

Core Strategy Review - Inspectors' Matters

Matter 5: Strategy for the Urban Area

July 2020



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Inspectors' Questions for Matter 5

Relevant policies – SS1, SS10, SS11, CSD6 and CSD7

Urban Area overall

1. What is the basis for the strategy for the Urban Area (Policy SS1 and Table 5.1) and is it justified and effective?
2. What is the overall scale of development envisaged, is this sufficiently clear and is it justified?

Folkestone Seafront – Policy SS10

3. What is the justification for the inclusion of the strategic site allocation at Folkestone Seafront (Policy SS10) given that is allocated in the adopted Core Strategy and has planning permission?
4. What is the basis for the scale and range of development proposed and is this justified?
5. Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?
6. What are the specific requirements for new or improved infrastructure and social and community facilities?
7. How will these be provided and funded?
8. How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?
9. What are the expectations in terms of timing and rates of housing delivery and are these realistic? What progress has been made to date?

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10. Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? N.B. The Council's response should address key issues raised in representations.
11. Are any main modifications to Policy SS10 necessary for soundness?

Shorncliffe Garrison – Policy SS11

12. What is the justification for the inclusion of the strategic site allocation at Shorncliffe Garrison (Policy SS11) given that is allocated in the adopted Core Strategy and has planning permission?
13. What is the basis for the scale and range of development proposed and is this justified?
14. Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?
15. What are the specific requirements for new or improved infrastructure and social and community facilities?
16. How will these be provided and funded?
17. How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?
18. What are the expectations in terms of timing and rates of housing delivery and are these realistic? What progress has been made to date?
19. Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? N.B. The Council's response should address key issues raised in representations.
20. Are any main modifications to Policy SS11 necessary for soundness?

Central Folkestone Strategy – Policy CSD6

21. What is the basis for the strategy for Central Folkestone (Policy CSD6) and is it justified?

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22. Is it sufficiently clear in terms of the scale, type and location of development?
23. Are any main modifications to Policy CSD6 necessary for soundness?

Hythe Strategy – Policy CSD7

24. What is the basis for the strategy for Hythe (Policy CSD7) and is it justified?
25. Is it sufficiently clear in terms of the scale, type and location of development?
26. Are any main modifications to Policy CSD7 necessary for soundness?

Council's Response to Matter 5 Questions

1. Urban Area Overall

Question 1

What is the basis for the strategy for the Urban Area (Policy SS1 and Table 5.1) and is it justified and effective?

1.1. Policy SS1: District Spatial Strategy sets out a broad framework for development throughout the district to 2037.

1.2. The second paragraph states that priority will be given to previously developed land in the Urban Area in Folkestone, for main town centre uses and housing, to enhance the town's role as a sub-regional centre. The third paragraph highlights the strategic allocations at Folkestone and Hythe (Policies SS10, SS11 and CSD7).

1.3. In relation to the Urban Area, the policy states in the fifth paragraph, bullet point one:

“The future spatial priority for new development in the Urban Area (Folkestone and Hythe) 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.”

1.4. In undertaking the Core Strategy Review the council has had regard to national planning practice guidance which states:

“Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Most plans are likely

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to require updating in whole or in part at least every 5 years. Reviews should be proportionate to the issues in hand.”¹

1.5. National planning practice guidance adds:

“Policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years. The review process is a method to ensure that a plan and the policies within remains effective.”²

“A local planning authority may need to gather new evidence to inform their review. Proportionate, relevant and up-to-date evidence should be used to justify a decision not to update policies.”³

1.6. In undertaking the Core Strategy Review, the council assessed the policies in the adopted 2013 Core Strategy against national policy and other considerations. A report was taken to the council’s Cabinet on 19 April 2017 (reference C/16/107)⁴ that assessed each of the policies in the adopted plan and identified those policies that:

- Needed review, for example where national policy or other circumstances had changed significantly since the plan was adopted;
- Should continue to be monitored (for example, where national planning policy or regulations were expected to change); and
- Could remain as existing (for example, where development was progressing on a strategic site).

1.7. This approach informed the early stage of plan review and this was supplemented by the comments received at subsequent consultation stages, to identify which policies should be amended and which remained relevant without amendment.

¹ Paragraph: 062 Reference ID: 61-062-20190315

² Paragraph: 064 Reference ID: 61-064-20190315

³ Paragraph: 068 Reference ID: 61-068-20190723

⁴ See: <https://www.folkestone-hythe.gov.uk/moderngov/ielListDocuments.aspx?CId=142&MIId=3167>

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- 1.8. SS1 was identified as a policy which remained valid in terms of its broad approach, although it was recognised that the overall distribution of development would need to reflect the results of the Growth Options Study, then being finalised.
- 1.9. Although the main focus of Core Strategy Review Policy SS1 is now on the North Downs Area (see Matter 7), as the policy relates to the Urban Area the wording remains largely unchanged from the adopted 2013 Core Strategy policy. The council considers that it remains justified and effective.
- 1.10. The council commissioned a study to assess the capacity of the district for strategic growth, the High Level Options Report (AECOM, December 2016, Document EB 04.20), to inform the Core Strategy Review. This was supported by a comprehensive High Level Landscape Appraisal for the district (AECOM, February 2016, Document EB 04.30).
- 1.11. The High Level Options Report divided the district into six areas to assess the potential of each area for strategic growth (Document EB 04.20, Table 2 and Figure 2). The Urban Area, as defined in the Core Strategy Review, was covered by:
- Area 2: Folkestone and surrounding area; and
 - Area 3: Hythe and surrounding area.
- 1.12. Each area was assessed against the following factors:
- Environmental constraints;
 - Transport and accessibility;
 - Geo-environmental considerations;
 - Infrastructure capacity and potential;
 - Landscape and topography;
 - Heritage;
 - Housing demand;
 - Regeneration potential;

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- Economic development potential; and
 - Spatial opportunities and constraints.
- 1.13. Regarding Area 2 (Folkestone and surrounding area), the High Level Options Report considers that the key strategic constraint is a lack of available land (EB 04.20, page 103). Of all character areas assessed, Area 2 offers the widest range of factors that would support growth, including low flood risk and minimal environmental designations, excellent transport and other infrastructure, with much of the area free from heritage designations and landscape constraints. The only problem is that almost all of this land is already developed.
- 1.14. The analysis also identified opportunities for regeneration and economic development. However, the Report considered that the area is to an extent a victim of its own suitability - this potential having been identified and acted on long before the start of this study.
- 1.15. As such, the Report found that there is simply insufficient land remaining for further strategic-scale development. However, this does not exclude the possibility of identifying appropriate infilling opportunities, the Report concluded.
- 1.16. Regarding Area 3 (Hythe and surrounding area) the key constraints are considered to be environmental, landscape and spatial. The environmental constraints relate to the significant areas of Zone 2 and 3 floodplain, particularly in the western half of the area, but also to the scale of ecological designations, in particular the Hythe Ranges Local Wildlife Site. The Kent Downs Area of Outstanding Natural Beauty designation and its setting is also a significant landscape constraint, and the town centre conservation area is extensive. Transport infrastructure and economic opportunities are also more constrained than in Area 2. The overall conclusion of the Report is therefore that Area 3 has no potential for strategic growth.
- 1.17. Regarding opportunities for smaller, non-strategic scale growth, the council has undertaken a comprehensive assessment of sites through consultations and

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calls for site submissions for the Places and Policies Local Plan (PPLP), which has been progressing in parallel with the Core Strategy Review.

- 1.18. The PPLP has been through public examination and has recently been found 'sound' by the Inspector.
- 1.19. A number of smaller scale developments, up to 7.2 hectares in size, are allocated in the PPLP in the Urban Area of Folkestone and Hythe (Chapter 5) for a variety of uses. These are principally focussed on previously developed land and regeneration opportunities:
 - Folkestone – Policies UA1, UA2, UA3, UA4, UA5, UA6, UA7, UA8, UA9, UA10, UA11 and UA12; and
 - Hythe – Policies UA13, UA14, UA15, UA16, UA17 and UA18.
- 1.20. Should further small-scale development opportunities come forward in the Urban Area on sites not allocated in the PPLP, they can be assessed against Core Strategy Review Policy SS1 and other relevant development plan policies.
- 1.21. Areas of central and northern Folkestone and western Hythe remain among the most deprived in the district, as highlighted in Core Strategy Review (Figure 2.6, page 29 and Table 5.1, page 137), and confirmed by the High Level Options Report (Figure 8, page 33). Western Hythe remains deficient in access to public open space, as illustrated by the Open Space Strategy (LUC, 2017, EB 05.60, Figure 5.1, page 79). The council therefore considers that the remaining elements of the policy relating to the Urban Area all remain relevant policy considerations.

Question 2

What is the overall scale of development envisaged, is this sufficiently clear and is it justified?

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- 1.22. The process of assessing the potential for future growth across the district is described above in the council's response to Question 1. This has led to the strategy of growth set out in Policy SS1 and, for the Urban character area of the district, in Policies CSD6, CSD7, SS10 and SS11.
- 1.23. Policy SS1 is intended to set the overall strategy for growth across Folkestone and Hythe district. Policy SS1 identifies broad areas for strategic growth and areas of constraint across the district, such as protected habitats, designated landscapes, including the Kent Downs Area of Outstanding Natural Beauty, and areas at risk of flooding.
- 1.24. Areas for strategic growth and broad locations are established by policies in the Core Strategy Review; the Places and Policies Local Plan identifies smaller sites across the district in each character area.
- 1.25. Regarding future development, the National Planning Policy Framework states that "*plans should positively seek opportunities to meet the development needs of their area*" (paragraph 11 (a)). When planning for new homes local planning authorities should support the Government's objective of significantly boosting the supply of homes by ensuring that land can come forward where it is needed (paragraph 59). The Government's standard method of housing need expresses need as a *minimum* number of new homes to be provided (paragraph 60).
- 1.26. Given this, Policy SS1 does not set maximum quotas or percentages of growth to be met within the Urban, Romney Marsh and North Downs character areas. Should additional sites come forward, these can be assessed through the development management process, taking into account national policy on major and relevant policies in the district's development plan.
- 1.27. The overall scale of development for the urban area, which encompasses Folkestone and surrounding area and Hythe and surrounding area, incorporates the strategic allocations at Folkestone Seafront and Shorncliffe Garrison (for which responses are provided against subsequent questions),

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which carry forward allocations in the Core Strategy Review. The scale of development planned for the Urban Area is supplemented through allocations in the Places and Policies Local Plan, which has recently been found sound.

1.28. The below extract is sourced from Table 4.3 of the Places and Policies Local Plan to evidence the Housing Land Supply Position between 2006 to 2031, and provides data on i) the number of units under construction, ii) permissions not started in 2017, iii) the allocations in the places and policies local plan/Core Strategy (for the latter where consent has not been granted) and iv) windfalls. The figures confirm the Urban Area will deliver 7,115 units against a minimum target 6,583. As such, the Urban Area will deliver above the minimum target.

Minimum Targets	Supply and Total Projected Delivery					
A	B	C	D	E	F	G
Number of homes	Completions 06/07-16/17	Under construction at 2017	Permissions not started at 2017	Places & Policies Local Plan/Core Strategy	Windfall	Total projected delivery (B + C + D + E + F)
Urban Area - 75 per cent of total (+/- 5 per cent)						
6,563	2,159	464	3,094	859	539	7,115

1.29. Policy SS1 of the Core Strategy Review sets out the District Spatial Strategy, clearly articulating the Council’s approach to the delivery of major development to meet the housing needs of the district. For the Urban Area the strategy acknowledges:

“Elsewhere in the District, priority will continue to be given to previously developed land in the Urban Area in Folkestone, for main town centre uses and housing, to enhance the town’s role as a sub-regional centre, with opportunity for increased densities within the town centre and maximisation of employment opportunities at key locations.”

1.30. Paragraph 28 of the Inspector’s report into the Core Strategy summarises the role of the urban area as the focus for development, stating:

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“As noted above, it is the urban area (and particularly Folkestone) that is intended as the main focus for development. This is made clear by policy SS1.”
(Paragraph 28, in part)

- 1.31. The overall scale of development envisaged for the urban area is, therefore, sufficiently clear and justified.

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2. Folkestone Seafront – Policy SS10

Question 3

What is the justification for the inclusion of the strategic site allocation at Folkestone Seafront (Policy SS10) given that it is allocated in the adopted Core Strategy and has planning permission?

- 2.1. The council's approach to the Core Strategy Review is set out above in paragraphs 1.6 to 1.7. Policy SS10 for Folkestone Seafront (formerly Policy SS6) was identified as a policy that did not need to be reviewed and could be carried forward into the Core Strategy Review.
- 2.2. The wording of Core Strategy Review Policy SS10 follows that of the adopted 2013 Core Strategy Policy SS6. This policy was examined and found 'sound' by the Inspector in 2013.
- 2.3. Since the Core Strategy was adopted by the council, Policy SS6 has served to guide development on the Folkestone Seafront site and the allocation now has planning permission.
- 2.4. Although planning permission has been granted on the site, the council considers it appropriate to retain Policy SS6 in the Core Strategy Review as adopted (renumbered to SS10), to provide certainty.
- 2.5. As outlined above, the council has undertaken a comprehensive, district-wide assessment of the development potential for strategic growth as set out in the High Level Growth Options Report. In parallel with this process, work has proceeded on the Places and Policies Local Plan (PPLP), which has identified a number of smaller sites in the urban area of Folkestone and Hythe; the PPLP recently been found 'sound' at examination.

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- 2.6. Through these processes, the council considers that there is no further potential for strategic growth in the urban area. The PPLP allocates a number of smaller sites (see paragraph 1.19 above) in the urban area.
- 2.7. Should further small-scale and infill opportunities arise in the urban area, proposals can be judged against Policies SS1, CSD6, CSD7 and the development management policies in the PPLP.

Question 4

What is the basis for the scale and range of development proposed and is this justified?

- 2.8. Section 4.6 of the Core Strategy Review, and specifically paragraph 4.143 asserts:

“This section sets out strategic allocations for the district. The allocations are:

- *New Garden Settlement in the North Downs Area (Policies SS6-SS9);*
- *Folkestone Seafront (Policy SS10); and*
- *Shorncliffe Garrison (Policy SS11).”*

- 2.9. The overview of key features of change proposed in the Spatial Strategy and associated major proposals for delivery acknowledges the role the Folkestone Seafront site (Policy SS10) is to play in achieving the spatial strategy objectives for the district, namely to:

“Develop Folkestone’s centre, employment sites and deprived residential neighbourhoods to improve connectivity, vibrancy and activity led by major opportunities on ‘brownfield’ land at Folkestone seafront and Shorncliffe Garrison, as well as employment sites, with opportunities to consolidate and improve the existing housing, commercial and retail stock. See policies SS1, SS3, SS4, SS10, SS11 and CSD6.”

- 2.10. Policy SS1 of the Core Strategy Review sets out the District Spatial Strategy, clearly articulating the Council’s approach to the delivery of major development

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to meet the housing needs of the district. For the Urban Area the strategy proposes:

“Development in the Urban Area will be led through strategically allocated developments at Folkestone Seafront (policy SS10) and Shorncliffe Garrison, Folkestone (policy SS11), ...”

- 2.11. The supporting text in paragraphs 4.30 and 4.31 of the Core Strategy Review explains that the urban centres of Folkestone and Hythe act as a locus for job, shops and higher-order public facilities. Coupled with excellent transport connections, which provides access to central London in less than an hour, reinforces the importance of the strategic allocations in maintaining the attractiveness and competitiveness of the district.

“Currently the majority of the district's population, jobs, shops and higher-order public facilities are found in Folkestone and Hythe. Major transport connections - including High Speed 1 services, the Channel Tunnel terminus and the M20/A20 - open up central and northern Folkestone and north/west and central Hythe as accessible locations for investment, less than one hour from central London.” (Paragraph 4.30)

“These connections, alongside the overall attractiveness and competitiveness of the district, have the potential for transforming its economic performance. This will be supported by a critical mass and choice of premises, markets, supporting facilities and working/living environments, all well-served by regional, national and international transport connections.” (Paragraph 4.31)

- 2.12. Policy SS1 continues:

“Development to meet strategic needs will be led through strategically allocated developments at Folkestone Seafront and Shorncliffe Garrison, Folkestone, and the delivery of strategic mixed-use development at Hythe.”

- 2.13. Supporting text provided in paragraphs 4.195 and 4.196 of the Core Strategy Review explains the regeneration role the Folkestone Seafront site will play in

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reinvigorating the seafront area, whilst also providing connections with neighbouring areas that have benefitted from recent investment:

“Vacant land at Folkestone's Seafront and Harbour – including the former port area – lies in close proximity to the town centre. On the main route between these areas of potential is the Creative Quarter (which will develop further in parallel to the Seafront in line with policy CSD6). At its western end, the Seafront meets the rejuvenated Coastal Park, and the site is highly prominent from the Leas part of the town centre lying on the cliff-top above.” (Paragraph 4.195)

“The redevelopment of Folkestone Seafront provides a unique opportunity for the town to reconnect with the coast and reinvent and invigorate itself as a place to live, work and visit for the twenty-first century. It can provide new facilities and a design providing a contemporary sense of place, but also drawing on strong historic maritime connotations. The Harbour, built from 1807 onwards, is grade II listed in part. From the mid-nineteenth century it benefited from a direct connection to the national rail network, and the area played an important military role during times of war in the first half of the twentieth century. The decline of British seaside mass tourism, and then the closure of ferry services in 2000, have left a large under-used area which has lost its sense of vitality and purpose and currently benefits little from its prominent coastal location.” (Paragraph 4.196)

- 2.14. In considering whether the Core Strategy's proposals for its allocation at Folkestone Seafront in accordance with Policy SS6 was *“effective, adequately justified and consistent with national policy”* the Inspector concluded in his report (paragraphs 64 and 65 refer) as follows:

“Given their proximity to the town centre and the presence of significant areas of vacant land, Folkestone's seafront and harbour provide clear potential for substantial urban regeneration activity. The need for such improvement consistent with safeguarding the area's historic heritage and the integrity of nearby nature conservation sites, is generally accepted. Specifically, the

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opportunity exists to increase and reinforce linkages with the town centre – for example through Folkestone’s Creative Quarter.” (Paragraph 64)

“A mixture of uses is proposed, including up to 1,000 dwellings and at least 10,000 square metres of commercial activity. The scale and nature of development is justified by the site’s size and waterfront/seaside location.” (Paragraph 65, in part)

- 2.15. The scale and range of development proposed at Folkestone Seafront in accordance with policy SS10 of the Core Strategy Review is, therefore, justified.

Question 5

Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?

- 2.16. The Folkestone Seafront site benefits from outline planning consent granted under planning reference Y12/0897/SH, and thus there has been rigorous assessment of a promoted scheme against the requirements of policy SS6 of the Core Strategy (and its equivalent as policy SS10 of the Core Strategy Review). The development plan policies, to include demonstration of compliance with the criteria of site-specific policy SS6 (SS10), were material to the determination of the application, and the decision to grant planning consent has thus been taken in accordance with the development plan.
- 2.17. Coverage of the evidence prepared to support the requirements of policy SS10, to include the need for the requirement and the associated effect on viability is provided within a table titled ‘Commentary on criteria to Policy SS10’, which is appended as Appendix 1 to this statement.
- 2.18. A viability analysis was provided to the council in support of the seafront planning application. The viability analysis provided was to confirm the financial viability of the proposed scheme, and to financially appraise the extent of

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affordable housing that the scheme was capable of submitting. The report was compiled by Capita Symonds. The council appointed an independent consultant, Peter Brett Associates, to assess whether the assumptions applied in the viability report were robust, and within acceptable parameters. The viability section presented within the Planning Committee report is appended as Appendix 2 to this statement.

- 2.19. Having taken each of the requirements in the policy, and presented the evidence to support them demonstrates the requirements are justified. It can also be demonstrated that the provision of the required infrastructure, be it through payment of a proportionate contribution or otherwise direct provision secured under a Section 106/Section 278 agreement, will have no corresponding effect on viability.

Question 6

What are the specific requirements for new or improved infrastructure and social and community facilities?

- 2.20. Criterion d. of Policy SS10 seeks to ensure sufficient contributions are made to fund highway, public transport and parking arrangements to provide sustainable connectivity between the Seafront site, the town centre and central and eastern Folkestone, including improved pedestrian, cycle and bus links and according with Policy SS5.

- 2.21. Policy SS5 'District Infrastructure Planning' requires that:

“Development should provide, contribute to or otherwise address the district'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.”

- 2.22. In the case of the Folkestone Seafront site, planning consent was granted on 30 January 2015, and Section 17 of the Planning Committee report provides commentary on all associated highway and transportation matters raised by

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the local highway authority. Section 17 of the Planning Committee report is appended to this statement (Appendix 3).

2.23. The applicant has entered into a Section 106 agreement that will fund the following highway and connectivity improvements:

Type	Amount due	Trigger(s)
Footpath contribution	£100,000	Occupation of 60 th dwelling
Tontine Street highway improvement	£150,000	Commencement of development
Variable messaging signage contribution	£30,000	Commencement of phase 5 or 6
Travel plan monitoring	£10,000	Prior to first occupation
Junction 5 contribution	£50,000	Occupation of 240 th dwelling

2.24. Criterion e. requires that appropriate financial contributions are provided to meet additional school pupil places generated by the development. Again, Policy SS5 ‘District Infrastructure Planning’ requires that:

“Development should provide, contribute to or otherwise address the district'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.”

2.25. The Section 106 agreement that has been entered into for the Folkestone Seafront scheme secured development contributions towards primary education of £2987.50 per dwelling, with payment to be made to the District Council on occupation of every 60 dwellings and final payment on occupation of the final dwelling.

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2.26. Additional information on critical infrastructure needs is provided within the Infrastructure Delivery Plan prepared in support of the Places and Policies Local Plan dated August 2018. Table 3.1 identifies the critical school need and details that developer contributions secured from the Folkestone Seafront site will be directed to the provision of a new 2 Form of Entry primary school at the Shorncliffe Garrison site.

Critical school need						
Details	Lead Partner	Total Cost Estimate	Main source of funding	Potential funding confirmed	Funding gap	Potential contributions
2FE new primary school provision – Shorncliffe Heights	KCC	£6.8m	S106	Taylor Wimpey 2.05ha site plus £3.14m Folkestone Seafront £2.99m	£0.67m	TBC

2.27. The strategic allocation at the Shorncliffe Garrison includes a requirement to safeguard land for the provision of a new primary school.

2.28. In terms of the requirement for the provision of new school infrastructure necessary to support development at Shorncliffe Garrison, the Inspector’s report into the Core Strategy acknowledges (paragraph 65):

“the Council has clarified infrastructure requirements in the light of updated school capacity information.”

2.29. Paragraph 71 of the Inspector’s report concludes:

“The revised wording of policy SS7 also takes account of updated information on infrastructure needs (in the light of new school capacity information).”

2.30. Criterion h. (affordable housing dwellings) of Policy SS10 seeks to ensure that the development will deliver 300 affordable housing dwellings, subject to viability. As set out in various paragraphs of the Planning Committee report to Y12/0897/SH, the outline application granted consent on 30 January 2015 will

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provide for 8 per cent affordable housing across the development. Specifically, paragraph 20.34 of the Planning Committee report asserts:

“The Housing Manager has raised no objection to the application and considers the viability report has been appropriately and robustly assessed. There is a lack of intermediate (shared ownership) property within Folkestone. Whilst 8% affordable housing is significantly lower than the target of 30% set out within the Core Strategy site specific policy SS6, the provision of affordable housing is subject to viability, whilst development must also accord with the other requirements of the policy so as to ensure it delivers regeneration benefits for the wider area.”

2.31. Criterion i. of Policy SS10 seeks the following:

“Residential buildings achieve a minimum water efficiency of 90 litres/person/day. All development must be designed and constructed to achieve high standards of environmental performance, and buildings should be designed to allow convenient waste recycling.”

2.32. Given that requirements for water efficiency levels of 90 litres per person per day were found sound by the Inspector examining the 2013 Core Strategy and that planning permissions have been granted for those sites allocated in the adopted plan, with development progressing on several, the council considered it a proportionate approach to continue with this requirement to guide remaining phases of development.

