

Statement of Common Ground

Folkestone & Hythe District Council and Affinity Water

Overview

- 1.1 This Statement of Common Ground (SCG) has been prepared by Folkestone & Hythe District Council (FHDC) together with Affinity Water (AW). It reflects the agreed position between the parties.
- 1.2 The purpose of this SCG is to document the cross-boundary matters being addressed and progress in cooperating to address them. It is the means by which the signatory authorities can demonstrate that their plans are based on effective and ongoing cooperation and that they have sought to produce strategies that as far as possible are based on agreements with other authorities.
- 1.3 FHDC and AW have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. FHDC has prepared their Core Strategy Review for submission in early 2020.
- 1.4 Under section 33A of the Planning and Compulsory Purchase Act 2004 (amended by section 110 of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) 2019 it is a requirement under the Duty to Cooperate for local planning authorities, county councils and other named bodies to engage constructively, actively and on an ongoing basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at the Local Plan examination stage and is an additional requirement to the test of soundness.
- 1.5 The Duty to Cooperate applies to strategic planning issues of cross boundary significance. Local authorities all have common strategic issues and, as set out in the National Planning Practice Guidance (NPPG):

“Local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their plans for examination.”
- 1.6 The statutory requirements of the Duty to Cooperate are not a choice but a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on strategic cross boundary matters in accordance with the government policy in the NPPF, and practice guidance in the NPPG.

1.7 FHDC is to go out to a very limited public consultation on a revision to the Regulation 19 Core Strategy in November/December 2019 to bring it 'in check' with the Government's published figures on housing requirement.

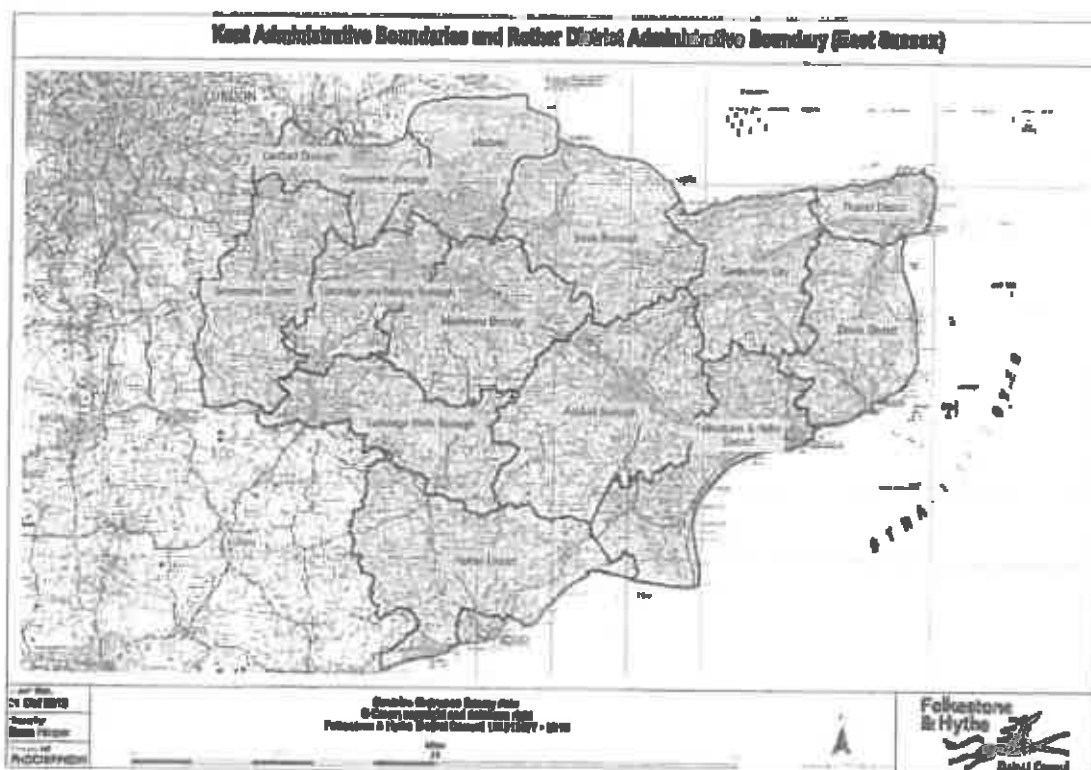
2.0 Strategic matters

2.1 The NPPF defines the topics considered to be strategic matters (para 20). Those strategic matters relevant to FHDC and AW are explored under suitably-titled headings, and can be summarised as follows:

- Housing
- Water supply

2.2 The geographical relationship of FHDC in the context of Kent (upper tier authority) and neighbouring East Sussex is represented in Figure 2.1.

Figure 2.1. Geographical relationship between FHDC and Kent and East Sussex



Housing

2.3 Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

- 2.4 The Government's new national formula calculated from household formation and housing affordability figures is published regularly by Office for National Statistics, and the most recently published figure for Folkestone & Hythe district currently stands at 738 new homes a year. FHDC's Regulation 19 Plan outlines a housing requirement for 13,285 new homes over plan period (to 2036/37). Meeting this target over the plan period will be provided for by development in Core Strategy Review, Places and Policies Local Plan, existing planning permissions and small sites. Accordingly FHDC is not seeking any assistance from neighbouring authorities to meet its identified housing need.

Table 2.1: Core Strategy Review 2019/20-2036/37- elements of housing supply

Source of housing supply	Number of homes
Current planning permissions and sites under construction (with adjustment for lapsed permissions)	4,274
Places and Policies Local Plan and 2013 Core Strategy sites without planning permission	1,698
Windfall allowance (95 homes a year over 15 years)	1,425
New garden settlement (Core Strategy Review policies SS6-SS9)	5,925
Expansion of Sellindge (Core Strategy Review policy CSD9) (part of allocation without permission)	188
Total Core Strategy Review plan period	13,510

- 2.5 Bringing together the different sources of housing supply outlined above creates the anticipated supply of housing over the Core Strategy Review plan period. This is outlined in Table 2.1. This gives an anticipated housing supply of 13,510 homes over the Core Strategy plan period, exceeding the national minimum requirement of 13,284 homes by around 225 homes and, as a result, the district's housing need requirement can be met in full.

Water supply

- 2.6 In relation to water supply infrastructure, Affinity Water, which is the supplier to a significant proportion of both administrative areas of Folkestone & Hythe District and Dover District, has confirmed that planned growth within the region to 2080, and specifically to incorporate growth across Folkestone & Hythe District as set out in the emerging Core Strategy Review Local Plan to 2037,

has been accounted for within their Water Resources Management Plan 2019 (Appendix 2 refers).

- 2.7 It is advised that Dover District Council (DDC) are currently in the process of starting early engagement with Affinity Water in order to ensure that the proposals in DDC's emerging Local Plan are fully incorporated into Affinity Water's updated Resource Management Plan and any cross boundaries water supply issues are fully addressed as part of this process. FHDC and DDC have separately prepared a SCG between the two local authorities.



3. Actions going forward

Key Issue	Agreed action
Water supply	FHDC and AW to continue to liaise and work together to include reference to the legal duty to co-operate, as required

4 Governance arrangements

- 4.1 The NPPG outlines that the SCG should include governance arrangements for the cooperation process, along with a statement of how it will be maintained and kept up-to-date.
- 4.2 It is intended that the SCG will be updated going forward, particularly as FHDC progresses its Core Strategy Review. The SCG will then be kept under ongoing review and will be updated at key stages in FHDC plan making process and/or when new key strategic issues arise which require amendments to this SCG. If there are any changes of the content of the SCG these matters can be discussed at future Duty to Co-operate meetings.
- 4.3 It is confirmed by both signatory parties that agreement has been reached on matters referenced within this SCG.
- 4.4 Evidently, discussion of strategic matters under the Duty to Cooperate is an officer-led exercise. The process for reaching agreement and sign-off of SCG includes signatories from both FHDC and AW, as declared under section 5 of this SCG.

