



Agenda

Meeting: **Cabinet**
Date: **23 July 2013**
Time: **5.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Cabinet**

All Councillors for information

The cabinet will consider the matters listed below on the date and at the time and place shown above. The meeting will be open to the press and public.

1. Apologies for absence

2. Declarations of interest

Members of the Cabinet should declare any disclosable pecuniary interest or any other significant interests in any item/s on this agenda.

3. Minutes (Pages 1 - 6)

To consider and approve as a correct record the minutes of the meeting held on 19 June 2013.

4. Princes Parade - Key decision (Pages 7 - 38)

Report C/13/13 outlines the progress made regarding the Princes Parade project since Cabinet last considered this matter on 19 December 2012. The report provides Cabinet with the results of the second stage consultation and a revised plan to take the project forward.

5. Grounds Maintenance - Key decision (Pages 39 - 54)

Report C/13/14 to update Cabinet on the progress made since the service was last considered by Cabinet on 20 July 2011 and on the results of the

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Email: committee@folkestone-hythe.gov.uk or download from our
website www.folkestone-hythe.gov.uk

procurement exercise.

6. Core Strategy Local Plan - Key decision (Pages 55 - 128)

Report C/13/15 considers the report received from the Planning Inspector regarding the soundness of the Shepway Core Strategy Local Plan and sets out the process required for formal adoption. It also considers the measures necessary to deliver the Core Strategy objectives.



Minutes

Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 19 June 2013
Present	Councillors Mrs Keren Belcourt, Robert Bliss, Alan Clifton-Holt, John Collier, Malcolm Dearden, Mrs Jennifer Hollingsbee, Rory Love, David Monk, Stuart Peall and Russell Tillson
Apologies for Absence	There were no apologies for absence
Officers Present:	Kathryn Beldon (Deputy Chief Executive), Shirlee Chatterton (Democratic Services Officer - Member Services), Odette Collard-Woolmer (Head of Finance) (minutes 1-11), Chris Lewis (Head of Planning), Bob Porter (Head of Communities) (minutes 1-11), Alistair Stewart (Chief Executive) and Jeremy Whittaker (Economic Development Team leader)

NOTE: All decisions are subject to call-in arrangements with the exception of resolution 3 of decision numbers 13/008 and 13/012 which are resolved to recommend to Council. The deadline for call-in is Monday 1 July 2013 at 5pm. Decisions not called in may be implemented on Tuesday 2 July.

9. Declarations of interest

There were no declarations of interest.

10. Minutes

The minutes of the meeting held on 29 May 2013 were submitted, agreed and signed by the Leader of the Council.

11. Housing Revenue Account Business Plan 2013 TO 2043 - Decision number 13/008

The Council is required to produce a comprehensive business plan for its housing stock. **Report C/13/07** provides an overview of the council's new Housing Revenue Account Business Plan for the next 30 years. The business plan is focused on improving the quality of the Council's landlord services and

incorporates a range of priorities for the stock including ensuring that the Council's homes meet the Shepway Housing Standard. The document also provides details of the Council's new build programme due to commence in early 2014/15.

Proposed by Councillor Mrs Keren Belcourt
Seconded by Councillor Russell Tillson and

RESOLVED:

- 1. To receive and note report number C/13/07.**

(Voting: For 10; Against 0; Abstentions 0)

- 2. To reaffirm the commitments made at Cabinet on 22 February 2012 as set out in section 3 of this report.**

(Voting: For 9; Against 0; Abstentions 1)

- 3. To recommend the attached draft Shepway HRA Business Plan for the period 2013 to 2043 to full Council.**
- 4. That a review of the plan be carried out annually with a detailed assessment be held in 5 years after the implementation of the plan.**

(Voting: For 10; Against 0; Abstentions 0)

Reasons for decisions:

- a) The council is required by Government to have a comprehensive 30 year Business Plan in place for its Housing Stock and other assets within the HRA.
- b) Following the introduction of self-financing in April 2012, the council is able to retain all its rental income within the Housing Revenue Account. It is also required to properly plan the repayment of its debt within the HRA. It is essential that it has an effective Business Plan to properly resource planned HRA activity.
- c) The Shepway Tenants and Leaseholders Board have confirmed their support for the draft HRA Business Plan.

12. Adoption of the Sandgate Village Design Statement as a Supplementary Planning Document - Decision number 13/009

Report C/13/10 concerns the adoption of the Sandgate Design Statement as a supplementary planning document (SPD) following a public consultation exercise. It would be used as a material consideration in determining planning applications in Sandgate alongside local plans and the National Planning Policy Framework.

A cabinet member highlighted the fact that some of the roads referred to in the Sandgate Design Statement were not within the Sandgate parish. The Head of Planning said that a statement would be added at the start of the Sandgate

Design Statement saying that the plan and the policies within the document only related to the parish of Sandgate.

RESOLVED:

1. To receive and note report C/13/10.
2. To adopt the Sandgate Village Design Statement as a Supplementary Planning Document appended to the report, subject to design policy SDS9 reading:

Protection of wooded escarpments

The low density of development on the wooded escarpments of the parish is a significant contributor to the overall character and appearance of Sandgate and the visual amenity of the wider area. Development proposals that would result in the intensification of development, the loss of existing well-established vegetation or harm to the special environmental quality of these wooded hillsides should be rejected.

In addition, the existing mature wooded skyline escarpments are particularly distinct and a well-established landscape characteristic that should be preserved and enhanced with additional appropriate planting, where possible, to protect the positive and distinctive contribution that the wooded skyline makes to the environmental character and appearance of Sandgate.

The community supports the current designation of woodland at Encombe as a Proposed Local Nature Reserve and will work with the Local Planning Authority and Natural England to progress its declaration as a LNR and the implementation of a management plan to ensure enhanced opportunities for public use and enjoyment.

and subject to design policy SDS11 reading:

Traffic and Parking

The implementation of a community transport scheme in the parish is supported. With regard to car parking, all planning applications should demonstrate adequate off-road parking provision in accordance with car parking standards. The provision of private off-street parking through the conversion of front gardens should be resisted in the Conservation Areas as such alterations to the streetscapes are detrimental to the character and appearance of these historic environments. Any such proposals in other parts of the parish should be SUDS compatible and composed of permeable materials and be sensitive to the immediate build context of the site.

3. To authorise the Head of Planning Services to make non material amendments as necessary, such as pre-publication editing.

Reasons for decisions:

- a) The Village Design Statement has been written in conjunction with the district council and adoption of the Statement as SPD will allow weight to be given to Sandgate's views as expressed in the Statement in the determination of planning applications by the District Council.
- b) The Village Design Statement will help deliver high quality sustainable development as sought in the Core Strategy Local Plan and national planning policy.

13. Interreg IVA Cluster Projects - Decision number 13/011

The Interreg IVa 'Two Seas' Programme launched a new funding round at the end of March 2013 to encourage existing Interreg-funded project partners to work together to form 'clusters'. The aim of these 'clusters' is to establish greater co-operation between projects, share best practice and to help work towards future Interreg programmes. Through the Boulogne Shepway Co-operation (BOSCO), the district council is involved in two project proposals which were submitted on 17 May 2013 - covering regeneration of maritime spaces, and culture and heritage. Details are set out in **report C/13/11**.

RESOLVED:

- 1. To receive and note report C/13/11.**
- 2. To support the submission of the project bids to the Project Monitoring Committee at the Region Nord-Pas-de-Calais in Lille.**

Reasons for decisions:

- a) It will strengthen the value of BOSCO and the partnership Shepway has with Boulogne-sur-Mer.
- b) It will help the Council to prepare funding bids to the Interreg V Programmes, which will start calls for proposals in 2015.
- c) It will contribute towards the Council's Strategic Objective of Creating Places where People want to Live, Work and Visit.

14. Stepshort WW1 Commemoration and 2014 Events Programme- Decision number 13/012

Report C/13/12 provides an overview of the progress of the Step Short project, including the proposed Memorial Arch to be located at the western end of the Road of Remembrance, and sets out a potential package of support from Shepway District Council to the Step Short Project and a broader range of events to be held during 2014. The proposals would help to secure the long term legacy of the Step Short project and assist with the development of heritage related tourism in the District.

RESOLVED:

- 1. To receive and note report C/13/12.**
- 2. To agree to a contribution of £200,000 to the Step Short Memorial Arch.**

3. **To ask Council to agree the sum of £200,000 to be drawn from the general reserve to fund Shepway District Council's contribution to the Memorial Arch.**
4. **To note the suggestion in section 3 of the report that the potential for additional support be investigated and to request that a further report, setting out the options, be presented to a future meeting of Cabinet.**

Reasons for decisions:

- a) This will confirm Cabinet's support for the Memorial Arch.
- b) This will allow Full Council to give consideration to the funding of a contribution to the Memorial Arch from general fund reserves.
- c) This will allow the options for additional support for Step Short and other events to be considered at a future meeting of Cabinet.

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This report will be made public on 15 July 2013

Folkestone

Hythe & Romney Marsh
Shepway District Council



www.shepway.gov.uk

Report Number **C/13/13**

To: Cabinet
Date: 23 July 2013
Status: Key Decision
Head of Service: Jeremy Chambers, He Strategic Projects
Cabinet Member: Councillor John Collier, Property Projects

SUBJECT: PRINCES PARADE PROJECT UPDATE

SUMMARY:

This report outlines the progress made regarding the Princes Parade project since Cabinet last considered this matter on 19 December 2012. The report provides Cabinet with the results of the second stage consultation and a revised plan to take the project forward.

REASONS FOR RECOMMENDATIONS:

Cabinet is asked to agree the recommendations as set out below because:

- a) It is an appropriate stage in the project for Cabinet to be updated;
- b) Cabinet is asked to agree the revised project plan.

RECOMMENDATIONS:

1. To receive and note report C/13/13.
2. To authorise the Head of Strategic Projects to continue with the project as outlined in section 4 of this report.
3. That the Head of Strategic Projects provides a further report to Cabinet at the next appropriate stage in the project.

1. BACKGROUND

- 1.1 Princes Parade comprises approximately 7.2 hectares (17.9 acres). It is approximately 1,250 metres long and varies in width between approximately 80 metres at the eastern end to 180 metres at the western end. The site is located between Princes Parade and the Hythe Royal Military Canal and is abutted by a children's play area to the east and the Hotel Imperial Golf course to the west.
- 1.2 Following successfully defeating a costly and time consuming village green application for the site, consideration was given to fencing the site in order to protect the site from further attempts to restrict its future use and potential value. The cost of fencing the site would have been considerable and officers were asked, as an alternative to fencing, to commission a study to clarify the potential for meeting community needs, including leisure facilities, education, the range of natural, formal and play related public open spaces and any housing or commercial activities at the site.
- 1.3 A budget of £160,000 was made available for the project study and approved by council as part of the budget on 22 February 2012 (report A/11/22 refers). A balance of £78,000 remains in the project budget.
- 1.4 The council's vision is to link the coastal strip between Battery Point in the east and the Hythe Imperial golf course to the west, to the Royal Military Canal by providing a linear strip of parkland akin to the Coastal Park in neighbouring Folkestone. Additional community benefits for the redevelopment could include housing, a new swimming pool and a replacement school for Seabrook Primary. Additional community benefits include publicly accessible open space at other locations across the site.
- 1.5 The principle objectives of the project brief are as follows:
 - Secure an allocation for residential use in the Shepway Site Allocation DPD;
 - Improve the setting for the Royal Military Canal;
 - New public park;
 - New water sports facility;
 - Enhance the promenade and beach for public use;
 - Possible site for replacement public swimming pool;
 - Possible site for the relocation of Seabrook Primary School.
- 1.6 At its meeting of 19 December Cabinet received a 10 minute presentation from representatives of the consultant team detailing the results of the first stage of the consultation.
- 1.7 Initial public consultations were held over the summer 2012. The purpose was to clarify the potential for meeting community needs, including leisure facilities, education, the range of natural, formal and play related public open spaces and any housing or commercial activities at the site. The consultant team undertook initial consultation with key stakeholders and the community on the future of Princes Parade. Key feedback from the initial consultation was:

- Enhance open space and public use
- Improve access to site and landscape
- Include a variety of open spaces
- Leave the site as it is
- Improve canoe club facilities
- Swimming pool location – opposed and support
- Potential for café or restaurant
- Opposition to housing at site
- Opposition to flats or high value homes
- Focus on local residents for any homes
- Low density and heights for any homes
- Respect the heritage setting
- High quality design and materials

1.8 A baseline environmental report and a consultation report were also considered. A copy of both reports in full can be accessed on the council's website at the following address:

(Deprecated)

2. SECOND STAGE CONSULTATION

2.1 The second stage of consultation set out a series of scenarios for future activities at Princes Parade. These included different extents of site use, balances of open space and active use and locations across the site. The purpose was to understand the potential of the site, the effect of different approaches to the site, and to gather opinion from a range of stakeholders, residents and businesses.

2.2 This report details the feedback from the second stage of consultation on the project. The consultant project team has already undertaken public consultation during the summer of 2012 to find out what local think people about the area. Following this, a number of ideas were prepared, including key principles which should shape the future of the site and a number of scenarios to demonstrate what these could mean.

2.3 The consultation process for stage two of the project ran from Friday 8 February to Friday 8 March 2013 and was designed to provide a range of opportunities and formats through which local community members and stakeholders could review scenarios for the Princes Parade site and provide feedback on these.

2.4 The consultation activities for stage 2 of the consultation process included:

- A project website;
- A Saturday market stall consultation on Hythe High Street;
- A two week library exhibition;
- An evening drop-in session at Seabrook School; and
- Stakeholder discussions.

- 2.5 By providing a range of formats and opportunities for comment, the consultation was designed to draw out opinion and feedback from a broad section of the local community.
- 2.6 A project website with a pdf report of the exhibition panels and an online interactive version of the questionnaire was launched on Friday 8 February 2013. This enabled people to view the scenarios information in their own time at home. The website was also used to advertise the consultation events.
- 2.7 A market stall consultation was held on Saturday 9 February 2013 in Hythe town square outside Aldi supermarket from 11.00am to 1.00pm. Information on the potential scenarios for Princes Parade was exhibited on large banners in a marquee, with questionnaires available for people to give their feedback on the scenarios and to provide further comments. Project team members from GVA and Allies and Morrison Urban Practitioners were on hand to answer any questions.
- 2.8 The market stall consultation was advertised on the project website, in the local newspaper and through posters in the local area. During the consultation session, approximately 150 people visited the stall to view the information on the scenarios and provide feedback.
- 2.9 Following the market stall consultation on 9 February 2013, the exhibition materials were moved to Hythe Town Library, along with questionnaires and a box in which people could deposit these. Two copies of the stage two project report were also available. This summarised the consultation feedback from stage one of the project and the key issues for Princes Parade, along with the scenarios. The exhibition was located in the main library area, close to the entrance and remained there until Monday 4 March 2013.
- 2.10 A drop-in consultation session was held at Seabrook Primary School on Monday 4 March 2013, from 3.30pm to 7.30pm. Project team members from GVA and Allies and Morrison Urban Practitioners were on hand to answer any queries on the project and the information in the exhibition. Questionnaires were available for people to complete at the venue or to take away and return. Approximately 100 people attended the school drop-in session.
- 2.11 A series of stakeholder discussions were held, which enabled the team to follow-up with stakeholders who were involved during stage one of the project and to engage strategic consultees. The stakeholder meetings included:
- Monday 4 March 2013, 11.00am - Hythe Town Councillors
 - Monday 4 March 2013, 2.00pm – Seabrook Primary School head teacher and governors
 - Wednesday 13 March 2013, 11.30am – English Heritage (on site)
 - Wednesday 13 March 2013, 2.00pm – Hythe Town Councillors
 - Wednesday 13 March 2013, 3.00pm – Hythe Civic Society

2.12 Over 500 questionnaires were distributed at drop-in events and during the exhibition period in the library. 402 questionnaires were completed, including 262 online responses and 140 paper copy responses. Over 250 people attended drop-in events

2.13 Cabinet will receive a 10 minute presentation from the consultant project team on the results of the second stage consultation.

2.14 A full copy of the consultation report can be viewed on the Council's website at:

<https://www.folkestone-hythe.gov.uk/princes-parade>

3. CURRENT PROJECT PLAN

3.1 The planned next stage of the project was to consider a preferred option. This preferred option stage would've involved the following: the identification of a preferred scenario by the consultant team and a recommendation to the council; the rationale for the recommendation; further evolution of the proposal, with further information on relevant open space, community infrastructure, leisure, housing or commercial proposals; a further round of consultation with stakeholders and the public for comments on this direction.

3.2 The preferred options stage would have been followed by a final report with recommended next steps as they relate to the planning policy making process. This would've been followed by an outcome, i.e. a clear base of current and relevant information regarding conditions, opportunities and constraints at Princes Parade, rationale for and description of a recommended scenario for future use and activities at the site and clear next steps for the council.

4. PROPOSED REVISED PROJECT PLAN

4.1 The following paragraphs set out a series of next steps to establish the direction for Princes Parade. As the consultation and options process has progressed, it has become clear the future use of the site is linked to, and has consequent implications, for other sites within the District. Options for Princes Parade potentially include a relocated swimming pool and provision of a new primary school, along side any other residential or commercial development that may be appropriate.

4.2 There is the linked potential for sites to be vacated or deemed surplus to community infrastructure requirements if Princes Parade progresses to include a new pool and school. The linked sites in question include:

- Existing swimming pool site;
- Site reserved for the pool at the quarry development;
- Site previously reserved for a primary school at Eversley Road;
- Existing Seabrook Primary School site.

4.3 Discussions on the future of these sites are at various stages of evolution.

- 4.4 Each of these sites may contribute to the delivery of community infrastructure at Princes Parade, variously through:
- Capital receipts to Shepway District Council;
 - Capital receipt to Kent County Council;
 - Capital receipt to Church of England;
 - Development contributions secured through planning at these sites.
- 4.5 It is now appropriate for the Council to refine its understanding of the relationship between future community infrastructure at Princes Parade and its relationship with: on-site development; linked site contributions; other funding requirements.
- 4.6 At the same time, recent consultation on the future of Princes Parade has raised questions regarding the delivery strategy for the options. There is a misconception among some that any activities within Princes Parade are entirely ring-fenced financially.
- 4.7 The following sets out a series of steps to bring various discussions and work streams. The intention is to provide a clear basis for Council decision making and to establish the Council's preferred direction as a basis for representations to the Site Allocation Town Planning process by the Council as a landowner.

Step 1 - Definition of Preferred Direction

A. Clarifying Land Use Directions

Clarification of interest from Seabrook Primary school and Kent County Council allowing scenarios to be advanced with or without which include the school;

Confirmation of the Council's position on Princes Parade as an appropriate site for the swimming pool;

Identification of minimum open space land areas;

Identification of housing capacity given other uses and site constraints;

Definition of outputs and outcomes – facilities, service provision, housing, economy;

Definition of site development framework and development capacities.

B. Potential Development Costs / Cost Estimates

Site preparation and environmental works;

Utilities;

Highways, public realm and open space;

School budget;

Swimming pool budget;

Residential development costs;

Commercial development costs;

C. Confirmation of Community Infrastructure Funding Sources

Kent County Council education funding;

Existing S106 contributions to education;

Leisure facility funding;

Existing S106 contributions to leisure.

D. Potential Property Disposal Receipts (Based on Site Capacity Concepts and Development Appraisals)

Existing school site;
Undeveloped Kent County Council school site;
Existing swimming pool site;
Princes Parade residential / commercial extents.

E. Additional Potential Community Infrastructure Funding

S106/CIL – development at existing school site;
S106/CIL – development at undeveloped Kent County Council school site;
S106/CIL – development at existing swimming pool site;
S106/CIL – land no longer used for pool at quarry site;
S106/CIL – development at Princes Parade.

F. Sources and Cost Analysis by Activity Stream

Education;
Swimming Pool;
Open Space;
Residential / commercial development at Princes Parade.

G. Integrated Delivery Analysis

Overall mixed use scheme viability;
Overall funding balance, deficits or surpluses;
Overall funding balance, deficits or surpluses by use / activity;
Identification of sources for any gaps;
Outline delivery strategy, sequence and timing;
Appropriate delivery models – self development, contractor JV, developer JV, sale ;
Contractor driven, developer driven.

Step 2 - Reporting of Findings

Report to Shepway officers;
Report to Kent County Council officers;
Report to Shepway leader / portfolio holder / informal cabinet;
Decision to proceed.

Step 3 - Publication of Preferred Direction for Consultation

Proposed Princess Parade Scheme;
Outline delivery strategy and funding sources;
Assumptions and implications for linked sites;
(Commercial matters and land values as confidential)

Step 4 - Formal decision

4.8 The following is the minimum timescale to achieve the revised project plan:

Step	Minimum time required
1. Definition of Preferred Option	6 weeks
2. Report of Options	4 Weeks

3. Publication of Preferred Option	6 Weeks
4. Formal decision	4 weeks
Total:	20 weeks

4.9 This timeframe could lead to a formal Council decision in the autumn resolving its preferred direction for Princes Parade as landowner.

4.10 If Cabinet is minded to agree the recommendations contained in this report, the Head of Strategic Projects will meet with the consultants to agree the further details of the revised project plan.

5. CONCLUSION

5.1 This report is prepared to update Cabinet on the work carried out so far as part of the overall project.

5.2 Cabinet will receive a 10 minute presentation from the consultant project team on the results of the second stage consultation. Results from the consultation have demonstrated the wide spread of local opinions and that there is no one singular view about Princes Parade. Three key messages have been identified:

- All of the questions in the consultation feedback have shown strong support for a new swimming pool. When combined with the call for new community and leisure activities this accounted for 30% of the comments received in question 3, greater support than for any other topic. A new pool was also the highest single priority for question 2.
- Feedback from the consultation demonstrated the strong voice against any development at Princes Parade. 'Do nothing' was the second highest priority for question 2. 'Leave it as it is' was the third most regular comment made in response to question 3.
- The consultation has clearly shown that Princes Parade is seen as a valuable portion of green space in Hythe, with regular comments such as 'Preserve the countryside character', create new green spaces and parks', and 'protect existing wildlife'.

5.3 Cabinet is asked to note the contents of this report and to confirm that work on the project continues to the next stage, as detailed in section 4 of this report.

6. RISK MANAGEMENT ISSUES

6.1 A summary of the perceived risks follows:

Perceived Risk	Seriousness	Likelihood	Preventative measures
The range of options for the site is not compatible with public opinion.	Medium	Medium	Further consultation with public to inform options appraisal. All

			possible options to be considered. Clear and robust decision making associated with each option.
Public opinion becomes entrenched in its opposition to any form of development on the site.	High	Medium	Known objectors to be actively involved during consultation.
Preferred option is not accepted by stakeholders.	High	Medium	Clear rationale and evidence base for preferred option.

7. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

7.1 Legal Officer's Comments (PW)

All the legal issues that arise have been addressed in the main body of the report.

7.2 Finance Officer's Comments (MF)

The remaining budget for the project study is outlined in paragraph 1.3. If the project progresses, a financial appraisal of the options will be reported as per paragraph 4.7, Step 2 of this report.

7.3 Diversities and Equalities Implications (JC)

There are no diversity or equality implications within the report.

8. CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officers prior to the meeting:

Jeremy Chambers, Head of Strategic Projects
 Tel: 01303 247385
 E-mail: jeremy.chambers@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report.

None

Appendices:

Appendix: Princes Parade Site Allocation Study

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PRINCES PARADE SITE ALLOCATION STUDY

STAGE 2 CONSULTATION REPORT

Draft report | April 2013



Allies and Morrison
Urban Practitioners



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1. INTRODUCTION TO THE PROJECT

This document sets out feedback from the second stage of consultation on the Princes Parade project.

The study is being undertaken by GVA, Allies and Morrison Urban Practitioners and URS on behalf of Shepway District Council. It is designed to inform the Council's approach as landowner and is not a planning policy document or planning application.

The project

Shepway District Council has commissioned this study of Princes Parade in Hythe. This Council-owned site has been the subject of considerable discussion and debate in recent years. The Council wishes to clarify the potential for meeting community needs, including leisure facilities, education, a range of natural, formal and play related public open spaces and any housing or commercial activities at the site. A consultant team made up of environmental specialists, engineers, planners and urban designers was retained to bring together site information and to consult with key stakeholders and the community on the future of Princes Parade.

Public consultation held during the summer of 2012 has been linked to technical review and investigations. A technical baseline report

and a consultation report have been prepared. The consultant team has now established an understanding of the site, including physical conditions, site issues, opportunities and aspirations as well as local community concerns.

This Stage

This stage of consultation set out a series of scenarios for future activities at Princes Parade. These included different extents of site use, balances of open space and active use and locations across the site. The purpose was to understand the potential of the site, the effect of different approaches to the site, and to gather opinion from a range of stakeholders, residents and businesses.

This consultation

This report details the feedback from the second stage of consultation on the project. The project team has already undertaken public consultation during the summer of 2012 to find out what local think people about the area. Following this, a number of ideas were prepared, including key principles which should shape the future of the site and a number of scenarios to demonstrate what these could mean.

Find out more

If you would like to find out more about the project you can access the web page with information at: <https://www.folkestone-hythe.gov.uk/princes-parade>.



2. STAGE 2 CONSULTATION PROCESS

The consultation process for stage two of the project ran from Friday 8 February to Friday 8 March 2013 and was designed to provide a range of opportunities and formats through which local community members and stakeholders could review scenarios for the Princes Parade site and provide feedback on these.

The consultation activities for stage 2 of the consultation process included:

- A project website;
- A Saturday market stall consultation on Hythe High Street;
- A two week library exhibition;
- An evening drop-in session at Seabrook School; and
- Stakeholder discussions.

By providing a range of formats and opportunities for comment, the consultation was designed to draw out opinion and feedback from a broad section of the local community.

Project website

A project website with a pdf report of the exhibition panels and an online interactive version of the questionnaire was launched on Friday 8 February 2013. This enabled people to view the scenarios information in their own time at home. The website was also used to advertise the consultation events.

Market stall consultation

A market stall consultation was held on Saturday 9 February 2013 in Hythe town square outside Aldi supermarket from 11.00am to 1.00pm. Information on the potential scenarios for Princes Parade was exhibited on large banners in a marquee, with questionnaires available for people to give their feedback on the scenarios and to provide further comments. Project team members from GVA and Allies and Morrison Urban Practitioners were on hand to answer any questions.

The market stall consultation was advertised on the project website, in the local newspaper and through posters in the local area. During the consultation session, approximately 150 people visited the stall to view the information on the scenarios and provide feedback.

Library consultation

Following the market stall consultation on 9 February 2013, the exhibition materials were moved to Hythe Town Library, along with questionnaires and a box in which people could deposit these. Two copies of the stage two project report were also available. This summarised the consultation feedback from stage one of the project and the key issues for Princes Parade, along with the scenarios. The exhibition was located in the main library area, close to the entrance and remained there until Monday 4 March 2013.

School drop-in consultation

A drop-in consultation session was held at Seabrook Primary School on Monday 4 March 2013, from 3.30pm to 7.30pm. Project team members from GVA and Allies and Morrison Urban Practitioners were on hand to answer any queries on the project and the information in the exhibition. Questionnaires were available for people to complete at the venue or to take away and return. Approximately 100 people attended the school drop-in session.

Stakeholder discussions

A series of stakeholder discussions were held, which enabled the team to follow-up with stakeholders who were involved during stage one of the project and to engage strategic consultees. The stakeholder meetings included:

- Monday 4 March 2013, 11.00am - Hythe Town Councillors
- Monday 4 March 2013, 2.00pm - Seabrook Primary School head teacher and governors
- Wednesday 13 March 2013, 11.30am - English Heritage (on site)
- Wednesday 13 March 2013, 2.00pm - Hythe Town Councillors
- Wednesday 13 March 2013, 3.00pm - Hythe Civic Society

- Over 500 questionnaires distributed at drop-in events and during the exhibition period in the library
- 402 questionnaires completed, including:
 - 262 online responses
 - 140 paper copy responses
- Over 250 people attended drop-in events



2. STAGE 2 CONSULTATION PROCESS

Exhibition boards were used throughout the consultation process and are included here for reference. The boards provided the following information.

Board 1

This introduced the project context and outlined the programme for completing the project.

Board 2

This set out the baseline conditions for the Princes Parade site, based on the project team analysis and feedback from the stage 1 consultation process.

Board 3

This set out the key principles and approach to the Princes Parade site, along with the spatial components of the scenarios.

Board 4

This board set out the detail of the different scenarios that have been developed for Princes Parade, which encompass different levels of development and a different mix of uses and open space.

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3. STAKEHOLDER INTERVIEWS

As previously noted, the project team has met with a number of stakeholder groups during the course of the consultation, including members of Hythe Town Council, Hythe Neighbourhood Plan Group, Seabrook School and Hythe Civic Society. The following notes provide a summary of the issues raised in these meetings:

Viability

- Questions were asked about whether the site was viable to develop. It was noted that the development of the site was not expected to be entirely self-contained/self-financing if it includes community infrastructure. Multiple sources of funding would be needed in addition to any site receipts.
- There were concerns that the economics of development might push up the density and height of buildings in a bid to make a project more viable. It was noted that the aim was to keep any heights modest as an underlying principle.

School

- It was noted that a new site was needed for the school, but that the Eversley Road site had not been brought forward for many decades, despite being allocated for this purpose. Local residents were reported as not wishing to see any development on the Eversley Road site.

- If the technical issues around Princes Parade could be resolved it was considered that the site could be a good location for the school. It would be safer for traffic and parking, and would provide great opportunities for outside learning. However, there were some concerns that it may not be centrally located for the catchment area.
- Any parking or drop-off for the school should be on the north side of the Princes Parade road rather than on the beach side to minimise crossing.

Swimming pool

- The consultant's report into locations for the swimming pool was regarded by some as a missed opportunity. Some people questioned the conclusions of the report and the lack of public consultation on the pool project. It was suggested that the existing pool site needs to be addressed in much more detail and many people were reported as wishing to see the pool rebuilt there.
- There were concerns about the potential bulk of a sports hall on the Princes Parade site.

Technical constraints

- A question was asked about whether the flood risk was based on the continuing build-up of the beach. The gradual rise in sea levels expected over the coming decades was also noted.
- Concerns were expressed about the potential for piles and other below-ground structures to affect drainage of ground-water.
- The group asked whether the historic report into the ground conditions on Princes Parade was available for public scrutiny.
- There were concerns about the availability of insurance for any houses built in this area.
- There were questions about local infrastructure – can the existing fresh and foul water infrastructure really accommodate this new development?

Green space

- It was noted that it will be important to retain the natural beauty of the Princes Parade site.

- It was suggested that it would not be worth destroying this site to provide residential development.
- There is reported to be a good level of support for more usable open space within the site which could provide a range of recreation opportunities. It was suggested that the management of this space could include local people.
- There was support for a range of recreation uses. Active management could provide opportunities to involve local people.

Access and movement

- There was support for new links from the existing areas towards the seafront, including controlled crossings on Princes Parade. However, this should not include new vehicle connections.
- Some form of traffic calming and parking management also needs to be accommodated.

Housing development

- There are few jobs in this area – why are so many new houses needed?

Process

- There would be support for decisions taken about this piece of land to be made by Full Council rather than by Cabinet – this would be perceived as being more democratic and more accountable.
- Decisions on the Princes Parade site need to be made based on a number of factors, including political issues, corporate objectives, technical considerations, financial matters and the views of local residents.

4. CONSULTATION FEEDBACK

Introduction

A questionnaire was provided during the second stage of consultation at Princes Parade to assist the local community in providing feedback on the example scenarios that have been developed for the area.

The questionnaire could be completed online or by filling in a paper copy at the exhibitions and these results have been combined in order to give an overall picture of community feedback. 402 questionnaires were completed.

The questionnaire is included in the appendix to this report, for reference. It included questions on the overall principles for the site, questions on the elements of the scenarios and space for further comments. Demographic and geographic information could be provided by respondents in order to give a fuller picture of community opinion.

Each question has been included in turn and the results are analysed within this chapter.

Key messages

Results from the consultation have demonstrated the wide spread of local opinions and that there is no one singular view about Princes Parade. Three key messages have been identified:

- All of the questions in the consultation feedback have shown strong support for a new swimming pool. When combined with the call for new community and leisure activities this accounted for 30% of the comments received in question 3, greater support than for any other topic. A new pool was also the highest single priority for question 2.
- Feedback from the consultation demonstrated the strong voice against any development at Princes Parade. 'Do nothing' was the second highest priority for question 2. 'Leave it as it is' was the third most regular comment made in response to question 3.
- The consultation has clearly shown that Princes Parade is seen as a valuable portion of green space in Hythe, with regular comments such as 'Preserve the countryside character', create new green spaces and parks', and 'protect existing wildlife'.



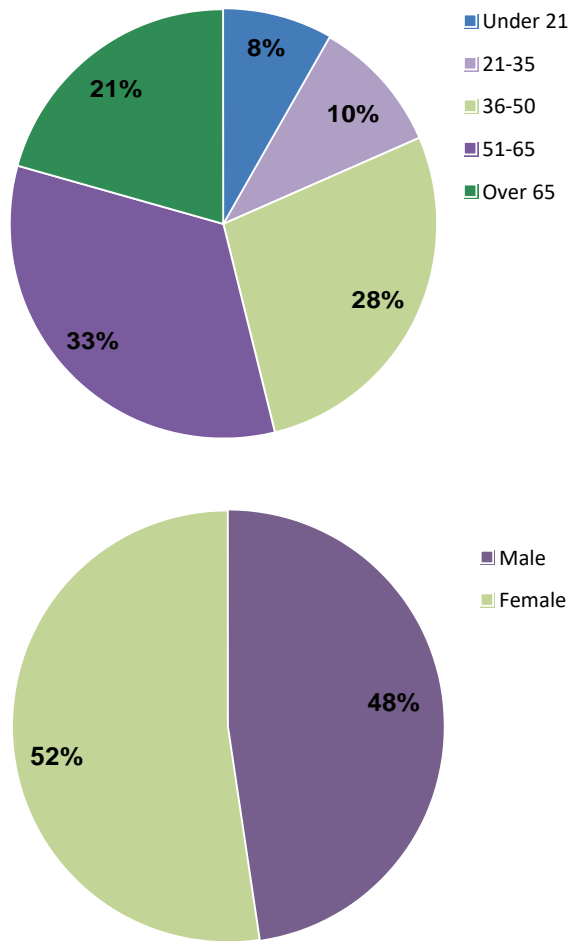


Figure 1: Age and gender split of respondents

Profile of respondents

The consultation questionnaire included optional questions for respondents on their gender, age group and postcode.

Not all respondents completed this question but from those who did, it is possible to see that questionnaires were submitted by community members representing a broad age range. Of the 364 people who gave their age, the breakdown of different age groups is as follows:

- 8% in the under 21 bracket;
- 10% in the 21-35 age bracket;
- 28% in the 36-50 bracket;
- 33% in the 51-65 age bracket; and
- 21% were in the over 65 age bracket.

The gender mix of respondents was broadly equal, with 52% of respondents being female and 48% of respondents being male.



4. CONSULTATION FEEDBACK

Question 1: Do you agree with the principles?

Question one of the questionnaire asked respondents to consider the principles for Princes Parade that were set out in the consultation document and exhibition, and indicate whether they agreed with the approach.

There was a relatively even spread of opinion between those who agreed and disagreed with the principles. Respondents generally had a strong opinion either way, with few people giving a neutral response.

In reviewing the results, it was apparent that in many cases, respondents extra comments for this question reflected a generally negative view of development rather than a response to the principles. This may have diminished the validity of the results for this section slightly. Figure 2 demonstrates these extra comments. Only around 25% of respondents left extra comments.

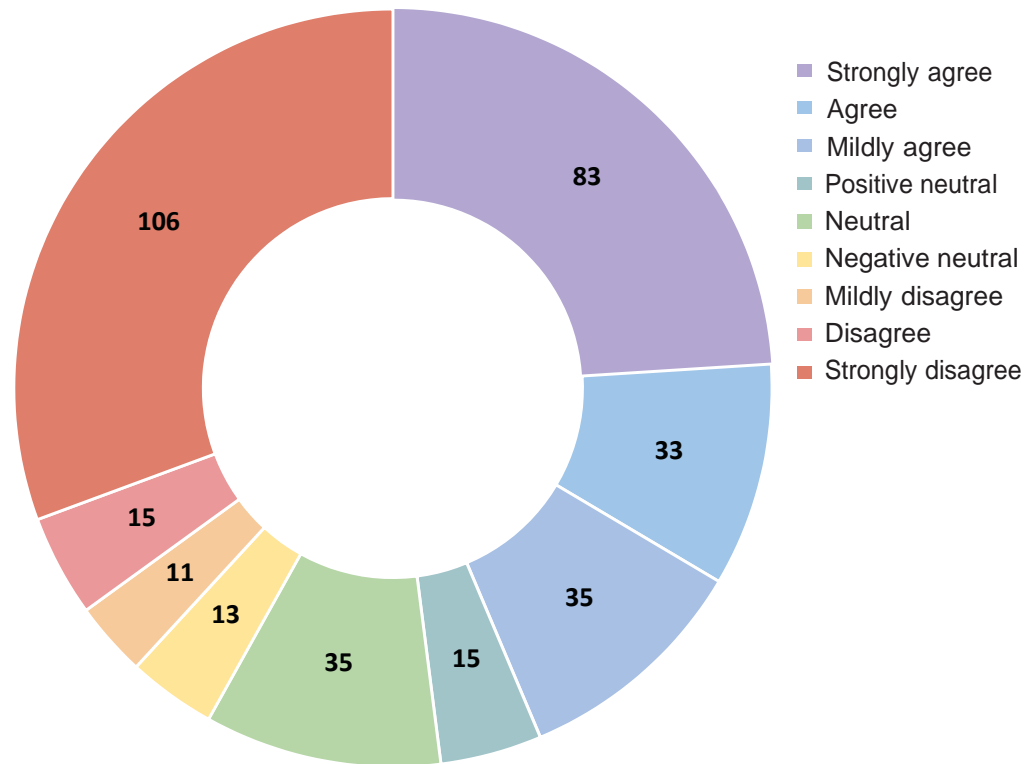


Figure 2: Level of agreement to the principles for Princes Parade

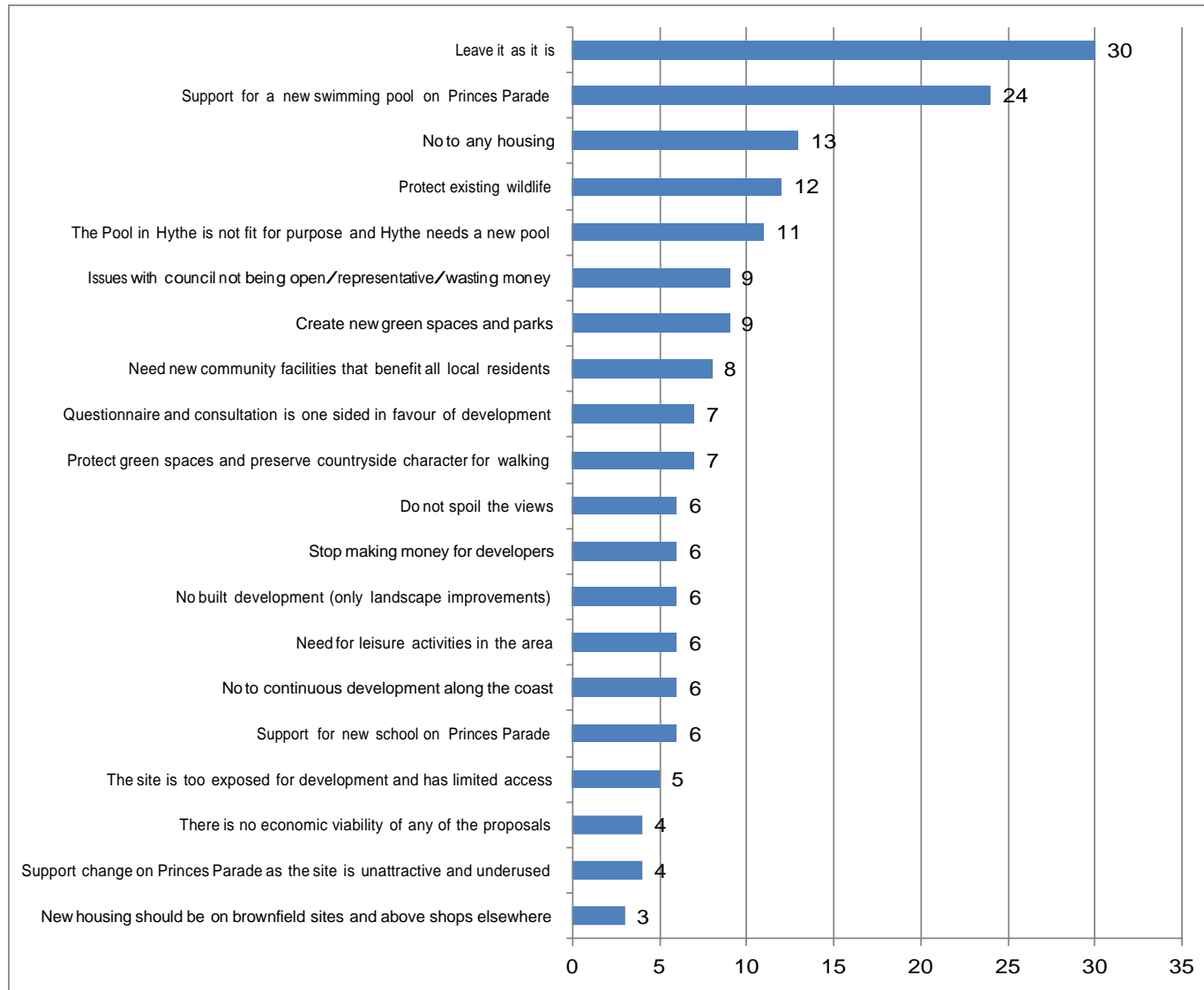


Figure 3: Further written comments given about the principles

4. CONSULTATION FEEDBACK

Question 2: Priorities for Princes Princes Parade

A series of scenarios were presented in the report and exhibition and question two set out the different elements of these scenarios relating to open space, uses and activities and development. In all, there were 22 different 'priorities' identified in question two, and respondents were asked:

'The different scenarios include a wide range of ideas for the area. We'd like to know which you think are the most important for Princes Parade - please tick up to five boxes'.

The question included space for respondents to add their own priority suggestions, with four blank boxes provided. The graph on the opposite page demonstrates the spread of opinion from the respondents who filled in the questionnaire. The green bars represent priorities provided on the questionnaire and the purple bars represent other priorities suggested by respondents.

The five most important priorities for Princes Parade were:

- Provide a new swimming pool;
- Do nothing;
- Protect the heritage of the canal;
- Leave as much green space as possible; and
- Establish wildlife habitats.

The five least important priorities for Princes Parade from those suggested on the questionnaire were:

- Improve links from housing to the beach;
- Add another bridge to improve links;
- Promote community use of a new school;
- Deliver affordable housing; and
- Homes should be family houses rather than flats.

The graph includes all of those comments which were made more than once. Other comments made once included:

- Two / three storey housing is NOT low!!
- A marina and houses

- Cinema, bowling alley, ice hockey rink, roller rink
- Conservation of ambiance and habitat
- Create a nature park
- Develop hotel
- Enlarge Hythe Aqua's carpark
- Keep 15 metres green along Princes Parade
- No car parks
- No school
- Open water swimming
- Parking at new pool to be free to users
- Pool survey
- Possible cycle lane either roadside or canal side
- Provide doctor and dental surgeries
- Reclaim existing scrub land
- Rowing
- Sailing facility
- Subtle lighting

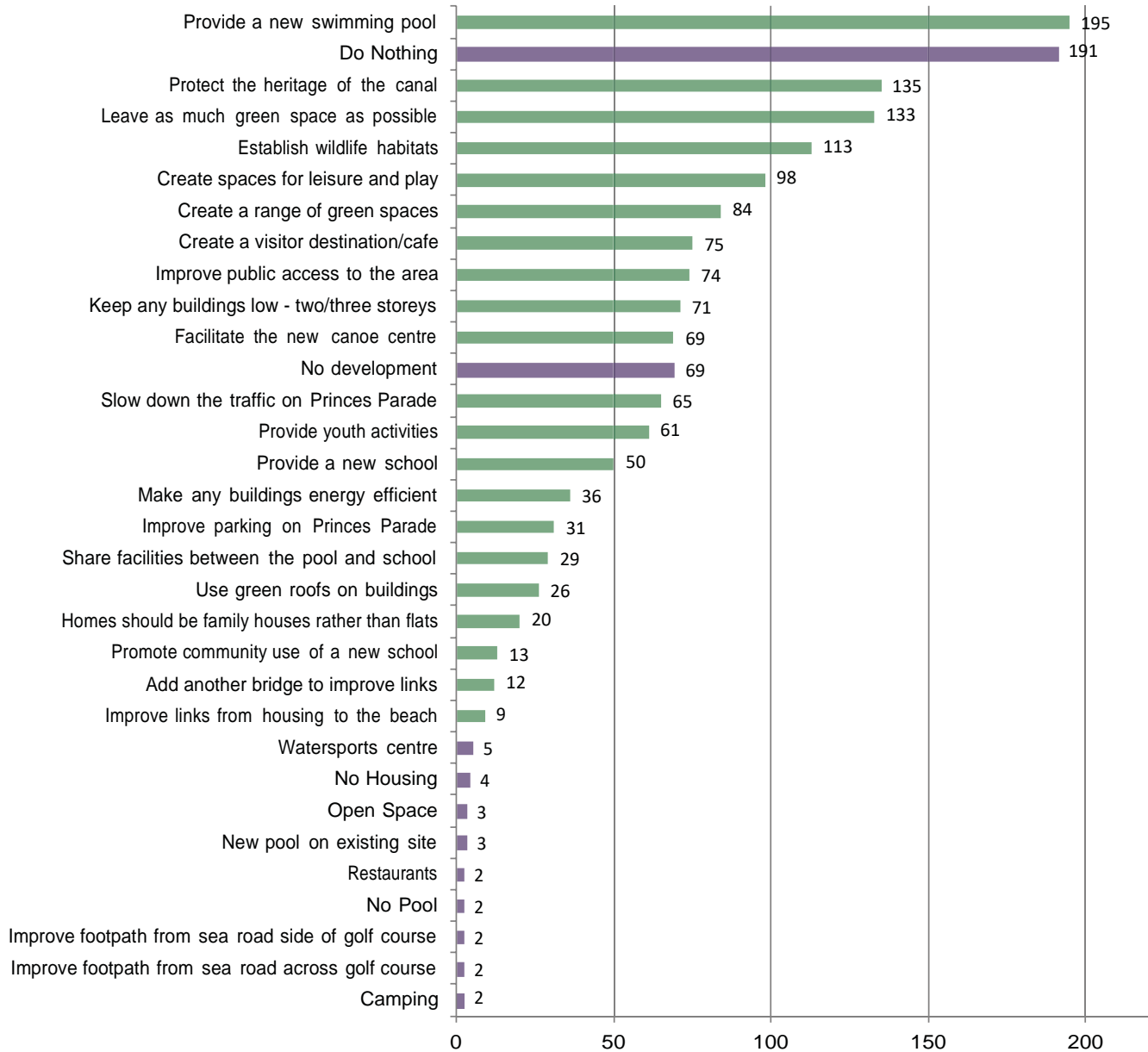


Figure 4: Level of priority given to elements of the Princes Parade scenarios by respondents, including suggestions by respondents

4. CONSULTATION FEEDBACK

Question 3: Further comments

Question three of the questionnaire asked respondents to provide further detail and comments on the ideas that were presented during the second stage of consultation for Princes Parade.

A large number of additional comments were made and these were reviewed to identify similar comments made by different people in order to identify the most frequently occurring comments and therefore highest priorities for the site.

The bar chart, figure 5, graphically represents the comments made most frequently by respondents, with any comment made five or more times included in the chart.

The top five comments made most frequently in response to question three were:

1. Support for a new swimming pool on Princes Parade (74 comments);
2. Protect green spaces and preserve countryside character for walking (50 comments);

3. Leave it as it is (49 comments);
4. The pool in Hythe is not fit for purpose and Hythe needs a new pool (48 comments); and
5. No to any housing (46 comments).

A number of comments were made by less than five people for question three. These have not been included in the chart to the right, but are set out below:

- New housing should be on brownfield sites and above shops elsewhere;
- Would prefer pool to be built at Nicholls Quarry;
- Seabrook is not a 'village centre';
- Concern over pollution with increased development;
- The site is too exposed for development and has limited access;
- The sketch shows a leisure centre not a swimming pool;
- Pool should be multi-functional;

- Is there a reduction in biodiversity over time as in Scenario 1;
- Consultation is a waste of public money;
- No new bridges are necessary;
- Subtle lighting at night;
- Need activities for young people in the area;
- The site could provide much needed jobs for the area;
- Create a dog exercise area;
- Employ a warden;
- Concern over expansion of school and losing links with church;
- Keep development near existing playground;
- Need a cycle lane separate from walkers;
- Do not build on the golf course;
- Single storey housing for elderly; and
- Need a doctors surgery and dentist.

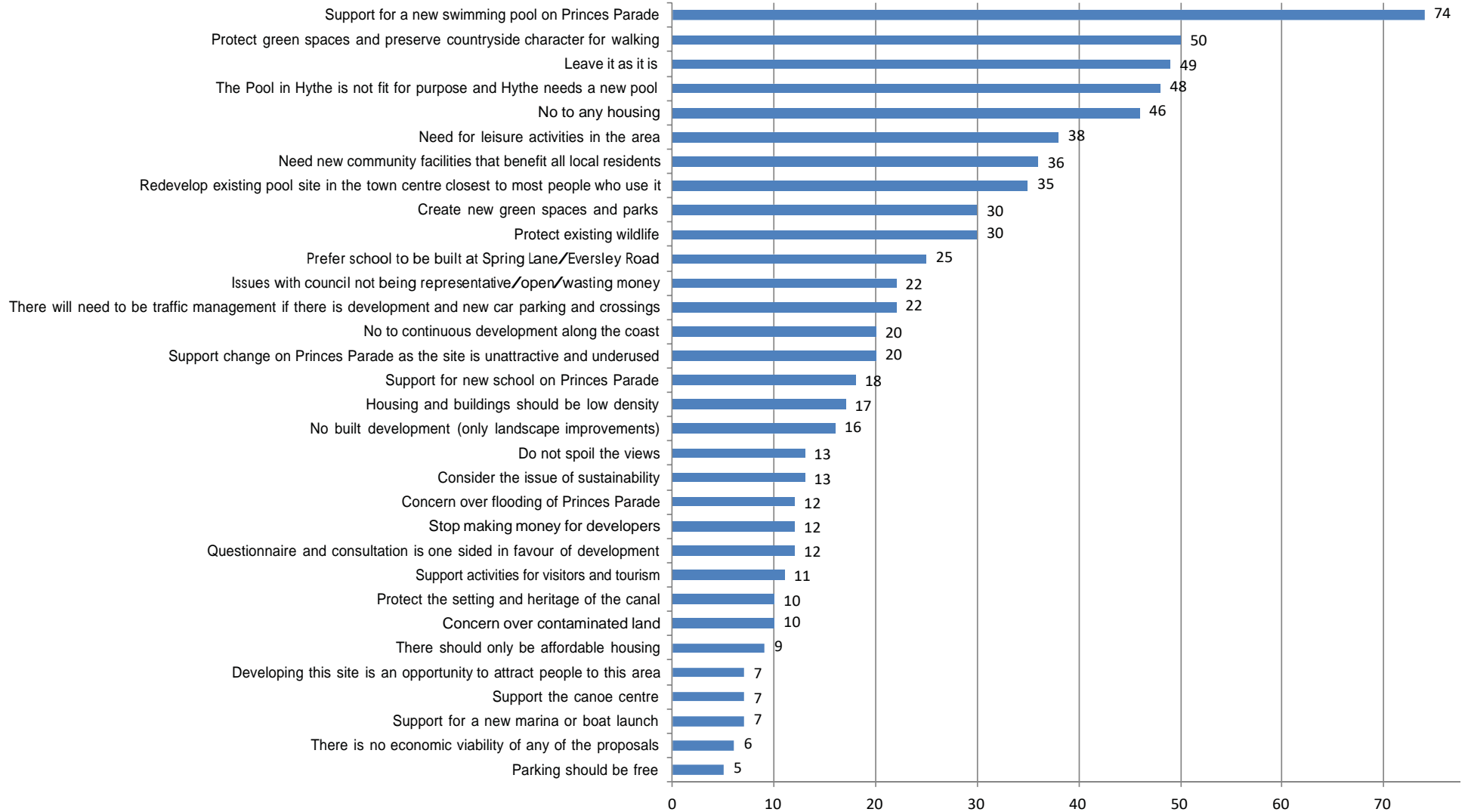


Figure I: Most regular comments made regarding priorities for Princes Parade for question 3 of the feedback form

5. APPENDIX 1: QUESTIONNAIRE

PRINCES PARADE

Second stage consultation - February / March 2013



Thank you very much for taking the time to tell us what you think about the ideas for Princes Parade. Your views are really important in shaping the ideas for the future of the area.

You can complete this form online at https://www.folkestone-hythe.gov.uk/princes-parade_or fill in a paper copy.

This can be handed in at the exhibition or posted back to us at the address on the back of this form.

Please send in your comments by Friday 8 March 2013.

1 - We have set out some key principles for the area which are described in the consultation document and exhibition. Please read them and then indicate whether you agree with the approach. You can use the other space to add any comments about the principles (Space for more general comments about the project is provided later).

2 - The different scenarios include a wide range of ideas for the area. We'd like to know which you think are the most important for Princes Parade - please tick up to five boxes

- | | |
|---|--|
| <input type="checkbox"/> Improve public access to the area | <input type="checkbox"/> Make any buildings energy efficient |
| <input type="checkbox"/> Create a range of green spaces | <input type="checkbox"/> Keep any buildings low - two/three storeys max |
| <input type="checkbox"/> Leave as much green space as possible | <input type="checkbox"/> Any homes should be houses rather than flats |
| <input type="checkbox"/> Create spaces for leisure and play | <input type="checkbox"/> Deliver affordable housing |
| <input type="checkbox"/> Establish wildlife habitats | <input type="checkbox"/> Add another bridge to improve links |
| <input type="checkbox"/> Improve links from housing to the beach | <input type="checkbox"/> Slow down the traffic on Princes Parade |
| <input type="checkbox"/> Provide youth activities | <input type="checkbox"/> Improve parking on Princes Parade |
| <input type="checkbox"/> Protect the heritage of the canal | <input type="checkbox"/> Create a visitor destination/cafe |
| <input type="checkbox"/> Provide a new swimming pool | <input type="checkbox"/> You can use this space to add other suggestions |
| <input type="checkbox"/> Provide a new school | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Facilitate the new canoe centre | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Promote community use of a new school | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Share facilities between any pool and school | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Use green roofs on any larger buildings | <input type="checkbox"/> _____ |

3 - Please use this space to provide any other comments on the ideas that are presented:

4 - We would be grateful if you could answer this voluntary question. Your other comments are still valid if you decide not to answer this question:

<input type="checkbox"/> Male	<input type="checkbox"/> Under 21	Postcode:
<input type="checkbox"/> Female	<input type="checkbox"/> 21 - 35	
	<input type="checkbox"/> 36 - 50	
	<input type="checkbox"/> 51 - 65	
	<input type="checkbox"/> Over 65	

The consultation period closes on Friday 8 March 2013.

You can post your responses to:

Allies and Morrison Urban Practitioners
Princes Parade Consultation
85 Southwark Street
London
SE1 0HX

You can also email us with your responses at princesparade@am-up.com

Don't forget that you can download the report and register your response online through the council website <https://www.folkestone-hythe.gov.uk/princes-parade>

Our policy is to collect no personal information about you. Any information you volunteer that identifies you will be deleted on receipt.





This report will be made public on 15 July 2013

Folkestone

Hythe & Romney Marsh
Shepway District Council



www.shepway.gov.uk

Report Number **C/13/14**

To: Cabinet
Date: 23 July 2013
Status: Key Decision
Head of Service: Jeremy Chambers, Strategic Projects
Cabinet Member: Councillor David Monk, Leader of the Council

SUBJECT: GROUNDS MAINTENANCE SERVICE – UPDATE AND RESULT OF PROCUREMENT EXERCISE

SUMMARY: A report to update Cabinet on the progress made since the service was last considered by Cabinet on 20 July 2011 and on the results of the procurement exercise.

REASONS FOR RECOMMENDATIONS:

Cabinet is asked to consider the update results of the procurement exercise and decide whether it wishes to outsource the grounds maintenance service.

RECOMMENDATIONS:

1. To receive and note Report C/13/14.
2. To take one of the following decisions:
 - Subject to contract and legal formalities, to award a 10 year contract for the provision of grounds maintenance services to Bidder 2 with effect from 1 November 2013; or
 - Not to award a contract, to retain the service in house and instruct the Head of Strategic Projects to bring a report back to a future meeting of Cabinet that considers the options for the future provision of the service.

1. INTRODUCTION AND BACKGROUND

1.1 The grounds maintenance service manages the public parks, open spaces, housing land, cemeteries and general amenity areas including, but not limited to:

- Green Flag Parks (Coastal Park and Royal Military Canal)
- 1,700,000m² of Grass Maintenance
- 45,000m² of Shrub Beds, Rose Beds and Herbaceous Beds
- 14,000m of Hedges
- 3,500m² of Annual Flower Beds
- 4 Sports Facilities, including Football Pitches, Cricket Pitches, Tennis Courts, Bowling Greens, Pitch and Putt Courses etc.
- 1000+ Trees
- 900km of Road Verge Maintenance
- Approximately 150 Burials per annum
- Approximately 60 Playgrounds
- Approximately 1,500 items of Park Furniture
- Mobile Park Keeping duties, including: Litter Collection, Litter Bin Emptying and other Cleansing Duties
- Public Convenience Cleaning
- Sports Attendance and Income Collection
- Support for Events
- Parks Handyman Service

1.2 The service is currently split into the following teams:

Parks Team	Including the Coastal Park, Royal Military Canal, Kingsnorth Gardens, the Leas and Wakefield Walk.
Technical Services Team	Including the handyman, fitter, flood warden, pump crew, cemeteries team, cleansing team and sports team.
Arboricultural/Grounds Maintenance Team	Including the tree gang, New Romney, Hythe and rural teams.
Horticultural Team	Design and plant, the housing team and the Folkestone team.
Technician/Admin support	

1.3 At its meeting of 20 July 2011, Council's Cabinet resolved as follows:

- To agree to go to market to procure a grounds maintenance service;
- That a report detailing the results of the procurement exercise be brought to a future meeting of the Cabinet in advance of any decision being made to award a contract;
- If Folkestone Town Council wishes to pursue having the trusteeship and the other land and open space transferred from Shepway District Council to Folkestone Town Council, a business case should be submitted showing the potential benefits of the transfer after the conclusion of the procurement exercise.

- 1.4 Following the Cabinet resolution in 2011, in order to fully understand the service at that time, Plan B Management Solutions Ltd were appointed to carry out a baseline review of the service in advance of carrying out a procurement exercise.
- 1.5 The baseline review was completed on 27 January 2012 and highlighted that whilst the service was well perceived by the public it was over resourced, inefficient and significant savings could be realised in advance of going to the market. The baseline review was discussed with Corporate Management Team, the Leader, Deputy Leader and Cabinet Member for Finance on 7 February 2012.
- 1.6 It was agreed that Plan B would be appointed to work with the Head of Strategic Projects on (a) implementing savings prior to market testing with no drop in the quality of the service; (b) preparing a specification, (c) providing interim management of the service.

2. SERVICE IMPROVEMENTS FOLLOWING THE BASELINE REVIEW

- 2.1 Andy Blaszkowicz was appointed as an interim manager of the service on 10 April 2012 to assist the Head of Strategic Projects in delivering the Cabinet resolution and actions arising out of the baseline review. Working with the management team at the Depot, the business processes were redesigned and a restructure of the service was completed with no disruption to service provision. Additional resources have been made available to key areas and the service has been improved by improved working arrangements and management of staff.
- 2.2 The restructure delivered an annual ongoing saving of approximately £256k. This has already been factored into the budget.
- 2.3 Efficient work planning and routes have been implemented. For the 2012/13 winter season, managers operated to works schedules that cover all winter works to ensure works are completed in route order to the expected high standards. The workshop worked to a full schedule of winter servicing to ensure that all plant and machinery was ready to go in early spring to prevent any problems at the start of the current season.
- 2.4 A specification, reflecting the current service provision was prepared by Plan B and this was issued to bidders as part of the procurement exercise.

3. CONSULTATION WITH STAKEHOLDERS

- 3.1 The Leader of the Council arranged a cross-party working group that met on 31st October to consider specific areas of the specification. The purpose of the discussion was to consider including options in the specification and bills of quantities to ensure an informed debate can take place following the market testing exercise. The areas considered were annual bedding provision, grass cutting regimes, shrub bed provision and the coastal park wardens.

3.2 With regard to annual bedding provision, in summary, changing annual bedding to sustainable planting or turfing was agreed in principle to areas that were deemed appropriate. The views of the working group were as follows: -

- That where appropriate sustainable planting offering year round structure and seasonal colour was a viable alternative to bedding;
- That the locations of annual beds across the district need to be analysed to establish which beds are suitable to change, keeping all stakeholders informed during the process;
- That it is key to maintain the high profile areas of bedding;
- Annual wildflower areas were also discussed as an alternative with councillors appreciating the aesthetic value and keen to see costings;
- Councillors agreed that where appropriate in areas where there was no obvious value to annual bedding, turfing the area could be a suitable alternative;
- Going forward it was agreed to establish suitable areas for possible change and to add detail to specification and bill of quantities to accommodate alternative features.

3.3 With regard to grass cutting regimes, in summary, the frequency of grass cutting on behalf of KCC did not generate one clear view. The views of the working group were as follows:

- Some members of the group thought that the Council should continue to subsidise the additional cuts to keep all standards the same and maintain public perception whilst others believed that KCC should only receive the number of cuts that they pay for;
- The solution to this is to provide options in the specification and bill of quantities so that decisions can be made when costing information is received;
- With regard to closed churchyards, it was agreed that dropping the frequency of cutting in appropriate areas was a possibility and could look aesthetically pleasing and would have economic and environmental benefits;
- With regard to playing field margins, it was agreed that naturalised areas could be left around some playing fields where 'back up' mowing would not be required;
- Councillors supported the idea of adding a naturalised area with maybe two cuts per year to the specification. This could be applied to both churchyards and playing field margins.

3.4 With regard to shrub bed provision, the views of the working group were as follows:

- It was recognised that some shrub beds in the district were in a less than desirable condition. This is mainly where shrubs have died and been removed or been stolen;
- Where appropriate shrub beds could be removed and turfed. The alternative is to replant the shrub beds where required and maintain them as they are;

- A concern was raised where shrub beds were removed in housing estates this may encourage car parking on the verges and lead to damage. It was also raised that this may encourage dog fouling;
 - Going forward it would be prudent to add options into the contract for a replanting rate at a certain number of plants per metre. Once the costings are available decisions can be made on individual cases.
- 3.5 With regard to coastal park wardens, the views of the working group were as follows:
- The general view was that the Coastal Park is one of the prime parks in the district and that the warden presence is an essential resource within the park during busy periods;
 - It was agreed to leave this at its current level for the time being.
- 3.6 The matters considered by the working group and the views of the group were considered by the Folkestone Parks and Pleasure Grounds Charity - Board of Trustees at its meeting on 19th December 2012. The Board welcomed the presentation and supported the views of the working group.
- 3.7 The working relationship with East Kent Housing has been very positive and regular inspections of housing sites and general discussions take place.
- 3.8 At its meeting of 20 June 2012, the Council's Community Overview Committee included within its scrutiny programme for the year pre-decision scrutiny of proposals for the future provision of the grounds maintenance service. The Head of Strategic Projects has given two updates to Community Overview Committee as part of this process, on 24 September 2012 and 28 January 2013.
- 3.9 A presentation detailing the current service and the process followed was presented to the East Kent Housing – Shepway Area Board on 20 June 2013, to Community Overview Committee on 8 July 2013 to the Folkestone Parks and Pleasure Grounds Charity - Board of Trustees on 23 July 2013 and the Head of Strategic Projects will give a verbal update to Cabinet in relation to this and feedback at the Cabinet meeting.

4. PROCUREMENT PROCESS

- 4.1 A project team was established and initial meetings have taken place to establish a project timetable. The team consists of Jeremy Chambers (Head of Strategic Projects), Andy Blaszkowicz (Interim Grounds Maintenance Manager) and Greg Mitchell (Plan B), Andrew Rush (Corporate Contracts Manager), Margaret Creed (Procurement Manager) and admin support from Libby Donovan.
- 4.2 The service is categorised as a Part B services contract under the Public Contract Regulations and the procurement process was structured to include a shortlisting stage, two half day dialogue sessions per bidder and a formal tender submission. 47 expressions of interest were received. 14 pre-qualification questionnaires were received. In accordance with the published

OJEU Notice the top six scoring responses to pre-qualification questionnaires were invited to tender. The six companies were: -

- Continental Landscapes;
- Enterprise plc;
- Glendale;
- Ground Control;
- The Landscape Group;
- Veolia.

4.3 Prior to the date for the submission of tenders, Enterprise and Veolia withdrew from the process.

5. EVALUATION METHODOLOGY

5.1 The tenders were evaluated on a most economically advantageous tender basis, i.e. a tender that has the lowest evaluated cost and not necessarily the lowest submitted cost.

5.2 The quality/cost split was 40/60 respectively.

5.3 The method for financial evaluation was as follows:

The lowest credible cost received 100. For each other submission the difference between the submission and the lowest credible cost was calculated as follows:

If the LCC = lowest credible cost and BC = the Bidder's cost:

$$\text{POINTS AWARDED} = [1 - (\text{BC} - \text{LCC})/\text{LCC}] \times 100$$

The resulting scores will then be multiplied by 60% to give the Weighted Score for cost.

All scores will be rounded off to the nearest whole number.

EXAMPLE

Tender	Cost	Unweighted Score
1	£1,800,000	100
2	£2,000,000	89
3	£2,200,000	78
4	£2,500,000	61
5	£3,000,000	33

EXAMPLE

Tender	Score out of 100	Weighted Score (i.e. 60%)
1	100	60
2	89	53.4
3	78	46.8

4	61	36.6
5	33	19.8

- 5.4 The Council reserved the right to disqualify any bids it considered to be abnormally low in circumstances where the Bidder was unable to demonstrate a fully costed price model to the satisfaction of the Council. The Council also reserved the right to amend the contract post receipt of tenders or not to award a contract at all.
- 5.5 Quality was assessed in accordance with how Bidders will fulfill the specification in 6 areas as follows:

Area to be assessed	Marks
C1 – Mobilisation	35
C2 – Service Delivery Plan	140
C3 – Health & Safety, Social and Environmental Initiatives	45
C4 – Sites of Strategic Importance	60
C5 – Partnership, Innovation, Cost Saving & Efficiencies	60
C6 – Performance Management	60
Total:	400

- 5.6 A maximum of 400 marks could be awarded. The weighting multiplier (i.e. maximum points) for each element within the areas described above was shown in brackets at the end of each line. For example: -

A plan detailing their procedures for facilitating the TUPE transfer of staff of the existing Contractor's staff employed on the current service (x3 multiplier = max 15 marks)

- 5.7 In this example, using the table below, an acceptable answer would score 9 out of a possible 15 and a superior answer would score 15 out of a possible 15.
- 5.8 A Bidder's weighted mark will be divided by 10 to give a mark attributed to quality. Each element will be scored according to the following table:

Assessment	Description	Unweighted Score
Deficient	Response to the question(s) (or an implicit requirement) significantly deficient or no response received.	0
Inadequate	Inadequate detail provided and some of the questions not answered and/or some of the answers to questions are not directly relevant to the question(s).	1
Limited	Limited information provided, and/or a response that is inadequate or only partially addresses the question(s).	2
Acceptable	An acceptable response submitted in	3

	terms of the level of detail, accuracy and relevance.	
Comprehensive	A comprehensive response submitted in terms of detail and relevance to the question.	4
Superior	As Comprehensive, but to a significantly better degree (including improvement through innovation) and a response, which goes above and beyond to answer the question with precision and relevance.	5

5.9 The Council reserved the right to disqualify any bidder that scores an unweighted score of zero (0), one (1) or two (2) in respect of the response to any element of the assessment of quality.

6. FINANCIAL EVALUATION

6.1 The result of the evaluation of the financial section of the tenders is detailed in Appendix 1.

6.2 In summary, the 10 year costs of the tenders and financial scores are as follows:

Bidder	10 Year Price	Financial Score (rounded)
1	£21,128,027	99
2	£20,854,595	100
3	£17,267,073	Eliminated - non-compliant bid (see below)
4	£22,399,579	93

6.3 All bids were subject to clarification over both quality and financial elements of their submissions. Bidder 3 was unable to confirm they accepted a financial risk relating to pension liability following the transfer of staff. Following their response to the clarification question Bidder 3 was eliminated from the process as a non-compliant bid.

7. QUALITY EVALUATION

7.1 The result of the evaluation of the quality sections of the tenders is detailed in Appendix 2.

7.2 The yellow shading in the quality evaluation table shown at Appendix 2 indicates a score of 0, 1 or 2 for that element of the quality assessment. Any one of those scores is sufficiently low in its own right to allow the Council to eliminate the Bidder from the process. To put this into context, of the 28 quality elements assessed the bidders had the following number of low scoring answers each:

- Bidder 1 – 9 out of 28
- Bidder 2 – 9 out of 28
- Bidder 3 – 13 out of 28

- Bidder 4 – 10 out of 28

7.3 The number of low scores in C2 – Service Delivery Plan and C6 – Performance Management are perhaps of greater significance than some of the lower scores for other elements.

7.4 In summary, the overall standard of the quality element of the tenders is lower than the officers and consultants carrying out the evaluation expected.

8. SUMMARY OF TENDER EVALUATION

8.1 The table below gives the weighted results of the combined financial and quality evaluations: -

Bidder	Financial Score	Quality Score	Total Score
1	59.4	22.9	82.3
2	60	27.6	87.6
3	Eliminated		
4	55.8	23.8	79.6

8.2 As can be seen from the table, Bidder 2 achieves the highest score of 87.6%. The 10 year cost of their tender, including inflation based on their proposed indexation method is **£20,854,595**.

9. CLIENT SIDE COSTS, RETAINED SERVICES AND RETAINED BUDGETS

9.1 The current in house provision of the services has a management team that includes both the client side and operational management functions within the same team. If the service is outsourced, a number of staff will need to be retained by the Council to manage the delivery of the service. Following discussions with the Chief Executive and Greg Mitchell of Plan B the following staff requirements were identified as necessary to run the contract for the Council:

POST	GRADE	FTE	ANNUAL COST (inc on costs) (£)
Manager	J*	1	68,500
Arboricultural/Grounds Officer	F	1	40,500
Horticultural Officer	F	.5	23,000
Technician	D	1	22,000
Administrative Support	C	1	20,500
Total staff costs:			£174,500

* *New post subject to job evaluation*

9.2 The annual budgets that will be retained by the Council should the service be outsourced and responsibility not given to the winning Bidder are as follows:

BUDGET	VALUE (£)
Planting	77,700
Coastal Park	83,620
Royal Military Canal	35,500
Play area maintenance	10,500
Miscellaneous retained budgets	21,300
Variation budget	50,000
Burials	35,000
Total retained budget cost: £313,620	

9.3 The variation and burials budget above would normally be absorbed by the in-house service. The cost of burials is the cost tendered in the highest scoring Bidder's schedule of rates.

9.4 The annual total cost of client costs and retained services is as follows: -

DESCRIPTION	VALUE (£)
Client function staffing costs	174,500
Client unit specific overheads	36,520
Retained budgets excluded from the specification	313,620
Total of retained costs: £524,640	

9.5 The 10 year profile of the current service when compared to the highest scoring bid of £20,894,595 can be summarised as follows:

Grounds Maintenance 10 year summary	
Provider	£
Current costs of Service (including all overheads)	21,720,087
Cost of Bidder 2	
Bid Costs	20,854,595
Client Costs (including service specific overheads)	2,305,320
Total Cost Bid	23,159,915
Assumed Cost of Contract Variations	850,000
Revised Costs	24,009,915
Variance	2,289,828

9.6 As can be seen from the financial evaluation above, the cost of the highest scoring bid when compared to retaining the service in house will cost the Council an additional **£2,289,828**.

10. FURTHER IN HOUSE EFFICIENCIES

10.1 Time restraints have prevented further efficiencies being implemented. Having been through an entire annual cycle of the new core/seasonal arrangements, further minor amendments to the service are planned within the next 12 months.

10.2 If the service remains in house these further amendments will generate an additional £40,000 saving in year 1 (using 1st November 2013 as a start date) and £90,000 from year 2 onwards. This amounts to an additional £850,000 over a 10 year period. This further potential saving has not been included in any of the figures detailed in paragraph 9, and is purely indicative at this stage.

11. SUMMARY

11.1 This report provides a detailed update to Cabinet on the work undertaken in the service since its meeting of 20 July 2011.

11.2 A thorough procurement process has been undertaken and Cabinet has to decide whether or not to outsource the service to the highest scoring bidder, Bidder 2.

12. RISK MANAGEMENT ISSUES

12.1 A summary of the perceived risks follows:

Perceived Risk	Seriousness	Likelihood	Preventative
If outsourced, the cost of the service significantly increases.	High	High	Retain the service in house.
The quality of the service deteriorates	Medium	Medium	Retain the service in house or, if the decision is to outsource the service, ensure that robust contract management provisions are implemented.
The Council no longer has the ability to call on the workforce to assist with corporate events.	Low	Medium	Retain the service in house or, if the decision is to outsource the service, ensure provision is made to be able to call on the workforce as and when necessary.

13. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

13.1 Legal Officer's Comments (PW)

All the legal issues that arise have been addressed in the main body of the report.

13.2 Finance Officer's Comments (OC-W)

The financial implications have been addressed in the main body of the report in conjunction with finance.

13.3 Diversities and Equalities Implications (JC)

There are no diversity or equality implications within the report.

14. CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officers prior to the meeting: -

Jeremy Chambers, Head of Strategic Projects
Tel: 01303 247385
E-mail: jeremy.chambers@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report;

None

Appendices:

Appendix 1: Financial Assessment

Appendix 1 – FINANCIAL ASSESSMENT

<u>Summary - including assumptions for recharges</u>						
	Bidder 1	Bidder 2	Bidder 3	Bidder 4	Current Service Costs	Variance from bidder 2
Direct Costs					19,602,117	
Service specific overheads					2,117,970	
Total Costs including service specific overheads	21,128,027	20,854,595	17,267,073	22,399,579	21,720,087	-865,492
<u>Client Unit Costs</u>						
Direct Costs	1,922,750	1,922,750	1,922,750	1,922,750	0	
Total Costs including client unit direct costs	23,050,777	22,777,345	19,189,823	24,322,329	21,720,087	1,057,258
Client Unit specific overheads	382,570	382,570	382,570	382,570	0	
Total Costs including client unit direct costs and specific overheads	23,433,347	23,159,915	19,572,393	24,704,899	21,720,087	1,439,828
Contingency	500,000	500,000	500,000	500,000	0	
Cemeteries	350,000	350,000	350,000	350,000	0	
Total Costs including client unit direct costs, specific overheads, contingency and cemeteries	24,283,347	24,009,915	20,422,393	25,554,899	21,720,087	2,289,828

Appendix 2 – QUALITY ASSESSMENT

	Marks achievable	Bidder 1	Bidder 2	Bidder 3	Bidder 4
C1 Mobilisation (35 marks)					
Detailed transition plan	15	9	12	12	6
Detailed TUPE plan	15	9	12	9	6
Intended arrangements for depots	5	3	3	3	4
Section Total		27	27	24	16
C2 Service Delivery Plan (140 marks)					
Regional & organisational charts & staff	20	12	20	8	12
Local operational team - core & seasonal staff & FTE	20	8	12	12	8
Management & supervisory processes	15	6	12	6	3
Staff training plan & qualifications	15	9	12	12	12
Work planning & work programme	20	12	20	16	12
Management of local structure & use of technology	10	6	4	4	6
Absence & sickness management	10	4	2	4	4
Subcontractors	5	3	3	3	3
Apprenticeships	15	12	9	9	12
Vehicles, plant & equipment replacement plan	10	8	2	4	6
Section Total		80	96	78	78
C3 H&S, Social & Environmental Initiatives (45 marks)					
H & S systems and processes	15	12	15	12	9
Social initiatives	15	15	12	6	12
Environmental initiatives	15	9	12	3	12

Section Total		36	39	21	33
C4 Sites of Strategic Importance (60 marks)					
Retaining green flags & increasing numbers	30	12	30	12	30
Maintaining & enhancing sites of strategic importance	30	18	30	12	18
Section Total		30	60	24	48
C5 Partnership, Innovation & Efficiencies (60 marks)					
Partnership, governance, communication & branding	15	9	6	9	9
Cost savings & efficiencies	10	6	2	6	4
Year on year savings	20	8	12	8	8
Alternative methods of procurement	10	2	6	2	6
Procurement decision making tree	5	1	3	3	1
Section Total		26	29	28	28
C6 Performance management - 60 marks					
Performance management, monitoring & processes	15	6	9	9	12
Inspection & reporting	15	6	6	9	9
Performance management improving standards	10	6	4	4	4
Initial KIP & mechanism for change	10	6	4	6	4
Use of technology to drive performance	10	6	2	2	6
Section Total		30	25	30	35
TOTAL QUALITY SCORE (out of a maximum of 400)		229	276	205	238

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This Report will be made public on 15 July 2013

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report Number **C/13/15**

To: Cabinet
Date: 23 July 2013
Status: Key Decision
Head of Services: Chris Lewis, Planning
Cabinet Member: Councillor David Monk, Leader of the Council

SUBJECT: SHEPWAY CORE STRATEGY LOCAL PLAN

SUMMARY: This report considers the report received from the Planning Inspector regarding the soundness of the Shepway Core Strategy Local Plan and sets out the process required for formal adoption. It also considers the measures necessary to deliver the Core Strategy objectives.

REASONS FOR RECOMMENDATION:

Cabinet is asked to agree the recommendations set out below in order to allow the Shepway Core Strategy Local Plan to proceed to adoption

RECOMMENDATIONS:

1. To receive and note report C/13/15.
2. To agree the process for adopting the Shepway Core Strategy Local Plan.
3. To note the Inspector's report and to ask Full Council to adopt the Shepway Core Strategy Local Plan as modified.
4. To authorise the Head of Planning Services to agree minor modifications to the final document, for the purpose of accuracy and clarity, in consultation with the Leader of the Council
5. Confirmation that the Shepway Core Strategy Local Plan, incorporating the main modifications, be treated as key material consideration in the determination of planning applications prior to its formal adoption by Full Council.
6. To note the further measures necessary to deliver the Shepway Core Strategy Local Plan.

1. INTRODUCTION AND BACKGROUND

- 1.1 Production of the Shepway Core Strategy Local Plan commenced in 2007 with a number of reports having been considered by Cabinet at various stages of the process. The Core Strategy was submitted to the Planning Inspectorate for examination in January 2012 with a five day public hearing being held during May 2012. Following the hearing the Inspector issued an Interim Conclusions Report that raised a number of concerns relating to Policy SS8 Folkestone Racecourse, the strategic corridor contained within Policy SS1 and the legal compliance of the Sustainability Appraisal following recent high court judgments.
- 1.2 Cabinet considered the Inspector's Interim Conclusions report on 26 September 2013 (ref. C/12/43) and agreed a series of modifications to the plan. These were subject to consultation during November/December 2012 and were submitted to the Planning Inspectorate, along with the representations received and a revised Sustainability Appraisal and Habitats Regulation Assessment. A further hearing session was held in March 2013 that was followed, in May, by a further consultation process seeking comments on the implications for the Core Strategy of the recent Ministerial decisions on the Lydd Airport planning applications.
- 1.3 The Inspector's report was received on 10 June 2013 and is attached as Appendices 1 and 2. The conclusion of the inspector were set out in the non-technical summary as summarised below :-

This report concludes that the Shepway Core Strategy Local Plan provides an appropriate basis for the forward planning of the District providing a number of modifications are made to the Plan. The Council has requested that I recommend any modifications necessary to enable them to adopt the Plan. All of the modifications to address this were proposed by the Council. They have been the subject of public consultation as well as assessment under the Habitats Regulations. A revised and updated Sustainability Appraisal has been undertaken. I have recommended the inclusion of these changes after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- Inclusion of a policy to support sustainable development, in line with the National Planning Policy Framework (the Framework);*
- Deletion of the Strategic Corridor;*
- Clarification of the approach to flood risk to accord with national policy;*
- Stronger safeguards in respect of the Area of Outstanding Natural Beauty and international nature conservation sites;*
- Updated housing land supply figures, including an assessment of potential delivery from non-identified ('windfall') sites;*
- Added flexibility to take account of development viability;*
- Clarification of the proposed approach in respect of traveller sites;*
- Deletion of the Folkestone Racecourse strategic site; and*
- Inclusion of updated master-planning guidance for other strategic sites and broad locations for future development.*

- 1.4 The position is further clarified in the second of the Inspector's recommendations

The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix (and accompanying Annex) the Shepway Core Strategy Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

- 1.5 The Council is therefore now able to adopt the Core Strategy document that was originally submitted to the Planning Inspectorate for examination, dated July 2011, providing it incorporates the main modifications identified in the Planning Inspector's report (essentially reflecting the modifications that had been proposed by the Council following agreement of them by Cabinet in September 2012). The Council is also allowed to make a number of minor modifications, for accuracy clarity, and particularly factual updating, provided that, cumulatively they do not represent a main modification. To aid transparency, and as part of publicising the 'sound' Core Strategy, a draft of the expected 'minor editing' changes (and commentary on their legal and practical scope) has been placed on the website (Deprecated). It is recommended that the authority for making all the minor changes necessary prior to publishing the final Core Strategy be delegated to the Head of Planning Services in consultation with the Leader of the Council.
- 1.6 The Shepway Core Strategy is the first major plan in Kent to be found 'sound' for a number of years; it is therefore currently the only plan in the county to have been confirmed as fully compliant with the National Planning Policy Framework and the new planning system. Significantly, the Inspector has approved the approach to ensuring there is sufficient housing development. The Inspector also stated that the plan:
"represents a positive and aspirational approach to future employment development that builds on recent progress in bringing forward a number of large sites in the District."

2. THE PROCESS FOR ADOPTING THE CORE STRATEGY LOCAL PLAN

- 2.1 The Core Strategy Local Plan, when adopted will form part of the Council's policy framework and have significant legal status and therefore, under the terms of the constitution, requires the approval of Full Council. