies areas for future investment highlighted in the study (the Bus Station, adjacent to Bouverie Place, and Guildhall Street / Shellon's Street) to meet the needs of larger retail stores. As there are currently no advanced proposals it is not possible to define boundaries, but the policy will provide the basis for future masterplans for these areas.

**11.38** The [Folkestone Triennial](#) provides the town centre with a significant regional, national and, at times, international attraction which, alongside the significant investment in the Creative Quarter and Folkestone Seafront and Harbour, will continue to deliver increased activity over the plan period. Planning permission was granted in 2016 for the creation of a new Urban Sports Park in Tontine Street, due to open in 2018.

**11.39** The NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. For this the Council needs to identify a town centre boundary so that policies can be applied effectively. The boundary is set out in the Policies Map and has been designated after taking into account primary and secondary frontages and areas predominantly occupied by main town centre uses adjacent to the frontages.



**Folkestone Town Centre Boundary**



## Policy RL2

### Folkestone Major Town Centre

Within the designated town centre area (as identified on the Policies Map), planning permission will be granted for development that provides for a range of town centre uses that adds to the vitality and viability of the town centre, particularly where it can be demonstrated that the proposal would enhance the evening economy. Residential development will also be permitted where it would enhance the vitality and viability of the centre.

Within the Primary Shopping Frontage (as identified on the Policies Map) development on the ground floor will be permitted for A1 (shops) and A3 (restaurants and cafes) uses. Other uses will be permitted in the Primary Frontages where:

1. They fall within the National Planning Policy Framework definition of town centre uses; or
2. They fall under D1 (non-residential institutions) or C1 (hotel) uses and provide a complementary function to the town centre; and
3. They would not create a continuous frontage of two or more non-A1 (shops) uses; and
4. In the case of appropriate *sui generis* uses they would create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Within the Secondary Shopping Frontages (as defined on the Policies Map) proposals for development, redevelopment or change of use for Class A1 (shops), A2 (financial and professional services) and A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) uses will be permitted, provided that:

1. They fall within the National Planning Policy Framework definition of town centre uses; or
2. They fall under B1 (business), C1 (hotels), D1 (non-residential institutions) or D2 (assembly and leisure) uses, retain an active shop frontage and provide a complementary function to the town centre; and
3. They would not create a continuous frontage of three or more A5 (hot food takeaway) units.

Proposals for retail development and other town centre uses will be permitted at:

1. The area around and including the bus station, providing that a suitable alternative location for the bus station can be provided; and

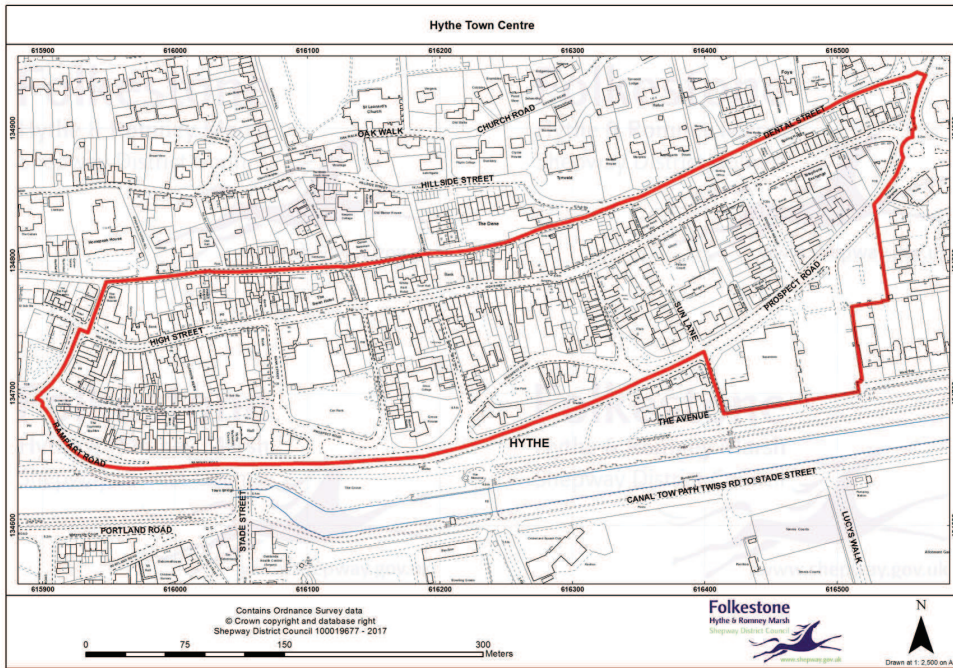
2. Through the consolidation of smaller retail properties in Guildhall Street, or the redevelopment of land to the north of St Eanswythe Way (including the car park).

Development proposals within the town centre uses definition that cannot be located within Folkestone Town Centre will be judged against Policy RL8.

### Hythe Town Centre

**11.40** Hythe is the second-largest centre in the district and is classified as a 'Town Centre' in the hierarchy. Hythe town centre has a character significantly different to that of Folkestone. The town centre is predominantly retail in character, largely orientated towards independent retailers selling more specialist products, particularly in respect of comparison goods. The retail area is largely confined to the High Street with two superstores at either end. The vacancy rates are low at 7 per cent (2015).

**11.41** The Town Centres Study indicates that policies should protect the role and function of Hythe town centre as the district's second largest centre. The primary shopping area benefits from a good concentration of retail and other footfall-generating activities, such as independent cafes and restaurants, and applications for change of use away from A1 (shops) or A3 (restaurants and cafes) uses should be resisted where possible, to retain the vitality and viability of the High Street. Proposals for A5 (hot food takeaways) uses will be permitted, provided that they would meet the requirements of Policies RL3: Hythe Town Centre and HW1: Promoting Healthier Food Environments. In relation to 'appropriate sui generis uses', these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.



Hythe Town Centre Boundary

### Policy RL3

#### Hythe Town Centre

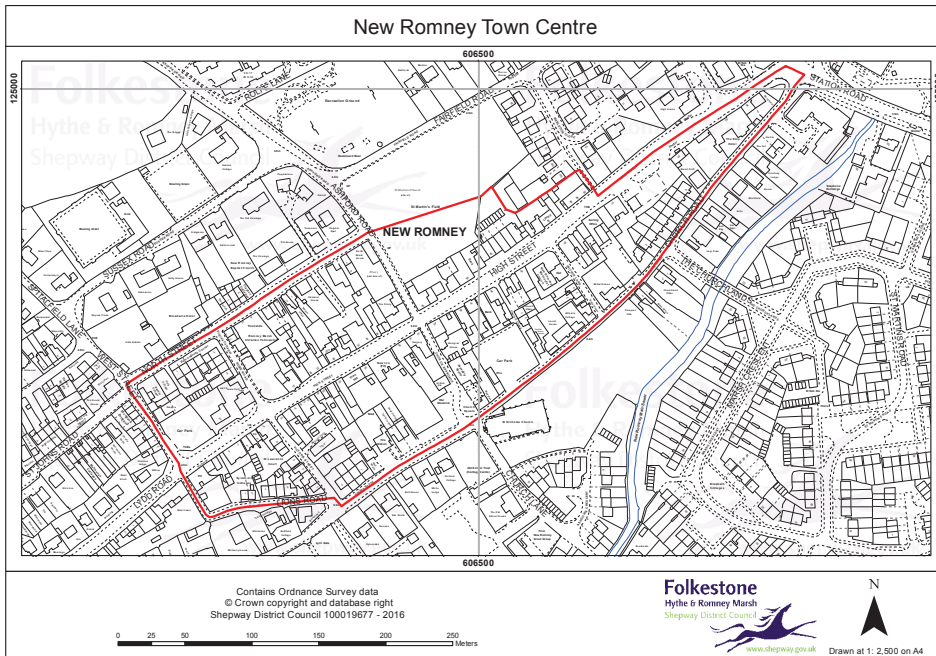
Within the designated town centre area (identified on the Policies Map), planning permission will be granted for development that provides for a range of town centre uses that adds to the vitality and viability of the town centre.

Within the Primary Shopping Frontage (as identified on the Policies Map) development on the ground floor will be permitted for A1 (shops) and A3 (restaurants and cafes) uses. Other uses will be permitted in the Primary Shopping Frontage provided that:

1. They fall within the definition of town centre uses in the National Planning Policy Framework; or
2. They fall under D1 uses and provide a complementary function to the town centre: and
3. They would not create a continuous frontage of two or more non-A1 (shops) uses; and
4. In the case of appropriate *sui generis* uses they would create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Development proposals within the town centre uses definition that cannot be located within Hythe Town Centre will be judged against Policy RL8.

## New Romney Town Centre



### New Romney Town Centre Boundary

**11.42** New Romney is defined as a 'Town Centre' in the retail hierarchy and functions as an important service centre, providing a range of facilities and services for an extensive rural catchment area. New Romney High Street is linear and is comprised of mainly comparison retail and service units. There is a supermarket at the eastern end, while shops along the High Street consist of a range of mostly independent convenience, comparison and services retailers, including a small number of specialist shops such as a delicatessen, crafts shop and tea rooms.

**11.43** The Town Centres Study suggests that the town has a significantly lower vacancy rate than the UK average, and just one vacant unit was identified in the Study. The centre is attractive and well-maintained and the centre is currently performing well. The primary shopping area benefits from a good concentration of retail and other footfall-generating activities, such as independent cafes and restaurants. Changes of use away from A1 (shops) or A3 (restaurants and cafes) will be resisted to retain the vitality and viability of the High Street. Proposals for A5 (hot food takeaways) uses will be permitted, provided that they would meet the requirements in Policies RL4: New Romney Town Centre and HW1: Promoting Healthier Food Environments. In relation to 'appropriate sui generis uses', these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.

## Policy RL4

### **New Romney Town Centre**

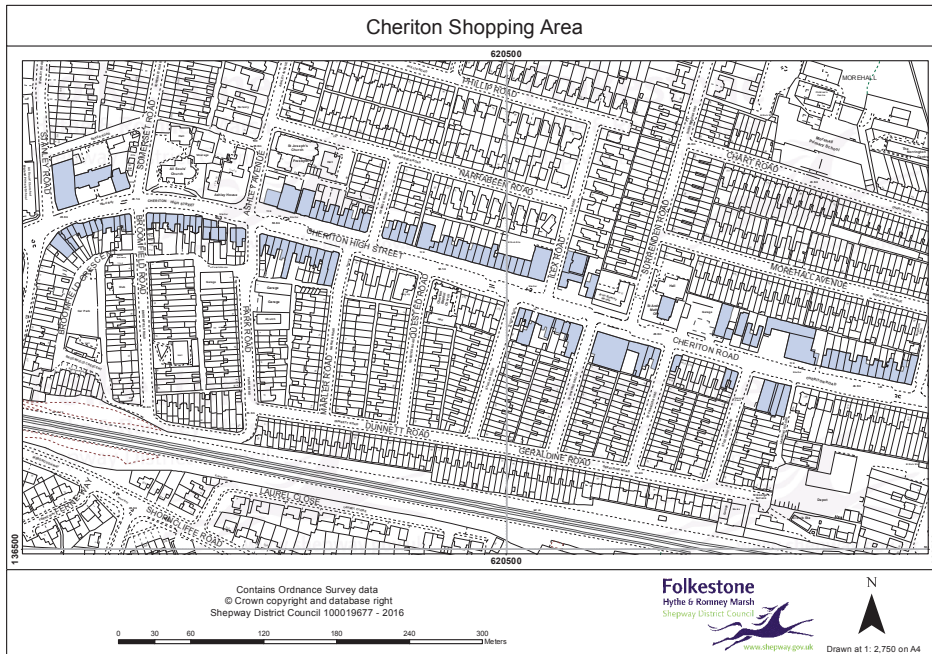
Within the designated town centre area (identified on the Policies Map), planning permission will be granted for development that provides for a range of town centre uses that adds to the vitality and viability of the town centre.

Within the Primary Shopping Frontage (as identified on the Policies Map) development on the ground floor will be permitted for A1 (shops) and A3 (restaurants and cafes) uses. Other uses will be permitted in the Primary Shopping Frontage provided that:

1. They fall within the definition of town centre uses; or
2. They fall under D1 (non-residential institutions) uses and provide a complementary function to the town centre: and
3. They would not create a continuous frontage of two or more non-A1 (shops) uses; and
4. In the case of appropriate *sui generis* uses they would create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Development proposals within the town centre uses definition that cannot be located within New Romney Town Centre will be judged against Policy RL8.

## Cheriton District Centre



### Cheriton District Centre Boundary

**11.44** Cheriton is defined as a 'District Centre' in the retail hierarchy. The High Street is a linear centre to the north-west of Folkestone urban area. It comprises just under a hundred retail units along a single road. The main 'anchor' store in the centre is a convenience food store (although there is a large superstore to the west of the centre, outside the centre boundary). This centre enjoys an attractive mix of retail outlets including a number of traditional independent stores, chemists, a hardware store and other services such as a post office, as well as a number of take-away outlets and fast food retailers.

**11.45** The Town Centres Study concludes that Cheriton faces challenges to retain its present vitality and viability. It recommended that physical improvements are made, and additional supermarket space is provided if a suitable site becomes available within the centre (indicatively up to 1,000sqm net convenience goods sales area).

**11.46** Over the longer-term, the Study suggests that the Council should monitor the empty properties and consider an appropriate contraction of the district centre boundary, to help build a critical mass of retail activity, and focus footfall within a more tightly-defined area. This would allow for the diversification of uses in more peripheral areas, away from retail uses.

**11.47** In relation to ‘appropriate sui generis uses’, these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.

### **Policy RL5**

#### **Cheriton District Centre**

Within the District Centre of Cheriton, as defined on the Policies Map, proposals for the development, redevelopment or change of use for Class A uses (1 to 5) (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways) will be permitted.

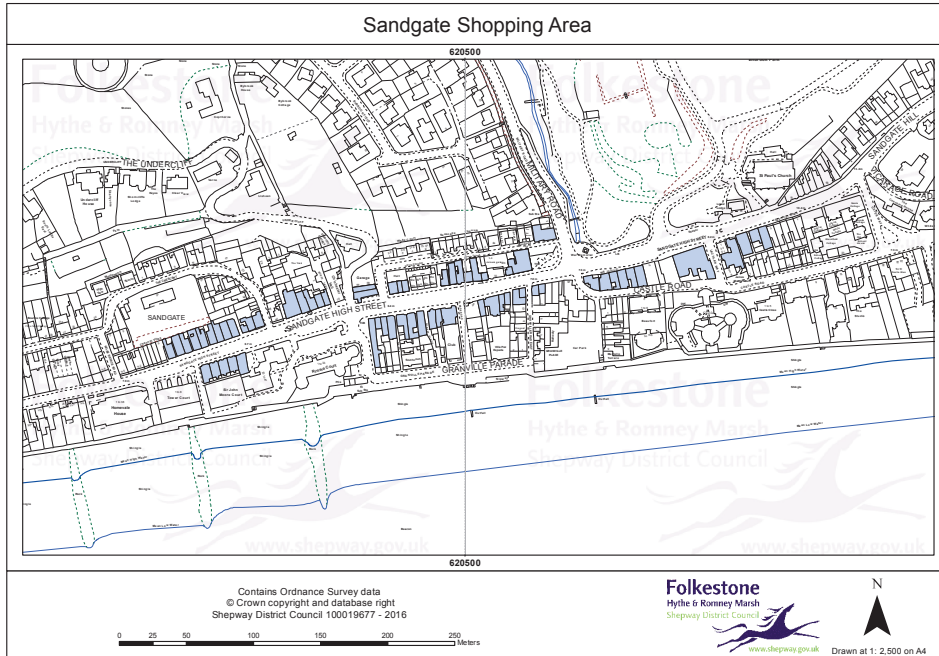
Appropriate *sui generis* uses will be permitted providing they create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Other town centre uses will be permitted provided that they would not create a continuous frontage of three or more A5 units and meet the requirements in Policy HW1: Promoting Healthier Food Environments.

Development proposals within the town centre uses definition that cannot be located within Cheriton District Centre will be judged against Policy RL8.



## Sandgate Local Centre



### Sandgate Local Centre Boundary

**11.48** Sandgate High Street has been identified as a Local Centre to reflect its importance to the local community. <sup>(4)</sup> Retail units here have been under threat through conversion to residential use, which is starting to undermine the character and vitality of the centre.

**11.49** The Town Centres Study suggests that the focus should be on supporting existing local-scale shopping facilities and that any applications for new development that come forward should be considered on their merits.

4 Town Centres Study, paragraph 9.2.9, footnote 13

## Policy RL6

### Sandgate Local Centre

Within the Local Centre of Sandgate, as defined on the Policies Map, proposals for the development, redevelopment or change of use to Class A1 (shops) and A3 (restaurants and cafes) uses will be permitted.

Appropriate *sui-generis* uses will be permitted providing they create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Other town centre uses will be permitted provided that they would not create a continuous frontage of three or more A5 units and meet the requirements in Policy HW1: Promoting Healthier Food Environments.

Other non-residential town centre uses will be permitted provided that:

1. They fall under D1 (non-residential institutions) or C1 (hotels) uses and provide a complementary function to the local centre: and
2. They would not create a continuous frontage of two or more non-A1 (shops) uses.

Development proposals within the town centre uses definition that cannot be located within Sandgate Local Centre will be judged against Policy RL8.

### Other District and Local Centres

**11.50** Policy RL1 sets out a retail hierarchy that includes:

- District Centres at Cheriton, Hawkinge and Lydd; and
- Local Centres including Sandgate, Lyminge, Elham, Sellindge and Dymchurch.

Cheriton District Centre is dealt with in Policy RL5 and Sandgate Local Centre is dealt with in Policy RL6 above. Policy RL7 below covers the remaining District and Local Centres of Hawkinge, Lydd, Lyminge, Elham, Sellindge and Dymchurch.

**11.51** The Town Centres Study recommends that the retailing offer in the centres of Lydd and Hawkinge should be protected to ensure that the centres can continue to meet residents' day-to-day needs.

**11.52** Given the constraints to providing additional floorspace within the existing centre at Hawkinge, consideration should be given to providing additional small-scale facilities adjacent to the Lidl foodstore at Haven Drive, given this is already an established shopping destination for many residents in the town, and is accessible

by public transport. Any additional development at this location should be of a scale appropriate to the role and function of Hawkinge in the retail hierarchy and would need to demonstrate that it could not be accommodated within the defined centre of Hawkinge, nor would cause a significant adverse impact on Hawkinge or other centres, in accordance with Policy RL8.

**11.53** For Lyminge, Elham, Sellindge and Dymchurch new development should support existing local-scale shopping facilities. Should any applications for new development come forward for these centres, they will be considered on their merits.

## Policy RL7

### Other District and Local Centres

Within the District and Local Centres of Hawkinge, Lydd, Lyminge, Elham, Sellindge and Dymchurch, proposals for development will be granted for a change of use from Class A1 (shops) provided that:

- The proposed use does not threaten the vitality and viability of the local centre;
- The proposed use is not detrimental to residential amenity; and
- The existing use is no longer viable and the property has been actively marketed at a reasonable rate for a period of at least 12 months and no reasonable offers have been made.

Development proposals within the town centre uses definition that cannot be located within the District and Local Centres will be judged against Policy RL8.

### Development Outside Town Centres

**11.54** The NPPF sets out a test for proposals for retail, leisure and office developments outside town centres in paragraph 26. Proposals should demonstrate what the impact of the development would be on centres in the catchment area of the proposal (including existing, committed and planned developments) and on the vitality and viability of centres (including local consumer choice and trade). Impact assessments are required for developments of 2,500sqm or above, if there is no locally set threshold.

**11.55** The Town Centres Study recommends that a local threshold should be set in policy. This should reflect local aspirations, but also the specific development pressures in Shepway. As well as the requirements of the NPPF impact test, the Town Centres Study recommends that the policy should require impact assessments to include the following:

- The extent to which the market profile of the development proposed will compete with existing facilities in town centres;
- The potential for relocation of businesses currently trading in town centre to out-of-centre locations;
- The impact on linked trip spending between different town centre uses or businesses;
- The cumulative effect of more than one development coming forward at the same time; and
- The impact through trade diversion on the role and function of a centre or centres.

**11.56** The Study considers that developments of less than 2,500sqm could potentially have a significant adverse impact on some of Shepway's centres, depending on the occupier and location. Using the default threshold would mean these developments would not need an impact assessment under the NPPF. The Study therefore recommends that two impact thresholds should be introduced:

- Developments outside Town Centres and District Centres - 500sqm gross; and
- Developments outside Local Centres - 200sqm gross.

**11.57** Policy RL8 sets out these requirements.

## Policy RL8

### Development Outside Town, District and Local Centres

Planning permission for town centre uses outside the Major Town Centre, Town Centre, District Centres and Local Centres will be permitted provided that:

1. The sequential approach set out in the National Planning Policy Framework and Planning Practice Guidance has been followed;
2. A full assessment is provided of the impact that the proposal would have on the retail health of all centres that are likely to be affected, relating to the scale and the type of development proposed in accordance with the requirements of the National Planning Policy Framework and Planning Practice Guidance. In addition, the assessment should demonstrate:
  - The extent to which the market profile of the development proposed will compete with existing facilities in town centres;
  - The potential for relocation of businesses currently trading in town centre to out-of-centre locations;
  - The impact on linked trip spending between different town centre uses or businesses;
  - The cumulative effect of more than one development coming forward at the same time; and
  - The impact through trade diversion on the role and function of a centre or centres.
3. It can be demonstrated that the site is in an accessible location and well connected to the centre enabling easy access on foot, by bicycle and public transport;
4. The proposed development does not have a significant detrimental impact on the highway network in terms of congestion, road safety and pollution;
5. Acceptable vehicular access and, if required, service space, can be provided without harm to the living conditions of local residents; and
6. The design, including parking and landscaping, complies with Policy HB1 and reflects the character of the local street scene and wider built context.

For the purposes of this policy, the following impact thresholds will be applied:

- Outside the Major Town Centre, Town Centre and District Centres - 500sqm gross; and
- Outside Local Centres - 200sqm gross.

The threshold will be based on the nearest centre to the proposal.

To avoid cumulative developments that exceed these thresholds, an impact assessment will be required if the threshold is breached in one year by more than one planning application.

## Advertisements, Shop Fronts, Blinds and Security Shutters

**11.58** As outlined at the beginning of this chapter, the quality of the shopping environment in the district's centres is important to their vitality and viability. The design of advertisements, shopfronts, blinds, canopies, awnings and security shutters can have a great impact on buildings and shopping streets and can detract from their character and appearance if changes are implemented unsympathetically.

### Design, Location and Illumination of Advertisements

**11.59** Most advertisements are controlled under the [Town and Country Planning \(Control of Advertisements\) Regulations 2007](#). This regime allows local planning authorities to control advertisements, when it is justified, in the interests of amenity and public safety. When considering proposals for outdoor advertisements that require express consent, the Council must have regard primarily to the regulations, but the plan's policies can also form a material consideration in determining whether an advertisement is permitted.

**11.60** Policy RL9 provides guidance for prospective advertisers on the type of advertisement displays that are likely to be acceptable. Standardised or corporate displays that have no regard to the character of the building on which they are to be displayed or the general characteristics of the locality will be unlikely to be acceptable.

**11.61** Applications for advertisement consent should provide a sufficient level of information to allow the Council to reach an informed decision about the likely impacts of the proposal. Proposals for development which incorporate advertising should clearly show the impact of the advertising at an early stage, preferably as part of an initial planning application.

**11.62** In respect of advertisements on Listed Buildings or in Conservation Areas, the Council will only grant consent if it can be demonstrated that the proposal would preserve or enhance the character or appearance of the building or area. The Council will pay special attention to the quality and appropriateness of illumination in respect of Listed Buildings, Conservation Areas or other heritage assets; standardised solutions, such as the use of internally illuminated box advertisements are unlikely to be acceptable.

## Policy RL9

### Design, Location and Illumination of Advertisements

Planning permission for advertisements will be granted where:

1. The advertisement is sensitively designed and located having regard to the character of the building on which it is to be displayed and the general characteristics of the locality;
2. The size, scale, materials, colour scheme and any means of illumination are appropriate having regard to the character of the building on which it is to be displayed and the general characteristics of the locality;
3. The cumulative impact of the advertisement would not be detrimental to the character of the building on which it is to be displayed and the general characteristics of the locality; and
4. The advertisement is not overly visually prominent in the street scene or landscape setting and does not harm amenity and is not a danger to public safety.

Proposals for the illumination of advertisements and signs will be permitted where:

1. The means of illumination reflects the character of the building on which it is to be attached and its immediate surroundings;
2. The proposed illumination is unobtrusive and discreet in its form; and
3. It is of a quality which enhances the advertisement display.

### Shop Fronts, Blinds and Security Shutters

**11.63** There are a number of important shop fronts in Folkestone town centre and other centres within the district, and wherever possible these should be retained and repaired rather than replaced. Policy RL10 is designed to ensure that the design and materials of shop fronts are of a high standard and respect the character of the shop building and the visual appearance of the surrounding street scene.

**11.64** Blinds, canopies and awnings can appear as prominent features on the front of buildings and need careful consideration to ensure that they do not detract from the character or appearance of the shop or street scene.

**11.65** Solid metal shutters and external shutters can introduce a blank appearance to shopping streets when closed and can discourage passersby, reducing activity. The Council will encourage other security measures which do not require intrusive features on a building's exterior, such as toughened glass and alarm systems.

Proposals for the installation of solid metal shutters, metal shutter boxes, external grilles or other obtrusive features are unlikely to be acceptable in Conservation Areas or on Listed Buildings or other heritage assets.

### **Policy RL10**

#### **Shop Fronts, Blinds and Security Shutters**

Proposals for new shop fronts, or alterations to shop fronts, will be permitted where:

1. The design, materials and proportions of any new, or altered, shop front relates to the character of the building and its locality;
2. Proposals that reflect the traditional character of shop fronts must include historically appropriate detailing;
3. Any existing features of historic or architectural interest are retained; and
4. Proposals affecting Listed Buildings, Conservation Areas or other heritage assets will preserve or enhance the character or appearance of the asset and its setting.

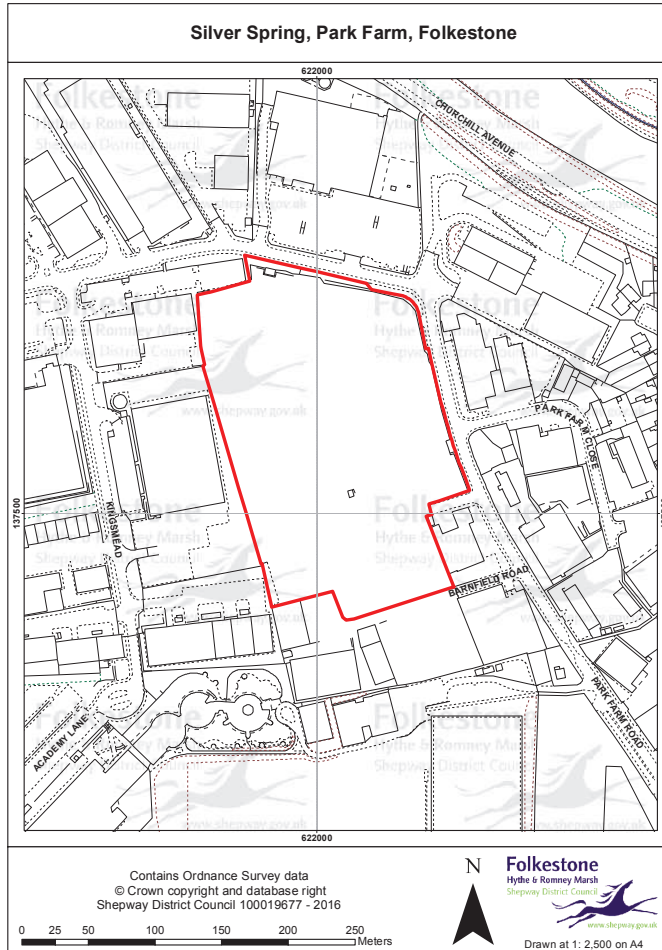
Proposals for blinds, canopies or awnings which respect the architectural character and features of the building on which they are to be installed will be permitted.

Proposals for the use of security measures will be permitted only if they do not involve the introduction of obtrusive features or detract from the character of the street scene.



## Mixed Used Developments

### Former Silver Spring Site, Park Farm, Folkestone



**Picture 11.1 Former Silver Spring Site, Park Farm, Folkestone**

**11.66** Park Farm is situated on the northern edge of Folkestone, just to the south of Junction 13 of the M20. The 28.3ha site contains both a retail park as well as an industrial area. The industrial estate covers 12.9ha which equates to 45.6 per cent of the total site area. The site has good access to the strategic road network including the M20.

**11.67** Within the Park Farm Estate there is approximately 3.8ha of vacant industrial space, where the former Silver Spring company was located. (Silver Spring was a soft drinks company that closed in 2013 and the buildings associated with this business have now been demolished and the site cleared.) There are two main issues

that need to be considered for any schemes to redevelop this site: the first is a need to provide good business accommodation in Folkestone; and the second is the changing nature of the Park Farm Estate.

**11.68** The Employment Land Review identifies the need to provide good quality office space in Folkestone to improve the attractiveness of the district to businesses and encourage them to locate to the area. This site provides an opportunity to do this. The nature of Park Farm, however, is changing, with a large area now in retail use, with a DIY and large convenience store.

**11.69** Given this, the Council considers that the former Silver Spring site should be redeveloped as a mixed-use scheme that reflects the changing nature of Park Farm but also provides good quality business accommodation. Other uses could include bulky retail (A1), assembly and leisure (D2) and hotel (C1) uses, where it can be demonstrated through a full impact assessment that the uses would not impact on the viability and vitality of Folkestone or other centres. Due to the surrounding uses, residential is not considered to be appropriate for this site.

**11.70** Due to the mix of uses proposed for the site, measures to encourage cycling, walking and the use of buses should be an integral part of proposals.

## Policy RL11

### **Former Silver Spring Site, Park Farm**

The former Silver Spring site, Park Farm, as defined on the Policies Map, is allocated for mixed-use development consisting of business uses (B1), leisure (D), retail (A1) and hotel (C1) uses.

Proposals for mixed-use non-residential development will be permitted provided that:

1. There is a comprehensive approach to the development of the site so that any individual elements would not prejudice the development of the whole site;
2. The existing access, or any new suitable accesses can be established, onto Park Farm Road is to the satisfaction and approval of the Local Highway Authority;
3. It promotes and encourages the use of sustainable transport; including improvements footpaths, cycle facilities and routes in accordance with the Shepway Cycle Strategy; and provision of a bus stop.
4. Appropriate and proportionate contributions, through a S106 agreement, are made towards extending service hours of the No.73 bus route.
5. There is a high level of design that responds to the sites location within the setting of the AONB;
6. Any potential contamination from former uses is investigated, assessed and if appropriate, mitigated as part of the development;
7. A full assessment is provided, outlining what impact any proposed town centre uses would have on the vitality and viability of Folkestone Town Centre and other centres, in accordance with Policy RL8; and
8. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.



## Policy RL12

### **Former Harbour Railway Line**

The former Harbour Railway line, as defined on the Policies Map, is allocated for a linear park, promoting active travel by providing a cycle and pedestrian route to the harbour area, together with visitor car parking.

Planning permission will be refused for inappropriate development that would compromise its reuse as an alternative transport link.



## Community

## 12 Community

### Introduction

**12.1** This chapter contains policies dealing with a range of matters relating to the community. Policies cover:

- Creating a sense of place as part of new developments;
- Safeguarding community facilities;
- The provision of open space; and
- The provision of children's play space.

**12.2** The [National Planning Policy Framework](#) (NPPF) in paragraph 69 states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The Council recognises the benefits of a healthy community and the local plan can help in two main ways, by:

- Delivering new community facilities, through allocating sites and securing contributions from development through Section 106 and Community Infrastructure Levy (CIL) contributions; and
- Protecting existing community facilities that serve their current needs or could meet future requirements.

#### Community Facilities

In this Local Plan, 'community facilities' refers to the definition of set out in the Core Strategy:

*"Community Infrastructure - facilities available for use by all the community, such as church or village halls, doctor's surgeries and hospitals. Community facilities could also include nursing homes, public houses, children's playgrounds and sports facilities"* (Appendix 6: Glossary of Terms).

(For nursing homes see also Policy HB11: Loss of Residential Care Homes and Institutions.)

**12.3** Shepway's growing population will put increasing pressure on community facilities. Consequently planning decisions need to ensure facilities are provided in accessible locations to serve both existing and new residents. The use of a building and the needs of communities can change over time; new community facilities should therefore be flexible and adaptable to changing circumstances, being capable of expansion and being used for different activities.



**12.4** As well as built facilities, good quality open space and outdoor recreational facilities are also vital to people's health and wellbeing. The Council is currently preparing two strategies, the Open Space Strategy and the Play Space Strategy, and these have informed the standards for open and play space in new developments set out in the policies below.

### **Creating a Sense of Place**

**12.5** A key feature of a successful place is that people identify closely with it. Successful places often take time to evolve, gaining associations with particular events or people over history. In contrast, many new developments can lack character. One way of addressing this is by ensuring the design and landscaping of the development are of the highest quality, encouraging people to develop an attachment to a place. Other ways are through links to the heritage of the area or the use of public art.

**12.6** Heritage plays a fundamental role in providing a place with a unique character, grounding it in its history. Buildings, open spaces, historic features and patterns of roads and lanes are what ultimately define the character of settlements. It is therefore important that any change is sensitive to this character, adding to and developing its distinctiveness rather than diminishing it. (Policy HB2: Cohesive Design sets out a structured approach to incorporating the built form of an area into new housing developments.)

**12.7** Public art (which can include landscaping or lighting and as well as installations) can help develop a sense of place, address community needs, tackle social exclusion and provide educational value.



**Picture 12.1** Examples of effective community art and gardens in Shepway

**12.8** Within Shepway, the [Folkestone Triennial](#) has raised the national profile of the town and has encouraged a 'creative economy'. This can be helped through establishing the right environment and encouraging people to participate in local events, boosting social interaction. An outcome of this process could be a piece of public art with special relevance to, and shaped by, local people.

## Policy C1

### Creating A Sense of Place

The Council will expect all new major development to demonstrate a deliverable and fully resourced project for fostering a sense of place through methods such as landscaping, public art, water features, lighting and/or through the use historic references. This programme should be fully outlined in the Design and Access Statement submitted as part of the application.

This will apply to the following:

1. Residential developments comprising 10 or more dwellings; and
2. Other developments where the floor area to be built is 500sqm gross or greater, including office, manufacturing, warehousing and retail developments.

In larger, phased development, it is acceptable for this to come forward in later phases so that it involves a critical mass of population.

Any programme for community-building and place-making must engage the local community and could be community-led, having regard to the local circumstances of the site and/or local aspirations.

Where physical public art is provided on a permanent basis, it needs to form part of managed open space or, if agreed, transferred to Town or Parish Councils. Contributions and commuted sums for up to 10 years' maintenance will be required, to include the cost of decommissioning where appropriate.

## Safeguarding Community Facilities

**12.9** Community facilities provide a meeting place where social networks are strengthened and extended. This is especially important in rural areas; pubs, for example, often host a wide variety of community-oriented events and activities that add considerably to local civic life. Increasingly they also host a range of important public services including post offices, general stores and broadband internet access.

**12.10** The Government has introduced procedures for identifying and protecting 'Assets of Community Value', under the [Localism Act 2011](#). This Act enables voluntary and community organisations to nominate an asset to be included on their local authority's register of assets of community value so that when it becomes available on the market, they can bid for it. There are a number of assets already identified in the district and more are under consideration; nomination details and a list of current assets can be found on the [Council's website](#).

**12.11** While identifying a facility as an asset of community value can help to secure its future if it comes to be sold, additional protection is needed through the planning system. To ensure further protection, the policy below will be applied before any development proposals for alternative uses are granted permission.

## Policy C2

### Safeguarding Community Facilities

Planning permission for development leading to the loss of an existing community facility will be granted where it can be demonstrated that:

1. There is no longer a demand for the facility within the locality, supported by evidence that the premises have been actively marketed for a minimum period of 12 months in the recent past prior to submission of the planning application; and
2. As part of the evidence in point 1 above, the sale or rental price was realistic for the existing use, supported with a written valuation from a commercial estate agent; and

Where there is a need for an alternative facility or facilities to serve the local community, the proposed development should provide an alternative on the site or at a location which is well-related and easily accessible to the local community or settlement.

## Provision of Open Space

**12.12** Parks and other areas of public open space provide local destinations for people to walk, play and cycle, contributing to the health and wellbeing of communities. They provide experience of the natural world, positive mental health benefits, and places for social interaction, which is important for building community life. For children and young families, parks provide a place to meet and for children to participate in physical and social play. The provision of public open spaces is thus a key factor in promoting active living and providing physical, psychological and social health benefits for people of all ages.

**12.13** The importance of open space is recognised in the NPPF (paragraphs 73 to 74) and [Planning Practice Guidance](#), which notes that open space of public value can take many forms, from formal sports pitches to open areas within a development, as well as linear corridors and country parks.

**12.14** Paragraph 74 of the NPPF clearly states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

### Applying Open Space Standards

**12.15** The Shepway Open Space Review and Strategy (2017) provides an assessment of open space in terms of quantity, accessibility, quality and value. It also establishes local provisional standards to aid the implementation of policies. These are determined by the analysis of existing quantity local and national standards and benchmarks and evidence gathering from local needs assessment. The open space standards for Shepway (excluding play space) are:

Typology	Quantity Standard	Accessibility Standard
Parks and Gardens: <ul style="list-style-type: none"> <li>• District</li> <li>• Local</li> <li>• Small Local</li> </ul>	2.89ha/1000 head of population (Quantity standard derived from Parks and Gardens and Natural and semi-natural greenspace)	<ul style="list-style-type: none"> <li>• 1.2km</li> <li>• 400m</li> <li>• 280m</li> </ul>
Natural and Semi-natural greenspace: <ul style="list-style-type: none"> <li>• Sub-Regional</li> <li>• District</li> <li>• Local</li> <li>• Small Local</li> </ul>		<ul style="list-style-type: none"> <li>• 3.2km</li> <li>• 1.2km</li> <li>• 400m</li> <li>• 280m</li> </ul>
Green corridor		<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Amenity green space		<ul style="list-style-type: none"> <li>• 280m</li> </ul>
Allotments	0.12ha/1000 population	<ul style="list-style-type: none"> <li>• 1.2km</li> </ul>
Cemeteries and Church Yards		<ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Table 12.1 Open Space Standards**

## Quantity

**12.16** The quantity of provision is assessed using the recommended quantity standards for each of the typologies where a quantity standard has been developed. Recommended standards are expressed as hectares of open space per 1000 people. The purpose of the standards is to ensure that the district's residents can access a network of open spaces of different sizes and that the quality of spaces is maintained or enhanced.

**12.17** The quantity standard of **2.89ha of open space per 1,000 head of population** reflects the current provision of open space within the district. New development should ensure that this standard continues to be met. Residents should also have access to **0.12ha of allotments per 1,000 head of population**. These quantity standards are locally derived and deemed to be realistic and achievable.

**12.18** Sufficient supply or under supply of open space for each agreed area or ward can be calculated based on these standards. The amount of open space required for the increased population can also be calculated using the quantity standards. The use of the quantity standards should be considered alongside the access standards. For example, even though quantity standards may be met locally, there may be gaps in access and therefore new provision may still be required.

## Access

**12.19** The table above indicates the accessibility standards for open space. Typically standards are expressed as straight line walking distances. The Shepway Open Space Strategy (2017) provides maps which show where there are deficiencies and potential over supply of facilities. This information can be used alongside the quantity standards to determine if new provision of a particular typology should be provided or improved accessibility is required. These gaps could be met by a residential development.

## Open Space Strategy Findings

**12.20** The Open Space Strategy highlights that, despite being a relatively rural district, a significant proportion of the district's residents is deficient in access to one or two levels of the open space hierarchy (sub-regional, district, local and small local). This is because large areas of open space are inaccessible, such as agricultural land, marshland or sports pitches with restricted access. A large proportion of residents live within a catchment of sub-regional scale open spaces, but these don't always meet local needs. These larger spaces require further enhancement regarding their accessibility, quality and value.

**12.21** There are also deficiencies within pockets of the built-up residential areas, particularly those immediately to the west of Hythe and the coastal settlements within Romney Marsh, in addition to Lympne and Sellindge in the North Downs. The Strategy

recommends that the amount of publicly accessible open spaces available in these areas should be increased through securing opportunities brought about by proposed development (such as the new proposed open space in Sellindge).

### **Delivering New Open Space Provision and Enhancements to Existing Provision**

**12.22** The extent to which development should be expected to contribute to open space depends on a range of factors, including the size of development, and the number and types of dwellings (for example family housing with two or more bedrooms), as well as the existing open space provided in and around the proposed development. The open space accessibility and quantity standards set out above will be applied to new residential development. The process for identifying the required open space provision will be based on the following assessments.

1. The amount of publicly accessible open space in the area that development is proposed compared to the quantity standard; and
2. The location of publicly accessible open space in the area that development is proposed compared to the access standard.

**12.23** If provision of publicly accessible open space in the area that development is proposed meets the quantity and accessibility standards, then an assessment will be made to record the quality and value of the existing spaces to inform decision making and propose any enhancements to existing open space.

**12.24** If there is limited provision of publicly accessible open space in the area that development is proposed, additional open space will be required to meet these deficiencies.