2.33. The payment of these contributions will have no corresponding effect on viability. Having taken each of the requirements in the policy, and presented the evidence to support them demonstrates the requirements are justified. It can also be demonstrated that the provision of the required infrastructure, be it through payment of a proportionate contribution or otherwise direct provision secured under a Section 106/Section 278 agreement, will have no corresponding effect on viability.

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Question 7

How will these be provided and funded?

- 2.34. Developer contributions that were secured through the signing of the Section 106 legal agreement entered into by the landowners and district council will be paid to the district council in accordance with the details set out in schedule 2 of the Section 106 document, with supplementary information contained within subsequent schedules of the Section 106 document.
- 2.35. Where the district council is the responsible service provider, for example the play space contribution, when Section 106 money is available (i.e. is held on account by the district Council following receipt of payment from the developer), and that money is required for a the delivery of a specific project, the party seeking a transfer payment (e.g. the internal department at Folkestone & Hythe District Council responsible for managing play spaces) will be required to contact the Development Control Manager and clearly set out details of the project, its Section 106 justification, responsibilities for governance on spend and associated programming for delivery for Section 106 monies to be released.
- 2.36. Likewise, where the county council is the responsible service provider, for example in respect of libraries, education, social care, highways and transportation, when Section 106 money is available (i.e. is held on account by the district Council following receipt of payment from the developer), and that money is required for a project, an officer (or officers) of the county council will be required to contact the Development Control Manager and clearly set out details of the project, its Section 106 justification, responsibilities for governance on spend and associated programming for delivery for Section 106 monies to be released.
- 2.37. This approval process necessitates that monies are spent in accordance with the specific legal agreements through a controlled project management approach.

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Question 8

How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?

- 2.38. The defined timing ((i.e. trigger point(s)) of developer contributions as set out in the signed Section 106 legal agreement to be paid to the district council is set out in the Section 106 schedule appended to this statement (Appendix 4 refers). At the time the planning application was originally consulted on, the various infrastructure and service providers were engaged with by the local planning authority to ascertain the relative timing of payments in the context of when each individual new or improved infrastructure item would be required in relation to the number of occupations at the Folkestone Seafront development.
- 2.39. In terms of monitoring, the local planning authority secured the payment of a monitoring fee as part of the Section 106 legal agreement to cover the cost of monitoring and reporting on delivery of the Section 106 obligations. Separately, the local planning authority will monitor the rate of housing completions as part of its Authority Monitoring Report (AMR), and there will be regular and continued dialogue between the Planning Policy team that oversee preparation of the AMR and the Development Management team within which the monitoring officer will report.
- 2.40. The district council is to prepare an Infrastructure Funding Statement (IFS) by the end of the 2020 calendar year that will profile Section 106 developer contributions, and provide coverage of those items of infrastructure that will be part-funded through use of Community Infrastructure Levy receipts. Preparation of the IFS will require close engagement with County Council colleagues. As the IFS is to be reviewed and updated annually it provides another means of cross-checking the flow of developer contributions – both payments to the district council, and thereon the transfer of contributions to external service providers, such as the county council.

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2.41. The mechanisms in place will ensure that developer contributions are paid across at the right time, and that the onward allocation of received contributions is undertaken in a timely and efficient manner.

Question 9

What are the expectations in terms of timing and rates of housing delivery and are these realistic? What progress has been made to date?

2.42. The site benefits from a Reserved Matters approval was granted in accordance with reference Y18/1252/FH for Plot B being details pursuant to outline application Y17/1099/SH for the *“erection of buildings between 4 and 8 storeys comprising 60 flats, 20 townhouses and 4 duplex flats, associated car and cycle parking and plant.”*

2.43. A contract award⁵ between the Development Company and contractors Jenner to construct this phase of the development was announced in January 2020. The temporary closure of construction sites owing to the Covid-19 pandemic halted construction for a period of time, but activity is now back underway.

2.44. The timing and rates of housing delivery are presented within the council’s response to Matter 8: The Supply and Delivery of Housing Land. As construction activity has commenced it is expected that the development will continue until it is fully built out. The housing delivery rates are considered to be realistic.

Question 10

Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? (N.B. The Council’s response should address key issues raised in representations.)

⁵ <http://jenner.cfa-uat.com/news/work-to-begin-on-folkestone-seafront>

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2.45. Four representations were received relating to Policy SS10. These raised the following issues:

- Kent County Council suggests revision of the wording regarding heritage to ensure that both the key archaeological features and their settings are preserved;
- The Environment Agency (EA) supports the clarification of the ‘Special Water Scarcity Status’ in paragraph 5.57 from the wording in the Regulation 18 draft. The EA also supports the high standards for water efficiency in the policy for the Seafront development and more widely across the district;
- Folkestone Harbour Limited would like Figure 4.6 amended to show the Sea Sports Facility already provided within the red line of the application within the immediate vicinity of The Stade to be retained; and
- A review of the planned green cycle route is required due to the topography.

2.46. With regard to heritage, Policy SS10 bullet point (f) states:

“Design is of very high quality, preserving the setting of the key heritage assets and archaeological features of the site, sympathetic to the landscape and coastal character of the area including the retention of the Inner Harbour Bridge.”

2.47. Bullet point (g) adds:

“The layout is planned to achieve sufficient ground floor active/commercial uses in and around the Harbour and at the Pier Head Quarter to ensure a sense of vitality can be maintained, fully utilising the setting, and also featuring a central avenue and a range of open and enjoyable coastal environments.”

2.48. The council considers that these points highlight key heritage features and their setting. Policy SS10 should be read in conjunction with policies in the Places

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and Policies Local Plan (PPLP) which provide more detail for development management.

- 2.49. The PPLP has been developed in parallel with the Core Strategy Review and has been through public examination. The Inspector's report has recently been issued and the plan has been found 'sound'.
- 2.50. Policy HE2: Archaeology sets out requirements for development throughout the district and states:

“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.”

- 2.51. The council considers that the policies provide strong protection for archaeological features on the site and main modifications are not necessary.
- 2.52. Regarding Figure 4.6, this is designed to illustrate the core principles for the redevelopment of the site, rather than the detail of a planning application.

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- 2.53. Regarding the pedestrian and cycle route shown on Figure 4.6, this forms part of a longer route on the former Harbour Railway Line. This is protected in the Places and Policies Local Plan (PPLP) through Policy RL12, which states that the former line is allocated for a linear park, promoting active travel by providing a cycle and pedestrian route to the harbour area. Policy RL12 states that planning permission will be refused for inappropriate development that would comprise the route's reuse as an alternative transport link.
- 2.54. The harbour railway line was formally closed in May 2014 following a period of consultation by the Department for Transport (DfT). It was concluded that ferry services were no more viable at the time of the closure than when they ceased to operate in 2001, and were not likely to be viable in the future. Consequently, it was maintained that there was little point in re-introducing the train service and uncertainty about the railway's future was inhibiting the regeneration of the seafront. Network Rail has removed one of the railway tracks and cleared vegetation.
- 2.55. The council believes that the former harbour railway line provides a unique opportunity for an attractive footpath, cycle lane and parking area to improve links to the seafront development. Policy RL12 retains the historic line of the railway as a link to the harbour and ensures that this is not lost to other forms of development. This would also extend the new walkway over the viaduct in the harbour area (at the end of the railway line) that has already commenced and is now nearing completion.
- 2.56. Regarding the gradient, this route could form a small part of a much longer route, the National Cycle Network Route 2.⁶ Route 2 when complete, will link Dover with St. Austell along the south coast of England. The route is currently 361 miles long; the only major gaps in this route are between Dawlish and Totnes, and Plymouth and St Austell.

⁶ See: <https://www.sustrans.org.uk/find-a-route-on-the-national-cycle-network/route-2/>

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2.57. From Folkestone harbour Route 2 currently climbs on side roads on the eastern edge of Folkestone, before joining Dover Hill and continuing east to Dover. Travelling westwards from the harbour, the route follows a more gently topography along the coast to Hythe, before looping inland along the Royal Military Canal and Romney Marsh, past Dungeness and on to Rye. Route 2 contains a number of steep sections along its length, but it can be tackled in sections and there are railway stations along the route that cyclists can use to complete the route in sections.

Question 11

Are any main modifications to Policy SS10 necessary for soundness?

2.58. The council does not consider that any main modifications are needed to Policy SS10 for soundness.

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3. Shorncliffe Garrison – Policy SS11

Question 12

What is the justification for the inclusion of the strategic site allocation at Shorncliffe Garrison (Policy SS11) given that it is allocated in the adopted Core Strategy and has planning permission?

- 3.1. The council's approach to the Core Strategy Review is set out above in paragraphs 1.6 to 1.7. Policy SS11 for Shorncliffe Garrison (Policy SS7 of the adopted Core Strategy) was identified as a policy that did not need to be reviewed and should be carried forward into the Core Strategy Review.
- 3.2. The wording of Core Strategy Review Policy SS11 follows that of the adopted 2013 Core Strategy Policy SS7. This policy was examined and found 'sound' by the Inspector in 2013.
- 3.3. Since the Core Strategy was adopted by the council, Policy SS7 has served to guide development in Shorncliffe Garrison and a large part of the allocation has planning permission, with phases of the development under construction or complete.
- 3.4. Although development is progressing on the site, the council considers it appropriate to retain Policy SS7 in the Core Strategy Review as adopted (renumbered to SS11), to provide certainty and guide the remaining phases of the development (National Planning Policy Framework, paragraph 125).
- 3.5. As outlined above, the council has undertaken a comprehensive, district-wide assessment of the development potential for strategic growth as set out in the High Level Growth Options Report. In parallel with this process, work has proceeded on the Places and Policies Local Plan (PPLP), which has identified a number of smaller sites in the Urban area of Folkestone and Hythe; the PPLP recently been found 'sound' at examination.

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- 3.6. Through these processes, the council considers that there is no further potential for strategic growth in the urban area. The PPLP allocates a number of smaller sites (see paragraph 1.19 above) in the urban area.
- 3.7. Should further small-scale and infill opportunities arise in the urban area, proposals can be judged against Policies SS1, CSD6, CSD7 and the development management policies in the PPLP.

Question 13

What is the basis for the scale and range of development proposed and is this justified?

- 3.8. Section 4.6 of the Core Strategy Review, and specifically paragraph 4.143 asserts:

“This section sets out strategic allocations for the district. The allocations are:

- *New Garden Settlement in the North Downs Area (Policies SS6-SS9);*
- *Folkestone Seafront (Policy SS10); and*
- *Shornccliffe Garrison (Policy SS11).”*

- 3.9. The overview of key features of change proposed in the Spatial Strategy and associated major proposals for delivery acknowledges the role the Shornccliffe Garrison site (Policy SS11) is to play in achieving the spatial strategy objectives for the district, namely to:

“Develop Folkestone’s centre, employment sites and deprived residential neighbourhoods to improve connectivity, vibrancy and activity led by major opportunities on ‘brownfield’ land at Folkestone Seafront and Shornccliffe Garrison, as well as employment sites, with opportunities to consolidate and improve the existing housing, commercial and retail stock. See policies SS1, SS3, SS4, SS10, SS11 and CSD6.”

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- 3.10. Policy SS1 of the Core Strategy Review sets out the District Spatial Strategy, clearly articulating the council's approach to the delivery of major development to meet the housing needs of the district. For the Urban Area the strategy proposes:

“Development in the Urban Area will be led through strategically allocated developments at Folkestone Seafront (policy SS10) and Shorncliffe Garrison, Folkestone (policy SS11), ...”

- 3.11. Supporting text provided in paragraphs 4.213 and 4.214 of the Core Strategy Review explains the regeneration role the Shorncliffe Garrison site will play in providing high-quality family housing that integrates well with the existing residential area, whilst also improving public transport access across west Folkestone and Cheriton:

“The scale and location of available land at Shorncliffe offers an important opportunity for providing high-quality family housing contributing to and benefiting from existing and upgraded services and infrastructure (including Cheriton High Street and High Speed 1 rail services). Developing an enhanced public realm and open space provision in the locality can benefit the surrounding community as a whole.” (Paragraph 4.213)

“There is excellent potential to provide a primarily residential development which can integrate well with the existing residential area, increasing local housing choice and services. Additionally it can support improved sports facilities, unlock new public greenspace, and improve access and bus services in west Folkestone and Cheriton. The development is planned mindful that a suitable critical mass of development is necessary for the provision of significant new community and public services to be feasible.” (Paragraph 4.214)

- 3.12. In considering whether the Core Strategy's proposals for its allocation at Shorncliffe Garrison in accordance with Policy SS7 was effective, adequately

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justified and consistent with national policy, the Inspector concluded in his report (paragraph 70) as follows:

“The Shorncliffe Garrison site arises as a result of a Ministry of Defence review of land holdings that identifies a need for land consolidation and improvement of retained facilities. Some 70 hectares of land is to be released, a substantial part of which is previously-developed. Forming a transitional area between the town and less built-up land, the site is well integrated with existing settlements – notably Cheriton. As such, the redevelopment proposal is consistent with the Plan’s strategic focus on Folkestone’s urban area.”

- 3.13. The scale and range of development proposed at Shorncliffe Garrison in accordance with Policy SS11 of the Core Strategy Review is, therefore, justified.

Question 14

Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?

- 3.14. The Shorncliffe Garrison site benefits from a hybrid planning consent granted under planning reference Y14/0300/SH, and thus there has been rigorous assessment of a promoted scheme against the requirements of Policy SS7 of the Core Strategy (and its equivalent as Policy SS11 of the Core Strategy Review). The development plan policies, to include demonstration of compliance with the criteria of site-specific Policy SS7 (SS11), were material to the determination of the application, and the decision to grant planning consent has thus been taken in accordance with the development plan.
- 3.15. Details of the independent review of viability for the Shorncliffe Garrison scheme is provided in Section 19 of the Planning Committee report prepared for the hybrid scheme promoted under planning reference Y14/0300/SH. Key information is presented below:

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“Taylor Wimpey’s viability consultant, GVA, submitted a confidential viability assessment in support of the planning application so as to demonstrate that the development could not provide all the required s106 contribution and other infrastructure and also provide the policy compliant requirement of around 30% of affordable housing.” (Paragraph 19.9)

“Shepway District Council have appointed Dixon Searle as an independent expert viability consultant to review the GVA report and ensure the viability work is fully tested in accordance with national guidance.” (Paragraph 19.10)

“Following significant discussion between officers, Dixon Searle, Taylor Wimpey and GVA there has been an incremental increase in affordable housing provision within the development from an initial 12% overall, 30% in phase 1 to the current position of 18% in total, with 30% provided within phase 1. It is considered that the viability of the development continues to be robustly tested by officers and our consultants and the overall quantum of development is close to being finalised, pending the review of the finalised viability report, to be provided by the applicant following the detailed calculation of costs for highway works and other infrastructure. It is the aim of officers to finalise the overall quantum of affordable housing within the development prior to DC Committee, with an update provided on supplementary sheets.” (Paragraph 19.11)

- 3.16. Coverage of the evidence prepared to support the requirements of Policy SS11, to include the need for the requirement and the associated effect on viability is provided within a table titled ‘Commentary on criteria to policy SS11’, which is appended as Appendix 5 to this statement.
- 3.17. Having taken each of the requirements in the policy, and presented the evidence to support them demonstrates the requirements are justified. It can also be demonstrated that the provision of the required infrastructure, be it through payment of a proportionate contribution or otherwise direct provision secured under a Section 106/Section 278 agreement, will have no corresponding effect on viability.

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Question 15

What are the specific requirements for new or improved infrastructure and social and community facilities?

3.18. Criterion c. of Policy SS11 seeks to ensure critical junction upgrades, and other highway improvements, and a contribution is made to improved and extended bus services and further sustainable travel measures for walking and cycling (including connections to Cheriton High Street and Folkestone West railway station) in accordance with policy SS5.

3.19. Policy SS5 'District Infrastructure Planning' requires that:

“Development should provide, contribute to or otherwise address the district'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.”

3.20. The Inspector's report includes commentary on the scale of housing that is proposed, particularly in respect of the scheme's traffic implications. The Inspector's report (paragraph 72) concludes:

“The proposals have been examined in the Shepway Transport Strategy and, for the Ministry of Defence, in the Shorncliffe Transport Strategy. The methodology of these studies has not been substantively challenged. As already noted, the Highways Agency is now satisfied that the site's potential traffic impacts have been considered within the transport evidence base. Critical and necessary infrastructure upgrades (including transport) are set out in CS Appendix 2. Particular analysis has been made of the potential pinch-point of the Horn Street bridge, identifying a viable and deliverable solution.”

3.21. A hybrid planning application was granted planning consent in accordance with planning reference Y14/0300/SH on 17 December 2015 for the following development:

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“Hybrid application for the redevelopment of land at Shorncliffe Garrison. Application for outline permission (with all matters reserved) for demolition of existing buildings (with the exception of the listed buildings, officers’ mess within Risborough Barracks and water tower) and erection of up to 906 dwellings including affordable housing, community services and facilities (use Classes A1/A3/B1a/D1 and D2 uses up to 1,998 sqm), new Primary school and nursery (up to 3,500 sqm), combined new pavilion/cadet hut facility (up to 710 sqm) at The Stadium, retained cricket pitches including mini football pitches, equipped play, associated public open space and toilets, together with, associated accesses/roads, parking, associated services, infrastructure, landscaping, attenuation features and earthworks. Full application comprising demolition of existing buildings and erection of 294 dwellings including affordable housing, open space, improvements to ‘The Stadium’ sports facilities and new car park, equipped play improvements/works to The Backdoor Training Area, associated accesses/roads, parking, associated services, infrastructure, landscaping, attenuation features and earthworks.”

- 3.22. The Planning Committee report provides commentary on all associated highway and transportation matters raised by the local highway authority in respect of the hybrid application. Section 14 of the Planning Committee report is appended to this statement (Appendix 6 refers).
- 3.23. The applicant has entered into a Section 106 agreement that will fund a number of highway and connectivity improvements, as set out in Tables 3.1 and 3.2 respectively.

Table 3.1. Highway and transportation contributions secured under the Section 106 legal agreement for the Shorncliffe Garrison site.

Type	Amount due	Trigger(s)
Footpath (Church Road & Cheriton High Street)	£25,000.00	Prior to first occupation

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PROWs (HF38 & HBX11)	£55,000.00	Prior to first occupation within Phase 1A (SMP)
Cycle Routes	£25,000.00	Prior to first occupation
Signals & Minor Junction improvements	£25,000.00	Prior to first occupation within Phase 1A (SMP)
Signal Works	£1,750.00	Prior to first occupation

Table 3.2. Highway and transportation contributions secured under the Section 106 legal agreement for the Shorncliffe Garrison site

1	2	3
Church Road Access	M181/200 Rev B	Prior to Commencement of Development on 'The Stadium' parcel subject to this access being used as a construction access
Royal Military Road Access	M181/201 Rev A	Prior to first Occupation on 'The Stadium' phase of the Development
Horn Street/Cheriton High Street Signal Junction	M181/205 Rev B	Prior to first Occupation of the 'St Martin's Plain' phase of the Development.
Horn St Bridge – Option 1 Junction Improvement (Change in Priority)	M181/203 Rev B	Prior to first Occupation on any Phase of the Development
A20 Cheriton High Street/Cheriton Interchange	M181/211 Rev -	Prior to first Occupation on any Phase of the Development
St Martins Plain Access	M181/213 Rev -	Prior to Commencement of Development on 'The St Martin's Plain' parcel subject to this access being used as a construction access

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3.24. Information presented as Table 3.1 of this statement has been drawn from the Section 106 legal agreement, and the developer is also required to carry out the highway works detailed in Table 3.2 of this statement. In reference to the latter, a description of the highway works are stated in column 1, and drawing references are provided in column 2. The developer is not to progress the development beyond the trigger point referred to without complying with that obligation in accordance with the trigger stated in column 3.

3.25. Criterion d. of Policy SS11 requires that a proposal includes on-site provision of appropriate community infrastructure including land and possible contributions towards a new primary school (up to two-form entry). As detailed in Section 12 of the Planning Committee report prepared for the hybrid application promoted under planning reference Y14/0300/SH it is explained that:

“The application includes seeking outline permission for a 2 form entry primary school and nursery (3500 sq m) on the eastern parcel of land at Le Quense. The delivery of a new primary school within the application site is identified as ‘critical’ infrastructure within appendix 2 of the Core Strategy Local Plan. As such, the principle of the primary school in this location is set out within the site policy and Core Principles for master planning strategic site diagram, with the proposed site well located alongside the existing highway network, at the heart of the development and in close proximity to existing and proposed community facilities. The provision of a new primary school is highly sustainable and provides social cohesion for the new community, helping to establish the occupants within the locality with existing residents, whilst a condition can ensure community use is available for the school facilities (such as pitches).”

3.26. Paragraph 12.6 clarifies that the land required for the primary school is to be serviced and transferred to Kent County Council (KCC) at nil cost. There is also commentary on financial contributions to be sourced from the Folkestone Seafront site to part-fund the delivery of the 2FE school at the Shorncliffe Garrison site, as follows:

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“KCC have confirmed that they expect the site to be serviced and transferred at nil cost, whilst their comments on the application set out the appropriate education contribution to be paid to mitigate the impact of development. It is proposed that the land is transferred and the full contribution is made so as to allow KCC to construct the school for first opening in September 2018. It is proposed that the school will initially be built as 1 form entry, with additional funding (as secured from the Folkestone Seafront development application Y12/0897/SH) to be used to fund the second form of entry at a future date.”

- 3.27. As set out in the Infrastructure Delivery Plan prepared in support of the Places and Policies Local Plan:

“Housing developments at Shorncliffe Garrison and Folkestone Seafront will require provision for a new 2FE Primary school. Land has been provided by the developers on the Shorncliffe Garrison site. The extra capacity provided will ensure sufficient surplus places and increased parental choice across Folkestone Town. It is expected that the school will open on site as demand increases, which is not expected to be before September 2020. The value of opening a new school in this new community is recognised, but has to be balanced with the impact opening provision could have on schools and other communities if opened too soon.” (Paragraph 3.12)

“In the case of a new primary school facility at Shorncliffe Garrison, the land for the primary school site is to be transferred to KCC as Education authority by the landowner within 30 working days of receiving from the County Council a notice requiring transfer of the school site. The landowner shall service the school site prior to the commencement of phase 2 of development and notify the County Council that the servicing works have been completed. The landowner shall not be required to service the school site earlier than March 2017 and the landowner shall not commence any other development within Phase 2 until the school site has been serviced.”

- 3.28. As the completion and occupation of residential units at the Shorncliffe Garrison site has proceeded, so it has been necessary for the developer, Taylor

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Wimpey, to maintain dialogue with Kent County Council as the Local Education Authority in respect of their commitment under the Section 106 agreement to provide for a new on-site primary school. Correspondence prepared by KCC dated 11 May 2020 for the attention of Taylor Wimpey has been shared with the district council, and the letter appended as Appendix 7 to this statement. The letter provides a useful update on the future timescales for the transfer of the school land, which will then prompt payment of the developer contribution that will part-fund construction of the school. The reader is reminded that additional funding for the primary school is to flow from the Folkestone Seafront development.

- 3.29. Extracts from the letter prepared by KCC dated 11 May 2020 are provided below:

“On 5 August 2019 you wrote informing Kent County Council that the primary school site at Shorncliffe was ready to be transferred in accordance with the requirements as outlined in the s106.

As officers informed you, our pupil forecasts suggest that the school will not be required until the second half of this decade. Therefore, we will not request the site transfer until 2024 at the earliest.

Schedule 2, paragraph 1.2 of the s106 provides that the developer is under an obligation to transfer the site within 30 days of KCC serving a notice to that effect. When the site is required by the County Council, we will serve a notice to such effect.”

- 3.30. In terms of the requirement for the provision of new school infrastructure necessary to support development at Shorncliffe Garrison, the Inspector’s report into the Core Strategy (paragraph 71) concludes:

“The revised wording of policy SS7 also takes account of updated information on infrastructure needs (in the light of new school capacity information).”

