Places and Policies Local Plan -Submission Draft Soundness Self-Assessment Checklist



Last Updated July 2018

This note was prepared by AMEC and URS on behalf of the Planning Advisory Service. It aims to help local authorities prepare their plans in advance of an examination, taking into account the requirements of the National Planning Policy Framework. A separate checklist looks at legal compliance.

In summary – the key requirements of plan preparation are:

- Has the plan been positively prepared i.e. based on a strategy which seeks to meet objectively assessed requirements?
- Is the plan justified?
- Is it based on robust and credible evidence?
- Is it the most appropriate strategy when considered against the alternatives?
- Is the document effective?
- Is it deliverable?
- Is it flexible?
- Will it be able to be monitored?
- Is it consistent with national policy?

The Tests of Soundness at Examination

The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. Those seeking changes should demonstrate why the plan is unsound by reference to one or more of the soundness criteria.

The tests of soundness are set out in the National Planning Policy Framework (NPPF) (para 182): "The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is 'sound' ", namely that it is:

1. Positively Prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements

This means that the Development Plan Document (DPD) should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. The NPPF, together with the Marine Policy Statement (MPS) set out principles through which the Government expects sustainable development can be achieved.

2. Justified: the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence

- This means that the DPD should be based on a robust and credible evidence base involving: Research/fact finding: the choices made in the plan are backed up by facts.
- Evidence of participation of the local community and others having a stake in the area; and

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

3. Effective: deliverable over its period based on effective joint working on cross-boundary strategic priorities

This means the DPD should be deliverable, requiring evidence of:

- Sound infrastructure delivery planning;
- Having no regulatory or national planning barriers to delivery;
- Delivery partners who are signed up to it; and
- Coherence with the strategies of neighbouring authorities, including neighbouring marine planning authorities.
- The DPD should be flexible and able to be monitored.

The DPD should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen. The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation. Any measures which the Council has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report.

4. Consistent with national policy: enabling the delivery of sustainable development

The demonstration of this is a 'lead' policy on sustainable development which specifies how decisions are to be made against the sustainability criterion (see the Planning Portal for a model policy www.planningportal.gov.uk). If you are not using this model policy, the Council will need to provide clear and convincing reasons to justify its approach.

The following table sets out the requirements associated with these four tests of soundness. Suggestions for evidence which could be used to support these requirements are set out, although these have to be viewed in the context of the plan being prepared. Please don't assume that you have got to provide all of these, they are just suggestions of what could be relevant.

In addition, the Legal Compliance checklist (a separate document, see <u>www.pas.gov.uk</u>) should be completed to ensure that this aspect is covered.

The Duty to Co-operate will also be assessed as part of the examination process.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
Positively Prepared: the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure		
requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable		
development.		

Vision and Objectives Has the LPA clearly identified what the issues are that the DPD is seeking to address? Have priorities been set so that it is clear what the DPD is seeking to achieve? Does the DPD contain clear vision(s) and objectives which are specific to the place? Is there a direct relationship between the identified issues, the vision(s) and the objectives? Is it clear how the policies will meet the objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD? Have reasonable alternatives to the quantum of development and overall spatial strategy been considered? Are the policies internally consistent? Are there realistic timescales related to the objectives? Does the DPD explain how its key policy objectives will be achieved?	 Relevant sections of the DPD which explain how policies derive from the objectives and are designed to meet them. The strategic objectives of the DPD, and the commentary in the DPD of how they derive from the spatial portrait and vision, and how the objectives are consistent with one another. Sections of the DPD which address delivery, the means of delivery and the timescales for key developments through evidenced infrastructure 	The Shepway Core Strategy Local Plan (SDC, 2013) Chapter 1 – Introduction: Section 1.2 provides a descriptive 'portrait' of the places that make up Shepway in three separately defined Character Areas. The Places and Policies Local Plan: Submission Draft (2018) provides further detail at the beginning of each of the character areas. Urban Area (paragraphs 5.1-5.18); Romney Marsh (paragraph 6.1-6.18); North Downs (paragraphs 7.1-7.22) The Shepway Core Strategy Local Plan (SDC, 2013) Chapter 2 – Strategic Issues: This section of the document establishes the major local issues and development requirements. These are prioritised in three over-arching 'strategic needs' to underpin planning policy. These 'Strategic Needs' are reiterated in paragraph 3.16 of the Places and Policies Local Plan: Submission Draft (SDC, 2018). The Shepway Core Strategy Local Plan (SDC, 2013) Chapter 3 – Aims and Vision for Shepway: This section of the document sets out the specific aims to address each of the 'strategic needs' identified in Chapter 2, and a future vision of local places for the period up to 2026. The Shepway Core Strategy Local Plan (SDC, 2013) Fig 1.1 explains how the Places
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Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		and Policies Local Plan combines with the Core Strategy to provide a coherent policy structure.
		Appropriate and realistic alternatives have been considered throughout the process of preparing the Core Strategy. Evidence of this process can be found in all versions as follows:
		The Shepway Core Strategy Local Plan: Issues and Options (SDC, 2008) and the Shepway Core Strategy Local Plan: Preferred Options (SDC, 2009), identified alternative approaches and contained sections on what was said previously to help give an indication as to why particular options were selected.
		The Sustainability Appraisal considers all options and how they perform.
		Development Requirements Report, Appendix 1 (SDC, 2011) The document considers the identified options in terms of the district LDF Core Strategy, and discusses the process that was gone through to find the right balance for the district.
		The Folkestone & Hythe Infrastructure Delivery Plan Update (SDC, 2018) summarises information from all of the infrastructure providers to ensure that the

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		District's development plans have been taken account of in the infrastructure providers' strategies, and vice-versa. This is explained in paragraph 3.48 – 3.51 of the Places and Policies Local Plan.
		The Authority Monitoring Report (AMR) The AMR will review and monitor the outcome of the Core Strategy and the Places and Policies Local Plan, presenting a 5-year housing supply and trajectory for the Plan period, as well as an update on other types of development. Monitoring indicators, targets, sources of data and contingency actions are set out in the Monitoring and Implementation Chapter of the Places and Policies Local Plan.
		Shepway District Local Development Schemes (SDC, 2013 - 2016). The timetable for production of the Places and Policies Local Plan and other planning documents is monitored and updated through the Shepway Local Development Scheme (LDS).
The presumption in favour of sustainable development (NPPF paras 6-17) Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.	 An evidence base which establishes the development needs of the plan area (see Justified below) and includes a flexible approach to delivery (see 'Section 3 Effective', below). An audit trail showing how and why the quantum of development, preferred overall strategy and plan area distribution of development were arrived at. 	The Shepway Core Strategy Local Plan (SDC, 2013) sets the total level of growth for the district for the period 2006 - 2031, the distribution of development; and the identification of the broad locations for development. The Core Strategy evidence base represents an objective assessment of housing needs as required by the National Planning Policy Framework (Shepway District

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Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:	• Evidence of responding to opportunities for achieving sustainable development in different areas (for example, the marine area)	Core Strategy Local Plan Inspector's Report, June 2013, paragraph 50).
 —any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or —specific policies in this Framework indicate development should be restricted. 		The Places and Policies Local Plan: Submission Draft (SDC, 2018) subsequently allocates the remaining land required to meet the district's housing need that was not identified by the adopted Core Strategy.
		The content of the Places and Policies Local Plan is justified by the following evidence base documents which demonstrate how and why the quantum, and distribution, of development was arrived at. It has also been developed in accordance with feedback received from the earlier Issues and Options and Preferred Options consultation stages, the latter of which are detailed in the Consultation Statement (SDC, 2017).
		Strategic Housing Market Assessment (SHMA) for the East Kent Sub-region (ECOTEC, 2009)
		Strategic Housing Land Availability Assessment 2015/16: Consolidated Document (SDC, 2016)
		Strategic Housing Land Availability Assessment (SHLAA) 2016/17: Consolidated Document (SDC, 2017)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Places and Policies Local Plan Viability Testing (Chilmark, 2017)
		Sustainability Appraisal of Shepway District Council's Places and Policies Local Plan (LUC, 2016)
Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.	 A policy or policies which reflect the principles of the presumption in favour of sustainable development (see model policy at www.planningportal.gov.uk) 	 Sustainability Appraisal of Shepway District Council's Places and Policies Local Plan (LUC, 2017). Chapter 1 explains the role of Sustainability Appraisal and Habitat Regulations Assessment in assessing potential development sites. Chapter 2 presents the appraisal methodology as to how the sites that have been allocated have been chosen, a process that included a detail assessment of each site and its location. The Shepway Core Strategy Local Plan (SDC, 2013). Chapter 2 – Strategic Issues: Section 2.2: Policy DSD: Delivering Sustainable Development. This Policy explains the overarching objectives that have been used to develop policies and strategies in the Core Strategy (2013) to achieve the aims of sustainable development.
		development. This policy has been used to inform the Places and Policies Local Plan (2017)