**12.25** Large residential developments of over 20 dwellings will be expected to provide on-site open space, unless the site is in a location, such as a town centre, where a financial contribution to off-site provision may be considered more appropriate. For smaller residential developments, of up to about 20 dwellings, where there are limitations on providing satisfactory on-site provision, a financial contribution to off-site provision may also be considered more appropriate for part or all of the open space requirement. Off-site provision must be of equivalent value to on-site provision. For smaller residential developments, of up to about 20 dwellings, where there are limitations on providing satisfactory on-site provision, a financial contribution to off-site provision may also be considered more appropriate for part or all of the open space requirement. Off-site provision must be of equivalent value to on-site provision

**12.26** On-site provision for amenity green space and natural and semi-natural greenspace will be sought for developments of 20 dwellings or above (in addition Policy NE2: Biodiversity seeks enhancement to biodiversity as part of the overall

design and green infrastructure provision). On-site provision of allotments and parks and gardens is normally sought on schemes of 250 or more dwellings, unless specifically identified in sites allocated in this plan.

**12.27** Any new open space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

### **Protecting Existing Open Space or Assessing if Space is Surplus to Requirements**

**12.28** The Council will also seek to protect existing open spaces in line with the NPPF. Any assessments for the loss of open space should draw on the latest Open Space Strategy and the provision at that time in the first instance.

**12.29** Existing open spaces, as defined on the Policies Map, will be safeguarded. Development proposals that would result in the loss of open spaces will be granted provided that:

1. An assessment has been undertaken which clearly identifies the open space is surplus to requirements; or
2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of the standards in Table 12.1 above; or
3. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

### **Open Space Calculations**

**12.30** Contributions towards the provision or improvement of open spaces can be calculated using the capital cost of provision per person. This is irrespective of whether there is new provision or improvement of existing facilities and features. These calculations can be used to calculate developer contributions for on-site provision and where feasible any off site projects. Cost of provision per square metre and quantity standard square meter per person can be used to determine cost of provision per person.

**12.31** If a development is required to provide open space on-site, the developer would be expected to maintain the open space for an agreed minimum period (typically one year). For larger sites a management plan should have been submitted and approved by the Council as a planning condition.

**12.32** The Council may accept a commuted sum and make arrangements for management and maintenance of an open space by the Council or third party. The amount payable for the commuted sum for all classifications of play area can be calculated using the figures within SPON'S External Works and Landscape Price Book and using cost per square metre per annum by typology.



**12.33** The gross open space calculation may include provision of: sustainable drainage systems (SuDS) provided they do not compromise the safety of open space users; informal sports pitches; and formal play spaces providing they are made accessible to all.

## Policy C3

### Provision of Open Space

To meet the additional need in open space generated by new residential developments the Council will require proposals of 20 or more dwellings to provide for open space in accordance with the standards in Table 12.1 above.

Where full provision on-site would not be appropriate or desirable, or the proposed development is less than 20 dwellings, the space needed may be met by commuted sum payment towards the provision or improvement of open space nearby on a scale related to the size and scale of the development.

This gross open space calculation may include provision of publicly available:

- Sustainable Drainage Systems (SuDS), provided they do not compromise the safety of open space users;
- Informal sports pitches; and
- Formal play spaces.

Any new open space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

Existing open spaces, as defined on the Policies Map, will be safeguarded. Development proposals that would result in the loss of open spaces will be granted provided that:

1. An assessment has been undertaken which clearly identifies the open space is surplus to requirements; or
2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of the standards in Table 12.1 above; or
3. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

**12.34** In some cases, it may be appropriate for existing off-site open space to be enhanced in accordance with a priority list of projects prepared by the Council's open spaces team with responsibility for leisure. This would be in lieu of on-site or

alternative off-site provision. Contributions will be assigned to particular projects to directly benefit the residents of the development. The priority is to provide or improve open space that is strategically located, accessible and usable. Contributions will be combined where appropriate in order to achieve this, but will accord with the Community Infrastructure Levy Regulations 2010 Regulations 122 and 123. The priority list will be reviewed at least annually or more regularly if other needs arise, for example, as a result of safety or risk management issues, opportunities for matching funding or strong community support.

## Children's Play Space

**12.35** Play is an essential part of a child's life, and is vital for the enjoyment of childhood, as well as social, emotional, intellectual and physical development. The Shepway Play Area Review (2017) indicates that play areas are predominately located within or adjacent to larger open spaces (such as parks) and some local people are not within easy walking distance of suitable facilities. Play provision throughout Shepway is generally good in terms of distribution, with some evident lack of provision for the 11+ age group in terms of quality. The Review also identified deficiencies within:

- The centre of New Romney;
- Intermittent areas along the coast;
- Residential areas in Romney Marsh;
- South-east of Folkestone Harbour; and
- Broadmead.

## Applying Play Area Standards

**12.36** The Shepway Play Area Review (2017) provides an assessment of play areas in the district in terms of quantity, accessibility, location, value and quality. It also establishes local provision standards to aid the implementation of policies. These are determined by the analysis of existing quantity, consideration of existing local and national standards and benchmarks and evidence gathered from the local needs assessment.

**12.37** The standards below refer to the following classifications of play facilities:

- **Local Areas of Play (LAP)** - Small, low-key games areas (which may include 'demonstrative' play features) with a minimum activity zone of 100sqm;
- **Local Equipped Areas for Play (LEAP)** - Spaces containing approximately five types of equipment with a minimum activity zone of 400sqm;

- **Neighbourhood Equipped Areas for Play (NEAP)** - Spaces containing approximately eight types of equipment, kickabout and/or wheeled activities; and
- **Destination Play Space** - Play spaces which can attract visitors from a wider catchment, usually within larger parks. These spaces often have supporting facilities such as car parking, catering and toilets.

**12.38** These standards are set out in the following table.

Type of Standard	Proposed Standard
Quantity	Destination: 0.03 hectares per 1,000 population NEAP: 0.080 hectares per 1,000 population LEAP: 0.077 hectares per 1,000 population LAP: 0.005 hectares per 1,000 population
Accessibility	Destination: 1000m NEAP: 600m LEAP: 240m LAP: 60m
Location	<b>Destination 85.71%</b> - Exemplar: Lower Leas Coastal Park Fun Zone <b>NEAP 74.29%</b> - Exemplar: Canterbury Road Recreation Ground <b>LEAP 62.86%</b> - Exemplar: Tayne Field (adjacent public house) <b>LAP 62.86%</b> - Exemplar: Blenheim Drive
Value	<b>Destination 74%</b> - Exemplar: Brockhill Country Park <b>NEAP 72%</b> - Exemplar: Canterbury Road Recreation Ground <b>LEAP 68%</b> - Exemplar: Elmfields <b>LAP 55%</b> - Exemplar: Megan Close

Type of Standard	Proposed Standard
Quality	<p><b>Destination 65.71%</b> - Exemplar: Brockhill Country Park</p> <p><b>NEAP 60%</b> - Exemplar: Cheriton Recreation Area</p> <p><b>LEAP 54.29%</b> - Exemplar: Newington Village Hall</p> <p><b>LAP 52%</b> - Exemplar: Atkinson Road Play Area</p>

**Table 12.2**

**12.39** The process for applying and determining the quantity and accessible standards are comparable to the Open Space Strategy.

### **Delivering New Provision and Enhancements to Existing Provision**

**12.40** Play standards have been developed through the Shepway Play Area Review (2017). These standards will apply to proposals of over 10 dwellings. The locally derived standards above setting out quantity and accessibility standards propose quantities of play space by play area classification which should be delivered on site where feasible. On smaller residential developments, of up to about 10 dwellings or within town centres, because of the limitations on providing satisfactory on-site provision, part or all of the play area may be best provided for in the form of a financial contribution, of equivalent value to on-site provision, towards the enhancement and management of play areas.

**12.41** In assessing the requirement for play space provision, this will be based on the number of properties with two or more bedrooms in the proposed scheme. The requirement for any proposed developments will be based on the current provision identified in the Play Area Review. For example, if a scheme is located within 240m of an existing LEAP, then a commuted sum could be provided to upgrade that facility to meet the additional demand from the new development. In some cases it may be appropriate for youth or adult equipment (such as 'outdoor gyms') to be provided.

**12.42** Areas should be set out and located so as to minimise annoyance to nearby occupiers, maximise children’s safety and be visible from neighbouring properties.

**12.43** Any new play space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

## Protecting Existing Play Spaces or Assessing if Space is Surplus to Requirements

**12.44** Reference should be made to the Shepway Play Area Strategy (2017) to inform decision making.

### Policy C4

#### Children's Play Space

To meet the additional need for children's play space generated by new residential developments, the Council will require proposals of 10 or more family dwellings (2 or more bedrooms) to provide for child play space in accordance with the standards in Table 12.2 above.

Areas should be set out and located so as to minimise loss of amenity for nearby occupiers, maximise children's safety and be visible from neighbouring properties.

Where full provision on-site would not be appropriate or desirable, the space needed may be met by commuted sum payment towards the provision or improvement of play space nearby on a scale related to the size and scale of the development.

Any new play space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

## Local Green Spaces

**12.45** The open spaces within our towns and villages are a vital part their character and help to make places where people would wish to live, work or visit.

**12.46** The Council recognises the importance of safeguarding existing open space within the district's towns and villages, such as formal gardens and Local Wildlife Sites. (Reference should also be made to Policy HE4: Folkestone's Historic Gardens.) This principle is set out in Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation, which establishes the protection, management and expansion of areas of green infrastructure within the district at a strategic level.

**12.47** The NPPF (paragraphs 76 and 77) makes provision for local communities, through local and neighbourhood plans, to identify areas of particular importance to them for protection as Local Green Spaces. The NPPF states that Local Green Space designations will not be appropriate for most green areas or open space and should only be used where the green space is:

- Reasonably close to the community it serves;
- Demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- Local in character and is not an extensive tract of land.

**12.48** During the preparation of the plan 45 areas of land in Hythe, Lympe and Saint Mary in the Marsh were put forward to be considered as Local Green Spaces. These were assessed against the NPPF criteria but only one was considered to meet them (Eaton Lands). The reasons why sites did not meet the criteria included that they were extensive tracts of land or were covered by other designations (such as Area of Outstanding Natural Beauty or Site of Special Scientific Interest) where other policies of protection apply. As only one site was identified (that was already protected by open space considerations in the NPPF), the Council considers that a district-wide policy would not be suitable and that any designations should instead come from the local community through Neighbourhood Plans.

**12.49** The Council will support and assist local communities with the assessment and designation of Local Green Spaces, based on the NPPF assessment criteria, through Neighbourhood Plans.

## Transport

## 13 Transport

### Introduction

**13.1** This chapter contains policies dealing with a range of matters relating to transport. Policies cover:

- The street hierarchy and site layout;
- Parking standards for residential and non-residential and commercial developments;
- Residential garages;
- Parking for Heavy Goods Vehicles (HGVs); and
- Cycle parking standards.

### Street Hierarchy and Site Layout

**13.2** Town planning in the 1960s and 1970s sought to exclude vehicular traffic from residential areas, but in doing so often removed connections between different areas of towns and villages, making it more difficult for people to meet and build community life. These street layouts are in contrast to the traditional pattern of Shepway's settlements; Folkestone in particular was laid out in a grid pattern that aids connectivity while providing sufficient space for street life. The Council will seek to improve connectivity through new development, ensuring that new buildings are integrated with existing streets, avoiding the creation of isolated neighbourhoods.

**13.3** The approach towards accommodating vehicles in residential developments should be considered as an integral part of the design process and be informed by the Department for Transport's (DfT) [Manual for Streets](#) (2007) and the [Kent Design Guide](#). Certain planning applications require a Design and Access Statement to be submitted and this should show how street design and connectivity have been considered and establish the most appropriate approach towards parking. This is explored further below.

**13.4** Street design should ensure that land is used efficiently and effectively by incorporating on-street parking as an integral component of all street types, as this provides additional capacity to manage parking demand as a part of the character of the place.

**13.5** The way people experience places as they move through them has a crucial impact on how people behave. The demarcation between public space and streets for traffic in residential areas is becoming increasingly flexible. The Manual for Streets, for example, encourages shared streets and a better balance between pedestrians and vehicles, while ensuring accessibility for all. The nature of a street is influenced by its width, the height of adjacent buildings and factors such as surfacing and parking arrangements: the height-to-width ratio in particular influences the 'feel' of the place.



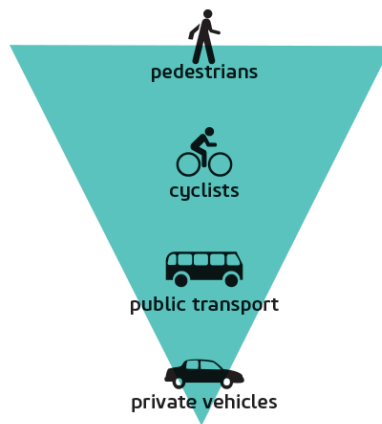
Landscaping and the provision of appropriate street trees is also highly important in the creation of a successful place, softening hard infrastructure and encouraging street life.

**13.6** An area's street hierarchy should provide a clear transition from the external distributor roads, where vehicular space requirements may be more dominant, to residential streets, where the needs of pedestrians and other non-car users should take precedence.

**13.7** The following categories of roads are most suitable for residential frontages, and create different types of street and environment:

- **Path** - Primarily a pedestrian route but accessible for emergency vehicles and refuse collection. These are potentially enclosed by tall buildings on each side, overlooked, and allow access to residential units;
- **Street** - A standard street will include provision for parking on one or both sides. It will demonstrate active frontages, provision of pavements and traffic calming measures;
- **Avenue** - This is a broader street, tree-lined and often framing views or leading to major places and public spaces. It is generally framed by taller buildings than a street;
- **Mews** - Smaller scale shared-use surfaces and intended to be a common type within residential areas, often without pavements and with parking in courts;
- **Square** - A variety of spaces at key junctions and associated with a range of public uses. These are not necessarily pedestrian-only areas, but are often shared-surfaces with car free areas adjacent to shops or restaurants or near water; and
- **Sustainable Drainage System (SuDS) street** - Wherever possible, all streets will be SuDS streets, in which surface water is moved in surface water channels into an aquifer through any necessary cleansing mechanisms, such as reed beds and swales.

**13.8** There should be an understanding that almost all trips begin and end with walking. Reflecting that, the pedestrian should be the focus of street design. The design and operation of streets should prioritise modes in this order: walking; cycling; public transport; and private cars. In some circumstances, the hierarchy may be adjusted somewhat, such as along a segregated bicycle lane corridor. This hierarchy will influence street cross-sections, junction design, signal timings and maintenance scheduling. The diagram below illustrates this hierarchy.



**Street hierarchy: streets should be designed to give precedence to users in accordance with this hierarchy**

## Policy T1

### Street Hierarchy and Site Layout

Planning permission for major developments will be granted if the Design and Access Statement submitted as part of the application demonstrates attention has been paid to street design.

An application should show that:

- The street hierarchy considers pedestrians first and private motor vehicles last;
- Permeability is provided through and beyond the site for all users;
- An environment is created that is safe for all street users, which encourages walking, cycling and the use of public transport;
- A range of street types is created providing legibility throughout the development, meeting the needs of all users, and not allowing vehicles to dominate;
- Active frontages are created throughout the development, particularly in relation to publicly-accessible areas, for the purposes of natural surveillance and creating characterful places; and
- Appropriate street furniture and signage is included only when necessary for reasons of safety, orientation or comfort of residents and visitors.

Developers should ensure, with the support of Kent County Council as Highways Authority, that active travel routes are provided as a priority, both within developments and linking sites to other services, community facilities and transport hubs.

**13.9** If there is the possibility that a street will serve further homes or businesses in the future, for instance if there is an adjacent allocated site which is likely to be developed (and accessed through the first site), then the streets should be designed to the appropriate standard, or be capable of being altered in the future. No 'ransom strip' or other gap should be left between the adopted highway and the site boundary, so that a durable street layout can be provided that can accommodate future changes.

**13.10** Good street design and effective use of the new hierarchy will help to:

- Establish high quality streets, where the building frontage is prominent, positively addresses the street and is not obscured by the car or garage;
- Provide convenient and safe routes between the parking spaces and homes;
- Provide safe and secure car and cycle parking; and
- Use space efficiently, without excessive land being taken by parking or for manoeuvring.

## Integrated Design

There have been numerous examples of well-designed, integrated and executed development in Shepway in recent years. However, there have also been examples in which these aspects have fallen short of expectations.



### An example of recent street design

The above development, in the south of the district, echoes generic Kentish vernacular in terms of its building design. It also provides a range of street types, giving precedence to pedestrians and cyclists.

However, there are a number of components of this design that could be improved, for example:

- Street furniture, including the bollards fronting the pedestrian walkway, appear out of keeping with the setting, and look like an afterthought;
- The telephone exchange box sits prominently on the grass verge as a hurdle: the Kent Design Guide document '[Making it Happen](#)' refers to such impositions as 'visual clutter', which can impede the movement of pedestrian users, and detract from the street scene;
- The choice of materials for the roadway appears poor and undifferentiated;
- Off-street parking has been integrated somewhat into the development (as shown to the left of the picture) but there are a number of houses along this street without adequate parking provision; and
- The segregated foot and cycle way with low lighting columns does not accord with '[Secured by Design](#)' principles and the penetration of this development

is challenging, leading to an expanse of tarmac. A range of surfaces, timber bollards and street trees would significantly enhance the public realm.

**13.11** The promotion of the street hierarchy design principles above can effectively meet the [National Planning Policy Framework](#)'s (NPPFs) core planning principle "to make the fullest possible use of public transport, walking and cycling" (paragraph 17). Properly designed and easily accessible cycle storage facilities properly integrated into development, and at strategic locations throughout the public realm, can encourage local journeys to be taken by sustainable means. This requires careful design of streets and the integration of private vehicular traffic to ensure inappropriate parking does not restrict the movements of pedestrians, cyclists or public transport users.

**13.12** The Council recognises that all sites and development proposals will be different, with different challenges and site conditions; 'Home Zones', for example, can be encouraged, but not made mandatory. Similarly, there are some situations in which segregated roadways will not be as safe as a shared space, and in many cases it will be up to the designer to offer the best solution for the site within the broad parameters set out in Policy T1: Street Hierarchy and Site Layout.

## Parking

### Residential Parking

**13.13** A fundamental test for the quality of a street is its approach to parking. While some of Folkestone is fortunate to have well set-out streets able to accommodate parking, in many other parts of the district parking is a key concern for residents. Streets need the flexibility to be able to support our reliance on private vehicles, both for their economic and social benefits and to avoid conflict and nuisance.

**13.14** The provision of on-street parking, well-integrated into street design, has the following advantages:

- The number of driveway crossovers is minimised, allowing for a continuous and accessible footpath along the street;
- Street berms can be provided to create a landscaped and attractive neighbourhood street, which encourages walking and cycling to local destinations;
- Streets are safer due to more activity on the street;
- On-street parking is efficient in terms of space and maximises quality open space and the provision of new housing;
- Safe access to front door on foot and cycle is enabled;
- Parked cars create a buffer between moving traffic and the footpath;
- Parking spaces are used more frequently because everyone can use them; therefore fewer spaces are needed overall compared to allocated spaces;

- Houses gain more open space at the front; and
- Residents and passersby can keep an eye on the cars in the neighbourhood.

**13.15** The [Shepway District Council Transport Strategy](#) (URS / Scott Wilson, 2011) notes that there is a relatively low level of private car ownership in the district when compared with Kent as a whole, with an average of 1.15 cars per household. However, given the dispersed nature of settlements in East Kent, and the limited public transport available compared with other areas, there is a continuing reliance on private transport for commuting, leisure and business activity.

**13.16** Car parking should be an integral part of the design of new development. There is evidence that insufficient parking, or parking in the wrong locations, leads to blocked and congested streets and parking on pavements. Minimum parking standards can, rather than reduce car ownership, simply create parking problems for nearby neighbourhoods. [Government guidance](#) is that "*Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network*".

**13.17** Kent County Council's (KCC) [Interim Guidance Note 3 \(IGN3\): Residential Parking](#) (2008) provides an appropriate foundation for parking design, giving indicative minimum and maximum residential parking guidelines depending on location. This document was produced to update the residential parking standards presented within Supplementary Policy Guidance SPG4 of the Kent and Medway Structure Plan 2006. Proposals for residential development and conversion should accord with IGN3, and these standards are set out in Table 13.1 below. While this is a useful indicative guide, there is scope for adaptation according to the development proposal and site location.

**Interim Guidance Note 3 (IGN3): Guidance Table for Residential Parking**

Location	City/Town Centre	Edge of Centre	Suburban	Suburban Edge/Village/Rural
<b>On-street Controls</b>	On-street controls preventing all (or all long stay) parking	On-street controls, residents' scheme and/or existing saturation <sup>(3)</sup>	No, or very limited, on-street controls	No on-street controls, but possibly a tight street layout
<b>Nature of Guidance</b>	Maximum <sup>(1)</sup>	Maximum	Minimum <sup>(6)</sup>	Minimum <sup>(6)</sup>
<b>1 and 2 bed flats</b>	1 space per unit	1 space per unit	1 space per unit	1 space per unit
<b>Form</b>	Controlled <sup>(2)</sup>	Not allocated	Not allocated	Not allocated
<b>1 and 2 bed houses</b>	1 space per unit	1 space per unit	1 space per unit	1.5 spaces per unit
<b>Form</b>	Controlled <sup>(2)</sup>	Allocation possible	Allocation possible	Allocation of one space per unit possible
<b>3 bed houses</b>	1 space per unit	1 space per unit	1.5 spaces per unit	2 independently accessible spaces per unit
<b>Form</b>	Controlled <sup>(2)</sup>	Allocation possible	Allocation of one space per unit possible	Allocation of one or both spaces possible
<b>4+ bed houses</b>	1 space per unit	1.5 spaces per unit	2 independently accessible spaces per unit	2 independently accessible spaces per unit
<b>Form</b>	Controlled <sup>(2)</sup>	Allocation of one space per unit possible	Allocation of both spaces possible <sup>(7)</sup>	Allocation of both spaces possible <sup>(7)</sup>

Location	City/Town Centre	Edge of Centre	Suburban	Suburban Edge/Village/Rural
<b>Are garages acceptable?</b> <sup>(4)</sup>	Yes, but with areas of communal space for washing, etc.	Yes, but not as a significant proportion of overall provision	Additional to amount given above only	Additional to amount given above only
<b>Additional Visitor Parking</b> <sup>(5)</sup>	Public car parks	Communal areas, 0.2 per unit maximum	On-street areas, 0.2 per unit	On-street areas, 0.2 per unit

**Table 13.1 IGN3: Guidance Table for Residential Parking**

**Notes**

*(1) Reduced, or even nil provision is encouraged in support of demand management and the most efficient use of land.*

*(2) Parking/garage courts, probably with controlled entry.*

*(3) Reduced, or even nil provision acceptable for rented properties, subject to effective tenancy controls.*

*(4) Open car ports or car barns acceptable at all locations, subject to good design.*

*(5) May be reduced where main provision is not allocated. Not always needed for flats.*

*(6) Lower provision may be considered if vehicular trip rate constraints are to be applied in connection with a binding and enforceable Travel Plan.*

*(7) Best provided side by side, or in another independently accessible form. Tandem parking arrangements are often under-utilised.*

**13.18** Residential parking should be designed as part of a place-making approach to design, creating streets that work for residents and are not dominated by the private car. To this end, advice in [Building for Life 12](#) provides best practice guidance for residential parking. Some car parking should be provided on the street, wherever practicable, in all developments. Visitors should park on the street and walk to the dwelling where possible. All cars should be visible from ground and upper floor windows. Breaks in rows of on-street parking bays should be provided approximately every six spaces; this is to allow space for street trees to break up the impact of parking, and make it easier for pedestrians to cross the road.





**On-street parking appropriately integrated into the development**

**13.19** While KCC's IGN3 notes that the relative inconvenience of tandem parking can lead to problems, and advises that independently accessible spaces are provided for on-plot parking, this is not the approach encouraged by the Council. The Council considers that tandem parking can provide a positive solution, where multiple spaces are required, so that the building line can be maintained and the integrity of the overall street scene is not undermined. It is acknowledged that the provision of tandem parking can have a small inconvenience factor, and therefore for every tandem relationship on a plot in suburban locations, and in rural locations where new streets are created, 0.5 unallocated flexible parking spaces should be provided on-street.

**13.20** Proposals for development, including the sub-division of larger properties, within areas with a history of on-street parking problems, including town centre areas, will need to demonstrate through a parking survey that appropriate parking provision is available or can be provided (see also Policy HB13: Houses in Multiple Occupation).

**Non-Residential and Commercial Parking Standards**

**13.21** For non-residential development the Council has, in common with other local planning authorities in Kent, relied on the advice of KCC and the maximum standards contained in KCC SPG4. These standards have generally proved appropriate for this district.

**13.22** To ensure the delivery of appropriate parking provision in new non-residential developments in the district over the plan period, and to reduce opportunities for commercial developments to deliver fewer spaces than the maximum, SPG4 will be applied as *the* standard for non-residential development in the district (that is, neither a maximum or a minimum). Controlled Parking Zones are also supported as an option for the Council to address specific problems with overspill commercial car parking into residential areas should these occur.

**13.23** The general guiding principles for the design of residential parking are equally applicable for non-residential and commercial parking, with the exception of the quanta to be provided. The standards provided by KCC in its parking guidance note SPG4 applies to the use classes indicated in Table 13.2. However, it should be noted that SPG4 includes guidance on parking requirements for additional land uses over and above those presented in Table 13.2, for example Land Use Class D1: Non-residential Institutions. SPG4 also includes guidance on cycle parking provision. For a complete guide the user is advised to refer to the SPG4 document.

### Non-Residential and Commercial Parking Standards

Use Class		Non-Residential and Commercial Parking Standard
A1	Food retail up to 1,000sqm	1 space per 18sqm
	A1 Food retail of 1,000sqm and over	1 space per 14sqm
	Non-food retail	1 space per 25sqm
A2	Financial and professional services	1 space per 20sqm
A3	Restaurants and cafes	1 space per 6sqm <sup>(1)</sup>
A4	Drinking establishments	1 space per 10sqm <sup>(1)</sup>
A5	Hot food takeaways	1 space per 8sqm <sup>(1)</sup>
B1	Office use (up to 500sqm)	1 space per 20sqm
	Office use (up to 2,500sqm)	1 space per 25sqm
	Office use (2,500sqm and over)	1 space per 30sqm
	High technology, research and light industrial	1 space per 35sqm
B2	General industrial	1 space per 50sqm
B8	Storage and distribution	1 space per 110sqm
	Wholesale trade	1 space per 35sqm
Hotels		1 space per bedroom

**Notes**

*(1) These use classes are also required to deliver 1 space per 2 staff in addition to the standard set out above.*

Use Class	Non-Residential and Commercial Parking Standard
<i>All floorspace references in this table refer to gross external floorspace.</i>	

**Table 13.2 Guidance Table for Non-Residential and Commercial Parking**

**13.24** Design and Access Statements accompanying planning applications should fully explain the approach to parking. Layout plans that clearly identify the status of parking spaces (for example, allocated, visitor, unallocated), and the unit to which these relate, should be provided.

## Policy T2

### Parking Standards

#### Residential Parking

Planning permission will be granted for schemes providing residential parking where the resident and visitor parking is sufficient and well integrated so that it does not dominate the street. The Council will use the standards in Table 13.1 above as a starting point.

Applicants should demonstrate that:

1. Priority has been given to on-street parking in well-designed streets;
2. There is sufficient parking for residents and visitors, with a preference for unallocated parking;
3. Parking is positioned close to people's homes;
4. Parking courtyards are small in size, with no more than five properties using each courtyard, and they are well overlooked;
5. Any roofed parking structures are proportionate so that they do not dominate the street scene, and are well-integrated into the overall design of the development;
6. A variety of parking treatments has been considered on sites of more than 5 dwellings;
7. The schemes shows a preference for tandem on-plot parking if more than one off-street space is provided per dwelling;
8. Spaces are of sufficient size to comfortably host a larger car, and on-plot spaces have sufficient space for the movement of wheeled waste bins to a collection point (as required);
9. A charging point for electric vehicles is provided at a ratio of 1 per dwelling as far as is reasonably practicable;
10. Covered cycling facilities have been integrated into the residential parking offer; and
11. Measures have been taken to discourage the parking of Heavy Goods Vehicles, in accordance with Policy T4 below.

Rear serviced parking layouts are to be discouraged, and will be permitted only where alternatives are not feasible.

Technology has been developed to make use of street lighting columns to permit on-street electric vehicle charging, and opportunities to promote this technology will be explored and supported, where appropriate.

#### Non-Residential and Commercial Parking

Planning permission will be granted for non-residential and commercial schemes where parking is provided in accordance with Table 13.2 above.

A Transport Assessment (TA) will be required in support of planning applications where appropriate and required by the local planning authority in accordance with defined thresholds on development size and in accordance with national planning policy. For smaller schemes a Transport Statement may be satisfactory, subject to agreement with the District Council and Local Highway Authority at the pre-application stage.

The purpose of an assessment in reference to residential parking is to provide a clear indication of how the proposed scheme impacts on any existing adjoining on-street residential parking. Wider issues, such as highway capacity and highway safety and accessibility by non-vehicle modes, must also be considered as part of an assessment.

The dimensions for a car parking space are 2.5m (width) by 5m (length), unless the space is adjacent to a structure or obstruction (e.g. wall or fence), in which case the width measurement needs to be increased by 0.2m for every obstruction.

## Garages

**13.25** Given that garages can be variously used either for parking or for storage, or a combination of both, their use for vehicle parking is unreliable. The Manual for Streets highlights the propensity for many garages to be used for storage, resulting in problems of displacement and inappropriate parking, issues which need to be considered by local planning authorities. While this is mitigated to some extent in urban areas by on-street parking controls, these are not always in place in suburban or rural areas, leading to greater on-street parking problems.

## Policy T3

### Residential Garages

Applications for residential development or conversion proposing the provision of garage space will be approved if:

1. Free-standing or integral garages have **not** been included in the number of parking spaces in suburban or rural locations; and
2. Integral garages are 'over-sized' in town centre or edge-of-centre locations to allow for use both for cars and sundry storage.

Car port structures will be counted towards meeting the residential parking standard, however, these may be subject to planning conditions that remove permitted development rights to prevent the structure being enclosed at a later date without Council control.

## Assessing Transport Needs

**13.26** Travel Plans, Transport Assessments and Transport Statements are all ways of assessing and mitigating the negative transport impacts of development in order to ensure that sustainable development is delivered.

**13.27** [Planning Practice Guidance](#) effectively sets out a hierarchy of evidence needed to support a planning application, depending on its scale and likely transport impact. Transport Statements should be used where development has a limited transport impact. Transport Assessments should be used where a greater impact is expected and mitigation measures are likely to be needed. Travel Plans are required when long term management strategies are needed to deal with significant transport impacts. For development that has no significant transport impact - developments that do not generate significant amounts of traffic movement - then no statement, assessment or plan is required.

**13.28** The NPPF requires the submission of a Transport Assessment or Transport Statement for all developments that generate significant amounts of traffic movement (paragraph 32). In terms of these requirements:

- **Transport Assessment** - Developments over 80 dwellings (or others within Appendix B of the DfT's '[Guidance on Transport Assessment](#)') will normally require the preparation of a full Transport Assessment (TA). The scope of the TA should be agreed in advance with the local planning authority and should be in accordance with current national guidelines. It should assess both traffic impact and transport sustainability, including an assessment of how well a

scheme addresses the needs of pedestrians of all ages, cyclists and non-motorised users. A balance of the above choices, maintaining permeability and aesthetic quality, will be appropriate for new development; and

- **Transport Statement** - Developments of between 50 and 80 dwellings (or others in the DfT's guidance) will normally require an abbreviated form of a TA, known as a Transport Statement, which addresses certain limited issues that are relevant to the particular scheme; these will usually be access to pedestrian, cycle and public transport facilities. The scope of the Transport Statement should be agreed in advance with the local planning authority, and should cover accessibility as well as impact.



Transport Assessments and Travel Plans will be expected from developments at or above the following thresholds:

A1: Shops	1,000sqm
A2: Financial and Professional services	2,500sqm
A3: Restaurants and Cafés	1,000sqm
A4: Drinking Establishments	1,000sqm
A5: Hot Food Takeaways	1,000sqm
B1(a): Office	2,500sqm
B1 (b and c): Research and Development / Light Industrial	3,000sqm
B2: General Industrial	5,000sqm
B8: Storage and Distribution	4,000sqm
C1: Hotels	100 bedrooms
D1: Primary and Secondary Schools, Further Education (FE) and Higher Education (HE) Establishments	New locations and expansion
D1: All Other Non-Residential Institutions	2,500sqm
D2: Assembly and Leisure	1,000sqm
D2: Stadia	1,500 seats
<i>Sui Generis</i> uses	Individually assessed

**Indicative Thresholds for Developments Requiring Preparation of Transport Assessments / Travel Plans**

## Heavy Goods Vehicle (HGV) Parking

**13.29** Given the district's location on the strategic transport network between London and continental Europe, significant flows of Heavy Goods Vehicle (HGV) traffic travel through the district.

**13.30** While provision for suitable stopping places from the M20 motorway is the responsibility of Highways England, there has been a rise in recent years of inappropriate parking and movements of lorries through residential areas in search of stopping places. The Council will ensure through planning policy that HGV stopping places are well catered-for, without detrimental impact on the amenity of local residents. In addition, new residential developments will be required to include measures discouraging the parking of lorries (see Policy T2, above).

**13.31** For the purposes of Policy T4, the roads within the district can be classified as follows:

- **Strategic Road Network (SRN)** - This comprises motorways and trunk roads and the most significant 'A' roads that are managed by Highways England. The SRN represents about 2 per cent of all roads in England by length, but carry a third of all traffic by mileage. Two thirds of all heavy goods mileage in England is undertaken on the SRN;
- **Primary routes** - These roads form the primary network for the district as a whole. All long distance vehicle movements between the main settlements in the district and beyond should be directed to these routes as they have the highest capacity and have been designed to accommodate proportionately more traffic movements than other routes;
- **Secondary routes** - These roads distribute traffic within residential and commercial areas of the district's settlements and include many rural roads which link some of the smaller settlements to the primary network. Much of the district is made up of these routes which greatly contribute to its attractive and rural character;
- **Local distributors** - These roads distribute traffic within neighbourhoods. They form the link between secondary routes and access roads; and
- **Access roads** - These roads give direct access to buildings and land within neighbourhoods.

## Policy T4

### Parking for Heavy Goods Vehicles (HGVs)

Applications for the provision of Heavy Goods Vehicle parking and service facilities will be approved subject to the following criteria:

1. The site should be accessed from the designated Strategic Road Network;
2. Proposals for the mitigation of noise and air quality impacts from lorry movements and any associated commercial operations will need to be specifically addressed as part of any application;
3. Substantial landscaping and screening, based on a strong landscape framework, should be provided to mitigate the visual impact of the development;
4. Suitable mitigation will be required to deal with artificial lighting, to restrict the impact of the development on neighbouring residential properties or vulnerable uses in accordance with Policy NE5: Light Pollution and External Illumination;
5. Adequate space for access, sight lines, turning and manoeuvring must be provided in addition to the required parking spaces. These spaces should not be used for any other purpose than parking; and
6. The minimum dimensions of a lorry parking space should be 16m by 3.5m (56 sqm).

Every effort should be made to restrict the circulation of lorries, other than for delivery purposes, on local distributor and access roads within the district, to protect the amenity of local residents.

## Cycle Parking Standards

**13.32** The [National Planning Policy Framework](#) (NPPF) supports people's health and wellbeing, through promoting healthy communities and more active and sustainable forms of transport. Cycling helps to achieve these aspirations, and providing sufficient space in new residential developments for cycle storage is a key planning requirement. The policy should also apply to development comprising conversion of a property, unless proven to be unviable or unfeasible.

**13.33** Cycle parking standards are set out in Policy T5 below. These are based on KCC's Supplementary Policy Guidance SPG4 and seek to encourage the use of bicycles by:

- Making them more easily accessible to users;
- Protecting them from theft; and
- Ensuring parking facilities are well-integrated into the design of the development.

**13.34** A high standard of security is required to avoid the need to take bicycles a long way into a building. <sup>(1)</sup>

**13.35** Any cycle parking provided in garages must allow cycles to be removed easily without first driving out any car also parked within the garage. When provided within the footprint of the dwelling, or as a freestanding shed, cycle parking should be accessed by means of a door (secured by mortice lock) and be of a sufficient size to easily accommodate the required cycle provision and allow easy access to avoid the need to lift out bicycles.

**13.36** For flats and other multi-occupancy dwellings, cycle parking should be sited within 20m of the relevant entrance of the building, and always closer than the nearest non-disabled car parking space. It should be adequately lit (in accordance with Policy NE5: Light Pollution and External Illumination), and provided with good surveillance (whether through overlooking or the use of CCTV).

## Policy T5

### Cycle Parking

Planning permission will be granted for residential development subject to the provision of cycle parking at the following quanta:

<b>Individual residential developments</b>	<b>1 space per bedroom</b>
<b>Sheltered accommodation</b>	<b>1 space per 5 units</b>

### Cycle Parking Standards

Parking should be provided either within the curtilage of a residential dwelling or in a secure communal facility, where a suitable alternative is not available.

Any external residential cycle parking should be secure, covered, and preferably constructed from the same materials as the main structure.

Any planning application involving cycle parking should demonstrate how the proposal accords with the aspirations and guidance set out in Building for Life 12 with regard to the provision of cycling facilities.

Cycle parking requirements for non-residential uses will be provided in agreement with the Council.

<sup>1</sup> Developers are also advised to consult the best practice guidance produced by Cambridge City Council '[Cycle Parking Guide for New Residential Developments](#)' as a useful and comprehensive guide to this topic.

## Natural Environment

## 14 Natural Environment

### Introduction

**14.1** This chapter contains policies dealing with a range of matters relating to the natural environment. Policies cover:

- Access to the natural environment;
- Biodiversity;
- Protecting the district's landscape and countryside;
- Equestrian development;
- Light pollution and external illumination;
- Land stability;
- Contaminated land; and
- Management of the coast.

**14.2** National guidance on the natural environment is provided in paragraphs 73 to 78 of the [National Planning Policy Framework](#) (NPPF) which are concerned with ensuring access to high quality open spaces for the community and also recognise the contribution to health that such open space makes. Also of relevance is Section 11 'Conserving and enhancing the natural environment' of the NPPF which sets out guidance on how the planning system should contribute to and enhance the natural environment.

**14.3** Local planning authorities also have legal duties in relation to Areas of Outstanding Natural Beauty (AONB) under section 85 of the [Countryside and Rights of Way Act \(2000\)](#). This requires that *"in exercising or performing any functions in relation to, or so as to affect, land"* in National Parks and Areas of Outstanding Natural Beauty, relevant authorities *"shall have regard"* to their purposes.

**14.4** Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Space and Recreation is concerned with protecting, managing and enhancing Shepway's varied and extensive green and open spaces, including its water features and coast. These include unique landscapes and habitats that are of both national and international importance. Designated sites, such as Special Areas of Conservation (SAC) and Special Protection Areas (SPAs), have been part of conservation protection for so long that their importance is often underestimated. Despite other challenges, like climate change and the need for habitat expansion, designated sites are still the most important tool for nature conservation.

### Access to the Natural Environment

**14.5** Access to the countryside and the natural environment is poorer in some parts of the district than others; in particular for some communities which also have relatively poor health and high levels of economic disadvantage. A key issue is how

best this position can be improved to ensure that an accessible supply of green open spaces is provided; one way of doing this is by improving access to the open countryside that surrounds the district's built-up areas. Links between the urban area and the countryside and key open spaces can be improved by making use of existing corridors such as rivers, canals and also the national cycle network. However access also needs to be managed due to the potentially damaging impact of recreational activity on over-wintering birds at the Dungeness Complex of Sites, SPA/SAC, sensitive habitats and the Folkestone to Etchinghill Escarpment SAC.

**14.6** Shepway District Council and Rother District Council have prepared a study that forms a basis for managing access to Dungeness and has helped to inform the Local Plan. Actions include further monitoring of visitor numbers, birds and vegetation, improvements to waymarking and some zoning of activities at the coast. This strategy will also inform the management of access to the Folkestone to Etchinghill SAC. Additional work will be undertaken as part of the review of the Council's [Green Infrastructure Report](#) (2011) to establish a network of corridors and assets.

## Policy NE1

### Enhancing and Managing Access to the Natural Environment

To enhance access to the natural environment the Council will:

1. Target opportunities for improvements on routes and links from urban areas where access is currently poor, except where there would be an adverse impact on sensitive areas;
2. Improve access to key open spaces identified in the Green Infrastructure Strategy from all areas; and
3. Manage access to Special Areas of Conservation and Special Protection Areas through the implementation of the Dungeness Sustainable Access Strategy and identify or enhance land elsewhere to divert recreation activities away from those designations by the provision of enhanced facilities, such as at urban parks.

**14.7** There are areas in the district that are subject to acute recreational pressures due to their location close to the main urban areas. Regard will also need to be given to those other European designated habitats within the district, including the Folkestone to Etchinghill SAC.

## Biodiversity

**14.8** All new developments are encouraged to take account of and incorporate biodiversity into their features at the design stage. Policy NE2 below protects sites of biodiversity importance, which contain wildlife or geological features that are of

special interest. Exceptions will only be made where no reasonable alternatives are available and the benefits of development clearly outweigh the negative impacts. Where a development proposal would result in significant harm to biodiversity and geological interests that cannot be prevented or mitigated, appropriate compensation will be sought.

**14.9** The Council will be updating its Green Infrastructure Report which will identify areas, such as Biodiversity Opportunity Areas, where enhancements to biodiversity can be targeted. This plan, along with advice from partners, will inform decision-making in relation to identifying and protecting local wildlife corridors, incorporating beneficial features into development and deciding on mitigation measures.

**14.10** With specific regard to recreational impacts, the Council may consider the use of core catchment zones that identify potential impact areas which extend beyond the relevant European site itself. Development proposals within such areas will then take account of any relevant published findings and recommendations. Other documents that should be referred to in conjunction with the Local Plan include the [Kent Biodiversity Action Plan](#) and the [South East river basin district - River basin management plan](#) (Environment Agency/DEFRA, 2015).