- 3.31. Criterion d. of Policy SS11 also requires on-site provision of community infrastructure (including land) to provide a health/care facility (and/or delivery

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of a community/public facility of equal community value). As set out in Schedule 2 of the signed Section 106 legal agreement, a health care facility is to be provided on site in accordance with the defined specification, as follows:

“the premises of 300 square metres (GIA) identified for a health care facility (use class D1) to include the provision of 20 car parking spaces and shown on the plan at Appendix 5 to this Deed.”

- 3.32. As documented in paragraph 12.2 of the Planning Committee report relating to the scheme promoted under planning reference Y14/0300/SH:

“The application includes provision of a new 480-600 sq m (floor space GIA) 2 storey pavilion building, located to the west of the spine road at the edge of the Stadium pitches (and surrounded by land within phase 1b). It is proposed that the new pavilion building will be delivered on site by March 2018 to satisfy obligations that Taylor Wimpey have with the MOD to retain Cadet facilities at the site, which also ensure existing community facilities are not lost, in accordance with policy SS3 of the Core Strategy Local Plan. This will be a shared facility providing changing facilities on the ground floor (for the adjacent sports pitches) and accommodation on the first floor for the Army Cadet Force (as a replacement for the existing cadet hut) with opportunities for community use on the first floor of the building at other times.”

- 3.33. At the time of writing (June 2020), the Section 106 payment for the management and maintenance of the Pavilion has been received by the district council, and the trigger point for payment was on completion of the transfer of the Pavilion freehold to the council. The facility is now operational.

- 3.34. Criterion e. of Policy SS11 requires that a scheme of development incorporates high-quality green infrastructure at the design stage, with sports and public open space usable for active recreation retained in line with national policy, and improved changing facilities provided at ‘The Stadium’. Details of proposed play space within the development are set out within the Play Strategy within the Development Specification Document (DSD).

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3.35. Further context is provided within the Planning Committee report prepared for application Y14/0300/SH, as follows:

“In terms of open space provision on the site, Table 9.1 of the DSD provides a breakdown of the size and the open space areas estimated to be delivered, including both the outline and full elements. Including the Backdoor Training Area the total provision of on-site open space equates to approximately 44.98 ha. Excluding the Backdoor Training Area the development delivers 11.84 ha of open space. Taking into account the size of these areas, the provision of open space to be delivered on site is in excess of the saved local plan policy requirement. Whilst it can be argued that much of this open space is currently publicly accessible, this is at the MOD’s discretion – the current application will ensure the long term availability and access to these spaces for sports, recreation and leisure purposes, whilst provision is made within the application to substantively improve the quality and usability for their intended uses.”

3.36. Criterion i. of Policy SS11 seeks to ensure the development delivers 360 affordable housing dwellings for the Urban Area subject to viability (or if the total residential quantum is less than 1,200 units, 30 per cent). Schedule 1 of the signed S106 legal agreement clarifies that the affordable housing provision will be 18 per cent, and an excerpt from the Section 106 agreement is presented below.

Unless otherwise agreed in writing with the Council the Owner covenants as follows:

- 1 That 18% of the total number of the Dwellings on the Property shall be Affordable Housing Units and shall be transferred to the Affordable Housing Provider in accordance with paragraphs 7 and 8 below

3.37. Details of the viability evidence is presented within the response to Question 14 of this matter.

3.38. Criterion j. of Policy SS11 seeks to ensure residential buildings achieve a minimum water efficiency of 90 litres/person/day. Given that requirements for water efficiency levels of 90 litres per person per day were found sound by the

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Inspector examining the 2013 Core Strategy and that planning permissions have been granted for those sites allocated in the adopted plan, with development progressing on several, the council considered it a proportionate approach to continue with this requirement to guide remaining phases of development.

Question 16

How will these be provided and funded?

- 3.39. The developer contributions that were secured through the signing of the Section 106 legal agreement entered into by the landowners and district council will be paid to the district council in accordance with the details set out in schedule 2 of the Section 106 document, with supplementary information contained within subsequent schedules of the Section 106 document.
- 3.40. Where the district council is the responsible service provider, for example the play space contribution, when Section 106 money is available (i.e. is held on account by the district Council following receipt of payment from the developer), and that money is required for a the delivery of a specific project, the party seeking a transfer payment (e.g. the internal department at Folkestone & Hythe District Council responsible for managing play spaces) will be required to contact the Development Control Manager and clearly set out details of the project, its Section 106 justification, responsibilities for governance on spend and associated programming for delivery for Section 106 monies to be released.
- 3.41. Likewise, where the county council is the responsible service provider, for example in respect of libraries, education, social care, highways and transportation, when S106 money is available (i.e. is held on account by the district council following receipt of payment from the developer), and that money is required for a project, an officer (or officers) of the county council will be required to contact the Development Control Manager and clearly set out details of the project, its Section 106 justification, responsibilities for

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governance on spend and associated programming for delivery for Section 106 monies to be released.

- 3.42. This approval process necessitates that monies are spent in accordance with the specific legal agreements in a controlled project management environment.

Question 17

How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?

- 3.43. The defined timing (i.e. trigger point(s)) of developer contributions as set out in the signed Section 106 legal agreement to be paid to the district council is set out in the Section 106 schedule appended to this statement (Appendix 8). At the time the planning application was originally consulted on, the various infrastructure and service providers were engaged with by the local planning authority to ascertain the relative timing of payments in the context of when each individual new or improved infrastructure would be required in relation to the number of occupations at the Shorncliffe Garrison development.
- 3.44. In terms of monitoring, the local planning authority secured the payment of a monitoring fee as part of the Section 106 legal agreement to cover the cost of monitoring and reporting on delivery of the Section 106 obligations. Separately, the local planning authority will monitor the rate of housing completions as part of its Authority Monitoring Report (AMR), and there will be regular and continued dialogue between the Planning Policy team that oversee preparation of the AMR and the Development Management team within which the monitoring officer will report.
- 3.45. The district council is to prepare an Infrastructure Funding Statement (IFS) by the end of the 2020 calendar year that will profile Section 106 developer contributions, and provide coverage of those items of infrastructure that will be part-funded through use of Community Infrastructure Levy receipts. Preparation of the IFS will require close engagement with county council

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colleagues. As the IFS is to be reviewed and updated annually it provides another means of cross-checking the flow of developer contributions – both payments to the district council, and thereon the transfer of contributions to external service providers, such as the county council.

- 3.46. The mechanisms in place will ensure that developer contributions are paid across at the right time, and that the onward allocation of received contributions is undertaken in a timely and efficient manner.

Question 18

What are the expectations in terms of timing and rates of housing delivery and are these realistic? What progress has been made to date?

- 3.47. The timing and rates of housing delivery are presented within the council's response to Matter 8: The Supply and Delivery of Housing Land. The stated trajectory of housing delivery at Shorncliffe Garrison has been provided by the site promoter. The recorded number of housing occupations at the Shorncliffe Garrison site is 233 units, and the year-on-year profiling is as set out in Matter 8. The timing and rate of housing deliver are considered to be robust and realistic.

Question 19

Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? (N.B. The Council's response should address key issues raised in representations.)

- 3.48. Five representations were made to Policy SS11. These raised the following issues:
- It is suggested that the design and layout of the development should draw upon the military character of the place, and not just the scale and pattern of surrounding development. This would ensure that the new development

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makes a positive contribution to local character and distinctiveness in line with the objectives of the NPPF;

- There is concern locally that the heritage features of the site are not being preserved and that proper archaeological investigation is not being carried out;
- The Environment Agency supports that the ‘Special Water Scarcity Status’ in paragraph 5.57 has been clarified; and the high standards set for water efficiency in the New Garden Settlement, the Seafront, Shorncliffe and Sellindge developments, and more widely across the district; and
- Taylor Wimpey would like paragraph i. to be amended to refer to provision of 18 per cent affordable housing in line with outcomes of the agreed viability assessment. Reference to 30 per cent affordable housing, further fails to accord with Policy CSD1 which amended it to 22 per cent.

3.49. Other representations were made to related matters and these are summarised below:

- Taylor Wimpey seeks to amend Figure 4.7 to reflect the consented planning application. Reference to the provision of allotments should also be removed and the area of green space at The Stadium should also be adjusted to reflect the consented scheme; and
- Taylor Wimpey also questions the additional statements covering the possibility of further heritage assets following the work carried out previously by Historic England for the hybrid planning application (Y/14/0300/SH) where relevant sites were identified; and the need to provide a “significant proportion” of homes to be flexible to the needs of residents as they age.

3.50. The council’s approach to the Core Strategy Review is outlined above in paragraphs 3.1 to 3.3.

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3.51. Given progress with the development of the strategic site, the council considers it appropriate to keep Policy SS11 (renumbered from SS7 in the 2013 Core Strategy) in its adopted form to guide the remaining phases of development on the site.

3.52. Policy SS11 bullet point g. refers to the development being guided by the former uses on the site; the detail would be determined through the planning application process. Places and Policies Local Plan (PPLP) Policy HB1: Quality Places Through Design require development to make:

“ ... 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; ...”

The council does not consider it necessary to add further detail to Policy SS11 to reflect this.

3.53. Regarding archaeological investigation, it is not clear what local concerns are being referred to; the council considers that this is a matter for the development management process rather than the policy. PPLP Policy HE2: Archaeology states that:

“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.”

The council does not consider it necessary to add further detail to Policy SS11 to reflect this.

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- 3.54. Regarding other elements of Policy SS11 and the existing planning permissions, the council considers it appropriate to remain with the adopted policy wording. Policy CSD1 regarding affordable housing allows issues of practicality and viability to be taken into account in decision making and this will be a matter of negotiation through the development management process.
- 3.55. Figure 4.7: Shorncliffe Garrison Strategic Site is intended to show the core principles for masterplanning the site and the council does not consider it appropriate to show the detail of consented phases on this diagram.

Question 20

Are any main modifications to Policy SS11 necessary for soundness?

- 3.56. The council considers that no main modifications are necessary to Policy SS11 for soundness. As set out in the Inspector's report into the Core Strategy (2013), it was found that:

"Subject to the above-noted main modifications, I therefore conclude that the Core Strategy's proposals for Shorncliffe Garrison are effective, adequately justified and consistent with national policy."

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4. Central Folkestone Strategy – Policy CSD6

Question 21

What is the basis for the strategy for Central Folkestone (Policy CSD6) and is it justified?

- 4.1. The council's approach to the Core Strategy Review is outlined above in paragraphs 1.4 to 1.7. Policy CSD6 was considered through this process and assessed to be in accordance with national policy and guidance.
- 4.2. Consultation on the Regulation 18 version of the Core Strategy Review highlighted issues with the policy that were then reflected in revised wording for the Regulation 19 plan:
- The evening economy and entertainment uses; and
 - The Creative Quarter.

Evening economy and entertainment uses

- 4.3. During consultation on the Regulation 18 version of the Core Strategy Review the council received a number of general comments on the evening economy, highlighting the need to promote entertainment and evening venues to attract younger people to the district.
- 4.4. Although such venues would be covered by the definition of 'main town centre uses' in the National Planning Policy Framework, the council considered that the wording of the policy could be amended to include specific reference to the daytime and evening economy and entertainment uses.
- 4.5. The national planning practice guidance supports this approach stating:

“Evening and night time activities have the potential to increase economic activity within town centres and provide additional employment opportunities. They can allow town centres to diversify and help develop their unique brand

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and offer services beyond retail. In fostering such activities, local authorities will also need to consider and address any wider impacts in relation to crime, noise and security.”⁷

- 4.6. The first paragraph of the policy stresses the need for a mix of uses allied to public realm improvements that enhance the physical environment, people’s sense of security and connectivity.
- 4.7. The council is undertaking further work on regenerating the town centre through the creation of a masterplan. As part of this work the council undertook a visitor survey, ‘Market Research to support regeneration opportunities for Folkestone Town Centre’ (Watermelon Research, February 2020).⁸ This identified the lack of an evening economy as one of the main changes that would encourage overnight stays in Folkestone. This work will be taken forward through the town centre masterplan, but the council considers that it would be beneficial to have supporting policy wording in Policy CSD6 of the Core Strategy Review.

The Creative Quarter

- 4.8. Folkestone has been developing a creative arc from Folkestone harbour arm through to the Old High Street which has mainly comprised retail and art shops, architects offices and restaurants. This has been extended into Tontine Street where property has been redeveloped more recently to create co-working space for micro-businesses, studios and live performance venues such as the Quarterhouse. The investment has been significant and much achieved through a charitable trust, Creative Folkestone.
- 4.9. This ambition was recognised in the adopted 2013 Core Strategy, which included Strategic Need A, paragraph 3.3, bullet point 9:

⁷ National Planning Practice Guidance, Paragraph: 001 Reference ID: 2b-001-20190722.

⁸ Available to view at: https://www.folkestone-hythe.gov.uk/media/2536/Folkestone-town-centre-regeneration-research/pdf/Folkestone_Town_Centre_Regeneration_Research_FINAL.PDF?m=637250877233330000

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“Expand cultural and creative activity in the district, with refurbished premises and spaces in Folkestone’s old town forming a vibrant Creative Quarter.”

4.10. Spatially this arc was noted on the Folkestone Seafront Strategic Site diagram and within paragraph four of Policy CSD6.

4.11. Research by Kent County Council (Appendix 9) shows that:

- Folkestone & Hythe district has a broad-based creative sector like other Kent districts and this increased in size by more than 27 per cent over the last five years (Table 4);
- The Folkestone & Hythe creative sector is similar to other Kent districts’ sectors, being broadly-based but with most representation in IT, software and computer services (Table 5; 41 per cent for Folkestone & Hythe District), seen as drivers for future economic growth; and
- Similar to other Kent Districts, there is a high proportion of micro-enterprises (96.7 per cent - see Table 8), viewed as drivers for creativity.

4.12. During consultation on the Regulation 18 version of the Core Strategy Review, the council received comments to Policy CSD6 from the Creative Foundation (now renamed Creative Folkestone) stating that the policy needed to do more to provide long-term encouragement and support for the creative and digital industries.

4.13. The following considerations were stressed in Creative Folkestone’s comments:

- The need for secure, permanent, affordable creative workspace;
- Recognition of the value of the mix of uses in the creative quarter;
- The need for the fastest broadband infrastructure;
- Encouraging development of the creative sector through the planning process; and
- Developing policies that encourage the creative industries.

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4.14. Following the Regulation 18 consultation, council officers discussed the comments with Creative Folkestone to see how the policy could be amended to address the organisation's concerns.

4.15. The National Planning Policy Framework states in paragraph 82:

“Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.”

4.16. National planning practice guidance adds that:

“Clustering of certain industries (such as some high tech, engineering, digital, creative and logistics activities) can play an important role in supporting collaboration, innovation, productivity, and sustainability, as well as in driving the economic prospects of the areas in which they locate. Strategic policy-making authorities will need to develop a clear understanding of such needs and how they might be addressed taking account of relevant evidence and policy within Local Industrial Strategies. For example, this might include the need for greater studio capacity, co-working spaces or research facilities.

These needs are often more qualitative in nature and will have to be informed by engagement with businesses and occupiers within relevant sectors.”⁹

4.17. These issues are recognised in the Employment Land Review (Document EB 07.40), which identifies that the Creative Quarter around Tontine Street and Old High Street has been a key driver in the office market in Folkestone, significantly enhancing the profile of the town centre and leading to the development of a cluster of start-up businesses including digital industries

⁹ National Planning Practice Guidance, Paragraph: 032 Reference ID: 2a-032-20190722.

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(paragraphs 4.14 and 4.33(6)). However, the lack of suitable office space has acted as a deterrent to new firms moving into the area (paragraph 4.16).

- 4.18. The council's Economic Development Strategy 2015-2020 'Our plan for business and jobs' (Document EB 07.50) also highlights growing creative and media sectors as key strengths of the Folkestone and Hythe area (paragraph 2.5) and as an existing asset that can be built on for future growth (paragraph 3.2). The accompanying analysis identifies the Folkestone Seafront / Tontine Street area as 'strategic site' capable of being marketed as a major employment location, justifying more involved public sector intervention to secure delivery.
- 4.19. Recently the development of the area has continued, for example with the creation of new digital studios in Tontine Street. The area also has representation from the University of the Creative Arts.
- 4.20. The creative arc is distinguished by having a cluster of creative enterprises beyond what might be expected in a traditional Creative Quarter (with a focus on arts and crafts production and retailing).
- 4.21. The density of the creative enterprises in the creative arc makes the area distinct and visible compared to other locations, sometimes with a higher number of creative businesses, but more dispersed.
- 4.22. In light of the consultation comments from Creative Folkestone, the council added additional wording to Policy CSD6 for the Submission Draft Core Strategy Review to add reference to creative sectors and the Creative Quarter, building on the success of the adopted 2013 Core Strategy policy, to try to ensure that there is no net erosion of these spaces (fourth paragraph, second bullet point).
- 4.23. Other elements of policy CSD6 reflect national planning policy and guidance and the council considers that they remain relevant.

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- 4.24. The National Planning Policy Framework states that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation (paragraph 85).
- 4.25. Policies should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive welcoming and distinctive places to live, work and visit (NPPF, paragraph 127 (d)). Places should be safe, inclusive and accessible (paragraph 127(f)).
- 4.26. The importance of residential uses in town centres is stressed in national planning guidance

“Residential development in particular can play an important role in ensuring the vitality of town centres, giving communities easier access to a range of services.”¹⁰

Question 22

Is it sufficiently clear in terms of the scale, type and location of development?

- 4.27. Policy CSD6 establishes broad areas for regeneration and development and, within the Bayle and Leas Conservation Area, areas for preservation and enhancement (see also Figure 5.4: Central Folkestone strategy). The Creative Quarter is also identified as an area for creative and digital industries.
- 4.28. Policy CSD6 also refers to Policy SS10 for the Folkestone Seafront and this is dealt with in the council’s responses to other questions within Section 2. Folkestone Seafront – Policy SS10.
- 4.29. The intention of the policy is to set the strategic context to guide any developments that may come forward beyond those sites identified in the

¹⁰ National Planning Practice Guidance, Paragraph: 001 Reference ID: 2b-001-20190722.

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Places and Policies Local Plan, and this was accepted by the Inspector at the examination of the 2013 Core Strategy.¹¹

4.30. The council has been preparing the Places and Policies Local Plan (PPLP) in parallel with work on the Core Strategy Review; the PPLP has been through examination and has recently been found 'sound' by the Inspector.¹²

4.31. A number of sites were identified within the Central Folkestone area through the PPLP process and have been allocated within the framework set out in Policy CSD6. These allocations include:

- Policy UA1: East Station Goods Yard, Folkestone – allocated for a mixed-use development, including 40 dwellings and commercial floorspace;
- Policy UA2: Rotunda and Marine Parade Car Parks, Lower Sandgate Road, Folkestone – allocated for a total of 115 dwellings;
- Policy UA3: Royal Victoria Hospital, Radnor Park Avenue, Folkestone – allocated for 42 dwellings;
- Policy UA4: 3-5 Shorncliffe Road, Folkestone – allocated for 20 dwellings;
- Policy UA5: Ingles Manor, Castle Hill Avenue, Folkestone – allocated for a mixed-use development, including 46 dwellings and commercial floorspace;
- Policy UA6: Shepway Close, Folkestone – allocated for 35 dwellings and public open space; and
- Policy UA7: Former Gas Works, Ship Street, Folkestone – allocated for 100 dwellings.

4.32. Further guidance is provided by PPLP Policy RL2: Folkestone Main Town Centre which establishes primary and secondary shopping frontages within the retail area highlighted in Figure 5.4: Central Folkestone strategy.

¹¹ Report on the Examination into Shepway Core Strategy Local Plan, 10 June 2013, PINS/L2250/429/5, paragraph 87.

¹² Report on the Examination of the Folkestone and Hythe Places and Policies Local Plan, 26 June 2020, PINS/L2250/429/8.

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4.33. The council considers that this demonstrates that Policy CSD6 continues to set a clear framework for development within central Folkestone. Should additional development opportunities come forward on sites not allocated within the PPLP, through the town centre masterplan work that the council is currently undertaking, or through other circumstances, these can be assessed against the general framework provided by Policy CSD6 and the development management policies in Part Two of the PPLP.

Question 23

Are any main modifications to Policy CSD6 necessary for soundness?

4.34. The council does not consider that any main modifications are necessary to Policy CSD6 for soundness.

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5. Hythe Strategy – Policy CSD7

Question 24

What is the basis for the strategy for Hythe (Policy CSD7) and is it justified?

- 5.1. Policy CSD7 in the Core Strategy Review follows the existing policy wording of CSD7 in the adopted 2013 Core Strategy.
- 5.2. The council's approach to the Core Strategy Review is set out above in paragraphs 1.4 to 1.7. Policy CSD7 was assessed through this process and was not considered to need amendment.
- 5.3. As set out above, the High Level Options Report (EB 04.20) found Hythe to be an area with environmental, landscape and spatial constraints. The environmental constraints relate to the significant areas of Zone 2 and 3 floodplain, particularly in the western half of the area, but also to the scale of ecological designations, in particular the Hythe Ranges Local Wildlife Site. The Kent Downs Area of Outstanding Natural Beauty designation and its setting is also a significant landscape constraint, and the town centre conservation area is extensive. Transport infrastructure and economic opportunities are also more constrained than in Folkestone and the surrounding area. The overall conclusion of the Report is therefore that the area has no potential for strategic growth.
- 5.4. The Town Centre Study, Volume 1: Main Report (EB 07.60, 2015) states that the principal aim should be to 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. The future success of Hythe may well be allied to it successfully branding itself as the 'alternative' to Folkestone, and marketing its specialist offer as an alternative both to more mainstream centres, and to other competing influences such as online shopping. The health of the

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town centre is currently good, the Study found, so the overall message of the Study is to continue with existing policy.

- 5.5. Policy CSD7 therefore stresses the need for additional employment in the town and upgrading the stock of business accommodation and training opportunities. The importance of the tourist and leisure economy to the town is stressed, as well as public realm improvements in the High Street and town centre. The need for strategic flood defences and better transport links also feature in the policy. The council therefore considers that Policy CSD7 remains relevant and justified.

Question 25

Is it sufficiently clear in terms of the scale, type and location of development?

- 5.6. Policy CSD7 establishes a broad strategy for Hythe encompassing employment, education, tourism and leisure, food defences, public realm improvements and public transport routes.
- 5.7. The intention of the policy is to provide a strategic context, together with allocations in the Places and Policies Local Plan, consistent with the town's position in the settlement hierarchy and its particular and important historic heritage, and this was accepted by the Inspector at the examination of the 2013 Core Strategy.¹³
- 5.8. Figure 5.5: Hythe Strategy identifies broad areas of constraint, including conservation areas, the Kent Downs Area of Outstanding Natural Beauty, the Roughs Site of Special Scientific Interest, the Royal Military Canal and the Hythe Ranges Ministry of Defence land. The development site shown on the strategy represents the former Nickolls Quarry site, which has planning permission and is currently being built out.

¹³ Report on the Examination into Shepway Core Strategy Local Plan, 10 June 2013, PINS/L2250/429/5, paragraph 89.

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5.9. The council has been preparing the Places and Policies Local Plan (PPLP) in parallel with work on the Core Strategy Review; the PPLP has been through examination and has recently been found 'sound' by the Inspector.

5.10. A number of sites were identified within Hythe through the PPLP process and have been allocated within the framework set out in Policy CSD7. These allocations include:

- Policy UA13: Smiths Medical Campus, Hythe – allocated for mixed-use development including 80 dwellings and business/storage and distribution floorspace;
- Policy UA14: Land at Station Road, Hythe – allocated for 30 dwellings;
- Policy UA15: Land at the Saltwood Care Centre, Hythe – allocated for 84 C2 or C3 extra care units;
- Policy UA16: St Saviour's Hospital, Seabrook Road, Hythe – allocated for 50 dwellings;
- Policy UA17: Foxwood School, Seabrook Road, Hythe – allocated for 150 dwellings;
- Policy UA18: Princes Parade, Hythe – allocated for mixed-use development including 150 dwellings, a leisure centre, commercial floorspace including hotel use and public open space; and
- Policy UA19: Hythe Swimming Pool, Hythe – allocated for 50 dwellings.