5 Signatories/declaration

Signed on behalf of Folkestone & Hythe District Council (Officer)	Signed on behalf of Affinity Water
	
Position: Strategy & Policy Senior Specialist	Position: Head of Infrastructure Strategy
Date: 02/12/2019	Date: 29/11/19

Appendices

Appendix 1. Affinity Water's consultation response to the Core Strategy Review (Regulation 18) dated November 2018

Appendix 2. Correspondence between FHDC and Affinity Water concerning commentary to be included within Affinity Water draft Water Resources Management Plan 2019

Appendices

Appendix 1. Affinity Water's consultation response to the Core Strategy Review (Regulation 18) dated November 2018

Hammond, James

From: [REDACTED]
Sent: 08 November 2018 15:31
To: Hammond, James
Subject: FW: Infrastructure Delivery Plan to support the Core Strategy Review
Attachments: Response to Folkestone and Hythe District Council local plan consultation request 3rd October 2018.docx

Hello James,

I hope you are well.

Please find our response attached.

Let me know if you have any questions.

Thank you
[REDACTED]

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Response to Folkestone and Hythe District Council local plan consultation request 3rd October 2018
[REDACTED] and in particular the request highlighted below

Good morning [REDACTED]

I hope you're keeping well? As previously advised, the District Council is currently in the process of undertaking a review of its Core Strategy that was first adopted in 2013 which, at the time, meant it was one of the first NPPF compliant plans to be adopted. The Reg 18 version of the emerging Core Strategy Review (CSR) to 2037 went out to consultation between March and May 2018, and through yourself I am in receipt of comments from Affinity Water received a few weeks ago.

The District Council is currently working on the next version of the CSR (Reg 19 plan) which is programmed to go out to consultation in December 2018 or January 2019. The intention is for an Infrastructure Delivery Plan (IDP) to be prepared alongside the Reg 19 version of the plan to define the infrastructure requirements needed alongside planned growth set out in the CSR and their relative timing for implementation.

I intend to adopt a similar style for the IDP to sit alongside the CSR as the IDP that was prepared to sit alongside our Places and Policies Local Plan to 2031. I attach the extract for potable water as drawn from the IDP for the PPLP. I worked with Patrick Campbell to agree the content of the IDP for the PPLP.

The CSR proposes to allocate land to deliver up to 5,500 homes at a Garden Settlement within the North Downs (referred to as 'Otterpool Park' by the site promoters) and residual growth at Sellindge under policy CSD9 within the plan period to 2037. The second Word document enclosed shows the spatial extent of planned areas for growth as set out within the emerging CSR. It is important to note that the settlement of Sellindge is located proximate to the planned Garden Town.

I'd be very grateful if Affinity Water could provide commentary for inclusion within the IDP to sit alongside the emerging CSR. The principal information we require is to understand what quantum of development can take place without reinforcement of the water supply infrastructure, and thereafter the respective phases of network reinforcement that will be needed to support the planned level of growth at Sellindge and the Garden Town.

Finally, although the CSR only seeks to allocate planned growth to 2037, the final built-out quantum of development at the Garden Settlement could be up to 10,000 dwellings. A planning application that is programmed to be submitted by the site promoter in late 2018 will define a redline boundary and seek consent for 8,500 dwellings. The 8,500 dwelling number is lower than the number accounted for within the site masterplan (up to 10,000 dwellings) as not all land contained within the masterplan will come forward within the planning application redline boundary.

I look forward to hearing from you in due course. Should you have any questions please do not hesitate to contact me. I'm looking to bring together a draft version of the IDP by the end of October 2018.

Kind regards, James

Affinity Response

Please include this commentary within the IDP as you consider appropriate and in response to the following request

I'd be very grateful if Affinity Water could provide commentary for inclusion within the IDP to sit alongside the emerging CSR. The principal information we require is to understand what quantum of development can take place without reinforcement of the water supply infrastructure, and thereafter the respective phases of network reinforcement that will be needed to support the planned level of growth at Sellindge the Garden Town.

Affinity Water have undertaken a detailed water resource balance and hydraulic assessment for the proposed development at Sellindge and the Garden Town (at Otterpool) in order to identify the strategic infrastructure needed to supply potable water to the development. The analysis is based on the following property build rate provided by F&DC up to 2037 but the overall plan includes for 10,000 properties in total for the local area.

Table 1. Annual housing completion and cumulative housing total

Year	Housing units completed	Cumulative housing total
2022	325	325
2023	325	650
2024	325	975
2025	400	1375
2026	400	1775
2027	400	2175
2028	400	2575
2029	400	2975
2030	400	3375
2031	400	3775
2032	400	4175
2033	400	4575
2034	450	5025
2035	450	5475
2036	450	5925
2037	450	6375

Affinity Water confirm that up to 1,500 properties can be provided with a water supply without the need for additional strategic infrastructure. This satisfies the build rate to 2025/26.

