

Shepway District Local Plan Review: Policies Applicable 2013 Onwards

Folkestone
Hythe & Romney Marsh
Shepway District Council



Contents

Purpose of the document	Page 3
List of Shepway development plan policies 2013	Page 4
Further details on changing policies	Page 9
Local Plan (2006) policy text still applicable	Page 11
- Chapter 2- Sustainable Development	Page 11
- Chapter 3- Housing	Page 13
- Chapter 4- Employment	Page 19
- Chapter 5- Shopping	Page 21
- Chapter 6- Tourism	Page 23
- Chapter 7- Leisure and Recreation	Page 26
- Chapter 8- Built Environment	Page 30
- Chapter 9- Utilities	Page 37
- Chapter 10- Social and Community Facilities	Page 41
- Chapter 11- Transport	Page 42
- Chapter 12- Countryside	Page 45
- Chapter 13- Folkestone Town Centre	Page 52

Purpose of the document

This is a non-statutory document that accompanies the 2013 Shepway Core Strategy Local Plan. It reproduces those 'saved' Shepway District Local Plan Review (2006) policies that continue to apply after the adoption of the Core Strategy (18th September 2013). Policies from these two plans now make up the statutory Shepway development plan.

This document is intended to assist users by allowing a focus on the parts of the 2006 document that are still relevant. This may provide useful clarification as 2006 policies have been deleted both in 2013 and in 2009 (three years after their adoption, as part of a national process). Further details on the nature of the changing applicability of policies are provided within this document.

Chapter references in this document are to the chapters of the applicable plan. Each applicable policy has been detailed in full. No alteration of any kind has been made to 2006 wording (although a footnote has been added to sites HO2 D) and E), which are shown in italics, on the build out of development). For formal planning purposes, and to view the supporting text, please refer to the original 2006 document itself; web links have been provided throughout.

This document should therefore not be read alone, and should be applied in close conjunction with the Core Strategy Local Plan (2013); a link to this document has been provided on Page 4 along with a list of the Core Strategy policies.

Please note references to the 'Proposals Map' in this document should be interpreted as the Policies Map, which was amended and adopted alongside the Core Strategy in 2013.

Please contact planning.policy@folkestone-hythe.gov.uk with any queries.

List of Shepway development plan policies 2013

CORE STRATEGY LOCAL PLAN (2013):

To view the Core Strategy Policies in full please follow this link:

To view the Policies Map (formerly Proposals Map) please follow this link:

Chapter 2 – Strategic Issues

DSD - Delivering Sustainable Development

Chapter 4 – The Spatial Strategy for Shepway

SS1 - District Spatial Strategy
SS2 - Housing and the Economy Growth Strategy
SS3 - Place Shaping and Sustainable Settlements Strategy
SS4 - Priority Centres of Activity Strategy
SS5 - District Infrastructure Planning
SS6 - Spatial Strategy for Folkestone Seafront
SS7 - Spatial Strategy for Shorncliffe Garrison, Folkestone

Chapter 5 – Core Strategy Delivery

CSD1 - Balanced Neighbourhoods for Shepway
CSD2 - District Residential Needs
CSD3 - Rural and Tourism Development of Shepway
CSD4 - Green Infrastructure of Natural Networks, Open Spaces and Recreation
CSD5 - Water and Coastal Environmental Management in Shepway
CSD6 - Central Folkestone Strategy
CSD7 - Hythe Strategy
CSD8 - New Romney Strategy
CSD9 - Sellindge Strategy

DISTRICT LOCAL PLAN REVIEW (2006):

To view the Local Plan (2006) 'saved' policies in full please follow this link:
(Deprecated)

Chapter 3 – Housing

HO1	-	Housing land supply – Relates to allocated sites on the Proposals Map and a list of exceptions subject to specified criteria.
HO2	-	Land supply requirements 2001-2011.
HO6	-	Criteria for local housing needs in rural areas.
HO7	-	Loss of residential accommodation.
HO8	-	Criteria for sub-division of properties to flats/maisonettes.
HO9	-	Subdivision and parking.
HO10	-	Houses in multiple occupation.
HO13	-	Criteria for special needs annexes.
HO15	-	Criteria for development of Plain Road, Folkestone.

Chapter 4 – Employment

E1	-	Development on established employment sites.
E2	-	Supply of land for industry, warehousing and offices. Allocated sites on the Proposals Map.
E4	-	Loss of land for industrial, warehousing and office development.
E6a	-	Loss of rural employment uses.

Chapter 5 – Shopping

S3	-	Folkestone Town Centre – Primary shopping area as defined on the Proposal Map.
S4	-	Folkestone Town Centre – Secondary shopping area as defined on the Proposal Map.
S5	-	Local Shopping Area – Hythe.
S6	-	Local Shopping Area – New Romney.
S7	-	Local Shopping Area – Cheriton.
S8	-	Local centres – last remaining shop or public house.

Chapter 6 – Tourism

TM2	-	Loss of visitor accommodation.
TM4	-	Static caravans and chalet sites.
TM5	-	Criteria for provision of new or upgraded caravan and camping sites.
TM7	-	Development of the Sands Motel site.

- TM8 - Requirements for recreation/community facilities at Princes Parade.
- TM9 - Battle of Britain Museum, Hawkinge

Chapter 7 – Leisure and Recreation

- LR1 - Loss of indoor recreational facilities.
- LR3 - Formal sport and recreational facilities in the countryside.
- LR4 - Recreational facilities – Cheriton Road Sports Ground/Folkestone Sports Centre.
- LR5 - Recreational facilities – Folkestone Racecourse.
- LR7 - Improved sea access at Range Road and other suitable coastal locations.
- LR8 - Provision of new and protection of existing rights of way.
- LR9 - Open space protection and provision.
- LR10 - Provision of childrens' play space in developments.
- LR11 - Protection of allotments and criteria for allowing their redevelopment.
- LR12 - Protection of school playing fields and criteria for allowing their redevelopment.

Chapter 8 – Built Environment

- BE1 - Standards expected for new development in terms of layout, design, materials etc.
- BE2 - Provision of new public art.
- BE3 - Criteria for considering new conservation areas or reviewing existing conservation areas.
- BE4 - Criteria for considering development within conservation areas.
- BE5 - Control of works to listed buildings.
- BE6 - Safeguarding character of groups of historic buildings.
- BE8 - Criteria for alterations and extensions to existing buildings.
- BE9 - Design considerations for shopfront alterations.
- BE12 - Areas of Special Character.
- BE13 - Protection of urban open space and criteria for allowing redevelopment.
- BE14 - Protection of communal gardens as defined on the Proposals Map.
- BE16 - Requirement for comprehensive landscaping schemes.
- BE17 - Tree Preservation Orders and criteria for allowing protected trees to be removed.
- BE18 - Protection of historic parks and gardens as defined on the Proposals Map.
- BE19 - Land instability as defined on the Proposals Map.

Chapter 9 – Utilities

- U1 - Criteria to be considered for development proposals relating to sewage and wastewater disposal for four dwellings or less, or equivalent.
- U2 - Five dwellings or more or equivalent to be connected to mains drainage.
- U3 - Criteria for use of septic or settlement tanks.
- U4 - Protection of ground and surface water resources.
- U10 - Waste recycling and storage within development.
- U10a - Requirements for development on contaminated land.
- U11 - Criteria for the assessment of satellite dishes and other domestic telecommunications development.
- U13 - Criteria for the assessment of overhead power lines or cables.
- U14 - Criteria for assessment of developments which encourage use of renewable sources of energy.
- U15 - Criteria to control outdoor light pollution.

Chapter 10 – Social and Community Facilities

- SC4 - Safeguarding land at Hawkinge, as identified on the Proposal Map, for a secondary school.
- SC7 - Criteria for development of Seapoint Centre relating to a community facility.

Chapter 11 – Transport

- TR2 - Provision for buses in major developments.
- TR3 - Protection of Lydd Station.
- TR4 - Safeguarding of land at Folkestone West Station and East Station Goods Yard in connection with high speed rail services.
- TR5 - Provision of facilities for cycling in new developments and contributions towards cycle routes.
- TR6 - Provision for pedestrians in new developments.
- TR8 - Provision of environmental improvements along the A259.
- TR9 - Criteria for the provision of roadside service facilities.
- TR10 - Restriction on further motorway service areas adjacent to the M20.
- TR11 - Accesses onto highway network.
- TR12 - Vehicle parking standards.
- TR13 - Travel plans.
- TR14 - Folkestone Town Centre Parking Strategy.
- TR15 - Criteria for expansion of Lydd Airport.

Chapter 12 – Countryside

- CO1 - Countryside to be protected for its own sake.
- CO4 - Special Landscape Areas and their protection.
- CO5 - Protection of Local Landscape Areas.
- CO6 - Protection of the Heritage Coast and the undeveloped coastline.
- CO11 - Protection of protected species and their habitat.
- CO13 - Protection of the freshwater environment.
- CO14 - Long term protection of physiography, flora and fauna of Dungeness.
- CO16 - Criteria for farm diversification.
- CO18 - Criteria for new agricultural buildings.
- CO19 - Criteria for the re-use and adaptation of rural buildings.
- CO20 - Criteria for replacement dwellings in the countryside.
- CO21 - Criteria for extensions and alterations to dwellings in the countryside.
- CO22 - Criteria for horse related activities.
- CO23 - Criteria for farm shops.
- CO24 - Strategic landscaping around key development sites.
- CO25 - Protection of village greens and common lands.