5.11. Other policies in the PPLP relevant to Hythe include Policy NE6: Land Stability and Policy NE9: Development Around the Coast and Policy RL3: Hythe Town Centre, which gives further guidance on town centre uses within the retail area shown in Figure 5.5: Hythe Strategy.

5.12. Given the constraints highlighted in the Hythe strategy, and the findings of the High Level Options Report, the council considers that there is limited development potential within Hythe over the Core Strategy Review plan period.

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5.13. Should additional development opportunities come forward on sites not allocated within the PPLP, these can be assessed against the general framework provided by Policy CSD7 and the development management policies in Part Two of the PPLP. The council considers that this demonstrates that Policy CSD7 continues to set a clear framework for development within the Hythe area.

Question 26

Are any main modifications to Policy CSD7 necessary for soundness?

5.14. The council does not consider that any main modifications are necessary to Policy CSD7 for soundness.

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**Appendix 1: Commentary on criteria to Policy SS10 –
Folkestone Seafront**

Table 1. Commentary on criteria to policy SS10 – Folkestone Seafront

Requirement/criteria	Supporting evidence	Effect on viability
<p>Criteria a) Delivery of planned incremental redevelopment & mix of uses</p>	<p>South East Regional Design Panel (SERDO) Design Review, Pre-application Review (summarised in Section 6 of Planning Committee Report into Y12/0897/SH)</p> <p>Proposed Emerging Masterplan Supporting Statement prepared as part of evidence base to Core Strategy (2013)</p> <p>Reserved Matters approval granted in accordance with reference Y18/1252/FH, demonstrating delivery of planned scheme in accordance with an approved masterplan. This phase shall deliver a distinctive, unique and high-quality seafront environment</p>	<p>No implications on viability</p>
<p>Criteria b) Scheme contributes to the regeneration of Folkestone by reconnecting the town centre to the Seafront, enhancing cultural and visitor destination attractiveness</p>	<p>Reconnections between the two centre and the town centre have been secured through the S106 legal agreement, to include a footpath contribution of £100,000 that will be payable upon occupation of the 60th dwelling. Construction work is underway on the first phase of development that will deliver 84 units, and so payment of this sum is expected to be triggered in the next 24 months. Work to make Tontine Street two-way working for buses and cyclists secured through the S106 has already been implemented, and so these improved connections are already in place.</p> <p>Cultural and visitor destination attractiveness will be achieved as the existing Folkestone Triennial artworks will be retained within the new neighbourhood. The 'Out of Tune' installation will be relocated with the scheme to an appropriate location</p> <p>As detailed in the Planning Committee report prepared for Y12/0897/SH, Future Triennial artworks and activities will be allowed for and encouraged within the new neighbourhood</p> <p>The beach will be publicly accessible and available to host a range of events.</p>	<p>No implications on viability</p>
<p>Criteria c) Development is appropriately phased to ensure benefits can be fully realised, with infrastructure improvements delivered at appropriate stages</p>	<p>The defined timing ((i.e. trigger point(s)) of developer contributions as set out in the signed S106 legal agreement to be paid to the district council is set out in the S106 schedule appended to this statement.</p> <p>At the time the planning application was originally consulted on, the various infrastructure and service providers were engaged with by the Local Planning Authority to ascertain the relative timing of payments in the context of when each individual new or improved infrastructure would be required in relation to the number of occupations at the Folkestone Seafront development.</p>	<p>No implications on viability</p>

	Associated details are set out in the Infrastructure Delivery Plan prepared in accordance with both the PPLP and CSR	
Criteria d) Sufficient contributions are made to highways, public transport and parking arrangements	The highway impacts and required mitigation was tested through extensive highway modelling work of the strategic allocations proposed as part of the Core Strategy Shepway District Council Transport Strategy undertaken by URS Scott Wilson dated 2011. As detailed in the S106 legal agreement, the applicant has entered into a S106 agreement that shall fund a number of highway and connectivity improvements, thereby satisfying this criteria	No implications on viability
e) Appropriate financial contributions are provided to meet additional school pupil places generated by the development.	The S106 agreement that has been entered into for the Folkestone Seafront scheme secured development contributions towards primary education of £2987.50 per dwelling, with payment to be made to the District Council upon occupation of every 60 dwellings and final payment upon occupation of the final dwelling.	No implications on viability
f) Design is of very high quality, preserving the setting of the key heritage assets and archaeological features of the site, sympathetic to the landscape and coastal character of the area including the retention of the Inner Harbour Bridge.	<p>The viability appraisal as summarised in section 20 of the planning committee report demonstrates that the policy requirement for a design of very high quality raises some associated viability issues. In summary, the application site is previously developed land with historic industrial use that incorporates listed and unlisted heritage assets and therefore the associated costs in delivering a high quality public realm are exceptional. The viability assessment identifies these costs under the headline 'placemaking.'</p> <p>The appraisal asserts that the investment in place making is necessary to maximise residential values within the site, whilst also contributing directly to the regeneration of Folkestone by providing for high quality facilities and public realm that will attract both residents and visitors to the town.</p> <p>In putting a financial cost to the design/public realm expenditure, the planning committee report finds that:</p> <p>'Abnormal' placemaking expenditure, including provision of the sea and beach sports centres (£3.5m), part retention of the former customs house and retention of other heritage assets, works to the harbour arm, creation of a green walk across the listed inner harbour bridge and the realignment and alterations to Marine Parade have been costed at £12.29, - a substantial proportion of this being the works required to remove structures and undertake restoration to create an areas of public open space to the Harbour Arm. It is considered that the investment in placemaking is necessary to comply with policy SS6 of the Core Strategy Local Plan and has been robustly assessed by the Council's independent consultants.</p>	Yes, in part, as summarised in Section 20 'Infrastructure Delivery and Development Viability' of the planning committee report. Implications on affordable housing provision.
g) The layout is planned to achieve sufficient ground floor active/commercial uses in and around the Harbour and at the Pier Head Quarter to ensure a	<p>The supporting wording to policy SS10 directs that:</p> <p>Any detailed planning application submitted in relation to any of the site will only be granted if it is supported by and consistent with either:</p>	No implications on viability

sense of vitality can be maintained, fully utilising the setting, and also featuring a central avenue and a range of open and enjoyable coastal environments.

- A masterplan for the whole site produced in line with this policy, or
- An outline/detailed planning application for the whole site that provides satisfactory masterplanning in line with this policy, including phasing proposals and necessary viability assessments.

In terms of supporting evidence, the following information has been prepared to evidence how the policy criteria will be contextualised in practice:

Proposed Emerging Masterplan Supporting Statement prepared as part of evidence base to Core Strategy (2013)

An outline masterplan was submitted in support of the planning application. As set out in paragraph 8.4 of the Planning Committee Report:

‘The proposed outline masterplan will provide up to 1,000 dwellings for a site of 23 ha, resulting in an overall density of 43 dwellings per hectare. The masterplan makes efficient use of land. There are a variety of densities proposed which are appropriate to specific character areas. Opportunity is taken to provide higher density development at the more active parts of the site, which provide a destination for visitors and a new identity.’

Details of the mix of uses within the Illustrative Masterplan is presented in Table 5 of the Planning Committee report, as shown below.

Table 5 – Mix of uses within illustrative masterplan

Use	Use Class	Max GIA Sq/m
Cafes/Restaurants/Takeaways/Bars	A3/A4/A5	3000
Leisure	D2	3000
Shops	A1	3000
Non-residential institutions	D1	500
Offices/Services	B1/A2	500
Total		10000

Associated commentary provided in paragraphs 2.43 of the planning committee report successfully draws out how the masterplan has responded to the specific requirements of this criteria, notably:

‘Land within the illustrative masterplan follows the requirements of the Design and Public Realm Guidelines for approval – with a focus of non-residential uses around the harbour, mainly at ground floor level thus extending the Creative Quarter into the site. At the proposed Leas Square, adjacent to the Sea Sports Centre, connectivity to the town above would be provided by the historic Leas Lift and improved footways and paths. The layout seeks to create a place rich in private and public gardens, squares, quayside, beach and public places, reclaiming the seafront for the people and the town (para. 2.42)

	<p><i>'The layout and street network proposed by the masterplan seeks to draw on the streetscape of Folkestone's Victorian west end. As such an enhanced Marine Parade, connecting the site from west (Leas Square) to East (Harbour Master's Square) provides the spine for the development, from which a number of new formal streets would connect. To the south, Dune Way provides a more informal connecting route running west to east that connects to the new street grid.'</i> (para. 2.43)</p>	
<p>h. Development delivers 300 affordable housing dwellings for central Folkestone, subject to viability (or if the total residential quantum is less than 1,000 units, a 30 per cent contribution).</p>	<p>Folkestone Seafront – Outline Planning Application Viability Analysis, letter prepared by Savills, acting as Planning Consultant, dated 26th September 2012. The viability report was prepared by Capita Symonds on behalf of the applicant. Consultants Peter Brett Associates provided advice on behalf of the District Council. The information is not on public file as the analysis contains commercially sensitive information and therefore remains a confidential document between the applicant, the Council and the Council's chosen independent advisors.</p> <p>As set out in various paragraphs of the Planning Committee report to Y12/0897/SH, the outline application granted consent on 30th January 2015 shall provide for 8% affordable housing across the development. Specifically, paragraph 20.34 of the Planning Committee report asserts:</p> <p><i>'The Housing Manager has raised no objection to the application and considers the viability report has been appropriately and robustly assessed. There is a lack of intermediate (shared ownership) property within Folkestone. Whilst 8% affordable housing is significantly lower than the target of 30% set out within the Core Strategy site specific policy SS6, the provision of affordable housing is subject to viability, whilst development must also accord with the other requirements of the policy so as to ensure it delivers regeneration benefits for the wider area.'</i></p>	<p>Reduction in affordable housing provision in order to ensure scheme viability</p>
<p>i. Residential buildings achieve a minimum water efficiency of 90 litres/person/day. All development must be designed and constructed to achieve high standards of environmental performance, and buildings should be designed to allow convenient waste recycling</p>	<p>The district is classified as a 'water scarce' area, and further information is set out in the Water Cycle study provided as part of the evidence base to the Core Strategy Review.</p> <p>Given that requirements for water efficiency levels of 90 litres per person per day were found sound by the Inspector examining the 2013 Core Strategy and that planning permissions have been granted for those sites allocated in the adopted plan, with development progressing on several, the council considered it a proportionate approach to continue with this requirement to guide remaining phases of development.</p>	<p>No implications on viability</p>
<p>j. All development is located within the site in accordance with national policy on the degree of flood risk and compatibility of specific use and, where necessary,</p>	<p>The Strategic Flood Risk Assessment 2115 Hazard Maps identify that the vast majority of the site is at very low or low risk, with the areas directly fronting onto the water, particularly, the harbour at significant risk – the SFRA modelling takes into account existing defences.</p> <p>Appropriate mitigation is proposed and has been secured, to include raising the level of the beach to 6.5mAOD with shingle ridges at a level of 7.5mAOD, forming shingle dunes. To mitigate against potential</p>	<p>Yes, in part, as the 'abnormal' costs incorporates works to the harbour and sea walls and ground raising, dunes and beach replenishment</p>

<p>includes design measures to mitigate flood risk.</p>	<p>flood risk from total events properties will be located behind the anticipated active beach zone line (i.e. the area of the beach that changes) with all properties having piled foundations. Further information is provided within the submitted material to the planning application, which should be read in conjunction with this summary.</p>	
<p>k. Development proposals include an appropriate recreational access strategy to ensure additional impacts to Natura 2000 site(s) are acceptably mitigated, in accordance with policy CSD4.</p>	<p>The S106 Legal Agreement secures an Access Management Contribution of £200,000 to be paid in two tranches, with 50% payable upon the 360th dwelling occupation and the remaining balance upon 480th dwelling occupation.</p> <p>As set out in Section 15 of the planning committee report, both Natural England and Kent Wildlife Trust endorse the Access Management Strategy as a means of overcoming their objections to the application.</p> <p>The scheme was found to be in compliance with policy CSD4.</p>	<p>No implications on viability</p>

Matter 5: Strategy for the Urban Area

**Appendix 2: Infrastructure Delivery and Development
Viability**

20. INFRASTRUCTURE DELIVERY & DEVELOPMENT VIABILITY

- 20.1 Policy SS5 of the emerging Core Strategy relates to infrastructure planning, stating that 'development should provide, contribute or otherwise address Shepway's current and future infrastructure needs. Infrastructure 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.
- 20.2 In addition to policies SS5 and SS6 of the emerging Core Strategy, policy SC1 of the Shepway Local Plan seeks developer contributions towards off site infrastructure, where such provision is needed to mitigate the impact of the development.
- 20.3 The supporting text for policy SC1 expands on the guidance within the policy itself, stating
Social and community facilities can include, for example, open space, recreational and educational facilities, libraries, healthcare, Social Service facilities, Youth and Community services, community / village halls and places of worship. Planning obligations may also be sought for the provision of other infrastructure, particularly highway / transport improvements.
The redevelopment of previously used land may involve remediation works and costs beyond that normally required for a 'Greenfield' site. These costs will vary depending on a number of factors, most notably the nature of proposals and the particular constraints of a site. Certain sites may also generate a need for significant new or improved physical infrastructure. Where a developer considers that the full funding of all necessary facilities and infrastructure is not possible, the District Planning Authority will expect developers to provide validated 'open book' accounts to substantiate their case. If a developer is unwilling to participate in this approach, the District Planning Authority will have no justification for setting aside the requirement for full contributions. Information obtained through 'open book' accounting will be treated as confidential.
- 20.4 Paragraphs 173 and 174 of the NPPF seek to ensure development is viable and deliverable.
"Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."

- 20.5 As previously stated within the report there are a number of substantial 'abnormal' costs that impact upon the viability of the development. A detailed breakdown of costs for ground raising, flood defence and surface water draining works has been provided to the Council's independent viability consultants, identifying that these works will amount to approximately £11.5m.
- 20.6 As well as the significant investment in flood defences necessary to make the development safe and meet with the NPPF and local plan policies, the emerging Core Strategy site specific policy SS6 allocates the site for mixed use development, including the provision of beach and seasport facilities and the delivery of a high quality public realm that ensures the development directly contributes to the regeneration of Folkestone.
- 20.7 Whilst any development of this scale would be expected to deliver a high quality public realm the application site is previously developed land with historic industrial use that incorporates listed and unlisted heritage assets and therefore the associated costs in delivering a high quality public realm are exceptional. The viability assessment identifies these costs under the heading 'placemaking.' It should be noted that the investment in placemaking is necessary to maximise residential values within the site, whilst also contributing directly to the regeneration of Folkestone by providing for high quality facilities and public realm that will attract both residents and visitors to the town.
- 20.8 'Abnormal' placemaking expenditure, including provision of the sea and beach sports centres (£3.5m), part retention of the former customs house and retention other heritage assets, works to the harbor arm, creation of a green walk across the listed inner harbor bridge and the realignment and alterations to Marine Parade have been costed at £12.29m – a substantial proportion of this (£3.66m) being the works required to remove structures and undertake restoration to create an area of public open space on the harbour arm. It is considered that this investment in placemaking is necessary to comply with policy SS6 of the Core Strategy Local Plan and has been robustly assessed by the Council's independent consultants.
- 20.9 In addition to the 'abnormal' costs set out above a number of requests for contributions to mitigate the impact of the development have been received. Whilst these have been requested as a 'grand' total contribution, due to the outline planning permission providing for 'up to 1000 units' and the development viability work suggesting that in current market conditions a 764 unit development is the most viable (as per the indicative masterplan) KCC's requests amount to a contribution of £3,253.27 per dwelling (£3,253,270) and have been agreed to by the applicant in full. The majority of these contributions are required to fund the provision of new primary school places, with a new primary school required by policy SS7 of the Core Strategy at the strategic site allocation for Shorncliffe Garrison.

- 20.10 In response to the request made by the NHS (now defunct) PCT the applicant has agreed to onsite provision of accommodation for a doctors' surgery within plot PH01. This provision met with the PCT's approval and removes the requirement for an offsite contribution of £1.08m. On site provision of facilities for a Doctors' Surgery can be made within the s106 legal agreement at an appropriate phase of the development.
- 20.11 Kent Police have requested developer contributions of £157,785 (157.78 per unit), as set out within section 5 the report. The vast majority of this contribution relates to the funding of police officer salaries. In response the applicant has made the following comments –
- The response does not include the existing base cost of policing the seafront site
 - It is not clear how the proposed contribution has been calculated. The response notes that “all planned developments between now and 2026 will necessitate the provision of 12 police officers and 10 police staff”, however it does not set out how much demand the seafront site itself would give rise to.
 - It is not clear what population number the proposed contribution is based upon.
- 20.12 In addition to the above the applicant notes that the Seafront site is currently a largely vacant area of hard standing and disused, partially derelict buildings. Such an area harbours opportunity for crime and socially undesirable behaviour. It is considered that the redevelopment of the site will provide a vibrant and watchful community, which will offer the benefit of passive surveillance over the newly created public realm. The development will regenerate this part of Folkestone and positively contribute in terms of safety and security. In addition to the above it is also noted that the viability of the development is a crucial consideration in today's economic climate. The requested contribution would have an adverse impact upon the potential provision for affordable housing as part of this scheme.
- 20.13 It is considered that the applicant has robustly demonstrated that the contribution requested by Kent Police is not an acceptable and reasonable request.
- 20.14 The application viability report allows for the full funding of the KCC contributions as requested above.
- 20.15 In addition to the above contribution Natural England are seeking a contribution to mitigate the impact of the development by providing access improvements to the Warren SSSI, as detailed in section 5 of the report. It is likely these will cost in the region of £200 per dwelling, with contributions phased across the development. These mitigation measures, together with funding of improvements to pathways within the coastal park (a minimum of £30,000) are to be provided to ensure the development meets with the NPPF and policy LR9 of the Local Plan by providing appropriate access to and provision of recreational and open space

to meet the needs of the development. A further contribution of up to £300,000 is required to provide off site play equipment within the coastal park subject to the comments made earlier in this report. .

- 20.16 There are a number of highway mitigation measures to be included within the s106 agreement or achieved via condition. These include physical improvements to Junction 5 and the funding of works to allow for Tontine Street to operate 2 way for buses, an on and off site parking and signage strategy, an on site parking management strategy and travel plan
- 20.17 The precise figures for individual items within the s106 remain under detailed discussion, however the viability appraisal allows for a sum of £1 million towards highway and other infrastructure contributions and this is considered sufficient to fund the above requirements. It is recommended that the final requirements and contributions required to meet the needs of the development be delegated to the Head of Planning Services.

Affordable Housing

- 20.18 Policy SS6 states that "development (should) deliver 300 affordable housing dwellings for central Folkestone, subject to viability (or 30% if the total quantum of residential development is less than 1,000 units)."
- 20.19 Policy HO4 of the Shepway Local Plan states that for developments of 15 or more units the District will seek to negotiate 30% on-site affordable housing. Policy HO4 is expanded upon in the 2008 Supplementary Planning Document (SPD) which identifies an acute shortage of affordable housing within the District. Paragraph 7.6 of the SPD states that –
- 20.20 Where applicants seek to show that 30% affordable housing cannot be delivered for economic viability reasons they will be expected to provide a financial appraisal to support the claim.*
- 20.21 In accordance with policy the application has been supported by an open book (confidential) viability appraisal that has been subject to detailed independent scrutiny on the Council's behalf. This appraisal, in its simplest form appraises the site as follows:
- 20.22 **Gross Development Value (GDV)** – the total receipts for the completed development
- **Developer Profit** – 20% of GDV
 - **-Build costs** – Utilising BCIS established upper quartile figures
 - **Abnormal costs** – Infrastructure requirements, including flood defences
 - **-Placemaking costs** – costs associated with the delivery of the public realm, restoration of heritage assets and sea and beach sport facilities

- **-Fees** – all fees associated with the development, totalling 12% of GDV or build cost
- **Contingency** – 7.5% of GDV or build cost
- **Finance costs** – set out at 7% of borrowing or GDV
- **-s106 costs** – Requirements for offsite physical and community infrastructure to mitigate the impact of the development.

Residual Land Value (RLV).

20.23 The above is then tested at various percentages and mixes of affordable housing, altering the GDV leading to various outcomes for the RLV. A 'placemaking premium' of 4%, 5% and 6% has been attached to the development as it is envisaged that the development itself will raise prices in the locality or exceed values when compared to nearby comparables. As already discussed, the development of the application site requires significant investment in flood defence infrastructure to ensure the development is safe and the public realm to ensure regeneration benefits are realised. It is considered these costs are essential for the development to be realised and meet with the requirements of policy SS6. S106 costs, as set out above are also considered robust and necessary to mitigate the impact of the development.

20.24 In accordance with established best practise set out within the Royal Institute of Chartered Surveyors (RICS) guidance note 'financial viability in planning' and the Greater London Authority (GLA) Affordable Housing Toolkit the open book financial appraisal utilises established methodologies to provide a reasonable Residual Land Value for the site – i.e. the minimum land value required for the development to come forward. Whilst this figure is commercially sensitive it is considered by officers and the council's independent consultants to be entirely reasonable and robustly demonstrated, as discussed further below.

20.25 So as to maximise the amount of affordable housing delivered by the scheme the submitted viability report tests provision of various mixes of affordable housing – 100% intermediate sales (shared ownership), 60% social rent, 40% intermediate sales and 60% affordable rent, 40% intermediate sales. These identify that the development can deliver 8% on site intermediate affordable housing on site or 5-6% if providing a mixture of affordable or social rent and intermediate sales. So as to ensure delivery of the scheme and associated infrastructure the phasing of affordable housing has been calculated as follows:

Table 7 - Phasing of Affordable Housing

Phase	1	2	3	4	5	6	7
Affordable Housing	0%	5%	5%	8%	10%	10%	10%

20.26 In reviewing the viability report PBA, SDC's consultants conclude that:-
We generally accept the proposed costs and value used by Capita Symonds in their viability assessment summarised as follows:

20.27 Private sale values used by Capita Symonds are higher than our comparable evidence for Folkestone. However, this additional value created in the scheme is off-set by the high build costs used.

The commercial values used appear reasonable given the uncertain nature of bringing forward these type of uses in an unproven location.

Capita Symonds has not included ground rents on the apartment element of the scheme We have included ground rents at £150 per unit per annum capitalised at a 6% yield. Including ground rents improves the scheme's viability

Upper quartile BCIS build costs have been used. Typically median BCIS build costs are assumed on a development. However, the aspiration for the Seafront site is a high quality development, which the Council accept. To achieve this high quality development upper quartile build costs have been used. We are prepared to accept these higher costs on the proviso that the quality of the scheme is maintained throughout.

- The other build costs used within the viability assessment appear reasonable although we have highlighted the contingency and professional fees are at the upper end of the scale of what is normally accepted at 7.5% and 12% respectively. The impact of these costs are compounded as they are taken as a percentage of upper quartile costs. We believe there is an opportunity to clawback some of some of these costs for policy at a Section 106 review.
- There is much uncertainty with abnormal site costs of; harbour & sea walls, ground raising, harbour arm works, water sports centre, and beach sports. We believe there could be scope to bring costs down of once specification has been finalised and competitive quotes have been received.

20.28 Although at the upper end of our analysis of threshold land value we broadly agree with Capita Symonds assessment, and we have used their figure. We did not believe that alternative use of open storage plus premium was appropriate method as this use is not compliant with the existing policy of the site or emerging policy. We considered existing use (assuming leisure use) plus premium and RICS guidance. Our existing use value plus 30% premium equated to a threshold land value which is below Capita Symonds threshold land value. However, in our assessment of site value defined by RICS our land value is broadly similar to Capita Symonds threshold value.

