



JULY 2020

# Folkestone and Hythe Hearing Statements

Matter 7 – Strategy for the North Downs Area

Iceni Projects Limited on behalf of  
Quinn Estates

July 2020

ICENI PROJECTS LIMITED  
ON BEHALF OF QUINN  
ESTATES

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Folkestone and Hythe Hearing  
Statements  
MATTER 7 – STRATEGY FOR THE NORTH DOWNS  
AREA

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***\*Note: Quinn Estates only wish to comment on the above questions of this Matter.***

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## 1. QUESTION 31

### **What is the basis for the broad location in Sellindge and is it justified in principle?**

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- 1.1 Quinn Estates supports the Council's strategy of identifying land for development at Sellindge, as this is considered to be an optimal sustainable location to accommodate growth in the District. However, Quinn Estates does not consider Site A – Land to the West of Phase 1 to be justified in principle.
- 1.2 The rationale for growth at Sellindge is predicated on development unlocking important new infrastructure to enhance the sustainability of the settlement for both new and existing residents. This is reflected in the approach to CIL for Sellindge, which makes the development sites zero CIL rated to reflect the need to deliver bespoke infrastructure.
- 1.3 Both Phase 1 and Site B Land East of Phase 1 are committed development proposals that directly contribute to important new infrastructure for the settlement, as highlighted in the Sellindge Infrastructure note attached at Appendix 1 of this statement. Site A – Land to the West of Phase 1 does not and cannot make the necessary contributions to infrastructure at Sellindge and moreover, the land cannot come forward unless Land at Elm Tree Farm is developed to enable the school to be increased to 2FE to meet the child yield from the identified development.
- 1.4 We further question whether this land (Land to the West of Phase 1) is available and deliverable within the plan period in entirety. We understand this land is in multiple and complex land ownership and lacks a masterdeveloper/promoter. Due to the land ownership we further question whether all of the land can come forward unless it is comprehensively developed, due to the lack of highway access.
- 1.5 Accordingly, the Council has identified the wrong landholding and by applying a cap of 600 homes and not allocating land at Elm Tree Farm, the spatial strategy has predicated itself from delivering the identified infrastructure necessary to sustainably develop Sellindge.

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## 2. QUESTION 32

### **What alternative options were considered to meet the planned level of housing growth? Why was the preferred location chosen?**

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- 2.1 Quinn Estates considers that Elm Tree Farm has not been properly assessed as a reasonable alternative to accommodate growth in the District, that the land should have been assessed and that the land is necessary to support the development strategy and requisite infrastructure identified for the settlement.
- 2.2 The AECOM High Level Options Report (December 2016), EB 04.20, identified land to the north of Sellindge, but this was part of an amorphous swathe of land and thus it is considered that the Growth Study failed to assess Elm Tree Farm as a development concept. A more fine-grained assessment of sites around the settlement was not undertaken following this initial work. Furthermore, because the growth study was assessing land suitability for a minimum growth level of 250 homes, the ability to assess the cumulative benefit of a range of sites was also missed.
- 2.3 As outlined within Appendix 2 (Masterplan for the landholding), Appendix 3 (Landscape Technical Note), and Appendix 4 (Heritage Technical Note), Elm Tree Farm is a suitable and sustainable location for growth. Quinn Estates has undertaken preliminary work to understand and mitigate constraints, and deliver a high-quality development that responds positively to its environment and forms an important part of the development strategy for Sellindge. The site is available and deliverable and should be recognised as an option to meet the District's planned level of housing growth within the earlier stages of the Plan period. Sellindge is identified as the best area for growth in the District, therefore all suitable, available and deliverable sites should be recognised and utilised within this Local Plan.
- 2.4 In order for the Plan to be sound, the Plan needs to assess the contribute that Elm Tree Farm would make to the development strategy for the settlement and should allocate development at Elm Tree Farm, either as a replacement for or additional to Site A - Land West of Phase 1.