**14.11** Incorporating green space into developments makes them more attractive and resilient to climate change, as well as benefiting people's health and wellbeing. Achieving gains for nature through planning accords with the National Planning Policy Framework's ambition to move "*from a net loss of biodiversity to achieving net gains for nature*" (paragraph 9).

**14.12** One way to achieve this is through the creation of pollinator habitats. These can be created through new wildflower meadows, and bee-friendly landscaping of gardens, as well as green roofs, green walls and bee hotels. The idea of a biodiversity offsetting system was introduced in the Government's Natural Environment White Paper - '[The Natural Choice: securing the value of nature](#)' - a 50-year vision for the natural environment published in 2011. Biodiversity offsetting is a proposed approach to compensate for habitats and species lost to development in one area, with the creation, enhancement or restoration of habitat in another. Under this system any negative impacts on the natural environment would then be compensated for, or 'offset' by developers through developer contributions, off-site provision or the Community Infrastructure Levy (CIL).



## Policy NE2

### **Biodiversity**

#### **European Sites**

Development will safeguard and protect all sites of European and Global importance, designated as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites. Development must not result in significant adverse effects on these internationally important nature conservation sites, either alone or in combination with other projects and plans. The Council will expect development proposals to demonstrate and contribute to appropriate mitigation and management measures to maintain the ecological integrity of the relevant European site(s).

#### **National Sites**

Nationally important sites, including Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR), will be safeguarded from development, unless the benefits of the development can be demonstrated to outweigh the identified national importance of the nature conservation or scientific interest of the site.

#### **Local Sites**

Local sites, including Local Nature Reserves (LNR), Key Wildlife Sites (KWS) and Regionally Important Geological and Geomorphological Sites (RIGS) will be safeguarded from development, unless the benefits of the development outweigh the nature conservation or scientific interest of the site. Where development is considered necessary, adequate mitigation measures or, exceptionally, compensatory measures, will be required, with the aim of providing an overall improvement in local biodiversity and/or geodiversity. Opportunities will be sought to access and enhance the value of such sites for educational purposes, particularly in relation to promoting public awareness and appreciation of their historic and aesthetic value.

#### **Protected Species**

Development proposals that would adversely affect European Protected Species (EPS) or Nationally Protected Species will not be supported, unless appropriate safeguarding measures can be provided (which may include brownfield or previously developed land (PDL) that can support priority habitats and/or be of value to protected species).

#### **Development and the Natural Environment**

All new development will be required to conserve and enhance the natural environment, including all sites of biodiversity or geodiversity value (whether or not they have statutory protection) and all legally protected or priority habitats and species. The Council will support development that:

- Enhances existing sites and features of nature conservation value (including wildlife corridors and geological exposures) that contribute to the priorities established through the Biodiversity Action Plan and the Green Infrastructure Plan;
- Does not reduce, and where feasible, improves species' ability to move through the environment in response to predicted climate change, and to prevent isolation of significant populations of species; and
- Incorporates features that enhance biodiversity as part of good design and sustainable development, including the creation of new pollinator habitat suitable to the scale of development.

The District has a number of undesignated sites, which may nevertheless host rare species or valuable habitats. Where a site is indicated to have such an interest, the applicant should observe the precautionary principle and the Council will seek to ensure that the intrinsic value of the site for biodiversity and any community interest is enhanced or, at least, maintained.

Where an impact cannot be avoided or mitigated (including post-development management and monitoring), compensatory measures will be sought. The Council may, in exceptional circumstances, allow for biodiversity offsets, to prevent loss of biodiversity at the district level. Such compensation will be directed to Biodiversity Opportunity Areas (BOAs) within the district or projects identified in the Council's Green Infrastructure Plan.

## Protecting the Landscape and Countryside

**14.13** The Kent Downs Area of Outstanding Natural Beauty (AONB) covers 878sqkm from the Surrey border to the White Cliffs of Dover. The AONB roughly follows the southeast's outcrop of chalk and greensand, the two ridges running parallel with each other to the coast. The chalk ridge, with its dip slope and dry valleys, has great wildlife importance in its unimproved chalk grassland, scrub communities and broadleaved woodlands. Farming covers around 64 per cent of the AONB. Expansive arable fields are generally on the lower slopes, valley bottoms and plateaux tops. Historically, the Kent Downs has supported mixed farming practices where arable crop production has co-existed with livestock grazing and horticulture.

**14.14** Broadleaf and mixed woodland cover 23 per cent of the Kent Downs. Almost 70 per cent (12,129ha) of the woodland resource is ancient woodland (continuously present since at least 1600). Ash is a particularly prominent tree in the Kent Downs AONB. Both in the woodlands and hedgerows ash forms a prominent and important

part of the landscape. Kent Downs woodlands were one of the first areas in Britain to experience widespread infection from Ash Dieback and the landscape implications are thought to be serious with the expected death and weakening of the ash population. Hidden below the chalk is a significant aquifer providing 75 per cent of Kent's drinking water. In the east Kent Downs, the Lympne escarpment of calcareous Sandstone and Ragstone provides a spur of higher ground affording dramatic views across the near-level Romney Marsh and Hythe Bay. The position of the Kent Downs, close to London, mainland Europe, major urban centres and growth areas means that the Kent Downs AONB faces intense development pressure.

**14.15** The landscapes within the AONB are highly valued; they need to be protected and enhanced to ensure that their nationally important status is maintained. It is also important to protect views into and out of the AONB. Section 85 of the CROW Act places a statutory duty on all relevant authorities requiring them to have regard to the purpose of AONBs when coming to decisions or carrying out their activities relating to, or affecting land within these areas. This is known as the 'duty of regard'.

**14.16** Although the NPPF does not specifically refer to 'setting' in the context of AONBs, the [Planning Practice Guidance](#) confirms that the duty of regard is "*relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.*" The policy is complemented by Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation, which includes in criterion (e): "*Planning decisions will have close regard to the need for conservation and enhancement of natural beauty in the AONB and its setting, which will take priority over other planning considerations.*"

**14.17** There are a number of high quality landscape areas outside the AONB and it will be necessary to consider whether these areas should benefit from a local landscape designation, particularly where they are important to the setting of the AONB. A new [High Level Landscape Assessment](#) was carried out for the whole district in February 2017, and it is proposed to carry forward the designations, Special Landscape Areas and Local Landscape Areas of the previous plan. Local Landscape Areas are areas which are of particular local landscape value and/or act as green buffers within or adjoining urban areas, contributing to local environmental quality and identity. The landscape area designations are shown on the Policies Map.

## Policy NE3

### Protecting the District's Landscapes and Countryside

#### Kent Downs Area of Outstanding Natural Beauty

The impact of individual proposals and their cumulative effect on the Kent Downs Area of Outstanding Natural Beauty (AONB) and its setting will be carefully assessed. Planning permission will be granted where it can be demonstrated that all the following criteria have been met:

1. The natural beauty and locally distinctive features of the AONB and its setting are conserved and enhanced;
2. Proposals reinforce and respond to, rather than detract from, the distinctive character and special qualities including tranquillity of the AONB. The design scale, setting and materials of new development must be appropriate to the AONB;
3. Either individually or cumulatively, development does not lead to actual or perceived coalescence of settlements or undermine the integrity of the predominantly open and undeveloped, rural character of the AONB and its setting;
4. Development is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area (where this is consistent with the primary purpose of conserving and enhancing natural beauty); and
5. Development meets the policy aims of the Kent Downs AONB Management Plan and AONB Unit produced supporting design guidance.

#### Special Landscape Areas

Special Landscape Areas (SLAs) are defined as follows and shown on the Policies Map:

- North Downs (including the scarp and crest);
- Old Romney Shoreline; and
- Dungeness.

Proposals should protect or enhance the natural beauty of the Special Landscape Area. The Council will not permit development proposals that are inconsistent with this objective unless the need to secure economic and social wellbeing outweighs the need to protect the SLAs' county-wide landscape significance.

#### Local Landscape Areas

Local Landscape Areas are defined as follows and illustrated on the Policies Map:

- Romney Marsh;
- Sandgate Escarpment and Seabrook Valley;
- Eaton Lands;
- Coolinge Lane and Enbrook Valley; and
- Mill Lease Valley.

Proposals should protect or enhance the landscape character and functioning of Local Landscape Areas. The Council will not permit development proposals that are inconsistent with this objective, unless the need to secure economic and social wellbeing outweighs the need to protect the area's local landscape importance.

#### **Landscape Character Areas**

Proposals should demonstrate that their siting and design are compatible with the pattern of natural and man-made features of the Landscape Character Areas, including their cultural and historical associations.

Opportunities for remediation and improvement of damaged landscapes will be taken as they arise.

**14.18** The [Kent Downs AONB Unit](#) has produced the [Kent Downs Management Plan 2014-2019](#) on behalf of the constituent authorities. The AONB Management Plan and its supporting documents identify the distinctive features and characteristics of the landscape and provide the framework for the management and spatial planning of the AONB. The Management Plan does not formulate land-use planning policies but is a component of the decision-making process in planning applications. The status of the Management Plan, combined with the thorough process of plan making and review, means that the AONB Management Plan and its policies are a material consideration in planning matters and should be afforded weight in decisions. The Planning Practice Guidance confirms this, and supports the evidence and principles established in the Management Plan being taken into account in local planning authorities' Local Plans and in Neighbourhood Plans.

**14.19** The NPPF states that planning policies and decisions should *"identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason"* (paragraph 123). Further information on areas of tranquillity within the district will be provided in the Green Infrastructure Plan. Tranquillity is defined by the Guidelines for Landscape and Visual Impact Assessment (GLVIA) (LI and IEMA 2013) as *"a state of calm and quietude associated with peace, considered to be a significant asset of landscape"*.

## Equestrian Development

**14.20** Much of the district is rural in character, and development related to the keeping of horses is one aspect of this character.

**14.21** In many cases, this type of development will not require planning permission. Stables for horses kept for the individual enjoyment of a household and not for any commercial gain may be erected within a domestic garden without applying for planning permission, subject to the restrictions which apply to outbuildings within domestic gardens. (These restrictions are set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015. However, it should be noted that in some cases these rights have been taken away.)

**14.22** The erection of stables, associated tack-room and feed-store buildings and the installation of arenas on agricultural land will require planning permission for the change of use of the land, as well as for the new building and/or engineering work involved. Planning law currently makes a distinction between horses that are 'grazing on land' and horses that are 'kept on land'. A court judgement in 1981 (known as *Sykes v Secretary of State*) took the view that horses simply turned out on land are 'grazing', which does not require planning permission, whereas 'keeping horses' on land does require planning permission for change of use. The distinction rests on factors such as the addition of permanent buildings or structures, use of the land to ride, drive, train or other activities which indicate 'keeping' rather than simply 'grazing'.

**14.23** Manèges, or outdoor arenas, require planning permission. These areas change the appearance of land and are usually fenced with timber posts and rails. These often require substantial earthworks since they need to be completely flat.

**14.24** If in doubt, advice should be sought from the local planning authority in advance of any development. The Kent Downs AONB Unit has produced '[Managing Land for Horses: a guide to good practice in the Kent Downs Area of Outstanding Natural Beauty](#)' (2011), which advises on all matters relating to equestrian activity and constitutes good practice for the whole district on this issue.

## Policy NE4

### Equestrian Development

Planning applications for equestrian-related development, including the change of use of land, will be permitted where:

1. There would be no detrimental impact on the character or appearance of the rural landscape, especially within the Kent Downs Area of Outstanding Natural Beauty, the Special Landscape Areas and Local Landscape Areas;
2. Existing buildings are reused wherever possible. Where new buildings are necessary, these should be well-related visually and locationally to existing buildings, appropriate to the number of horses to be kept and the amount of land available. The scale and design of the development is appropriate to the character of the locality;
3. Adequate provision can be made to meet access, servicing and parking requirements without detriment to the visual and other amenities of the locality and proposals will not generate traffic of a volume and type inappropriate to the locality;
4. Sufficient land is available for grazing and exercise to ensure the safety of horses and avoid excessive erosion of soil and vegetation in accordance with the British Horse Society Standards;
5. Development does not unacceptably affect local amenity by virtue of smell, noise, lighting or road safety;
6. Any jumps or other related equipment are well designed and maintained and removed when not in frequent use;
7. There is no irreversible loss of the best and most versatile agricultural land;
8. The proposal is well related to, or has improved links to, the existing bridleway network, with no impact on the bridleway capacity to accommodate the growth; and
9. Suitable provision is made to deal with foul and surface water drainage and soiled bedding materials.

Planning permission granted for buildings related to horse keeping activities will be subject to a condition that structures are temporary and are removed when the use of the land for such purposes ceases. Particular consideration will be given to the cumulative effects of proposals on the local area and the wider landscape and environment.

Proposals for additional accommodation in relation to equestrian development will be judged against Policy HB7: Dwellings to Support a Rural-based Enterprise.

## Light Pollution

**14.25** Light pollution is light that is wasted upwards and reflects off the atmosphere, causing the visible blanket cover that hangs over major cities at night. It is a problem for various reasons, including energy wastage, effects on human health and psychology, erosion of tranquillity, and disruption of ecosystems.

**14.26** [Planning Practice Guidance](#) states that, while artificial lighting may be needed and can provide social benefits, especially in terms of sport and recreation, in many cases it is unnecessary and has detrimental impacts on ecology and amenity; the best use of artificial light provides the right light, in the right place at the right time.

**14.27** The Marsh area and parts of the Kent Downs AONB currently enjoy some of the darkest skies in the south-east, with parts of the western marsh having been measured by global satellites as 'intrinsically dark' in accordance with NPPF paragraph 125, and therefore worthy of particular protection. Good practice, however, advises appropriate lighting design in all development to avoid obtrusive light. Obtrusive light is generally a consequence of poorly designed or insensitive lighting schemes.

**14.28** The three main problems associated with obtrusive light are:

- **Sky glow** - the orange glow seen around urban areas caused by a scattering of artificial light by dust particles and water droplets in the sky;
- **Glare** - the uncomfortable brightness of a light source when viewed against a darker background; and
- **Light trespass** - light spilling beyond the boundary of the property on which a light is located.

**14.29** Sky glow is the result of ill-directed lighting and reduces the ability of people to see the natural night sky. This is a problem found not only in urban areas but also in rural areas, where dark skies at night are one of the special and intrinsic qualities of the rural landscape. Artificial lighting can also detract from local character by introducing a suburban feel into rural areas.

**14.30** Insensitive lighting can have serious implications for motorists who may become distracted or blinded by glaring lights spilling onto the highway. Bright or inappropriate lighting in the countryside can also have significant ecological impacts.

**14.31** Light trespass is a common problem and can intrude on the residential amenity causing stress for people affected. Obtrusive light in rural locations can also affect the natural diurnal rhythms among a wide range of animals and plants, as well as along water courses and other habitats. Birds that have their sleep disrupted by artificial light, for example, suffer impacts to their long-term circadian rhythm that dictates the onset of the breeding seasons.



**14.32** Local planning authorities are advised to distinguish between broad areas that merit different levels of lighting control, as outlined in the [Institution of Lighting Professionals](#) (ILP) Guidance Notes for the Reduction of Light Pollution (2011). This can then be used to test the impacts of external artificial lighting.

**14.33** The Council will require the applicant to assess:

- The need for the lighting scheme proposed, taking into consideration whether the development could proceed without lighting;
- Whether the benefits of lighting outweigh any drawbacks; and
- If there are any alternative measures that may be taken.

No lighting is ultimately the best solution in the most sensitive locations, and therefore the Council will ensure that only lighting schemes that are strictly necessary are approved in these locations.

**14.34** Developments in the district's High Speed 1 and Channel Tunnel safeguarded zones shall be designed to avoid dazzle and glare or light shed which could cause hazard or distraction to operators, either from a lighting system which forms part of the development or alterations to accommodate the development. All proposals for lighting systems, either temporary or permanent, shall be submitted in writing and approved by the local planning authority in consultation with operators. Unless otherwise agreed in writing with the local planning authority, in consultation with operators, the approved scheme shall be implemented. This is for reasons of safety as, depending on the orientation and shrouding of the lighting or component lighting levels and the position of the development, lighting can interfere with sighting of signals.

**14.35** The Council will also take account of the requirements of the Highway Authority (Kent County Council) and Highways England with regard to proposals relating to highway safety to secure the most appropriate solution with least light pollution.

## Policy NE5

### Light Pollution and External Illumination

Applications for major development, and development including significant external lighting, will be approved if:

1. The proposal does not materially alter light levels outside the development site;
2. The proposal does not adversely affect the use or enjoyment of nearby buildings or open spaces; and
3. The proposed lighting scheme accords with the best practice guidance provided by the Institution of Lighting Professionals (ILP) (2011) relevant to the particular Environmental Zone (see table below).

For proposals involving sensitive uses (such as hospitals or residential institutions) the Council will have regard to whether an existing neighbouring light source would make the proposed used unsuitable for the site.

Applications should include a lighting assessment with details of the following:

- Where the light shines;
- When the light shines;
- How much light shines; and
- Possible ecological impact.

Zone	What is acceptable?	Where does this apply?
E0	Protected: No decorative lighting acceptable.  Security lighting acceptable only in exceptional circumstances.	Not applicable in this district.
E1	Natural: External lighting to be limited to accord with ILP lighting guidance for this zone.  Decorative lighting generally inappropriate.  All lighting must be extinguished after 23:00 except in exceptional circumstances.	Kent Downs Area of Outstanding Natural Beauty; Sites of Special Scientific Interest; rural areas outside settlement confines.

Zone	What is acceptable?	Where does this apply?
E2	Rural: For large-scale developments, lighting levels should accord with ILP technical guidance for this zone.	Within identified secondary and primary village confines, Hawkinge, Seabrook, Saltwood, and suburban areas of New Romney, and Hythe.
E3	Suburban: External lighting levels should accord with ILP technical guidance for this zone.	Suburbs of Folkestone, and New Romney and Hythe town centres.
E4	Urban: External lighting levels should accord with ILP technical guidance for this zone. Street lighting proposals should be carefully planned and specified to achieve best practice in light pollution control.	Within Folkestone town centre

**Table 14.1 : Obtrusive Light Limitations for External Lighting Installations**

## Land Stability

**14.36** With regard to the stability of land, and following the requirements of NPPF paragraph 120, Planning Practice Guidance has the triple aims of:

- Minimising risk and effects of land stability on property, infrastructure and the public;
- Helping ensure that development should not be placed in unstable locations without precautions; and
- Bringing unstable land, wherever possible, back into productive use.

**14.37** Local geology in Shepway varies, often substantially, within a small area. There is a belt south of the M20, which runs south of Lympe, and through Hythe, Saltwood and Sandgate, where the geology is predominantly Folkestone Beds/Sandgate Beds overlaid by Gault Clay. Groundwater is particularly found at the interface between the Folkestone and Sandgate Beds, and this has been a contributory cause of landslips in this area in the past.

**14.38** The area identified as at risk of landslip has increased over recent years, largely as a result of increased technological sophistication to be able to identify where land is or can be made less stable by inappropriate development. While the

Council will not necessarily refuse development within these areas, professional expertise must be sought for any activity within these identified zones that could prejudice the proposal or any property in the vicinity.

## Policy NE6

### Land Stability

Planning permission will be granted for development within the area defined on the Policies Map, or as identified by the British Geological Survey, only if investigation and analysis is undertaken by a competent accredited authority which clearly demonstrates that the site can be safely developed. This analysis should also demonstrate that the proposed development will not have an adverse effect on the slip area in part or as a whole.

Where proposals affect land where instability is suspected, any planning application must be accompanied by a Phase 1 desktop land stability or slope stability risk assessment report which:

1. Identifies and assesses the degree of instability;
2. Identifies the measures required to mitigate against any risk identified in point 1 (above);
3. Specifies routine monitoring (as appropriate); and
4. Addresses the need for formal environmental assessment arising from any stabilisation works.

The Council will look favourably on schemes that can bring unstable land back into use, subject to other planning and viability considerations.

### Contaminated Land

**14.39** The UK, as the first country in the world to industrialise, has a legacy of land contamination. Contaminated land may pose risks to human health and the environment. The NPPF states that responsibility for securing a safe development rests with the developer and/or landowner. Contamination is more likely to arise in former industrial areas but cannot be ruled out in other locations, including in the countryside. In addition, some areas may be affected by the natural or background occurrence of potentially hazardous substances, such as radon, methane or elevated concentrations of metallic elements.

**14.40** While Shepway does not have a major contaminated land legacy from historic industry, the presence of contamination is a planning consideration and will be considered by the local planning authority as part of its development management function. The Council will expect to see consideration of potential for contamination,

particularly where the development proposed involves a sensitive use such as housing, schools or nurseries, or where the site has a history of potentially contaminative use. For major development, an application will always be accompanied by at least a contamination assessment including a Phase 1 investigation, consisting of a desk-based study, site walkover and conceptual site model.

## Policy NE7

### Contaminated Land

When development is proposed on or near a site that has been used for the purpose of waste disposal, is known to be contaminated, or where there is reason to believe that contamination may exist, the applicant will be required to carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination. The assessment should be phased, starting with a Phase 1 Investigation (or Desk Study) the results of which will determine the requirement for a Phase 2 Investigation (intrusive investigation), which will in turn determine any requirement for a Remediation Strategy and Verification Report. Assessment should be carried out in accordance with Environment Agency CLR11 Guidance Model Procedures for the Management of Land Contamination.

Development will be permitted subject to the identification, and commitment to the implementation of, practicable and efficient measures to treat, contain and/or control any contamination so as to:

1. Protect the occupiers of the development and neighbouring land users, including in the case of housing the users of gardens, from unacceptable risk;
2. Ensure the structural integrity of any existing or proposed structure on or adjoining the site;
3. Prevent contamination of any watercourse, water body or aquifer;
4. Prevent the contamination of adjoining land or halt existing contamination; and
5. Ensure that any remedial measures do not damage adjacent historic artifacts.

Any permission for development will require that the remedial measures agreed with the Council must be completed as the first step in the carrying out of the development.

**14.41** The NPPF (paragraph 121) requires that planning policies ensure that any site is suitable for its new use, taking account of:

- Ground conditions and land instability, including from natural hazards or former activities such as mining;
- Pollution arising from previous uses; and
- Any proposals for mitigation, including land remediation or impacts on the natural environment arising from that remediation.

It also requires that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990, and that adequate site investigation information, prepared by a competent person, is undertaken.

## The Coast

**14.42** The [Marine and Coastal Access Act 2009](#) provided for the introduction of a marine planning system for England's inshore and offshore marine area. As the UK marine area and marine plan area boundaries extend up to the level of mean high water spring tides while terrestrial planning boundaries generally extend to mean low water spring tides (including estuaries), the marine plan area will physically overlap with the boundaries of the Places and Policies Local Plan.

The Government's vision for the marine environment is:

*"clean, healthy, safe, productive and biologically diverse oceans and seas".*

UK Marine Policy Statement (HM Government, March 2011)

## Integrated Coastal Zone Management

**14.43** Integrated Coastal Zone Management means adopting a joined-up approach towards the many different interests in coastal areas – both on the land and at sea. In coastal areas, local planning authorities are required by NPPF paragraph 105 to take account of the [UK Marine Policy Statement](#) (2011) and marine plans and apply Integrated Coastal Zone Management across local authority, land and sea boundaries, ensuring integration of the terrestrial and marine planning regimes. The designation of Coastal Zone Management Areas requires joint working with adjoining Kent authorities with connecting coastlines. The NPPF further states that risks arising from coastal change should be reduced by avoiding inappropriate development in vulnerable areas or adding to impacts of physical changes to the coast (paragraph 106).

**14.44** Marine planning, including the preparation of Marine Plans, is carried out by the [Marine Management Organisation](#) (MMO). Marine Plans must be consistent with the Marine Policy Statement and they make a significant contribution towards coastal integration. They guide developers about where they are likely to be able to carry out activities or where restrictions may be placed on what they do.

**14.45** Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft [South Marine Plan](#) for this area in November 2016. Until this work is further advanced, it is premature for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co-operate.

**14.46** Much of Shepway is low lying with 195sqkm (55 per cent) lying within the Environment Agency's Zone 3a flood risk area. The Council's [Strategic Flood Risk Assessment](#) (SFRA) (Herrington Consulting Ltd, 2015) provides an analysis of the main sources of flood risk to the district, together with a detailed means of appraising development allocations and planning policies against the risks posed by coastal flooding over this coming century. The SFRA, alongside detailed national planning guidance and policies in the Core Strategy, has been used to inform the allocations in this Local Plan and will be used when making decisions on planning applications within or capable of affecting areas of flood risk.

## Policy NE8

### Integrated Coastal Zone Management

Development in coastal areas should complement the aims and objectives of the Shoreline Management Plan and the emerging Marine Plan. The Council will promote with partners Integrated Coastal Zone Management, including the preparation of a comprehensive management plan for the coast.

Proposals and initiatives will be supported that promote the following general objectives:

1. Facilitate the economic, environmental and social wellbeing of the area, including the proper consideration of marine wildlife;
2. Address proposals for the coastline and coastal communities set out in Coastal Defence Strategies and Shoreline Management Plans;
3. Contribute to greater safeguarding of property from flooding or erosion and/or enable the area and pattern of development to adapt to change, including the relocation of current settlement areas, and vulnerable facilities and infrastructure that might be directly affected by the consequences of climate change;
4. Provide resources to improve the process of harbour and coastal management, incorporating and integrating social, recreational, economic, physical and environmental issues and actions; and
5. Improve infrastructure to support sustainable modes of transport, especially cycleways, bridleways and footpaths, including the England Coast Path National Trail.

**14.47** A Coastal Change Management Area will only be defined where rates of shoreline change are significant over the next 100 years, taking account of climate change. The NPPF states that local authorities should define Coastal Change Management Areas (CCMAs) where they are needed to help reduce the risk of flood from coastal change by avoiding inappropriate development in vulnerable areas (paragraph 106). The NPPF states that CCMAs should be designated in any area likely to be affected by physical changes to the coast. CCMAs will not need to be defined where the Shoreline Management Plan (SMP) policy is to 'hold the line' or 'advance the line' for the whole period covered by the SMP.

**14.48** For the [South Foreland to Beachy Head Shoreline Management Plan](#) (2006), the policy for the majority of locations is 'hold the line', for Hythe Ranges and Lydd Ranges it is 'managed realignment'. For Copt Point the policy is 'no active intervention'. Currently it is not proposed to define a CCMA but this will continue to be reviewed



with the Environment Agency. Until such time as a CCMA is put in place, Policy NE8: Integrated Coastal Zone Management will help to reduce the risk of flood from coastal change.

### **Development Around The Coast**

**14.49** The cliffs between Folkestone Warren and Dover, included within the AONB, are designated as Heritage Coast in recognition of their national importance. Policy CO6 of the Shepway District Local Plan Review (2006) stated that:

*"The District Planning Authority will give long term protection to the Folkestone and Dover Heritage Coast and to the areas of undeveloped coast shown on the proposals map. Within these areas development will not be permitted unless proposals preserve and enhance natural beauty, landscape, heritage, scientific and nature conservation value (consistent with any agreed management plan). In all cases, it must be demonstrated that a coastal location is required for development and that no suitable site exists along the developed coast. Proposals should where practicable also maintain or improve public access to the coast where this can be achieved without compromising conservation objectives."*

**14.50** Besides the Heritage Coast there are also significant areas of other undeveloped coast within the district, which are dynamic and vulnerable to coastal processes and often specifically identified for their nature conservation importance. The main stretch of undeveloped coast spans from Dungeness to Greatstone-on-Sea although smaller expanses exist between the built-up coastal areas from Littlestone to Hythe. Areas range in character from sand dunes to tidal mudflats to extensive shingle deposits. The seaward boundary for both the Heritage and undeveloped coast reflects the mean low water mark.

**14.51** Outside settlement boundaries and villages in the settlement hierarchy, the character of the district's undeveloped coast, should be protected and enhanced. Development in close proximity to the sea suffers physical damage caused by wave and wind borne sand, grit and shingle and chemical degradation of materials from saltwater and spray. Essential to the efficient and effective maintenance and repair of storm damage to coast protection and sea defence works is the easy access for plant and vehicles from the highway to the sea wall or beach. There is provision within the Environment Agency's Land Drainage and Sea Defence Bye-laws for the consent of the Environment Agency to be obtained for any works between low water mark and a line 15m from the landward side of the defences it maintains. Reference must be made to the relevant Shoreline Management Plans and Coastal Defence Strategy to ensure that any proposed development is not affected by a coastal management policy of 'managed realignment' or 'no active intervention'. Even in areas where the policy is 'hold the line' there is no guarantee of future funding and it is anticipated that all coast protection schemes will require a degree of contribution in order to secure Government grant.

**14.52** Seascape is defined by the Marine Policy Statement as *"landscapes with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical and archaeological links with each other."* [The Seascape Character Assessment for the Dover Strait](#) (LUC for Kent County Council, 2015) provides a spatial classification of Seascape Character Types (SCTs) and Seascape Character Areas (SCAs). It is used to assess the impact of any proposed development or new use, whether onshore or offshore, from a marine and coastal perspective.

## Policy NE9

### Development Around The Coast

The Council will give long term protection to the Folkestone and Dover Heritage Coast and to the areas of undeveloped coast shown on the Policies Map. Within these areas development will not be permitted unless proposals preserve and enhance natural beauty, landscape, heritage, scientific and nature conservation value (consistent with any agreed management plan).

Planning permission will be granted for development in the coastal area, outside of settlement boundaries, where it can be demonstrated that all the following criteria have been met:

1. There are no harmful effects on or net loss of nature conservation or areas of geological importance;
2. The development provides recreational opportunities that do not adversely affect the character, environment and appearance of the coast;
3. Regard has been shown to the high quality and inclusive design of new buildings in coastal locations in accordance with other relevant design and historic environment policies;
4. There are measures for mitigation of any detrimental effects including, where appropriate, the improvement of existing landscapes relating to the proposal;
5. Where appropriate, opportunities have been taken to upgrade existing footpaths and cyclepaths, enhance and protect the England Coast Path National Trail and ensure that public access is retained and provided to connect existing paths along the waterfront;
6. The development would not be detrimental to infrastructure for, and quality of, water-based recreation, or be detrimental to the safety of navigation; and
7. Development should be informed by and complement the distinctive characteristics of the Seascape Character Areas and types identified in the Kent Seascape Character Assessment.

The Council will safeguard a minimum of a 15m strip of land immediately behind the landward edge of the existing or proposed sea defence or coast protection works to facilitate access for plant and materials used in connection with their maintenance or repair.

The Council will safeguard a minimum of a 25m strip of land, measured from the landward edge of the existing or proposed sea defence or coast protection works, in harsh marine environment areas in order to prevent storm damage to buildings. Planning permission will be granted for a replacement dwelling unless there is past evidence that the existing or demolished property has been damaged

as a result of the harsh marine environment. Repeat applications for replacement dwellings will be refused unless the applicant can demonstrate that no future harm will occur.

The following Heritage Coast is shown on the Policies Map:

- Folkestone/Dover

Other undeveloped coast sites are shown on the Policies Map:

- West Hythe;
- Dymchurch;
- St Mary's Bay; and
- Dungeness.

**14.53** The Strategic Flood Risk Assessment recommends all proposals within 50m of the landward crest of the seawall should be accompanied by a site-specific flood risk assessment specifically focusing on the risks associated with wave over-topping.

## Climate Change

## 15 Climate Change

### Introduction

**15.1** This chapter contains policies dealing with a range of matters relating to climate change. Policies cover:

- Reducing carbon emissions as part of new developments;
- Sustainable construction;
- Sustainable Drainage Systems (SuDS);
- Wind turbine developments, as well as small-scale wind turbines; and
- Solar farms.

**15.2** The chapter begins by summarising the policy background and recent changes to standards.

### Background

**15.3** National planning policy and legislation requires local planning authorities to work to mitigate climate change, mainly by reducing greenhouse gas emissions and promoting sustainability. Local planning authorities need to ensure that the urban and natural environments are capable of being adapted to meet the expected impacts of climate change.

**15.4** In support of this, Strategic Need B of the Core Strategy includes the requirement for new development to *"Minimise local carbon emissions, maintain air quality, control pollutants and promote sustainable waste management."* The Core Strategy's future vision also promotes low-carbon development, as set out below.

#### **Future Vision for Shepway**

**Shepway will flourish into a distinct area of *high-quality coastal towns and countryside.***

This will occur through planning for a smart, self-confident, secure and low-carbon district, and through enhancing the district's many diverse and special environments.

**15.5** However, since the adoption of the Core Strategy, there have been significant changes to the planning and Building Regulations systems relating to energy efficiency and low carbon development. Following the Housing Standards Review, the Code for Sustainable Homes was withdrawn (effective from 26 March 2015). As a result of this, local planning authorities can no longer stipulate compliance with Code levels or require Code assessments in planning policy. In place of this, the Government

introduced a number of changes to Building Regulations standards, along with some new standards. These included for water (Part G), a new optional standard (110 litres per person per day) for water stressed areas has been added to the baseline standard of Part G (125 litres per person per day).

**15.6** Following this, the Government released its Productivity Plan '[Fixing the Foundations](#)' (HM Treasury, 2015). In this Plan the Government announced its intention not to proceed with the zero carbon homes policy. This means that the expected change to the energy efficiency standard in Building Regulations (Part L) has not been delivered. Local planning authorities can still include 'Merton' style policies in their Local Plans which require a percentage of a development's energy use to be delivered by renewable or low carbon energy on or near to the site. Non-domestic buildings have not been affected. Local planning authorities can still require above Building Regulations standards for non-domestic buildings; these are commonly defined by the use of the Building Research Establishment's [BREEAM](#) tool or similar mechanisms.

**15.7** At the local level, Kent County Council has produced the [Kent Environmental Strategy](#) (2016) to support economic growth while protecting and enhancing the county's natural and historic environment and creating vibrant, healthy and resilient communities. The policies in this chapter will help deliver the strategy's themes:

- Building the foundations for delivery;
- Making the best use of existing resources;
- Avoiding or minimising negative impacts; and
- Working towards a sustainable future.

## Reducing Carbon Emissions

**15.8** Buildings are responsible for around 40 per cent of the UK's energy consumption. Most of our buildings' carbon emissions come from the energy used to provide the heating, cooling, lighting and other building services that keep occupiers comfortable and healthy. This energy has financial and environmental costs and generates carbon emissions. This can be reduced by using energy more efficiently, and by finding other ways to generate energy to heat our homes and offices.

**15.9** New developments can help reduce carbon emissions through maximising efficiencies according to the energy hierarchy set out below.

### Energy Hierarchy

1. Reducing the energy load of the development;
2. Maximising the energy efficiency of the building fabric;
3. Delivering energy from renewable sources;
4. Delivering energy from low carbon technologies; and
5. Any continuing use of fossil fuels to be clean and efficient for heating and co-generation.

**15.10** The energy hierarchy sets out a sequence for reducing carbon emissions, starting with reducing the need for energy by making changes to the design and fabric of a building ('fabric first'), then using energy more efficiently within the building, before using energy from renewable or low carbon technologies and finally ensuring that any fossil fuels that are required are used as efficiently as possible.

**15.11** All developments should already be implementing a 'fabric first' approach to reducing carbon emissions as Building Regulations relating to the energy efficiency of new buildings are generally achieved through the design and fabric of the building. As outlined above, in relation to housing developments, local authorities cannot introduce additional technical standards or requirements relating to the construction of new dwellings that go beyond Building Regulations. Policy CC1, however, seeks to reduce carbon emissions by promoting other measures in the hierarchy, specifically the generation of energy from renewable and low carbon sources.

**15.12** This aspiration is supported by the Core Strategy which aims to minimise carbon emissions by reducing the emissions from new buildings. Policy SS3: Place-Shaping and Sustainable Settlements Strategy states that proposals should be designed to contribute to local place-shaping and sustainable development *"through appropriate sustainable construction measures, including water efficiency and a proportion of energy from renewable/low carbon sources on new-build development"* (paragraph (e)(ii)).

**15.13** As well as reducing on-site carbon emissions beyond those achieved through building fabric and construction measures, Policy CC1 will also help to:

- Deliver national targets for renewable energy generation;
- Provide renewable energy as a standard feature of major developments in the district; and
- Provide economic benefits through promoting the manufacture, installation, service and maintenance of renewable energy technologies.

**15.14** In line with Government legislation and guidance, the policy does not require the construction of developments to go beyond that needed to comply with Building Regulations. To meet the policy, major developments should be designed to meet



Part L of Building Regulations and the anticipated carbon emissions for the development should then be identified. Using this carbon emissions figure as the baseline, the applicant should then calculate the quantity that should be met through the provision of renewable or low carbon energy technologies to deliver at least a 10 per cent reduction, calculated by reference to the baseline.

**15.15** The choice of which renewable or low carbon energy technology to use to meet the policy requirements will be for the developer but should respond to the specific characteristics of the site and the scale and type of development proposed. Technologies could include:

- Photovoltaic panels;
- Wind turbine;
- Solar thermal panels;
- Air or ground source heat pumps;
- Anaerobic digestion;
- Combined heat and power plants; and
- Biomass boilers.

For substantial new developments, site-wide renewable and low carbon energy solutions, such as renewable and low carbon district heating systems or combined heat and power networks, may be particularly appropriate.

**15.16** The information required will vary depending on whether the proposal is at outline, reserved matters or full planning application stage. In some cases, for example with outline planning applications, it may be that the calculations required to demonstrate compliance with Building Regulations have yet to be undertaken. In these circumstances, the application should make an estimate of site-wide emissions using appropriate benchmarks and outline a feasibility assessment of which technologies would be utilised. The submission of more accurate carbon emissions calculations will then be conditioned for submission either alongside any reserved matters application or prior to occupation of the development. The Council will also seek a condition requiring the installation to be retained and remain fully operational in accordance with an agreed maintenance programme.

**15.17** A component that covered carbon emissions and sustainable construction was built into the viability testing of the Community Infrastructure Levy (CIL) to ensure that these requirements do not hold back the delivery of development. <sup>(1)</sup>.

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<sup>1</sup> In the 'CIL and Whole Plan Economic Viability Assessment'; Dixon Searle Partnership (July 2014), a cost per unit of £2,327 for sustainable design and construction costs, lifetime homes, EPCs and renewables was assumed

## Policy CC1

### Reducing Carbon Emissions

Planning applications for all major new build housing developments and new non-residential buildings of 1,000sqm or more gross floorspace will be required to reduce carbon emissions by a minimum of 10 per cent (to be calculated by reference to a baseline for the anticipated carbon emissions for the development as defined by Building Regulations).

This should be through the use of on-site renewable and low-carbon energy technologies which could include an integrated system or site-wide solution involving the installation of a system that is not integrated within the new building.

## Sustainable Design and Construction

**15.18** The [National Planning Policy Framework](#) (NPPF) states that planning should support the transition to a low carbon future in a changing climate. To achieve this planning should seek ways to radically reduce greenhouse gas emissions, actively support energy efficiency improvements and through the use of nationally described standards when setting any local requirements for sustainability.

**15.19** All development should achieve high environmental standards. Developers will be encouraged to implement appropriate mitigation and adaptation measures to address the potential impact of climate change. Key measures include:

- Using suitable sustainable construction techniques in new developments to make them more efficient. The retrofitting of existing buildings also needs to be considered, as the number of new buildings that will be delivered by 2031 will be a small proportion of the existing building stock at the start of the plan period;
- Planning for buildings to have a longer life, incorporating flexibility into building design so that buildings can be adapted to suit the changing lifestyles and home occupation patterns of residents and users;
- Planning for future weather changes by including adaptations like shading, natural and passive ventilation, and better drainage systems; and
- Tackling water shortages by reducing water consumption, reusing wastewater, water metering and rainwater harvesting.

**15.20** After it decided not to proceed with the zero carbon homes policy, the Government created a new approach for setting technical standards for new housing, including relating to water efficiency. [Planning Practice Guidance](#) states that local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of water efficiency where there is a clear local need. Water resources are renewable, but not unlimited,

and the district is already under severe water stress. Given climate change forecasts and population increases, water scarcity is an important issue that the Local Plan must address.

**15.21** The Building Research Establishment's Environmental Assessment Method (BREEAM) is the most commonly accepted assessment tool by which to judge and require increased sustainability standards in new non-residential developments. In relation to water, non-residential developments will be expected to reach a minimum of the BREEAM 'Very Good' standard.

**15.22** Specific planning policies on waste are contained in the [National Planning Policy for Waste](#) (DCLG, 2014); all local planning authorities must have regard to this and the [National Waste Management Plan for England](#) (DEFRA, 2013). Although Shepway does not have any waste planning responsibility it must play its role in delivering the waste hierarchy. As Planning Practice Guidance states, this could include measures such as *"including a planning condition promoting sustainable design of any proposed development through the use of recycled products, recovery of on-site material and the provision of facilities for the storage and regular collection of waste."*

**15.23** Although Core Strategy Policy SS3: Place-Shaping and Sustainable Settlements Strategy paragraph (e)(ii) states that proposals should contribute to sustainable development through appropriate sustainable construction measures, including water efficiency and securing a proportion of new buildings' energy needs from renewable and low carbon sources, it does not set specific targets. Policy CC2: Sustainable Design and Construction is intended to address this.

## Policy CC2

### Sustainable Design and Construction

Proposals for all new dwellings or for new non-domestic buildings will be permitted where the proposal:

1. For new dwellings, achieves a maximum of 110 litres per person per day including external water use, where technically feasible and viable. Proposals should demonstrate that water efficiency and water re-use measures have been maximised;
2. For non-residential development, achieves BREEAM 'Very Good' standard including addressing maximum water efficiencies under the mandatory water credits, where technically feasible and viable;
3. Minimises energy demand through passive design and layout and landscape mitigation measures;
4. Is accessible to all and is designed to be flexible towards future adaptation in response to changing life needs;
5. Includes measures to adapt to climate change, such as the provision of green infrastructure, sustainable drainage systems (SuDS) in accordance with Policy CC3, suitable shading of pedestrian routes and open spaces and drought resistant landscaping; and
6. Provides discretely designed and accessible storage for waste, recycling and composting.

### Sustainable Drainage Systems (SuDS) and the Mitigation of Flood Risk

**15.24** Measures that take account of water quantity, water quality and amenity issues are collectively referred to as Sustainable Drainage Systems (SuDS). SuDS comprise a sequence of management practices, control structures and strategies designed to efficiently and sustainably drain surface water, while minimising pollution and managing the impact on water quality.

**15.25** These systems are more sustainable than conventional drainage methods because they:

- Manage runoff volumes and flow rates, reducing the impact of urbanisation on flooding;
- Protect or enhance water quality;
- Are sympathetic to the development's environmental setting and the needs of the local community;

- Provide a habitat for wildlife in urban watercourses; and
- Encourage natural groundwater recharge (where appropriate).

**15.26** SuDS are suitable for any site, large or small, and do not necessarily require a large land area to implement; nor do SuDS have to be expensive, with surface SuDS that avoid heavy engineering proving particularly cost-effective solutions.<sup>(2)</sup>

**15.27** Sustainable drainage includes a variety of components, each having different approaches to managing flows, volumes, water quality and providing amenity and biodiversity benefits. The role of the site in relation to the surface water 'treatment train' should be understood when designing SuDS, and the advice of an appropriately qualified drainage engineer should be sought to achieve best results.

**15.28** SuDS do not only include traditional soakaways, ponds or wetlands but incorporate a suite of components working in different ways, including through:

- Infiltration (soaking) into the ground convey (water flow) into a watercourse (or if necessary a sewer);
- Provision of water storage on site; and
- Attenuating (slowing down) the flow of water.

Often SuDS use a combination of these processes and a number of mechanisms.

**15.29** The nature of the site needs to be understood to fully exploit the potential of SuDS. Although many SuDS components using infiltration are highly effective, there are sites where infiltration is not possible, due to impermeable ground conditions, contamination or a high water table. This does not prevent the use of the SuDS approach, but requires careful thought to be given to how water can be treated to improve quality and attenuated to reduce peak flows. Rainwater harvesting, green roofs, permeable surfaces, swales, ponds and wetlands can all operate without infiltration. Permeable surfaces - used for car parks and drives - are very effective, even where infiltration is not possible.

**15.30** Under Schedule 3 of the [Flood and Water Management Act](#), Lead Local Flood Authorities (LLFAs) - County Councils and Unitary Authorities - were to be required to establish SuDS Approval Bodies (SABs). This would have required Kent County Council (KCC), as the LLFA in Kent, to approve and adopt SuDS for new developments. In December 2014, the Government announced that Schedule 3 would not be enacted and SuDS would be dealt with instead by strengthening existing planning policy. This change, which took effect on 6 April 2015, requires local planning authorities to ensure that SuDS are included as part of new developments.

**15.31** The LLFA is the statutory surface water consultee for all major development, and applicants' attention is drawn to KCC's '[Drainage and Planning Policy Statement](#)' (2017) which clearly outlines the parameters against which major proposals will be

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2 More information about SuDS can be found on the [Susdrain website](#).

judged. The Environment Agency (EA) remains the statutory consultee for river and sea flooding and groundwater issues for Flood Zones 2 and 3 and for Critical Drainage Areas. (There are at present no Critical Drainage Areas designated in Shepway.) Table 15.1 below sets out the roles of these consultees.

Type of Development	Area of Flood Risk			
	Flood Zone 1	Critical Drainage Area	Flood Zone 2	Flood Zone 3
Permitted Development	Guidance notes from LLFA and EA			
Minor Development	Guidance notes from LLFA	EA	Standing Advice from EA	EA
Major Development	LLFA	EA	LLFA (surface water) EA (river and sea)	LLFA (surface water) EA (river and sea)

**Table 15.1 Statutory Consultation Matrix for Flood Areas**

**15.32** Planning Practice Guidance states that new development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of sustainable drainage systems. The vast majority of the southern part of the district (the Marsh) is situated in Flood Zones 2 and 3, and proposals here should always show how surface water drainage has been taken into account and integrated into the site.

## Policy CC3

### Sustainable Drainage Systems (SuDS)

Development will be permitted where:

1. Surface water is managed close to its source and on the surface where reasonably practicable to do so;
2. Priority is given to the use of 'ecosystem services' as defined in the National Planning Policy Framework;<sup>(3)</sup>
3. Water is seen as a resource and is reused where practicable, offsetting potable water demand, and that a water sensitive approach is taken to the design of the development;
4. The features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make an active contribution to place-making;
5. Surface water management features are multi-functional wherever possible in their land use;
6. There is no discharge from the developed site for rainfall depths up to 5mm of any rainfall event;
7. The run-off from all hard surfaces receives an appropriate level of treatment in accordance with Sustainable Drainage Systems guidelines, SuDS Manual (CIRIA C753), to minimise the risk of pollution;
8. Major development accords with Kent County Council's Drainage and Planning Policy Statement 2017 or successor document;
9. Development adjacent to a water body actively seeks to enhance the water body in terms of its hydromorphology, biodiversity potential and setting; and
10. All hard surfaces are permeable surfaces where reasonably practicable.

Shepway is one of the driest districts in England, and this is only likely to increase given the likely impacts of climate change. Mechanisms to ensure the effective collection and reuse of water should be designed into any surface water drainage system. Any development should also ensure the drainage design is resilient to these future changes.

**15.33** The Council expects that a drainage strategy will accompany all major planning applications. At a minimum, the strategy must comprise the following:

- A site layout;
- A drainage proposal schematic or sketch;

<sup>3</sup> The benefits people obtain from ecosystems such as, food, water, flood and disease control and recreation.

- A description of key drainage features within the drainage scheme (such as attenuation volumes and flow control devices); and
- Information to support any key assumptions (such as impermeable areas and infiltration rates).

**15.34** Development should not increase the overall runoff of the site compared to its greenfield rate. On brownfield sites, discharge rates should be reduced to the equivalent greenfield runoff rate.

### **Adoption and Maintenance of SuDS**

**15.35** Unlike in some other areas in England, the statutory water and sewerage undertaker for the district, Southern Water, does not yet adopt SuDS. Wherever these systems are used, there will be a requirement for the developer to provide evidence to the local planning authority that arrangements are in place for SuDS to be adopted either by a management company, private residents or another responsible body (for example, an Internal Drainage Board). It will be the developer's responsibility to ensure that a maintenance manual and schedule related to on-site systems are provided to successors in title. A clause will be inserted into the Section 106 agreement of any planning permission involving SuDS requiring this, and for the nomination of a named person or body to undertake this.

**15.36** The aim of Shepway's policy is to support the requirements of KCC's role as the Lead Local Flood Authority, while ensuring that all developments take surface water management into consideration from an early stage. Given the fact that the south east of England will see significant development over the coming decades, the Council considers that even small developments (including those within some classes of the General Permitted Development Order) will have to play their part in preventing the cumulative impact of increased hardstanding.

**15.37** Given the above requirement that development does not result in an increase in site runoff compared with its greenfield rate, which applies also to brownfield land, there may be a requirement for increased mitigation measures so that development actually decreases surface water runoff compared with existing uses. This will provide multiple benefits, and applicants are encouraged to reuse water on site wherever feasible.

### **Renewable Energy**

**15.38** National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources. This plan supports development that promotes these objectives. An important element in this is to promote energy efficiency and the use of renewable energy in all new developments, to help reduce the emission of greenhouse gases.



**15.39** The [Written Statement by the Secretary of State for Communities and Local Government](#) issued in June 2015 made the following requirement concerning wind turbines:

*"When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:*

- *The development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
- *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing."*

**15.40** Given this, areas that may be suitable for wind farms will be identified on the Policies Map based on the [Renewable Energy for Kent Action Plan](#) (2013); this research by AECOM for Kent County Council produced energy opportunities maps to highlight opportunities for a range of renewable technologies spatially at local authority level. Areas identified as having high potential for large scale wind energy are where wind speed and spatial or designation constraints are such that large scale wind turbines might be accommodated.

**15.41** Following the Written Statement, the Local Plan allows for allocations for wind energy development to be made in Neighbourhood Plans. Further research will be commissioned to identify more specific areas within the district that will support Neighbourhood Plans in allocating sites. Reference should also be made to the Council's [High Level Landscape Assessment](#) which was carried out for the whole district in February 2017.

**15.42** Being allocated in a Neighbourhood Plan will demonstrate that any local planning impacts have been fully addressed and the proposal has the community's backing. The Kent Downs AONB Unit has produced a [Renewable Energy Position Statement](#) (June 2011) which states that due to the high sensitivity of the Kent Downs Area of Outstanding Natural Beauty, large scale commercial wind turbine developments will be unacceptable.

## Policy CC4

### Wind Turbine Development

The creation of wind turbines at a community and commercial scale will be supported where proposals demonstrate that the development site is in an area allocated for wind energy development in an adopted Neighbourhood Plan.

**15.43** Small scale wind turbines are typically 1kw to 6kw.

### Policy CC5

#### Small Scale Wind Turbines and Existing Development

Small scale wind turbines to provide energy for existing buildings will only be acceptable where proposals meet the following criteria:

1. A single turbine is proposed for an existing building;
2. The scale of the turbine is not overwhelming in relation to the height of nearby buildings;
3. There is no adverse impact on the setting of a Listed Building, a Conservation Area or other heritage asset;
4. It is demonstrated that the turbine will not cause any adverse impact on the amenity of a nearby building(s) by way of obstructed outlook, noise or flicker;
5. The turbine does not have an adverse impact on the landscape character or have any adverse visual impact on the scenic beauty of the Kent Downs Area of Outstanding Natural Beauty or other sensitive local landscapes;
6. There are no adverse ecology impacts arising from the development;
7. The turbine is finished in an appropriate colour to minimise its visual impact; and
8. The turbine is removed when no longer operational; this will be the subject of a condition.

**15.44** Factors that should be considered when determining applications for different renewable energy technologies are set out in Planning Practice Guidance; these include the cumulative impacts of wind and solar farms. The Council will expect clear commitments to returning land associated with solar farms or wind farms to its previous use and productive condition.

**15.45** While the development is in use, the Council will encourage land diversification alongside energy generation, incorporating biodiversity enhancements or a continued agricultural use. In 2014 the Building Research Establishment's National Solar Centre published '[Biodiversity Guidance for Solar Developments](#)' which gives further guidance on how biodiversity enhancements can be secured as part of renewable energy schemes. The Kent Downs AONB Unit's position statement quoted above, considers it extremely unlikely that any location can be found in, or within the setting of, the Kent Downs Area of Outstanding Natural Beauty where field-scale photo-voltaic arrays, such as solar farms, would not have a significant adverse effect on the landscape.

## Policy CC6

### Solar Farms

The development of new solar farms, or the extension of existing solar farms, will only be acceptable where:

1. The proposal does not have an adverse impact on the landscape character or have any adverse visual impact on the scenic beauty of the Kent Downs Area of Outstanding Natural Beauty, other sensitive local landscapes or heritage assets;
2. The proposal does not result in the direct loss of amenity to nearby residential properties by virtue of glare or other disturbance;
3. Any necessary ancillary building works are minimised so as not to adversely impact on the character of the surrounding area;
4. There are no adverse ecology impacts arising from the development;
5. A suitable landscaping and screening strategy is included with the application;
6. The solar panels and supporting frames are finished in an appropriate colour to minimise visual impact;
7. The solar panels are removed when no longer operational;
8. The consideration of the need for and impact of, security measures such as lights and fencing, are included in the application;
9. The proposal clearly indicates the installed capacity (MW) of the proposed facility; and
10. The solar farm will not result in the loss of the best and most versatile agricultural land.

**15.46** The Government promotes community energy, which it defines as being "*collective action to reduce, purchase, manage and generate energy*" and has produced a [Community Energy Strategy](#) (DECC, 2014) to increase the proportion of energy produced by local low-carbon generation. Community energy projects have an emphasis on "*local engagement, local leadership and control and the local community benefiting collectively from the outcomes.*" Community-led action can often resolve challenging issues around energy, with community groups well placed to understand their local areas and to bring people together with common purpose. The Council will support these community-led initiatives where they comply with the policies above.



## Health and Wellbeing

## 16 Health and Wellbeing

### Introduction

**16.1** This chapter contains policies dealing with a range of matters relating to the health and wellbeing of the local community. Policies cover:

- Promoting healthier food environments;
- Improving health and wellbeing and reducing health inequalities;
- Supporting healthy lifestyles; and
- Promoting active travel.

**16.2** The chapter begins by providing some background to health policy and the health problems affecting the district's population. This chapter should be read in conjunction with others in the Local Plan, particularly Chapter 12: Community, which contains policies for the provision of open space and children's play space.

### Background

**16.3** As human beings we are naturally sociable and benefit from having a supportive environment and sense of purpose. Loneliness and social isolation are harmful to our health: research shows that lacking social connections is as damaging to our health as smoking 15 cigarettes a day (Holt-Lunstad, 2010). The population and housing growth that will take place in Shepway to 2031 will need to be supported by the necessary infrastructure, including that for health.

**16.4** The Core Strategy promotes the development of community facilities that provide the opportunity for healthy lifestyles. Policy SS3: Place-Shaping and Sustainable Settlements Strategy states that: *"Development must address social and economic needs in the neighbourhood and not result in the loss of community, voluntary or social facilities (unless it has been demonstrated that there is no longer a need or alternative social/community facilities are made available in a suitable location)."*

**16.5** This approach is in line with the priority objective of the '[Fair Society, Healthy Lives](#)', [The Marmot Review](#) (2010) to create and develop healthy and sustainable places and communities. The NHS reform by the Health and Social Care Bill, transferred the responsibility for public health to local authorities. Planning has an important role to play in public health as the built environment can have a particularly significant impact on people's physical and mental health.

**16.6** The Government's [Planning Practice Guidance](#) provides guidance on how the National Planning Policy Framework's policies on health can be considered in plan making. This includes guidance on creating an environment that:

- Supports people of all ages in making healthy choices;

- Promotes active travel and physical activity;
- Promotes access to healthier food; and
- Provides high quality open spaces and opportunities for play, sport and recreation.

## Promoting Healthier Food Environments

**16.7** The Core Strategy aims to deliver a safe and healthy district. The [Health Profile 2016 for Shepway District](#) produced by [Public Health England](#) shows that in Year 6, 19.1 per cent of children are classified as obese. The local priorities set out in the Health Profile include promoting physical activity for children and adults.

**16.8** The [Kent Public Health Observatory](#) publishes a [Joint Strategic Needs Assessment](#) (JSNA). In relation to 'Healthy Weight' the [JSNA Chapter Summary Update 2014/15](#) identifies that Swale, Shepway and Dartford Districts have the highest levels of adult obesity in Kent; for Shepway this amounts to 56,457 people aged 16 and above carrying excess weight.

**16.9** The [South Kent Coast Clinical Commissioning Group](#) (CCG) and [Kent Health and Wellbeing Board](#) (HWBB) have made tackling unhealthy weight a key priority for joint work over the next few years. The [Kent Joint Health and Wellbeing Strategy 2014-2017](#) produced on behalf of the Kent HWBB identifies a number of key priorities. Priority one is to 'Tackle Key Health Issues where Kent is performing worse than the England average' which requires:

- A reduction in the proportion of 4-5 year olds with excess weight; and
- A reduction in the proportion of 10-11 year olds with excess weight.

**16.10** South Kent Coast CCG's 'Prevention and Self Care Strategy' aims to reduce levels of childhood obesity and the CCG is working closely with Public Health England to improve the health of people with hypertension and other long term problems. Dover and Shepway District Councils are also working to increase people's level of physical activity and encourage more healthy lifestyles. [The South Kent Coast Healthy Weight Strategy](#) has four themes, the first of which is to 'Take action on the environmental and social causes of unhealthy weight'. This identifies that:

*"Individual action to tackle excess weight is increasingly challenging as there are more outlets available for purchasing and consuming foods that are calorie dense and contain excess sugar and fat. The majority of people are more sedentary due to a decrease in manual and semi-manual occupations and increased use of cars means that people are becoming more physically inactive. Action needs to be taken to tackle the wider determinants of health such as improvements to housing, the built environment and open spaces and parks."*

**16.11** Hot food takeaways provide employment, offer a range of food adding to the cultural mix in an area, and can provide food at affordable prices. However many takeaways offer food which is energy dense and nutritionally poor, which can contribute to problems of obesity.

**16.12** According to Public Health England's ['Obesity and the environment: regulating the growth of fast food outlets'](#) (2014):

*"Obesity is a complex problem that requires action from individuals and society across multiple sectors. One important action is to modify the environment so that it does not promote sedentary behaviour or provide easy access to energy-dense food".*

**16.13** Elsewhere the document highlights that child obesity tends to persist into adulthood, so obese children are more likely to become obese adults. A priority for the Council is therefore to ensure that this issue is addressed within the Local Plan.

**16.14** One way to tackle this is to manage takeaway developments near primary and secondary schools. Best practice suggests a distance of 400m to define the boundaries of a fast food 'exclusion zone', as this equates to a walking time of approximately five minutes. For the implementation of Policy HW1, the 400m distance will be applied using the most direct walking route from the proposed development to the closest pedestrian access point to the school grounds.

**16.15** Ideally this policy will form just one approach to this issue and the Council will also work with businesses to help them make a healthier offer to their customers.



## Policy HW1

### Promoting Healthier Food Environments

The Council will refuse planning permission for new hot food takeaway shops that fall within 400 metres of the boundary of a primary or secondary school (the exclusion zone).

The Council will only consider granting planning permission for new hot food takeaway shops outside the exclusion zone where:

1. The percentage of hot food take-away shops in Town and District Centres does not exceed 5 per cent and in Local Centres does not exceed 10 per cent of retail units and the proposal complies with Policies RL2 to RL7 of this plan;
2. There is no harm or loss of amenity to the living conditions of nearby residents, including that created by noise and disturbance from other users and their vehicles, smell, litter and unneighbourly opening hours; and
3. Parking and traffic generation is not a danger to other road users, public transport operators or pedestrians including where appropriate the provision of parking for delivery vehicles; and
4. Adequate provision is made for:
  - The collection, storage and disposal of bulk refuse and customer litter;
  - Sound proofing, especially if the proposal would be below or adjacent to living accommodation and other mitigation as appropriate in relation to the impact on neighbours of the proposed opening and delivery hours; and
  - The efficient and hygienic discharge of fumes and smells, including the siting of ducts. These should be unobtrusive and not cause an adverse impact on a Listed Building, Conservation Area or other heritage asset.

## Improving Health and Wellbeing

**16.16** The provision of Health Impact Assessments (HIAs) as part of large developments ensures health is taken into account in new proposals. These can include an assessment of factors such as the provision of:

- Good quality housing;
- A well-designed public realm;
- Sustainable transport;
- Employment and training opportunities; and
- Access to leisure, cultural activities and green space.

These factors are known as the 'wider determinants of health'.

**16.17** HIAs provide a systematic approach for assessing the potential impacts of development on the social, psychological and physical health of communities. Ensuring these issues are considered at an early stage in the planning process can lead to improvements in the health of new residents and occupiers as well as the local community. HIAs assess whether a proposal would reinforce health inequalities and inadvertently damage people's health or have health benefits.

## Policy HW2

### **Improving the Health and Wellbeing of the Local Population and Reducing Health Inequalities.**

For residential development of 100 or more units and non-residential development in excess of 1,000sqm a Health Impact Assessment will be required, which will measure the wider impact of the development on healthy living and the demands that may be placed on health services and facilities arising from the development.

Where significant impacts are identified, measures to address the health requirements of the development should be provided and/or secured by planning obligations or planning conditions as appropriate.

A Health Impact Assessment for smaller forms of development may also be required where the proposal is likely to give rise to a significant impact on health, for example, the cumulative impacts of a number of developments might necessitate the need for new health or social infrastructure.

## **Supporting Healthy Lifestyles**

**16.18** Food security is a long-term challenge; farming needs to be supported in building capacity for sustainable production both in the UK and globally. However, the food chain has major impacts on climate change, biodiversity and the wider environment which require management. Incorporating productive landscapes into the design and layout of buildings and landscapes can support healthy and active communities, improve the quality of open spaces and enhance biodiversity. For the purposes of Policy HW3, 'productive landscapes' includes allotments, community gardens and growing spaces, green roofs and walls and productive planting.

## Policy HW3

### Development That Supports Healthy, Fulfilling and Active Lifestyles

To increase, create and safeguard opportunities for healthy, fulfilling and active lifestyles and to reduce the environmental impact of importing food, development proposals should:

1. Incorporate productive landscapes in the design and layout of buildings and landscaping of all major developments;
2. Not result in the net loss of existing allotments; and
3. Not result in the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) unless there is a compelling and overriding planning reason to do so and mitigation is provided through the provision of productive landscapes on-site or in the locality.

## Promoting Active Travel

**16.19** Physical activity has been shown to increase personal wellbeing while decreasing the chances of people developing diabetes, heart disease and other preventable conditions. Making shorter journeys by foot or by bicycle helps reduce the number of vehicles on the road and improve air quality.

**16.20** Kent County Council's research, in its [Consultation Draft Active Travel Strategy](#) (2016), however, shows that people are deterred from walking and cycling for a number of reasons including:

- A lack of suitable routes between homes and community services, workplaces or schools;
- A lack of facilities such as lockers and secure parking;
- Obstacles in cycle lanes and in footways; and
- Concerns about personal safety when walking and cycling.

Policy HW4 is intended to tackle some of these barriers.

**16.21** In addition, the Council will support the delivery of strategic projects that promote active travel, such as the [Kent Active Travel Strategy](#) (KCC, 2016), [Shepway Cycling Plan](#) (KCC, 2011) and the [Countryside and Coastal Access Improvement Plan 2013-2017](#) (KCC), including routes and proposals for improvements contained in integrated network maps. The Royal Institute of British Architects' report Healthy Cities 2012 found that streets and parks designed to be safer and more attractive were the most common changes people reported would encourage them to walk more. Provision of safe and pleasant cycle and walkways in conjunction with public

health initiatives such as Intelligent Health's 'Beat the Street', a real life walking, cycling and running game for a whole community, can encourage people to be physically active.

## Policy HW4

### Promoting Active Travel

Planning permission will be granted for development likely to give rise to increased travel demands, where the site has (or will attain) sufficient integration and accessibility by walking and cycling including, where appropriate, through:

1. The provision of new cycle and walking routes that connect to existing networks, including the wider public rights of way network, to strengthen connections between settlements and the wider countryside;
2. The protection and improvement of existing cycle and walking routes, including the public rights of way network, to ensure the effectiveness and amenity of these routes is maintained, including through maintenance, crossings, signposting and way-marking, and, where appropriate, widening and lighting;
3. The provision of safe, direct routes within permeable layouts that facilitate and encourage short distance trips by walking and cycling between home and nearby centres of attraction, and to bus stops or railway stations, to provide real travel choice for some or all of the journey; and
4. The provision of, or contributions towards, new cycle and walking routes identified in adopted strategic documents.

## Historic Environment

## 17 Historic Environment

### Introduction

**17.1** This chapter contains policies dealing with a range of matters relating to the district's built heritage. Policies cover:

- Heritage assets;
- Archaeology;
- The local list of heritage assets; and
- Folkestone's historic gardens.

**17.2** The chapter begins by summarising the national and local policy context and the findings of the Council's Heritage Strategy.

### National and Local Policy Context

#### National Policy and Guidance

**17.3** The historic environment comprises all aspects of the environment resulting from the interaction between people and places through time, whether visible, buried or submerged. It also includes some landscaped, planted or managed flora, such as Historic Parks and Gardens. These elements are known as historic assets. The [National Planning Policy Framework](#) (NPPF) definition of a heritage asset is:

*"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets includes designated heritage assets and assets identified by the local planning authority."*

**17.4** The NPPF sets out three dimensions to define sustainable development: economic, social and environmental. The historic environment forms part of the environmental dimension. The NPPF states that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment in their local plans. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, taking account of:

- Sustaining and enhancing the asset and putting it to a viable use;
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

**17.5** The national [Planning Practice Guidance](#) (PPG) proposes that local planning authorities should identify specific opportunities within their areas for the conservation and enhancement of heritage assets.

### **Shepway Heritage Strategy**

**17.6** To identify and understand the district's heritage, and to set out a positive strategy, the Council commissioned Kent County Council (KCC) to produce the Shepway Heritage Strategy. This provides a strategy to ensure that the heritage of the district plays a clear role in shaping any future regeneration, development and management decisions, as well as identifying opportunities and vulnerabilities (such as crime and neglect). The Strategy has informed the development of this plan and provides evidence that ensures a positive approach to heritage.

**17.7** While the primary purpose of the Shepway Heritage Strategy is to address local planning needs, it also sets out a wider policy context. It has been written to explain the substantial benefits that conservation of the historic environment and heritage assets, their recognition and use can bring to the district. The Heritage Strategy will:

- Ensure that heritage plays a positive role in all areas of strategic planning – place shaping, economic, tourism, health and wellbeing and education;
- Enable and inform regeneration and growth, building places and communities with a stronger sense of place, pride and interest in their surroundings. Heritage-led regeneration and development provides additional economic value to an area, providing a quality environment that attracts new businesses;
- Contribute to Shepway's visitor experience and tourism economy;
- Increase wider understanding of the district's heritage and the ways in which the community can engage with and experience their heritage;
- Provide strong social and health benefits through improving quality of life and activities that encourage physical and mental health and well being, and reduce social exclusion and crime; and
- Provide a valuable educational resource that can contribute context to curricula at all stages for local schools and colleges.

**17.8** The Council will produce an action plan to set out how the recommendations in the Heritage Strategy will be taken forward, including:

- How and when conservation areas will be reviewed;
- How local communities can help identify or review heritage assets; and
- What further studies will be undertaken and by whom.

## Heritage Assets

**17.9** Shepway is home to numerous heritage assets, both non-designated and designated, that contribute to a compelling historic narrative about the district. These include an array of medieval churches, castles, windmills and historic defences and fortifications. There are just over 20 Conservation Areas in the district and over 900 Listed Buildings.

### Heritage Assets

Heritage assets can be designated or non-designated. Designated assets have been identified under relevant legislation and include Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas.

Non-designated assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated.

**17.10** The Shepway Heritage Strategy identifies the positive role heritage can play in the district's future, including:

- Acting as a catalyst for economic and social regeneration;
- Encouraging tourism and visitors; and
- Contributing to improved public health and wellbeing.

**17.11** While the Council will consider proposals affecting heritage assets positively, some assets are worthy of conservation for their significance alone and some may be incapable of re-use or being made viable.

**17.12** Policy HE1 below supports proposals that provide, where possible, a viable use that assists in social and economic regeneration and ensures the long term protection, conservation and, where appropriate, the enhancement of heritage assets in line with Government legislation.

### Policy HE1

#### Heritage Assets

The Council will grant permission for proposals which promote an appropriate and viable use of heritage assets, consistent with their conservation and their significance, particularly where these bring at risk or under-used heritage assets back into use or improve public accessibility to the asset.



## Consideration of Heritage Assets in Planning and Listed Building Applications

**17.13** The Core Strategy sets out the broad approach to the historic environment, the enhancement of local identity and includes an express requirement to have regard to local context and the impact of development on heritage assets.

### Legislation and Guidance Governing Heritage Assets

As set out in the Introduction to Part One, the purpose of the Local Plan is to add detail to national legislation, policy and guidance only where necessary.

The consideration of heritage assets (including Scheduled Ancient Monuments and Historic Parks and Gardens) in the planning process is clearly set out in Government legislation and guidance. The Council will consider planning applications in light of these requirements. Relevant considerations include:

- The Planning (Listed Buildings and Conservation Areas) Act 1990;
- The NPPF;
- Planning Practice Guidance; and
- Statements from government departments.

The Act (Sections 66 and 72) ensures that **proposals for Listed Buildings and in Conservation Areas preserve or enhance the building or its setting (Section 66) or the character or its setting (Section 72)**. The **National Planning Policy Framework sets out what should be considered for proposals that affect heritage assets**, including:

- What considerations should be taken into account (such as a viable use);
- The significance of the heritage asset;
- The level of harm; and
- What the public benefits of the proposal would be if there is harm.

**17.14** To help determine applications against this legislation and to assist applicants with Heritage Statements, the Shepway Heritage Strategy provides information on the heritage assets in the district. The Strategy has set out thirteen heritage themes (including 'Defence', 'Coastal Heritage - Harbours and Ports' and 'Farming and Farmsteads') and provides an initial assessment of their 'significance'.

**17.15** The Strategy also sets out how heritage assets can play a positive role in all areas of planning through:

- Creating a sense of place;
- Re-use of heritage assets;
- Adding value to new development;

- Attracting business and commercial activities;
- Creating employment;
- Durability of regeneration; and
- Reducing social exclusion.

**17.16** Applications should also consider the design policies in Chapter 9 of this plan to ensure that issues such as setting, scale, materials and local character are also considered.

## Archaeology

**17.17** In areas of known or suspected archaeological potential, as identified using available information, including the Kent Historic Environment Record, there is a reasonable possibility that archaeological remains exist and therefore the potential impact of any proposed development will need to be considered. This could be by an appropriate desk-based assessment and, where necessary, a field evaluation.

**17.18** Where archaeological finds occur unexpectedly during development, the Council will seek specialist advice and guidance and this could result in further work needing to be undertaken, such as recording or further excavations.

### Policy HE2

#### Archaeology

Important archaeological sites, together with their settings, will be protected and, where possible, enhanced. Development which would adversely affect them will not be permitted.

Proposals for new development must include an appropriate description of the significance of any heritage assets that may be affected, including the contribution of their setting. The impact of the development proposals on the significance of the heritage assets should be sufficiently assessed using appropriate expertise where necessary. Desk-based assessment, archaeological field evaluation and/or historic building assessment may be required as appropriate to the case.

Where the case for development affecting a heritage asset of archaeological interest is accepted, the archaeological remains should be preserved *in situ* as the preferred approach. Where this is not possible or justified, appropriate provision for preservation by record may be an acceptable alternative. Any archaeological investigation and recording should be undertaken in accordance with a specification and programme of work (including details of a suitable archaeological body to carry out the work) to be submitted to and approved by the Council in advance of development commencing.

## Local List of Heritage Assets

**17.19** There are many buildings and sites (such as gardens or structures) in the district that make a positive contribution to the local character and sense of place because of their heritage value but which are not formally designated. Where these heritage assets are not afforded the same protection as those that are designated, the NPPF states that they should be still taken into account in determining planning applications and that they may be offered some level of protection by the local planning authority if they are identified on a formally adopted list of local heritage assets. It is also important to note that the NPPF also states that for non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Ancient Monuments, these should be considered subject to the policies for designated heritage assets (paragraph 139).

**17.20** The Council will be creating a 'local list' of sites that come through the planning process or have been put forward by local groups or individuals. This list will be updated on a regular basis and will be available on the Council's website. When considering development proposals, the Council will establish if any potential non-designated heritage assets meets the definition in Planning Practice Guidance (outlined above) at an early stage in the process and add any properties or sites that meet the criteria to the list.

### Policy HE3

#### Local List of Heritage Assets

Proposals for development affecting buildings or sites identified on the local list of heritage assets, or sites that would meet the criteria, will be permitted where the particular significance that accounts for the designation is protected and conserved.

**17.21** The criteria for identifying heritage assets for a local list are as follows:

### **Criteria for Identifying a Local List of Heritage Assets**

The Council's local list of heritage assets will include buildings, structures, landscape and archaeological features, which are of local interest, and have no statutory designation.

For inclusion on the local list, the heritage asset must comply with at least one of the criteria listed below:

**Historic Interest.** This can include:

- Association with a figure or event of significant local or national importance;
- Buildings relating to traditional or historic 'industrial' processes;
- Age and use of distinctive local characteristics; or
- Archaeological importance.

**Architectural and Artistic Interest.** This can include:

- Buildings of high quality design, displaying good use of materials, architectural features and styles and distinctive local characteristics, which retain much of their original character;
- Designed by an architect or engineer of local or national importance;
- Demonstrating good technological innovation; or
- Good quality modern architecture.

**Social, Communal and Economic Value.** This can include:

- Reflecting important aspects of the development of a settlement;
- Demonstrating an important cultural role within the community;
- Places which are perceived to be a source of local identity, distinctiveness, social interaction and coherence; or
- Demonstrating links to a significant local industry or trade.

**Townscape Character.** This can include:

- Providing a key local or national landmark;
- Of significant townscape or aesthetic value;
- Playing an integral role within a significant local vista or skyline;
- Groupings of assets with a clear visual, design or historic relationship;
- Part of a locally important designed landscape, park or garden; or
- Providing a good example of early local town planning.

**Landscape Character.** This can include:

- Historic hedgerows;

- Paths or lanes;
- Historic landscape features of particular memory such as named features; or
- Locally designated landscape features, such as veteran trees.

## Folkestone's Historic Gardens

**17.22** Shepway District contains a rich natural heritage and has a number of valuable parks and gardens. While the current estates are smaller parts of once much larger landholdings, the heritage of these surviving parklands and their associated buildings and gardens often have significant historical associations and demonstrate the distinctive manorial and agricultural experience of Kent. Two of the parks in Shepway are listed on the Register of Parks and Gardens of Special Historic Interest in England (Port Lympne is Grade II\* and Sandling Park is Grade II), and there are many more that, while not listed, are in excellent condition and continue to be integral to the identity of the district. The Kent Gardens Compendium Volume One identifies these and includes:

- Acrise Place, Acrise;
- Beachborough Park, Folkestone;
- Radnor Park, Folkestone;
- Brockhill Country Park, Hythe;
- Horton Priory, Monks Horton;
- Lympne Castle, Lympne; and
- Saltwood Castle.

**17.23** In addition, there are Memorial Gardens and Cemeteries that are important asset as part of the parks and gardens of Shepway District. The Shepway Heritage Strategy suggests that, overall, the district's parks and gardens should be considered to be of **considerable significance** not only to the local character but also to its residents and visitors. These heritage assets are protected through Policy H1 above.

**17.24** Parks and gardens within the urban areas of the district are also important heritage assets that act as natural oases for people and wildlife. While they are not listed, they are integral to the identity and sense of place and also contribute to the better wellbeing of local residents, visitors and wildlife.

**17.25** In particular, the Leas and the west end of Folkestone are characterised by grand nineteenth and early twentieth century buildings arranged around private gardens. These gardens contribute significantly to the character and quality of The Leas and Bayle Conservation Area, but are subject to development pressures. Their retention is important in maintaining the character of this part of Folkestone. Small-scale development (such as pavilions or shelters) may be permitted provided that these do not detract from the character of the gardens and their setting.

## Policy HE4

### **Folkestone's Historic Gardens**

The gardens set out below form part of the historic townscape of the west end of Folkestone. Planning permission will be refused for development that would affect the gardens or their setting.

1. Augusta Gardens;
2. Balfour Gardens;
3. Clifton Crescent;
4. Clifton Gardens;
5. Grimston Gardens;
6. Trinity Gardens;
7. Adjacent to Grand Hotel;
8. Westbourne Gardens; and
9. Kingsnorth Gardens.

Small-scale developments for community facilities (such as pavilions or shelters) will be granted permission where it can be demonstrated that the asset or its setting will be preserved or enhanced.

## Glossary

## Glossary

Active frontage	A use open to visiting members of the public throughout the day (such as shops and cafes) that is designed to face onto the street.
Adoption	The formal decision to approve the final version of a planning document, such as the Core Strategy or Places and Policies Local Plan, at the end of all the preparation stages, bringing it into effect.
Affordable Housing	Affordable housing includes social rented, affordable rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.
Agricultural diversification	Activities involving a change of use of agricultural land or buildings; or new development not falling within the definition of agriculture.
Agricultural (forestry or other rural occupational) dwelling	A dwelling which is subject to a planning condition or legal agreement restricting occupation to someone employed, or was last employed, in agriculture, forestry or other appropriate rural employment.
Agricultural Land Classification (ALC)	The ALC was introduced in the 1960s and provides a framework for determining the physical quality of land at national, regional and local levels. Agricultural land is classified into one of five grades: Grade 1 land being of excellent quality and Grade 5 land being of very poor quality. Grade 3, which constitutes about half the agricultural land in England and Wales, is divided into two sub-grades (designated 3a and 3b).
Amenity	A general term used to describe the tangible and intangible benefits or features associated with a property or location, that contribute to its character, comfort, convenience or attractiveness.
Ancient woodland	An area that has been wooded continuously since at least 1600 AD. Development affecting such areas is restricted under the National Planning Policy Framework.
Appropriate Assessment	See Habitats Regulation Assessment.
Area of Outstanding Natural Beauty (AONB)	Areas of Outstanding Natural Beauty are designated under the National Parks and Access to the Countryside Act (1949) and, along with National Parks, represent the finest examples of countryside in England and Wales. The primary purpose of



	AONB designation is to ensure the conservation and enhancement of the natural landscape beauty, including the protection of flora, fauna and geological interest. The Kent Downs AONB includes land within Shepway District (see Part One - Places, the North Downs Area).
Authority Monitoring Report (AMR)	A document produced by the local planning authority providing analysis over the period of the performance review (typically annually) of planning policies and reporting on progress made in producing up-to-date planning policy documents. Previously known as Annual Monitoring Report.
Berm	A flat or raised strip of land, often created in order to separate or protect an area
Best and Most Versatile Agricultural Land	Land in grades 1, 2 and 3a of the Agricultural Land Classification.
Biodiversity	The variety of plants and animals and other living things in a particular area or region. It encompasses habitat diversity, species diversity and genetic diversity.
Biodiversity Action Plan (BAP)	A strategy prepared for a local area aimed at conserving and enhancing biological diversity.
Biodiversity Opportunity Area (BOA)	Areas where conservation action such as habitat creation, restoration or expansion is likely to have the greatest benefit for biodiversity. They can contribute to delivering biodiversity action plan targets.
Brownfield land	See 'Previously developed land'.
Building for Life	The national standard for well-designed homes and neighbourhoods. A Building for Life assessment scores the design quality of planned or completed housing developments against 20 criteria.
Broad Location	General locations for growth formally indicated on the Core Strategy Key Diagram; includes sites for major development where technical or infrastructure information does not currently allow the exact extent of land to be confirmed. Does not constitute a formal (Strategic) Allocation; planning permission is still required to deliver development.
Code for Sustainable Homes (CfSH / CSH)	National standard designed to measure the sustainability of new homes against nine design categories including energy and water. Homes are rated on six levels between one (1*) and six stars (6*) with the higher ratings representing increased levels of sustainability. Withdrawn 2015.
Community Infrastructure	Facilities available for use by all the community, such as church or village halls, doctor's surgeries and hospitals. Community

	facilities could also include children's playgrounds and sports facilities.
Community Infrastructure Levy (CIL)	A payment that is made to the Council by developers when development commences. The payment is used to fund infrastructure that is needed to serve development in the general area, rather than directly relating to the site. This can include new transport schemes, community facilities, schools and green spaces.
Comparison retail	Retail items not bought on a frequent basis, for example electrical goods and clothing (that is, not food). See also 'convenience retail'.
Conservation Area	An area designated by the local planning authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 as being of special architectural or historic interest, the character and interest of which it is desirable to preserve and enhance. Conservation Areas are a type of heritage asset.
Convenience retail	Everyday essential shopping items, such as food.
Core Strategy	This is a plan which sets out the long-term spatial vision for the District, along with the spatial objectives and strategic policies to deliver that vision. The Shepway Core Strategy Local Plan was adopted in September 2013.
Curtilage	The area normally within the boundaries of a property surrounding the main building and used in connection with it.
Department for Communities and Local Government (DCLG)	The central government department that is responsible for policy on local government, housing, planning and urban regeneration. Sometimes also referred to as CLG.
Department for Transport (DfT)	The central government department that is responsible for transport.
Development plan	This includes adopted local plans that together with the Minerals and Waste Plans will form the development plan for Shepway District.
Environment Agency (EA)	Government agency concerned mainly with rivers, flooding and pollution.
Examination (or Examination in Public) (EiP)	A form of independent public inquiry into the 'soundness' of a submitted Local Plan document which is conducted by an Inspector appointed by the Secretary of State. After the examination has ended the Inspector produces a report with recommendations setting out how the Local Plan should be amended. Following this the Local Plan may be adopted by the local planning authority (see 'Adoption').

Facilities	Public or private premises that are used for, or help to provide, services and infrastructure for visiting members of the public.
Green infrastructure	A network of protected sites, nature reserves, green spaces, waterways and greenway linkages (including parks, sports grounds, cemeteries, school grounds, allotments, commons, historic parks and gardens and woodland). It offers opportunities for a number of functions, including recreation and wildlife as well as landscape enhancement.
Greenfield land	Land which has not been developed before, and is not defined as previously developed, or 'brownfield', land.
Gross retail floorspace	See 'net retail floorspace'.
Gross value added (GVA)	The measure of the value of goods and services produced in an area, industry or sector of an economy.
Gypsy and Travellers	Defined in government guidance ('Planning policy for traveller sites', DCLG, 2015) as "Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."
Gypsy and Traveller Sites	Sites either for settled occupation, temporary stopping places or transit sites for people of nomadic habit of life, such as Gypsies and Travellers.
Habitats Regulation Assessment (including Appropriate Assessment)	An assessment of the potential effect of development plans and proposals on sites within the Natura 2000 network of sites that are protected under the European Birds and Habitats Directives.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. Includes nationally designated assets, as well as local assets identified by the local community and confirmed by the local planning authority. See also 'Conservation Area', 'Historic Park and Garden' and 'Listed Building'.
Heritage Coast	Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors. Within Shepway District, the cliffs between Folkestone Warren and Dover.
Historic Park and Garden	Designated by English Heritage, Historic Parks and Gardens reflect the landscaping fashions of their time and are a type of heritage asset.