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Objectively assessed needs The economic, social and environmental needs of the authority area addressed and clearly presented in a fashion which makes effective use of land and specifically promotes mixed use development, and take account of cross-boundary and strategic issues. Note: Meeting these needs should be subject to the caveats specified in Paragraph 14 of the NPPF (see above).	 Background evidence papers demonstrating requirements based on population forecasts, employment projections and community needs. Technical papers demonstrating how the aspirations and objectives of the DPD are related to the evidence, and how these are to be met, including from consultation and associated with the Duty to Co-operate. 	The Places and Policies Local Plan is allocating sites to meet the economic, social and environmental needs of the district identified in the Core Strategy. The Core Strategy evidence base represents an objective assessment of housing needs as required by the National Planning Policy Framework (Shepway District Core Strategy Local Plan Inspector's Report, June 2013, paragraph 50). The economic, social and environmental needs have been informed by the following evidence base documents. Strategic Housing Market Assessment (SHMA) for the East Kent Sub-region (ECOTEC, 2009) Shepway Housing Strategy 2011 – 2016 (SDC, 2011) Shepway Employment Land Review (Lichfields, 2017) The Shepway Town Centres Study (PBA, 2015) Shepway Open Space Strategy (LUC, 2017)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Folkestone & Hythe Infrastructure Delivery Plan Update (SDC, 2018)
		The Duty to Cooperate Statement (SDC, 2018) explains how consultation and engagement with a wide range of service providers, stakeholders and adjoining local authorities has informed the preparation of both the Core Strategy (2013) and the Places and Policies Local Plan (2018).
NPPF Principles: Delivering sustainable d	evelopment	
1. Building a strong, competitive economy (paras 18-22)		
Set out a clear economic vision and strategy for the area which positively and proactively encourages sustainable economic growth (21),	 Articulation of a clear economic vision and strategy for the plan area linked to the Economic Strategy, LEP Strategy and marine policy documents where appropriate. 	 The Core Strategy Local Plan 2013 (SDC, 2013) sets out the economic vision in 'Strategic Need A' and the economic strategy to increase the net amount of employment floorspace during the Plan period. Chapter 4 – The Spatial Strategy for Shepway: Section 4.2: Policy SS2: Housing and Economic Growth Strategy (p. 42)
		Shepway Economic Development Strategy 2015-2020 (SDC, 2015). This document sets out the economic growth ambitions and priorities for the district which will be achieved by focusing on key economic assets to increase opportunities for residents and businesses.

Soundness Test and Key **Possible Evidence Evidence Provided** Requirements Further evidence is provided by the **Shepway** Employment Land Review (Lichfields, 2017). This study assesses the current position and recent trends within the district economy; the stock, use of, and take up of existing employment land, sites and premises; the needs for and role of additional employment land; and the most appropriate broad location and specific locations best suited to support and enable employment and business growth. The Places and Policies Local Plan: Submission Draft (SDC, 2018) reiterates the vision and strategy for the economy in Chapter 10 (paragraphs 10.7 – 10.20) The broad location of growth and amount of A criteria-based policy which meets identified Recognise and seek to address potential development allocated in the Places and barriers to investment, including poor needs and is positive and flexible in planning for environment or any lack of infrastructure, specialist sectors, regeneration, infrastructure Policies Local Plan has been confirmed services or housing (21) provision, environmental enhancement. through the Shepway Core Strategy Local Plan (2013): Chapter 4 – The Spatial Strategy An up-to-date assessment of the deliverability of for Shepway. allocated employment sites, to meet local needs, (taking into account that LPAs should avoid the long term protection of sites allocated for employment Shepway Places and Policies Local Plan: use where there is no reasonable prospect of an Submission Draft (SDC, 2018). allocated site being used for that purpose) para (22) Chapter 10: Economy. Policy E1: Allocated Employment Sites (p.253); Policy E2: Redevelopment of Existing Sites (p.255); Policy E7: Reuse of Rural Buildings (p.262); Policy E8: Provision of Fibre to the Premises (p.264).

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		Shepway Employment Land Review (Lichfields, 2017). The study assesses the current position and recent trends within the district economy; the stock, use of, and take up of existing employment land, sites and premises; the needs for and role of additional employment land; and the most appropriate broad location and specific locations best suited to support and enable employment and business growth.
		The Shepway Core Strategy Local Plan (SDC, 2013) contains <u>Policy SS5: District</u> <u>Infrastructure Planning</u> , which sets out general requirements for infrastructure provision. Core Strategy Appendix 2: Infrastructure Projects lists key infrastructure requirements for the district.
		The Shepway Places and Policies Local Plan: Submission Draft identifies specific infrastructure requirements within each site allocation, where these are known. The Folkestone & Hythe Infrastructure Delivery Plan Update (2018) updates and expands on the Core Strategy Infrastructure Projects and the Core Strategy Infrastructure Assessment and Delivery Plan (June 2015), to produce a comprehensive assessment of the infrastructure needed to deliver the Local Plan.

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		The District Council brought the Community Infrastructure Levy (CIL) into operation on 1 August 2016. CIL will be used to complement site-specific infrastructure requirements identified in the Places and Policies Local Plan to ensure that any barriers to development are addressed.
2. Ensuring the vitality of town centres (paras 23-37)		
Policies should be positive, promote competitive town centre environments, and set out policies for the management and growth of centres over the plan period (23)	 The Plan and its policies may include such matters as: definition of networks and hierarchies; defining town centres; encouragement of residential development on appropriate sites; allocation of appropriate edge of centre sites where suitable and viable town centre sites are not available; consideration of retail and leisure proposals which cannot be accommodated in or adjacent to town centres. 	The Shepway Core Strategy Local Plan (SDC 2013) contains a positive strategy to promote town centre environments, and the management and growth of centres, through Policy SS4: Priority Centres of Activity Strategy. This policy is complemented by more detailed policies for town centre development and individual centres in the Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). These policies include: • Chapter 11: Retail and Leisure. Policy RL1 : Retail Hierarchy (p.270); Policy RL2: Folkestone Town Centre (p.280); Policy RL3: Hythe Town Centre (p.280); Policy RL4: New Romney Town Centre (p.282); Policy RL5: Cheriton District Centre (p.284); Policy RL6: Sandgate Local Centre (p.286); Policy RL7: Other District and Local Centres (p.287); Policy RL8: Development Outside Town, District and Local Centres (p.289); Policy RL9: Design,

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		Location and Illumination of Advertisements (p.291); Policy RL10: Shop Fronts; Blinds and Security Shutters (p.292); Policy RL11: Former Silver Spring Site (p.295) These policies have been informed by
		updated evidence provided in the Shepway Town Centre Study (PBA, 2015).
Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community services and residential development needed in town centres (23)	 An assessment of the need to expand (the) town centre(s), considering the needs of town centre uses. Primary and secondary shopping frontages identified and allocated. 	 The Shepway Town Centre Study (PBA, 2015) identifies the quantitative and qualitative convenience and comparison retail needs of the District to 2031. Appendix F of the document also undertook a sequential test and identified two potential development opportunity sites in town centre locations – Bouverie Place Bus Station and Guildhall Street which are referenced in Policy RL1 Folkestone Town Centre. Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). The Primary and Secondary shopping frontages have been identified and designated on the Policies Map.
3. Supporting a prosperous rural economy (para 28)		
Support sustainable economic growth in rural areas. Planning strategies should	• Where relevant include a policy or policies which support the sustainable growth of rural businesses; promote the development and diversification of	The Shepway Core Strategy Local Plan (SDC, 2013) sets out a balanced approach to development in the North Downs and Romney

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
Requirements promote a strong rural economy by taking a positive approach to new development. (28)	agricultural businesses; support sustainable rural tourism and leisure developments, and support local services and facilities.	 Marsh rural areas through identifying town, district and local centres in Policy SS4: Priority Centres of Activity Strategy. The Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018) complements this approach through a number of policies for the rural area, including: Chapter 9: Housing and the Built Environment. Policy HB7: Dwellings to Support a Rural-Based Enterprise (p. 229) Chapter 10: Economy. Policy E3: Tourism (p.257); Policy E5: Touring and Static Caravan, Chalet and Camping Sites (p. 259); Policy E6: Farm Diversification (p.261); Policy E7: Re-use of Rural Buildings (p.262) Chapter 12: Community. Policy C2: Safeguarding Community Facilities (p.304) Chapter 14: Natural Environment. Policy NE4: Equestrian Development (p. 347)
		Local services and facilities will also be supported through the introduction of new infrastructure (see above).
4. Promoting sustainable transport (paras 29-41)		
Facilitate sustainable development whilst contributing to wider sustainability and health objectives. (29) Balance the transport system in favour of sustainable transport modes and give	• Joint working with adjoining authorities, transport providers and Government Agencies on infrastructure provision in order to support sustainable economic growth with particular regard to the facilities referred to in paragraph 31.	Strategic Housing Land Availability Assessment 2015/16: Consolidated Document (SDC, 2016)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
 people a real choice about how they travel whilst recognising that different policies will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. (29) Encourage solutions which support reductions in greenhouse gas emissions and congestion (29) including supporting a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. (30) Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development. (31) 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. (32) Ensure that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (34) Plans should protect and exploit opportunities for the use of sustainable 	 Policies encouraging development which facilitates the use of sustainable modes of transport and a range of transport choices where appropriate, particularly the criteria in paragraph 35. A spatial strategy and policy which seeks to reduce the need to travel through balancing housing and employment provision. Policy for major developments which promotes a mix of uses and access to key facilities by sustainable transport modes. If local (car parking) standards have been prepared, are they justified and necessary? (39) Identification and protection of sites and routes where infrastructure could be developed to widen transport choice linked to the Local Transport Plan. 	The overall distribution of development in relation to the sustainability of settlements is set out in Shepway District Core Strategy Local Plan (SDC, 2013) Policies SS1: District Spatial Strategy, SS3: Place-Shaping and Sustainable Settlements Strategy and SS4: Priority Centres of Activity Strategy. The Places and Policies Local Plan Submission Draft builds on this framework through the plan's approach to site selection and the development management policies in Part Two. As part of the SHLAA, the proximity of potential development sites to sustainable forms of transport and local services was taken into consideration in the process of site selection i.e. 400m of bus stop and/or train station; and 800m of a convenience store, GP and primary school. Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Relevant development management policies include: • Chapter 9: Housing and the Built Environment. Policy HB1: Quality Places <u>Through Design</u> (p.212); Policy HB2: Cohesive Design (p.214)
transport modes for the movement of goods or people. (35)Policies should aim for a balance of land uses so that people can be encouraged to		 Chapter 11: Retail and Leisure. <u>Policy</u> <u>RL12: Former Harbour Railway Line</u> (p.297).