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### 3. QUESTION 33

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

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- 3.1 Policy CSD9 states that land to the south and north east of Ashford Road in Sellindge forms a “*broad location for development*” which will accommodate new residential development of “*up to 600 dwellings*”.
- 3.2 As outlined within our Hearing Statements for Matter 4, Sellindge is classed as a “Rural Centre” within the settlement hierarchy and this classification informed and affected the development option testing at the settlement. Quinn Estates does not consider the rural centre classification in the settlement hierarchy to have been a justified reason for limiting development at Sellindge. In this regard, the Sellindge area has been identified as the most suitable location for growth in the District within AECOM’s Growth Options Studies (EB. 04.20 and 04.21), and if the settlement hierarchy was updated to reflect this, it is considered that Sellindge would be able to accommodate additional development.
- 3.3 On this basis, Quinn Estates considers the scale of development at Sellindge (a maximum of 600 dwellings) to be unjustified and considers the maximum limit to be unsound without evidence to support this figure. The cap fails to recognise Sellindge as a suitable and sustainable location and were the District to have a shortfall in housing land at any stage, growth should not be predicated from being delivered at a sustainable location like Sellindge due to an arbitrary cap on numbers that is not linked to environmental capacity.
- 3.4 By restricting development at Sellindge to a maximum of 600 dwellings, key infrastructure necessary for the growth of the settlement could be jeopardised and in the case of Sellindge Primary School, seriously compromised without development of Elm Tree Farm.

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#### 4. QUESTION 34 & 35

**34. 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?**

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4.1 Quinn Estates agrees and supports the identified infrastructure requirements of the Policy given the level of development proposed at Sellindge. The Council's approach to utilise bespoke Section 106 Agreements and exclude the development areas at Sellindge from CIL, as outlined within the Council's CIL Viability Report (EB 03.71), is also supported and considered the most appropriate approach for the area given the infrastructure requirements, including the extension of Sellindge Primary School to a 2 FE school.

4.2 As outlined in the Viability Report (EB 03.71), we consider these requirements are justified, however we consider the Council need to ensure that appropriate sites are allocated to ensure development strategy and infrastructure requirements are achieved. As outlined within EB 03.71, Paragraph 3.17, an infrastructure requirement is for the *"provision of land and funding to upgrade Sellindge Primary School to 2 Forms of Entry (FE)"* and for this to be achieved, Elm Tree Farm needs to be developed to unlock the land required to achieve the expansion of the school. Without the allocation of Elm Tree Farm, the land required for the expansion of the school cannot be passed to the County Council, and thus the school expansion cannot be achieved. This could compromise the deliverability of other sites in Sellindge, as this expansion is crucial in providing further school places for the area in an accessible and sustainable location.

**35. What are the specific requirements for new or improved infrastructure and social and community facilities for example in terms of transport, education, health, open space, sport and recreation, community buildings and waste water?**

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4.3 As outlined in the Infrastructure Delivery Plan (EB 05.10), in order to accommodate the residual housing growth at Sellindge, particularly Phase Two growth to the western edge of Sellindge which shall deliver a residual growth of 190 units, Kent County Council have identified a number of key infrastructure requirements;

Infrastructure	Our Response
Education	As identified within the Infrastructure Delivery Plan (EB 05.10), Table 4.1, Sellindge Primary School is required to be upgraded from a 1.5 FE to a 2 FE to accommodate growth in the area. As previously highlighted, in order to accommodate the expansion of this school, this requires land at Elm Tree Farm which is currently in Quinn Estates control. Therefore, in order to fulfil the ambitions of

	Kent County Council, Elm Tree Farm will be required to be allocated to ensure the expansion to the school can be delivered.
Health	Quinn Estates agree with the approach that contributions will be sought to improve Sellindge Surgery.
Open Space	Quinn Estates agree with the approach of Open Space Standards and consider this should be provided on all sites coming forward within Sellindge. Furthermore, Quinn Estates also agree with the approach identified within Paragraph 13.16 of the Infrastructure Delivery Plan that 48.4% of the total masterplan area of Otterpool Park is to be Green Infrastructure. This will provide residents of Sellindge with an abundance of green open space, including a county park, town park, and river park.
Sport and Recreation	Quinn Estates agree with the approach that contributions will be sought to upgrade Sellindge Sports and Social Club.
Community Buildings	Although not noted within the Infrastructure Delivery Plan, Quinn Estates are currently in discussions with the Parish Council at Sellindge about upgrading the Village Hall through the development at Elm Tree Farm. Furthermore, there is also an opportunity to provide community facilities, such as a Nursery, within a sustainable location adjacent to the primary school. This is another infrastructure benefit that Quinn could commit to if Elm Tree Farm is to be allocated, further enhancing the role of Sellindge as a Service Centre.
Waste Water	In order to facilitate development at Sellindge and Otterpool Park, and to unlock development in the early stages of the Plan period, it may be necessary to deliver a bespoke waste water treatment solution on the consented commercial development land Rhodes Park. Quinn Estates are currently exploring the options for a bespoke piece of Waste Water infrastructure on this land. This is not identified within the Local Plan policy as it is an emerging issue, however Quinn Estates are committed to continue discussions with the District Council on this matter.
Sustainability	As set out in Policy CSD9, Point D, Sellindge is required to provide a total water use per dwelling that shall not exceed 90 litres per person per day (including external water use). We wish to question the evidence behind this requirement, as all existing strategic sites in the Local Plan have met the higher building regulation requirements of 110 litres per person per day.