Home Zone	Residential streets in which the road space is shared between drivers of motor vehicles and other road users, with the wider needs of residents (including people who walk and cycle, and children) in mind.
Infrastructure	A collective term which relates to all forms of essential services like electricity, water and road and rail provision, including social/community facilities. See also 'Green infrastructure'.
Infrastructure Delivery Plan (IDP)	Outlines the need for, delivery and implementation of, infrastructure necessary to support the growth strategy in the Core Strategy and Places and Policies Local Plan. The IDP is frequently reviewed as infrastructure schemes are completed and new needs are identified.
Internationally designated habitats	See 'Natura 2000 Series sites'.
Kent County Council (KCC)	County-wide local authority responsible for a range of strategic functions and services such as highways (non-trunk routes), minerals and waste planning, and education and social care. The County Council is also the Lead Local Flood Authority (LLFA).
Lead Local Flood Authority (LLFA)	A county council (or unitary authority) responsible for developing, maintaining and applying a strategy for local flood risk management in its area and for maintaining a register of flood risk assets. LLFAs also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses.
Legibility	The degree to which a place can be easily understood and traversed.
Lifetime Homes	Homes which are built to an agreed set of national standards that make housing more functional for everyone including families, disabled people and older people. They also include future-proofing features that enable cheaper, simpler adaptations to be made when needed.
Local Area for Play (LAP)	A standard for a formal play space for use by young children. Recommended by the former National Playing Fields Association (now Fields in Trust) and still widely used as an indicative standard.
Local Development Scheme (LDS)	A project plan and timetable for the preparation of the Local Plan. It can be updated and amended as necessary by the Council.
Local Equipped Area for Play (LEAP)	A standard for a formal play space for use by children who can play independently. Recommended by the former National

	Playing Fields Association (now Fields in Trust) and still widely used as an indicative standard.
Local Green Space	A designation to provide special protection against development for green areas of particular importance to local communities. The NPPF makes it clear that the designation should only be used: where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land.
Local Nature Reserve (LNR)	A habitat of local significance that makes a valuable contribution both to nature conservation and to the opportunities for the community to see, learn about and enjoy wildlife. It is designated by the local authority.
Local Plan	The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.
Local Wildlife Site (LWS)	Sites identified by Kent Wildlife Trust as, while not of national status, providing a high quality habitat for a diverse range of flora and fauna meriting careful conservation.
Localism Act	The Localism Act has devolved greater powers to local government and neighbourhoods and given local communities more rights and powers over decisions about planning and housing. It also includes reforms to make the planning system more democratic and more effective.
Low carbon development	A development which achieves an annual reduction in net carbon emissions of 50% or more from energy use on site (e.g. by reducing energy demand through passive design and energy efficient technology and supplying energy from renewable sources).
Massing	The combined effect of the height, bulk and silhouette of a building or group of buildings.
Mixed use development	Development for a variety of uses on a single site.
National Planning Policy Framework (NPPF)	A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of Local Plans and when considering planning applications. See also 'Planning Practice Guidance (PPG)'.

Natura 2000 series sites	Internationally designated sites of nature conservation (including current - and in effect, proposed - Ramsar sites, Special Areas of Conservation and Special Areas of Protection) subject to Habitats Regulations Assessment.
Natural England (NE)	Government agency concerned with the natural environment, including biodiversity and the countryside.
Natural Surveillance	The discouragement to wrong-doing by the presence of passers-by or the ability of people to be seen out of surrounding windows.
Neighbourhood Equipped Area of Play (NEAP)	A standard for a formal play space for use by older children. Recommended by the former National Playing Fields Association (now Fields in Trust) and still widely used as an indicative standard.
Neighbourhood Plan	A provision under the Localism Act 2011 gives authorised groups the power to prepare a development plan for their area called a Neighbourhood Plan. This plan could include general planning policies and allocations of land for new development.
(Open) Countryside	Rural and coastal areas defined as land lying outside the settlement boundaries shown on the Policies Map.
Permeability	The degree to which an area has a variety of pleasant, convenient and safe routes through it.
Place-shaping	The ways in which local government and its partners can create safe, attractive, vibrant communities where people want to live and work.
Planning Inspectorate	An organisation which processes planning appeals and holds examinations into DPDs or Local Plans and the Community Infrastructure Levy (CIL).
Policies Map	A statutory map of a local planning authority accompanying its Local Plans, and defining the spatial extent of relevant policies in it. Formerly known as the Proposals Map.
Previously developed land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Priority Centres of Activity (PCAs)	A term used in the Core Strategy for locations central to people, place or prosperity incorporating town, district and local (village/ neighbourhood) centres and Major Employment Sites.
Public Realm	The space between and within buildings that is publicly accessible including streets, squares, forecourts, parks and open spaces.
Ramsar sites	Wetlands of international importance, designated under the 1971 Ramsar Convention.
Renewable Energy	Energy derived from a source that is continually replenished such as wind, wave, solar, hydroelectric and energy from plant material, but not fossil fuels or nuclear energy.
Sense of Place	A feeling of belonging and regarding a place as home. This includes identity and having an affinity with an area.
Sequential Approach	An approach to planning decisions which may require certain sites or locations to be fully considered for development before the consideration moves on to other sites or locations. The approach could apply to issues such as retail development, or the use of land at risk from flooding.
Settlement Hierarchy	Settlements are categorised into a hierarchy based on the range of facilities, services and employment opportunities available, plus the ability to access other higher-ranking settlements by public transport.
Shepway District Local Plan Review (2006)	Adopted by the council on 16 March 2006. As set out in the Planning and Compulsory Purchase Act 2004, the council made a request to central government to continue to use (most) specific policies. These policies 'saved' in 2009 and not deleted by the Core Strategy remain part of the Development Plan and will remain saved until they are replaced by specific policies in a new adopted Local Plan document.
Shoreline Management Plans	A plan providing a large-scale assessment of the risk to people and to the developed, historic and natural environment associated with coastal processes.
Site of Special Scientific Interest (SSSI)	A conservation designation for the protection of an area because of the value of its flora and fauna or its geological interest.
Spatial Planning	This concept brings together policies for the development and use of land with other policies and strategies which too have ramifications for the nature of places and how they operate.
Special Areas of Conservation (SAC)	Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

Special Protection Areas (SPA)	Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.
Stakeholder	A person, group, company, association, etc. with an interest in, or potentially affected by, planning decisions in the District.
Statement of Community Involvement (SCI)	The Council's policy for involving the community in the development of the LDF or Local Plan, and when considering planning applications. It includes who should be involved and the methods to be used.
Strategic Flood Risk Assessment (SFRA)	Required under national policy and providing an analysis of the main sources of flood risk to the district, together with a detailed means of appraising development allocations and existing planning policies against the risks posed by coastal flooding over the coming century.
Strategic Housing Land Availability Assessment (SHLAA)	Required under national policy, providing an assessment of the scale of potential housing land opportunities over a 15 (or more) year period. It cannot allocate or grant planning permissions but does lead to a pool of possible key future housing sites to inform future Local Plans through further public consultation and additional evidence gathering.
Strategic Housing Market Assessment (SHMA)	Required under national policy, providing an understanding of how housing markets operate within a given area, showing housing need and demand. Produced for the East Kent Housing Market Partnership (including Canterbury, Dover, Swale and Thanet Councils and organisations from other sectors).
Strategic (Site) Allocation	A site central to achievement of the strategy, where the principle and main features of development are established through a formal designation (allocation) of a specific parcel(s) of land. Planning permission is still required to deliver development.
Submission stage	The stage at which a planning policy document is sent to the Secretary of State as a prelude to its examination, having previously been published for public inspection and formal representations.
Supplementary Planning Document (SPD)	A document which expands policies set out in a DPD or provides additional detail. They are not subject to independent examination.
Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA)	A systematic and iterative appraisal process incorporating the requirements of the European Directive on Strategic Environmental Assessment. The purpose of the Sustainability Appraisal is to appraise the economic, environmental and social



	effects of the strategies in a LDD from the outset of the preparation process.
Sustainable Development	Usually referred to as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs" (Brundtland, 1987).
Sustainable Transport	Management of transport for Sustainable Development purposes. Can be travel management measures or any form of transport, including all alternatives to the private car, especially low-carbon travel modes. Often relates to travel by bus or train but also includes walking and cycling.
Sustainable Drainage System (SuDS)	Sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse.
Tandem Parking	One vehicle behind another
Tranquillity	A quality of calm that people experience in places full of the sights and sounds of nature.(CPRE)
Travel plan	A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.
Urban Heat Island Effect	A man-made area that's significantly warmer than the surrounding countryside — especially at night. The land surface in towns and cities, which is made of materials like Tarmac and stone, absorbs and stores heat. That, coupled with concentrated energy use and less ventilation than in rural areas, creates a heating effect.
Viability	A viable development is one where there is no financial reason for it not to proceed, where there is the correct relationship between gross development value (GDV - the amount a developer receives on completion or sale of a scheme) and development costs (e.g. build costs). An unviable scheme is one where a poor relationship exists between GDV and development costs so that profitability and land value are not sufficient enough for a development to proceed.
Village Design Statement	An advisory document, usually produced by a village community, suggesting how development might be carried out in harmony with the village and its setting. A village design statement can be given weight by being approved as supplementary planning guidance.

Water Framework Directive	more formally the Directive 2000/60/EC of the European Parliament and the Council of 23 October 2000, which established a policy framework for action on water quality.
Windfall Site	a previously developed site which has not been specifically identified as available through the development plan process, but which unexpectedly becomes available for development. A windfall dwelling is a dwelling which is delivered from such a site.
Zero Carbon Development	a development that after taking account of emissions from space heating, ventilation, hot water and fixed lighting, expected energy use from appliances, and exports and imports of energy from the development to and from centralised energy networks, will have net zero carbon emissions over the course of a year.

**Table .1**

A glossary of common planning terms and phases can be found on the National Planning Portal at <http://www.planningportal.gov.uk/general/glossaryandlinks/glossary>

## Appendices

## Evidence Base Documents

## Appendix 1 Evidence Base Documents

### General

- Shepway Core Strategy, Local Plan (2013)
- Shepway District Local Plan Review (2006)
- Places and Policies Local Plan- Issues and Options Consultation Document (2015)
- Shepway Employment Land Review (2011)
- Kent County Council's Strategic Statement 2015-2020

### Introduction

- The Building Regulations (2010)

### Urban Character Area

- Shepway Town Centres Study (2015)

### Romney Marsh.

- Romney Marsh Delivery Plan 2014-17

### North Downs

- Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook.

### Housing and Built Environment

- Building for Life 12 (2015)
- The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' (2011)
- Shepway District Council's Self Build and Custom Build register can be found by following this link <http://www.shepway.gov.uk/self-build-information>

- Kent County Council, Social Care, Health and Wellbeing – Community Support Market Position Statement (February 2016)
- East Kent Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2014)
- The Department for Communities and Local Government publication, “Planning policy for traveller sites” (2015)

### **Economy**

- The Shepway Economic Development Strategy (2015-2020)
- Towards a one nation economy: A 10-point plan for boosting productivity in rural areas
- The Destination Management Plan(Draft)

### **Community**

- Benchmark Standards produced by Fields in Trust (formerly the National Playing Fields Association), 'Planning and Design for Outdoor Sport and Play'.
- Fields in Trust publication, 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard.'
- Institute for Public Policy and Research. Report (2012).

### **Transport**

- Department for Transport's Manual for Streets (2007)
- DfT's "Guidance on Transport Assessment" (GTA)
- The Shepway District Council Transport Strategy (2011)
- Kent County Council Parking Standards (IGN3)
- Shepway District Council Transport Strategy (2011)

### **Natural Environment**

- Areas of Outstanding Natural Beauty (AONB) under section 85 of the Countryside and Rights of Way Act (2000)
- Green Infrastructure Plan
- Sykes v Secretary of State
- Lighting Professionals (ILP), Guidance Notes for the Reduction of Light Pollution (2011)
- Marine and Coastal Access Act 2009 (the Act)
- Marine Policy Statement

### **Climate Change**

- 'CIL and Whole Plan Economic Viability Assessment'; Dixon Searle Partnership (July 2014)
- Fixing the Foundations – Creating a More Prosperous Nation (published in July 2015)

### **Health and Wellbeing**

- Holt-Lunstad, 2010
- Fair Society, Healthy Lives' Marmot Review (2010)
- Public Health England document 'Obesity and the environment: regulating the growth of fast food outlets'
- Healthy People, Healthy Lives: our strategy for public health in England" (November 2010)
- Kent County Council Active Travel Strategy

### **Historic Environment**

- Planning (Listed Building and Conservation Areas) Act 1990





## Nationally Described Space Standards

## Appendix 2 Nationally Described Space Standards

The following text is an extract from the

[Technical housing standard - nationally described space standard](#)

(DCLG, 2015). This Appendix is intended to provide more detail to Policy HB3: Internal and External Space Standards.

### Introduction

1. This standard deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
2. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use.

### Using the Space Standard

3. The standard Gross Internal Areas set out in Table 1 are organised by storey height to take account of the extra circulation space needed for stairs to upper floors, and deal separately with one storey dwellings (typically flats) and two and three storey dwellings (typically houses).
4. Individual dwelling types are expressed with reference to the number of bedrooms (denoted as 'b') and the number of bedspaces (or people) that can be accommodated within these bedrooms (denoted as 'p'). A three bedroom (3b) home with one double bedroom (providing two bed spaces) and two single bedrooms (each providing one bed space) is therefore described as 3b4p.
5. This allows for different combinations of single and double/twin bedrooms to be reflected in the minimum Gross Internal Area. The breakdown of the minimum Gross Internal Area therefore allows not only for the different combinations of bedroom size, but also for varying amounts of additional living, dining, kitchen and storage space; all of which are related to the potential occupancy.
6. Relating internal space to the number of bedspaces is a means of classification for assessment purposes only when designing new homes and seeking planning approval (if a local authority has adopted the space standard in its Local Plan). It does not imply actual occupancy, or define the minimum for any room in a dwelling to be used for a specific purpose other than in complying with this standard.

7. Minimum floor areas and room widths for bedrooms and minimum floor areas for storage are also an integral part of the space standard. They cannot be used in isolation from other parts of the design standard or removed from it.
8. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls<sup>1</sup> that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The Gross Internal Area should be measured and denoted in square metres (m<sup>2</sup>).
9. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

### Technical Requirements

10. The standard requires that:
  - a. the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 below
  - b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom
  - c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide
  - d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup>
  - e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
  - f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area)
  - g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all

h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m<sup>2</sup> in a double bedroom and 0.36m<sup>2</sup> in a single bedroom counts towards the built-in storage requirement

i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

<b>Number of bedrooms (b)</b>	<b>Number of bed spaces (persons)</b>	<b>1 Storey Dwellings</b>	<b>2 Storey Dwellings</b>	<b>3 Storey Dwellings</b>	<b>Built-in Storage</b>
1b	1p	39 (37) *	-	-	1.0
	2p	50	58	-	1.5
2b	3p	61	70	-	2.0
	4p	70	79	-	
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

<b>Number of bedrooms (b)</b>	<b>Number of bed spaces (persons)</b>	<b>1 Storey Dwellings</b>	<b>2 Storey Dwellings</b>	<b>3 Storey Dwellings</b>	<b>Built-in Storage</b>
<p><i>* Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m<sup>2</sup> for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.</i></p>					

**Table 1: Minimum gross internal floor areas and storage (m<sup>2</sup>)**



## Schedule of Policies To Be Deleted

## Appendix 3 Schedule of Policies To Be Deleted

### Schedule of Policies To Be Replaced

**3.1** The table below lists the saved Local Plan Policies (2006) that are to be deleted by the Places and Policies Local Plan and not replaced. [To be updated with new policy numbers]

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Housing land supply	HO1	Covered by NPPF, allocations in Places chapters, HB3, HB6
Land supply requirements 2001-2011	HO2	Core Strategy sets out overall target in Policy SS2 and Places and Policies identify allocations to meet this.
Criteria for local housing needs in rural areas	HO6	Replaced by HB6
Loss of residential accommodation	HO7	No longer required
Criteria for sub-division of properties to flats/maisonettes	HO8	Replaced by HB3
Subdivision and parking	HO9	Replaced by T2 & HB13
Houses in multiple occupation	HO10	Replaced by HB13
Criteria for special needs annexes	HO13	Replaced by HB9
Criteria for development of Plain Road, Folkestone	HO15	No longer required as has been developed



Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Development on established employment sites	E1	Replaced by E2
Supply of land for industry, warehousing and offices. Allocated sites on the Proposals Map.	E2	Replaced by E1
Loss of land for industrial, warehousing and office development	E4	Replaced by E1 and legislation
Loss of rural employment uses	E6a	Replaced by E1 and legislation
Folkestone Town Centre - Primary shopping areas as defined on the Proposal Map	S3	Replaced by RL2
Folkestone Town Centre - Secondary shopping area as defined on the Proposal Map	S4	Replaced by RL2
Local Shopping Area - Hythe	S5	Replaced by RL3
Local Shopping Area - New Romney	S6	Replaced by RL4
Local Shopping Area - Cheriton	S7	Replaced by RL5

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Local centres - last remaining shop or public house	S8	Replaced by C2
Loss of visitor accommodation	TM2	Replaced by E4
Static caravans and chalet sites	TM4	Replaced by E5
Criteria for provision of new or upgraded caravan and camping sites	TM5	Replaced by E5
Development of the Sands Motel site	TM7	Allocated site: RM9
Requirements for recreation/community facilities at Princes Parade	TM8	Replaced by UA18
Battle of Britain Museum, Hawkinge	TM9	New mixed use Policy ND1
Loss of indoor recreational facilities	LR1	Covered in National Planning Policy Framework (NPPF) and C2
Formal sport and recreational facilities in the countryside	LR3	Covered in National Planning Policy Framework (NPPF) and C2
Recreational facilities - Cheriton Road Sports Ground/Folkestone Sports Centre	LR4	No longer required

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Recreational facilities - Folkestone Racecourse	LR5	No longer required
Improved sea access at Range Road and other	LR7	No longer required
Provision of new and protection of existing rights of way	LR8	Replaced by HB1 and HW4
Open space protection and provision	LR9	Covered by NPPF and Policy C3
Provision of children's play space in developments	LR10	Covered by C4
Protection of allotments and criteria for allowing their redevelopment	LR11	Covered by HW3, C3, NPPF and legislation
Protection of school playing fields and criteria for allowing their redevelopment	LR12	Covered by NPPF and legislation
Standards expected for new development in terms of layout, design, materials etc.	BE1	Covered by HB1 and HB2
Provision of new public art	BE2	Covered by C1
Criteria for considering new	BE3	Covered by the Planning (Listed Building and Conservation Areas) Act 1990, the

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
conservation areas or reviewing existing conservation areas		Planning Practice Guidelines 2012 (PPG) and the National Planning Policy Framework 2012 (NPPF)
Criteria for considering development within conservation areas	BE4	Covered by HB1, HB2, Planning Act, PPG and NPPF.
Control of works to listed buildings	BE5	Covered by Planning Act, PPG and NPPF.
Safeguarding character of groups of historic buildings	BE6	Covered by HB1, HB2, Planning Act, PPG and NPPF.
Criteria for alterations and extensions to existing buildings	BE8	Covered by HB8
Design considerations for shopfront alterations	BE9	Covered by HB2
Areas of Special Character	BE12	Covered by HB1, HB2 and HB10
Protection of urban open space and criteria for allowing redevelopment	BE13	Covered by HB1, HB2 and HE4
Protection of communal gardens as defined on the Proposals Map	BE14	Covered by HE4
Requirement for comprehensive landscaping schemes	BE16	Covered by C1 and NE3

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Tree Preservation Orders and criteria for allowing protected trees to be removed	BE17	Covered by legislation
Protection of historic parks and gardens as defined on the proposals map	BE18	Covered by HE1, NPPF and PPG.
Land instability as defined on the Proposals Map	BE19	Covered by NE6
Criteria to be considered for development proposals relating to sewage and wastewater disposal for four dwellings or less, or equivalent	U1	No longer required but criteria included (where required) within site specific allocation policies
Five dwellings or more or equivalent to be connected to mains drainage	U2	No longer required but criteria included (where required) within site specific allocation policies
Criteria for use of septic or settlement tanks	U3	No longer required
Protection of ground and surface water resources	U4	Covered in the Core Strategy Policy CSD5
Waste recycling and storage within development	U10	Covered by HB2 and CC2

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Requirements for development on contaminated land	U10a	Covered in NE7
Criteria for the assessment of satellite dishes and other domestic telecommunications development	U11	No longer required
Criteria for the assessment of overhead power lines or cables	U13	Covered by NE3 and legislation
Criteria for assessment of developments which encourage use of renewable sources of energy	U14	Covered by CC4 and CC5
Criteria to control outdoor lighting pollution	U15	Covered by NE5
Safeguarding land at Hawkinge, as identified on the Proposal Map, for a secondary school	SC4	No longer required
Criteria for the development of Seapoint Centre relating to a community facility	SC7	No longer required

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Provision for buses in major developments	TR2	Covered in HB1 and T1
Protection of Lydd Station	TR3	Replaced by RM8
Safeguarding of land at Folkestone West Station and East Station Goods Yard in connection with high speed railway services	TR4	No longer required for the Folkestone West Station, however East Station Goods Yard is Covered by UA1.
Provision of facilities for cycling in new developments and contributions towards cycle routes	TR5	Covered by HW4, T5 and T1
Provision for pedestrians in new developments	TR6	Covered by HW4,T1 and HB1
Provision of environmental improvements along the A259	TR8	No longer required
Criteria for the provision of roadside service facilities	TR9	No longer required
Restriction on further motorway service areas adjacent to the M20	TR10	No longer required
Accesses onto highway network	TR11	Covered by T1

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Vehicle parking standards	TR12	Covered by T2 and T3
Travel Plans	TR13	No longer required, covered by NPPF
Folkestone Town Centre Parking Strategy	TR14	Replaced by T2 and T3
Criteria for expansion of Lydd Airport	TR15	No longer required
Countryside to be protected for its own sake	CO1	Covered by NE3
Special Landscape Areas and their protection	CO4	Covered by NE3
Protection of Local Landscape Areas	CO5	Covered by NE3
Protection of the Heritage Coast and the undeveloped coastline	CO6	Covered by NE9
Protection of protected species and their habitat	CO11	Covered by legislation as well as NE1 and NE2
Protection of the freshwater environment	CO13	Covered by NE2 and CSD5
Long term protection of physiography, flora and fauna of Dungeness	CO14	Covered by NE2



Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Criteria for farm diversification	CO16	Covered by E6
Criteria for new agricultural buildings	CO18	Covered by HB1 and HB2
Criteria for the re-use and adaptation of rural buildings	CO19	Covered by E8
Criteria for replacement dwellings in the countryside	CO20	Covered by HB5
Criteria for extensions and alterations to dwellings in the countryside	CO21	Covered by HB8
Criteria for horse related activities	CO22	Covered by NE4
Criteria for farm shops	CO23	Covered by E6
Strategic landscaping around key development sites	CO24	Covered by NE2
Protection of village greens and common lands	CO25	Covered by legislation Commons Act 2006
Criteria for the development of the Ingles Manor/Jointon Road site, as shown on the Proposals Map	FTC3	Covered by UA5

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Criteria for the development of land adjoining Hotel Burstin as shown on the Proposals Map	FTC9	No longer required
Criteria for the redevelopment of the Stade (East) site, as shown on the Proposals Map	FTC11	No longer required

**Table 3.1**

**Appendix 2: Summary of 2016 Consultation – Numbers of Respondents  
and Methods of Consultation Response (Report prepared  
by the Communications Team)**

## Planning Policy Consultation – Communications Report

<b>Measure</b>	<b>2015<sup>(1)</sup></b>	<b>2016<sup>(2)</sup></b>	<b>% change</b>
Number of respondents	234	616	+163%
Number of online respondents	98 <sup>***</sup>	436 <sup>*</sup>	+345%
Number of email respondents	123 <sup>***</sup>	106 <sup>*</sup>	-14%
Number of respondents by letter	22 <sup>****</sup>	86 <sup>*</sup>	+290%
Number of individual private respondents	147	510	+247%
Number of individual respondents representing an organisation	49	39	-20%
Number of respondents on behalf of others (agents)	38	67	+76%
Number of private individuals online	78 <sup>****</sup>	405 <sup>**</sup>	+419%
Number of private individuals by email	56 <sup>****</sup>	53 <sup>**</sup>	-5%
Number of private individuals by letter	18 <sup>****</sup>	58 <sup>**</sup>	+222%

(1) Places and Policies Local Plan: Issues and Options consultation 2015

(2) Places and Policies Local Plan: Preferred Options consultation 2016

Note: A number of respondents used more than one method of response (such as by email and duplicate copy by letter):

\* 11 respondents used two or more response methods.

\*\* 6 respondents used two or more response methods.

\*\*\* 7 respondents used two or more response methods.

\*\*\*\* 4 respondents used two or more response methods.

**Appendix 3: Summary of 2016 Preferred Options Places and Policies Local  
Plan Consultation Comments – Main Issues Raised and Amendments  
Proposed**

## INTRODUCTION

### 1. Introduction (Chapter 3)

#### Summary of consultation comments

- 1.1 The Introduction to the PPLP sets out the general context provided by the Core Strategy and outlines national planning policy and the requirements of the plan-making process.
- 1.2 A total of 31 comments have been received to this chapter and the policy index. Comments generally raise points about the level of growth in the plan or the planning process in general.
- 1.3 Two comments raise presentational points about the indexing of the plan and legibility of maps. One comment queries the relationship between the quantities of development set out in the Core Strategy and the PPLP.
- 1.4 11 comments raise concerns about the level of development set out in the plan, citing impacts on infrastructure, traffic, services, water supply, agricultural land and landscape. One comments states that Romney Marsh is allocated too much development. One comment states that there is not enough development allowed for in the plan and that more should be allocated.
- 1.5 The Introduction states that the Council will engage with local communities in the preparation of Neighbourhood Plans for their areas and five comments support this commitment. One comment expresses disappointment that the PPLP has not been shaped more by Neighbourhood Plans. One comment states that the Council needs to undertake further work to identify Local Green Spaces.
- 1.6 Four comments have been submitted by Historic England; these seek references in the Introduction to the Heritage Strategy that the Council is preparing and state that the Council is required to *enhance* as well as maintain the district's built heritage.
- 1.7 Kent County Council (KCC) expresses support for joint working with the Council. Rother District Council supports the approach Shepway District Council has taken to working with other authorities. Southern Water has submitted a neutral comment; more detailed responses are given in relation to specific sites. National Grid has submitted a response stating that it has no comments to make.

## PART ONE - PLACES

### 2. Introduction (Chapter 4)

#### Summary of consultation comments

- 2.1 This chapter introduces the chapters that follow which set out site allocations for the three character areas of the district. Tables set out quantities of development and the hierarchy of settlements.
- 2.2 19 comments have been submitted to this chapter. Comments raise general points, some of which repeat those given for the general Introduction (see above).
- 2.3 One comment supports the general level of development in the plan. Two comments state that more development is needed. One comment states that there is too much development and that more housing will only attract people who will commute out of the district to work elsewhere. One comment states that the relationship between the level of development set out in the Core Strategy and the PPLP is unclear. Highways England states that more evidence is needed on the impacts of development on the highways network.
- 2.4 Regarding the settlement hierarchy, two comments state that there is too much development allocated to Hythe, given its historic character and the capacity of its infrastructure. One comment states that too much development is allocated to Romney Marsh. One comment supports the identification of Etchinghill as a secondary village in the hierarchy.
- 2.5 Two comments state that the historic character of Folkestone needs to be acknowledged in the plan. One comment states that there is insufficient recognition of the role of tourism to the district.
- 2.6 Two comments state that developers too often provide insufficient affordable housing, using viability as a reason to avoid provision. One comment states that a greater proportion of self-build housing needs to be provided in the policies.
- 2.7 One comment makes a general point about the submission of habitat surveys. Southern Water has submitted a general comment about the planning process and infrastructure provision (additional comments have been provided to site allocations where Southern Water highlights specific requirements).
- 2.8 KCC states that many of the infrastructure projects identified in the Core Strategy have now been implemented and that a new policy is needed to ensure that infrastructure is secured and delivered. The County Council requests that where education provision is not provided through Section 106 agreements, schemes are identified on the Community Infrastructure Levy (CIL) Regulation 123 list. The response also states that more capacity will be required for waste management and highlights the importance of KCC's Minerals and Waste Local Plan.

### **3. Urban Character Area (Chapter 5)**

#### **Summary of consultation comments**

- 3.1 This chapter allocates sites for development in Folkestone and Hythe and also contains policies for town centres, specifying what uses will be allowed within the town centre boundaries. 907 comments have been submitted to this chapter.

### **Folkestone**

- 3.2 17 comments have been made to the introductory text for the Folkestone section of the Urban Character Area, raising a number of points:
- It is not clear how much of the development required by the Core Strategy has already been delivered and how much still needs to be planned for;
  - Hythe should not be included in this area as it is physically separate from Folkestone and unsuitable for significant development;
  - The water, road, health and education infrastructure cannot cope with more development;
  - Princes Parade provides an open vista between Hythe and Folkestone and should not be developed;
  - A new swimming pool is desperately needed in Hythe;
  - The HS1 rail service should serve Sandling or Westenhanger to enable residents of Hythe to use it;
  - Hythe Neighbourhood Plan Group states that the older demographic profile of Hythe means that parking provision is more important for the town; and
  - KCC refers to its historic town surveys for Elham, Folkestone, Hythe, Lydd and New Romney.

### Policy UA1: Folkestone Town Centre

- 3.3 Policy UA1 seeks to manage development to protect the vitality of Folkestone town centre. The policy contains criteria governing development in Primary and Secondary Shopping Frontages and proposals for larger retail developments. 29 comments have been made to the policy and supporting text.
- 3.4 14 comments have been made to the supporting text raising a number of points:
- Folkestone cannot aim to compete with Ashford and Canterbury for comparison goods;
  - Folkestone should be developed as a sub-regional office centre;
  - Guildhall Street should be reopened to traffic;
  - Connections between the town, seafront and station need to be reappraised urgently;
  - Dilapidated shops should be restored using the Council's enforcement powers;
  - The evening economy needs to be encouraged;
  - Folkestone Town Council states that a more integrated approach is needed to Guildhall Street;



- Ellandi LLP states that the shopping frontages have not been defined in line with national planning policy;
- KCC states that the area is rich in heritage assets; and
- Other amendments to the supporting text are suggested.

3.5 Two comments to the policy state that:

- Environmental improvements and a more mainstream retail offer are needed to revitalise the town centre; and
- The policy should allow for the fast-changing nature of the retail sector, particularly the impact of online shopping.

3.6 Ellandi LLP generally supports the policy, but proposes a number of changes and clarifications.

3.7 Folkestone Town Council questions whether the designation of the entire town centre under the policy, in addition to Folkestone Harbour and sites at Park Farm, is viable, and that the town's heritage should be emphasised. Shepway HEART Forum refers to proposals for redevelopment of the bus station. Go Folkestone Action Group wishes to see space above shops refurbished for residential use and states that the policy should give more recognition to the historic character of Folkestone; the Group also highlights problems of vacancies in Guildhall Street.

3.8 Stagecoach in East Kent highlights that a suitable alternative site is needed if the bus station is to be redeveloped.

3.9 KCC supports the policy but considers that it should include mention of the historic character of the town centre. Historic England states that an up-to-date character appraisal and management plan for the Conservation Area should be used to guide development proposals. Shepway District Council Strategic Projects states that the policy should be revised to reflect the positive contribution that residential uses can make to the town centre.

#### Policy UA2: Cheriton Local Centre

3.10 Policy UA2 seeks to manage development to protect the vitality of Cheriton Local Centre. Two comments have been made to this policy.

3.11 Comments state that the proliferation of betting shops should be restricted and that there are no longer any banks in Cheriton.

#### Policy UA3: Sandgate Local Centre

3.12 Policy UA3 seeks to manage development to protect the vitality of Sandgate Local Centre. Two comments have been made to this policy.

3.13 Sandgate Parish Council supports the policy. The Sandgate Society stresses the importance of retaining a commercial hub in the centre of the village.

#### Policy UA4: Silver Spring Site, Park Farm

- 3.14 Policy UA4 allocates the site for mixed-use development incorporating business (B1), leisure (D), retail (A1) and hotel (C1) uses. Criteria require a comprehensive approach to development, suitable access to the highway network, transport improvements, mitigation of contamination, an assessment of impacts on the vitality of Folkestone town centre and an investigation of archaeological potential. 16 comments have been made to this policy.
- 3.15 Five comments state that:
- The proposed uses would be suitable;
  - Traffic is at unacceptable levels and a clear policy for the site is needed;
  - The requirement for cycling and walking infrastructure is supported;
  - Walking between the existing units should be made easier; and
  - The policy would encourage out-of-town retail development to the detriment of the town centre.
- 3.16 Stagecoach in East Kent states that it would expect contributions towards extending bus services later in the day (as was provided by the B&Q development). The Kent Downs AONB Unit states that the design should respond to the site's location within the setting of the Area of Outstanding Natural Beauty (AONB).
- 3.17 AECOM, acting on behalf of Ravensbourne, welcomes the policy but objects to: requirements for a comprehensive approach to site development, stating it would unnecessarily restrict development; and access, stating this is unclear. AECOM also: proposes changes to supporting text, including the description of the site; emphasises the need to make best use of previously developed land; states that Park Farm is not suitable for quality office development; supports the need for cross-site access; and strongly objects to restrictions on residential development on the site.
- 3.18 Ellandi LLP objects to the policy, stating that there is no justification for additional retail and leisure uses at Park Farm and this will damage the health of the town centre. The Trustees of Viscount Folkestone object to the inclusion of hotel development in the policy.
- 3.19 KCC suggests that the policy refers to the Shepway Cycle Strategy and contributes to the completion of the Park Farm Road and Kingsmead cycle paths.

#### Policy UA5: Former Harbour Railway Line

- 3.20 Policy UA5 protects the line of the former railway for a cycling and pedestrian route. Nine comments have been made to this policy.
- 3.21 Three comments state that:

- Further work should be undertaken to explore connectivity to other areas of the town;
- The Remembrance Line's Tramway system could run alongside the pedestrian and cycle route; and
- The route should be used for vehicular traffic.

3.22 Four comments support the policy.

3.23 Shepway HEART Forum states that options should be explored to provide a low carbon transportation system on existing rail infrastructure.

3.24 KCC supports the policy and states that the Tram Road Link Walkway and Cycleway is an identified scheme in the Local Transport Plan.

Policy UA6: East Station Goods Yard, Folkestone

3.25 Policy UA6 allocates the site for 40 dwellings and 1,000sqm commercial floorspace (B1/B8). Criteria cover: the provision of commercial floorspace; the comprehensive development of the site; access; contamination; archaeological potential; noise and vibration from the railway; and contributions towards play facilities on Folly Road. (Planning permission 14/0928/SH was granted on this site for a mixed use development of 41 dwellings and 1,000sqm of commercial space.) 15 comments have been made to this policy.

3.26 12 comments state that:

- East Folkestone Railway Station should be reinstated;
- The site should be used for a park-and-ride tramway; reference is made to the Remembrance Line Association's proposals;
- Pedestrian and highway safety is a key concern and improvements are needed; and
- The accompanying plan is difficult to read.

3.27 Shepway Green Party states that instead of allocating the site for development, the Council should lobby for the reopening of Folkestone East station.

3.28 KCC suggests amendments to wording relating to archaeological potential. Southern Water states that masterplanning should take account of the nearby Folkestone Junction Wastewater Pumping Station and that access to underground sewerage infrastructure is required for maintenance purposes.

Policy UA7: Rotunda and Marine Parade Car Parks, Lower Sandgate Road

3.29 Policy UA7 allocates the sites for a total of 165 dwellings: 100 dwellings at The Rotunda Car Park and 65 at the Marine Car and Coach Park. Criteria cover: improvements to cliff paths; access; the character and setting of heritage assets; archaeological potential; flood risk; contamination;

contributions to improved connectivity; and open space. 20 comments have been made to this policy.

3.30 10 comments state that:

- The car parks are poor quality;
- Public car parking should be retained, particularly given loss of the Harbour Arm car park;
- Cycling should be encouraged and good signage provided;
- There is no point in promoting cycling access between town and harbour as it will not be used;
- The Remembrance Line Tramway system could be extended from a terminus at the Leas Lift to the Coastal Park;
- Lower Leas Park is a top attraction and parking needs to be provided to ensure that visitors can access the park;
- Redevelopment of Folkestone Harbour should not be delayed any longer; and
- The policy would lead to piecemeal development; the sites should be considered alongside the wider harbour development.

3.31 The Trustees of Viscount Folkestone support the policy but state that the requirement for specific linkages to be improved is too prescriptive.

3.32 Shepway HEART Forum states that the sites should be developed for a landmark tourist attraction. Southern Water requires access to sewerage infrastructure for maintenance. Natural England states that the sites may contain deciduous woodland priority habitat.

3.33 KCC suggests amendments to wording relating to archaeological potential. Historic England states that direct reference should be made to the Grade II\* Leas Lift and the role it could play in connecting the seafront and town centre.

#### Policy UA8: The Royal Victoria Hospital, Radnor Park Avenue

3.34 Policy UA8 allocates the site for 42 dwellings: 16 through conversion of the existing Victorian building and 26 through new build. Criteria cover: the conversion and new build elements; parking; traffic management; archaeological potential; contributions to play and open space at Radnor Park; and contamination. 10 comments have been made to this policy.

3.35 Six comments state that:

- The Victorian building should be retained;
- Medical facilities should be developed to replace those lost at St Saviour's Hospital in Hythe;
- The site should be used for offices and small business start-up units;
- Parking should be provided for the Minor Injuries Unit; and
- The cycleway to the rear of the site should be retained to allow access to Radnor Park.

- 3.36 Shepway HEART Forum states that options should be explored for a private health company to operate services from the site. Go Folkestone Action Group considers that the loss of the entire site for housing is shortsighted and that some allowance should be made for the provision of medical facilities and social care.
- 3.37 KCC seeks amendments to wording relating to archaeological potential. Southern Water requires access to underground sewerage infrastructure for maintenance.

Policy UA9: 3-5 Shorncliffe Road, Folkestone

- 3.38 Policy UA9 allocates the site for 20 apartments. Criteria cover design, impacts on the Conservation Area and archaeological potential. Two comments have been submitted to this policy.
- 3.39 Folkestone Town Council highlights the need for drainage and infrastructure improvements. KCC suggests amendments to wording related to archaeology.

Policy UA10: Ingles Manor, Castle Hill Avenue

- 3.40 Policy UA10 allocates the site for 46 dwellings and commercial floorspace (B1). Criteria cover: impacts on the Conservation Area and heritage assets; the provision of 1,400sqm commercial space; retention of the existing barns; and archaeological potential. 12 comments have been made to this policy.
- 3.41 Two comments object to the loss of open space and protected trees.
- 3.42 Folkestone Town Council states that the loss of the garden centre and café is unfortunate, but that the garden cottage and barns should be preserved, as should the protected trees. The Town Council also highlights the need for infrastructure and drainage improvements. Shepway HEART Forum wishes to see a replacement garden centre and commercial space. Go Folkestone Action Group considers that the site is exceptional and development should be at low density; the Group also highlights infrastructure and drainage problems.
- 3.43 The Trustees of Viscount Folkestone do not object to the policy but seek the deletion of requirements for office accommodation and retention of the barns. Murston Construction supports the policy but seeks the division of the site between commercial and residential elements to allow them to come forward independently.
- 3.44 KCC suggests amendments to wording related to archaeology. Southern Water requires a connection to the local sewerage system.

Policy UA11: Shepway Close, Folkestone

- 3.45 Policy UA11 allocates the site for 24 dwellings and public open space. Criteria cover the provision of public open space, ecology, surface water

management and archaeological potential. Five comments have been submitted to this policy.

- 3.46 An objecting comment states that the space should be protected and opened up for public access.
- 3.47 Shepway Developments Ltd supports the allocation, but states that contributions should be provided for open space elsewhere rather than providing this on site. Go Folkestone Action Group states that dense low rise development would be appropriate for the site.
- 3.48 KCC suggests amendments to wording relating to archaeology; it also proposes that the adjacent public footpath is opened up and integrated with new public space provision. Southern Water states that access will be needed to underground sewerage infrastructure for maintenance.

#### Policy UA12: Former Gas Works, Ship Street

- 3.49 Policy UA12 allocates the site for 100 dwellings. Criteria cover: ecology; archaeological potential; improvements to Radnor Park; health contributions; the setting of heritage assets; contamination; the provision of amenity space; and the provision of self- and custom-build plots. Five comments have been made to this policy.
- 3.50 Shepway District Council Strategic Development supports the policy, but states that health provision should be made through CIL and suggests amendments to wording related to amenity space and descriptions in the supporting text.
- 3.51 Shepway Green Party states that the site could be pivotal for economic regeneration and providing space for new businesses. Go Folkestone Action Group suggests that dense, low rise housing would be appropriate.
- 3.52 The Environment Agency emphasises the presence of historic contamination. KCC suggests amendments to wording relating to archaeological potential.

#### Policy UA13: Highview School, Moat Farm Road

- 3.53 Policy UA13 allocates the site for 27 dwellings. Criteria cover density, pedestrian links, contributions to education and archaeological potential. Seven comments have been submitted to this policy.
- 3.54 Three objecting comments state:
- There are problems of antisocial behaviour from people using the alleyway adjacent to the site; the route should be shut to public access;
  - The privacy of the adjoining houses needs to be protected; and
  - There are more appropriate sites for development.
- 3.55 A comment seeks to correct the descriptive text.