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
minimize journey lengths for employment, shopping, leisure, education and other activities. (37) For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties. (38) The setting of car parking standards including provision for town centres. (39-40) Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice. (41)		 Chapter 13: Transport. Policy T1: Street <u>Hierarchy and Site Layout</u> (p.318); Policy <u>T2: Parking Standards</u> (p.329); Policy T5: <u>Cycle Parking</u> (p.336) Chapter 16: Health and Wellbeing. Policy <u>HW4: Promoting Active Travel</u> (p.384) Shepway District Council: Transport Strategy (URS, 2011) Shepway District Council: Update to Transport Strategy Highway Impact Report (URS, 2012) Shepway District Council: Transport Strategy – Model Update (AECOM, 2017) The District Council has recently produced an update to its Transport Strategy, which sets out the future for transport in the District up to 2031. The strategy seeks to address existing transport problems but also support future development. The update has therefore been prepared in line with the Core Strategy and Places and Policies Local Plans. Growth and Infrastructure Framework (KCC, 2015) provides a framework for identifying and prioritising investment in infrastructure across the County. It has been developed in close collaboration with Kent's twelve District Authorities, as well as the health and utilities sectors.

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		Other relevant evidence includes:
		Local Transport Plan 4: Delivering Growth without Gridlock (KCC, 2011)
		Shepway Parking Strategy 2011 – 2015 (SDC, 2011)
		Kent County Council Parking Standards (IGN3)
		Shepway Places and Policies Local Plan Infrastructure Assessment and Delivery Plan (SDC, 2018)
		The Duty to Cooperate Statement (SDC, 2018) explains how consultation and engagement with a wide range of service providers, stakeholders and adjoining local authorities has informed the preparation of the PPLP.
5. Supporting high quality communications infrastructure (paras 42-46)		
Support the expansion of the electronic communications networks, including telecommunications' masts and high speed broadband. (43) Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area	 Policy supporting the expansion of electronic communications networks, including telecommunications and high speed broadband, noting the caveats in para 44. 	The Shepway Core Strategy Local Plan (SDC, 2013) contains <u>Policy SS5: District</u> <u>Infrastructure Planning</u> , which sets out general requirements for infrastructure provision from new developments.

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or a wide range of telecommunications development or insist on minimum distances between new telecommunications development and existing development. (44)		 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018) contains specific guidance on communications infrastructure within: Chapter 10: Economy. Policy E8: Provision of Fibre to the Premises (p.264)
6. Delivering a wide choice of high quality housing (paras 47-55)		
Identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements; this should include an additional buffer of 5% or 20% (moved forward from later in the plan period) to ensure choice and competition in the market for land. 20% buffer applies where there has been persistent under delivery of housing(47)	 Identification of: a) five years or more supply of specific deliverable sites; plus the buffer as appropriate Where this element of housing supply includes windfall sites, inclusion of 'compelling evidence' to justify their inclusion (48) A SHLAA 	The 5 year housing land supply at 31 st March 2016 is detailed in the Authority Monitoring Report 2017. Annual monitoring of all housing completions and extant permissions is carried out through the completion of the Housing Information Audit (2007 – 2017) The Places and Policies Local Plan provides for the remaining development required to meet the Core Strategy targets. These targets included an allowance for windfall development in the latter years of the plan period (Core Strategy, Table 4.2, p. 43). Strategic Housing Land Availability Assessment 2015/16: Consolidated Document (SDC, 2016)
Identify a supply of developable sites or broad locations for years 6-10 and, where possible, years 11-15 (47).	 Identification of a supply of developable sites or broad locations for: a) years 6-10; b) years 11-15 	The supply of developable sites or the broad locations for years 6-10 and 11-15 can be found in the following policies:
		Shepway Core Strategy Local Plan (SDC, 2013)

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		 Chapter 4 - The Spatial Strategy for Shepway: Section 4.6: <u>Policy SS6: Spatial</u> <u>Strategy for Folkestone Seafront</u> (p.65-66); <u>Policy SS7: Spatial Strategy for Shorncliffe</u> <u>Garrison, Folkestone</u> (p.71-72) Chapter 5 - Core Strategy Delivery: Section 5.2: <u>Policy CSD7 Hythe Strategy</u> - see Para 5.108 (p.98); <u>Policy CSD8: New</u> <u>Romney Strategy</u> (p.104); <u>Policy CSD9:</u> <u>Sellindge Strategy</u> (p.108).
		 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 5: Urban Character Area. <u>Policies</u> <u>UA1 – UA19</u> (p.43 - 103) Chapter 6: Romney Marsh Character Area. <u>Policies RM1 – RM14</u> (p.111 – 153) Chapter 7: North Downs Character Area. <u>Policies ND1 – ND10</u> (p.163 – 203)
		The most up to date housing trajectory is presented in the Places and Policies Local Plan Housing Supply Statement (SDC, 2018).
Illustrate the expected rate of housing delivery through a trajectory; and set out a housing implementation strategy describing how a five year supply will be maintained. (47)	 A housing trajectory Monitoring of completions and permissions (47) Updated and managed SHLAA. (47) 	The 5 year housing land supply at 31 st March 2016 is detailed in the Authority Monitoring Report 2017. Annual monitoring of all housing completions and extant permissions is carried out through the completion of the Housing Information Audit (2007 – 2017)

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		A SHLAA has been updated throughout the preparation of the Places and Policies Local Plan.
		Strategic Housing Land Availability Assessment 2015/16: Consolidated Document (SDC, 2016)
Set out the authority's approach to housing density to reflect local circumstances (47).	Policy on the density of development.	The District Council's approach to housing density is set out in the following policies:
		Shepway Core Strategy Local Plan (SDC, 2013)
		Chapter 4 - <i>The Spatial Strategy for Shepway:</i> Section 4.3: <u>Policy SS3: Place Shaping and</u> <u>Sustainable Settlement Strategy (</u> p.65-66);
		 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. <u>Policy HB1: Quality Places</u> <u>Through Design</u> (p.212) In addition, the indicative development capacities of sites within Part One of the plan have been informed by an understanding of local character and densities.
Plan for a mix of housing based on current and future demographic and market trends, and needs of different groups (50) and caters for housing demand and the scale of	 Policy on planning for a mix of housing (including self-build, and housing for older people SHMA 	The Shepway Core Strategy Local Plan (SDC, 2013) sets the total level of growth for the district for the period 2006 - 2031. The Core Strategy evidence base represents an objective assessment of housing needs as

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
housing supply to meet this demand. (para 159)	 Identification of the size, type, tenure and range of housing) required in particular locations, reflecting local demand. (50) Evidence for housing provision based on up to date, objectively assessed needs. (50) Policy on affordable housing and consideration for the need for on-site provision or if off-site provision or financial contributions are sought, where these can these be justified and to what extent do they contribute to the objective of creating mixed and balanced communities. (50) 	 required by the National Planning Policy Framework. More detailed requirements are set out in the following Core Strategy and Local Plan policies: Shepway Core Strategy Local Plan (SDC, 2013) Chapter 5 - Core Strategy Delivery: Section 5.1 Core Policies for Planning: Policy CSD1: Balanced Neighbourhoods for Shepway (p.73) Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. Policy HB2: Cohesive Design (p.214); Policy HB3: Internal and External Space Standards (p.219); Policy HB4: Self-build and Custom Housebuilding Development (p.223); Policy HB6: Local Housing Needs in Rural Areas (p.227); Policy HB12: Development of New or Extended Residential Institutions (p.241); Policy HB14: Accommodation for Gypsies and Travellers (p.245). Strategic Housing Market Assessment (SHMA) for the East Kent Sub-region (ECOTEC, 2009)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
In rural areas be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate (54). In rural areas housing should be located where it will enhance or maintain the vitality of rural communities.	 Consideration of allowing some market housing to facilitate the provision of significant additional affordable housing to meet local needs. Consideration of the case for resisting inappropriate development of residential gardens. (This is discretionary) (para 53) Examples of special circumstances to allow new isolated homes listed at para 55. 	 The Shepway Housing Strategy 2011 – 2016 (SDC, 2011) provides the background housing need and condition information; and provides details of how the Council and its partner agencies intend to meet the housing and related needs of the District and the resources available. Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. Policy HB6: Local Housing Needs in Rural Areas (p.227); Policy HB7: Dwellings to Support a Rural-based Enterprise (p.229); Policy HB8: Alternations and Extensions to Residential Buildings (p.233); Policy HB10: Development of Residential Gardens (p.237)
7. Requiring good design (paras 56-68)		
Develop robust and comprehensive policies that set out the quality of development that will be expected for the area (58).	 Inclusion of policy or policies which seek to increase the quality of development through the principles set out at para 58 and approaches in paras 59-61, linked to the vision for the area and specific local issues 	The overall approach to design quality is set out in Shepway Core Strategy Local Plan (SDC, 2013) <u>Policy SS3: Place-Shaping and</u> <u>Sustainable Settlements Strategy</u> which seeks to promote sustainable, vibrant and distinctive communities. Within this framework, the Local Plan includes the following policies: Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018).