Chapter 13 - Folkestone Town Centre

- FTC3 - Criteria for the development of the Ingles Manor/Jointon Road site, as shown on the Proposals Map.
- FTC9 - Criteria for the development of land adjoining Hotel Burstin as shown on the Proposals Map.
- FTC11 - Criteria for the redevelopment of the Stade (East) site, as shown on the Proposals Map.

Further details on changing policies

The District Local Plan Review (2006) policies in the following table (in bold) are no longer applicable from adoption of the Core Strategy Local Plan by Shepway District Council (18th September 2013) onwards.

The following table explains the two stages that have occurred in reducing the number of 2006 policies in force; it may also offer assistance in identifying some of the associated Core Strategy policies that may be of interest.

The right-hand column lists the relevant Core Strategy policy under which saved 2006 policy was deleted (in italics, see Core Strategy Appendix 5 for a full list of all remaining District Local Plan Review policies still applicable). The table does not list all the Core Strategy policies in terms of the identified topics (former policies are only specified as deleted against one new policy, but the nature of change may be less simple).

Topic	Policies not saved by direction of the Secretary of State in 2009-	'Replacing' policies on adoption of the Shepway Core Strategy Local Plan 2013-	
Shepway District Local Plan Review (2006) Chapter:	NOT SAVED Shepway District Local Plan Review (2006) policies:	DELETED Shepway District Local Plan Review (2006) saved policies:	Deleted under these Core Strategy policies now APPLICABLE (2013):
Housing	HO5, HO12	HO3, HO4, HO11, HO14	<i>SS7, CSD1, CSD2¹</i>
Employment	E3, E5, E6, E7	E8	<i>SS4</i>
Shopping	S1	S2	<i>SS4</i>
Tourism	TM6	TM1, TM3	<i>CSD3</i>
Leisure & Recreation	LR13	LR2, LR6, LR14, LR15	<i>CSD4, CSD6</i>
Built Environment	BE7, BE10, BE15	BE11	<i>SS3</i>
Utilities	U5, U7, U8, U12, U16	U1a, U6, U9,	<i>SS3, SS5, CSD5</i>
Social & Community Facilities	SC6	SC1, SC2, SC3, SC5	<i>SS3, SS5</i>
Transport	TR1, TR7	N.A.	<i>N.A.²</i>
Countryside	CO3, CO15, CO17	CO2, CO7, CO8, CO9, CO10,	<i>SS3, CSD4³</i>

¹ Also see SS1-SS3 as appropriate.

² Also see SS5 as appropriate.

³ Also see SS1, CSD3&CSD5 as appropriate.

		CO12	
Folkestone Town Centre	FTC1	FTC2, FTC4, FTC5, FTC6, FTC7, FTC8, FTC10	<i>SS6, CSD6⁴</i>

N.B. It must be noted that the Core Strategy policies highlighted may not be the only ones relevant.

In terms of the nature of Core Strategy policies, they can be characterised as specific to a locale, or more generic -as follows:

- Specific to a locale: SS6, SS7, CSD6-9 (Folkestone Seafront, Shorncliffe, Central Folkestone, Hythe, New Romney, Sellindge). These will apply for development management/planning applications in these locations.
- More generic policies are commonly used in development management/planning applications, and are found throughout the three 'groups' of Core Strategy policies:
 - Policy DSD reflects national policy.
 - Policies SS1-SS5 in the spatial strategy are cross-cutting, covering where, how much, and what kind of, key development is expected to be delivered.
 - Policies CSD1-5 are Core Strategy Delivery policies focused on topics that are a strategic priority.

To avoid any doubt, the authoritative deletion of former policy is found at the end of each relevant Core Strategy policy.

⁴ Also see SS4 as appropriate.

Local Plan (2006) 'saved' policies in full

Chapter 2- Sustainable Development

To view this chapter in full please follow this link: (Deprecated)

POLICY SD 1 All development proposals should take account of the broad aim of **sustainable development** - ensuring that development contributes towards ensuring a better quality of life for everyone, now and for generations to come. This involves meeting economic and social objectives and helping people meet their personal aspirations through accommodating the district's need for commercial and industrial development, new homes and other land uses and improving quality of life for all members of society whilst respecting the following environmental criteria:

- a) Shape new development patterns in a way which reduces the need to travel, especially by car, and increases the attractiveness of walking, cycling and public transport;
- b) Preserve and enhance built and cultural heritage including Listed Buildings and their settings, conservation areas, sites and settings of nationally and locally important ancient monuments and archaeological sites, historic parks and gardens and, historic landscapes;
- c) Protect and enhance areas of countryside that are of special quality, particularly the Kent Downs Area of Outstanding Natural Beauty, Special Landscape Areas, Local Landscape Areas, Heritage Coast and undeveloped coast, ancient woodlands and, the best and most versatile agricultural land. Sustain the character and diversity of the wider countryside in general;
- d) Protect and enhance designated or proposed sites of international, national, countywide and local wildlife importance and plant or animal life protected by law. Maintain the District's overall stock of nature conservation resources;
- e) Locate new development within or around existing built-up areas, especially on previously developed land, in preference to 'greenfield' sites;
- f) Maintain and improve the character and vitality of the built environment, promote a high quality of design and ensure that development density is appropriate to its location;
- g) Encourage energy efficiency and conservation, re-use and recycling of materials and, the sensitive development of renewable energy resources;
- h) Maintain and enhance water, soil and air quality;
- i) Maintain and enhance the provision of recreational open space, amenity land and tree and hedgerow cover;
- j) Prevent negative impacts on coastal protection, flood defence, land drainage and groundwater resources.
- k) Safeguard and enhance the amenity of residents

Development proposals that would significantly conflict with one or more of environmental criteria a)- k) above will only be permitted where it can be shown that:

- i. there is an overriding economic or social need;
 - ii. negative impacts are minimised as far as possible and:
 - iii. measures will be taken to compensate for the adverse environmental effect.
- Compensatory measures should, as a minimum, ensure that no net environmental loss occurs.

Chapter 3- Housing

To view the chapter in full please follow this link: (Deprecated)

POLICY HO1

Residential development will be permitted on sites which form part of the land supply (detailed at Appendix 2) [(Deprecated)] or allocated new sites, both are shown on the Proposals Map. The following may be permitted, subject to environmental and highway safety considerations:-

- a) Redevelopment of previously developed sites or infill within existing urban areas.
- b) Conversion of existing buildings particularly where this would result in the preservation of a building of architectural or historic interest. The conversion should be compatible with surrounding development and safeguard residents' amenity.
- c) Development or redevelopment in villages and rural areas in accordance with Policy CO2 [Policy deleted].
- d) Development for social or local needs housing in accordance with Policy HO8.

Development on all residential sites will need to consider the requirements in Policies HO6, HO7, LR9, LR10 and SC1. Proposals for the development of residential sites in phases will need to contribute a pro-rata share of these requirements where necessary.

POLICY HO2 ⁵

Residential development will be permitted on the following sites, which are shown on the Proposal Map subject to the requirements set out below.

2001-2006

A) Folkestone Seafront - 250 dwellings

Size: 36ha (89 acres)

The size of this site presents an opportunity to make a large contribution to the housing land requirement, although it is anticipated that only half of the site capacity will come forward in the plan period. Development must be in accordance with Policies FTC6, 7 & 8 [Policies deleted] and also flooding policies in the Plan's Utilities chapter.

B) Old gas works site, Ship Street, Folkestone – 30 dwellings

Size: Main site 1.4ha (3.5 acres) Small site 0.4ha (1 acre)

Investigation into possible contamination is required and necessary treatment carried out.

C) Ingles Manor, Jointon Road, Folkestone – 25 dwellings

Size: 1.6ha (4 acres)

⁵ 2013 NOTE: Sites HO2D) and E) shown in italics are understood to have been built out.

Development must be in accordance with Policy FTC3 of the Local Plan.

D) Remainder of land at Aerodrome, Hawkinge – 345 dwellings

Size: 13ha (32 acres)

Residential development will only be permitted on this site if development will guarantee the construction of the remainder of the Hawkinge relief road from the roundabout on the former aerodrome to the junction with Canterbury Road north of Hawkinge. A Section 106 Agreement will be sought to tie the construction of the road to the development of these two sites.

E) Land at Barnhurst Lane, Hawkinge – 70 dwellings

Total Size: 5ha (12.4 acres)

Residential development will only be permitted on this site if development will guarantee the construction of the remainder of the Hawkinge relief road from the roundabout on the former aerodrome to the junction with Canterbury Road north of Hawkinge. A Section 106 Agreement will be sought to tie the construction of the road to the development of these two sites.

2006-2011

A) Folkestone Seafront – 250 dwellings

Total Size: 36ha (89 acres)

The size of this site presents an opportunity to make a large contribution to the housing land requirement, although it is anticipated that only half of the site capacity will come forward in the plan period. Development must be in accordance with Policies FTC6, 7 & 8 [Policies deleted] and also flooding policies in the Plan's Utilities chapter.

B) Old gas works site, Ship Street, Folkestone – 40 dwellings

Total Size: Main site 1.4ha (3.5 acres) Small site 0.4ha (1acre)

Investigation into possible contamination is required and necessary treatment carried out.