- 3.56 KCC suggests amendments to wording related to archaeology. Southern Water requires access to underground sewerage infrastructure. Shepway District Council Strategic Projects supports the policy but states that education provision should be made through CIL.

Policy UA14: Brockman Family Centre, Cheriton

- 3.57 Policy UA14 allocates the site for 26 houses or 50 apartments. Criteria cover: ecology; trees and hedgerows; and archaeological potential. Two comments have been submitted to the policy.
- 3.58 One comment suggests improvements to the road network. KCC suggests amendments to wording related to archaeology.

Policy UA15: The Cherry Pickers Public House, Cheriton

- 3.59 Policy UA15 allocates the site for 10 houses or 20 apartments. Criteria highlight highway mitigation and archaeological potential. Four comments have been submitted to this policy.
- 3.60 A comment states that adequate parking needs to be provided; another comment suggested amendments to local bus routes.
- 3.61 KCC suggests amendments relating to archaeology. Southern Water states that access to underground sewerage infrastructure will be required.

Policy UA16: Affinity Water, Shearway Road, Cheriton

- 3.62 Policy UA16 allocates the site for 70 dwellings and open space. A masterplan is required; criteria cover pedestrian links, protected trees, public open space, the provision of self- and custom-build plots and archaeological potential. 13 comments have been submitted to this policy.
- 3.63 Affinity Water Ltd supports the policy but states that 70 dwellings would fail to make full use of the site's potential; an amendment is sought to provide 120 dwellings.
- 3.64 Two comments raise concerns regarding inadequate sewerage infrastructure and flood risk. Some amendments to bus routes in the area are suggested. A comment raises points about the site description, stating that protected trees have been lost to development.
- 3.65 Folkestone Town Council highlights flooding problems with the Pent Stream and seeks protection for the mature trees on the site; these concerns are shared by Go Folkestone Action Group.
- 3.66 KCC suggests amendments to wording related to archaeology and states that public rights of way need to be retained and enhanced. Southern Water requires a connection to the local sewerage system and access to underground sewerage infrastructure for maintenance. The Environment Agency highlights that the site lies within a protection zone for groundwater; contamination should therefore be controlled.

### Policy UA17: The Shepway Resource Centre, Military Road

- 3.67 Policy UA17 allocates the site for 41 dwellings. Criteria cover: design; impact on the setting of heritage assets; trees and hedgerows; and archaeological potential. (Planning permission 16/0463/SH has been granted for the development of 23 dwellings and 18 flats on the site.) Four comments have been submitted to this policy.
- 3.68 Shepway Green Party states that the site would be ideal for social housing. Shepway HEART Forum objects, citing problems of traffic congestion and loss of open spaces.
- 3.69 KCC suggests amendments to the wording related to archaeology. Shepway District Council Strategic Projects supports the policy.

### Policy UA18: Land East of Coolinge Lane, Folkestone

- 3.70 Policy UA18 allocates the site for 60 dwellings. Criteria cover: loss of open space; design; the setting of heritage assets; the provision of self- and custom-build plots; trees and hedgerows; ecology; and archaeology. 20 comments have been made to this policy.
- 3.71 Seven objecting comments state that:
- The area is heavily congested, especially around school drop-off and pick-up times;
  - Infrastructure is inadequate and schools are oversubscribed;
  - There is no justification for the loss of playing pitches; and
  - The development would impact on biodiversity.
- 3.72 Two comments express qualified support, provided that enhanced pedestrian and cycle routes are created and publicly accessible open space is provided.
- 3.73 Shepway HEART Forum and Go Folkestone Action Group object, citing loss of open space, traffic problems and inadequate drainage and infrastructure capacity. The Sandgate Society objects, stating that the 60 dwellings is too much development, the area is heavily congested and the schools are oversubscribed; the space should be used for public recreation. Sandgate Parish Council shares these concerns. Folkestone Town Council states that the site should be treated sensitively and deliver high quality development and a large area of open space. Shepway Green Party claims that a commitment was given that the playing fields would not be sold.
- 3.74 Sport England objects stating that there is no up-to-date Playing Pitch Strategy to justify development of the playing fields. KCC suggests amendments to wording related to archaeology. Southern Water requires a connection to the local sewerage system.

### Policy UA19: Encombe House, Sandgate



- 3.75 Policy UA19 allocates the site for 36 homes (following planning permissions 11/0122/SH and 15/1154/SH for the building of 36 two- and three-bedroom flats). Criteria cover: protected trees and ecology; the setting of heritage assets; archaeological potential; and land stability. Six comments have been submitted to this policy.
- 3.76 Shepway Green Party states that the land is highly unstable. The Sandgate Society maintains that development would dominate the skyline and threaten the stability of neighbouring properties. Another comment states that the area is at high risk of land slip and tree protection has been disregarded in the past.
- 3.77 KCC suggests amendments to wording related to archaeology. Historic England states that the design should minimise impacts on setting of the scheduled Martello Tower 7. Southern Water requires a connection to the local sewerage system.

### **Hythe**

- 3.78 Supporting paragraphs in this section of the chapter set the context for proposals in Hythe. A plan (Picture 5.22) illustrates key routes and proposed allocations.
- 3.79 22 comments have been made to the supporting text and plan stating:
- There is too much development planned for Hythe; the Core Strategy Inspector did not approve any major development for the town other than at Nickolls Quarry;
  - Development needs to be sympathetic to the character of the town and protect its green spaces; modern flatted developments are inappropriate;
  - Space above shops should be used for housing;
  - There should be no development at Princes Parade, Hythe;
  - The setting of the Royal Military Canal and seafront should be preserved;
  - Hythe should be separated from Folkestone by an area of undeveloped land;
  - There is too much traffic in the town; Scanlon's Bridge has been upgraded but there has been no difference to the traffic queues;
  - More pedestrian crossing points are needed;
  - Education and health facilities are inadequate;
  - There is a need to encourage a younger population to live in and visit Hythe;
  - Picture 5.22 needs to be updated to include significant recent developments;
  - Nickolls Quarry will add approximately 1,000 homes to the area; and
  - The Pennypot Estate and Riverside Estate need to be added to the employment sites identified in the text (Nickolls Quarry and Link Park).
- 3.80 In addition to these comments:

- Historic England states that a better understanding of the town's historic character is needed;
- Hythe Neighbourhood Plan Group state that the Core Strategy Inspector did not support major development in Hythe beyond the strategic development at Nickolls Quarry; apartment blocks are changing the character of the town and family homes need to be provided; and
- Hythe Town Council supports the protection of employment land in Hythe through policy E1.

#### Policy UA20: Hythe Town Centre

- 3.81 Policy UA20 seeks to manage changes of use in Hythe Town Centre to protect the town's vitality. 15 comments have been submitted to this policy.
- 3.82 Two comments have been made to the map defining the town centre boundary, stating that the northern boundary should be drawn along Malthouse Hill, Bartholomew Street and Dental Street.
- 3.83 Seven comments make points including:
- Hythe now has a preponderance of non-retail uses in the centre: these should be monitored and the policy should set a minimum percentage of retail uses;
  - There needs to be a greater focus on employment as employment sites, such as Smiths Medical, are being lost;
  - Any development should protect the character of the town; and
  - Temporary 'pop up' shops and a Hythe market could help revitalise the town.
- 3.84 Hythe Civic Society seeks the provision of sufficient parking within development proposals in town centres. Hythe Neighbourhood Plan Group supports the policy but requests further criteria related to the historic character of the High Street. Shepway Green Party considers that the policy should specify a percentage of retail (A1) uses in the frontage.
- 3.85 KCC asks for reference to be made to special historic character of the town centre and the Hythe, High Street and Vicinity Conservation Area. Historic England seeks reference to archaeological potential within the town centre.

#### Policy UA21: Smiths Medical Campus, Hythe

- 3.86 Policy UA21 allocates the site for 80 dwellings and employment use (B1/B8). Criteria cover: design and layout; the provision of self- and custom-build plots; retention of employment; archaeological potential; contamination; and ecology. (Pre-application discussions have taken place regarding this site.) 25 comments have been made to this policy.
- 3.87 10 objecting comments state that: the site should be developed for a leisure centre in preference to Princes Parade; education and health facilities are inadequate; and the area is already congested with traffic.

- 3.88 Eight comments give qualified support, subject to: the retention of employment land; the provision of affordable housing; surface water management; the protection of trees and wildlife areas on the site; a low density of development; adequate car parking; and traffic calming measures. Shepway Green Party states that a full transport assessment should be provided, habitats should be protected and there should be a buffer to the eastern boundary.
- 3.89 Hythe Town Council supports the policy. Hythe Neighbourhood Plan Group states that more housing could be provided on the site so that the allocation at Princes Parade could be deleted. Hythe Civic Society states that the leisure centre should be provided on this site rather than Princes Parade.
- 3.90 KCC suggests amendments to wording related to archaeology. Historic England states that the site once encompassed part of the Royal School of Musketry firing ranges, but that archeological potential is likely to be low. Southern Water requires that the development is informed by an odour assessment to take account of the Hythe Waste Water Treatment Works.

Policy UA22: Land at Station Road, Hythe

- 3.91 Policy UA22 allocates the site for 40 dwellings. Criteria deal with: impact on the AONB; ecology and trees; archaeology; and flood risk. 21 comments have been submitted to this policy.
- 3.92 Hythe Town Council supports the policy. Hythe Neighbourhood Plan Group objects to the policy, stating that it is an attractive green space.
- 3.93 A comment supports the allocation, provided some employment land is retained, highway capacity is taken into account and other design principles are met. Ten objections are made to the policy citing issues of: lack of school places; traffic congestion; flood risk and increased surface water run-off; archaeological impacts; loss of greenspace; and impacts on landscape and views of Saltwood Castle. Shepway Green Party objects, raising concerns of landscape impact and highway safety.
- 3.94 Cayman National Bank supports the policy, stating that the site can provide homes in a sustainable location.
- 3.95 KCC states that an appropriate pedestrian crossing will need to be provided; amendments are also suggested to wording dealing with archaeology. Natural England states that, although the site is relatively well contained, it forms part of the setting of the AONB. The Kent Downs AONB Unit also highlights that the site is close to the AONB and development could impact on its setting.

Policy UA23: Land at Saltwood Care Centre, Hythe

- 3.96 Policy UA23 allocates the site for extra-care housing. Criteria cover: accessibility; care provision; landscape character; access; and archaeological potential. (The site is subject to planning permission

15/0720/SH for 84 extra-care homes.) 20 comments have been submitted to this policy.

- 3.97 Kent Planning Ltd seeks more flexibility in the wording of the policy. Two supporting comments state that the site is suitable for assisted living and that improved pedestrian crossings should be provided.
- 3.98 Hythe Town Council supports the policy. Hythe Neighbourhood Plan Group would support extra care housing for local people, but not for older people moving into the area.
- 3.99 Eight objecting comments state that: the site would not be suitable for non-care related housing; a maximum number of units should be specified; the area is heavily congested; the site is liable to flooding; and development would be harmful to the setting of the AONB and views towards Saltwood Castle. Shepway Green Party states that the site is outside the settlement boundary, in a designated local landscape area and at risk of landslip.
- 3.100 KCC suggests amendments relating to archaeology and reference to the regulator of care services. Southern Water requires connection to the local sewerage system. Natural England states that the site may contain traditional orchard habitat and highlights proximity to the Kent Downs AONB. The Kent Downs AONB Unit also highlights proximity to the AONB and states that development would impact on its setting.

Policy UA24: Foxwood School and St Saviour's Hospital, Seabrook Road, Hythe

- 3.101 Policy UA24 allocates Foxwood School for 150 dwellings and St Saviour's Hospital for 35 dwellings. Criteria cover: design and landscape; heritage assets; access; archaeological potential; ecology and protected trees; open space and children's play space; and the provision of self- and custom-build plots. (Planning application 16/0794/SH has been submitted on the St Saviour's Hospital site and this is currently being considered.) 22 comments have been submitted to this policy.
- 3.102 Three objecting comments highlight lack of transport links, slope instability, poor access and inadequate education and health provision. A comment raises a number of issues with the developer's pre-application proposals for the Foxwood School site.
- 3.103 A comment supports the policy, but highlights the importance of retaining historic buildings such as the Seabrook Lodge School House at Foxwood. Nine comments do not raise objections, but state that consideration needs to be given to surrounding residential character, traffic management, parking provision, surface water drainage, slope stability and preserving existing trees; the requirement that access should not be from Cliff Road is supported.
- 3.104 Hythe Town Council supports the policy. Hythe Neighbourhood Plan Group supports the policy, but questions the proposed density on Foxwood School:

the Group states that this should be increased to allow the Princes Parade allocation to be deleted. Shepway HEART Forum states that St Saviour's Hospital should be retained as a locally listed building.

- 3.105 Sport England objects to the policy stating that the Council's Playing Pitch Strategy is out-of-date and there is no evidence justifying loss of playing pitches on the site. Natural England states that Foxwood School may contain priority deciduous woodland habitat.
- 3.106 KCC highlights a number of highways and pedestrian improvements that will be required; amendments are also suggested to wording related to archaeology. Southern Water requires connection to the local sewerage system.

#### Policy UA25: Princes Parade, Hythe

- 3.107 Policy UA25 allocates the site for 150 dwellings. The policy requires the delivery of a masterplan setting out the provision of a replacement for Hythe Swimming Pool, public open space and a mix of homes including accommodation for the elderly, affordable housing and self- and custom-build. Other criteria cover: the setting of the Royal Military Canal, potential contamination and the protection of the Royal Military Canal Local Wildlife Site. 512 comments have been submitted to this policy and the supporting text. (Comments relating to Princes Parade have also been made against other chapters of the PPLP and these are highlighted in the relevant sections of this Appendix.)
- 3.108 494 comments of objection have been made raising a number of issues. Objections state that the development would: amount to overdevelopment; lead to the erosion of the separation between Hythe and Sandgate; set a precedent for other sites; provide second homes rather than homes for local people; impact negatively on the Royal Military Canal Scheduled Ancient Monument; impact negatively on the Local Wildlife Site and ecology; and impact negatively on views, landscape and local character. In addition comments state that the development would be at high risk of flooding and increase contamination and light pollution. It is stated that infrastructure would be unable to cope, particularly the road network, public transport, health, education, sewerage, water and electricity. It is stated that the proposed leisure centre would be in the wrong place to satisfy demand and the development would have a negative impact on tourism and local businesses. Among those objecting are: the Hythe Neighbourhood Plan Group; Shepway Green Party; Shepway HEART Forum; Sandgate Parish Council; Monks Horton Parish; and Monks Horton Parish and Sellindge and District Residents' Association.
- 3.109 Hythe Town Council supports the requirement for an appropriate mix of well-designed homes, but states that any self-build homes must conform to a masterplan to ensure a good visual appearance.
- 3.110 Historic England objects to the allocation, stating that the site should not be allocated for significant development based on the likely impact on the Royal

Military Canal. KCC states that it has substantial concerns about the allocation and cannot see a way in which the development could proceed while ensuring that the Canal's setting is also preserved and enhanced.

- 3.111 15 comments support the allocation, stating that it represents a good opportunity to provide an enhanced facility and that it would deal with an unkempt area. Among those supporting the policy are the Hythe Aqua Swimming Club and Shepway District Council Strategic Projects.

Policy UA26: Hythe Swimming Pool, Hythe

- 3.112 Policy UA26 allocates the site for 50 dwellings. Criteria require: the provision of a replacement facility; the retention of the café, public toilets and beach huts; contributions to play and open space at South Road Recreation Ground; and the assessment of archaeological potential. 56 comments have been submitted to this policy and supporting text. (Many respondents relate their comments to proposals for Princes Parade, see above.)
- 3.113 44 objecting comments to the policy state that the site should be redeveloped for an improved swimming pool, the Council has not demonstrated that the current location of Hythe Swimming Pool is inadequate for a new facility and the development of Princes Parade should not proceed. Hythe Neighbourhood Plan Group objects to the density and states that there is a need to preserve views. Hythe Town Council and two respondents state that the policy needs to be strengthened so that development cannot proceed until the replacement pool is irretrievably committed.
- 3.114 Six comments support the policy, provided that proposals include the retention of the public toilets, café and beach huts. Shepway District Council Strategic Projects states that the policy should be amended to state that the public toilets and beach huts should be retained or replaced locally. Southern Water comments that it will require access to sewerage infrastructure.

#### **4. Romney Marsh Character Area (Chapter 6)**

##### **Summary of consultation comments**

- 4.1 This chapter sets out a number of policies for the Romney Marsh Area, including for New Romney Town Centre and sites for housing and other developments.
- 4.2 A number of comments have been submitted to the supporting text:
- A comment welcomes the settlement hierarchy and the fact that housing was not allocated in every village;
  - London Ashford Airport states that insufficient recognition is given to the airport as a major employer and economic driver;
  - CPRE Shepway states that the housing allocated to the Romney Marsh area exceeds the target set out in the Core Strategy;

- Objections highlight: overprovision against Core Strategy targets; high flood risk; a lack of infrastructure, particularly health and education; struggling shops in New Romney town centre; poor design of recent housing; loss of the rural character of the towns and villages; loss of bungalows to create high density housing; loss of green spaces and impacts on the tourist economy; lack of employment opportunities; and traffic congestion;
- A comment objects to the proposed new link road at New Romney; and
- A comment states that Dungeness needs protecting and that older buildings are being replaced with modern creations.

#### Policy RM1: New Romney Town Centre

- 4.3 Policy RM1 seeks to protect the viability of New Romney Town Centre by managing changes of use for retail and town centre developments. Seven comments have been submitted to this policy.
- 4.4 Three objecting comments state that St Martin's Field should be excluded from the area designated by the policy.
- 4.5 New Romney Town Council states that the policy should: include reference to the historic character of the town; seek to reduce the impact of car parking; exclude St Martin's Field from the designated area; and protect St Martin's Field and Fairfield Road Recreation Ground as green open spaces.
- 4.6 KCC recommends that the policy includes reference to the special historic character of the town centre.

#### Policy RM2: Land off Victoria Road West, Littlestone

- 4.7 Policy RM2 is allocated for 70 dwellings. Criteria cover: vehicle access; the provision of self- and custom-build plots; surface water drainage; archaeological potential; the provision of open and play space; impacts on biodiversity; and contributions to medical facilities. 17 comments have been submitted to this policy.
- 4.8 CPRE Shepway objects to the allocation stating that the need for housing has not been demonstrated, it would lead to the loss of agricultural land, there would be impacts on species and habitats, the area is liable to flooding and there is insufficient capacity in local services.
- 4.9 12 objecting comments raise concerns regarding: flood risk and the high water table; loss of agricultural land and green spaces; loss of views; impacts on wildlife; poor access and traffic congestion; poor pedestrian routes; lack of capacity in health and education facilities; and lack of employment opportunities.
- 4.10 Furnival Farming Partnership supports the policy with some amendments to the wording.

- 4.11 KCC states that it would not support the allocation as emergency access could not be provided. If the allocation is to remain, KCC requests amendments to the wording relating to archaeology. Southern Water states that masterplanning should take account of the nearby Queen's Road New Romney Pumping Station. Natural England highlights links between the drainage network and designated biodiversity sites.

Policy RM3: Land rear of the Old School House, Church Lane, New Romney

- 4.12 Policy RM3 allocates the site for 20 dwellings. Criteria cover: vehicle and pedestrian access; surface water drainage; archaeological potential; the setting of the nearby Listed Buildings and Scheduled Ancient Monument; landscape; ecology; and contributions to medical facilities. (Planning permission 15/0235/SH has recently been granted on this site for 14 dwellings.) 12 comments have been submitted to this policy.
- 4.13 Eight objections raise issues including: overprovision of housing against Core Strategy targets; lack of infrastructure; overstretched education and health facilities; traffic and parking problems; poor, unlit footpaths; drainage problems; and the loss of green spaces. It is stated that the site is more appropriate for extra-care housing for the elderly or medical facilities.
- 4.14 CPRE Shepway objects to the policy, citing impacts on protected species.
- 4.15 One supporting comment states that it is an ideal site for smaller dwellings.
- 4.16 KCC suggests amendments relating to archaeology and the nearby Conservation Area.

Policy RM4: Land west of Ashford Road, New Romney

- 4.17 Policy RM4 allocates the site for 60 dwellings. A number of requirements cover: vehicle and pedestrian access; the provision of self- and custom-build plots; surface water drainage; landscaping; archaeological potential; impacts on heritage assets; provision of open and play space; ecological impacts; contributions to medical facilities; and access to the Ashford Road New Romney Pumping Station. 14 comments have been submitted to this policy.
- 4.18 11 objections raise issues of: overprovision of housing against Core Strategy targets; lack of infrastructure; poor access, parking provision and highways capacity; overstretched education and health facilities; lack of employment opportunities; loss of grazing land and green spaces; flood risk; and loss of an important gateway to the town.
- 4.19 Kent Planning Ltd supports the policy and states that the land is not liable to flooding.
- 4.20 KCC suggests amendments relating to archaeology and public rights of way. Southern Water states that the masterplan should require consideration of odour and vibration given proximity to the pumping station.

Policy RM5: Land to the south of New Romney



- 4.21 RM5 allocates the site for up to 400 dwellings, health care and community facilities, open space, transport and access improvements. A comprehensive masterplan should be provided, and the policy sets out requirements for access, landscape, sustainable drainage and surface water management and other considerations. 29 comments have been submitted to this policy.
- 4.22 Icen Projects supports the allocation, maintaining that the site provides a sustainable location and will provide a new link road and medical facilities. Shepway District Council Strategic Development supports the allocation subject to new vehicular access to the Mountfield Road Industrial Estate.
- 4.23 22 comments raise objections related to: over provision of housing within the Romney Marsh area and incompatibility with Core Strategy policies; flood risk; the high water table; highways and access constraints; lack of employment opportunities; lack of medical facilities; impacts on wildlife; loss of green space and important views; loss of archeological assets; loss of agricultural land; and impacts on the character of the town.
- 4.24 CPRE Shepway objects to the policy citing: traffic impacts; loss of agricultural land; harm to the historic landscape; flood risk; impacts on wildlife and historic assets; and lack of local facilities.
- 4.25 Natural England objects, stating that the land forms a Biodiversity Opportunity Area that could provide compensatory habitat; alternative sites should be reassessed in preference to the site. Southern Water states that connections should be provided to the local sewerage system and that masterplanning should take account of proximity to the waste water treatment works and pumping station.
- 4.26 KCC states that the development would have an adverse impact on the historic landscape; if the policy is to remain requirements are set out for access and the new link road.

Policy RM6: Land adjoining The Marsh Academy, Station Road, New Romney

- 4.27 Policy RM6 allocates the site for 29 dwellings. Criteria cover: the provision of medical facilities; surface water drainage; landscaping; the provision of community facilities; and archaeological potential. 12 comments have been submitted to this policy.
- 4.28 The Marsh Academy objects to the allocation, stating that the land is needed for educational purposes; the Academy also states that it has rights of access over the site that it would not be willing to give up. A Governor of the Academy adds that the development would increase dangers to children; the Youth Centre on the site would need to be relocated, as would the electricity and water sub-stations. New Romney Town Council maintains that the allocation should be reduced in size to take account of restrictive covenants.

4.29 Six objections state that: the land is needed for expansion of education facilities and green space; the road network is inadequate; car parking is at capacity; health and education facilities are overstretched; and the land should be protected as a community asset.

4.30 KCC suggests amendments to wording related to archaeology. Southern Water states that a connection is needed to the local sewerage system.

Policy RM7: Development at North Lydd

4.31 Policy RM7 allocates four sites in North Lydd for a total of 65 dwellings: Kitewell Lane, rear of Ambulance Station (eight dwellings); Land south of Kitewell Lane (nine dwellings); Station Yard, Station Road (30 dwellings); and Peak Welders (18 dwellings). A masterplan is required for the four sites and the policy sets out a number of criteria that development should meet. Ten comments have been submitted to this policy.

4.32 In relation to the Kitewell Lane site, KCC states that Kitewell Lane will be required to be widened to 4.1m width with a 1.2m footpath. John Paine Farms supports the allocation but states that the requirement for a masterplan would be an obstacle to housing delivery.

4.33 In relation to the South of Kitewell Lane site, Southern Water states that access to underground infrastructure will be required for maintenance purposes. Two comments state that access is inadequate, there is no capacity in the sewerage system and education and health facilities are overstretched.

4.34 In relation to the Peak Welders site, KCC objects to the allocation on the grounds that there is no potential for a footpath to be provided to access the site.

4.35 In general comments to policy RM7, KCC suggests amendments to wording relating to archaeology. Natural England states that, given proximity to protected sites, connection to sewerage drainage should be provided and sufficient capacity at local treatment works should be confirmed. Kent Wildlife Trust states that the sites are close to a Local Wildlife Site and there should be no increase in recreational pressure or disturbance. The Environment Agency highlights proximity to a historic landfill site and states that contamination may need to be addressed. A comment supports the allocation of brownfield sites in Lydd in preference to development along the coast, if infrastructure is provided.

4.36 Shepway District Council Strategic Development states that the requirement for a masterplan for all four sites would unnecessarily constrain development; amended wording is suggested.

Policy RM8: Former Sands Motel, Land adjoining pumping station, Dymchurch Road, St Mary's Bay

- 4.37 Policy RM8 allocates the site for 85 dwellings. Criteria cover: highway improvements; access; public transport; pedestrian movement; parking spaces; flood risk; play areas; impacts on protected wildlife sites; and archaeological potential. (Planning permission 07/1566/SH has been granted for 85 dwellings.)
- 4.38 An objecting comment raises issues of lack of affordable housing, poor design of recent developments and lack of health facilities. Another comment states that, while the allocated site has been granted planning permission, the adjacent land - the former Rugby Club campsite - should be protected for future leisure and community use.
- 4.39 KCC suggests amendments to wording related to archaeology. Southern Water requires connection to the local sewerage system. Natural England states that, given the proximity to protected sites, connection to the sewerage drainage system should be provided and sufficient capacity at local treatment works should be confirmed.

Policy RM9: Land rear of Varne Boat Club, Coast Drive, Greatstone

- 4.40 Policy RM9 allocates the site for five dwellings. Criteria cover flood risk, the existing river culvert, design, biodiversity and archaeology. Four comments have been submitted to this policy.
- 4.41 Shepway District Council Strategic Development supports the policy and states that it is a previously developed site in a sustainable location.
- 4.42 Two objecting comments state that there is insufficient health or education infrastructure and that development along the coast should be resisted.
- 4.43 Natural England states that, given the proximity to protected sites, connection to the sewerage drainage system should be provided and sufficient capacity at local treatment works should be confirmed.

Policy RM10: Car park, Coast Drive, Greatstone

- 4.44 Policy RM10 allocates the site for 16 dwellings. Criteria require a traffic assessment, surface water drainage strategy, biodiversity enhancements and consideration of archaeological potential. 32 comments have been submitted to this policy.
- 4.45 Shepway District Council Strategic Development supports the allocation and states that the site could comfortably accommodate 20 dwellings.
- 4.46 New Romney Town Council objects to the policy and states that it should be removed from the plan. CPRE Shepway objects on the grounds that: there is significant local opposition; it is a well-used car park, the loss of which would damage local businesses; the site is prone to flooding; and drainage is inadequate.
- 4.47 26 objecting comments have been submitted raising issues including: flooding; loss of the car park with resultant impacts on the tourist economy,

local businesses and disabled access; additional traffic on already congested roads; inadequate vehicle access; lack of health and education facilities; impacts on local wildlife and the adjacent Site of Special Scientific Interest (SSSI); increased light pollution; and unexploded ordnance.

- 4.48 Westward Planning Ltd has submitted comments on behalf of The Campaign Against the Development of Coast Drive Car Park and ten named objectors raising objections on the grounds that: the allocation is outside the settlement boundary and contrary to Core Strategy policies; the site is at high risk of flooding; it would have harmful impacts on the adjacent SSSI; and development would be detrimental to the amenity of local residents.
- 4.49 The Environment Agency (EA) has submitted an objection, due to the proximity of the proposal to the seafront and the reliance the development would have on the continued maintenance of the beach. The EA states that it wishes to see the site deleted from the plan and refers to its objections to the planning application (16/1017/SH).
- 4.50 KCC states that the car park provides valuable access and that any development should protect the route of the England Coast Path and retain some public parking. Natural England states that, given the proximity to protected sites, connection to the sewerage drainage system should be provided and sufficient capacity at local treatment works should be confirmed.

Policy RM11: The Old Slaughterhouse, 'Rosemary Corner', Brookland

- 4.51 Policy RM11 allocates the site for five dwellings. Criteria cover: design and layout; the character and setting of the Brookland Conservation Area and Listed Buildings; landscape; ecology; and archaeological potential. Five comments have been submitted to this policy.
- 4.52 The landowner supports the policy. Invicta Self and Custom Build Ltd has no objection, but suggests additional land that could be allocated. A supporting comment states that the site is suitable, with good road links.
- 4.53 An objector states that the site lies outside the settlement boundary.
- 4.54 KCC suggests amendments to the wording related to archaeology.

Policy RM12: Lands north and south of Rye Road, Brookland

- 4.55 Policy RM12 allocates two sites for a total of 25 dwellings: 15 dwellings at land to the north of Rye Road; and 10 dwellings at land to the south. Criteria require: a masterplan; landscaping; a surface water drainage strategy; and open and play space. Impacts on archaeology, the setting of Listed Buildings and the Conservation Area and protected species should also be addressed. Nine comments have been submitted to this policy.
- 4.56 The Crown Estate supports the policy. Invicta Self and Custom Build Ltd also supports the policy; it intends to develop the land to the south for self-build housing and states that the site could accommodate as many as 16

dwellings. A supporting comment states that the sites are suitable for development with good road links but will need screening from the A259.

4.57 CPRE Shepway objects to the allocation, maintaining that the site is too prominent and that there are problems of drainage, safe access and harm to the historic environment; the loss of agricultural land is also highlighted. Two objecting comments state that the site lies outside the settlement boundary and within a protected Local Landscape Area.

4.58 KCC suggests amendments to wording related to archaeology and states that the 30mph speed restriction would need to be extended. Southern Water states that it will require access to existing underground sewerage infrastructure for maintenance. Historic England states that the setting of the Grade I Church will need particular care in the design of any new development.

#### Policy RM13: Land adjacent to Moore Close, Brenzett

4.59 Policy RM13 allocates the site for 20 dwellings. Criteria cover: vehicle access; landscape; watercourses and drainage; protected species; archeological potential; and the setting of nearby Listed Buildings. Four comments have been submitted to this policy.

4.60 KCC suggests amendments to wording relating to archaeology. Southern Water states that an odour assessment is needed, given proximity of the site to a waste water treatment works.

4.61 MF and L Ltd supports the policy but seek amendments to wording. Another comment states that it is a suitable site for development.

## **5. North Downs Character Area (Chapter 7)**

### **Summary of consultation comments**

5.1 This chapter sets out 13 site allocations for the North Downs Area. A number of comments have been made against the supporting text:

- The Kent Downs AONB Unit states that: the Council should have regard to the purpose of conserving and enhancing the Kent Downs AONB in exercising its functions; recognition should be given to countryside to the south of the AONB, which forms part of its setting; and proposals for major development should be referenced as should the AONB Management Plan;
- E Charlier and Sons Ltd states that the AONB Management Plan does not form part of the development plan for the district and that the chapter should explain the site selection process the Council has undertaken to minimise impacts on the AONB;
- CPRE Shepway states that there is insufficient information to judge the need for housing within the AONB; it must therefore object to the allocations in the plan. It also maintains that infrastructure has not kept pace with development, particularly in Hawkinge;

- A comment states that Hawkinge has been ruined by modern development;
- A comment states that Sellindge has suffered from too much development and there is always gridlock in the village when there is an accident on the M20;
- Comments express objection to development proposals at the former Folkestone Racecourse and the lorry park; and
- Some detailed wording changes are suggested by the Kent Downs AONB Unit and Historic England.

Policy ND2: Former Officers' Mess, Aerodrome Road, Hawkinge<sup>1</sup>

- 5.2 Policy ND2 allocates the site for 70 dwellings. Criteria cover: impacts on the AONB; landscape; open space; archaeological potential; and pollution to groundwater. (Planning permission 15/0030/SH has been granted on this site.) Seven comments have been submitted to this policy.
- 5.3 Four comments object to the loss of World War II heritage. The Lowestoft Aviation Society states that the Kent Battle of Britain Museum should be allowed the chance to further develop their site.
- 5.4 KCC suggests an amendment to wording relating to archaeology. Southern Water states that a connection to the local sewerage system should be provided.

Policy ND3: Mill Lane rear of Mill Farm, Hawkinge

- 5.5 Policy ND3 allocates the site for 14 dwellings. Criteria cover: impacts on the AONB; landscape; vehicle access; public rights of way; archaeological potential; and pollution to groundwater. (Outline planning permission 15/0741/SH has been granted for residential development on this site.)
- 5.6 KCC has submitted a comment suggesting amendments to the wording regarding archaeology; the clause relating to public rights of way is supported.

Policy ND4: Land adjacent Kent Battle of Britain Museum, Aerodrome Road, Hawkinge

- 5.7 Policy ND4 allocates the site for 100 dwellings. Criteria cover: impacts on the AONB; design and street layout; open spaces; landscape; vehicle access; contamination; archaeology and heritage assets; and pollution prevention. 56 comments have been submitted to this policy.
- 5.8 50 comments raise objections regarding: impact on the adjacent Kent Battle of Britain Museum; the loss of the nation's historic wartime sites; loss to the tourist industry and local economy; unexploded ordnance; heavy contamination; and inadequate facilities at Hawkinge.

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<sup>1</sup> The numbering of policies in this chapter of the Preferred Options PPLP started at ND2 rather than ND1 and as a consequence successive policies were wrongly numbered – all chapters have been renumbered for the Submission Draft PPLP.

- 5.9 The Kent Battle of Britain Museum charity requests that the allocation is withdrawn and the land be made available for the Museum to buy; it states that it has funds to purchase the site which it has been raising over the last decade.
- 5.10 The Trustees of Hawkinge Activity and Adventure Centre Ltd support the allocation, stating that the site provides an opportunity to provide homes in a sustainable location. The Trustees state that attempts to enter into discussion with the Museum Trustees have not had a response.
- 5.11 The Kent Downs AONB Unit states that development should not extend to the south western part of the site to keep a buffer between new housing and Gibraltar Lane and respect the existing settlement pattern of Hawkinge.
- 5.12 KCC suggests that the wording of the policy be amended to ensure that the character of the new development is informed by its wartime history; amendments are also sought to wording related to archaeology. Southern Water states that a connection should be provided to the local sewerage system.

Policy ND5: Land at Duck Street, Elham

- 5.13 Policy ND5 allocates the site for five dwellings. Criteria highlight: impacts on the AONB; landscape; access; and archaeological potential. 21 comments have been submitted to this policy.
- 5.14 A supporting comment states that the site would integrate well into the area, if developed sensitively. The landowner supports the allocation and maintains that adequate visibility splays can be achieved.
- 5.15 Elham Parish Council objects to the site on the grounds of unsafe access, flood risk and inadequate sewerage infrastructure. CPRE Shepway objects to the site, saying that access, highway safety, sewerage capacity and surface water runoff present problems that will be difficult to resolve. 16 objecting comments raise concerns about: flooding; highway safety; ecological and landscape impacts; and sewerage and health infrastructure.
- 5.16 KCC objects to the policy, stating that adequate visibility splays cannot be provided; an amendment to the wording on archaeological potential is sought if the policy is to be retained.

Policy ND6: Land south of Canterbury Road, Lyminge

- 5.17 Policy ND6 allocates the site for 30 dwellings. Criteria cover: impact on the AONB and nearby heritage assets; the provision of self- and custom-build plots; trees and hedgerows; landscape; open space; access; traffic calming; enhancing public rights of way; archaeological potential; and pollution prevention. 13 comments have been submitted to this policy.
- 5.18 Kent Planning Ltd objects, stating that Land adjacent to Lyndon Hall, Lyminge is preferable, being better screened and closer to village facilities. CPRE Shepway objects to the policy, stating that there is insufficient

information on housing provision to judge whether the allocation is necessary. Four objections raise concerns about: loss of greenfield land within the AONB; design of the development; traffic impacts; and adequacy of sewerage and health infrastructure.

- 5.19 Two supporting comments argue that the site would be ideal for starter homes, provided a footpath, health facilities and an extension to the surgery car park are delivered. Sellwood Planning supports the allocation. Lyminge Parish Council supports the allocation, provided that the development preserves the rural character of the site and a footpath is provided; the Parish Council considers that the site could also be considered for extra-care sheltered accommodation.
- 5.20 KCC comments that traffic calming measures will need to be introduced. The County Council suggests amended wording related to buried archaeological remains and highlights the potential to create a new public access route along the old railway line between Lyminge and Penne. Southern Water requests that a connection is provided to the local sewerage system.
- 5.21 Natural England states that the site represents a significant extension of the existing settlement in the AONB. The Kent Downs AONB Unit states that development here would be contrary to national policy relating to major development in the AONB.

Policy ND7: General Sellindge policy

- 5.22 Policy ND7 allocates five sites in Sellindge for a total of 54 dwellings: The Piggeries, Main Road (eight dwellings); Land West of Jubilee Cottage, Swan Lane (15 dwellings); Land to the rear of Brook Lane Cottages, Brook Lane (11 dwellings); Land at Barrow Hill (15 dwellings); and Silver Spray (five dwellings). 20 comments have been submitted to this policy.
- 5.23 Two general objections state that Sellindge does not have sufficient health and education facilities. Comments from the Kent Downs AONB Unit add that mitigation of impacts on the setting of the AONB would be necessary for the Swan Lane sites. Other comments state that road safety is a key concern for local people.
- 5.24 Southern Water states that connections to the local sewerage system will be required. KCC proposes amendments to wording regarding archaeological potential of the sites.
- 5.25 In relation to The Piggeries, KCC also states that access is only acceptable for five dwellings and it would object to eight dwellings on the site.
- 5.26 In relation to Land West of Jubilee Cottage, two objections state that the land is liable to flooding. The Environment Agency highlights that the allocation is adjacent to a historic landfill site and the contamination may need to be addressed.



- 5.27 In relation to Land rear of Brook Lane Cottages, an objection states that access is dangerous. Natural England highlights that the site is adjacent to the Gibbin's Brook SSSI; pollution prevention measures would therefore be needed. KCC states that it objects, as suitable access cannot be provided for 11 dwellings.
- 5.28 In relation to Land at Barrow Hill, three objectors state that development will destroy the character of the area and bring in more traffic and create an unwanted access onto the A20. CPRE Shepway states that the site is remote from services and not sustainably located and could impact on a Bronze Age burial mound.
- 5.29 A supporting comment states that the Barrow Hill site is well located to existing housing and accessible to local facilities.

Policy ND8: Former Lymgne Airfield

- 5.30 ND8 allocates the site for 125 dwellings. Criteria cover: trees and hedgerows; open spaces; the provision of self- and custom-build plots; junction improvements; footpaths; vehicle access; waste water infrastructure; contamination; and heritage assets. (Pre-application discussions are being held relating to this site.) 21 comments have been submitted to this policy.
- 5.31 Ten objecting comments have been submitted which raise issues of: previous refusals and appeals on the site and Inspectors' comments about the impacts of rejected schemes; the lack of reference to Otterpool Park; loss of a buffer between the village and the employment park; impact on the setting of the AONB; impact on the compact nature of the village; and impacts on sewerage, traffic and school places.
- 5.32 Shepway Green Party objects to the allocation, citing previous refusals on the site. Lymgne Parish Council is strongly opposed, and states that the land would be the only buffer between Lymgne village and the proposed development at Otterpool Park. CPRE Shepway also objects, stating that there is insufficient information on housing provision to know whether a development of this scale is needed in the North Downs area. Shepway Environment and Community Network states that the proposal is bitterly opposed by the large majority of residents and cites loss of the airfield's military heritage.
- 5.33 Phides strongly supports the policy but seeks an amendment to the requirement for self-build plots to allow greater flexibility. A comment of qualified support has also been submitted.
- 5.34 Historic England states that there will be some archaeological potential to take into account. Natural England states that the allocation represents a significant extension of the western boundary of the village that may be visible from the AONB. The Kent Downs AONB Unit states that development would fail to conserve and enhance the AONB's setting.

- 5.35 Southern Water states that a connection to the local sewerage system will be required. KCC requires the provision of emergency access and suggests amendments to reflect the site's World War II heritage.

Policy ND9: Land rear of Barnstormers, Stone Street, Stanford

- 5.36 Policy ND9 allocates the site for five dwellings. Criteria in the policy relate to: design; trees and hedgerows; impact on the setting of Stanford Windmill; landscape; and archaeology. 11 comments have been submitted relating to this policy.
- 5.37 Two objections state that this allocation makes no sense when considering plans for the lorry park. Shepway HEART Forum states that the allocation needs to be looked at carefully in relation to proposals for Otterpool Park. Six comments object to the allocation, citing impacts on the setting of the windmill, landscape impacts, poor access, reduced residential amenity and inadequate sewerage infrastructure.
- 5.38 Historic England states that the policy reads appropriately in relation to the windmill. KCC states that access onto Stone Street will need to be widened, but given that there are no facilities in Stanford, the site is not sustainable. Amendments to wording relating to archaeology are suggested.

Policy ND10: Land at Folkestone Racecourse

- 5.39 Policy ND10 allocates the site for 11 dwellings. Criteria relate to: design; trees and hedgerows; open spaces; parking and street design; impacts on water quality; archaeological potential; and impacts on the setting of Westenhanger Castle. Nine comments have been submitted relating to this policy.
- 5.40 Two objections state that the allocation does not make sense in the context of proposals for Otterpool Park and that the development would impact on footpaths linking to the station. CPRE Shepway objects, arguing that it is not possible to determine the impact on the AONB with such a loosely defined allocation.
- 5.41 Historic England highlights the importance of other heritage assets in addition to the castle, such as military artifacts and racecourse buildings. Southern Water states that a connection needs to be provided to the local sewerage system. KCC states that footpath links should be provided to the station; amended wording is also suggested relating to impacts on Westenhanger Castle and archaeological potential.
- 5.42 The Arena Racing Company Ltd, while supporting the allocation, states that it is unlikely to come forward as anticipated given the Government's support for Otterpool Park.
- 5.43 The Kent Downs AONB Unit has submitted two comments supporting the low density nature of the allocation and the requirement for a frontage onto Stone Street.