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		 Chapter 9: Housing and the Built Environment. <u>Policy HB1: Quality Places</u> <u>Through Design</u> (p.212); <u>Policy HB2:</u> <u>Cohesive Design</u> (p.214); <u>Policy HB3:</u> <u>Internal and External Space Standards</u> (p.219); <u>Policy HB8: Alterations and Extensions to Residential Buildings</u> (p.233); <u>Policy HB9: Annexe</u> <u>Accommodation</u> (p.236) Chapter 15: Climate Change. <u>Policy CC2:</u> <u>Sustainable Design and Construction</u> (p. 368) In addition, the District Council has adopted the Kent Design Guide as a Supplementary Planning Document to provide more detailed design guidance on a range of topics. Within the Kent Downs Area of Outstanding Natural Beauty (AONB), guidance is also provided by the Kent Downs AONB Landscape Design Handbook, which has been approved by the District Council for development management.
8. Promoting healthy communities (paras 69-77)		
Policies should aim to design places which: promote community interaction, including through mixed-use development; are safe and accessible environments; and are accessible developments (69).	 Inclusion of a policy or policies on inclusive communities. Promotion of opportunities for meetings between members of the community who might not otherwise come into contact with each other, 	The overall approach to design quality is set out in Shepway Core Strategy Local Plan (SDC, 2013) <u>Policy SS3: Place-Shaping and</u> <u>Sustainable Settlements Strategy</u> which seeks

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	including through mixed-use developments which bring together those who work, live and play in the vicinity; safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas. (69)	 to promote sustainable, vibrant and distinctive communities. Within this framework, the Local Plan includes the following policies: Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. Policy HB2: Cohesive Design (p.214); Chapter 12: Community. Policy C1: Creating a Sense of Place (p.303); Policy C2: Safeguarding Community Facilities (p.304); Policy C3: Provision of Open Space (p.309); Policy C4: Children's Play Space (p.313) Chapter 13: Transport. Policy T1: Street Hierarchy and Site Layout (p.318) In addition, the District Council has adopted the Kent Design Guide as a Supplementary Planning Document to provide more detailed design guidance on topics including safe and secure layouts, privacy and the design of open spaces.
Policies should plan positively for the provision and use of shared space, community facilities and other local services (70).	 Inclusion of a policy or policies addressing community facilities and local service. Positive planning for the provision and integration of community facilities and other local services to enhance the sustainability of communities and 	Shepway Core Strategy Local Plan (SDC, 2013) Chapter 4 – Housing and Economic Growth Strategy: Section 4.3: <u>Policy SS3:</u> <u>Place Shaping and Sustainable Settlements</u> <u>Strategy</u> (p.50)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	residential environments; safeguard against the unnecessary loss of valued facilities and services; ensure that established shops, facilities and services are able to develop and modernize; and ensure that housing is developed in suitable locations which offer a range of community facilities and good access to key services and infrastructure.	 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 11: Retail and Leisure. Policy <u>RL7: Other District and Local Centres</u> (p.287) Chapter 12: Community. <u>Policy C1:</u> <u>Creating a Sense of Place</u> (p.303); <u>Policy C2: Safeguarding Community Facilities</u> (p.304); <u>Policy C3: Provision of Open</u> <u>Space</u> (p.309); <u>Policy C4: Children's Play</u> <u>Space</u> (p.313)
		Strategic Housing Land Availability Assessment 2015/16: Consolidated Document (SDC, 2016)
		As part of the SHLAA, the proximity of potential development sites to local services was taken into consideration such as convenience store, GP and primary school.
		The site allocations in the Places and Policies Local Plan also contain allocations or the requirement for financial contributions for community facilities at a number of settlements to reflect the development requirements.
		Regarding infrastructure, the Shepway Core Strategy Local Plan (SDC, 2013) contains <u>Policy SS5: District Infrastructure Planning</u> , which sets out general requirements for infrastructure provision. Core Strategy

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	 Identification of specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. (73) A policy protecting existing open space, sports and recreational buildings and land from development, with specific exceptions. (74) Protection and enhancement of rights of way and access. (75) 	Evidence ProvidedAppendix 2: Infrastructure Projects lists key infrastructure requirements for the district.The Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018) identifies specific infrastructure requirements

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		a strategic approach to shaping play provision in Shepway in the future.
		Shepway Open Space Strategy (LUC, 2017) considers the current quantity, accessibility, quality and value of open spaces in Shepway. It then makes recommendations to conserve and enhance the open space network in the District.
		Specific enhancements to green spaces and rights of way are identified in the relevant site allocation policies in Part One of the Places and Policies Local Plan: Submission Draft (SDC, 2018), where these have been identified (such as Policies ND9 and ND10). Other enhancements will be provided through the Community Infrastructure Levy.
Enable local communities, through local and neighbourhood plans, to identify special protection green areas of particular importance to them – 'Local Green Space' (76-78).	• Policy enabling the protection of Local Green Spaces. (Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period. The designation should only be used when it accords with the criteria in para 77). Policy for managing development within a local green space should be consistent with policy for Green Belts. (78)	 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 12: Community. Local Green Spaces: paragraphs 12.45 – 12.49 (p.313 – 314)
9. Protecting Green Belt land (paras 79- 92)		
Local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for	Where Green Belt policies are included, these should reflect the need to:	The Shepway Local Authority Area does not include any Green Belt land.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. (81) Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. (83) When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. (84) Boundaries should be set using 'physical features likely to be permanent' amongst other things (85)	 Enhance the beneficial use of the Green Belt. (81) Accord with criteria on boundary setting, and the need for clarity on the status of safeguarded land, in particular. (85) Specify that inappropriate development should not be approved except in very special circumstances. (87) Specify the exceptions to inappropriate development (89-90) Identify where very special circumstances might apply to renewable energy development. (91) 	
10. Meeting the challenge of climate change, flooding and coastal change (paras 93-108)		
Adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, coastal change and water supply and demand considerations. (94)	 Planning of new development in locations and ways which reduce greenhouse gas emissions. Support for energy efficiency improvements to existing building. Local requirements for a building's sustainability which are consistent with the Government's zero carbon buildings policy. (95) 	The overall strategy for flood and water management in the district is provided by the Shepway Core Strategy Local Plan (SDC, 2013) which includes the following policies: <i>Chapter 4 – Housing and Economic Growth</i> <i>Strategy:</i> Section 4.3: <u>Policy SS3: Place</u> <u>Shaping and Sustainable Settlements</u> <u>Strategy</u> (p.50) <i>Chapter 5 – Core Strategy</i> <i>Delivery:</i> <u>Policy CSD5: Water and Coastal</u> <u>Environmental Management in Shepway (p. 16).</u>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		 Within this framework, the Places and Policies Local Plan provides further guidance through the following policies: Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 14: Natural Environment: Policy NE8: Integrated Coastal Zone Management (p.356); Policy NE9: Development Around the Coast (p.359) Chapter 15: Climate Change. Policy CC1: Reducing Carbon Emissions (p.366); Policy CC2: Sustainable Design and Construction (p.368); Policy CC3: Sustainable Urban Drainage (p.371); Policy CC4: Wind Turbine Development (p.373); Policy CC5: Small Scale Wind Turbines and Existing Development (p.374); Policy C6: Solar Farms (p.375) In addition, the District Council has adopted the Kent Design Guide as a Supplementary Planning Document to provide more detailed design guidance on topics including Sustainable Drainage Systems (SuDS). Kent County Council as the Lead Local Flood Authority provides guidance for masterplanning sustainable drainage into
		developments, as well as standing advice for low risk developments.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
Help increase the use and supply of renewable and low carbon energy through a strategy, policies maximising renewable and low carbon energy, and identification of key energy sources. (97)	 A strategy and policies to promote and maximise energy from renewable and low carbon sources, Identification of suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources (see also NPPF footnote 17) Identification of where development can draw its energy supply from decentralised, renewable or low carbon supply systems and for co-locating potential heat customers and suppliers. (97) 	 The overall strategy for low carbon is provided by the Shepway Core Strategy Local Plan (SDC, 2013) which includes Policy SS3: Place-Shaping and Sustainable Settlements Strategy which contains a requirement for a proportion of energy from renewable or low carbon sources from new-build development. Within this framework, the Places and Policies Local Plan provides further guidance through the following policies: Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 15: Climate Change. Policy CC1: Reducing Carbon Emissions (p.366); Policy CC2: Sustainable Design and Construction (p.368); Policy CC3: Sustainable Urban Drainage (p.371); Policy CC4: Wind Turbine Development (p.373); Policy CC5: Small Scale Wind Turbines and Existing Development (p.374); Policy C6: Solar Farms (p.375)
Minimise vulnerability to climate change and manage the risk of flooding (99)	 Account taken of the impacts of climate change. (99) Allocate, and where necessary re-locate, development away from flood risk areas through a sequential test, based on a SFRA. (100) Policies to manage risk, from a range of impacts, through suitable adaptation measures 	Strategic Flood Risk Assessment: Shepway District Council (Herrington Consulting Ltd, 2015) provides an analysis of the main sources of flood risk to the District, together with a detailed means of appraising development allocations and existing planning policies against the risks posed by coastal flooding over the coming century.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		This and the following policies ensures that development does not take place in areas at high risk from flooding and where necessary flood mitigation and adaptation measures are put in place to reduce potential flood risk.
		Sequential Test in Relation to Flood Risk (SDC, 2018)
		 Shepway Core Strategy Local Plan (SDC, 2013) Chapter 4 - The Spatial Strategy for Shepway: Section 4.3: Policy SS3: Place Shaping and Sustainable Settlement Strategy (p.65-66)
		Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018).
		 Chapter 14: Natural Environment: <u>Policy</u> <u>NE8:</u> Integrated Coastal Zone <u>Management</u> (p.356); <u>Policy NE9:</u> <u>Development Around the Coast</u> (p.359) Chapter 15: Climate Change. <u>Policy CC1:</u> <u>Reducing Carbon Emissions</u> (p.366); <u>Policy CC2: Sustainable Design and</u> <u>Construction</u> (p.368); (<u>Policy CC3:</u> <u>Sustainable Urban Drainage</u> (p.371)
		In addition, the District Council has adopted the Kent Design Guide as a Supplementary Planning Document to provide more detailed design guidance on topics including Sustainable Drainage Systems (SuDS).