- 20.29 Our analysis has shown that the majority of assumptions used within the Capita Symonds viability assessment are at the upper end of what we would consider reasonable. This currently shows that the offer of 7.5% affordable housing plus other policy costs of £2.485 million and transport and other s106 requirements of £1 million are reasonable.
- 20.30 Although some of the additional costs items used are off-set by the increase in sale values we still believe there is scope to claw-back additional policy costs. This is because development appraisals are very sensitive for such a large scheme proposed, and the outputs can change significantly through altering some of the costs allowances proposed. At this stage we are prepared to accept these costs allowances given the uncertainty of the proposed scheme on both the cost and value side. However, both costs and values do need to be reviewed during the development process.
- 20.31 We feel there are two obvious areas where additional policy costs could be achieved are through reduction in professional fees and contingency this could provide a potential for £2.607 million of additional policy costs. This could be achieved by reducing the allowance for professional reducing the allowance for contingency – this would provide for several million pounds that could be used for s106 or affordable housing provision.
- 20.32 We suggest that there is a review mechanism incorporated into the section 106 agreement. Although the exact wording would need to be agreed we would suggest that the independent review would involve the applicant submitting an updated viability assessment. This would need to be independently verified by an auditor and be in an agreed format and incorporate actual costs and sales values. We would suggest that an appropriate time would be after the completion of the 400th unit. If the scheme is performing better than expected then the affordable housing element could be reviewed to nearer policy levels. If the scheme is performing at figures closer to the appraisal than the level of planning requirements remains unchanged.
- 20.33 Having regard to the advice from PBA above, it is recommended a review mechanism is included within the s106 as set out above.
- 20.34 The Housing Manager has raised no objection to the application and considers the viability report has been appropriately and robustly assessed. There is a lack of intermediate (shared ownership) property within Folkestone. Whilst 8% affordable housing is significantly lower than the target of 30% set out within the Core Strategy site specific policy SS6, the provision of affordable housing is subject to viability, whilst the development must also accord with the other requirements of the policy so as to ensure it delivers regeneration benefits for the wider area.

20.35 The provision of 8% affordable housing will ensure up to 80 units are provided across the development, whilst the currently most viable scheme, providing 764 units (as set out within the masterplan) would provide for 61 shared ownership dwellings.

20.36 Delivery of affordable housing is required to be spread across the phases of development, as set out in table 7 so as to ensure a mixture of units is provided and the costs of provision are not 'stored up' for later phases, which alongside other infrastructure requirements could make these phases unviable. Due to the costs of infrastructure delivery it will not be appropriate for all phases to provide 8% affordable housing, with the early phases of development having significant other infrastructure costs that significantly impact on viability. As such, the phasing of all infrastructure and s106 payments will be subject to detailed discussion and negotiation prior to the granting of planning permission. It is recommended that this is delegated to the Head of Planning Services, subject to the caveat that should any major changes occur these are to be reported to the Development Control Committee for consideration.

Table 8 – Key on site and off site infrastructure and s106 contributions, together with phasing

Infrastructure	Amount or Provision	Phasing
Sea sports centre (incl public toilets)	Provision	1
Beach Sports Centre	Provision	1
KCC developer contributions	Contribution of £3,253.27 per dwelling	TBC, at various trigger points – every 50 units for example
Cliff path provision and improvement	Minimum of £30k/direct provision	1 and 2
Natural England & Open Space	Contribution of £200 per unit	TBC
Play Space	Both -	Strategy TBC, delivery at each phase
Highway improvements – Tontine St	S106 contribution	TBC with KCC Highways
Highway improvements – J5	S106 contribution	TBC by KCC Highways
Bus infrastructure	On site provision	TBC
GP Premises & Nursery building (500m ²)	On site provision	Phase 6/plot PH01
Harbour Arm open space & restoration of lighthouse	On site provision	TBC – prior to final phase
Inner Harbour Bridge green link	On site provision	TBC – prior to final phase
Heritage asset retention	On site provision	TBC – prior to final phase
Flood defences	On site provision throughout development	TBC – phasing schedule to be agreed
Lifetime homes	On site provision	20% of each phase or in accordance with phasing plan to be agreed by LPA
Improvements to Marine Parade	On site provision	TBC, likely phase by phase approach
Affordable Housing	On site provision	In accordance with phasing schedule

20.37 Table 8 above sets out the key infrastructure requirements for the development to be provided for by s106 agreement. In addition to these requirements a significant number of conditions are required so as to mitigate the impact of the development and ensure future Reserved Matters applications are delivered in accordance with the Outline application, Parameter Plans and Mandatory Design and Public Realm Guidelines. A large number of these conditions have been requested by statutory consultees, as set out in section 5 of the report whilst the Council's own independent consultants have requested conditions with regards to mitigating the retail impact and providing for a future review of viability. The precise wording, phasing and details of conditions will require considerable discussion and negotiation with the applicant and it is recommended that this be delegated to the Head of Planning Services for completion as would normally be the case in these circumstances. Appendix 4 includes measures required so as to ensure the environmental impact of the development and its construction can be mitigated, in accordance with the Environmental Impact Assessment undertaken and independently reviewed by WYG for the Council.

21. CONCLUSION

- 21.1 Having regard to all of the sections set out in detail above, there is no reason that the development should not proceed in a timely and controlled manner.
- 21.2 The application conforms with national planning policies contained in the NPPF and the Council's own planning policies and strategies, as set out in the Core Strategy Local Plan and those policies to be retained of the Shepway District Local Plan Review. The scheme brings to fruition a major element of the Council's Core Strategy for housing provision and will play a key part in the regeneration of Folkestone.
- 21.3 It is therefore recommended that the Head of Planning Services be authorised under delegated authority to grant outline planning permission, subject to:
- Adoption of the Core Strategy Local Plan by the Council;
 - Completion of a section 106 legal agreement with the applicant that secures the social and physical infrastructure and financial contributions detailed within this report and which the Head of Planning Services considers to be acceptable;
 - The key conditions discussed in this report and any amendments and additional conditions the Head of Planning Services considers to be necessary following detailed discussions with the applicant.

Matter 5: Strategy for the Urban Area

Appendix 3: Highways and Transportation

17. HIGHWAYS & TRANSPORTATION

Transport Policies

- 17.1 The application is supported by a full Transport Assessment (TA) which has been subject to the robust and detailed assessment of Kent County Council Highways (KCC Highways). Following KCC Highways initial requests for further information an addendum TA was submitted by the applicant, together with Technical Note 5 – Appraisal of Cliff Footpaths. During the consideration of the application KCC Highways have scrutinised the methodology and results of transport modelling undertaken. Their detailed, final comments are set out in section 5 of the report.
- 17.2 Chapter 6 of the Environmental Statement provides further assessment of the transportation impacts of the development and any mitigation measures required.
- 17.3 Section 4 of the NPPF sets out policies for the promotion of sustainable transport. Relevant to the application is guidance relating to new development. In particular, paragraph 32 states:
'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
 - *safe and suitable access to the site can be achieved for all people; and*
 - *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'*
- 17.4 Para. 35 states:
'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:
- *accommodate the efficient delivery of goods and supplies;*
 - *give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
 - *create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;*
 - *incorporate facilities for charging plug in and other ultra low emission vehicles; and*
 - *consider the needs of people with disabilities by all modes of transport.'*
- 17.5 Local transport policy is set out in the retained policies of the Shepway District Local Plan and in the emerging Core Strategy. Policy SD 1 requires the shaping

of new development patterns in a way which reduces the need to travel, especially by car, and increases the attractiveness of walking, cycling and public transport; Policy S2 states that proposals for retail development located outside town centres will only be acceptable where the development would be accessible to all sections of the population by a choice of means of transport, including public transport and without adverse impact on amenity or highway considerations and would not prejudice the overall aim of reducing the need to travel.

- 17.6 In respect of proposals for leisure development, Policy LR2 makes provision for new development at appropriate locations, subject to criteria that include a high quality of access and accessibility by modes of transport other than the private car.
- 17.7 The Plan's transport aims set out in Chapter 11 of the plan are:
- To seek the development of a sustainable transport system, reducing the overall need to travel, especially by private motor car.
 - To protect the general environment and amenity of the residential areas from the impact of improvements to and development of the transport network within the District.
 - To provide an integrated transport network to facilitate the efficient movement of pedestrian and vehicular traffic, goods and services within the District.
 - To seek to limit the quantity of traffic on the Districts roads by encouraging effective public transport, cycling and walking and by the careful integration of residential areas, shopping and recreational facilities and the workplace.
 - To ensure that new development is well related to the existing and proposed transport network especially public transport services.
 - To minimise the adverse traffic impacts of development upon local communities.
 - To achieve a level of public car parking facilities compatible with sustainability aims.
- 17.8 In respect of specific policies, Policy TR2 states that where major new developments are proposed, permission will not be granted unless provision is made in the layout to allow penetration by buses. Policy TR5 requires the provision of secure and practically located facilities for cyclists in all new developments which are expected to generate a regular flow of traffic. Developers will be asked to contribute towards the provision of cycle routes or cycleways where these would be directly related to the use of the new development.
- 17.9 Policy TR6 states new development will not be permitted unless provision is made for the needs of pedestrians. The layout and design of development should provide for safe, attractive and convenient pedestrian routes, particularly to public transport routes. Policy TR11 relates to the access to new development, requiring that any proposals must be accessible in a safe manner and in a form

that does not add to delays for other transport network users. Policy TR12, setting out parking standards states that new development, redevelopment or a change of use will only be permitted if it makes provision for off street parking on or near the site in accordance with the current maximum vehicle parking standards, as set out in Appendix 6 of the Local Plan. The standards may be varied where development sites are particularly accessible or where commuted payments can be secured to increase accessibility. In determining this application Interim Guidance Note 3 (IGN3) provides up to date standards adopted by the County Council as an appendix to the Kent Design Guide. Where development proposals are considered likely to have significant transport implications, Policy TR13 requires that a Travel Plan should be submitted with the planning application.

- 17.10 Local Plan policy for Folkestone town centre is to ensure the optimum use of the town centre parking spaces by maximising the use of parking close to the town centre for shoppers and short term users with long term parking shifted to either edge of centre or out of centre sites.
- 17.11 Policy TR14 states that In Folkestone Town Centre, new retail, office or commercial development should provide essential operational parking only on site. Commuted sums will be sought, where appropriate, towards the provision or improvement of publicly available parking facilities, or alternatively towards the provision of, or improvements to public transport, or walking or cycling facilities, where non-operational needs are likely to be generated.
- 17.12 With regards to the Core Strategy Policy SS6 relates specifically to the strategy for Folkestone Seafront, and requires that :
- Sufficient contributions, highway improvements and parking arrangements are made to improve the connectivity of the Seafront to the town centre and central and eastern Folkestone, opening up new direct pedestrian, cycle and bus links and according with SS5.
- 17.13 The Core Strategy document refers to the Shepway Transport Strategy, a set of high-level aspirations for transport in the District. Of relevance to the Seafront development proposals is reference to the aspirations for *“replacing and improving the one-way system in Folkestone with a two-way system that improves connectivity and access.”*

Pedestrian & Cyclist Accessibility

- 17.14 The pedestrian accessibility and cyclability of the development itself is considered within chapter 10 – Urban Design of this report. Officers consider that the mandatory design guidelines provide appropriate requirements to deliver a high quality and thoroughly accessible public realm that prioritise the needs of pedestrians and cyclists above motorists.

- 17.15 In order to assess those parts of Folkestone that are walkable from the development site a pedestrian route study, taking in to account topography was submitted by the applicant. This identified 4 key pedestrian routes that branch out of the site and link it to the town centre, those being the Road of Remembrance, The Old High Street, the Leas Lift and the Leas Steps via West Terrace. Whilst each of these routes provides pedestrian accessibility, officers considered the development should also provide for non stepped access more inclusive to all users and this approach was considered within Technical Note 5. The note identified that the Leas Steps via the Leas Cliff Hall can be improved to form an attractive route from the foot to the top of the cliff, providing connectivity to the west via the Leas, whilst improvement of the Leas Steps via West Terrace to remove stepped sections and replace with ramps could also be achieved.
- 17.16 Whilst the improvements to the Leas Steps would not achieve DDA compliance due to the gradient of the slope and the steep topography they would significantly improve accessibility for all users and provide a non stepped alternative route to and from the site and Road of Remembrance. The Technical Note identifies that a DDA compliant new timber walkway connecting to the existing path between the Leas Lift and Leas Cliff Hall can be provided as an alternative to the zig zag path, also connecting to the landing of existing steps to provide a more direct (stepped) route.
- 17.17 A detailed costing of these works will be required for the s106 agreement (present estimates suggest the works will cost in excess of £30k), and it is envisaged the new path between the Leas Cliff Hall and Leas Lift should be provided alongside phase 1 of the development to improve connectivity.
- 17.18 Spokes East Kent have requested details of cycle parking to be provided within the development, in accordance with KCC's standards and this requirement can be met by the condition requested by KCC Highways in section 5.
- 17.19 Spokes have further request that the National Cycle Route 2 (NCR2) be re-routed across the Inner Harbour Bridge and along Dune Way to the south of the development. Dune Way has been designed to form a shared surface and is therefore suitable for such a route, however the detailed design of the green link across the inner harbour bridge does not form part of the consideration of this application. It is recommended that Spokes request forms an informative, so that future Reserved Matters make provision for an alternative NCR2.
- 17.20 Natural England are in the process of designating a National Coastal Path. The exact position of this path within the development is currently being discussed by Natural England and the applicant, however is likely to incorporate Dune Way once the development is complete. The position of the path cannot prejudice the development, whilst the controls within the Design Guidelines ensure the

curtilages of Beach and Dune Houses are adequately defended against 'spreading room' from the path on to the surrounding area.

Bus Network & The Leas Lift.

- 17.21 The application sits beside current proposals being progressed by the County Council to implement two way operation of Tram Road for all vehicles and the two way operation of Tontine Street for buses, as set out in KCC Highways comments. This has been discussed at recent meetings of the Shepway Joint Transport Board (JTB), most recently at the JTB of 3rd December 2012 (report 12/10) where it was resolved that:
- 1) the objections to the revocation of the one way traffic order in the Tram Road be set aside;
 - (2) the implementation of the works to the Tram Road and Dover Road be supported; and
 - (3) detailed design work for Tontine Street be submitted to a future meeting of the Joint Transportation Board.
- 17.22 The report to JTB identified that owing to the scale, ambition and anticipated changes for the area over coming years there is a need to take a phased approach to access improvements. The first step is the proposed two-way working of The Tram Road. This will:
- Improve road access into and out of the Harbour area, Old Town and Creative Quarter (significant tourist destinations).
 - Create a more direct route to and from the harbour for residents and visitors avoiding more sensitive parts of the town.
 - Create a more cohesive network so that the harbour can support a robust and regular bus service that cannot be sustained under the current arrangements.
- 17.23 The scheme is supported by the emerging Shepway Core Strategy as 'strategically critical infrastructure', a section on 'Folkestone priority connections, including Tram Road' is included which highlights the need for upgrades to improve vehicular, cycle and pedestrian movement and considers improvements to the bus network as critical.
- 17.24 The road schemes are also intended to support wider economic benefits to the town as East and Central Folkestone underperform economically in comparison to other parts of the District and to Kent as a whole.
- 17.25 The current road network is geared towards a sector of the economy that no longer exists in the town namely ferry/freight traffic. The proposals will improve accessibility, and mean that job seekers in this part of town (in some wards they make up around 10% of the working age population) will be able to use public transport more easily to access employment opportunities.

- 17.26 The programme for implementation of Tram Road to two way operation is set out within Appendix 10, alongside the programme for design work to make Tontine Street 2 way for buses. The implementation of two way flow on these streets results in significant improvements to the bus network within the locality, particularly improving connectivity to and from the East of Folkestone and the Harbour to the town centre and bus and train stations. KCC Regeneration have confirmed the cost for implementation works for Tontine Street to operate 2-way for buses will be provided before the Full Council meeting and this information will be reported at the meeting. Stagecoach have confirmed that the implementation of 2-way routes for buses on these streets would significantly improve their service and allow for the provision of a 15 minute service (4 buses an hour) to serve the development and Tontine Street, without any form of financial subsidy, which otherwise could cost up to £600,000 and may not result in a bus service that could be sustained in the long term. As such without Tontine Street going to two-way for buses it would not be possible to provide such a service without considerable financial subsidy and any guarantee that the service would function beyond the period of subsidy. Stagecoach's comments are set out within section 5 of the report, alongside those of KCC Highways. It is therefore proposed that provision is made within the s106 agreement for a financial contribution to fund the implementation works to enable Tontine Street to operate two-way for buses and this approach is endorsed by KCC Highways.
- 17.27 In addition Stagecoach's comments identify a need for the funding of bus stop infrastructure to serve the development which would be provided by the developer and/or s106 contribution.
- 17.28 Initial bus provision seeks to serve the development via the existing gyratory of Harbour Approach Road, Marine Parade and Marine Terrace and this location for bus stops is considered suitable to serve the development as a whole. The design of the development does however provide for improved bus access to its western extreme at plot LLO1 (Leas Square). The Mandatory Design Guidelines include provision of a bus turning area within the square, so as to ensure that if future services were to run to the western end of the site they could be operated in a safe manner. Bus Access routes are set out in Illustrative Plan B.
- 17.29 The Transport Assessment (TA) proposes a Travel Plan so as to maximise public transport use from the outset of development. It is recommended that the Travel Plan requirements and measures be delegated to the Head of Planning Services to be decided in consultation with KCC Highways.
- 17.30 For new development at the western end of the site the Grade II listed Leas Lift provides an alternative means of transport between the application site and the town centre above, as well as acting as a visitor attraction in its own right. Analysis of the lift set out within the TA identifies that for the first 2 phases of development the use of the lift would provide a quicker route to the town centre than walking. The development proposal recognises the importance of the Leas

Lift as a destination and attraction within Folkestone, with the implementation of Leas Square and the provision of the Sea Sports Centre adjacent likely to significantly improve its patronage. It is recommended that Travel Plan measures to encourage the use of the Leas Lift be further explored, these could include for example the provision of season tickets for the lift, ticket subsidy or a bus/lift combined ticket. It is recommended that further discussion and consideration of the Travel Plan measures is delegated to the Head of Planning Services in conjunction with KCC Highways.

Parking

- 17.31 The Transport Assessment sets out the proposed overarching strategy for accommodating existing and new car parking and it is envisaged that the detailed parking layout be approved for each phase of development during consideration of reserved matters applications. The mandatory Design and Public Realm Guidelines provide details of parking to be provided for each dwelling type. In respect of parking associated with the new residential development, the TA identifies that 993 parking spaces are proposed to be provided to accommodate demand associated with 1,000 dwellings, in accordance with the requirements of IG3 ('edge of centre'), as set out in table 4.2 of the TA (appendix 8). Parking is provided on plot, on plot within garages and designated on street, depending on the plot and dwelling type. The detailed design of parking arrangements for individual plots and phases of development will be subject to approval at reserved matters stage, in accordance with the requirements of the mandatory Design Guidelines and overarching strategy set out within the TA and controlled by conditions and s106.
- 17.32 The development does not propose the adoption of roads by the Highway Authority; instead all areas of open spaces, the beach, beach maintenance and the streets within the development will be privately managed in accordance with details to be agreed by the Local Planning Authority as part of the s106 agreement. Streets within the development will be subject to Traffic Regulation Orders to control on street parking, enforced by a residents parking scheme that is likely to be managed by SDC. This requirement is set out within the response of KCC Highways to be achieved via s106/condition.
- 17.33 The proposal includes the provision of additional parking to serve both the sea and beach sports centres. The TA identifies a demand of 21 spaces for the sea sports centre (including minibus spaces and vehicle with trailer spaces), to be provided alongside the existing 29 public car parking spaces available for the Lower Leas Coastal Park. The beach sports centre requires 12 parking spaces. So as to ensure existing spaces are retained for public car parking the TA recommends a commercial travel plan is provided via condition for the sea and beach sports centres. It should be noted that planning application Y04/1600/SH, relating to land adjacent to Marine Parade includes provision for coach parking.

- 17.34 In providing parking for the commercial and non residential elements of the proposal – up to 10,000 square metres of floor space (as set out in table 2) the overarching parking strategy provides for 128 new parking spaces within the public realm, alongside the existing 104 parking spaces that are currently available and are proposed to be retained along Marine Parade. The TA addendum, in accordance with Local Plan policy and following Officer guidance recognises that Folkestone Town Centre currently provides significant spare capacity within existing town centre car parks and utilising this capacity would both support town centre viability, encourage linked trips and reduce the impact of development. The TA Addendum identifies that there are 14 car parks within the town centre, with 11 easily accessible and within walking distance (1000m) of the development site, closer when taking account of the Leas Lift or improved cliff paths as required by the development. These car parks provide 1900 parking spaces, with confirmation provided by the Transportation Manager and KCC Highways that significant capacity exists within Folkestone car parks to meet the demands of visitors to the development.
- 17.35 The most significant existing parking provision, located closest to the application site and easily available on foot is that at Bouverie Place (570 spaces), Middelberg Square (549 spaces), Sainsbury's Bouverie Road (240 spaces) and Sandgate Road (176 spaces), whilst further public parking is provided adjacent to Fountain Square at Tram Road (66 spaces). The development site itself includes significant amounts of parking, provided at the Harbour. This would be available throughout the first 5 phases of the development, providing off street parking to serve visitors to the development and seafront area over much of the construction phase and early occupation phases of the development.
- 17.36 The potential to direct visitors to Folkestone Town Centre car parks has already been recognised, with the installation of 3 Variable Message Signs, located on key entrance routes to the town as a requirement of the Bouverie Place development. Opportunity exists to improve and expand on signage to town centre car parks so as to serve the seafront development and meet visitor demand, particularly that generated by the non residential elements of the development which seek to complement rather than compete with the town centre, proposed within phase 6 of the scheme. Kent Highways have requested that a parking and signage strategy for the development, incorporating both on site controls and off site measures to ensure existing car parks are utilised is required via condition/s106, as set out in their comments. It is considered the existing on street provision, together with the additional 128 spaces created provide an appropriate amount of shared onsite visitor parking, subject to the on and off site parking strategy requirements.

Road network implications

- 17.37 In accordance with development plan policy the TA includes a full assessment of the impact of the development upon the road network which has been scrutinised

and examined by KCC Highways and SDC Officers, who have required the submission of considerable additional information during the progression of the application. The TA includes the analysis of vehicle movements from the application site towards the M20 to the North, and includes traffic count analysis at 20 separate junctions, as set out on page 57 of the TA. KCC Highways Engineers have robustly assessed the methodology taken within the TA and considered the impact of the development upon the road network as a whole and upon individual junctions, including consideration of the impact of background growth and other committed developments not yet completed. The Highways Agency, as a statutory consultee have provided analysis and comment in respect of the developments impact on the Strategic Road Network.

- 17.38 In considering the impact of the development upon the Strategic Road Network the Highways Agency has made no objection to the application, as set out in section 5 of the report.
- 17.39 Kent Highways assessment of the impact of the development has identified the need for improvements to junction 5 (Cherry Garden Avenue/Cheriton Road/Beachborough Road traffic lights) to improve capacity at the AM and PM peak so as to offset the impact of the development. These improvements consist of physical works to increase the right turn queuing lane turning from Cheriton Road in to Cherry Garden Avenue, with potential to provide a dedicated right hand turn lane. The precise phasing and delivery mechanism for these works is to be agreed during the negotiation of the s106 and conditions - KCC Highways have requested that the works be completed prior to the occupation of the 100th residential unit or first unit within phase 2 of the development.