Policy ND11: Camping and Caravan Site, Stelling Minnis

- 5.44 Policy ND11 allocates the site for 11 dwellings. Criteria cover: residential amenity; trees and hedgerows; impact on the AONB; open space; biodiversity; street design; vehicle access; car parking; and archeological potential. Seven comments have been submitted to this policy.
- 5.45 Two comments support the allocation, if it is developed sensitively and addresses highway safety. Another supporting comment states that the vitality of the village depends on growth.
- 5.46 Shepway HEART Forum states that the allocation needs to be looked at in the context of proposals for Otterpool Park.
- 5.47 Stelling Minnis Parish Council gives its qualified support, subject to the provision of affordable housing, adequate parking and the relocation of the bus shelter. KCC suggests amendments to the wording related to archaeology.

Policy ND12: Land adjoining 385 Canterbury Road, Densole

- 5.48 Policy ND12 allocates the site for 25 dwellings and an area of allotments. Criteria cover: impacts on the AONB; trees and hedgerows; open spaces; village character; access; footpaths; archaeology; and pollution to groundwater. Seven comments have been submitted to this policy.
- 5.49 Two objecting comments, one from the Kent Downs AONB Unit, state that a development of this size would be contrary to national policy on the AONB, access is dangerous and there is no safe crossing for pedestrians.
- 5.50 Natural England objects, stating that the development would be a significant extension to the settlement and visible from the North Downs Way National Trail. Swingfield Parish Council objects on the grounds of poor vehicular access and severance of footpaths. CPRE Shepway objects, stating that there is insufficient information on housing supply in the North Downs area and that it has concerns over highway safety, access to services and impacts on the AONB.
- 5.51 Southern Water states that a connection to the local sewerage system is needed. KCC suggests amendments to the wording related to archaeology.

Policy ND13: Etchinghill Nursery, Etchinghill

- 5.52 Policy ND13 allocates the site for 30 dwellings. Criteria cover: impacts on the AONB; landscape; access; footpaths; archaeology; design; and effects on the nearby SSSI. 14 comments have been submitted to this policy.
- 5.53 E Charlier and Sons Ltd supports the policy. Lyminge Parish Council supports the policy, highlighting criteria relating to open space and footpaths.

- 5.54 Southern Water seeks inclusion of a requirement for connection to the local sewerage system. KCC suggests amendments to the point related to archaeology.
- 5.55 Five objections, including one from the Kent Downs AONB Unit, state that development of this size would be contrary to national AONB policy. Other objections maintain that access onto Canterbury Road is dangerous and flood risk would be increased. CPRE Shepway objects to the allocation, stating that without information on housing supply in the North Downs Area it is not possible to demonstrate a need for the development. Natural England objects to the allocation, stating that it would represent a significant extension to the settlement and be visible from the North Downs Way National Trail.
- 5.56 Three comments argue that any development needs to reinstate a buffer to the countryside and protect views from existing houses. Two comments highlight the need for traffic calming in the village and to keep existing trees on the site. A further comment calls for a high standard of development to preserve Etchinghill's character.

Policy ND14: Land adjacent to the Golf Course, Etchinghill

- 5.57 Policy ND14 allocates the site for 11 dwellings and includes criteria relating to archaeology, landscape impacts and the Kent Downs AONB. Seven comments have been submitted to this policy.
- 5.58 Pentland Homes Ltd supports the policy. Lyminge Parish Council supports the policy and wishes to see enhanced green spaces and planting within the site, and for the site to form an appropriate entrance to the village.
- 5.59 Southern Water states that it requires access to underground sewerage infrastructure for maintenance. KCC suggests amended wording relating to archaeology.
- 5.60 Two objections have been received citing impacts on the AONB and precedent for future development on the golf course. A comment highlights the need for traffic management in the village.

## **PART TWO – DEVELOPMENT MANAGEMENT POLICIES**

### **6. Introduction (Chapter 8)**

#### **Summary of consultation comments**

- 6.1 The Introduction to Part Two – Development Management Policies stresses that the policies provide a basis for considering planning applications for development within the whole plan area. The text emphasises that the PPLP should be read as a whole, with reference to all relevant policies. Two comments have been submitted to the Introduction.

6.2 Hythe Civic Society states that the plan gives insufficient attention to infrastructure needs and inadequate infrastructure will be compounded by the level of new development. London Ashford Airport states that it is imperative that policies should be supportive of new development and not be unduly prescriptive.

## 7. Housing and Built Environment (Chapter 9)

### Summary of consultation comments

7.1 This chapter sets out 11 development management policies relating to: design; development affecting residential gardens; alterations and extensions; space standards; and gypsy and traveller accommodation.

7.2 Four general comments state that:

- A new policy is needed to ensure that a mix of housing types, tenures and sizes is provided;
- Policy requirements will mean that lengthy negotiation will be needed on proposed schemes;
- There is a need for a policy to protect residential amenity; and
- The expansion of London Ashford Airport and its potential impacts needs to be taken into account when considering amenity.

7.3 Five comments have been made in relation to the supporting text, Accessible Dwellings and Water Efficiency (paragraphs 9.46-9.49). Rother District Council states that it is also seeking higher levels of water efficiency. The Home Builders Federation states that the policy is contrary to national policy. CPRE Shepway states that the policy needs clarifying. The Environment Agency provides detailed comments on the standards proposed. A comment states that the requirement is unclear and likely to be contrary to national policy. (Some of these comments are repeated in responses to policy CC2: Sustainable Construction – see below.)

7.4 The Kent Downs AONB Unit has submitted a comment in relation to the supporting text, Affordable Housing and Starter Homes (paragraphs 9.50-9.54). This states that the Council should be seeking to retain a lower site size threshold for the provision of affordable housing on sites within the AONB.

#### Policy HB1: Quality places through design

7.5 Policy HB1 sets out a number of general design criteria to guide developments. 19 comments have been made to this policy.

7.6 Comments raise a number of issues including the need for accurate drawings on submission of planning applications and for development to sit well with neighbouring properties; Hythe is highlighted. Comments state that high quality materials are essential and that maintenance should be considered at the outset; the Bayeuxfields development in Hawkinge is mentioned in this regard.

- 7.7 A comments state that traffic impacts have been ignored, while another comment states that cycling is emphasised to the detriment of other forms of transport.
- 7.8 CPRE Shepway states that greater emphasis should be given to local distinctiveness and issues such as light pollution and tranquillity.
- 7.9 A comment highlights the increasing demand for retirement accommodation.
- 7.10 Sandgate Parish Council welcomes reference to the Sandgate Design Statement in supporting text. Hythe Town Council supports the policy, while New Romney Town Council considers it could be improved by reference to Town and Village Design Statements and Neighbourhood Plans. A comment states that it would be helpful if a general design guide were in place for Shepway District.
- 7.11 A comment states that Village Design Statements and Neighbourhood Plans should supplement the policy rather than seek to inform it. A respondent objects to the statement that single aspect north-facing dwellings should be avoided, claiming that this is not justified by any evidence.

Policy HB2: Cohesive design

- 7.12 Policy HB2 sets out more detailed design considerations based on Building for Life 12 standards. Six comments have been made regarding this policy.
- 7.13 KCC states that greater emphasis should be given to the role of heritage assets. CPRE Shepway states that the policy should highlight the need for new developments to respond to landscape character and that more sustainable forms of travel should be promoted. A comment states that public transport is unsuitable for some groups, such as the elderly, and another respondent maintains that too much emphasis is placed on cycling in the PPLP. A comment adds that amenity space needs to accommodate areas for outdoor facilities to dry clothes naturally.
- 7.14 Hythe Town Council supports the policy.

Policy HB3: Development of residential gardens

- 7.15 Policy HB3 sets out criteria to judge proposals for the development of residential garden land. Six comments have been submitted relating to this policy.
- 7.16 The Sandgate Society states that the starting point of the policy should be that development proposals are not permissible in residential gardens. The Kent Downs AONB Unit argues that proposals should only be considered if they are within an existing town or village, rather than dwellings in the open countryside.
- 7.17 KCC states that greater emphasis should be given to the role of heritage assets.

- 7.18 Hythe Town Council strongly supports the policy; however, Sandgate Parish Council and CPRE Shepway object, stating that it is too permissive and would allow development in isolated, unsustainable locations.

Policy HB4: Alterations and extensions to existing buildings

- 7.19 Policy HB4 sets out criteria for judging proposals to alter or extend existing buildings, covering overshadowing, the design and scale of the extension, loft conversions, the location of garages and other considerations. Four comments have been submitted to this policy.

- 7.20 KCC maintains that the policy should take account of the historic environment in altering and converting buildings, and that garages should be set back at least six metres from the edge of the highway boundary.

- 7.21 Hythe Town Council supports the policy and Rother District Council notes that it is generally consistent with its own emerging Local Plan policy.

Policy HB5: Internal and external space standards

- 7.22 This policy requires that development meets or exceeds nationally described internal space standards. Four comments have been submitted to this policy.

- 7.23 Hythe Town Council states that the needs of people suffering from dementia need to be considered in the design of new communities. Rother District Council notes that the policy is generally consistent with its own emerging Local Plan policy.

- 7.24 The Home Builders Federation objects, stating that developers cannot be required to exceed national space standards. The Federation states that no justification for the policy is given and that it should be deleted.

Policy HB6: Self- and custom-build development

- 7.25 Policy HB6 requires that developers provide a percentage of dwelling plots for self- or custom-builders as part of new developments. Different thresholds are given for different areas of the district. Five comments have been made relating to this policy.

- 7.26 Two comments state that it is too prescriptive and should be made more flexible. A comment states that the provision of self-build plots is not a statutory requirement and no justification for the policy has been provided.

- 7.27 Invicta Self and Custom Build Ltd objects, stating that the policy would make the provision of self- and custom-build properties too dependent on the control of volume housebuilders and that the development of smaller sites should be encouraged instead.

Policy HB7: Local housing needs in rural areas

7.28 Policy HB7 sets out criteria for assessing proposals for local needs affordable housing in rural areas, as an exception to policies restricting development. Criteria in the policy cover: local needs; the scale of development; siting; and the control of occupancy, so that the homes remain available to meet local need. Four comments have been submitted to this policy.

7.29 The Kent Downs AONB Unit and Hythe Town Council support the policy. KCC states that reference should be added to the historic environment. CPRE Shepway makes several comments, stating that reference should be made to *Rural Homes: Supporting Kent's Rural Communities*, that Parish Council support should be required and that some element of cross-subsidy may be appropriate.

#### Policy HB8: Residential development in the countryside

7.30 Policy HB8 sets out criteria for proposals for replacement dwellings in the countryside. Three comments have been submitted to this policy.

7.31 KCC maintains that development between villages and among farm buildings may sometimes be consistent with the historic character of the area, and reference should be made to the Kent Farmsteads Guidance produced by Historic England, KCC and the Kent Downs AONB Unit. CPRE Shepway states that policies need to be developed to cover proposals for rural workers' dwellings, the reuse of redundant buildings and the development of buildings of exceptional quality. Hythe Town Council supports the policy.

#### Policy HB9: Conversion and reconfiguration of residential care homes and institutions

7.32 Policy HB9 sets out a number of criteria relating to the conversion of residential care homes (C2 use) to residential (C3), hotel (C1) or non-residential institutional use (D1).

7.33 One supporting comment has been received from Hythe Town Council.

#### Policy HB10: Development of new or extended residential institutions (C2 use)

7.34 Policy HB10 sets out a number of criteria relating to the development of new residential institutions or the conversion of existing properties to residential institutional use.

7.35 One supporting comment has been received from Hythe Town Council.

#### Policy HB11: Accommodation for Gypsies and Travellers

7.36 Policy HB11 sets out general criteria that will be used to judge proposals for Gypsy and Traveller accommodation relating to design, location of proposed sites and amenity. Four comments have been received to this policy.



7.37 Hythe Town Council supports the policy. One comment states that there is a need for transit pitches that is not addressed in the policy. One comment states that sites should be allocated to address the need for traveller accommodation, rather than relying on a general development management policy. Southern Water supports requirements relating to flood risk and foul water.

## **8. Economy (Chapter 10)**

### **Summary of consultation comments**

8.1 This chapter sets out eight policies covering a range of issues including the protection of existing employment sites, tourism development, hotels and guest houses, caravan sites, farm diversification, farm shops, the reuse of rural buildings and the provision of broadband services.

8.2 A number of general points have been made to the supporting text of the chapter:

- KCC has submitted a number of comments stressing the value of the district's heritage assets to tourism, highlighting Folkestone Harbour, the Martello Towers and the Royal Military Canal (at the east end), Romney Marsh and historic villages; the value of rural buildings and historic farmsteads is also emphasised;
- London Ashford Airport states that the economic importance of the airport is not recognised and it needs a specific allocation;
- A comment states that not enough consideration has been given to agriculture and that the loss of agricultural land for proposals such as the lorry park is short-sighted;
- A comment regrets lack of support for the business plans of the Shorncliffe Trust; and
- A comment states that reference is needed to the Council's 2016 Employment Land Review.

8.3 At the end of the chapter seven options are given, which were presented in the Issues and Options PPLP and informed the development of the Preferred Options plan. London Ashford Airport has submitted comments on this section which argue that:

- Economic development proposals outside town centres, particularly innovative and knowledge-based developments, should not be restricted;
- Businesses should not be burdened with environmental regulations as viability is marginal in the district; and
- A flexible approach is needed to secure investment, particularly for small- and medium-sized businesses.

#### Policy E1: Employment sites

- 8.4 Policy E1 identifies a number of sites in Folkestone, Hawkinge, Hythe, New Romney and Lydd to be protected for business use. Six comments have been submitted to this policy.
- 8.5 One comment objects, stating that the policy only protects sites and does not set out a positive vision of economic growth. Shepway Green Party states that unless the Council can produce a more meaningful employment strategy increased housing development will not be sustainable. An objector states that the planning permission at Ingles Manor will see the closure of two successful businesses and up to 20 jobs lost.
- 8.6 London Ashford Airport objects, stating that the role of the airport is not recognised; it is a significant employer and has potential for the whole district.
- 8.7 Phides supports the policy, particularly the allocation of Link Park (Phases 1 and 2). Hythe Town Council states that Smiths Medical should be added to the sites identified in the policy.

#### Policy E2: Tourism

- 8.8 Policy E2 contains criteria relating to development for hotels, guesthouses, bed and breakfast, self catering accommodation and new visitor attractions. Seven comments have been submitted to this policy.
- 8.9 A comment from the Kent Downs AONB Unit states that the policy needs to consider proposals for sustainable tourism in the AONB but that any proposals should conserve and enhance the landscape and scenic beauty of the AONB. Hythe Town Council states that the 'five stars' in Hythe need to be integrated (the beach, the canal, the Romney Hythe and Dymchurch Railway, the High Street and St Leonard's Church).
- 8.10 CPRE Sheway strongly objects, arguing that the policy does not provide sufficient safeguards to ensure that development is sustainably located. London Ashford Airport also objects, maintaining that the airport should be identified in this section as an important business within the district.
- 8.11 A comment expresses disappointment at a perceived lack of support for tourism within the district; an unwillingness to support the business plans of the Shornccliffe Trust is highlighted. Comments of Shepway HEART Forum also raise the efforts of the Shornccliffe Trust and state that developers have been permitted to dictate the form of development at the Garrison.
- 8.12 KCC maintains that the district's heritage is one of its strongest attractions and this should be recognised in the policy.

#### Policy E3: Hotels and guest houses

- 8.13 Policy E3 applies to changes of use which would result in the loss of visitor accommodation and considers the type of accommodation and its location in relation to areas of tourist activity. Two comments have been received to this policy.

- 8.14 Hythe Town Council supports the policy. London Ashford Airport states that new visitor accommodation should be supported but there should be no presumption in favour of retaining existing uses, so that the best use can be made of previously developed land.

Policy E4: Touring and static caravan sites

- 8.15 Policy E4 sets out a number of criteria to manage the upgrading of existing caravan sites and changes of use to residential. Three comments have been submitted to this policy.
- 8.16 Hythe Town Council supports the policy. A supporting comment from the Kent Downs AONB Unit suggests amended wording to protect landscape character. CPRE Shepway objects, stating that owners of caravan sites proposing a change to residential use should have to demonstrate that they have marketed the site appropriately before permission would be granted.

Policy E5: Farm diversification

- 8.17 Policy E5 sets out a number of criteria to manage proposals for farm diversification, such as landscape character, access, parking and viability of the farm unit. Two comments have been submitted to this policy.
- 8.18 Hythe Town Council supports the policy. CPRE Sheway objects, stating that the policy needs to reference the impact of traffic on rural lanes and historic assets and their setting.

Policy E6: Farm shops

- 8.19 Policy E6 sets out criteria to assess proposals for retail use on farms to protect existing town and village centres. The only response is from Hythe Town Council, stating that it has no view on the policy.

Policy E7: Reuse of rural buildings

- 8.20 Policy E7 sets out a number of criteria to manage the reuse of rural buildings, covering their character, access, the significance of the farmstead and other considerations. Four comments have been submitted to this policy.
- 8.21 Hythe Town Council states that it does not have a view on the policy. CPRE Shepway argues that additional points should be added to protect rural lanes from increased traffic and in relation to protected species, such as bats.
- 8.22 Rother District Council supports the policy, stating that its 'business first' approach is consistent with its own policies. A comment states that the policy is unduly restrictive, as national policy allows for residential reuse in certain circumstances.

Policy E8: Broadband provision

8.23 Policy E8 seeks provision of highest speed broadband infrastructure as part of new developments. Two comments have been submitted to this policy.

8.24 Hythe Town Council supports this policy. KCC states that the policy's wording would miss opportunities to significantly improve infrastructure; the County Council highlights Ashford Borough Council's broadband policy as a good example to follow.

## **9. Community (Chapter 11)**

### **Summary of consultation comments**

9.1 This chapter sets out five policies covering: public art; the protection of community facilities; the provision of open space; the provision of formal play space; and Local Green Spaces.

9.2 A number of comments have been made to the supporting text of the chapter:

- Sport England highlights that the Council's existing Playing Pitch Strategy dates from 2011 and warns that it is likely to object to any local plan that comes forward without a robust evidence base;
- London Ashford Airport states that the Council should not regulate development unless absolutely necessary;
- KCC states that it is undertaking work with other districts and the Kent Garden Trust to identify Local Green Spaces and would like to work with Shepway District Council on the survey. The County Council also states that the historic environment is vital in creating a sense of place;
- A comment nominates the former Rugby Club grounds at Dymchurch Road, St Mary's Bay as a Local Green Space;
- Two comments state that the Open Space Study needs to be completed before the Council allocates sites for development, and a comment states that the space at Princes Parade is vital for local people;
- A comment states that the Council is delaying the identification of Local Green Spaces as planning applications are made on them; and
- A comment objects to reference to sports facilities at Princes Parade, stating that it is an excellent natural open space.

9.3 The Community chapter includes a number of options presented in the Issues and Options PPLP which informed the development of the Preferred Options plan. Six respondents having commented on Option 24, relating to Hythe, to express their objections to proposals for Princes Parade.

#### Policy C1: Creating a sense of place

9.4 Policy C1 sets out requirements for major developments to contribute towards creating a sense of place through landscaping, public art, water features or lighting. Three comments have been submitted to this policy.

9.5 Hythe Town Council supports the policy. The Home Builders Federation objects, stating that there is duplication with the Community Infrastructure

Levy (CIL) Regulation 123 list, which also seeks contributions to public realm improvements. These objections are echoed by London Ashford Airport. Taylor Wimpey suggests wording changes to bring the policy into line with national policy, which allows for other ways to create a sense of place, and to stress links with applicants' Design and Access Statements.

#### Policy C2: Safeguarding community facilities

- 9.6 Policy C2 seeks to prevent the loss of community facilities and requires that they have been marketed at an appropriate price and that alternative facilities are provided.
- 9.7 One comment of support, from Hythe Town Council, has been submitted to the policy.

#### Policy C3: Provision of open space

- 9.8 Policy C3 requires the provision of open space as part of new developments of five or more dwellings, in accordance with Fields in Trust guidance. Three comments have been submitted to this policy.
- 9.9 Shepway Green Party objects, stating that meaningful consultation on the policy cannot be undertaken without the updated requirements from the latest open space study. Hythe Town Council considers that the statement allowing transfer of spaces to Town or Parish Councils "*in certain cases*" needs clarification. The Home Builders Federation states that the policy is unsound because it would not meet the tests of necessity in the NPPF; it notes that the CIL Regulation 123 list already requires contributions to open space.

#### Policy C4: Formal play space provision

- 9.10 Policy C4 seeks the provision of formal play space provision as part of new developments. A table sets out where contributions will be required and the minimum sizes of facilities. Two comments have been submitted to this policy.
- 9.11 Hythe Town Council states that facilities for 'adult play' need to be added; fitness facilities in Oaklands Park are given as an example. The Home Builders Federation objects to the policy, stating that it would not meet the tests of necessity in the NPPF; it notes that the CIL Regulation 123 list already requires contributions to open space.

#### Policy C5: Local Green Spaces

- 9.12 Policy C5 sets out that Local Green Spaces will be protected from development other than in certain limited circumstances. Seven comments have been submitted to this policy.
- 9.13 A comment states that the policy should be stricter and no development should be allowed on the spaces. A comment states that proposals for Princes Parade (policy UA25) would be inconsistent with this policy.

- 9.14 Hythe Town Council considers that the point relating to loss of ecological habitats is too strict and that the policy should allow for compensatory habitat to be provided elsewhere. Hythe Neighbourhood Plan Group states that the Green Infrastructure Strategy needs to be completed before Local Green Spaces can be identified.
- 9.15 Southern Water objects to the policy, arguing that it would restrict the delivery of essential infrastructure. KCC seeks inclusion of heritage assets and their setting within the policy.

## **10. Transport (Chapter 12)**

### **Summary of consultation comments**

- 10.1 This chapter sets out five policies covering topics including street layout, residential parking, residential garages, lorry parking and cycle parking.
- 10.2 33 comments are made relating to the general text of the chapter, including a number of detailed points regarding traffic and parking problems in Hythe.
- 10.3 Other comments argue that:
- Proposals to encourage more sustainable transport must be put into practice at an early stage in every development;
  - Developments should provide open 'car port' structures rather than garages, street furniture should be dealt with through reserved matters to avoid clutter, bin stores should be provided and developers should be required to upgrade bus stops where these fall below standard;
  - There is an over-emphasis on cycling, as the topography of the district does not support cycling;
  - Parking guidance is inadequate and standards should encourage more spaces serving larger dwellings to deter on-street parking;
  - The importance of London Ashford Airport needs to be recognised and supported in policy; and
  - Reference should be made to *Rural Streets and Lanes: A Design Handbook* (Kent Downs AONB Unit).

### Policy T1: Street hierarchy and site layout

- 10.4 Policy T1 sets out a number of criteria relating to the design of streets in new developments. Five comments have been submitted to this policy.
- 10.5 CPRE Kent supports the policy. Cycle Shepway expresses support for the aim to make streets safer for walkers and cyclists. A comment states that there is a need to improve cycling infrastructure across the district.
- 10.6 A comment states that the policy should consider the option of 'play streets' for new residential areas to encourage children to play outside.
- 10.7 A comment states that the plan should avoid being unnecessarily restrictive and that road layouts should be considered on a site-by-site basis.

#### Policy T2: Residential parking

- 10.8 Policy T2 sets out criteria governing residential parking relating to layout, parking structures, charging points for electric vehicles and covered cycling parking. Five comments have been made relating to this policy.
- 10.9 Hythe Town Council strongly supports the policy. A respondent states that the policy needs to define what is meant by 'sufficient' parking for residents and visitors. A comment states that enforcement is essential if people are to be deterred from parking on-street. A comment states that tandem on-plot parking for homes should not be encouraged.
- 10.10 A respondent argues that it is unclear what parking standards are being applied: the supporting text states that KCC's Interim Guidance Note 3 (IGN3) provides "*an appropriate foundation*" but that this is indicative and "*there is scope for adaption*", while the policy itself does not refer to IGN3. The comment also challenges criteria relating to the size of spaces, the requirement for electric charging points and for Transport Assessments for all applications regardless of size.

#### Policy T3: Residential garages

- 10.11 Policy T3 requires that residential garages are not included in the number of parking spaces and that they are of sufficient size to allow for car use and storage. Two comments have been received relating to this policy.
- 10.12 Hythe Town Council supports the policy. Another comment states that garages are typically too small to accommodate parking and storage, and that conversion of garages to habitable rooms should be resisted.

#### Policy T4: Lorry parking

- 10.13 Policy T4 sets out criteria for assessing applications for lorry parking including site access, noise mitigation, screening, lighting and site layout. Five comments have been submitted to this policy.
- 10.14 Hythe Town Council supports the policy. Shepway Green Party states that the policy needs to include criteria relating to air pollution and another comment states that local residents should not be subject to harmful levels of toxins from exhaust fumes.
- 10.15 The Kent Downs AONB Unit states that reference needs to be made to impacts on the AONB. Another comment states that policies should ensure that the public highway is not used inappropriately by Heavy Goods Vehicles.

#### Policy T5: Cycle parking

- 10.16 Policy T5 sets out standards for the provision of cycle parking as part of new developments. Four comments have been submitted to this policy.

- 10.17 Two comments support the policy, although one maintains that retail developments also need to provide cycle parking.
- 10.18 A comment states that covered cycle parking needs to be provided in town centres, particularly Hythe. One comment states that requirements relating to the design of cycle parking facilities and the size of garages are overly prescriptive.

## **11. Natural Environment (Chapter 13)**

### **Summary of consultation comments**

- 11.1 This chapter contains nine policies dealing with a range of topics including: managing access to the natural environment; biodiversity; landscape; equestrian development; light pollution; land stability; contamination; and coastal management.
- 11.2 A number of general comments have been made in relation to the supporting text of this chapter:
- Natural England states that a number of sites proposed in the plan could impact on local biodiversity and considers that greater importance should be given to Green Infrastructure;
  - CPRE Kent states that an additional policy is needed to ensure that development is only permitted if there is no adverse impact on internationally designated sites and that a coordinated approach is needed to marine planning;
  - Kent Wildlife Trust considers that greater clarity is needed regarding the management of access to Dungeness;
  - The Environment Agency suggests a number of detailed amendments to the supporting text;
  - KCC stresses that landscape character is the result of thousands of years of interaction between the natural environment and human action;
  - A respondent states that Princes Parade should be added to the list of coastal sites given protection in the plan;
  - The Kent Downs AONB Unit states that text relating to dark skies should include reference to the AONB; and
  - London Ashford Airport states that the Council should avoid regulating development unless it is absolutely necessary.

### Policy NE1: Enhancing and managing access to the natural environment

- 11.3 Policy NE1 highlights opportunities to improve access to the natural environment as part of new developments. 11 comments have been submitted to this policy.
- 11.4 Hythe Town Council supports the policy. Another supporting comment draws attention to the Cinque Ports Cycleway. The Environment Agency supports the policy, as does KCC, which wishes to see reference to its Countryside and Coastal Access Plan added. Kent Wildlife Trust supports



the policy and proposes amended wording to add clarity. Rother District Council supports reference to the Sustainable Access Strategy for the Dungeness Complex. Natural England welcomes the policy and believes that it will also relieve pressures on other designated sites, such as the Folkestone to Etchingill Escarpment Special Area of Conservation.

- 11.5 Other comments state that management of spaces cannot be achieved through the planning system and the policy therefore serves little purpose. CPRE Kent objects, stating that it considers that there is insufficient evidence to show that development will not have an adverse effect on internationally designated sites. Another comment states that not enough priority is given to protecting natural open space.

#### Policy NE2: Biodiversity

- 11.6 Policy NE2 sets out criteria that development must meet to safeguard and enhance biodiversity assets. 13 comments have been submitted to this policy.
- 11.7 The Environment Agency supports the policy but highlights other documents, such as the River Basin Management Plan, that could be referenced. Natural England supports the wide ranging considerations that the policy references.
- 11.8 KCC considers that the policy should be redrafted to be more specific and begin *“Planning permission will not be permitted unless ...”* rather than *“Planning permission will be granted ... where it can be demonstrated ...”* Rother District Council supports reference to the joint Sustainable Access Strategy work for the Dungeness Complex. Kent Wildlife Trust welcomes the policy and suggests detailed changes to wording. A comment supports the requirement to create new pollinator habitats.
- 11.9 Hythe Town Council considers that the policy should explain in what circumstances the benefits of development could outweigh adverse impacts on biodiversity. Two comments reference Princes Parade and state that development on that site would be ruled out by the policy. CPRE Kent states that the policy needs to provide more detailed guidance and additional references, for example to ancient woodland.
- 11.10 London Ashford Airport states that biodiversity analysis can only work on a case-by-case basis. The Home Builders Federation argues that the policy does not meet national guidance and is too broadly drawn, encompassing all development proposals regardless of impact.

#### Policy NE3: To protect the District’s landscapes and countryside

- 11.11 Policy NE3 sets out criteria relating to development affecting the Area of Outstanding Natural Beauty, Special Landscape Areas and Local Landscape Areas. Nine comments have been submitted to this policy.

- 11.12 The Kent Downs AONB Unit supports the policy and suggests amendments, including the addition of reference to tranquillity. CPRE Kent also seeks reference to tranquillity in the policy and states that an up-to-date landscape assessment is needed for the whole district. Natural England supports the policy and states that it should be strengthened by reference to the tests in the National Planning Policy Framework related to major developments in the AONB. Hythe Town Council puts forward an amendment for clarity. KCC considers that a Historic Landscape Characterisation Assessment is needed.
- 11.13 Two comments state that Princes Parade should be included as a Local Landscape Area. Other respondents put forward areas for protection, including the Mill Lease Valley (incorporating the proposed allocation UA22: Land at Station Road, Hythe) and Saltwood Care Centre, Hythe (proposed allocation UA23). London Ashford Airport states that there is no requirement to develop policies relating to landscape areas outside the AONB.

#### Policy NE4: Equestrian development

- 11.14 Policy NE4 puts forward a number of criteria to assess proposals for equestrian development, including landscape and local amenity impacts, links to the existing bridleway network and other considerations. Three comments have been submitted relating to this policy.
- 11.15 Hythe Town Council and KCC support the policy. CPRE Kent objects to the policy, stating that control of lighting should be given more emphasis.

#### Policy NE5: Light pollution and external illumination

- 11.16 Policy NE5 applies to applications for major development incorporating significant external lighting. The policy requires that applications include a lighting assessment and sets out a table of different zones where different lighting levels would be appropriate. Five comments have been submitted to this policy.
- 11.17 Shepway Green Party and Hythe Town Council support the policy. The Environment Agency states that the policy needs to refer to water courses as well as other habitats. CPRE Kent states that the policy should be amended to refer to local character, the amenity of residents and wildlife habitats for feeding, roosting and breeding. London Ashford Airport considers that the policy is too restrictive and would impact on the airport's operations. Highways England comments on supporting text and expresses concerns that restrictions will impact on the safe and efficient operation of the strategic road network.

#### Policy NE6: Land stability

- 11.18 Policy NE6 sets out requirements relating to development proposals in areas of land instability. In these circumstances a land stability or slope stability risk assessment is necessary. Three comments have been submitted in relation to this policy.

- 11.19 Hythe Town Council supports the policy. A comment states that development at Princes Parade would not conform to the policy. London Ashford Airport states that the policy is too prescriptive.

Policy NE7: Contaminated land

- 11.20 Policy NE7 requires applicants to undertake a site assessment where there is good reason to suspect that contamination may exist. Mitigation measures are also outlined. Four comments have been submitted relating to this policy.
- 11.21 One comment states that the criteria could not be met for Princes Parade and therefore the site should not be developed. Hythe Town Council suggests that the policy should require that mitigation measures should not damage historic artifacts. The Environment Agency states that it may require appropriate conditions on any planning application.
- 11.22 London Ashford Airport considers that the policy is too prescriptive.

Policy NE8: Integrated Coastal Zone Management

- 11.23 Policy NE8 sets out general objectives relating to development in coastal areas, and promotes Integrated Coastal Zone Management with partner organisations. Six comments have been submitted regarding this policy.
- 11.24 The Marine Management Organisation has submitted a standard response, referring to its work producing Marine Plans. Rother District Council welcomes the policy. KCC seeks reference to the English Coast Path National Trail in the wording and states that flood mitigation measures need to take account of heritage assets as many of Shepway's most important assets are located along the coast. The Environment Agency gives its qualified support but emphasises that marine wildlife needs to be considered.
- 11.25 Other comments give support to the Cinque Ports Cycleway and state that air pollution from shipping needs to be considered in the policy.

Policy NE9: Development around the coast

- 11.26 Policy NE9 sets out more detailed criteria covering coastal development on the Folkestone and Dover Heritage Coast and other areas of undeveloped coast. Criteria cover landscape, nature conservation and areas of geological interest. Safeguarding zones are set out to allow for maintenance of sea defences. Four comments have been submitted to this policy.
- 11.27 Hythe Town Council supports the policy. The Environment Agency states that the proposed safeguarding zones could also be considered for their ecological potential. KCC welcomes the policy's support for the Heritage Coast designation but seeks an amendment to refer to the 'English Coast Path National Trail' rather than the 'National Coastal Footpath'. A respondent states that the development of Princes Parade would be contrary to this policy.

## **12. Climate Change (Chapter 14)**

### **Summary of consultation comments**

- 12.1 This chapter sets out six policies dealing with topics such as reducing carbon emissions, sustainable construction, Sustainable Drainage Systems (SuDS) and wind turbines.

#### Policy CC1: Reducing carbon emissions

- 12.2 Policy CC1 sets out requirements for new build dwellings to reduce carbon emissions through the use of renewable energy technologies. 11 comments have been made relating to this policy.
- 12.3 Hythe Town Council and the Kent Downs AONB Unit support the policy. CPRE Kent states that reference should be made to the energy hierarchy and decentralised energy and that the targets should be more ambitious. Two comments state that the policy should be more ambitious and another maintains that more emphasis is needed on energy efficiency. One comment states that facilities for composting need to be provided. KCC states that it wishes to work with the Council to produce a Renewable Energy Strategy.
- 12.4 The Home Builders Federation and London Ashford Airport state that the policy is too prescriptive and goes beyond what can be required by national guidance.
- 12.5 A comment states that it is unclear whether the policy is applicable to Reserved Matters following the granting of outline permission.

#### Policy CC2: Sustainable construction

- 12.6 Policy CC2 sets out a number of criteria relating to: sustainable construction including water usage; adaption to the changing needs of the occupants; use of recycled materials in construction; passive solar design; climate change adaption; and other factors. 10 comments have been made relating to this policy.
- 12.7 Shepway Green Party and Hythe Town Council consider that the policy gives too much flexibility to developers.
- 12.8 The Home Builders Federation considers that the policy's water efficiency requirements go beyond what is required by Building Regulations and that the policy is too vague; the Federation calls for it to be deleted.
- 12.9 CPRE Kent makes suggestions for clarifying and strengthening the policy and proposes that requirements for rainwater collection are added. Hythe Civic Society stresses that Shepway is one of the driest places in the country and it does not see how the water needs of additional housing at Otterpool Park can be provided for. The Society adds that facilities for the storage of grey water run-off need to be added as a requirement of policy.

- 12.10 The Environment Agency states that there is confusion over the standards for water use specified in the policy. KCC welcomes reference to the historic and built environment in the policy and states that Climate Change Risk Assessments are needed for new developments.

Policy CC3: Sustainable Drainage Systems (SuDS)

- 12.11 Policy CC3 sets out criteria relating to the provision of Sustainable Drainage Systems (SuDS) as part of new developments. Reference is made to CIRIA (the Construction Industry Research and Information Association) guidelines and KCC's policies on sustainable drainage. Seven comments have been received regarding this policy.
- 12.12 Hythe Town Council supports the policy. KCC also welcomes that policy, stating that it supports the County Council's role as Lead Local Flood Authority. A supporting comment states that there is no requirement to regulate above what is required in Building Regulations.
- 12.13 A comment states that the policy could introduce requirements relating to the capture of rainwater and the use of permeable surfaces. CPRE Kent states that the policy could be reordered to encourage a hierarchical approach to SuDS provision. An objecting comment states that the policy is unclear and should be deleted.
- 12.14 A comment states that development on Princes Parade would conflict with point nine of the policy, relating to development adjacent to a water body.

Policy CC4: Wind turbine development

- 12.15 Policy CC4 states that the creation of wind turbine developments at community scale will be supported where sites are allocated in Neighbourhood Plans. Seven comments have been made relating to this policy.
- 12.16 The Kent Downs AONB Unit states that there should be a presumption against large scale wind turbine development in the AONB and other land affecting the setting of the AONB.
- 12.17 Hythe Town Council supports the policy, but stresses that the district is not covered by Neighbourhood Plans. Other respondents state that the policy should not be so restrictive, as Neighbourhood Plan coverage is not comprehensive. CPRE Kent states that there is a policy gap if applications are submitted in areas without Neighbourhood Plans.
- 12.18 London Ashford Airport states that the policy needs to take account of aircraft navigation and the operation of the airport.

Policy CC5: Domestic wind turbines and existing residential development

- 12.19 Policy CC5 sets out criteria for development involving wind turbines to serve existing dwellings, including impacts on nearby dwellings, heritage

assets, the AONB and other considerations. Three comments have been submitted to this policy.

- 12.20 The Kent Downs AONB Unit supports the policy and suggests wording changes to reference landscape character. Hythe Town Council considers that the policy should take into account impacts on electrical and communications systems. CPRE Kent objects to the policy stating that it is unclear.

#### Policy CC6: Solar farms

- 12.21 Policy CC6 sets out criteria for the development of new solar farms or extensions to existing installations. Criteria include impact on amenity, the AONB and ecology. Four comments have been submitted to this policy.
- 12.22 The Kent Downs AONB Unit supports the policy and suggests wording changes to reference landscape character; it adds that the Council should explore the use of bonds to ensure that installations are removed when no longer operational.
- 12.23 A comment states that the policy could be improved by encouraging community-owned solar farms (Orchard Community Energy's solar farm near Swale is given as an example). CPRE Kent put forward a number of amendments that seek to prioritise previously-developed land for solar development and include reference to heritage assets and valued landscapes.

### **13. Health and Wellbeing (Chapter 15)**

#### **Summary of consultation comments**

- 13.1 This chapter introduces four policies covering proposals for new hot food take-away shops, a requirement for Health Impact Assessments as part of larger developments, food growing and public rights of way.
- 13.2 Some general comments have been submitted to this chapter, highlighting pressures on doctors' waiting lists and primary health care facilities.

#### Policy HW1: Promoting healthier food environments

- 13.3 Policy HW1 sets out requirements covering the development of hot food takeaways near primary and secondary schools. Other criteria cover impacts on town centres, amenity, parking, fumes and refuse disposal. Four comments have been received relating to this policy.
- 13.4 Hythe Town Council makes a number of comments questioning how the policy would be applied. Kentucky Fried Chicken objects to the policy stating that it is not justified and there is no evidence for the exclusion distance that the policy seeks to enforce (400 metres from school premises).

#### Policy HW2: Improving the health and wellbeing of the local population and reducing health inequalities

13.5 Policy HW2 requires that residential developments of 100 or more dwellings or non-residential developments in excess of 1,000sqm will require a Health Impact Assessment. Four comments have been received relating to this policy.

13.6 Hythe Town Council supports the policy. A comment states that smaller developments cumulatively contribute to pressure on services, such as hospital capacity, and these developments also need to be considered. Other comments state that air quality needs to be monitored to protect residents' well being.

#### Policy HW3: Development that supports healthy, fulfilling and active lifestyles

13.7 Policy HW3 seeks to provide for and protect areas for food growing, such as allotments and the best and most versatile agricultural land. Five comments have been submitted to this policy.

13.8 Folkestone Town Council seeks the protection of Park Farm Road and Tile Kiln Lane allotments. Hythe Town Council supports the policy. Other comments state that demand for allotments will increase with an increasing population and that proposals such as the lorry park run counter to the intention to protect agricultural land.

#### Policy HW4: Protecting and enhancing rights of way

13.9 Policy HW4 seeks the provision of new cycling and walking routes as part of new development and aims to protect existing routes. Three comments have been submitted to this policy.

13.10 Hythe Town Council supports the policy. One comment suggests that reference should be made to the Council's approved Cycle Plan. An objector states that there is an over-emphasis on cycling in the plan.

### **14. Historic Environment (Chapter 16)**

#### **Summary of consultation comments**

14.1 This chapter contains four policies which deal with: heritage assets; archaeology; the Local List of buildings and sites of architectural or historic interest; and communal gardens.

14.2 A number of general comments have been made against the supporting text of this chapter:

- CPRE Kent considers that more guidance is needed on the consideration of setting in decision making, significance of the asset, cumulative change and substantial harm;
- Go Folkestone Action Group states that insufficient attention is given to the heritage of Folkestone;
- Historic England makes a number of points including that: the historic environment is a part of the environmental dimension of sustainable

development; more reference needs to be made in diagrams and text to scheduled monuments; the Kent Historic Towns Surveys mentioned in the text are not comprehensive and up-to-date; detail wording changes are also suggested;

- KCC and Historic England state that undesignated archaeological assets need to be taken into account and also have protection;
- KCC makes a number of points relating to the Heritage Strategy and Local List guidance and urges the Council to adopt these documents as Supplementary Planning Documents (Tunbridge Wells Borough Council's Local List document is cited as a good example);
- Other comments state that heritage considerations have not been given weight in decisions on Shorncliffe Garrison or proposals for Princes Parade and Sandgate is suffering from piecemeal destruction of its Conservation Area; and
- Respondents argue that the public should be involved in determining which assets are included on the Local List and that it would be more meaningful to have the Heritage Strategy in place before consultation on the PPLP.