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Kent County Council as the Lead Local Flood Authority provides guidance for masterplanning sustainable drainage into developments, as well as standing advice for low risk developments.
Take account of marine planning (105)	 Ensure early and close co-operation on relevant economic, social and environmental policies with the Marine Management Organisation Review the aims and objectives of the Marine Policy Statement, including local potential for marine-related economic development Integrate as appropriate marine policy objectives into emerging policy Support of integrated coastal management (ICM) in coastal areas in line with the requirements of the MPS 	The Marine and Coastal Access Act 2009 UK Marine Policy Statement 2011 Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft South Marine Plan for this area in November 2016. Until this work is further advanced, it is premature for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co-operate. Development within the district takes place within the framework established by Core Strategy Local Plan (SDC, 2013) Policy CSD5: Water and Coastal Environmental Management in Shepway and the Places and Policies Local Plan policies.
Manage risk from coastal change (106)	Identification of where the coast is likely to experience physical changes and identify Coastal Change Management Areas, and clarity on what development will be allowed in such areas.	Development within the district takes place within the framework established by Core Strategy Local Plan (SDC, 2013) <u>Policy</u> <u>CSD5: Water and Coastal Environmental</u>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	• Provision for development and infrastructure that needs to be re-located from such areas, based on SMPs and Marine Plans, where appropriate.	<u>Management</u> in Shepway and the Places and Policies Local Plan policies outlined below:
		 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 14: Natural Environment: Policy <u>NE8:</u> Integrated Coastal Zone <u>Management</u> (p.356); Policy NE9: <u>Development Around the Coast</u> (p.359)
11. Conserving and enhancing the natural environment (paras 109-125)		
Protect valued landscapes (109)	 A strategy and policy or policies to create, protect, enhance and manage networks of biodiversity and green infrastructure. Policy which seeks to minimise the loss of higher quality agricultural land and give great weight to protecting the landscape and scenic beauty of National Parks, the Broads and AONBs. 	 Development within the district takes place within the framework established by Core Strategy Local Plan (SDC, 2013) Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation, which protects biodiversity, habitats and the natural beauty of the Kent Downs Area of Outstanding Natural Beauty. Within this framework more detailed guidance is provided by the following policies: Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 14: Natural Environment: Policy NE1: Enhancing and Managing Access to the Natural Environment (p.339); Policy NE2: Biodiversity (p.341); Policy NE3: Protecting the District's Landscapes and Countryside (p.344-345)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Shepway High Level Landscape Appraisal (AECOM, 2017) informs a strategic review of the likely relative impacts of strategic level development in various locations with regard to landscape character and visual amenity.
		The Green Infrastructure Plan (SDC) seeks to ensure that an improved and sustainable Green Infrastructure is delivered across the District and linking into neighbouring areas.
		Kent Downs Area of Outstanding Natural Beauty Management Plan (Kent Downs, 2009).
Prevent unacceptable risks from pollution and land instability (109)	 Policy which seeks development which is appropriate for its location having regard to the effects of pollution on health, the natural environment or general amenity. 	 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 14: Natural Environment: Policy NE5: Light Pollution and External Illumination (p.350-351); Policy NE6: Land Instability (p.352); Policy NE7: Contaminated Land (p.353)
		Lighting Professionals (ILP), Guidance Notes for the Reduction of Light Pollution (2011)
Planning policies should minimise impacts on biodiversity and geodiversity (117) Planning policies should plan for biodiversity at a landscape-scale across local authority boundaries (117)	 Identification and mapping of local ecological networks and geological conservation interests. Policies to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species 	Development within the district takes place within the framework established by Core Strategy Local Plan (SDC, 2013) <u>Policy</u> <u>CSD4: Green Infrastructure of Natural</u> <u>Networks, Open Spaces and Recreation</u> , which protects biodiversity, habitats and the natural beauty of the Kent Downs Area of Outstanding Natural Beauty.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Within this framework more detailed guidance is provided by the following policy:
		 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 14: Natural Environment: Policy NE2: Biodiversity (p.341)
		Shepway Places and Policies Local Plan (Preferred Options) – Habitats Regulations Assessments (LUC 2016) and; Shepway Places and Policies Local Plan (Submission Draft) – Habitats Regulations Assessments (LUC 2017) ascertain whether the proposals within the Places and Policies Local Plan are likely to result in significant effects on the qualifying features of European Sites within and adjacent to the District, and where such effects are predicted, whether they would result in adverse effects on site integrity following mitigation.
12. Conserving and enhancing the historic environment (paras 126-141)		
Include a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk (126)	 A strategy for the historic environment based on a clear understanding of the cultural assets in the plan area, including assets most at risk. A map/register of historic assets A policy or policies which promote new development that will make a positive contribution to character and distinctiveness. (126) 	 Shepway Heritage Strategy (KCC, 2018) seeks to ensure that the heritage of the District plays a clear role in shaping any future regeneration, development and management decisions. The schedule of historic assets in Shepway can be plotted on the online Policies Map –

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Area of Archaeological potential.
		Planning (Listed Buildings and Conservation Areas) Act 1990
		Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018).
		 Chapter 17: Historic Environment. <u>Policy</u> <u>HE1: Heritage Assets</u> (p.388); <u>Policy HE3:</u> <u>Local List of Heritage Assets</u> (p.391); <u>Policy HE4: Folkestone's Historic Gardens</u> (p.394).
13. Facilitating the sustainable use of minerals (paras 142-149)		
It is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked	Account taken of the matters raised in relation to paragraph 143 and 145, including matters in relation to land in national / international designations; landbanks; the defining of Minerals Safeguarding Areas; wider matters relating to safeguarding; approaches if non-	Kent County Council is the minerals and waste planning authority and has been involved in the drafting of the Places and Policies Local Plan through the Duty to Cooperate
where they are found, it is important to make best use of them to secure their long-term conservation (142) Minerals planning authorities should plan for a steady and adequate supply of industrial materials (146)	mineral development is necessary within Minerals Safeguarding Areas; the setting of environmental criteria; development of noise limits; reclamation of land; plan for a steady and adequate supply of aggregates. This could include evidence of co- operation with neighbouring and more distant authorities.	The Minerals and Waste Local Plan 2013 – 2030 (KCC, 2016) sets out a vision and strategy for mineral provision and waste management in Kent up to the year 2030, it also contains a number of development management policies for evaluating minerals and waste planning applications. This document is a material consideration when determining planning applications.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Any mineral and waste allocation will be reflected on the Places and Policies Local Plan - Policies Map.
To be 'justified' a DPD needs to be: • Founded on a robust and credible evidence	opriate strategy, when considered against the reasonable base involving: research / fact finding demonstrating how local community and others having a stake in the area. ered against reasonable alternatives.	
Participation Has the consultation process allowed for effective engagement of all interested parties?	The consultation statement. This should set out what consultation was undertaken, when, with whom and how it has influenced the plan. The statement should show that efforts have been made to consult hard to reach groups, key stakeholders etc. Reference SCI	Statement of (SDC, 2015)Community Involvement Involvement (SDC, 2015)Places consultation Statement (SDC, 2018) sets out how Shepway District Council has consulted and engaged with stakeholders and the community in the preparation of the Places and Policy Local Plan.
Research / fact finding Is the plan justified by a sound and credible evidence base? What are the sources of evidence? How up to date, and how convincing is it? What assumptions were made in preparing the DPD? Were they reasonable and justified?	 The studies, reports and technical papers that provide the evidence for the policies set out in the DPD, the date of preparation and who they were produced by. AND Sections of the DPD (at various stages of development) and SA Report which illustrate how evidence supports the strategy, policies and proposals, including key assumptions. OR A very brief statement of how the main findings of consultation support the policies, with reference to: reports to the council on the issues raised during participation, covering both the front-loading and 	The evidence based documents in the Places and Policies Local Plan: Submission Draft - Appendix 1 is a list of all the supporting documents, reports and technical papers that have informed the preparation of the Places and Polices Local Plan. The Council has also taken account of the recommendations of the Sustainability Appraisal of Shepway District Council's Places and Policies Local Plan (LUC, 2016 & 2017) that has been prepared at each stage of the site selection process.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	 formulation phases; and any other information on community views and preferences. OR For each policy (or group of policies dealing with the same issue), a very brief statement of the evidence documents relied upon and how they support the policy (where this is not already clear in the reasoned justification in the DPD). 	Places and Policies Local Plan Consultation Statement (SDC, 2018)
Alternatives Can it be shown that the LPA's chosen approach is the most appropriate given the reasonable alternatives? Have the reasonable alternatives been considered and is there a clear audit trail showing how and why the preferred approach was arrived at? Where a balance had to be struck in taking decisions between competing alternatives, is it clear how and why the decisions were taken? Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the DPD from the start?	 Reports and consultation documents produced in the early stages setting out how alternatives were developed and evaluated, and the reasons for selecting the preferred strategy, and reasons for rejecting the alternatives. This should include options covering not just the spatial strategy, but also the quantum of development, strategic policies and development management policies. An audit trail of how the evidence base, consultation and SA have influenced the plan. Sections of the SA Report showing the assessment of options and alternatives. Reports on how decisions on the inclusion of policy were made. Sections of the consultation document demonstrating how options were developed and appraised. Any other documentation showing how alternatives were developed and evaluated, including a report on how sustainability appraisal has influenced the choice of strategy and the content of policies. 	 Development Requirements Report (SDC, 2011) The Places and Policies Local Plan is based upon the strategic policies and development targets established in the adopted Shepway Core Strategy Local Plan (SDC, 2013). A commitment has been made in various cabinet reports throughout 2017 to review the existing Core Strategy Local Plan following the adoption of the Places and Policies Local Plan. Places and Policies Local Plan: Issues and Options (SDC, 2015) Places and Policies Local Plan: Preferred Options (SDC, 2016) Sustainability Appraisal of Shepway District Council's Places and Policies Local Plan (LUC, 2016)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Shepway Places and Policies Local Plan (Preferred Options) – Habitats Regulations Assessments (LUC 2016)
		Strategic Housing Land Availability Assessment 2015/16: Consolidated Document (SDC, 2016)
		Strategic Housing Land Availability Assessment (SHLAA) 2016/17: Consolidated Document (SDC, 2017)
		Shepway Places and Policies Local Plan – Submission Draft, Appendix 3 Summary of Main Issues (Cabinet Report July 2017).
		Places and Policies Local Plan Consultation Statement (SDC, 2018)
Effective: the plan should be deliverable	over its period and based on effective joint working on cro	oss-boundary strategic priorities.
To be 'effective' a DPD needs to:		
Be deliverable Demonstrate sound infrastructure	delivery plenning	
 Demonstrate sound infrastructure Have no regulatory or national pla 		
 Have delivery partners who are si 	o	
Be coherent with the strategies of	•	
Demonstrate how the Duty to Co-	operate has been fulfilled	
Be flexible		
Be able to be monitored		