C) Ingles Manor, Jointon Road, Folkestone – 75 dwellings

Total Size: 1.6ha (4 acres)

Development must be in accordance with Policy FTC3 of the Local Plan.

E) Land at Barnhurst Lane, Hawkinge – 130 dwellings

Total Size: 5ha (12.4 acres)

F) Nickolls Quarry, Hythe – 500 dwellings

Size: 66ha (148 acres)

Planning permission for residential development will be granted on the area shown on the Proposals Map (minimum 24 ha), subject to:-

- i) an appropriate scheme for site preparation which includes phasing of development and works to raise site levels (to reduce the risk of tidal flooding). Development should also be in accordance with flooding policies in the Utilities chapter,
- ii) a minimum density of 30 dwellings per hectare across the whole site area identified for residential development and a minimum of 50 dwellings per hectare around the local centre,
- iii) a high quality design incorporating different dwelling types and integrated safe and secure residential car parking. A variety of parking solutions will be appropriate although within the high density area in particular, this should be provided mainly in communal courts or squares to the rear of dwellings,
- iv) the integration of the affordable housing provision across the site
- v) the provision of a local centre incorporating an area of public open space, including a

primary school site and other community facilities such as a retail shop, post office and community hall,

vi) the provision of 6ha of land in the north west corner of the site, shown on the Proposal Map, for new industrial development (Use Class B1) and in accordance with Policy E5 [Policy deleted],

vii) an area of 3.6ha of public open space on the eastern part of the site, as shown on the Proposal Map, or such greater area as may be required by Policy LR9,

viii) provision of footways and cycleways through the site and retention of the existing right of way,

ix) the retention, and enhancement and future management of an open water area which is at least 15.5ha in surface lake area in the interests of local amenity , water based recreation and wildlife,

x) the provision of a structural landscape buffer as shown on the Proposal Map,

xi) the retention and enhancement of the water based recreation facilities and the separate access from the A259,

xii) the provision of a railway halt in a suitable location within the site, on land adjacent to the Romney, Hythe and Dymchurch railway line.

A development brief will be prepared which will guide development.

G) Land off Romney Avenue, Folkestone – 20 dwellings

Size: 0.5ha (1.2acres)

Development should incorporate provision of a footpath link from Southernwood Rise to Romney Avenue and improvements to the public open space to the south (to the rear of properties in Darnley Close).

H) Land off Paraker Way, Seabrook, Hythe – 10 dwellings

Size: 0.4ha (1 acre)

Residential development will only be permitted on this site if development will guarantee the construction of the remainder of the Hawkinge relief road from the roundabout on the former aerodrome to the junction with Canterbury Road north of Hawkinge. A Section 106 Agreement will be sought to tie the construction of the road to the development of these two sites.

POLICY HO6

Planning permission will be granted for proposals **for local needs housing development** within or adjoining villages of a suitable scale and type to meet identified needs provided that:-

(a) The need cannot satisfactorily be met on sites with planning consent for housing or through an allocated site in this Local Plan or from redevelopment, infill or conversion in line with other policies in the Plan.

(b) The local need has been clearly identified by a detailed parish survey. It may be necessary to take into account the needs in adjacent parishes so as to relate catchment areas to settlements.

(c) There is no satisfactory alternative means of meeting the identified needs.

(d) The development has been designed and will be available at a cost capable of meeting the identified local need.

(e) The site is well related in scale and sitting, to the village and its services and is capable of development without significant adverse countryside, conservation, environmental or highway safety impact.

(f) The proposal does not involve cross subsidy. In allowing local needs housing it will be necessary to ensure that the subsequent occupancy of the housing is controlled, by condition or agreement, so that the accommodation remains available to meet local needs.

Note: In assessing local needs, the requirements of the following groups of people resident in the parish of the proposed development, or adjoining parishes, will be considered. The requirement for local needs housing will be demonstrated by the inability of households to gain access to accommodation, suited to their needs at an affordable cost, and within the limits of their disposable income. A parish survey will need to show that a significant number of households are in this position.

(a) Households currently resident in accommodation unsuited to their circumstances for physical, medical or social reasons, and which is incapable of being improved.

(b) Persons who are dependants of households resident in the parish.

(c) Households including persons employed full-time in the parish on other than a short term basis or who will be taking up such employment, or who provide an important service requiring them to live locally.

(d) Persons who are not currently resident but have retained long standing links with the local community or who have moved away due to lack of affordable housing.

(e) Other cases of local need if considered justified by the District Planning Authority.

For the purposes of this Policy "resident" is interpreted as three years continuous residence in the parish or alternatively, any five out of the last ten years.

POLICY HO7

The District Planning Authority will refuse applications which would result in **the loss of residential accommodation** except where:-

(a) There is an overriding need for the development proposed which cannot be met elsewhere, or,

(b) the accommodation is no longer suitable for residential occupation

POLICY HO8

The District Planning Authority will grant planning permission for the **conversion** of larger houses into flats, or maisonettes where it can be satisfied that:-

(a) The property is no longer suitable for single family type occupation by reason of size, amenities or location.

(b) The property has five or more bedrooms or exceptionally, less than five, but very large rooms.

(c) The conversion will not lead to intensification in the number of households giving rise to

an unacceptable change in the character or appearance of the neighbourhood.

(d) Car parking can be provided in accordance with the Kent County Council vehicle parking standards without causing unacceptable detriment to the surroundings through the loss of trees or gardens, or that sufficient on-street parking is available. Site specific factors will be considered when assessing the adequacy of parking provision including the accessibility to local services and public transport routes.

(e) The proposal would not lead to the detriment of the amenity of neighbouring occupiers, or the character of the building.

(f) A standard and arrangement of accommodation can be provided which will result in acceptable levels of amenity, including noise, for all occupiers and neighbours affected by the scheme.

(g) In areas at risk from tidal flooding the conversion will not result in basement or ground floor sleeping accommodation.

The District Council has adopted minimum standards for flat conversions which will be used as guidelines in assessing whether schemes meet the criteria.

POLICY HO9

Planning permission for **sub-division of properties** in the following streets in Folkestone will only be granted where off-street parking can be provided to the adopted standards.

Albion Road	Ernwell Road
Bayle Parade	Invicta Road
Bradstone Road	Harbour Way
Broadmead Road	Harvey Street
Cambridge Gardens	London Street
Cheriton Road	Millfield
(from Clarkes Corner to Middleburg Square)	Pavilion Road
Middleburg Square	Radnore Park Crescent
Connaught Road	Victoria Grove
The Crescent, Sandgate	Wilberforce Road, Sandgate
East Cliff	

In other areas where there are identified on-street parking problems, the District Planning Authority will normally only permit proposals for the sub-division of larger residential properties where the proposed sub-division would not have a detrimental impact on the availability of on-street parking by creating an additional demand over that required by the existing property.

POLICY HO10

Planning permission will not be granted for Houses in Multiple Occupation, defined as more than one household occupying a single dwelling where all facilities are not self-contained unless the applicant demonstrates firm and substantial evidence of local need for that form of accommodation. Applications for development described as residential hotels will be treated as for houses in multiple occupation even though services may be provided.

POLICY HO13

The District Planning Authority will permit proposals for **extensions to existing dwellings to accommodate those people with special housing requirements** due to a need for supervision and care including elderly relatives or disabled persons where the following criteria are met.

- (a) The extension should normally be attached to the existing dwelling and have access from within the existing dwelling.
- (b) It would be capable of reverting to part of the main dwelling when the need for the annex has ceased.
- (c) It would be used only for purposes ancillary to the occupation of the existing dwelling and not as a separate dwelling.
- (d) The proposal is not detrimental to the amenities of adjoining properties or locality. Temporary accommodation units within residential curtilages may be acceptable provided that the unit is removed when the need has ceased. A temporary permission will be granted to control this.
- (e) In areas at risk of flooding that are not protected to an adequate standard, proposals would not include sleeping accommodation at ground floor level.

POLICY HO15

Applications for the change of use or redevelopment of premises within that part of **Plain Road** identified on the Proposals Map will be permitted where the following criteria are met:-

- i) The proposal is for conversion or redevelopment into residential use.
- ii) The proposal would not result in a more intensive use of the premises detrimental to the amenities of neighbouring residents.
- iii) The proposal would not result in additional traffic generation or on-street parking, which would harm the amenities of the area or impede the free and safe flow of traffic.

Chapter 4- Employment

To view this chapter in full please follow this link: (Deprecated)

POLICY E1

Planning permission for industrial and commercial development or redevelopment will be granted within the **established employment sites** shown on the Proposals Map for that purpose. The use classes indicated in the above table will be permitted at the sites listed, subject to Policy E5 [Policy deleted].

POLICY E2

Planning permission for business and commercial development or redevelopment will be granted on the **new employment opportunity sites** listed below and shown on the Proposals Map. Development will be in accordance with adopted Development Briefs where appropriate, be subject to Policy E5 [Policy deleted] and also the following key requirements:

A. Shearway Business Park, Folkestone

- (i) Permissible uses restricted to Use Classes B1/B2/B8;
- (ii) Development of land accessed via Caesars Way will be acceptable prior to provision of the remainder of the internal site road where it:
 - can be demonstrated that it will not increase the risk of road accidents or delays;
 - does not prejudice the completion of the new site road or prevent any future closure of the Caesars Way / Tile Kiln Lane junction;
- (iii) Provision of structural landscape areas, as shown on the Proposals Map, and enhancement of the Pent stream and its environs through the site.

B. Cheriton Parc, Folkestone

- (i) Permissible uses restricted to Use Class B1(a & b);
- (ii) Provision of necessary junction improvements.

C. Link Park, Lympe

- (i) Permissible uses restricted to Use Classes B1/B2/B8;
- (ii) Provision of necessary site access and off-site highway improvements;
- (iii) Provision of structural landscape areas, as shown on the Proposals Map;
- (iv) Acceptability in terms of noise impacts on surrounding residents.

D. Phase III and Phase IV Land, Mountfield Road, New Romney

- (i) Permissible uses restricted to Use Classes B1/B2/B8;
- (ii) Development of the Phase IV land will be subject to provision of necessary improvements to the junction of Mountfield Road and Station Road.

E. Hawkinge West

- (i) Permissible uses restricted to Use Classes B1 and B8;

F. Nickolls Quarry, Hythe

(i) See Policy HO2 in Chapter 3 on Housing.

POLICY E4

Planning permission will be refused for the development of land or existing employment uses identified in Policies **E1 and E2**, and shown on the Proposals Map, other than for the use classes indicated.

Within Folkestone town centre, development resulting in the loss of office space will not be permitted unless:

- i) It does not significantly impact on the quality or quantity of office accommodation in the area or;
- ii) The proposed alternative would be of greater benefit to the town centre in terms of enhancing the character and vitality of the area.

POLICY E6a

The District Planning Authority will not permit proposals that would result in the **loss of employment uses within or adjoining rural villages** unless the site or premises:

- i) Is not suitable or needed for a business use related to local employment needs, justified through a statement detailing the efforts made to secure a business re-use in the first instance, or;
- ii) Cannot be satisfactorily converted or redeveloped for an alternative employment use by virtue of impacts on the highway, infrastructure, local amenity and the environment.

Chapter 5- Shopping

To view this chapter in full please follow this link: (Deprecated)

POLICY S3

Proposals for development, redevelopment or change of use for Class A1 or A3 uses on ground floors in the **Primary Shopping Area of Folkestone** Town Centre, as defined on the Proposal Map, will be permitted unless they would either:

Proposals for development, redevelopment or change of use for Class A1 or A3 uses on ground floors in the Primary Shopping Area of Folkestone Town Centre, as defined on the Proposal Map, will be permitted unless they would either:

- a) create a continuous frontage of two or more non-A1 units; or
- b) result in less than 80% of the total length of street frontage in the Primary Shopping Area being in A1 use.

Proposals for development, redevelopment or change of use of ground floor units in the Primary Shopping Area to any other use class will be refused.

POLICY S4

Within the **Secondary Shopping Area of Folkestone** as defined on the Proposal Map, proposals for development, redevelopment or change of use for Class A1, A2 and A3 (A4, A5) uses will be permitted unless they would create a continuous frontage of three or more non-A1 units.

Proposals for development, redevelopment or change of use of ground floor units in the Secondary Shopping Area to any other use class will only be allowed where it is demonstrated that they are appropriate to the character of the shopping area.

POLICY S5

Proposals for development, redevelopment or change of use for Class A1, A2 or A3(A4, A5) uses on ground floors in the defined Shopping Area of **Hythe** town centre, will be permitted unless they would either:

- a) create a continuous frontage of three or more non-A1 units; or
- b) result in more than 42% of the total length of street frontage in the Shopping Area being in non-A1 use.

Proposals for development, redevelopment or change of use of ground floor units in Hythe Shopping Area to any other use class will only be allowed where it is demonstrated that they are appropriate to the character of the shopping area.

POLICY S6

Proposals for development, redevelopment or change of use for Class A1, A2 or A3 (A4,A5) uses on ground floors in the Shopping Area of **New Romney**, as defined on the Proposal Map, will be permitted unless they would either:

- a) create a continuous frontage of three or more non-A1 units; or
- b) result in more than 45% of the total length of street frontage in the Shopping Area being in non-A1 use.

Proposals for development, redevelopment or change of use of ground floor units in New Romney Shopping Area to any other use class will only be allowed where it is demonstrated that they are appropriate to the character of the shopping area.

POLICY S7

Within the Local Shopping Area of **Cheriton**, as defined on the Proposal Map, proposals for development, redevelopment or change of use for Class A1, A2 or A3 (A4,A5) uses will be permitted unless they would either:

- a) create a continuous frontage of three or more A3 units; or
- b) result in more than 13% of the total length of street frontage in the Shopping Area being in A3 use.

Proposals for development, redevelopment or change of use of ground floor units in Cheriton Shopping Area to any other use class will only be allowed where it is demonstrated that they are appropriate to the character of the shopping area.

POLICY S8

Where a shop or public house is the last such remaining facility within a **local centre, village or rural area**, the change of use to any other use class will not be permitted unless suitable justification based on trade potential and continued viability is given. The District Planning Authority will grant planning permission for proposals for new local shopping facilities related to local shopping requirements. Any facility should be appropriate in scale, and design to its location.

Chapter 6- Tourism

To view the chapter in full please follow this link: (Deprecated)

POLICY TM2

Applications for the **change of use or redevelopment of hotels/guest houses, self-catering units or caravan and camp sites**, which would result in a loss of visitor accommodation will only be permitted where it can be shown that it is no longer practicable to use the premises as holiday accommodation by reason of one of the following criteria:-

1. The standard and type of accommodation that is, or could be provided at reasonable cost, is unsuited to meet visitor demands.
2. In the case of hotels and guest houses, the premises or site are poorly located in relation to the areas of main tourist activity or tourist routes, and uses in the immediate vicinity are predominantly unrelated to tourism or incompatible with continued tourist use of the premises.

In the case of caravan and camp sites, applications for change of use to residential use will only be permitted where:

1. the site is within an existing settlement boundary and is well related to the built up area
2. The site is acceptable in terms of highway access and
3. The site does not have a significant impact on the surrounding countryside, particularly in areas of landscape importance.
4. The standard and type of accommodation that is or could be provided at reasonable cost is unsuited to meet visitor demands

POLICY TM4

The District Planning Authority will not permit the establishment of **new static caravans or chalet sites**. Proposals for the upgrading of existing holiday accommodation at static caravan and chalet sites will only be acceptable subject to the criteria a-e in Policy TM5, would not be at an unacceptable risk from flooding and would lead to an improvement in the range and quality of tourist accommodation in the area.

POLICY TM5

Proposals for **new or upgraded touring caravan and camping sites** will be permitted where they can meet the following criteria:-

- a. The proposal would not harm the character or appearance of the countryside or coastline or conflict with other countryside and environmental protection policies.
- b. Sites should have good access via a local distributor road to the primary road network, and any local roads involved in gaining access to the site should be capable of accommodating the extra traffic generated without undue hazard or inconvenience to local residents or other road users.
- c. Sites should be situated so as to minimise their effect upon local amenity, and should as far as possible, be screened from public roads, open spaces or footpaths and where necessary a scheme of landscaping should be submitted with the proposal to achieve this.
- d. The proposal should not significantly affect the best and most versatile agricultural land.
- e. The proposal should not substantially interfere with the amenities of residents in nearby dwellings.
- f. The applicant should be prepared to enter into an agreement to secure good regular on-site resident management throughout the holiday season, and where there is no suitable dwelling on or adjoining the site in the control of the applicant, the Council may be prepared to permit the stationing of a single residential caravan on the site for the temporary use of the on-site manager, with appropriate safeguards and conditions.
- g. The site shall be used only from 1 March to 31 January in each year and shall be completely cleared of all caravans and tents by 1 February in each year, together with all temporary structures. No individual touring caravan or tent shall remain on the site for more than 28 consecutive nights and site operators will be asked to adopt a system of registration to facilitate the enforcement of this condition.
- h. The site must be capable of meeting the requirements of the Council's adopted standards for touring caravans and tented sites and essential services should be readily available and of sufficient capacity, ie. water, power, sewage disposal and refuse disposal.
- i. Within the defined areas at risk from flooding as referred to in Policies U5 and U6 of the Plan, sites will be restricted in their occupation to the months of May - August, inclusive.

POLICY TM7

Proposals for residential development of land at the former **Sands Motel, St Mary's Bay** will be permitted subject to the inclusion in any proposal for a replacement tourism element in recognition of the former use of the site for holiday accommodation, or another comparable community facility.

POLICY TM8

Planning permission will be granted for recreational/community facilities on land at **Princes Parade, Hythe** as shown on the Proposals Map subject to the following criteria:-

- a) The use should take advantage of, and enhance the appearance of, the Canal and the coastline
- b) The majority of the site should remain open
- c) Proposals should not adversely affect the character and setting of the Scheduled Ancient Monument
- d) Built development will only be permitted if justified as essential to the use, and should be small scale, low rise and of a high quality design.

POLICY TM9

Planning permission will be granted on land at Aerodrome Road, as shown on the Proposal Map, for tourism use in connection with the **Battle of Britain Museum**, subject to the following criteria:

- a) Any built development should be on a scale consistent with other buildings on the site.
- b) Adequate car parking should be provided within the site.
- c) Any use must seek to protect the amenity of the adjacent residential areas.

Chapter 7- Leisure and Recreation

To view this chapter in full please follow this link: (Deprecated)

POLICY LR1

The District Planning Authority will not grant planning permission for development proposals which would result in a loss of **indoor recreational facilities** unless it can be shown that:-

- a) a replacement of equal or better community benefit would be made in the locality or;
- b) there is no longer a need for the facility and it is unsuitable for conversion to an alternative recreational use.

In deciding whether a replacement should be made, the economic viability of existing or proposed facilities will be taken into account.

POLICY LR3

Applications for the development of **formal sport and recreational facilities in the countryside** will be granted where the development meets the following criteria:-

- a) It is compatible with the character of the local landscape, the Area of Outstanding Natural Beauty, sites of historic or archaeological importance, and maintains areas and features of nature conservation significance and provides new opportunities for wildlife where possible;
- b) It does not result in the irreversible loss of the best and most versatile agricultural land;
- c) It is well located in relation to existing settlements and the highway network and can achieve an appropriate standard of access;
- d) accessibility by transport alternatives to the car, particularly for proposals likely to attract a large number of users;
- e) Does not unacceptably impact the amenity of local residents and other users of the countryside and protects or provides satisfactorily for existing public rights of way;
- f) Built development is appropriate in scale and appearance to its surroundings;
- g) Does not include as part of the proposals functionally unrelated ancillary development.

Note: In assessing amenity impacts, particular regard will be had to noise nuisance. This includes noise levels and frequency of emissions, and their impacts on local residents and important wildlife species, and effect on the quiet enjoyment of areas of nature conservation, historic and landscape value. In applying this policy, the 'countryside' is defined as the area outside of the settlement boundaries shown on the proposals map.

POLICY LR4

Planning permission will be granted for proposals which improve the leisure and recreational facilities provided by the Cheriton **Road Sports Ground and Folkestone Sports Centre** in partnership with the District Council. Such improvements should not harm amenity, environmental and highway interests and will need to be accompanied by a flood risk assessment.

POLICY LR5

The District Planning Authority will permit proposals for the intensification of uses at **Folkestone Racecourse** involving the development of additional leisure, recreational, tourism and exhibition facilities subject to proposals meeting all of the following criteria :-

- i. amenity, environmental and highway considerations and compliance with countryside conservation policy
- ii. provision of a flood risk assessment
- iii. Proposals protect the nationally important historic buildings, archaeological remains and setting of the Westenhanger castle complex.

POLICY LR7

The District Planning Authority will permit proposals which provide opportunities for improved sea access for boats and related facilities at **Range Road, Hythe**, and at other suitable coastal locations, subject to amenity, environmental and highway considerations.

POLICY LR8

Rights of way will require to be properly integrated into the design and layout of development sites. The District Planning Authority will not permit development which would interrupt existing rights of way unless alternative provision can be made which will provide a facility of equal or greater benefit. Regard will be had to a route's attractiveness, safety and convenience for public use.

POLICY LR9

The District Planning Authority will provide an adequate level of public open space for leisure, recreational and amenity purposes, by protecting existing and potential areas of open space and by facilitating new provision by means of negotiation and agreement.

Loss of open space

Areas of open space of recreation, leisure or amenity value or potential as identified on the

Proposals Map will be safeguarded. Development proposals which would result in a net loss of such space will only be permitted if:-

- a) sufficient alternative open space exists;
- b) development does not result in an unacceptable loss in local environmental quality;
- c) it is the best means of securing an improved or alternative recreational facility of at least equivalent community benefit having regard to any deficiencies in the locality.

Provision of new open space

In deciding planning applications for residential development within areas where an open space deficiency exists or will be created, the District Planning Authority will be guided by the following criteria:-

- i) Sites of 25 or more dwellings should provide open space to the standard of 2.43 hectares (6 acres) per 1,000 population. Where full provision on site would not be appropriate or desirable the space needed may be met by commuted sum payment towards the provision or improvement of open space nearby on a scale related to the size and scale of the development;
- ii) Sites for less than 25 dwellings should contribute towards the provision and improvement of open space on a scale related to the size and nature of the development.

POLICY LR10

All residential development in which children are expected to live should ensure adequate provision of **children's play space**. Such provision can be made in a number of ways. The District Planning Authority will seek by negotiation and agreement to achieve a level of provision which meets, or is equivalent to, the guidance set out below.

Criteria for the provision of children's play space in developments containing 20 or more child bed spaces:-

- a) Where a deficiency in the provision of children's play space would exist, a minimum of 5sq.m. of space per child bed space should be provided;
- b) Areas should be set out and located so as to minimise annoyance to nearby occupiers, maximise children's safety and be visible from neighbouring properties. Play areas should be within walking distance of all dwellings containing child bed spaces.

Within the above criteria, the following types of area may be provided, depending on the size and nature of the development.

i) Local Area for Play

Small areas with an activity zone of at least 100sq.m. and 5m away from the curtilage of the nearest house to cater mainly for 4-6 year olds within one minute walking time of home (approximately 100 metres).

ii) Local Equipped Area for Play

Equipped areas with an activity zone of at least 400sq.m. and 20m away from the curtilage of the nearest house to cater mainly for accompanied 4-8 year olds, and slightly older unaccompanied children, within five minutes walking time of home (approximately 400 metres).

iii) Neighbourhood Equipped Area for Play

Equipped areas with an activity zone of at least 1,000sq.m. and 30m away from the curtilage of the nearest house to cater mainly for unaccompanied 8-14 year olds with consideration for older children and young people, and for slightly younger supervised or accompanied children, within 15 minutes walking time of home (approximately 1,000 metres).

Note: Child bed spaces are calculated by subtracting all bed spaces in old people's dwellings, all bed spaces in one or two person dwellings and two bed spaces in family dwellings, from the total number of bed spaces in the scheme.

POLICY LR11

The District Planning Authority will refuse planning permission for the development which results in the loss of **allotment land** unless it can be shown that:-

- a) sufficient alternative provision exists including the ability of displaced allotment holders to be satisfactorily relocated in the locality;
- b) development does not result in an unacceptable loss of environmental quality;
- c) it is the best means of securing an improved or alternative recreational facility of at least equivalent community benefit having regard to any deficiencies in the locality.

POLICY LR12

Proposals resulting in the loss of **school playing fields** or grass play and amenity areas at school sites, as shown on the Proposals Map, will only be permitted where development would not cause an unacceptable loss in local environmental quality and where it also accords with both the following criteria:

- a) In the case of school playing fields, sufficient alternative open space provision exists or new sport and recreational facilities will be provided of at least equivalent community benefit having regard to any deficiencies in the locality;
- b) The land required is for an alternative educational purpose which cannot reasonably be met in another way.

Note: In assessing whether sufficient alternative open space exists, regard will be had to relevant details referred to in paragraph 7.41 above.

Chapter 8- Built Environment

To view this chapter in full please follow this link: (Deprecated)

POLICY BE1

A high standard of **layout, design and choice of materials** will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Development should accord with existing development in the locality, where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height, and elevational details.

Planning applications for development with an element of public use will be assessed as to their provision for access for disabled persons in respect of site layout and the relationship between buildings and their car parking areas and other public access points.

Development proposals must demonstrate that account is taken of opportunities to reduce the incidence of crime and the fear of crime against both property and the person.

For large, complex or sensitive sites, a design statement will be required containing:

1. An appraisal of the site and its context
2. Identification of constraints and opportunities
3. Design objectives and options
4. Consideration of local landscape character and distinctiveness
5. An explanation of the rationale behind siting, massing and proposed elevation and spatial treatments

POLICY BE2

The District Planning Authority will negotiate with developers, when considering applications for development proposals which involve some public use, or which will have a major impact on the townscape, to secure the provision of **new public art**. This may take the form of a work of art on or off site or a financial contribution towards provision of public art appropriate to the development proposal. All development will be expected to retain

POLICY BE3

When considering new **Conservation Areas** or reviewing existing Conservation Areas: the following criteria will be taken into account:

The area is:

- a. of special architectural or historic interest, the character of which it is desirable to preserve and enhance;
- b. includes sufficient buildings of historic and/or architectural interest, listed or unlisted, to give a strong character;
- c. includes sufficient good quality hard and/or soft landscape
- d. shows strong relationships between buildings, and buildings and open spaces that create a sense of place;
- e. one which either illustrates local architectural development or an area of one architectural period which remains largely in its original condition.

POLICY BE4

The District Planning Authority will:

- a. refuse **Conservation Area** Consent for the demolition of buildings which contribute to the character or appearance of a Conservation Area;
- b. refuse proposals for infill or backland development which would adversely affect the character of a Conservation Area;
- c. require the height, scale, form and materials of new development, including alterations or extensions to existing buildings, to respect the character of Conservation Areas;
- d. seek to retain materials, features and details of unlisted buildings or structures which preserve or enhance the character or appearance of Conservation Areas;
- e. seek to retain the historic patterns, plot boundaries, building lines, open spaces, footways, footpaths and kerblines which are essential to the character or appearance of Conservation areas;
- f. protect trees, verges and hedgerows which enhance both the setting and character of Conservation Areas.

POLICY BE5

In order to preserve **listed buildings and their settings** and any features of special architectural or historic interest which they possess, the District Planning Authority will:

- a. refuse Listed Building Consent for demolition, extension, alteration or partial demolition, including internal or external works, if the proposals are considered to be detrimental to the character of the building;
- b. refuse proposals for the change of use of a listed building where such a use would

adversely affect its character or setting, or where insufficient details are submitted to enable the application to be appropriately assessed. Changes of use will normally be permitted where these would provide the best means of conserving the character, appearance, fabric, integrity and setting of a listed building;

c. impose conditions as necessary when granting consent to alter a listed building in order to protect the character afforded to that building by the retention or reinstatement of traditional features or materials;

d. require the display of signs and advertisements to respect the character of a listed building, and refuse applications which would entail structural alterations for the display of advertisements;

e. refuse applications for development which would adversely affect the setting or character of a listed building;

f. refuse applications for extensions or alterations which would dominate the original building in either scale, material or situation;

g. refuse applications which would involve the replacement of windows having glazing bars with sheet glass;

h. refuse applications which involve the blocking up of windows or external doorways, or the making of new openings;

i. refuse applications which involve repairs or alterations other than in matching materials and to the original design;

j. refuse applications which would entail the removal of mouldings, balustrades, balconies, chimneys or other architectural features;

k. refuse applications which would entail the introduction of incongruous period features such as shutters and bow windows;

l. refuse applications which would entail use of replacement windows and doors in PVCu plastic;

m. refuse applications involving major internal alterations, such as the reshaping of rooms, the removal of a staircase, the removal or destruction of panelling or stained glass, or alterations to roof trusses of interest.

POLICY BE6

Using powers over the control of demolition and other development control powers, the District Planning Authority will **refuse permission for redevelopment which would harm the character of groups of historic buildings** up to and including early 20th Century buildings of distinctive or uniform architectural style. Permission will only be granted for developments which would reflect and contribute to that style.

POLICY BE8

Alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line, and detailing of the original building and should not adversely affect the amenity enjoyed by the occupiers of neighbouring properties or have a detrimental impact upon the streetscene. In considering planning applications, the following criteria will apply:

- a. extensions should not cause undue overshadowing of neighbouring property and should allow adequate light and ventilation to existing rooms within the building; single storey extensions should be designed so as to fall within a 45-degree angle from the centre of the nearest ground floor window of a habitable room or the kitchen of the neighbouring property. In the case of two-storey extensions, the 45-degree angle is taken from the closest quarter-point of the nearest ground floor window of a habitable room or kitchen;
- b. side extensions may be added to detached or semi-detached dwellings where space is available; care should be taken to avoid creating a terracing effect which could result by extending up to the boundary; a minimum distance of 1 metre should be maintained from the boundary and any part of the extension above single storey level including the roof;
- c. permission will not be given for flat-roofed extensions, unless the proposed extension would not be generally visible from a public place and would serve only as an adjunct to the main building, or the provision of a flat roof is the only practicable means of providing an extension;
- d. permission will not be granted for loft conversions requiring dormer extensions which are large in proportion to the existing roof, as these can completely alter the proportion of the building, presenting a top-heavy and flat-roofed appearance. Planning applications for extensions in roof spaces which front a highway will be refused where the proposed structure would damage the character of the existing building and would appear incongruous in the streetscene;
- e. alterations or extensions which cause undue loss of privacy for occupiers of neighbouring properties through overlooking windows, doors or balconies should be avoided;
- f. garages should be set back 5.5 metres from the highway boundary, to enable a vehicle to stand clear of the highway whilst the doors are being opened or for cleaning or maintenance purposes. In exceptional circumstances this may be reduced to 1 metre, but forward opening swing doors would not be permitted.

POLICY BE9

Shopfronts of aesthetic, architectural or historic merit should be retained and repaired. Only where this is proven to be impracticable will a replacement be acceptable. In all cases a new or replacement shopfront will only be permitted if it:

- a. relates well to the building on which it is to be built taking into account scale, proportion, architectural design, materials and vertical alignment of the upper floors;

b. takes account of the design and materials of neighbouring shopfronts so that it will fit in with the character of the streetscene;

c. preserves any existing separate access to the floors above to allow them to be used for residential or other use compatible with the retail use.

POLICY BE12

Planning permission for further development within the following **Areas of Special Character** as defined on the Proposals Map will not be granted if the development will harm the existing character of that area, by reason of either a loss of existing vegetation, especially in relation to important skylines; or a greater visual impact of buildings:

- a. the west end of Folkestone, and Radnor Cliff;
- b. Julian Road/Wilton Road/Cornwallis Avenue;
- c. Sunnyside Road/Brewers Hill, Sandgate;
- d. Hillside Street/North Road, Hythe, and Saltwood;
- e. Cannongate Road/Cliff Road/Seabrook Road, Hythe;
- f. Madeira Road, Littlestone;
- g. The Oval, Dymchurch.

Where sites are allocated for development within these areas, proposals will only be permitted if the design blends in terms of scale, mass and architectural details with the character of the surrounding area.

Other Shopping Areas shown on the Proposals Map:

- Sandling Road, Saltwood
- Vicarage Lane, Saltwood

POLICY BE13

Development proposals which would result in the loss of **urban open space** with amenity value will only be granted where they meet the following criteria:

1. The benefits of the development proposed outweigh the loss of amenity value.
2. There is a minimal impact on the character and appearance of the locality including the openness and tree cover of the existing site.

The visual impact of, and the extent of public use and access to the site will be important considerations in evaluating the existing amenity value.

POLICY BE14

The District Planning Authority will not grant planning permission for proposals for the development of the gardens, as defined on the Proposals Map, which form part of the comprehensive layout of **the west end of Folkestone**.

Communal Gardens shown on the Proposals Map:

- Augusta Gardens
- Balfour Gardens
- Clifton Crescent
- Clifton Gardens
- Grimston Gardens
- Trinity Gardens
- Adj Grand Hotel
- Westbourne Gardens

POLICY BE16

The District Planning Authority will require development proposals to retain important **existing landscape features** and make appropriate provision for new planting using locally native species of plants wherever possible. All full or detailed development proposals should be accompanied by a landscaping plan identifying both existing and proposed landscaping detail. The District Planning Authority will, where necessary, make any permission conditional upon a satisfactory landscaping scheme being agreed and implemented within a specified period, where such a scheme does not accompany an application.

POLICY BE17

Development will not be permitted if it would damage or destroy any **tree protected by a TPO** unless the removal of one or more trees would:

- a. be in the interests of good arboricultural practice; or unless
- b. the desirability of the proposed development outweighs the amenity value of the protected tree(s).

If the removal of one or more trees is permitted as part of a development, a condition will require that at least an equivalent number, or more, of new trees be planted either on or near the site.

POLICY BE18

Planning permission will be refused where development proposals would adversely affect the site or setting of the following parks and gardens of historic interest as shown on the

Proposals Map:

- Acrise Place
- Beachborough Park
- Horton Priory
- Lympe Castle
- Port Lympe
- Saltwood Castle
- Sandling Park

POLICY BE19

Planning permission for development within the area defined on the Proposals Map will not be granted unless investigation and analysis is under taken which clearly demonstrates that the site can itself be safely developed and that the proposed development will not have an adverse effect on the slip area as a whole.

Land Instability area shown on the Proposals Map:

- Land Stability area, Sandgate

Chapter 9- Utilities

To view this chapter in full please follow this link: (Deprecated)

POLICY U1

Planning permission will be granted for development of four dwellings or less, and for other forms of development generating a similar flow of effluent, where not part of a larger area of potential development, so long as it is connected to the main drainage system or, if this is impracticable or uneconomical, to a sealed cesspool or small sewage treatment plant.

POLICY U2

Planning permission for housing developments of five or more dwellings and other forms of development generating a similar flow of effluent will be refused unless connection is made to the nearest available mains drainage system with capacity to serve the development or details are submitted which show how the development will be connected to a mains drainage system.

POLICY U3

Planning permission will not be granted for the use of septic or settlement tanks unless it can be demonstrated that the ground conditions are such that the discharge can be absorbed through the year without causing odour nuisance and without polluting ground or surface waters.

POLICY U4

Development will be permitted unless it is demonstrated that it would lead to an unacceptable risk to the quality or potential yield of surface or ground water resources or lead to an unacceptable risk of pollution. Groundwater resources most sensitive to development are indicated on the Proposals Map as Groundwater Source Protection Zones.

POLICY U10

In appropriate locations the District Council will grant planning permission for development required as part of the process of recycling materials. Development proposals including commercial or residential uses should include provision for the storage of waste and recyclable materials awaiting collection.

POLICY U10a

When development is proposed on or near a site that, has been used for the purpose of waste disposal; is known to be contaminated; or there is good reason to believe that contamination may exist, the applicant will be required to carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination. Development will only be permitted if practicable and efficient measures are to be taken to treat, contain and/or control any contamination so as not to:-

1. expose the occupiers of the development and neighbouring land users, including in the case of housing the users of gardens, to unacceptable risk.
2. Threaten the structural integrity of any building built or to be built on or adjoining the site.
3. Lead to the contamination of any watercourse, water body or aquifer.
4. Cause the contamination of adjoining land or allow such contamination to continue.

Any permission for development will require that the remedial measures agreed with the Authority must be completed as the first step in the carrying out of the development.

POLICY U11

Planning permission will be granted for the installation of a satellite dish or other domestic telecommunications development, where the following criteria are met:-

- a) there would be no adverse impact on the built or natural environment.
- b) the siting and appearance would not adversely impact on the amenities of local residents.

Any grant of planning permission may be conditional on the satellite receiver dish being painted to blend with the building to which it is affixed and the requirement for the dish to be removed when no longer required for the purpose.

Where the District Planning Authority consider that domestic telecommunications apparatus installed under permitted development rights has not been sited so as to minimise its effect on the external appearance of the building on which it is installed, it will serve a notice requiring the resiting of the relevant apparatus.

POLICY U13

Overhead power lines or cables should, where practical, avoid the following areas;

1. Areas of Outstanding Natural Beauty and Special Landscape Areas;
2. Sites of Special Scientific Interest and nationally designated nature conservation sites;
3. Conservation areas and sites or buildings of historic or architectural interest, including

listed buildings and scheduled Ancient Monuments.

4. Areas close to existing or allocated residential development.

Where there is no practical alternative to lines or cables across these sites, the service provider shall take reasonable measures to mitigate any adverse effects. This may involve careful line routing or placing cables or lines underground. However in view of the practical, technical and cost implications, the placing underground of high voltage lines (275Kv and above), will only be sought in exceptional circumstances, where this would not cause greater danger to the interest or ecology of the site.

Proposals for overhead power lines or cables shall have particular regard to the effect on areas of formal recreation, parks and public open spaces. The service provider shall take reasonable measures to mitigate any adverse effects on these areas.

POLICY U14

Having regard to the importance of reducing fossil fuel consumption and encouraging the use of renewable sources of energy, planning permission will be granted for developments offering these advantages subject to the following:

1. No prominent or large-scale development will be permitted in the AONB.
2. No unacceptable impact on landscape, nature conservation, built environment or amenity interest.
3. The following matters will be included in the assessment of proposed renewable energy developments:
 - a) the number, size and siting of plant, buildings, equipment, access roads and ancillary development, such as roads and overhead cables;
 - b) design, colour, form, nature of materials and other physical impacts of the scheme;
 - c) noise and smell;
 - d) proximity to residential development and roads;
 - e) lighting and fencing;
 - f) effects on airfields, flight-paths and communications systems;
 - g) effects on nature conservation interests, including bird life and Sites of Special Scientific Interest

The Dungeness/Romney Marsh area may contain suitable sites for wind-turbine/s or other renewable energy developments. Any projects would be judged against the criteria listed above. In this area, particular attention should be paid to the need to protect bird life.

POLICY U15

Proposals for development which involve outdoor lighting will be permitted subject to the scheme satisfying the following criteria:-

- a) The quantity and illumination of the lighting proposed is the minimum necessary to meet its stated purpose.
- b) The lighting is positioned and shaded so as to minimise glare and light spillage from the site, or impact on local residents, road users and pedestrians or wildlife.
- c) The impact on the visibility of the night sky is reduced as far as possible.

Chapter 10- Social and Community Facilities

To view this chapter in full please follow this link: (Deprecated)

POLICY SC4

The District Planning Authority will safeguard the land identified on the Proposal Map at Hawkinge for a new secondary school.

POLICY SC7

Planning permission for redevelopment of the Seapoint Centre site, as shown on the Proposals Map, will only be permitted where a facility of at least equivalent community benefit to the Seabrook Youth Club and Canoe Centre is provided, either on site or on nearby land.

Chapter 11- Transport

To view this chapter in full please follow this link: (Deprecated)

POLICY TR2

Where major new developments are proposed, permission will not be granted unless provision is made in the layout to allow penetration by buses.

For the purposes of this policy major development is defined as proposals in excess of 100 dwellings or more than 5 hectares of employment land.

POLICY TR3

Development which would prejudice the reuse of Lydd Station as a rail transport interchange in the event of the railway line to Appledore being reopened for public use will not be permitted

POLICY TR4

Land is safeguarded at Folkestone West Station and East Station Goods Yard for potential development in association with the extension of high speed rail services to Folkestone.

Development which would prejudice the provision of facilities to serve a high speed rail service will not be permitted unless it can be shown that there is no realistic prospect of such facilities being constructed.

POLICY TR5

The District Planning Authority will require the provision of secure and practically located facilities for cyclists in all new developments which are expected to generate a regular flow of traffic. Developers will be asked to contribute towards the provision of cycle routes or cycleways where these would be directly related to the use of the new development.

POLICY TR6

New development will not be permitted unless provision is made for the needs of pedestrians. The layout and design of development should provide for safe, attractive and convenient pedestrian routes, particularly to public transport routes.

POLICY TR8

Proposals to provide environmental improvements along the A259 and roadside corridor will be permitted where they would improve the attractiveness of the physical environment without compromising pedestrian safety and convenience.

POLICY TR9

Proposals for roadside service facilities on primary routes outside settlements will be permitted so long as the following criteria are met:

- a. A significant need can be demonstrated for the location and for the facilities proposed that cannot be met by existing or planned provision.
- b. The layout, form of development and materials should respect the character and appearance of the locality.
- c. The development can be landscaped and screened so as to minimise its effects on the surroundings.

In all cases, especially in the AONB, it will be necessary to weigh the need for the proposal against the importance of preserving the countryside and wildlife and against other interests. These interests include road safety and residential amenity.

POLICY TR10

Further motorway service areas adjacent to the M20 will not be permitted. The provision of additional facilities at the MSA at Westenhanger will only be permitted where they are reasonably related to the needs of motorway users and within the allocated area.

POLICY TR11

Proposals which involve the formation of a new access, or would result in the intensification of the use of an existing access, will only be permitted where:-

- a. the access is not detrimental to the safety of vehicle traffic, cyclists and pedestrians or
- b. the access can alternatively be improved to a standard acceptable to the Highway Authority or
- c. the applicant can demonstrate by means of a transport impact study that the proposal would not increase the risk of accidents or create delays.

POLICY TR12

New development, redevelopment or a change of use will only be permitted if it makes provision for off street parking on or near the site in accordance with the current maximum vehicle parking standards, as set out in Appendix 6 [(Deprecated)]. These standards may be varied where:-

- a) the location is well served by public transport and there would be no adverse effect on road safety or traffic management.
- b) this would allow development which would preserve or enhance the character or appearance of a conservation area, or assist the re-use of a building of architectural or historic interest.
- c) a commuted sum payment is made for improvements to or measures to assist the use of public transport, cycling or walking.

POLICY TR13 Where development proposals are considered likely to have significant transport implications, a travel plan should be submitted with the planning application. This will include proposals for ;

- Major developments including employment, shopping, leisure and services, which would generate significant amounts of traffic;
- New or expanded school facilities, which should be accompanied by a school travel plan;
- Development where there is a particular local traffic problem.

POLICY TR14

In Folkestone Town Centre, new retail, office or commercial development should provide essential operational parking only on site. Commuted sums will be sought, where appropriate, towards the provision or improvement of publicly available parking facilities, or alternatively towards the provision of, or improvements to public transport, or walking or cycling facilities, where non-operational needs are likely to be generated.

POLICY TR15

The District Planning Authority will permit proposals for the expansion of facilities at Lydd Airport directly related to the commercial and recreational flying use provided there would be no significant impact upon the internationally important wildlife communities in the Lydd/Dungeness area. Regard will also be given to the likely effect of proposals on other special features in the area, particularly the power station.

Chapter 12- Countryside

To view this chapter in full please follow this link: (Deprecated)

POLICY CO1

The District Planning Authority will protect the countryside for its own sake. Subject to other Plan policies, development in the countryside will be permitted where proposals:

- a) maintain or enhance features of landscape, wildlife, historic, geological and agricultural importance, and the particular quality and character of the countryside;
- b) demonstrate that they cannot be practicably located within an existing settlement and essentially require a countryside location;
- c) are of a high standard of design and, sympathetic in scale and appearance to their setting;
- d) are acceptable in highway and infrastructure terms and;
- e) preserve or enhance the amenity, character and functioning of rural towns and villages.

Development proposals that would significantly conflict with one or more of criteria a - e above will only be permitted where it can be shown that:

- i) there is an overriding social or economic need;
- ii) negative impacts are minimised as far as possible and;
- iii) adequate measures will be taken to compensate for any the adverse environmental effect. Compensatory measures should, as a minimum, ensure that no net environmental loss occurs.

Note: For the purposes of Policy CO1, the Countryside is defined as the area outside of the settlement boundaries identified on the proposals map. Where land in the countryside is allocated on the proposals map for a specific development purpose, the associated policy will take precedence over Policy CO1.

POLICY CO4

Special Landscape Areas are defined as follows and illustrated on the proposals map:

North Downs (including the scarp and crest)

Old Romney Shoreline

Dungeness

Proposals should protect or enhance the natural beauty of the Special Landscape Area. The District Planning Authority will not permit development proposals that are inconsistent with this objective unless the need to secure economic and social wellbeing outweighs the need to protect the SLAs countywide landscape significance.

Where areas are also within the Kent Downs AONB, Policy CO3 [Policy deleted] will take precedence.

POLICY CO5

Local Landscape Areas are defined as follows and illustrated on the proposals map:

Romney Marsh

Sandgate Escarpment and Seabrook Valley

Eaton Lands

Coolinge Lane and Enbrook Valley

Mill Lease Valley

Proposals should protect or enhance the landscape character and functioning of Local Landscape Areas. The District Planning Authority will not permit development proposals that are inconsistent with this objective unless the need to secure economic and social well-being outweighs the need to protect the area's local landscape importance.

POLICY CO6

The District Planning Authority will give long term protection to the Folkestone and Dover Heritage Coast and to the areas of undeveloped coast shown on the Proposals Map. Within these areas development will not be permitted unless proposals preserve and enhance natural beauty, landscape, heritage, scientific and nature conservation value (consistent with any agreed management plan).

In all cases, it must be demonstrated that a coastal location is required for development and that no suitable site exists along the developed coast. Proposals should where practicable also maintain or improve public access to the coast where this can be achieved without compromising conservation objectives.

Heritage coast site shown on the Proposals Map:

- Folkestone/Dover

Other undeveloped coast sites shown on the Proposals Map:

- West Hythe

- Dymchurch

- St Mary's Bay
- Dungeness

POLICY CO11

The District Planning Authority will not give permission for development if it is likely to endanger plant or animal life (or its habitat) protected under law and/or identified as a UK Biodiversity Action Plan priority species or cause the loss of, or damage to, habitats and landscape features of importance for nature conservation, unless;

- i. there is a need for development which outweighs these nature conservation considerations and
- ii. measures will be taken to minimise impacts and fully compensate for remaining adverse affects.

POLICY CO13

Development proposals likely to have a harmful effect on the freshwater environment, including water courses, natural ponds, canals and sewers and adjoining banks, will only be permitted where harmful impact will be minimal, and where benefit in the form of increased access and / or water based recreation outweigh the negative effects. In such cases, measures should be taken to minimise impacts and fully compensate for remaining adverse effects.

POLICY CO14

The District Planning Authority will give long term protection to Dungeness by giving priority to considerations related to its international importance for physiography, flora and fauna over other planning considerations.

POLICY CO16

Planning permission will be granted for the diversification of farm businesses subject to all of the following criteria being met:-

- a) The proposal is compatible with surrounding buildings and the location in a rural area in terms of scale and design;
- b) There would be no detrimental impact on local amenity or the character, appearance or nature conservation value of the rural landscape. This criterion will be given additional weight in the Kent Downs Area of Outstanding Natural Beauty, and Special Landscape Areas and nature conservation designations;

- c) Adequate provision can be made to meet access, servicing and parking requirements;
- d) The proposal would not prejudice the agricultural working of the farm unit;
- e) Where practicable, the proposal re-uses an existing agricultural building.

POLICY CO18

The District Planning Authority will permit new agricultural buildings and extensions or alterations to existing agricultural buildings where the proposals meet the following criteria:-

- a) The development is necessary for the purposes of agriculture and the operational needs of the agricultural unit;
- b) The siting, scale, materials and colour are in keeping with the surroundings and, as far as possible, the new buildings would be integrated within existing groups, make use of natural screening, minimise the impact on the skyline, and blend with any neighbouring buildings;

POLICY CO19

Planning applications for the re-use or adaptation of rural buildings to alternative uses will be approved where proposals would meet the following criteria:

- a) The building is of permanent and substantial construction, is of a form, bulk and general design which is in keeping with its surroundings and, is capable of conversion without substantial rebuilding;
- b) The proposed conversion is sympathetic to the building's intrinsic character, appearance and setting and is capable of being implemented without significant extensions or alterations to the existing building;
- c) Development would not prejudice the agricultural working of a farm unit or the vitality and functioning of nearby rural towns and villages;
- d) Adequate provision can be made to meet access, servicing and parking requirements without detriment to the visual or other amenities in the locality;
- e) Where a rural building can accommodate a business reuse in accordance with criteria a-d above, proposals for conversion to a residential use which is not ancillary to a scheme for business reuse will require to be justified by the applicant through a statement detailing the efforts made to secure a business reuse in the first instance;

In cases where an application is submitted for the reuse of a building which the District Planning Authority considers has a significant adverse effect on the landscape, conditions may be attached to permissions to secure improvements in the external appearance of the building in order to make its reuse acceptable in terms of visual amenity.

POLICY CO20

The District Planning Authority will grant planning permission for a replacement dwelling in the countryside subject to proposals meeting all of the following criteria:

- a) the dwelling to be replaced is in a lawful residential use;
- b) development is of a high standard of design and in keeping with the character of the locality and would not damage the quality of the landscape;
- c) the replacement dwelling is not significantly more intrusive in the landscape than the one it is replacing and in the case of small dwellings, the replacement would also not be substantially larger in size and massing
- d) the existing dwelling cannot practicably be adapted or extended, in accordance with Policy CO21.

Where the siting of a replacement dwelling does not directly result in the demolition of the existing dwelling, a condition may be attached to a permission to require demolition on completion of the new dwelling.

POLICY CO21

The District Planning Authority will grant planning permission for an extension or alteration to an existing dwelling in the countryside subject to proposals meeting all of the following criteria:

- a) the dwelling to be extended or altered is in a lawful residential use;
- b) the proposal is acceptable within the terms of Policy BE8;
- c) the proposal would not visually dominate or substantially alter the character of the existing dwelling;
- d) development would not adversely impact on the quality and character of the landscape or be detrimental to the rural setting

POLICY CO22

Planning applications for development related to horse keeping will be permitted where proposals meet the following criteria:-

- a. There would be no detrimental impact on the character or appearance of the rural landscape, especially within the Kent Downs Area of Outstanding Natural Beauty and the Special Landscape Areas;
- b. The scale and design of the development is appropriate to the character of the locality;

- c. Adequate provision can be made to meet access, servicing and parking requirements without detriment to the visual and other amenities of the locality and it will not generate traffic of a volume and type inappropriate to the locality;
- d. Applicants can demonstrate that sufficient land is available for grazing and exercise to ensure the safety and comfort of horses and avoid excessive erosion of soil and vegetation;
- e. Development does not unacceptably affect local amenity by virtue of smell, noise or lighting;
- f. Any jumps or other related equipment should be well designed and maintained and, removed when not in frequent use.

Planning permission granted for buildings related to horse keeping activities will be subject to a condition that buildings are removed when the use of the land for horse keeping finishes.

- g. Suitable provision can be made to deal with foul and surface water drainage and soiled bedding materials.

POLICY CO23

The District Planning Authority will only grant planning permission for a retail use on a farm where:-

- a. The retailing proposed relates to the sale of farm produce and would not harm the viability of retail facilities in nearby rural towns and villages;
- b. The proposal is acceptable as part of farm diversification within the terms of Policy CO16. In considering proposals, a condition may be attached to planning permission to limit the range and / or source of goods sold.

POLICY CO24

The District Planning Authority will protect the strategic landscape areas shown indicatively on the proposals map. Whilst development will not be permitted within these areas, their precise nature and extent will be determined in the context of detailed landscaping proposals for the key development opportunities to which they relate. If necessary, the District Planning Authority will seek to ensure that developers of adjoining land enter into obligations under Section 106 of the Town and Country Planning Act 1990 to secure their retention and enhancement, the protection of existing landscape features and future management of the strategic landscape areas.

POLICY CO25

Proposals which would result in a loss of any part of registered Common Lands and Village Greens, as shown on the Proposals Map will not be permitted unless development is the best means of maintaining or enhancing their historic, wildlife or recreational value.

Chapter 13- Folkestone Town Centre

To view this chapter in full please follow this link: (Deprecated)

POLICY FTC3

Applications for infill development or redevelopment of the Ingles Manor/Jointon Road site, as shown on the Proposals Map, will be permitted where the proposal meets all of the following criteria:-

- a) The retention of the listed buildings, with any development sensitive to the need to protect their character and setting;
- b) The proposal includes a landscaping scheme which retains a substantial amount of the existing tree cover including those trees protected by a tree preservation order, and any groups or individual trees important to the appearance of the site;
- c) The scale, layout, design and bulk of any new buildings are sympathetic to the characteristics of the predominant building form of adjacent buildings and spaces, and respect the character of the Conservation Area;
- d) A high quality design which enhances the character and appearance of the area;
- e) Area A to be developed for high quality residential, to include flats or apartments, with Area B to be retained or developed for employment uses within Use Class B1

POLICY FTC9

Planning permission will be granted for (re)development of land adjoining the Burstin Hotel, as shown on the Proposals Map, where proposals would be consistent with the following objectives:

- a) Improvements to the external appearance of the Hotel and / or improvements to other areas within the site;
- b) Re-routing of traffic along Lower Sandgate Road and Marine Terrace and the creation of a high quality pedestrian area between the Hotel and inner harbour, linking the proposed Leisure Zone and South Quay with the Tram Road/Beach Street site (also see Policy FTC6) [policy deleted];
- c) A mix of active frontages at the ground level of the Hotel incorporating uses falling within Classes A1 and A3 of the Town and Country Planning (Use Classes) Order 1987. The acceptability of particular proposals will depend on their ability to positively contribute towards providing a high quality environment and, enhance the vitality and viability of the area.

POLICY FTC11

Planning permission will be granted for the redevelopment of the Stade (East) site, as shown on the Proposals Map, where development provides for:

- a) A single storey development reflecting the design qualities of the rest of the Stade and comprising commercial uses supportive of the leisure and tourism function of the harbour and / or;
- b) Vehicle and boat trailer parking (in conjunction with a new slipway within the harbour) to provide facilities for small pleasure craft.