Further strategic infrastructure is required as follows.

1.2km of a large diameter pipeline (likely to be 500mm internal diameter) to the south of the M20/HS1 transport links to provide the water supply to 3,500 properties by 2030/2031 plus the upgrade of an existing transfer pump station to the north east of Folkestone. In addition to this work there is the requirement for a number of resilience infrastructure projects to increase the connectivity of the strategic network and mitigate the potential loss of supply to the proposed large development.

1.8km of a large diameter pipeline (likely to be 500mm internal diameter) to the north of the M20/HS1 transport links to provide the water supply for a total of 6,000 properties by 2036/37.

4.1km of a large diameter pipeline (likely to be 500mm internal diameter) either side and underneath the M20/HS2 transport links to provide the water supply to 10,000 properties, the likely completion of these properties to be confirmed

Appendix 2. Correspondence between FHDC and Affinity Water concerning commentary to be included within Affinity Water draft Water Resources Management Plan 2019

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Hammond, James

From: [REDACTED]
Sent: 03 October 2018 09:57
To: Hammond, James
Subject: RE: Core Strategy

Good afternoon James,

Yes.

Thank you

Lina

From: James.Hammond@ [REDACTED]

Sent: 03 October 2018 09:57

To: [REDACTED]

Subject: RE: Core Strategy

Good morning [REDACTED]

Further to correspondence mid-September, are you happy for the passage of text that incorporates the additional wording I inserted (in red) to form part of the response from Affinity Water?

Kind regards,

James

From: Hammond, James
Sent: 18 September 2018 15:47
To: [REDACTED]
Subject: RE: Core Strategy

Hi [REDACTED]

Thank you for this, which I shall treat as a draft. It would assist matters our end if wording along the lines of what I have included in red text could be incorporated into your comments. Can you please review this and advise accordingly.

Kind regards,

James

From: [REDACTED]
Sent: 18 September 2018 15:38
To: Hammond, James
Subject: Core Strategy

James,

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I hope this email finds you well.

We have drafted an initial comment to the questions raised. Checking at the moment with our legal team regarding the questions, so this is a draft and once we hear back we will provide you with a final update. I hope that's ok.

"Planned growth to the region (to specifically include Folkestone and Hythe District and assigned growth within the emerging Core Strategy Review Local Plan to 2037 and the Places and Policies Local Plan to 2031) to 2080 is catered for in our Water Resources Management Plan 2019. This water resources management plan sets out how we will balance supply and demand over this period. In that time our supply resource in our WRZ7 will not change significantly.

Future demand is based on new property growth as provided from local plans (to 2045) and modelled thereafter. We forecast that occupancy rates will reduce with overall per property consumption reduction. Individual consumption will increase as occupancy rates decrease and will need further schemes to encourage further reductions in potable water use.

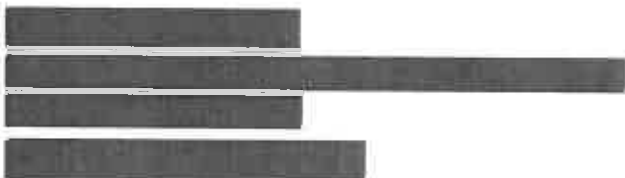
There is a current small surplus in resources and the water resources management plan puts in measures to maintain this.

We currently utilise two minor imports from South East Water and Southern Water for emergency purposes. There is no requirement to increase these imports and to make them part of our resource base.

Our water resources planning is at zonal level. There will be the requirement to transfer water internally to meet the local development needs.

Following on from our draft plan (WRMP19) we will be publishing a revised draft for further consultation in Spring 2019"

Kind regards,



Keep track of the tap and help us save water: if we all save a little, we'll all save a lot! For tips on saving water and to order your FREE water saving devices, visit www.affinitywater.co.uk/savewater

Spotted a leak? Let us know! Report a leak at www.affinitywater.co.uk/help/reporting; call the Leakspotters hotline 0900 376 6326; or email leakspotters.central@affinitywater.co.uk

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