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**Appendix 4: Folkestone Seafront Section 106
Contributions**

Folkestone Seafrost S106 contributions

APPLICATION	ADDRESS	DATE SIGNED	TYPE	AMOUNT DUE	TRIGGERS	REPAYMENT TIMESCALE
Y17/1099/SH (Y12/0897/SH)	Folkestone Seafrost	DoV 25.09.18	Libraries	£67.03 per dwelling	180th dwelling, 420th, 600th	15 years from date of payment
			Access Management Contribution	£200,000	50% 360th dwelling occupation, 50% 480th dwelling occupation	15 years from date of payment
			Adult learning contribution	£21.34 per dwelling	180th dwelling, 420th, 600th	15 years from date of payment
			Footpath contribution	£100,000	occupation of 60th dwelling	15 years from date of payment
			facilities and social care	£106.74 per dwelling	180th dwelling, 420th, 600th	15 years from date of payment
			Play space contribution	£302 per dwelling	Upon occupation of every 60 dwellings and occupation of final dwelling	15 years from date of payment
			Primary Education	£2987.50 per dwelling	Upon occupation of every 60 dwellings and occupation of final dwelling	15 years from date of payment
			Tontine street	£150,000	Commencement of development	15 years from date of payment
			Youth and community	£70.60 per dwelling	180th dwelling, 420th, 600th	15 years from date of payment
			VMS contribution	£30,000	commencement of phase 5 or 6	15 years from date of payment
			travel plan monitoring	£10,000	prior to occupation	15 years from date of payment
			Junction 5 contribution	£50,000	occupation of 240th dwelling	15 years from date of payment

			Monitoring fee	£7000 *Supplementary monitoring fee of £xx per year after 7 years	Commencement of development	
			Leas Lift (Community Facilities)	£500,000	Prior to occupation of 1st dwelling of Phase 1	15 years from date of payment
				£250,000	Prior to occupation of 50th dwelling of Phase 5	15 years from date of payment
			Sea Sports (Community Facilities)	£200,000	Prior to occupation of 1st dwelling of Phase 4	15 years from date of payment
			Public Space & Parking (Community Facilities)	£250,000 Leas Lift Contribution if not used		15 years from date of payment
			GP contribution (Community Facilities)	DxPx£360 (see DoV)	Prior to occupation of 100th dwelling, & thereafter every 100th dwelling	15 years from date of payment
			Beach facilities	£500,000 - £800,000	Prior to Phase 5	15 years from date of payment
			Affordable housing	Residue of Community Facilities Contribution		15 years from date of payment
			Indexation			

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**Appendix 5: Commentary on Criteria to Policy SS11 –
Shorncliffe Garrison**

Table 1. Commentary on criteria to policy SS11 – Shorncliffe Garrison

Requirement/criteria	Supporting evidence	Effect on viability
<p>Criteria a) Residential development is shown to be part of a comprehensive approach to modernisation and consolidation of military land within the district.</p>	<p>The indicative masterplan document, including technical appendices in relation to transport, utilities and environmental conditions, was prepared for the MoD to underpin this strategic allocation. The conceptual diagram below (Figure 4.7) broadly reflects the indicative masterplan, which forms a key element of the evidence underpinning this policy. This information has been explored and refined further through the Development Management process.</p>	<p>No implications on viability</p>
<p>Criteria b) Development is appropriately phased to ensure benefits can be fully realised, with infrastructure improvements delivered at appropriate stages to ensure on- and off-site facilities are available to create a sense of place and community and to manage environmental impacts in relation to infrastructure capacity.</p>	<p>The defined timing ((i.e. trigger point(s)) of developer contributions as set out in the signed S106 legal agreement to be paid to the district council is set out in the S106 schedule appended to this statement. At the time the planning application was originally consulted on, the various infrastructure and service providers were engaged with by the Local Planning Authority to ascertain the relative timing of payments in the context of when each individual new or improved infrastructure would be required in relation to the number of occupations at the Shorncliffe Garrison development. Associated details are set out in the Infrastructure Delivery Plan prepared in accordance with both the PPLP and CSR</p>	<p>No implications on viability</p>
<p>Criteria c) Significant transport improvements are delivered including appropriate contributions for critical junction upgrades, and other highway improvements, and a contribution is made to improved and extended bus services and further sustainable travel measures for walking and cycling (including connections to Cheriton High Street and Folkestone West railway station) in accordance with policy SS5.</p>	<p>The highway impacts and required mitigation was tested through extensive highway modelling work of the strategic allocations proposed as part of the Core Strategy Shepway District Council Transport Strategy undertaken by URS Scott Wilson dated 2011. Critical and necessary infrastructure upgrades (including transport) are set out in Core Strategy Appendix 2. As detailed in the S106 legal agreement, the applicant has entered into a S106 agreement that shall fund a number of highway and connectivity improvements, thereby satisfying this criteria</p>	<p>No implications on viability</p>
<p>Criteria d) The proposal includes on-site provision of appropriate</p>	<p>The background evidence to quantify the appropriate infrastructure requirements was assembled as part of the supporting work to the Core Strategy, as recorded in appendix 2 of the Core Strategy Local Plan.</p>	<p>No implications on viability</p>

<p>community infrastructure including land and possible contributions towards a new primary school (up to two-form entry) and health/care facility (and/or delivery of a community/public facility of equal social value).</p>	<p>The application includes seeking outline permission for a 2 form entry primary school and nursery (3500m²) on the eastern parcel of land at Le Quesne. The delivery of a new primary school within the application site is identified as 'critical' infrastructure within appendix 2 of the Core Strategy Local Plan. As such, the principle of the primary school in this location is set out within the site policy and Core principles for master planning strategic site diagram, with the proposed site well located alongside the existing highway network, at the heart of the development and in close proximity to existing and proposed community facilities. The provision of a new primary school is highly sustainable and provides social cohesion for the new community, helping to establish the occupants within the locality with existing residents, whilst a condition can ensure community use is available for the school facilities (such as pitches).</p> <p>The Planning Committee report into application Y14/0300/SH the education requirements are appropriately summarised, as below:</p> <p>KCC have confirmed that they expect the site to be serviced and transferred at nil cost, whilst their comments on the application set out the appropriate education contribution to be paid to mitigate the impact of the development. It is proposed that the land is transferred and the full contribution is made so as to allow KCC to construct the school for first opening in September 2018. It is proposed that the school will initially be built as 1 form entry, with additional funding (as secured from the Folkestone Seafront development application Y12/0897/SH) to be used to fund the second form of entry at a future date.</p> <p>The permitted scheme includes provision for a new 2 storey Pavilion building, as detailed within the Planning Committee report</p> <p>The application includes provision of a new 480 - 600m² (floor space GIA), 2 storey pavilion building, located to the west of the Spine Road at the edge of the Stadium pitches (and surrounded by land within phase 1b). It is proposed that the new pavilion building will be delivered on site by March 2018 to satisfy obligations that Taylor Wimpey have with the MOD to retain Cadet facilities at the site, which also ensures existing community facilities are not lost, in accordance with policy SS3 of the Core Strategy Local Plan. This will be a shared facility providing changing facilities on the ground floor (for the adjacent pitches) and accommodation on the first floor for the Army Cadet Force (as a replacement for the existing cadet hut), with opportunities for community use of the first floor of the building at other times.</p> <p>At the time of writing (June 2020), the S106 payment for the Management and Maintenance of the Pavilion has been received by the district council, and the trigger point for payment was upon completion of the transfer of the Pavilion freehold to the Council. The facility is now operational.</p>	
<p>Criteria e) The proposal incorporates high-quality green infrastructure at the design stage, with sports and public open space</p>	<p>Commentary to evidence how the approved scheme complies with criteria e is set out in the Planning Committee report.</p>	<p>No implications on viability</p>

<p>usable for active recreation retained in line with national policy, and improved changing facilities provided at 'The Stadium'.</p>		
<p>Criteria f) Land at Seabrook Valley as shown in Figure 4.7 is released from military use for public and natural open space purposes, and a management strategy is in place to enhance biodiversity and to increase accessibility to the countryside where appropriate. Development proposals shall include an appropriate recreational access strategy to ensure additional impacts to Natura 2000 site(s) are acceptably mitigated, in accordance with policy CSD4.</p>	<p>The Shornccliffe Rationalisation Project Seabrook Valley report (dated 2011) was prepared by The White Cliffs/Romney Marsh Countryside Partnership has been asked by GVA (acting on behalf of the MOD) to produce a report to detail the possible options for 38 hectares of what is labelled the Backdoor Training Area. The report forms part of the Core Strategy evidence base to support the site allocation.</p> <p>Appendix 2 of the Core Strategy Local Plan identifies the provision of a public access/open space/nature conservation facility with enhanced management and public facilities at the strategic site as critical infrastructure upon which the strategy is dependent, for the reason that the on-site provision of recreational open space ensures impacts on Natura 2000 sites – in particular the Folkestone to Etchinghill SAC is avoided.</p> <p>13.12 Given the above, it is considered that the provision of the Seabrook Valley BTA as a strategic area of publically accessible open space, alongside the mitigation and enhancement measures set out above and to be secured by condition and s106 agreement, meet with the requirements of policy SS7, SS5 and CSD4 of the Shepway Core Strategy Local Plan.</p>	<p>Yes, in part, as summarised in Section 20 'Infrastructure Delivery and Development Viability' of the planning committee report. Implications on affordable housing provision.</p>
<p>Criteria g) The design and layout of development should form a legible network of streets, drawing on the scale and pattern of surrounding development so as to enhance connectivity from east to west with a strong new south to north pedestrian/cycle axis, through the site. Townscape, heritage and archaeological analysis should be undertaken prior to the demolition of any buildings. This should ensure good place-making through the retention of important features, including heritage assets and</p>	<p>At the time the planning application was compiled, a key piece of evidence submitted in support of the proposal was the Development Specification Document (DSD), which sets out the area specific principles and guidance for the 4 identified character areas of the development, as informed by the masterplan framework, which itself stems from the Parameter Plans.</p> <p>A fuller account of how the planning application was assessed by the Local Plan Authority is set out in the planning committee report, and the reader should cross-refer to that document.</p>	<p>No implications on viability</p>

reference to former uses on the site.		
Criteria h) Development design integrates fully and sensitively with the existing residential neighbourhoods of Cheriton and with the Seabrook Valley landscape.	<p>South East Regional Design Panel (SERDP) Design Review. Pre-application Review</p> <p>7.9 At the request of SDC officers, Taylor Wimpey appointed SERDP to review the emerging proposals for Shorncliffe Garrison, with Design Review taking place on 30th January 2014, following a detailed site visit and presentations by the master planners (Tibbalds) and architects (Simon Cooper Associates). In summary the Design Review Panel found that:</p> <ul style="list-style-type: none"> • Shorncliffe is a large and challenging site and we are encouraged by the progress towards a coherent masterplan, which is based upon sound principles. • The most important challenges will be in their detail and execution: in particular ensuring that the new area responds appropriately to its contrasting surroundings, has strong connections to the existing communities and draws on the historic character of the former garrison to make it a truly distinctive place to live. There is scope for imaginative landscape design, including tree planting, to help define the main north-south route and articulate the space along it. • We are much less convinced by the detail of the phase 1 proposals, which seem to depart from the principles of the masterplan and has resulted in generic design and in some places an unclear movement network. <p>7.10 The feedback received from the Panel helped shape the final proposed masterplan and detailed plans for the site, which have also been subject to considerable further amendment following input from SDC Officers on the detailed design of the development.</p>	
Criteria i) Development delivers 360 affordable housing dwellings for the Urban Area subject to viability (or if the total residential quantum is less than 1,200 units, 30 per cent).	<p>Details of the independent review of viability for the Shorncliffe Garrison scheme is provided in Section 19 of the Planning Committee report prepared for the hybrid scheme promoted under planning reference Y14/0300/SH. Key information is presented below:</p> <p>‘Taylor Wimpey’s viability consultant, GVA, submitted a confidential viability assessment in support of the planning application so as to demonstrate that the development could not provide all the required s106 contribution and other infrastructure and also provide the policy compliant requirement of around 30% of affordable housing.’ (para. 19.9)</p> <p>‘Shepway District Council have appointed Dixon Searle as an independent expert viability consultant to review the GVA report and ensure the viability work is fully tested in accordance with national guidance.’ (para. 19.10)</p> <p>‘Following significant discussion between officers, Dixon Searle, Taylor Wimpey and GVA there has been an incremental increase in affordable housing provision within the development from an initial 12% overall, 30% in phase 1 to the current position of 18% in total, with 30% provided within phase 1. It is considered that the viability of the development continues to be robustly tested by officers and our consultants and the overall quantum of development is close to being finalised, pending the review of the finalised viability report, to be provided by the applicant following the detailed calculation of costs</p>	Reduction in affordable housing provision in order to ensure scheme viability

	<p>for highway works and other infrastructure. It is the aim of officers to finalise the overall quantum of affordable housing within the development prior to DC Committee, with an update provided on supplementary sheets.’ (para. 19.11)</p> <p>Schedule 1 of the signed S106 legal agreement clarifies that the affordable housing provision shall be 18%, and an excerpt from the S106 agreement is presented below.</p>	
<p>Criteria j) Residential buildings achieve a minimum water efficiency of 90 litres/person/day.</p> <p>All development must be designed and constructed to achieve high standards of environmental performance, and buildings should be designed to allow convenient waste recycling.</p>	<p>The district is classified as a ‘water scarce’ area, and further information is set out in the Water Cycle study provided as part of the evidence base to the Core Strategy Review.</p> <p>Given that requirements for water efficiency levels of 90 litres per person per day were found sound by the Inspector examining the 2013 Core Strategy and that planning permissions have been granted for those sites allocated in the adopted plan, with development progressing on several, the council considered it a proportionate approach to continue with this requirement to guide remaining phases of development.</p>	<p>Yes, in part, as the ‘abnormal’ costs incorporates works to the harbour and sea walls and ground raising, dunes and beach replenishment</p>
<p>Criteria k) A programme is agreed for the satisfactory remediation of the land</p>	<p>Both SDC (now F&HDC) Environmental Health and the Environment Agency reviewed the submitted Phase I and preliminary Phase II Site Investigation Report submitted in support of the planning application. This report identifies the historical uses of the site and the presence of services and other uses within the vicinity. Both Environmental Health and the Environment Agency have requested detailed conditions relating to contaminated land that can mitigate any potential impact.</p>	<p>No implications on viability</p>

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Appendix 6: Highways and Transportation

14 HIGHWAYS & TRANSPORTATION

Transport Assessment and Junction Improvements

14.1 The NPPF seeks to ensure that sustainable development should go ahead, without delay and that transport policies have an important role to play in facilitating sustainable development.

14.2 Paragraph 32 of the NPPF makes it clear that *'development should only be prevented or refused on transport grounds where the residual cumulative impact of the development are severe'*.

14.3 Policy SS7(c) of the Core Strategy Local Plan states that planning permission will be granted where *'Significant transport improvements are delivered including appropriate contributions for critical junction upgrades, and other highway improvements, and a contribution is made to improved and extended bus services and further sustainable travel measures for walking and cycling (including connections to Cheriton High St. and Folkestone West station) in accordance with policy SS5.'*

14.4 Policy SS5 states 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....'*

Appendix 2 of the document identifies infrastructure requirements, including those critical (upon which the whole strategy is dependent) and non-critical 'necessary' projects. Policy SS5 continues to state that - *Planning permissions will only be granted where suitable developer contributions are secured or ... where:*

- a. the design of a development aims to reduce unnecessary or unsustainable demands on physical and social/community infrastructure, and environmental or utility network capacity;*
- b. development does not jeopardise current or planned physical infrastructure;*
- c. the location, design or management of development provides a choice of means of transport and allows sustainable travel patterns, for pedestrians, cyclists and/or public transport. All major trip-generating uses will provide Travel Plans.*

Developments must reflect the principle that infrastructure should be used more efficiently, or demand managed more effectively, before the need to increase capacity or deliver new infrastructure is created.

14.5 The supporting text of the Core Strategy, expanding upon policy SS7 states that-

'The site is well placed in the district, with motorway and high speed rail services nearby. The provision of day-to-day services on site (such as the primary school) will limit overall traffic generation for key activities. However in line with policy SS5, close attention is needed to the package

of upgrades and contributions necessary to offset travel impacts generated by new residents, especially connections to strategic transport routes.

A list of junction improvements, including tackling the existing limitations of Horn Street railway bridge and critical upgrades on Cheriton High Street (notably the highway near the M20 junction approach) is provided at Appendix 2 of the Core Strategy Local Plan as set out in paragraph 14.6 below..'

And that-

Pedestrian and cycle access routes underpin layout proposals and linkages to the new community hub, and towards the heart of Cheriton. There is potential scope for a substantial expansion to the local bus network. With a developer contribution and other support measures an expansion of services in early phases can be delivered, and with the prospect of an increased choice of destinations within the Urban Area for Cheriton and Shorncliffe residents. Improvements to integrated bus and cycle links with Folkestone West High Speed 1 rail station are a priority.

- 14.6 Within Appendix 2 of the Core Strategy the following transportation projects are identified:
- Critical – by 2016
 - Cheriton High Street/ A20 Spur junction
 - Non critical 'necessary' – by 2016
 - Horn Street Railway bridge – vehicular safety and pedestrian environment scheme –
 - By 2021
 - Shorncliffe Road/Risborough Lane junction upgrade
 - Risborough Lane/Church Road junction upgrade
 - Cheriton High Street/Horn Street junction improvements
 - Cheriton High Street/Risborough Lane junction improvements
 - Pedestrian cycle path improvements from Shorncliffe Garrison to Cheriton High St and Seabrook Valley
- 14.7 The application has been supported by a detailed Transport Assessment (TA), submitted in accordance with the scoping agreed in detail with KCC Highways at pre-application stage, following earlier consideration of the application site and its traffic impacts at the Core Strategy Local Plan policy formulation stage. Following the submission of the application an addendum TA has been submitted (November 2014) to address KCC's initial comments, with a further Technical Note (5) submitted in February 2015, following specific additional monitoring of journey times and flows at the Horn Street Bridge and Church Road.
- 14.8 The TA includes analysis of the impact of the development upon an initial 22 junctions within the local and wider highway network in the future year of 2026, as agreed in the scoping of the application. Independent traffic survey contractors undertook comprehensive traffic counts of junctions which would potentially be affected by the development. In accordance with

the Department for Transport's Guidance on Transport Assessment and as per the agreed scope with the Highway Authorities, the counts were undertaken during 'neutral' conditions in October 2013. The counts were timed to avoid the school holidays and can therefore be considered to be robust. AM and PM weekday junction turning counts were undertaken, and Automatic Traffic Counters were installed on key links for a 7-day period to ensure that the turning count days were representative of normal daily traffic patterns on the network.

14.9 A number of highway plans have been submitted in support of the application, with amendments made following the submission of the application. All offsite highway works are proposed to be delivered by S278 agreement with KCC Highways. The offsite junction works comprise of:

- M181/200B – Proposed Church Road Access – Ghost junction arrangement
- M181/201A – Proposed Royal Military Avenue Access – Priority junction arrangement
- M181/203B – traffic signalisation of Church Road/Horn Street bridge option 1 improvement
- M181/205B – Proposed Horn Street bridge/Cheriton High Street
- M181/206 - Proposed Risborough Lane/Risborough Way
- M181/207A – Proposed A20 High St/Cheriton Interchange Option 1
- M181/213 – Proposed St. Martin's Plain Access – Priority access
- M181/210 – Proposed Risborough Lane pedestrian crossing
- M181/211 – Proposed A20 High St/ Cheriton Interchange option 2

14.10 As such, the application includes works to the identified 'critical' junction of the A20/Cheriton High Street so as to provide a right turn for all traffic (option 2) or buses only (option 1), as well as all 'non critical' but 'necessary' junctions, as identified within Appendix 2 of the Core Strategy Local Plan. The delivery of all junction works is proposed within the timescales set out within the Core Strategy Local Plan, with works proposed for the site access junctions at St Martin's Plan and Church Road, the Horn Street Bridge including Church Road junction with Horn Street prior to the commencement of development, and works proposed for the Cheriton Interchange, site access junction at Royal Military Avenue, the Cheriton High Street junction with Horn Street, and the Risborough Lane pedestrian crossing prior to first occupation of development.

14.11 KCC Highways have provided a detailed response to the application, as set out in their final comments, paragraph 6.10 of the report. The applicant has responded to these comments and therefore further amended comments will be reported on the supplementary sheets. In summary their comments state that:

- The applicant's assessment and modelling of Horn Street Bridge provides a robust assessment of the existing and future position with traffic movements generated by the development and with the

implementation of a scheme of highway mitigation to alter the operation of the bridge and Church Road junction.

- The local highway authority assessed the two options put forward for consideration by the applicant, and concluded that Option 1 - change in priority of Church Road with Horn Street (drawing reference M181/203), meets with the requirements on the local highway authority. The applicant is aware that a number of minor design amendments to drawing M181/203 have been agreed with the local highway authority, namely the yellow box must be bounded by kerbs so two islands would need to be introduced. This is detail that can be dealt with as part of the S278 process. Secondly, the introduction of a controlled crossing on Church Road a distance of 31 metres north-west of the junction of Church Road and Broadview.
- The local highway authority has previously clarified that the layout of the St Martin's Plan parcel as shown in drawing 45-1863-SMP-001 (Rev T) is satisfactory from the perspective of site access arrangement and matters relating to highway layout. The corresponding planning condition is to reference the layout drawing that meets with the requirements of the local highway authority.
- The local highway authority raises no objection to the layout of 'The Stadium' parcel as shown in drawing 45-1863-108 Rev (to be provided)) and the layout satisfactory from the perspective of site access arrangement and highway layout.
- Cherry Garden Avenue/Beachborough Road/Cheriton High Street junction: the local highway authority is currently making progress on a scheme for this junction to address existing turning conflicts. The applicant will be required to contribute a proportionate amount to the total scheme cost, which the local highway authority advises is to be calculated on the basis of the percentage traffic impact from the Shorncliffe Garrison development, which equates to X% of the estimated capital cost of the scheme (£50,000), and so the applicant is required to make contribution of £XXX to the County Council prior to first occupation on any phase of development promoted under planning reference Y14/0300/SH
- Risborough Way/Cheriton High Street/Stanley Road: there is a need for the applicant to facilitate improved pedestrian and cycle connections between the site and key off-site locations. A proportion of pedestrian and cycle movements will involve interaction with the junction of Risborough Way/Cheriton High Street/Stanley Road, and the County Council has previously completed concept design work to improve connectivity for pedestrians and cyclists at this junction location. Given the degree of movements (vehicular and non-vehicular) interacting with this junction, the local highway authority requests that a junction improvement is implemented by the applicant as off-site highway works under a S278 agreement with the local highway authority. The improvement is required to be completed prior to first occupation on 'The Stadium' phase of the development

DC/14/21

- Cheriton High Street/Cheriton High Street junction: the applicant has proposed a highway arrangement to provide a right-turn facility at the junction of Cheriton High Street/Cheriton High Street (B2064) that will cater for all vehicle movements. The applicant will need to complete the works under a S278 agreement prior to first occupation of any phase of development promoted under planning reference Y14/0300/SH

DC/14/21

- The applicant is to implement the scheme referred to as **Option 1 - change in priority of Church Road with Horn Street** (drawing reference M181/203) under a S278 Agreement prior to commencement of development on any phase of development promoted under planning reference Y14/0300/SH. The works to be completed in accordance with Option 1 also include the provision of a new crossing facility on Church Road
- The applicant is to make payments on an annual basis to a local bus operator to facilitate improvements to the public transport network, which involves both commercial and capital elements. The contribution (revenue) is to fund the provision of improved service frequency, which the local highway authority specifies, should be effective from first occupation on any phase of development promoted under planning reference Y14/0300/SH. A proportion of the contribution is to be used to cater for improved service frequency to provide public transport connections (bus) to/from the application site and High Speed 1 services operating from both Folkestone West and Folkestone Central railway stations for the associated AM and PM periods. A more detailed analysis of how the public transport network could be positively improved has been helpfully provided by Stagecoach, and this information is to be used to define the precise nature of the bus service improvements to be facilitated by the applicant. The contribution (capital) is to also fund the capital cost of implementing the required infrastructure improvements, to include:
 - The provision of additional bus shelters and associated road markings
 - The relocation of any existing bus stop locations to improve public transport accessibility

- A travel plan, including contributions to subsidised bus travel, and a cycle voucher is required for properties within the development. Discussions and the implementation of measures with Cheriton Primary School, to promote the use of the community car park, together with new crossing facilities are also required.
- 14.12 In addition, the Highway's Agency are a statutory consultee on the application. Their comments, set out in section 6 of the report at present constitute an Holding Direction pending the agreement of junction improvement works to Junction 12. Discussions with the HA are ongoing, with it likely that the holding objection is withdrawn prior to committee subject to the imposition of the following condition –
- “The development shall not be occupied until the improvement works to the Cheriton Interchange junction have been completed as detailed on Cannon Consulting Engineers drawing M181/211 and contained within the Addendum Transport Assessment dated the 07th November 2014. Any alternative proposals for the improvements to the Cheriton Interchange will be subject to written approval by the Secretary of State for Transport and thereafter by the Local Planning Authority.”*
- 14.13 Given the above assessment, and the clear comments of KCC Highways it is considered that the Transport Assessment and associated addendum and reports identify appropriate works to mitigate the impact of the development upon identified critical and non critical junctions. Whilst the HA currently have an holding direction in place it is considered that this is likely to be removed prior to committee and that the matter to which it relates is resolvable via condition.
- 14.14 Whilst significant concerns have been raised by local residents, interest groups and parish and town councils with specific regards to the capacity of Horn Street Bridge the substantial evidence provided demonstrates that the signalisation of the bridge and alterations to priority, as set out in plan M181/203B provides appropriate capacity and highway safety improvements to mitigate the impact of the development, also allowing for appropriate Practical Reserve Capacity (PRC) to accommodate further background growth beyond 2026. The highway mitigation works proposed therefore meet with the requirements of DfT guidance for Transport Assessment, policies SS7 and SS5 of the Core Strategy Local Plan and the NPPF, in particular paragraphs 204 (tests for planning applications) and 32 which states that planning permission should only be refused on highway grounds if the impacts are severe. The horizon year of 2026 (do-something) with full development shows that the queue on the northbound approach would be 13 vehicles and on the southbound approach would be 11 vehicles at the busiest peak times. This represents a reduction of 18 vehicles in the northbound direction and 3 vehicles in the southbound direction when compared to the 2015 observed base identified in the monitoring undertaken. The PRC of the junction is shown to be 9.6% in the AM Peak and 7.8% in the PM Peak. The assessment of the 'do something' scenario demonstrates that the proposed signalisation of the Horn Street Bridge mitigates the impact of the development when tested

against the 'do-nothing scenario' as required by policy. The junction goes further than 'nil-detriment' by return results better than the 2015 observed 'do-nothing' scenario.