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## 5. QUESTION 36

### How will these be provided and funded?

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- 5.1 Quinn Estates considers that the requisite infrastructure could be provided and substantially privately funded through the uplift on development value of land. However, the growth quantum is predicated by infrastructure that can only be delivered through the development of Rhodes Park and Elm Tree Farm, which are both in Quinn Estates control.

#### Rhodes Park

- 5.2 Quinn Estates agrees with the Council's approach to remove CIL as it avoids a problematic situation where Quinn Estates may have been required to pay twice for contributions at Rhodes Park through a bespoke Section 106 for the Outline Application, and CIL through the Reserved Matters Application. This prevents Quinn Estates having to reassess the viability of the proposed development which could have impacted on the overall delivery of housing in the District.

- 5.3 However, Quinn Estates does wish to highlight that if a Waste Water Treatment Works is required to be privately delivered on site, this may have viability issues that will need to be re-examined. Quinn Estates wish to continue discussions with the Council on this matter.

#### Elm Tree Farm

- 5.4 As discussed in previous questions of Matter 7, land can be provided to the Council through the development of Elm Tree Farm, which will enable the delivery of the necessary 2 FE extension to Sellindge Primary School. As outlined within Appendix 2 of this statement, Quinn Estates are proposing a high quality layout that will not only provide housing for the District but will also provide land to accommodate the school extension with a layout that connects communities with infrastructure where it is needed the most (i.e. adjoining the settlement, and in close proximity to residents). Quinn Estates are committed to providing the opportunity to fulfil this infrastructure requirement in the District, and are also willing to continue discussions with the Council around the improvement of the Village Hall and other information that may be required to meet local needs.

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## 6. QUESTION 37

**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?**

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- 6.1 In order for the infrastructure requirements at Sellindge Primary School to be fulfilled, firstly Rhodes Park is required to come forward when the school has been upgraded from 1 to 1.5 FE through a Reserved Matters Application. Following this, the land will be required at Elm Tree Farm to unlock the extension of the primary school from 1.5 FE to 2 FE, and this will provide the education capacity to accommodate the further development of the housing element at Elm Tree Farm.
- 6.2 The expansion of the school from 1 FE to 1.5 FE and the onward expansion to 2FE has been discussed in detail with Kent County Council, the Local Education Authority, with the land required for expansion identified and agreed in principle.

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## 7. QUESTION 38

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

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7.1 We have outlined our expectations of timing and rates of delivery below:

Site	21/22	22/23	23/24	24/25	25/26	26/27
Rhodes Park	35	50	50	27	0	0
Elm Tree Farm	0	0	50	50	50	20

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## 8. QUESTION 40

### 40 - Are any main modifications to Policy CSD9 necessary for soundness?

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- 8.1 Yes. Quinn Estates considers that the Council needs to modify Policy CSD9 to include the allocation of Elm Tree Farm within the broad location area, either as an additional allocation or a replacement of Site A – land to the west of Phase 1.
- 8.2 Elm Tree Farm is available, deliverable and sustainable and will unlock the delivery of a 2 FE extension to Sellindge Primary School and additional community infrastructure, all of which is critical to the sustainable development strategy for the settlement. Inclusion of the land will not only remedy an undeliverable strategy, but it will create a stronger, more cohesive settlement and allow Quinn Estates, through Rhodes Park and Elm Tree Farm to unlock development in the area through the delivery of critical education and other infrastructure.