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
 Deliverable and Coherent Is it clear how the policies will meet the Plan's vision and objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD? Are the policies internally consistent? Are there realistic timescales related to the objectives? Does the DPD explain how its key policy objectives will be achieved? 	Sections of the DPD which address delivery, the means of delivery and the timescales for key developments and initiatives. Confirmation from the relevant agencies that they support the objectives and the identified means of delivery, such as evidence that the plans and programmes of other bodies have been taken into account (e.g. Water Resources Management Plans and Marine Plans). Information in the local development scheme, or provided separately, about the scope and content (actual and intended) of each DPD showing how they combine to provide a coherent policy structure. Section in the DPD that shows the linkages between the objectives and the corresponding policies, and consistency between policies (such as through a matrix).	The Shepway Core Strategy Local Plan (SDC, 2013) contains <u>Policy SS5: District</u> <u>Infrastructure Planning</u> , which sets out general requirements for infrastructure provision. Core Strategy Appendix 2: Infrastructure Projects lists key infrastructure requirements for the district. The Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018) identifies specific infrastructure requirements within each site allocation, where these are known. The Folkestone & Hythe Infrastructure Delivery Plan Update (2018) updates and expands on the Core Strategy Infrastructure Projects and the Core Strategy Infrastructure Assessment and Delivery Plan (June 2015), to produce a comprehensive assessment of the infrastructure needed to deliver the Local Plan. Representations on Shepway Places and Policies Local Plan: Preferred Options and Sustainability Appraisal (2017) Shepway Places and Policies Local Plan – Submission Draft, Appendix 3 Summary of Main Issues (Cabinet Report July 2017). Shepway Duty to Co-operate Statement (SDC, 2018).

Soundness Test and Key F Requirements	Possible Evidence	Evidence Provided
 Infrastructure Delivery Have the infrastructure implications of the policies clearly been identified? Are the delivery mechanisms and timescales for implementation of the policies clearly identified? Is it clear who is going to deliver the required infrastructure and does the timing of the provision complement the timescale of the policies? 	 A section or sections of the DPD where infrastructure needs are identified and the proposed solutions put forward. A schedule setting out responsibilities for delivery, mechanisms and timescales, and related to a CIL schedule where appropriate. Confirmation from infrastructure providers that they support the solutions proposed and the identified means and timescales for their delivery, or a plan for resolving issues. Demonstrable plan-wide viability, particularly in relation to the delivery of affordable housing and the role of a CIL schedule. 	Shepway District Local DevelopmentSchemes (SDC, 2013 - 2016).The broad locations of growth and the amount of development allocated within the Places and Policies Local Plan has already been set through the adopted Core Strategy Local Plan.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Places and Policies Local Plan to ensure that any barriers to development are addressed.
		The Core Strategy Infrastructure Projects and the Core Strategy Infrastructure Assessment and Delivery Plan (June 2015)
		The Places and Policies Local Plan Viability Testing (Chilmark, 2017) comments on the likely viability potential of a number of the site allocations. The analysis takes account of policy requirements for affordable housing' and allowances for s.106 and CIL payments.
Co-ordinated Planning Does the DPD reflect the concept of spatial planning? Does it go beyond traditional land	 Sections of the DPD that reflect the plans or strategies of the local authority and other bodies Policies which seek to pull together different policy 	The Places and Policies Local Plan (2018) is based on strategies adopted by the Shepway Core Strategy Local Plan (SDC, 2013).
use planning by bringing together and integrating policies for the development and use of land with other policies and programmes from a variety of agencies / organisations that influence the nature of places and how they function?	 objectives Expressions of support/representations from bodies responsible for other strategies affecting the area 	The Places and Policies Local Plan also builds on the Shepway Corporate Strategy 2017- 2020 . Its vision is 'Prosperous and ambitious - Working for more jobs and homes in an attractive district'. These objectives will be supported by policies throughout this plan; in allocations for new housing and employment sites and also in the development management policies in Part Two, which give a high priority to good design.
<i>Flexibility</i> • Is the DPD flexible enough to respond to a variety of, or unexpected changes in, circumstances?	 Sections of the DPD setting out the assumptions of the plan and identifying the circumstances when policies might need to be reviewed. 	Green information box p.18 explains that the Council has made a commitment in the Local Development Scheme to review the Core Strategy (2013) to provide a framework for the district beyond 2031. Work has begun on this review, including the production of new

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
• Does the DPD include the remedial actions that will be taken if the policies need adjustment?	 Sections of the annual monitoring report and sustainability appraisal report describing how the council will monitor: a. the effectiveness of policies and what evidence is being collected to undertake this 	evidence on future housing requirements; this work is taking place alongside the final stages of preparing the Places and Policies Local Plan.
	 b. changes affecting the baseline information and any information on trends on which the DPD is based Risk analysis of the strategy and policies to demonstrate robustness and how the plan could cope with changing circumstances Sections within the DPD dealing with possible change areas and how they would be dealt with, including mechanisms for the rate of development to be increased or slowed and how that would impact on other aspects of the strategy and on infrastructure provision Sections of the DPD identifying the key indicators of success of the strategy, and the remedial actions which will be taken if adjustment is required. 	The Shepway Core Strategy Local Plan (SDC, 2013) Section 5.3 and Appendix 3 and the Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018) Chapter 18 sets out how the Plans will be evaluated as part of an ongoing process of planning, monitoring and reviewing to cover risks and deliver sustainable development. The AMR will be the primary means of monitoring. Every year, it will address the indicators for Strategic Aims A-C; these aims are set out in Table 6.4, 6.5 and 6.6 of the Core Strategy.
		The Shepway Places and Policies Local Plan: Submission Draft (SDC 2018) in <i>Table</i> 4.3: Places and Policies Local Plan - Housing Land Supply Position (4.9-4.12 p.34) the comparison of Columns A and G shows that the Core Strategy's minimum housing land requirements will be met for all three character areas, with sufficient flexibility to take account of unforeseen circumstances.
Co-operation • Is there sufficient evidence to demonstrate that the Duty to Co-operate has been	• A succinct Duty to Co-operate Statement which flows from the strategic issues that have been addressed jointly. A 'tick box' approach or a collection of correspondence is not sufficient, and it	The Duty to Cooperate Statement (SDC, 2018) explains how consultation and engagement with a wide range of service providers, stakeholders and adjoining local

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
 undertaken appropriately for the plan being examined? Is it clear who is intended to implement each part of the DPD? Where the actions required are outside the direct control of the LPA, is there evidence that there is the necessary commitment from the relevant organisation to the implementation of the policies? 	 needs to be shown (where appropriate) if joint planmaking arrangements have been considered, what decisions were reached and why. The Duty to Co-operate Statement could highlight: the sharing of ideas, evidence and pooling of resources; the practical policy outcomes of co-operation; how decisions were reached and why; and evidence of having effectively co-operated to plan for issues which need other organisations to deliver on, common objectives for elements of strategy and policy; a memorandum of understanding; aligned or joint core strategies and liaison with other consultees as appropriate. 	authorities has informed the preparation the PPLP. The Council signed a duty to co-operate memorandum of understanding with East Kent Local Authorities during 2014, through which issues including infrastructure planning and delivery, will be considered.
 Monitoring Does the DPD contain targets, and milestones which relate to the delivery of the policies, (including housing trajectories where the DPD contains housing allocations)? Is it clear how targets are to be measured (by when, how and by whom) and are these linked to the production of the annual monitoring report? Is it clear how the significant effects identified in the sustainability appraisal report will be taken forward in the ongoing monitoring of the implementation of the plan, through the annual monitoring report? 	 Sections of the DPD setting out indicators, targets and milestones Sections of the current annual monitoring report which report on indicators, targets, milestones and trajectories Reference to any other reports or technical documents which contain information on the delivery of policies Sections of the current annual monitoring report and the sustainability appraisal report setting out the framework for monitoring, including monitoring the effects of the DPD against the sustainability appraisal 	The Shepway Core Strategy Local Plan (2013) Section 5.3 and Appendix 3 and the Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018) Chapter 18 sets out how the Plans will be evaluated as part of an ongoing process of planning, monitoring and reviewing to cover risks and deliver sustainable development. The AMR will be the primary means of monitoring. Every year, it will address the indicators for Strategic Aims A-C; these are set out in Table 6.4, 6.5 and 6.6 of the Core Strategy.

Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies in the Framework. The DPD should not contradict or ignore national policy. Where there is a departure, there must be clear and convincing reasoning to justify the approach taken.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
 Does the DPD contain any policies or proposals which are not consistent with national policy and, if so, is there local justification? Does the DPD contain policies that do not add anything to existing national guidance? If so, why have these been included? 	 Sections of the DPD which explain where and how national policy has been elaborated upon and the reasons. Studies forming evidence for the DPD or, where appropriate, other information which provides the rationale for departing from national policy. Evidence provided from the sustainability appraisal (including reference to the sustainability report) and/or from the results of community involvement. Where appropriate, evidence of consistency with national marine policy as articulated in the UK Marine Policy Statement Reports or copies of correspondence as to how representations have been considered and dealt with. 	It is explained in Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 3 – Introduction, Policy Context, para 3.28 (p.21) that the preparation of the PPLP has taken into account the relevant national and local planning policy context. In particular, the PPLP policies have been prepared within the framework established by the Shepway District Core Strategy Local Plan. The Sustainability Appraisal of Shepway District Council's Places and Policies Local Plan (LUC, 2017) in Section 3 also explains the Policy context of the PPLP and its consistency with national policy. Representations on Shepway Places and Policies Local Plan: Preferred Options and Sustainability Appraisal (2017) A summary response report for the public consultations carried out to inform the preparation of the PPLP (2016) was reported to Cabinet. All consultations comments are publicly available to view on the Council's consultation portal. Tables showing how representations have been made are included with the Submission Draft Places and Policies Local Plan documents.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		Shepway Places and Policies Local Plan: Submission Draft, Appendix 3 Summary of Main Issues (Cabinet Report July 2017).
		Places and Policies Local Plan Consultation Statement (SDC, 2018)
		Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft South Marine Plan for this area in November 2016. Until this work is further advanced, it is premature for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the
		the Places and Policies Local Places Duty to Co-operate.

Planning policy for traveller sites

Planning Policy for Traveller Sites was published in 23 March 2012 and came into effect on 27 March 2012. Circular 01/06: Planning for Gypsy and Traveller Caravan Sites and Circular 04/07: Planning for Travelling Showpeople have been cancelled. Planning Policy for Traveller Sites should be read in conjunction with the National Planning Policy Framework, including the implementation policies of that document.

The government's aim in relation to planning for traveller sites is:

To ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic life of travellers whilst respecting the interests of the settled community'.

Government's aims in respect of traveller sites are:

- That local planning authorities (LPAs) make their own assessment of need for the purposes of planning
- That LPAs work collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- Plan for sites over a reasonable timescale
- Plan-making should protect green belt land from inappropriate development
- Promote more private traveller site provision whilst recognising that there will always be those travellers who cannot provide their own sites
- Aim to reduce the number of unauthorised developments and encampments and make enforcement more effective.

In addition local planning authorities should:

- Include fair, realistic and inclusive policies
- Increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- Reduce tensions between settled and traveller communities in plan-making and decision-taking
- Enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- Have due regard to protection of local amenity and local environment

Policy Expectations	Possible Evidence	Evidence Provided
Policy A: Using evidence to plan positively and manage development (para 6)		
Early and effective community engagement with both settled and traveller communities.	• Early and effective engagement undertaken, including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups.	East Kent Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (Salford Housing and Urban Studies Unit, April 2014)
Co-operate with travellers, their representative bodies and local support groups, other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of likely permanent and transit accommodation needs of their areas.	 Demonstration of a clear understanding of the needs of the traveller community over the lifespan of your development plan. Collaborative working with neighbouring local planning authorities. A robust evidence base to establish accommodation needs to inform the preparation of your local plan and make planning decisions. 	EastKentGypsy,TravellerandTravellingShowpeopleAccommodationAssessment (SalfordHousing and UrbanStudiesUnit,2014)A consortium of KentLocalPlanningAuthoritiesagreedtoaAuthoritiesagreedtotoGypsy,TravellerandTravellingShowpeopleAccommodationAssessment (2014).
Policy B: Planning for traveller sites (paras 7-11)		
Set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in your area, working	 Identification, and annual update, of a supply of specific, deliverable sites sufficient to provide 5 years' worth of sites against locally set target. Identification of a supply of specific, developable sites or broad locations for growth for years 6-10, 	East Kent Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (Salford Housing and Urban Studies Unit, April 2014)
collaboratively with neighbouring LPAs.	and, where possible, for years 11-15.	The 'Call for Sites' at the Issues and Options stage of the PPLP also included

Policy Expectations	Possible Evidence	Evidence Provided
Set criteria to guide land supply allocations where there is identified need. Ensure that traveller sites are sustainable economically, socially and environmentally.	 An assessment of the need for traveller sites, and where an unmet need has been demonstrated a supply of specific, deliverable sites been identified. Policy which takes into account criteria a-h of para 11 	a call for Gypsy and Traveller site. No sites were received.
Policy C: Sites in rural areas and the countryside (para 12)		
When assessing the suitability of sites in rural or semi-rural settings LPAs should ensure that the scale of such sites do not dominate the nearest settled community.		 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. <u>Policy HB14:</u> <u>Accommodation for Gypsies and</u> <u>Travellers</u> (p.245)
Policy D: Rural exception sites (para 13)		
If there is a lack of affordable land to meet local traveller needs, LPAs in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable travellers' sites.	 If a rural exception site policy is used, and if so clarity that such sites shall be used for affordable traveller sites in perpetuity. 	The East Kent Gypsy, Traveller and TravellingShowpeopleAccommodation Assessment (Salford Housing and Urban Studies Unit, April 2014) recommends a need of seven traveller pitches for the period 2013-2027. However, the new definition of gypsies and travellers means that this requirement will need to be reviewed.Given this, the Council is working with a consortium of Kent LPA's in commissioning the Gypsy, Traveller and Travelling
		Accommodation Assessment (Arc4, 2018). This evidence is currently in draft

Policy Expectations	Possible Evidence	Evidence Provided
		 and will be used to inform the Core Strategy Review for the period to 2037. In the interim the following criteria-based policy will be used to provide flexibility in the location of the small amount of development required. Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. <u>Policy HB14:</u> <u>Accommodation for Gypsies and</u> Travellers (p.245)
Policy E: Traveller sites in Green Belt (paras 14-15)		
Traveller sites (both permanent and temporary) in the Green Belt are inappropriate development.	 Green Belt boundary revisions made in response to a specific identified need for a traveller site, undertaken through the plan making process. 	The Shepway Local Authority Area does not include any Green Belt land.
Exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site should be done only through the plan-making process.		
Policy F: Mixed planning use traveller sites (paras 16-18)		
	 Consideration of the need for sites for mixed residential and business use (having regard to 	The East Kent Gypsy, Traveller and Travelling Showpeople

Policy Expectations	Possible Evidence	Evidence Provided
Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents.	 safety and amenity of the occupants and neighbouring residents), or separate sites in close proximity to one another. N.B. Mixed use should not be permitted on rural exception sites 	 Accommodation Assessment (Salford Housing and Urban Studies Unit, April 2014) recommends a need of seven traveller pitches for the period 2013-2027. However, the new definition of gypsies and travellers means that this requirement will need to be reviewed. Given this, the Council is working with a consortium of Kent LPA's in commissioning the Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (Arc4, 2018). This evidence is currently in draft and will be used to inform the Core Strategy Review for the period to 2037. In the interim the following criteria-based policy will be used to provide flexibility in the location of the small amount of development required. Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. Policy HB14: Accommodation for Gypsies and Travellers (p.245)
Policy G: Major development projects (para 19)		

Policy Expectations	Possible Evidence	Evidence Provided
Policy Expectations Local planning authorities should work with the planning applicant and the affected traveller community to identify a site or sites suitable for relocation of the community if a major development proposal requires the permanent or temporary relocation of a traveller site.	Possible Evidence • Where a major development proposal requires the permanent or temporary relocation of a traveller site, the identification of a site or sites suitable for re-location of the community.	The East Kent Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (Salford Housing and Urban Studies Unit, April 2014) recommends a need of seven traveller pitches for the period 2013-2027. However, the new definition of gypsies and travellers means that this requirement will need to be reviewed. Given this, the Council is working with a consortium of Kent LPA's in commissioning the Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (Arc4 2018). This evidence is currently in draft and will be used to inform the Core Strategy Review for the period to 2037. In the interim the following criteria-based
		policy will be used to provide flexibility in the location of the small amount of development required.
		 Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018). Chapter 9: Housing and the Built Environment. <u>Policy HB14:</u> <u>Accommodation for Gypsies and</u> <u>Travellers</u> (p.245)

Integration of marine and terrestrial planning

As the UK marine area and marine plan area boundaries extend up to the level of mean high water spring tides while terrestrial planning boundaries generally extend to mean low water spring tides (including estuaries), the marine plan area will physically overlap with that of some terrestrial plan. Local authorities with any tidal frontage, even if far inland and not conventionally regarded as coastal, must therefore take full account of the MMO, the MPS and marine plans under S.58 of the Marine and Coastal Access Act and the Duty to Co-operate in Section 110 of the Localism Act 2011. A full list of the local planning authorities whose areas overlap with the UK marine area appears in Appendix One.

Furthermore, the Duty to Co-Operate requires all local planning authorities, even if landlocked, to take account, where relevant, of the MMO's plans and activities when preparing their Local Plans. Finally, the NPPF requires LPAs to take the MPS into account under the tests of soundness (specifically, to test if an emerging DPD is consistent with national policy, which includes the MPS).