- 14.15 Therefore there is no evidence that would justify refusing the planning application on the basis that the developer is not funding a new bridge or that the development, even when completed, would lead to an increased risk to highway safety or increased traffic congestion. Indeed all the available evidence shows that the proposed signalisation, to be carried out before the development commences, will improve safety on the bridge, reduce queuing at peak periods and not adversely affect local journey times. The works to the bridge should also be considered in the wider context of the other sustainable transport measures that the proposals will secure, such as additional pedestrian and cycle links in addition to enhancements to the local bus service. Furthermore, new facilities will be provided on site, such as a new school, which will contribute to reducing traffic movements associated with the new development. All this is consistent with what the council agreed when adopting the Core Strategy Local Plan.
- 14.16 The Planning Statement and D&A statement identify that parking provision will be made in accordance with KCC's standards set out in IGN3. Consideration of parking made within phases 1a and 1b is set out in sections 20 and 21 of this report. Concerns have been raised by the residents of Royal Military Avenue with regards to the loss of 3 parking spaces at the proposed entrance junction with Risborough Lines. The design of the junction includes 4 new spaces and therefore there is no net loss of parking spaces in this location. KCC Highways have confirmed that the kerb build out which results in the loss of the spaces of Royal Military Avenue are essential to the successful design of the junction.

Connectivity and improvements to public transport

- 14.17 The site is well connected to Folkestone town centre and the local railway stations by Stagecoach operated bus services (71, 72 and 73), also known as 'The Heart', which provide a combined frequency of 1 bus every 10 minutes during peak hours. There are other local bus services within close proximity to the development site, which are located within an acceptable walking distance providing connections to other residential areas, local schools and the wider area.
- 14.18 The site is also well connected to rail services via Folkestone West rail station which is located within a 20-minute walk distance from the site, or an approximate 6-minute cycle distance from the site. The Folkestone West rail station can be accessed by bus within an approximate 7-minute bus journey from the site using the 77/78 bus service. Or alternatively, Folkestone Central rail station can be accessed by bus within an approximately 15-minute journey time using The Heart services, which are much more frequent.

- 14.19 The application includes the provision of or funding for significant upgrades to bus services within the locality, as set out in KCC Highway's and Stagecoach's comments and these can be achieved via conditions and the s106 legal agreement, including the provision of new/relocate/enhanced bus stops (x12), funding for diverted routes (71,72,73), funding for a new route between Hythe and Folkestone, incorporating Folkestone West and long term improvements to route 77.
- 14.20 It is considered that these upgrades will result in significant improvements in public transport services and help ensure a good take up of sustainable methods of transport, reducing dependence on private vehicular trips, in accordance with policies SS5 and SS7 and Appendix 2 of the Core Strategy. The funding for route enhancements can be achieved via s106 agreement, with highway works controlled under s278.

Cycle and Pedestrian movement

- 14.21 Sustainable transport routes for cyclists and pedestrians are at the heart of the development, with both new north to south and east to west cycle and pedestrian pathways proposed and discussed within the Urban Design chapter of this report. It is considered that the DSD sets out appropriate on-site requirements to create a public realm that encourages trips on foot or cycle.
- 14.22 A number of recreational footpath improvements are proposed within the Seabrook Valley, and these are discussed in section 13 of the report.
- 14.23 As required by policy SS7/Appendix 2, the application includes the upgrading of the poorly surfaced and drained Bridleway HB1 (Sandy Lane), which provides connectivity between the development (Redoubt Square) and the Coast and Royal Military Canal and National Cycle Route 2 at Seabrook, via the lower part of Hospital Hill and the A259. The Addendum TA identifies improvements to the junction between the bridleway and Hospital Hill can be provided, and the s106 can contain provision to fund these works with final discussions in regard to this provision ongoing. The improvement of cyclist connectivity to Cheriton High Street is also a policy requirement identified as necessary infrastructure in Appendix 2 of the Core Strategy.. It is the ambition of the overall development to provide a continuous off-road cycle route between the development site and Cheriton High Street. This route takes into account sections of Church Road, Horn Street and Cheriton High Street and would benefit existing and new residents to the area as well as creating a safer route across the A20 Cheriton High Street. Works to facilitate this route can be achieved via s278 agreement with KCC Highways.
- 14.24 The route between the development site and Folkestone West Rail Station was considered as part of the overall cycling strategy. Due to current constraints on Risborough Lane and Shorncliffe Road it is not possible to form a continuous off-road cycle route. The TA thus proposes to continue with the on-road network, as existing. As part of the proposed improvements to the junction of Risborough Lane with Risborough Way

the introduction of traffic signals at this junction would allow for a pedestrian phase to be "called" on demand at the junction, thus creating an improved route for pedestrians and cyclists towards the Rail Station. Further, given there is sufficient capacity at the junction with the full development traffic flows, it is proposed to introduce a new pedestrian crossing facility between Church Road and Risborough Way, as identified on plan M181/210. KCC PROW has also requested funding towards improvements to cycle routes, as set out in the Shepway Cycle Plan and these are under negotiation with the applicant.

- 14.25 Whilst not a specific point that has been identified in KCC's consultation response, discussions with officers, local residents and the Cheriton Primary School have identified that particularly during the school "pick up" period in the afternoons, many parents park their vehicles along Church Road in the vicinity of the Cheriton Primary School. This causes traffic congestion and has an impact on the operation of the existing Church Road junction with Horn Street and the ability to exit Cheriton Court Road. Whilst the Cheriton Primary School does not form part of the Shorncliffe Garrison development proposals, it has been agreed that parents of the children that attend Cheriton Primary School could make use of the car park to be provided as part of the sports pitches and the Pavilion to the north of The Stadium and accessed from the proposed site access junction with Church Road. With this in mind, a new pedestrian crossing facility is proposed to be provided to the west of the proposed site access junction that will provide a safe link from the proposed car park to the Cheriton Primary School. This proposed pedestrian crossing facility is presented on the updated site access plan for Church Road, Drawing M181/200 Rev B. A footpath link from the car park to Church Road, and the new crossing facility, is provided. Provision within the main Travel Plan ensures that a new School Travel Plan identifies this provision and makes use of the car park. This can be controlled via condition.
- 14.26 In accordance with local plan policy TR14 and the NPPF (para 37) a travel plan has been submitted with the application, to be controlled via condition with funding for monitoring and compliance contained within the s106 legal agreement. The exact provisions of the Travel Plan are set out in KCC's response on the application.

Matter 5: Strategy for the Urban Area

**Appendix 7: Letter from Kent County Council to Taylor
Wimpey South East**



[REDACTED]
Taylor Wimpey South East
103 Tonbridge Road
Hildenborough
Tonbridge
Kent
TN11 9HL

Kroner House
Eurogate Business Park
Ashford
Kent
TN24 8XU

Direct Dial: [REDACTED]
[REDACTED] kent.gov.uk
Our Ref: CB/JH
Date: 11 May 2020

Dear [REDACTED]

Reference: Transfer of Primary School Land at Shorncliffe to KCC

On 5 August 2019 you wrote informing Kent County Council that the primary school site at Shorncliffe was ready to be transferred in accordance with the requirements as outlined in the s106.

As officers informed you, our pupil forecasts suggest that the school will not be required until the second half of this decade. Therefore, we will not request the site transfer until 2024 at the earliest.

Schedule 2, paragraph 1.2 of the s106 provides that the developer is under an obligation to transfer the site within 30 days of KCC serving a notice to that effect. When the site is required by the County Council, we will serve a notice to such effect.

My apologies that this formal response is later than we would have hoped.

Yours sincerely

[REDACTED]
Interim Area Education Officer - South Kent

[REDACTED]

Matter 5: Strategy for the Urban Area

Appendix 8: Shorncliffe Garrison Section 106 Contributions

Table 1. Shorncliffe Garrison S106 contributions

APPLICATION	ADDRESS	DATE SIGNED	TYPE	AMOUNT DUE	TRIGGERS	REPAYMENT TIMESCALE	AMOUNT PAID	DATE RECEIVED
Y14/0300/SH	Shorncliffe Garrison Folkestone Kent	17.12.15	Monitoring	£9,240.00	Prior to commencement	7 years from date of payment for District Council contributions; 10 years from date of payment for County Council contributions.	£9,240.00	21.02.17
			Education	£3,143,222.00	£50,000.00 on commencement; £1,550,000.00 prior to earliest of occupation of 50th dwelling or 21 months after commencement; £1,543,222.00 prior to earliest of occupation of 142nd dwelling or 34 months after commencement.		£50,000	Paid direct to KCC
			Management & Maintenance of Pavilion	£228,600.00	Upon completion of the transfer of the Pavilion freehold to the Council			
			Management & Maintenance of Toilet Block	£17,544.00	Upon completion of the transfer of the Toilet Block to the Council			
			Formal Open Space	£164,865.00 for The Stadium and LEAP; £280,432.00 for Le Quense and the NEAP	Upon completion of transfer of land to the Council			
			Libraries	£167,008.25	£83,504.13 prior to 25% occupation; £83,504.12 prior to 50% occupation			

			PROWs (HF38 & HBX11)	£55,000.00	Prior to first occupation		£55,000.00	21.02.17
			Indexation				£907.52	21.02.17
			Footpath (Church Road & Cheriton High Street)	£25,000.00	Prior to first occupation within Phase 1A (SMP)		£25,000.00	21.02.17
			Indexation				£412.51	21.02.17
			Cycle Routes	£25,000.00	Prior to first occupation		£25,000.00	21.02.17
			Indexation				£412.51	21.02.17
			Signals & Minor Junction improvements	£25,000.00	Prior to first occupation within Phase 1A (SMP)		£25,000.00	21.02.17
			Indexation				£412.51	21.02.17
			Signal Works	£1,750.00	Prior to first occupation		£1,750.00	21.02.17
			Indexation				£28.88	21.02.17

			Bus Service Pump Priming	£880,000.00	£150k prior to commencement of Phase 2C; £150k on each of the first and second anniversaries of the first £150k payment; £70k prior to commencement of Phase 3; £70k on each of the first, second and third anniversaries of the first £70k payment; £50k prior to commencement of Phase 4; £50k on each of the first and second anniversaries of the first £50k payment.		
			Travel Plan Monitoring	£9,000.00	Prior to occupation; per annum in January for 9 years commencing in the year after the first payment	£1,000.00	21.02.17
						£1,000.00	03.01.18
						£1,000.00	21.05.19
						£1,000.00	27.01.20
			Indexation		Prior to occupation; per annum in January for 9 years commencing in the	£16.50	21.02.17
						£74.39	03.01.18

				year after the first payment		
			Cycle Voucher	Max. £120,000.00	Prior to occupation; £100 per dwelling	
			Public Transport Voucher	Max. £180,000.00	Prior to occupation; £150 per dwelling	
			Indexation			
				£5,332,661.25		£188,014.82

Matter 5: Strategy for the Urban Area

Appendix 9: Creative Industries in Kent, KCC Statistical Bulletin, December 2019

Creative Industries in Kent

Related Documents

[2015-2018 BRES](#)

[Construction Industries in Kent](#)

[Employees in the Knowledge Economy](#)

[Manufacturing in Kent](#)

NOTE: within this bulletin 'Kent' refers to the Kent County Council (KCC) area which excludes Medway

Contact details

Strategic Commissioning - Analytics:

Kent County Council
Invicta House
Maidstone
Kent ME14 1XQ

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Tel: 03000 417444

Creative Industries are defined by the UK Government as “those industries which have their origin in individual creativity, skill and talent and which have a potential for wealth and job creation through the generation and exploitation of intellectual property”.

This bulletin looks at the number of jobs and the number of enterprises in creative industries in Kent.

Summary

- The UK government launched its Creative Industries Sector Deal in 2018 to help develop Creative Industries in the UK.
- In 2018 Creative Industries account for 1.6% of employee jobs in Kent compared to 2.3% in England.
- The number of employee jobs in Creative Industries in Kent has increased by 1,300 (16.1%) since 2017. This pattern is also reflected nationally and regionally.
- In 2019 10.4% of enterprises in Kent (6,535 enterprises) are within creative industries
- There has been an increase in the number of creative enterprises in Kent since the previous year (+4.6%)
- IT, software and computer services make up the highest proportion of creative enterprises in Kent (48.2%)

Introduction

In 2017 the UK government launched its Industrial Strategy White Paper. The aim of the Industrial Strategy is to enable strong economic growth.

As part of the strategy, the government launched a number of sector deals to help develop certain industries in the UK. In 2018 it launched its Creative Industries Sector Deal to help develop Creative Industries in the UK. More information on this sector deal can be found on the [UK government website](#).

Creative Industries is not a standard industrial sector. It is made up of several sub sectors. In 2016 the Department of Culture, Media and Sport (DCMS) developed a definition of Creative Industries, identifying nine creative sectors. It did this by calculating the percentage of the workforce in a creative occupation in every industry in the UK economy (the creative intensity) and analysing how this creative intensity was distributed across different sectors. This enabled them to identify those industries with exceptionally high creative intensities. Industries with creative intensity above a specified threshold are considered Creative Industries. Industries with a creative intensity of 30% or more were considered for inclusion. Industries on the threshold were considered through consultation. Further information on the DCMS methodology can be found on the [DCMS website](#).

Creative Industries Group	Industry		Creative Intensity
	code	Industry description	
Advertising & Marketing	70.21	Public relations and communication activities	59.3%
	73.11	Advertising agencies	50.5%
	73.12	Media representation	48.3%
Architecture	71.11	Architectural activities	61.5%
Crafts	32.12	Manufacture of jewellery and related articles	56.2%
Design; product, graphic & fashion design	74.1	Specialised design activities	62.1%
Film, TV, video, radio & photography	59.11	Motion picture, video and television programme production activities	56.4%
	59.12	Motion picture, video and television programme post-production activities	56.4%
	59.13	Motion picture, video and television programme distribution activities	56.4%
	59.14	Motion picture projection activities	56.4%
	60.1	Radio broadcasting	62.7%
	60.2	Television programming and broadcasting activities	53.5%
	74.2	Photographic activities	77.8%
IT, software & computer services	58.21	Publishing of computer games	43.1%
	58.29	Other software publishing	40.8%
	62.01	Computer programming activities	55.8%
	62.02	Computer consultancy activities	32.8%
Publishing	58.11	Book publishing	49.9%
	58.12	Publishing of directories and mailing lists	31.0%
	58.13	Publishing of newspapers	48.8%
	58.14	Publishing of journals and periodicals	58.3%
	58.19	Other publishing activities	37.8%
	74.3	Translation and interpretation activities	82.2%
Museums, Galleries & libraries	91.01	Library and archive activities	23.8%
	91.02	Museum activities	22.5%
Music, performing & visual arts	59.2	Sound recording and music publishing activities	54.1%
	85.52	Cultural education	34.6%
	90.01	Performing arts	78.8%
	90.02	Support activities to performing arts	56.8%
	90.03	Artistic creation	91.5%
	90.04	Operation of arts facilities	38.4%

The creative intensity can be applied to the total number of employee jobs from the Business Register and Employment Survey (BRES) in each industry to calculate the estimated number of employee jobs in Creative Industries. The BRES is produced by the Office for National Statistics and is the official source of employee and employment estimates by detailed geography and industry. Data is available for the years 2015 to 2018.

This bulletin also looks at the number of Creative enterprises using information from the UK Business Counts dataset from the Office for National Statistics (ONS). The UK Business Counts dataset is an extract compiled from the Inter Departmental Business Register (IDBR) which contains information on VAT traders and PAYE employers. The UK Business Counts dataset records the number of enterprises that were live at a reference date in March each year giving a snapshot of businesses that were live at this point in time. It is broken down by size band, industry and turnover.

The latest data available is for 2019. This data is due to be updated by ONS in October 2020.

Creative Industry Employee jobs in Kent

Using the DCMS definition of Creative Industries we can calculate the estimated number of creative employee jobs in Kent. Table 1 shows the estimated number of creative jobs in Kent and Medway compared to the South East region and England.

All numbers are rounded to the nearest 100 in accordance with guidelines however percentages are calculated using unrounded figures.

Table 1: Creative Industry employee jobs

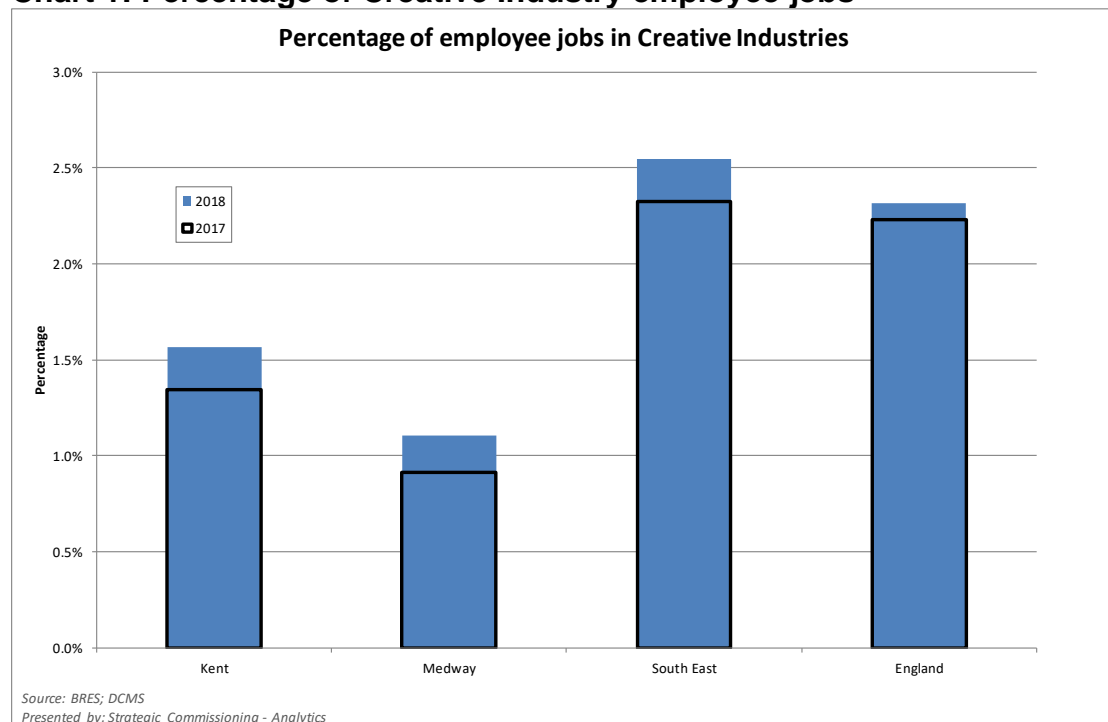
	Number				Percentage			
	2015	2016	2017	2018	2015	2016	2017	2018
Kent	8,800	8,500	8,200	9,600	1.4%	1.4%	1.3%	1.6%
Medway	900	900	800	1,000	1.1%	1.0%	0.9%	1.1%
South East	101,900	102,900	95,500	105,600	2.5%	2.5%	2.3%	2.5%
England	553,300	585,200	576,000	601,400	2.2%	2.3%	2.2%	2.3%

Source: BRES; DCMS

Presented by: Strategic Commissioning - Analytics, Kent County Council

Chart 1 shows the proportion of employee jobs in Creative Industries and how this compares to the previous year.

Chart 1: Percentage of Creative Industry employee jobs



Kent has seen higher growth in creative jobs than seen nationally. In Kent in 2018 there were an estimated 1,300 more creative jobs than the previous year, an increase of 16.1%. Since 2015 Kent has seen 8.8% growth (+800 jobs).

Table 2: Change in Creative Industry employee jobs

	1 year change		Change since 2015	
	Number	%	Number	%
Kent	1,300	16.1%	800	8.8%
Medway	200	25.2%	100	9.6%
South East	10,100	10.5%	3,700	3.6%
England	25,400	4.4%	48,100	8.7%

Source: BRES; DCMS

Presented by: Strategic Commissioning - Analytics, Kent County Council

Creative Industries are grouped into 9 main categories as shown in table 2.

The highest proportion of Creative Industries employee jobs are within the IT, Software and Computer Services category. In the South East this accounts for half of all Creative Industry employee jobs, however Kent has a much lower proportion at 33.1%, or 3,200 employee jobs.

Music, performing and visual arts make up the second largest proportion in Kent with 14.4% of Creative employee jobs in this category.

Kent has a higher proportion of employee jobs in Architecture, Design, Publishing, Music, performing and visual arts and Museums than seen nationally.

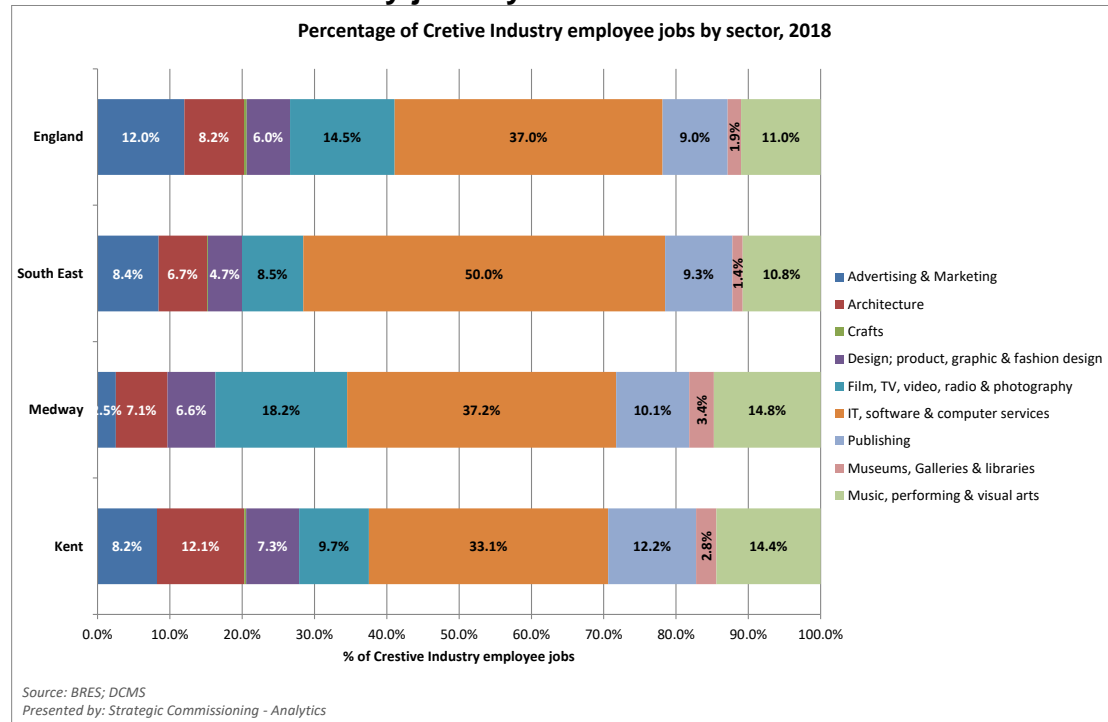
Table 3: Creative Industry jobs by sector

2018	Number				Percentage			
	Kent	Medway	South East	England	Kent	Medway	South East	England
Advertising & Marketing	800	0	8,900	72,200	8.2%	2.5%	8.4%	12.0%
Architecture	1,200	100	7,100	49,500	12.1%	7.1%	6.7%	8.2%
Crafts	0	0	100	2,200	0.3%	0.0%	0.1%	0.4%
Design; product, graphic & fashion design	700	100	5,000	36,000	7.3%	6.6%	4.7%	6.0%
Film, TV, video, radio & photography	900	200	9,000	87,100	9.7%	18.2%	8.5%	14.5%
IT, software & computer services	3,200	400	52,800	222,800	33.1%	37.2%	50.0%	37.0%
Publishing	1,200	100	9,800	54,000	12.2%	10.1%	9.3%	9.0%
Museums, Galleries & libraries	300	0	1,500	11,300	2.8%	3.4%	1.4%	1.9%
Music, performing & visual arts	1,400	200	11,400	66,200	14.4%	14.8%	10.8%	11.0%
Total Creative Industries	9,600	1,000	105,600	601,400	100%	100%	100%	100%

Source: BRES; DCMS

Presented by: Strategic Commissioning - Analytics, Kent County Council

Chart 2: Creative Industry jobs by sector



Creative Industry Enterprises

Using UK Business Counts information from ONS it is possible to estimate the number of businesses in Kent within Creative Industries.