#### Policy HE1: Heritage Assets

- 14.3 Policy HE1 encourages the reuse of heritage assets to prevent damage through neglect. Seven comments have been submitted to this policy.
- 14.4 Two comments state that the development of Princes Parade will not meet the requirement of the policy to protect and conserve heritage assets. Another comment states that the principles behind the policy have not been observed in the development of Shorncliffe Garrison or proposals for Princes Parade.
- 14.5 Hythe Town Council supports the policy. Historic England states that the wording needs to be tightened to state that some assets need to be conserved for their significance alone rather than their potential for reuse. KCC states that the policy should be modified to emphasise that it is the *significance* of the heritage asset which needs to be considered in decision-making. Shepway HEART Forum states that it supports the creation of Local Lists and argues that the re-use of historic buildings should be fully explored before proposals for demolition are considered.

#### Policy HE2: Archaeology

- 14.6 Policy HE2 requires assessment of archaeological assets, field evaluations and the preservation of archaeological remains, where appropriate. Six comments have been submitted to this policy.
- 14.7 A comment states that the development of Princes Parade would not be in accordance with this policy.
- 14.8 Hythe Town Council supports the policy. Historic England states that the policy is acceptable. Kent County Council welcomes the policy, but suggests detailed wording changes to stress that it is the *significance* of the



archaeological asset that needs to be considered. Shepway HEART Forum states that it supports the creation of Local Lists and the re-use of historic buildings before proposals for demolition are considered.

Policy HE3: Local List of Buildings and Sites of Architectural or Historic Interest

- 14.9 Policy HE3 seeks to protect and conserve the particular characteristics of buildings or sites on the Local List. Three comments have been submitted to this policy.
- 14.10 Shepway HEART Forum states that it supports the creation of Local Lists. KCC states that the policy should relate to a 'Local List of Heritage Assets' as the list may cover more than buildings and sites of architectural or historic interest, and the policy should stress 'significance' rather than 'characteristics'.
- 14.11 Taylor Wimpey states that HE3 is unjustified and incompatible with national policy in that the policy preempts the Heritage Strategy evidence base that will support it.

Policy HE4: Communal Gardens

- 14.12 Policy HE4 seeks to preserve historic gardens in the west end of Folkestone and highlights eight gardens that will be protected under the policy. Two comments have been submitted to this policy.
- 14.13 Shepway HEART Forum states that most of the gardens would be protected as they are under estate ownership; however, it is stated that Westbourne Gardens should be considered as a special case and that the Council should compulsorily purchase the gardens and transfer ownership to a community group. The Trustees of Viscount Folkestone states that the term 'communal' is misleading as the gardens are owned by the Trustees and so are private.

**Appendix 4: Summary of Comments Received During 2016 Preferred Options  
PPLP Consultation Exhibitions**

### **Urban Area (Hythe) – Princes Parade**

- The need for more houses is not a sufficient reason to ruin Princes Parade NO houses should be built on Princes Parade
- What will the effect of the weight and pressure on the waste disposal site and water table at Princes Parade
- Please do not ruin for ever Princes Parade which will happen if you build along our lovely seafront
- Princes Parade not a viable option
- Please build on land that people do not use i.e. do not reduce the amount of land available for human use. From your map Princes Parade is one of these sites that should not be changed
- Save Princes Parade because children play there and we need more green space!
  - The swimming pool is a Trojan Horse to build 150 houses with concrete garden.
  - Princes Parade is unsuitable for housing development also for a swimming pool and sports centre. Some years ago a pool was built on a former landfill site near Dartford – it sank... The proposed plans for development around the town do not consider the effect on traffic. Hythe is full to bursting already!
  - What about land contamination; traffic issues for Princes Parade and Seabrook Road area?
  - Swimming pool need to be located to the West of Hythe to be accessible to residents of Romney and Dymchurch
  - Is the land cap going to be soil? This would not be suitable to contain gases

### **Urban Area – Other**

- Improvement to main road (Seabrook Road)
- Horn Street Bridge completely inadequate
- East Folkestone – put the station back so East Folkestone can have easy access to rail travel
- Infrastructure for traffic wholly inadequate – traffic lights at Stade Street A259 junction
- Junction of Hospital Hill and Horn Street – 1200 houses
- Need to sort infrastructure out before any proposed new development. Hythe cannot cope now
- All developments proposed for Hythe make sense
- ONE road serves Hythe, Dymchurch and New Romney. Infrastructure needed
- A259 new crossing needed Prince of Wales Pub
- Build ring road to avoid A259 bottle neck at Scanlon's Bridge – Plans were made some years ago? Botolph's Bridge

### **Romney Marsh**

- Swimming pool needs to be located to the West of Hythe to be accessible to residents of Romney and Dymchurch
- ONE road serves Hythe, Dymchurch and New Romney. Infrastructure needed
- RM4 land ownership issues and investigation of pond on site

- RM5 land ownership issues
- Traffic congestion issues at junction of Station Road, High Street & Dymchurch Road in New Romney

### **North Downs**

- No huge housing development at Westenhanger (or Lorry Park either)

### **General Comments**

- What impact will there be on school places, hospitals and other services?
- Map should have key to identify sites – so difficult to comment
- Essential to get transport infrastructure in place BEFORE considering any further developments as per NPPF paragraph 32
- Any development of 80+ dwellings should have a full transport assessment which should assess traffic impact and transport integrity

**Appendix 5: Meeting the District's Housing Needs  
2017 Submission Draft Places and Policies Local Plan**

## Meeting the District's Housing Needs

The Core Strategy sets out the broad framework for new housing development across the district and this is broken down proportionally for the different character areas as follows:

- Urban Area - 75 per cent of new residential development (to the nearest 5 per cent);
- Romney Marsh Area - 10 per cent of new residential development (to the nearest 5 per cent); and
- North Downs Area - 15 per cent of new residential development (to the nearest 5 per cent).

The table below sets out the housing land supply position for the Submission Draft Places and Policies Local Plan, using information from the monitoring year 2015/16 (this will be updated as new monitoring information becomes available).

The table shows the Core Strategy housing requirement for the three character areas in the left hand column (column A). The table then totals the new housing development that has already taken place since the base date of the Core Strategy in 2006 through completed dwellings, as well as sites under construction and unimplemented permissions at 2016 (columns B, C and D). To this total is added the allocations in the Submission Draft Places and Policies Local Plan and an allowance for the Core Strategy strategic site at New Romney, excluding those sites that had planning permission in 2016 (column E).

An allowance is made for 'windfall' delivery (small sites of 1 to 4 dwellings that are not allocated but continue to come forward for development) in accordance with the Core Strategy (column F). The right hand column (column G) gives the total projected supply over the Core Strategy plan period (2006-2031).

Regarding the figures it should be noted that:

- An allowance of 10 per cent has been made for non-delivery for permissions that have not started on site (column D) and for the Local Plan and Core Strategy allocations (column E). The allowance for non-delivery is a conservative estimate to take account of planning permissions that may lapse (where development does not start before the date specified in the permission) and allocated sites that may be developed for fewer homes than identified in the relevant policy or where delivery extends beyond the end of the plan period;
- Smaller sites have been deducted from the outstanding permissions (column D) to avoid any potential double-counting with the windfall allowance (column F); and
- The windfall allowance is as set out in the Core Strategy and supporting evidence, where just under 1,000 dwellings is allowed for the final 13 years of the plan period (2018/19-2030/31).

Comparison of columns A and G shows that the Core Strategy's minimum housing land requirements will be met for all three character areas, with sufficient flexibility to take account of unforeseen circumstances.

<b>Places and Policies Local Plan - Housing Land Supply Position 2006-31</b>						
<b>Minimum Targets</b>	<b>Supply and Total Projected Delivery</b>					
<b>Number of homes (A)</b>	<b>(B) Completions 06/07-15/16</b>	<b>(C) Under construction at 2016</b>	<b>(D) Permissions not started at 2016</b>	<b>(E) Places &amp; Policies Local Plan/Core Strategy</b>	<b>(F) Windfall</b>	<b>(G) Total projected delivery (B + C + D + E + F)</b>
<b>Urban Area - 75 per cent of total (+/- 5 per cent)</b>						
<b>6,563</b>	1,713	629	3,063	927	637	<b>6,969</b>
<b>Romney Marsh Area - 10 per cent of total (+/- 5 per cent)</b>						
<b>875</b>	392	56	163	551	195	<b>1,357</b>
<b>North Downs Area - 15 per cent of total (+/- 5 per cent)</b>						
<b>1,313</b>	519	40	367	365	143	<b>1,434</b>
<b>District Total</b>						
<b>8,750</b>	2,624	725	3,593	1,623	975	<b>9,760</b>

**Appendix 6: New Sites Submitted During the 2016 Preferred Options Places  
and Policies Local Plan Consultation**



Ref	Title - land name	Address (rest of)	Approx. number dwellings	Site size (ha)	Assessment summary
PO1a	Sellindge West	Ashford Road Sellindge	10	0.52	<p>The site is open countryside and an outlying greenfield gap in the linear and sporadic development which has taken place along the Ashford Road (A20) in Sellindge. These gaps allow views to further open countryside and towards the AONB beyond, helping to maintain the rural feel and character of the village. The infill would merge two small pockets of existing development. However the Core Strategy (2013) focused on creating a central village core and a broad location was allocated. It was further suggested that the outlying pockets of development might have their settlement boundaries removed in the future. The allocation of this site would further reinforce the linear nature of the village and the lack of identify this has created in the past.</p> <p>The site is a fair walk away from the central Sellindge area where most of the facilities are located; however it is only a short walk away from the Church, Public House and Potten Farm shop.</p>
PO1b	Sellindge West	Ashford Road Sellindge		3.16	<p>The site is open countryside and an outlying greenfield gap in the linear and sporadic development which has taken place along the Ashford Road (A20) in Sellindge. These gaps allow views to further open countryside and the AONB beyond, helping to maintain the rural feel and character of the village. The infill would merge two small pockets of existing development. The site also extends further back and is not just infill but a large extension into the open countryside and the setting of the AONB beyond.</p> <p>The Core Strategy (2013) focused on creating a central village core and a broad location was allocated. It was further suggested that the outlying pockets of development might have their settlement boundaries removed in the future. The allocation of this site would further reinforce the linear nature of the village and the lack of identify this has created in the past.</p> <p>The site is a fair walk away from the central Sellindge area where most of the facilities are located however it is only a short walk away from the Church, Public House and Potten Farm shop.</p>

Ref	Title - land name	Address (rest of)	Approx. number dwellings	Site size (ha)	Assessment summary
PO3	Hawkinge East Revised	Hawkinge	50 (suggested by agent)	2.51	<p>The site adjoins the settlement boundary of Hawkinge, a rural centre in the North Downs Character Area with good facilities and transport links. The site is relatively close/ walkable to the centre of Hawkinge.</p> <p>The site has once again been revised and reduced in size to respond to the previous SHLAA conclusions, coming down from 10ha to 2.5ha. However the site is a greenfield expansion within the Kent Downs AONB and sequentially would not be a preferred site while there remain brownfield sites or sites within the settlement boundary.</p>
PO4	Land South West of Canterbury Road	Lyminge	50 (suggested by agent)	3.8	<p>The site would go against the current urban form in the area: to the south west the pattern of development is currently more open, resulting in encroachment into the countryside. In addition the site's impact on the AONB, potential archaeology and access difficulties require specific consideration and investigation.</p> <p>However Lyminge is a rural centre and has good facilities and transport links; this site adjoins the settlement boundary and is in easy walking distance to all the facilities. Subsequently further investigations needs to be carried out to explore if there are any options to accommodate five (or more) dwellings plus significant landscaping and open spaces in a low density scheme.</p>
PO5	Site at Red House Lane	Lyminge	8-10 (suggested by agent)	0.8	<p>This site is 'the wrong side' of the former Elham Valley Railway and development here would be encroachment into the countryside/AONB as there is very limited development to the East of Lyminge.</p>
PO8	Land rear of Touchwood	Stanford		0.9	<p>This is backland development located behind houses fronting Stone Street, so bounded by gardens on two sides and open countryside. Although centrally located in the village, it would act as a freestanding estate and there are very few facilities in Stanford.</p>
PO18	Land between Hillside and Brandet House	Rhee Wall Road, Brenzett		0.29	<p>The site is adjacent to open fields and development on the site would introduce built up development in an otherwise open landscape with sporadic housing outside the main built form of Brenzett. However, an adjacent site has been allocated as a preferred option and this would lessen the impact of the development of this frontage site on the wider landscape. These two sites could come forward together for a more cohesive</p>

Ref	Title - land name	Address (rest of)	Approx. number dwellings	Site size (ha)	Assessment summary
					layout.
PO19	Land adjacent to Framlea	Rye Road, Brookland	4	0.15	Despite not meeting the size threshold, there is potential for this site to come forward with the larger site allocated as a 'preferred option' to the north. These two sites could come forward together for a more cohesive layout. The site is in a sustainable location adjacent to existing residential use. Planning permission has previously been granted on the site for four dwellings.
PO20	Cherry Gardens	Littlestone		0.6	This site could be well integrated into the existing fabric and there are very few constraints apart from the protected trees running along the south east boundary. However, the site is not in close proximity to essential services.
PO21	Land behind Village Hall Car Park	Orgarswick Avenue, Dymchurch	8	0.4	The site is located within the settlement boundary of the Urban Centre of Dymchurch. The site is predominately residential in character, although some industrial/commercial use also exists nearby; it also performs well against a number of sustainability criteria, such as proximity to local services. However, the site falls within area of 'significant' flood risk under the SFRA 2115 and there is likely to be sequentially more appropriate alternatives.
PO23	Land at	Harden Road, Lydd		1	The site forms part of an existing employment designation, on the edge of, but within the settlement boundary of the Service Centre of Lydd. The site is in a sustainable location and is predominately residential in character, although some industrial/commercial use also exists nearby. It performs well against a number of sustainability criteria, such as proximity to essential services. Whilst the site is currently protected employment land, if an alternative employment site could be identified then there is potential for the site to come forward for residential use.

Ref	Title - land name	Address (rest of)	Approx. number dwellings	Site size (ha)	Assessment summary
PO24	Land at	Harden Road, Lydd		1.8	<p>The site is located adjacent to the settlement boundary of the Service Centre of Lydd.</p> <p>The site could potentially form an extension to the fairly recent Meadow View development to the west. However, this site is some distance from local services. There is also a slight concern over this site due to the potential for encroachment into the countryside. The light industrial works to the south-west will require some mitigation measures and careful site design/screening.</p> <p>Unlike a lot of land in this area, the site does not fall within Flood Zone 3 and only poses a Moderate Flood Risk the SFRA 2115.</p>
PO25	Land adjacent to	Josephs Way, New Romney		0.62	<p>The site is located within the settlement boundary of the Strategic Town of New Romney.</p> <p>The triangle-shaped former allotment site would form an extension to the recent neighbouring 'Church Lane' development. It represents an infill site that is well-bounded to the east and west by Mountfield Industrial Estate and existing residential areas respectively; therefore having little or no impact on the local landscape.</p> <p>The site performs well against a number of the sustainability criteria especially its proximity to local services within the town. Whilst its compatibility with the neighbouring employment uses has been raised as a potential concern, it is considered that any negative externalities could be minimised and/or mitigated through careful design (including screening).</p>
PO26	Cemex	Station Approach Road, Littlestone		1	<p>The site is located adjacent to the settlement boundary of the Strategic Town of New Romney/Littlestone.</p> <p>Whilst the site appears to be brownfield, it has since become naturalised and blended back into the landscape. The site is likely to require some remediation. Residential development in this location would have the effect of extending the linear development along Station Approach, perpendicular to the existing urban form, gradually increasing the pressure to urbanise the undeveloped area that currently separates Littlestone from Greatstone. The site is within Flood Risk Zones 2 and 3.</p>

Ref	Title - land name	Address (rest of)	Approx. number dwellings	Site size (ha)	Assessment summary
					Even though only within a short distance, the proposed site would be detached from existing properties on Station Approach. It is bounded on two sides by industrial uses and in close proximity to a recycling centre and sewage treatment works resulting in potentially poor residential amenity for future residents. The recent closure of the newsagents in Littlestone means that the site doesn't perform well against sustainability criteria regarding access to local services.
PO27	Dymchurch Recreational Ground	St Mary's Road, Dymchurch	13	1.5	The site is located outside the settlement boundary of the Urban Centre of Dymchurch. The site performs well against a number of sustainability criteria, such as proximity to local services. However, the site falls within area of 'moderate' flood risk under the SFRA 2115 and there is likely to be sequentially more appropriate alternatives. It is also designated an open sports facility and as such any development on it would be contrary to NPPF paragraph 74.
PO28	Land at St Andrew's Road	Littlestone Golf Club, Littlestone	21		The site is located just outside the strategic town settlement confines of New Romney (including Littlestone). Overall, the site performs poorly against a number of the sustainability criteria. A key constraint would be the site's proximity to the adjacent Ramsar and SSSI and the impact any development may have on their associated wildlife and habitats. The site is also not within walking distance of any local facilities, meaning there would be a reliance on private transport and as such this would not constitute a sustainable location. The proposal would result in the net loss of an opens sports facility and the displacement of the existing car park facilities with no evidence about re-provision and would also have a potential impact on landscape. Development would be high density, because of the element of flatted development that would be at odds with the existing urban form which is predominately large detached properties in spacious plots, as well as being 'back land'.

Ref	Title - land name	Address (rest of)	Approx. number dwellings	Site size (ha)	Assessment summary
PO30	Land off	Boarmans Road, Brookland	10	0.4	<p>The site is located in between two separate settlement boundaries for the primary villad of Brookland.</p> <p>Whilst the site appears to have few constraints that would prevent it coming forward for development, there is concern around whether the site is sustainable, in terms of its proximity to local services. The site is not in walking distance of a convenience shop or doctors' surgery; and the local school is also only 'half form' entry and over-subscribed.</p> <p>Unlike the other allocations at Brookland (policies RM11 and RM12), which adjoin existing settlement boundaries, this site is detached and would have the effect of creating a further sporadic cluster of houses.</p>

This report will be open to the public on 11 July 2017.

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/29**

**To:** Cabinet  
**Date:** 19 July 2017  
**Status:** Key Decision  
**Corporate Director:** Alistair Stewart, Chief Executive  
**Cabinet Member:** Cllr Pascoe

**SUBJECT: Otterpool Park Landowner Update**

**SUMMARY:**

This report sets out the progress that has been made on the masterplanning of a new garden town, Otterpool Park. It seeks approval for some key principles that will form the basis of the framework masterplan to be submitted to support the Local Planning Authority for the Core Strategy Local Plan (CSLP) review and also in the preparation of an outline planning application.

**REASONS FOR RECOMMENDATIONS:**

Cabinet is asked to agree the recommendations set out below because:

- a) The recommendations will enable officers to progress the work on the framework masterplan for the new garden town towards its submission to the Local Planning Authority for the CSLP review, and on the full masterplan that will support an outline planning application.
- b) The recommendations below have resource and financial implications for the Council.

**RECOMMENDATIONS:**

1. To receive and note report C/17/29.
2. That Cabinet approves the following principles for the development of the Otterpool Park Framework Masterplan to provide a basis for a submission to the Local Planning Authority to support the Core Strategy Local Plan Review and also a basis for preparing an outline planning application:

- a. The indicative layout set out in the spatial plan (Appendix A) showing broad location for development, strategic landscaping, housing, and employment and community facilities, subject to responding to comments from the recent community engagement events.
- b. A review of the total number of homes in line with feedback from public events and viability advice.

The Otterpool Park Framework Masterplan will then be refined for final agreement by a future Cabinet meeting.

3. That Cabinet authorises the Head of Strategic Development Projects, in consultation with the Leader of Council, to enter into a second collaboration agreement with Cozumel Estates.
4. To approve ongoing liaison with DIT over Otterpool Park as a pilot in the promotion of garden towns to international investors, and delegate authority to the Corporate Director Strategic Development to make a submission of further information to DIT, upon consultation with the Leader.
5. To endorse SDC's attendance at MIPIM Cannes in 2018 and for officers to work on the detail with Locate in Kent and potentially also with DIT on this event.
6. To note the budget requirement for land acquisition and the need to build in the sums set out in paragraphs 1.2 and 1.3 of the confidential annexe into the capital programme £75k for 17/18; £600k for 18/19 and £3 million for 19/20 to fund the costs of taking the land options.



## 1. Background

1.1 The Cabinet last received an update on the council's position as joint landowner and promoter of Otterpool Park on 7 March 2017. The report included updates on the Planning Collaboration Agreement that the council has entered into with Cozumel Estates, land assembly, masterplanning work and the current financial position. It also described previous and future community engagement events and ongoing member engagement. At that meeting Cabinet resolved:

1. To receive and note report C/16/106.
2. To reaffirm the Council's commitment to deliver the Expression of Interest for Otterpool Park.
3. To note the draft Arcadis Stage 1 Feasibility and Capacity Study report, in particular:

“That the conclusion of the technical studies undertaken is that there are no significant barriers to development of a garden settlement identified at this stage which would preclude delivering the aspirations defined by the vision, aims and principles.”

4. To note that, once approved by the Collaboration Board, the Arcadis Stage feasibility and Capacity Study will be published on the Otterpool Park website.
5. To note that, once approved by the Collaboration Board, the Kevin Murray Associates Stage 1 Community Engagement report will be published on the Otterpool Park website.
6. To authorise the Chief Executive, in consultation with the Leader of Council, to take all necessary land assembly steps required to deliver the aspirations identified in the Expression of Interest for Otterpool Park.
7. To note the current budget position as detailed in Section 6 of the report.

1.2 Since March there has been progress on the landowner side of the council in the following work areas, which are described in more detail in this report:

- Preparing a framework masterplan;
- Collaboration and development agreements with Cozumel Estates;
- The project plan;
- Public engagement; and
- Working with Department for International Trade.

The confidential annex addresses:

- Development finance; and
- Land acquisition.

1.3 This report goes on to set out the next steps and future cabinet decisions.

1.4 In November 2016 the council received Garden Town status for the development of proposals for Otterpool Park from the Department for Communities and Local Government (DCLG). The council corporately continues to liaise closely with DCLG and was awarded in March 2017 a further £345K to support its work (in addition to the £750K received in November 2016). Its recent submission to DCLG (May 2017) for funding

support in 2017/18 demonstrated the extent of progress made on both the landowner and Local Planning Authority (LPA) sides of the council, and we were pleased to be able to report that the project has remained on schedule to meet the programme set out in the original Expression of Interest (set out in section 4 of this report). This is a positive outcome given the scale and complexity of the project. This submission will be made available on the council website following a decision by DCLG.

## **2. The Framework Masterplan**

### **2.1 The March 2017 Cabinet report noted the main outcome of the Stage 1 Feasibility and Capacity Study prepared by consultants Arcadis as:**

*'That the conclusion of the technical studies undertaken is that there are no significant barriers to development of a garden settlement identified at this stage which would preclude delivering the aspirations defined by the vision, aims and principles.'*

This positive outcome formed the foundations for Stage 2 of work (January – September 2017), namely to prepare a framework masterplan for submission to the LPA. This stage of work has included detailed technical and survey work; liaison with statutory agencies and utilities companies; workshop discussions with members and officers and community engagement events. This has all had a significant impact on informing the emerging proposals.

### **2.2 The framework masterplan will set out the proposed scale of Otterpool Park; main movement routes; the types of uses to be delivered and broadly where they will be located on the site. It will include strategies to demonstrate how utilities, transport, employment, community facilities and open space will be delivered, along with a phasing strategy. It will not provide detailed layouts or designs at this stage. As the masterplan will be subject to scrutiny firstly during consultation on the draft Local Plan, and then by the Planning Inspector at its public examination, it must demonstrate:**

- meeting the expectations of the vision and guiding principles for Otterpool Park as set out in the Expression of Interest;
- meeting the housing and jobs needs identified by the LPA for the district;
- that all needs and demands on infrastructure created by the new community are met or their impacts mitigated; and
- that is both financially viable and deliverable.

### **2.3 Demonstrating the viability and deliverability of the plan will be critical to its soundness at the Examination. Consultant Montagu Evans has now been appointed by the Collaboration Board to provide advice on this. Montagu Evans' early advice on the emerging masterplan has been very informative in challenging the emerging plans. Firstly, it has recognised the value of the site's location and its excellent accessibility by road and rail. Montagu Evans will formally report back in August but some initial informal recommendations include:**

- Providing a residential mix that is geared more toward housing than flats (suggested 70/30 mix initially, subject to review). It was

concerned that delivery of 12,000 homes placed an over-reliance on high density development, and smaller units, which may be difficult to deliver and not in keeping with the character of a garden town being sought. It is helpful to note that this suggested mix of housing also matches the housing need identified by the LPA in its SHMA.

- Consolidating the majority of shops and facilities for the town around one main centre (a high street).
- Recognising the important role future high speed rail services and improvements to the station will play in attracting people to live and work here, and therefore progressing this at pace.
- Creating a high quality place.
- Setting a realistic delivery rate for housing, taking into account the range of housing developers and tenures that will be provided, and recognising that the rate of development is likely to increase once development has started and momentum builds up.

- 2.4 The advice has reinforced the importance of securing a high speed rail service and improvements to the station. The council and Cozumel are liaising with Network Rail to raise the profile of this work and to agree a programme for undertaking improvements to the station. The council has also submitted a representation to Department for Transport's consultation on the renewal of the South Eastern rail service franchise to promote inclusion of a high speed stop at Westenhanger Station.
- 2.5 Delivery of jobs is a primary objective for Otterpool Park. To help to realise this the council's Economic Development team has commissioned consultants Lichfields to prepare a forward looking employment opportunities study that will identify sectors that would be interested in locating here; what would incentivise them to come and the actions we need to take to make it happen. This work will be important to ensure that proposals are ambitious but deliverable. It will inform the LPA's planning policy, to which the masterplan will then need to respond. The final report will be completed in September.
- 2.6 The other important factor influencing the draft plan is the outcome of engagement events with the community and other partners and stakeholders including businesses and parish councils. A summary of the outcomes from these is included in section 5 below.
- 2.7 Before the framework masterplan is finalised in the autumn, and based on the outcomes of all the work set out above, Cabinet is asked to approve some key principles, set out below. These will be used to provide parameters for the Environmental Impact Assessment (EIA) Scoping Report for the planning application that will be submitted in July. It is important to get these parameters right at this stage as any significant changes to broad principles and housing numbers can result in having to re-do the EIA scoping which wastes money and time. The site boundary for this submission is shown on the plan in Appendix A.
- 2.8 The principles Cabinet is asked to approve are:
- a. The indicative layout set out in the spatial plan (shown in Appendix B) showing broad location for development, strategic landscaping,

- employment and community facilities, subject to responding to comments from the recent community engagement events;
- b. A review of the total number of homes in line with feedback from public events and viability advice to establish the most appropriate range of housing numbers.

This approval will allow the masterplan team to continue its work on the Framework Masterplan prior to submission to the LPA in September 2017 (as a draft, subject to Cabinet approval) for the draft CSLP. The final draft masterplan document will be brought back to Cabinet for sign off in October.

- 2.9 Formal pre-application discussions have also begun with the LPA. A Planning Performance Agreement has been signed by the council as landowner, Cozumel Estates, the LPA and Kent County Council to commit to an agreed programme of work up to the submission of a planning application (the Agreement can be viewed on the council website).

### **3. Second Collaboration Agreement and Development Agreement**

- 3.1 The collaboration agreement that the council entered into with Cozumel Estates in September 2016 set a timeframe of nine months to prepare and sign a development agreement. Following dialogue with Cozumel and advice from the Council's legal team, it is our view that a development agreement is not appropriate for this stage of the project, as such agreements assume the involvement of a developer and commencement of work on site. Instead, it is proposed that:

- a. A further agreement – the Second Collaboration Agreement - be prepared that develops in greater detail the principles set out in the first agreement. This will cover the period up to grant of planning permission and selection of development partner(s).
- b. A full development agreement be entered into with future partner(s) by end of 2019. This will include detailed documents and strategies including a business plan. The scope of this agreement will be brought back to Cabinet in autumn 2019.
- c. The current agreement will be extended to a longstop date of 31 March 2018 to allow time for the Second Collaboration Agreement to be signed (the extension of time of the current agreement falls under authority delegated to the Corporate Director for Strategic Operations in the Cabinet report of 8 June 2016<sup>1</sup>).

- 3.2 The Second Collaboration Agreement in itself will require the council to establish its position on a range of important questions. These include a clearer definition of the Guiding Principles included in the Expression of Interest, and a position on the commercial return the council expects to see from Otterpool Park. It will require agreement on the way that development partners will be procured, and the programme for doing so. Authority is

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<sup>1</sup> Recommendation reads: To authorise the Corporate Director – Strategic Operations, in consultation with the Leader of the Council, to finalise the terms of and enter into a planning collaboration agreement with the owners of Folkestone Racecourse to regulate the working arrangements between the parties as land owners and promoters with an objective of securing a suitable outline planning permission for a new garden town.

therefore sought from Cabinet for the Head of Strategic Development Projects, in consultation with the Leader of the Council, to enter into a second collaboration agreement with Cozumel Estates. The final draft agreement will be brought back to Cabinet in October 2017.

#### **4. Project programme**

- 4.1 We are working to a tight timescale to deliver Otterpool Park. The next key milestones we are working toward are:
- a. submitting a framework masterplan to the LPA in September 2017;
  - b. submitting a planning application in March/April 2018 that includes a full masterplan;
  - c. achieving resolution to grant planning permission by end of 2018 subject to S106 and adoption of the CSLP;
  - d. providing evidence to support the allocation of Otterpool Park in the CSLP review; and
  - e. starting on site in 2020.
- 4.2 Progress needs to be carefully monitored to ensure we are on track to meet these deadlines, and to track the dependencies between the landowner programme of work and that of the LPA. A summary of the project programme (Appendix B) sets out progress against these milestones for the landowner, LPA and corporate functions of the council as at June 2017.

#### **5. Public engagement**

- 5.1 The March 2017 Cabinet paper gave an update following the first community engagement events in December 2016 and included a copy of the report on the outcomes of the events by Kevin Murray Associates. A second round of engagement has since taken place that has included:
- A statutory agency workshop on 21 April
  - Business and civic workshop on 14 June
  - Working with students at Sellindge Primary School on 15 June
  - Public drop-in events during 22-24 June at a range of locations across the district.
- 5.2 These events had originally been intended to take place earlier in the year but had to be postponed to avoid the period of restricted publicity (purdah) for the county and general elections. The purpose of the events was to share the emerging thinking on the masterplan options for Otterpool Park and encourage as wide a range of people as possible to contribute their views and preferences to influence the preparation of the final framework masterplan. A report of the events and their findings will be published in due course.
- 5.3 The early learning from these events is:
- The style of the public drop-in events has not enabled a balanced engagement as a limited number of people objecting to the principle of large scale development attended each event with the stated intention of dominating the proceedings. Some members of the public have commented that they found the atmosphere intimidating.

- Outside of the theatre style presentations at the drop-in sessions discussions with individuals and smaller groups has been more useful. The workshop sessions with statutory bodies, civic and business representatives allowed positive discussions that allowed people to contribute their views;
- The demographic at the events has not been representative of the community as a whole with the majority of attendees being over 50. There has been a real lack of attendance by younger people and as the project is being delivered over at least a 30 year timescale this is obviously problematic.

It will be important to reconsider how best to engage with all of the communities across the district and to focus on demographically representative individuals and groups who are keen to help shape the proposal so it meets local needs.

- Key points raised included;
  - the ability to supply sufficient water the impact of traffic on existing highway infrastructure;
  - impact on health and education provision
  - support for affordable housing in a range of forms
  - support for local housing
  - support for need to provide employment land for jobs

5.4 At the December 2016 public events some participants felt frustrated that there are many questions on detailed design and provision of services that did not yet have an answer. The June events gave the opportunity to explain the relatively early stage of the masterplanning and the need to establish broad principles first, before drafting more detailed strategies. For example, we set out how many schools will be required and their broad locations at the framework masterplan stage but not how they will be run or what they will look like. It is important that the community and all other stakeholders continue to be engaged as the process evolves to test and influence the plans at greater levels of detail.

5.5 The table below shows the stages where there will be opportunities for everyone to shape proposals both through the planning application process (led by the landowner) and the Local Plan preparation process (led by the LPA).

<b>When</b>	<b>Masterplan and planning application preparation</b>	<b>Core Strategy Local Plan Review</b>
<b>June 2017</b>	Engagement on high level principles for the emerging proposed masterplan including location and dispersal of uses, landscape framework and key movement routes.	
<b>Late 2017</b>	Pre application consultation on outline planning application (to agree principles and	

	parameters for the new community and requirements for all community facilities, services and employment).	
<b>Jan – Feb 2018</b>		Consultation on draft CSLP including draft framework masterplan and draft policies.
<b>April 2018</b>	Formal consultation on submitted outline planning application.	
<b>October 2018</b>		Final consultation on draft Local Plan prior to submission to Planning Inspectorate.
<b>Late 2018</b>	Pre application engagement on reserved matters (including full detailed design for first phase and draft design code).	
<b>March 2019</b>		Public Examination of Local Plan.
<b>July 2019</b>	Formal consultation on submitted reserved matters application.	

## **6. Working with Department for International Trade**

- 6.1 The council has in its corporate role been liaising with Department for International Trade (DIT) over Otterpool Park since early 2017. DIT can help to promote major infrastructure and development projects to an international audience where they are looking for investment or development partners. It can match projects with anything from master developers that work in partnership to deliver a whole site, or to investors in specific items of infrastructure such as roads or stations. DIT is working with the South East Local Enterprise Partnership to identify such projects within its area, and initial submissions were sought in May 2017. The Council made a submission for Otterpool Park to be part of this process, with the approval of the Leader.
- 6.2 The projects that DIT generally supports are infrastructure or large scale developments that have planning permission and are ready to deliver. However the DIT Board has recognised that some projects, such as new garden towns, may need a longer lead in and could benefit from initial promotion at a strategic level before the details of specific investment or development opportunities are decided upon. The DIT Board would therefore like to work with the council as a pilot on a new approach to promoting garden towns and other similar scale projects that are at an early stage. It has asked the council to provide some further details on Otterpool Park, with a view to agreeing a package of measures for promotion of the project, including coverage on its website. The timescales for any activities will all be through further discussion and agreement between DIT and SDC. This could offer give the council the opportunity and advantage of being the

first of the garden towns to be actively promoted by government. Cabinet approval is therefore sought to take forward exploring this potential liaison with DIT and submit further details on Otterpool Park, upon consultation with the Leader. Approval will be sought from Cabinet in October prior to any active promotion of Otterpool Park in this way.

- 6.3 It is important to note that working with DIT does not prejudice any future decisions that the council and its landowner partner takes in the approach to selecting partners to deliver the site, or consideration of any other sources of funding to deliver infrastructure. The council's landowner partner Cozumel has agreed that this is something worth pursuing.
- 6.4 DIT offers a range of means of promoting projects, including project summaries on its website; through national and international industry events such as MIPIM and through its international consulates. Attendance at MIPIM in 2018, working with Locate in Kent, has been supported by the Leader - further consideration will be given to how working with DIT on MIPIM can be used to best advantage to promote Otterpool Park. Endorsement is therefore sought from Cabinet for SDC's attendance at MIPIM Cannes in 2018 and for officers to work on the detail with Locate in Kent and potentially also with DIT on this event. As CMT Contingency is already in the budget framework there is no requirement for Cabinet to approve this spend.

## **7. Next Steps & future Cabinet decisions**

- 7.1 The main focus of the council's work as landowner over the next three months will be:
1. Finalisation of the framework masterplan, drawing on the inputs from Montagu Evans, the views of members and feedback from the engagement events.
  2. Preparation of a report on the June engagement events.
  3. Signing options agreements with landowners.
  4. Working with Cozumel on the Second Collaboration Agreement.
  5. Liaising with DCLG and the HCA over its potential role in providing advice and support to Otterpool Park.
- 7.2 A further report to Cabinet in September 2017 will provide an update on the masterplan work and land acquisition, and seek decisions on:
- The content of the second collaboration agreement, and
  - Principles of the approach to long term stewardship.

## **8. Financial & Resource Considerations**

- 8.1 It is anticipated that the council in its capacity as landowner at Otterpool Park will have incurred costs of approximately £1,103k during the current financial year, and will require an indicative budget of £836k for planning costs for 2018/19. This excludes capital sums eg for land acquisition noted in section 15 below (confidential annex).



## 9. Risk Management Issues

A summary of the perceived risks is as follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Fail to submit framework masterplan in Sept 2017	High	Medium	Continuous programme management and risk management. Liaise with LPA to agree content.
Fail to submit a planning application by April 2018	High	Medium	Carefully prepared planning application. Prepare fallback position.
<i>Fail to achieve allocation in Local Plan Review.</i>	<i>High</i>	<i>Low</i>	<i>Liaison with LPA following publication of its growth options study. Carefully prepared landowner representations for Local Plan.</i>
Unforeseen costs mean project or scale of project is unviable	High	Medium	Early assessment of key costs. Reduce scale and/or secure public sector subsidy
Failure to secure Second Collaboration Agreement	High	Medium	Work closely with Cozumel Estates Ltd to deliver a mutually acceptable position.
Market viability	Medium	Medium	Anticipate fluctuations in market and maximize potential in good times. Do not over provide in infrastructure and make sure the market can support the numbers of units built in each phase.

## 10. Legal and Financial Comments

### 10.1 Legal Officer's Comments (David Kelly)

Subject to the Council complying with applicable legislation, there are no legal implications arising directly out of this report. Legal Services will continue to work with external legal advisors where appropriate in relation to Otterpool Park and particularly the Second Collaboration Agreement and the various Option Agreements.

### 10.2 Finance Officer's Comments (Timothy Madden)

Comments included in section 1 of confidential annex below.

### 10.3 Diversities and Equalities Implications

This report does not raise any specific diversities and equalities implications.

## **11. Contact Officer and Background Documents**

Councilors with any questions arising out of this report should contact the following officers prior to the meeting:

Julia Wallace – Otterpool Park Project Manager,  
julia.wallace@shepway.gov.uk, 01303 853248

Andy Jarrett – Head of Strategic Development Projects,  
andy.jarrett@shepway.gov.uk, 01303 853

## **12. Appendices**

Appendix A - Indicative layout for Otterpool Park  
Appendix B – Project programme

# Appendix A - indicative layout for Otterpool Park

## GREEN CORRIDOR & CULTURAL QUARTER LINKING

- SECONDARY & PRIMARY SCHOOLS
- SPORTS & LEISURE
- SPORTS CLUB
- PLAY AREAS
- MULTI-FAITH CTR
- GALLERY
- HOUSING

## LOCAL CENTRES

- COMMUNITY HALL
- LOCAL SHOPS
- NURSERY
- PLAY
- JUNIOR SPORTS
- PRIMARY SCHOOL
- HOUSING

- SS SECONDARY SCHOOL
- PS PRIMARY SCHOOL
- BP BUSINESS PARK



## GATEWAY

- PUBLIC TRANSPORT INTERCHANGE
- RAIL STATION
- BUS STATION
- PARK + RIDE
- HOTEL
- BUSINESS
- CAFES
- HEALTH CENTRE
- HOUSING

## HIGH STREET

- LOCAL SHOPS
- RESTAURANT / CAFES
- COMMUNITY HALL
- DENTIST
- SMALL MEDIUM ENTERPRISE
- MARKET PLACE
- HOUSING

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# Proposed Planning Timetable

	PROPOSED PLANNING TIMETABLE																			
	Year		2016				2017				2018				2019				2020	
	Quarter	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	
<b>WORK STREAM 1 - Local Planning Authority - Core Strategy Review</b>																				
Establish Project Plan For Reviewing Core Strategy	█	█																		
SHMA Review (To Identify Housing Need)		█	█	█																
Sustainability Appraisal (including assessment of alternatives)			█	█	█	█	█	█	█	█	█	█								
Strategic Growth Options Study				█	█															
Transport Capacity And Opportunities Assessment		█	█	█	█	█	█	█												
High Level Infrastructure Assessment				█	█															
High Level Landscape Character Assessments				█	█															
Employment Land Review Update				█	█															
Employment Opportunities Study					█	█														
Select Preferred Option and Draft Policies					█	█	█													
Assess Framework Master Plan Against Draft Plan Policies							█													
Finalise Regulation 18 Draft Local Plan - Including SA and HRA#							█	█												
Cabinet Agree Consultation on Draft Local Plan								█												
Regulation 18 Public Consultation On Draft Local Plan									█											
Consideration of Reg 18 Representations / Objections										█	█									
Make Modifications To Plan											█	█								
Prepare Regulation 19 Submission of Local Plan												█	█							
Cabinet Approval of Regulation 19 Local Plan													█							
Final Public Consultation On Submission Plan														█						
Submit Local Plan With Evidence Base To PINS															█					
Examination In Public (EIP) Including Inspector's Report																█	█			
Adopt Plan (if Inspector doesn't require changes)																		█		
<b>WORK STREAM 2 - Land Owner / Promoter</b>																				
<b>Planning Milestones</b>																				
Discussion with landowners					█	█	█	█												
Prepare and submit Concept Masterplan for policy making					█	█	█													
Prepare and submit Full Masterplan to support Application							█	█	█											
Prepare and submit Outline Planning Application								█	█											

**NOTES**

PINS = Planning Inspectorate  
 SA = Sustainability Appraisal ( throughout plan making process)  
 HRA = Habitat Regulation Assessment  
 PPA = Planning Performance Agreement  
 Duty to Co-operate runs through out planning process

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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