The Marine and Coastal Access Act 2009 (the Act) provided for the introduction of a marine planning system for England's inshore and offshore marine area, establishing the Secretary of State as the Marine Planning Authority for these areas. The Act also provided for the establishment of the Marine Management Organisation (MMO) and for the Secretary of State to delegate various planning functions. The planning functions including preparation and review were delegated to the MMO in 2010. The Act also provided for the adoption of the UK Marine Policy Statement (MPS). The MPS was adopted on 18 March 2011 and provides the policy framework for marine planning and for all decisions likely to affect the marine area.

There are eleven plan areas in English waters, for each of which a Marine Plan will be prepared by the MMO and adopted by the Secretary of State for the Environment, Food and Rural Affairs.

In practical terms, all activities undertaken in the marine area require land based infrastructure, without which our ability to benefit economically and socially from activities in the marine area would be extremely limited.

The UK Government's vision for the marine environment, as articulated in the MPS, is:

'clean, healthy, safe, productive and biologically diverse oceans and seas'.

In the absence of a marine plan prepared by the MMO and adopted by the Secretary of State the MPS is the relevant marine policy document. Where a marine plan has been adopted both the MPS and the Marine Plan are relevant marine policy documents for the marine plan area.

As articulated in the Marine and Coastal Act and the MPS, the Government aims for the MPS and marine planning systems to sit alongside and interact with existing planning regimes across the UK. Specifically, s.58 of the Marine and Coastal Access Act requires all¹ public bodies to:

- take authorisation or enforcement decisions that affect or might affect the UK marine area in accordance with the MPS and relevant Marine Plans, unless relevant considerations indicate otherwise
- state their reasons where authorisation or enforcement decisions are not taken in accordance with the MPS and relevant Marine Plans
- have regard to the MPS and relevant Marine Plans when taking decisions that affect or might affect the UK marine area which are not authorisation or enforcement decisions²

In addition, the MPS seeks integration of marine planning and the terrestrial planning system through:

- Consistency between marine and terrestrial policy documents and guidance
- Liaison between respective responsible authorities for terrestrial and marine planning, including in plan development, implementation and review stages
- Sharing the evidence base and data where relevant and appropriate so as to achieve consistency in the data used in plan making and decisions

These aims are further supported by footnote 36 in the NPPF.

¹ Like the Duty to Co-Operate, no distinction is made by the Marine and Coastal Access Act between public authorities with a tidal frontage and those without. Emphasis is placed on the likelihood of the decision being made affecting the marine area.

² For example, decisions about what representations they should make as a consultee or about what action they should carry out themselves.

Policy Expectations	Possible Evidence	Evidence Provided
Key requirements under the Duty to Co-Op	perate	
Consistency between marine and terrestrial policy documents and guidance	 Demonstration of consistency of aim between relevant local plan policies and marine policy documents (i.e. the MPS and any relevant adopted marine plans) Proof of collaborative working with the MMO and that the MPS has been taken into account. 	Places and Policies Local Plan Consultation Statement (SDC, 2018) Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft South Marine Plan for this area in November 2016. Until this work is further advanced, it is premature for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co- operate.
Liaison between respective authorities responsible for terrestrial and marine planning, including in plan development, implementation and review stages	 Early and effective policy development engagement undertaken, including discussions with the MMO Evidence of iteration of policies and plans as a result of engagement with the MMO Evidence of engagement with the MMO in relation to monitoring, implementation and throughout the policy cycle Support of integrated coastal management (ICM) in coastal areas in line with the requirements of the MPS 	Places and Policies Local Plan Consultation Statement (SDC, 2018) Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft South Marine Plan for this area in November 2016. Until this work is further advanced, it is premature for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co- operate.

Policy Expectations	Possible Evidence	Evidence Provided
Sharing the evidence base and data where relevant and appropriate so as to achieve consistency in the data used in plan making and decisions	 Evidence that the LPA has shared or provided relevant data to the MMO that can help inform Marine Plans or MPS review Demonstration that local plan policy has been underpinned by data provided by the MMO or the MPS Explicit cross-referencing in local plan to MPS, the MMO, their roles, and relevant marine plans 	Places and Policies Local Plan Consultation Statement (SDC, 2018) Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft South Marine Plan for this area in November 2016. Until this work is further advanced, it is premature for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co- operate.
Marine Policy Statement- Chapter 2: Gener Sections 2.1 -2.2: The UK vision for the marine environment		
The UK vision for the marine environment ('clean, healthy, safe, productive and biologically diverse oceans and seas') Achieving the vision through marine planning	 Reference in DPD where appropriate to UK vision for the marine environment Contribution to the vision through local plan policies and supporting text 	Shepway Places and Policies Local Plan: Submission Draft (SDC, 2018) (Chapter 14 Para 14.42 – 14.45) Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft South Marine Plan for this area in November 2016. Until this work is further advanced, it is premature

³ As the Marine Policy Statement was not targeted specifically at terrestrial planning authorities, some of its sections are, in practice, relevant to marine planning authorities only and/or there is already a comprehensive policy framework governing terrestrial development (e.g. energy infrastructure), Where this is considered to be the case, i.e. where it is considered likely that a terrestrial planning DPD would be found sound without referencing that section, the section in question has been omitted from this checklist.

Policy Expectations	Possible Evidence	Evidence Provided
		for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co- operate.
Section 2.4: Considering benefits and adverse effects in marine planning		
Consider benefits and adverse effects of plan policies	 Consideration of benefits and adverse effects of policy on the marine area as appropriate within the DPD's sustainability appraisal 	Sustainability Appraisal of Shepway District Council's Places and Policies Local Plan (LUC, 2016/2017).
Section 2.5: Economic, social and environmental considerations		
Contribute to the objectives of relevant EU Directives (Marine Strategy Framework Directive and Water Framework Directive)	 Reference to relevant EU Directives in DPD and sustainability appraisal Consideration of contribution of DPD policies to the objectives of relevant EU Directives 	Sustainability Appraisal of Shepway District Council's Places and Policies Local Plan (LUC, 2016/2017).
Marine Policy Statement- Chapter 3: Policy	Objectives for Key Activities	
3.1 Marine Protected Areas		
Incorporate identified areas and features of importance for nature conservation Activities or developments that may result in adverse impacts on	 Identification of relevant areas and features of importance for nature conservation within relevant marine plan area(s) 	Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft South Marine Plan for this area in November 2016. Until this work is further advanced, it is premature

Policy Expectations	Possible Evidence	Evidence Provided
biodiversity should be designed or located to avoid such impacts	 Consideration of impacts of policy and/or terrestrial development on those areas and features of importance Measures to mitigate, monitor and manage negative impacts on those areas and features of importance 	for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co- operate.
3.4 Ports and shipping		
Take into account and seek to minimise any negative impacts on shipping activity, freedom of navigation and navigational safety Protect the efficiency and resilience of continuing port operations	 Evidence that policy with potential impact on ports and shipping minimises negative impacts on sector Where relevant, evidence that economic, employment and transport policies are protective of ports and shipping sector 	NA
3.8 Fisheries		
Consider potential economic, social and environmental impacts of other developments on fishing activity	 Where relevant, evidence that other policies minimise negative impacts on fishing activity and/or aquaculture 	NA
3.9 Aquaculture		
Consider the benefits of encouraging the development of efficient, competitive and sustainable aquaculture industries	 Where relevant, evidence that the benefits of aquaculture industry development have been considered 	NA
3.10 Surface water management and waste water treatment and disposal		

Policy Expectations	Possible Evidence	Evidence Provided
Maximise opportunities for co- existence of waste water infrastructure with other activities in the marine environment	• Reference to and consideration of the co-existence of waste water infrastructure with other marine activities, including the potential for waste water infrastructure to mitigate marine impacts through design or location	Representations to the Shepway District Local Plan: Preferred Options and Sustainability Appraisal (2016) See correspondence with Southern Water.
3.11 Tourism and recreation		
Consider the potential for tourism and recreation in the marine environment and the benefits this will bring to the economy and local communities	 Where relevant, reference to marine tourism and recreation Evidence that the potential for marine tourism and recreation has been recognised in plan-making 	NA

Appendix One

This is an alphabetical list of all local planning authorities in England whose area overlaps with the UK marine area.

Adur Allerdale Arun Babergh Barking and Dagenham Barrow-in-Furness Basildon Bassetlaw Bexley Blackpool Boston Bournemouth Broadland **Broads Authority** Canterbury Carlisle Castle Point Chelmsford Cheshire West and Chester Chichester Chorley Christchurch Citv of London City of Brighton and Hove City of Bristol City of Kingston upon Hull

City of Peterborough City of Plymouth City of Portsmouth City of Southampton City of Westminster Colchester Copeland Cornwall County Durham Dartford Doncaster Dover East Cambridgeshire East Devon East Lindsev East Riding of Yorkshire Eastbourne Eastleigh Exeter Exmoor National Park Fareham Fenland Fvlde Gateshead Gloucester Gosport

Gravesham Great Yarmouth Greenwich Halton Hambleton Hammersmith and Fulham Hartlepool Hastings Havant Havering Horsham Hounslow Huntingdonshire Ipswich Isle of Wight Isles of Scilly Kensington and Chelsea King's Lynn and West Norfolk Lake District National Park Lambeth Lancaster Lewes Lewisham Liverpool Maidstone Maldon

Medway Middlesbrough New Forest New Forest National Park Newark and Sherwood Newcastle upon Tyne Newham North Devon North East Lincolnshire North Lincolnshire North Norfolk North Somerset North Tyneside North York Moors National Park Northumberland Norwich Poole Preston Purbeck Redcar and Cleveland **Richmond upon Thames** Rochford Rother Scarborough Sedgemoor

SelbyVShepwayVSouth CambridgeshireVSouth Downs National ParkVSouth GloucestershireVSouth HamsVSouth HollandVSouth LakelandV	Vest Dorset Vest Lancashire Vest Somerset Veymouth and Portland Vinchester Virral Vorthing Vyre 'ork
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