All numbers are rounded at source. Values may be rounded down to zero so all zeros are not necessarily true zeros. Totals across tables may differ by minor amounts due to the disclosure methods used by ONS.

Kent has an estimated 6,535 Creative enterprises as at March 2019 although they account for a lower proportion (10.4%) of total enterprises in the area than the national average. Creative enterprises have increased by 28.4% in Kent over the last five years, a bigger increase than was seen nationally.

Tunbridge Wells district has the highest number and proportion of Creative enterprises in Kent (1,015 enterprises equivalent to 15.8% of all enterprises in the area).

All districts saw an increase in Creative enterprises since 2018. The biggest increase was in Dartford which had 75 more Creative Industry enterprises than the year before, an increase of 15.8%. Dartford has also seen the biggest five-year increase almost doubling since 2014 (+265 enterprises).

Table 4: Creative Industry Enterprises

2019			Change since last year		5 year change	
	Number	%	Number	%	Number	%
Ashford	570	8.8%	15	2.7%	100	21.3%
Canterbury	580	10.8%	15	2.7%	135	30.3%
Dartford	550	12.4%	75	15.8%	265	93.0%
Dover	265	7.6%	25	10.4%	50	23.3%
Folkestone & Hythe	305	8.1%	5	1.7%	65	27.1%
Gravesham	310	7.9%	0	0.0%	75	31.9%
Maidstone	640	8.5%	15	2.4%	80	14.3%
Sevenoaks	860	12.7%	10	1.2%	125	17.0%
Swale	370	7.5%	35	10.4%	75	25.4%
Thanet	350	8.8%	30	9.4%	150	75.0%
Tonbridge and Malling	720	12.1%	25	3.6%	160	28.6%
Tunbridge Wells	1,015	15.8%	35	3.6%	165	19.4%
Kent	6,535	10.4%	285	4.6%	1,445	28.4%
Medway	655	7.7%	-5	-0.8%	115	21.3%
Kent + Medway	7,185	10.1%	275	4.0%	1,555	27.6%
South East LEP	17,510	10.1%	520	3.1%	3,415	24.2%
South East Region	56,650	13.7%	1,565	2.8%	9,900	21.2%
England	274,875	11.6%	6,965	2.6%	52,225	23.5%
Great Britain	294,455	11.1%	7,450	2.6%	55,515	23.2%

Source: UK Business Counts

Prepared by: Strategic Commissioning - Analytics, Kent County Council

The distribution of Creative Industry enterprises in Kent and Medway is shown in map 1.

A higher number of Creative enterprises can be found largely in the south west of the county and in Ashford district.

Map 1: Creative industry enterprises in Kent & Medway

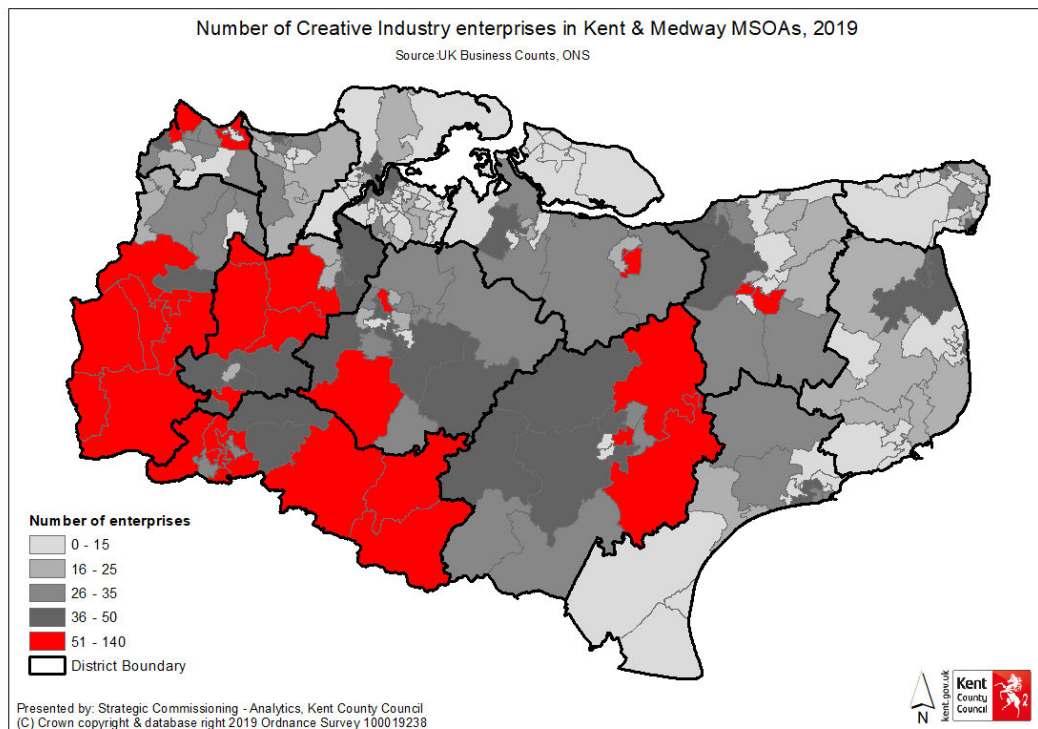


Chart 3 shows the proportion of Creative enterprises in local authorities in England. Tunbridge Wells district is within the top 20% of authorities with the highest concentration of Creative enterprises in the country.

Chart 3: Creative industry enterprises in local authorities in England

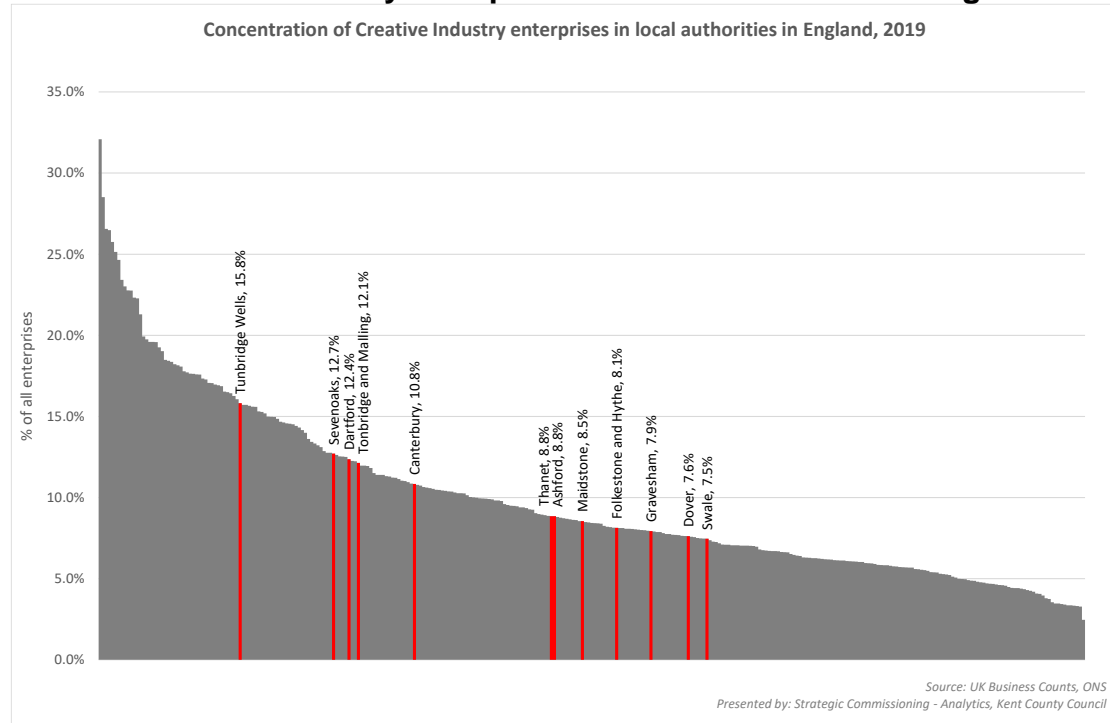
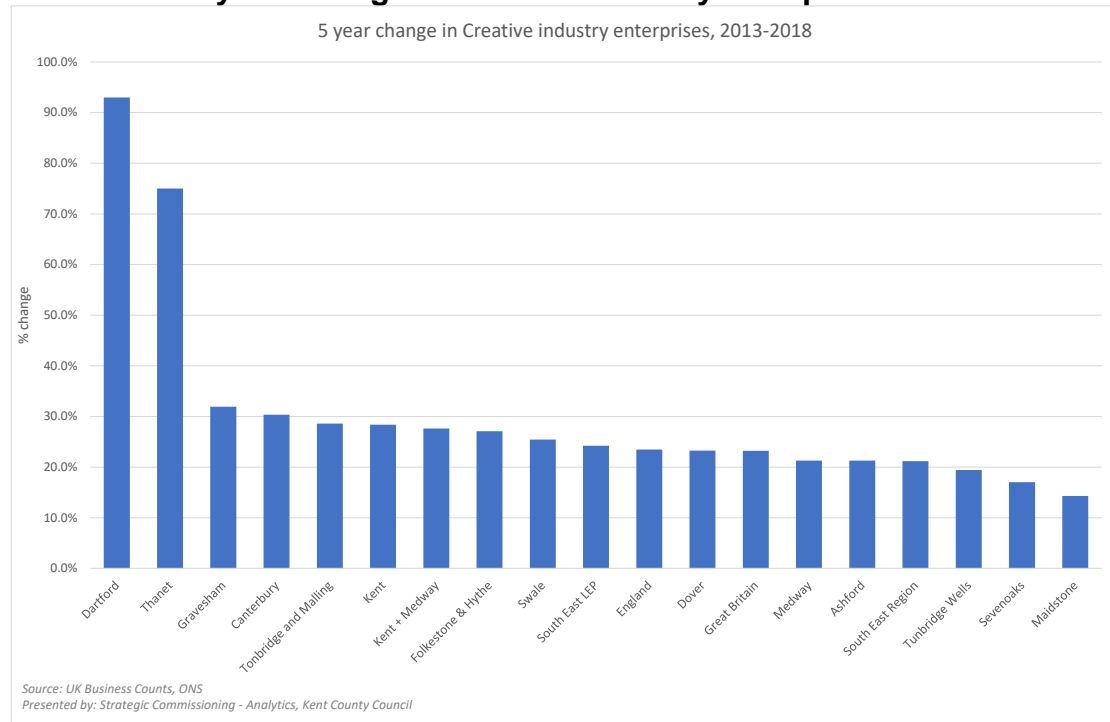


Chart 5 shows the percentage growth in Creative Industry enterprises over the last five years.

Chart 4: Five-year Change in Creative industry enterprises



Over the last five years the number of Creative industry enterprises has grown in all Kent local authorities. Seven authorities in Kent saw five-year percentage growth above the national average of 23.5%. Dartford district saw the largest growth in number of Creative enterprises in Kent (+265) over the last five years.

The Creative Industry sector is made up of nine main subsectors, the largest of which is IT, software and computer services accounting for almost half of all Creative enterprises in Kent.

Table 5: Creative industry enterprises by sector

2019	Kent	Medway	South East	England	Kent	Medway	South East	England
Advertising & Marketing	595	45	4,365	23,505	9.1%	6.9%	7.7%	8.6%
Architecture	465	45	2,700	14,650	7.1%	6.9%	4.8%	5.3%
Crafts	50	0	185	1,200	0.8%	0.0%	0.3%	0.4%
Design; product, graphic & fashion design	560	50	4,080	21,740	8.6%	7.6%	7.2%	7.9%
Film, TV, video, radio & photography	670	40	5,515	31,420	10.3%	6.1%	9.7%	11.4%
IT, software & computer services	3,150	365	32,165	138,830	48.2%	55.7%	56.8%	50.5%
Publishing	305	30	1,990	10,050	4.7%	4.6%	3.5%	3.7%
Museums, Galleries & libraries	20	0	140	820	0.3%	0.0%	0.2%	0.3%
Music, performing & visual arts	725	70	5,510	32,655	11.1%	10.7%	9.7%	11.9%
Total Creative Industries	6,535	655	56,650	274,875	100%	100%	100%	100%

Source: UK Business Counts

Prepared by: Strategic Commissioning - Analytics, Kent County Council

At local authority district level IT, software and computer services account for the largest proportion of creative industry enterprises in all areas. Tunbridge Wells has the highest number of IT, software and computer services enterprises (415) accounting for 40.9% of all creative enterprises in the area. Thanet has a considerably lower proportion of IT, software and computer services than anywhere else in Kent. Music, performing & visual arts make up a much higher proportion of creative enterprises in Thanet accounting for almost a quarter of all creative enterprises in the district.

Table 6: Number of creative industry enterprises – local authority district level

2019	Total Creative Industries	Advertising & Marketing	Architecture	Crafts	Design; product, graphic & fashion design	Film, TV, video, radio & photography	IT, software & computer services	Publishing	Museums, Galleries & libraries	Music, performing & visual arts
Ashford	570	60	40	5	50	50	285	20	0	60
Canterbury	580	50	55	5	55	70	245	25	0	70
Dartford	550	15	25	5	20	30	410	10	0	25
Dover	265	25	15	0	20	25	105	10	0	45
Folkestone & Hythe	305	25	30	0	30	20	125	10	0	40
Gravesham	310	15	25	5	25	15	185	5	0	25
Maidstone	640	55	55	5	45	55	310	35	0	55
Sevenoaks	860	75	50	0	70	95	430	30	5	90
Swale	370	20	35	5	40	40	180	15	0	40
Thanet	350	25	15	0	45	55	100	15	0	85
Tonbridge and Malling	720	85	40	5	60	60	360	40	0	75
Tunbridge Wells	1,015	135	80	10	100	115	415	60	0	110
Kent	6,535	595	465	50	560	670	3,150	305	20	725
Medway	655	45	45	0	50	40	365	30	0	70
Kent + Medway	7,185	635	510	50	605	710	3,515	335	20	795
South East Region	56,650	4,365	2,700	185	4,080	5,515	32,165	1,990	140	5,510
England	274,875	23,505	14,650	1,200	21,740	31,420	138,830	10,050	820	32,655

Source: UK Business Counts

Prepared by: Strategic Commissioning - Analytics, Kent County Council

Table 7: Proportion of creative industry enterprises – local authority district

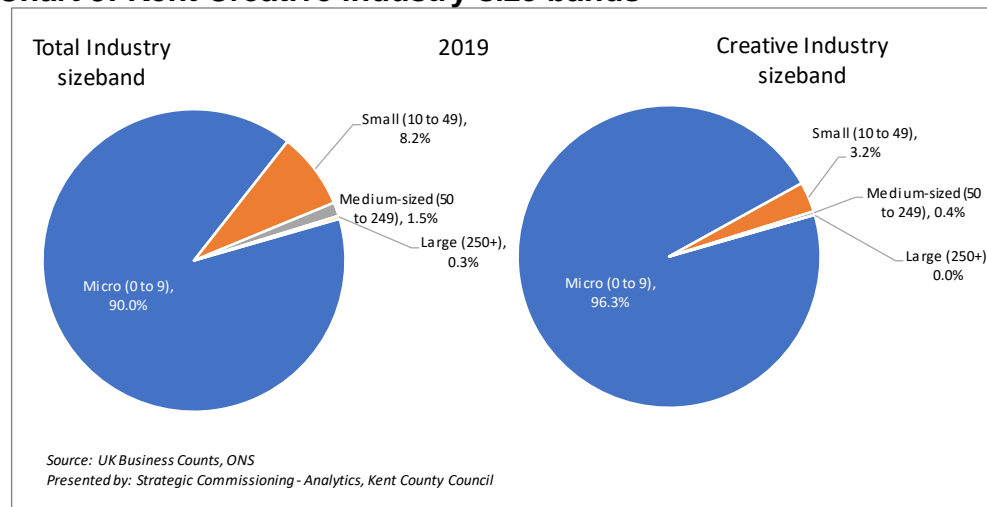
2019	Total Creative Industries	Advertising & Marketing	Architecture	Crafts	Design; product, graphic & fashion design	Film, TV, video, radio & photography	IT, software & computer services	Publishing	Museums, Galleries & libraries	Music, performing & visual arts
Ashford	100%	10.5%	7.0%	0.9%	8.8%	8.8%	50.0%	3.5%	0.0%	10.5%
Canterbury	100%	8.6%	9.5%	0.9%	9.5%	12.1%	42.2%	4.3%	0.0%	12.1%
Dartford	100%	2.7%	4.5%	0.9%	3.6%	5.5%	74.5%	1.8%	0.0%	4.5%
Dover	100%	9.4%	5.7%	0.0%	7.5%	9.4%	39.6%	3.8%	0.0%	17.0%
Folkestone & Hythe	100%	8.2%	9.8%	0.0%	9.8%	6.6%	41.0%	3.3%	0.0%	13.1%
Gravesham	100%	4.8%	8.1%	1.6%	8.1%	4.8%	59.7%	1.6%	0.0%	8.1%
Maidstone	100%	8.6%	8.6%	0.8%	7.0%	8.6%	48.4%	5.5%	0.0%	8.6%
Sevenoaks	100%	8.7%	5.8%	0.0%	8.1%	11.0%	50.0%	3.5%	0.6%	10.5%
Swale	100%	5.4%	9.5%	1.4%	10.8%	10.8%	48.6%	4.1%	0.0%	10.8%
Thanet	100%	7.1%	4.3%	0.0%	12.9%	15.7%	28.6%	4.3%	0.0%	24.3%
Tonbridge and Malling	100%	11.8%	5.6%	0.7%	8.3%	8.3%	50.0%	5.6%	0.0%	10.4%
Tunbridge Wells	100%	13.3%	7.9%	1.0%	9.9%	11.3%	40.9%	5.9%	0.0%	10.8%
Kent	100%	9.1%	7.1%	0.8%	8.6%	10.3%	48.2%	4.7%	0.3%	11.1%
Medway	100%	6.9%	6.9%	0.0%	7.6%	6.1%	55.7%	4.6%	0.0%	10.7%
Kent + Medway	100%	8.8%	7.1%	0.7%	8.4%	9.9%	48.9%	4.7%	0.3%	11.1%
South East Region	100%	7.7%	4.8%	0.3%	7.2%	9.7%	56.8%	3.5%	0.2%	9.7%
England	100%	8.6%	5.3%	0.4%	7.9%	11.4%	50.5%	3.7%	0.3%	11.9%

Source: UK Business Counts

Prepared by: Strategic Commissioning - Analytics, Kent County Council

A higher proportion of Creative enterprises are micro enterprises (those employing 0-9 people) than the average for total industries. Micro enterprises account for 96.3% of Creative enterprises in Kent.

Chart 3: Kent Creative industry size bands



The proportion of Creative enterprises in each size band is largely like that seen nationally.

Table 8: Creative enterprises - size bands

2019	Employment sizeband					Percentage			
	Total	Micro (0 to 9)	Small (10 to 49)	Medium-sized (50 to 249)	Large (250+)	Micro (0 to 9)	Small (10 to 49)	Medium-sized (50 to 249)	Large (250+)
Ashford	570	550	15	0	0	96.5%	2.6%	0.0%	0.0%
Canterbury	580	550	25	5	0	94.8%	4.3%	0.9%	0.0%
Dartford	550	535	15	0	0	97.3%	2.7%	0.0%	0.0%
Dover	265	260	5	0	0	98.1%	1.9%	0.0%	0.0%
Folkestone & Hythe	305	295	10	0	0	96.7%	3.3%	0.0%	0.0%
Gravesham	310	305	5	0	0	98.4%	1.6%	0.0%	0.0%
Maidstone	640	595	40	0	0	93.0%	6.3%	0.0%	0.0%
Sevenoaks	860	840	20	0	0	97.7%	2.3%	0.0%	0.0%
Swale	370	355	10	0	0	95.9%	2.7%	0.0%	0.0%
Thanet	350	340	10	0	0	97.1%	2.9%	0.0%	0.0%
Tonbridge and Malling	720	695	20	5	0	96.5%	2.8%	0.7%	0.0%
Tunbridge Wells	1,015	970	45	0	0	95.6%	4.4%	0.0%	0.0%
Kent	6,535	6,295	210	25	0	96.3%	3.2%	0.4%	0.0%
Medway	655	635	15	5	0	96.9%	2.3%	0.8%	0.0%
Kent + Medway	7,185	6,930	225	30	0	96.5%	3.1%	0.4%	0.0%
South East LEP	17,510	16,945	490	70	5	96.8%	2.8%	0.4%	0.0%
South East	56,650	54,150	2,080	345	80	95.6%	3.7%	0.6%	0.1%
England	274,875	260,650	11,710	2,115	400	94.8%	4.3%	0.8%	0.1%
Great Britain	294,455	279,210	12,560	2,260	425	94.8%	4.3%	0.8%	0.1%

Source: UK Business Counts

Prepared by: Strategic Commissioning - Analytics, Kent County Council

87.0% Kent Creative enterprises have a turnover of £199 thousand or less, which is higher than is seen nationally (84.6%).

Table 9: Creative enterprises - turnover

2019	Number of Creative enterprises				% of total Creative enterprises			
	Kent	Medway	South East	England	Kent	Medway	South East	England
Total	6,535	655	56,650	274,875	100%	100%	100%	100%
0 to 49 (thousand)	1,115	110	8,825	44,810	17.1%	16.8%	15.6%	16.3%
50 to 99 (thousand)	2,025	230	17,500	85,730	31.0%	35.1%	30.9%	31.2%
100 to 199 (thousand)	2,545	245	22,530	101,585	38.9%	37.4%	39.8%	37.0%
200 to 499 (thousand)	430	35	3,385	17,845	6.6%	5.3%	6.0%	6.5%
500 to 999 (thousand)	200	20	1,890	10,250	3.1%	3.1%	3.3%	3.7%
1000 to 1999 (thousand)	125	10	1,120	6,300	1.9%	1.5%	2.0%	2.3%
2000 to 4999 (thousand)	55	5	770	4,500	0.8%	0.8%	1.4%	1.6%
5000 to 9999 (thousand)	20	0	285	1,790	0.3%	0.0%	0.5%	0.7%
10000 to 49999 (thousand)	15	5	255	1,570	0.2%	0.8%	0.5%	0.6%
50000+ (thousand)	5	0	95	500	0.1%	0.0%	0.2%	0.2%

Source: UK Business Counts

Prepared by: Strategic Commissioning - Analytics, Kent County Council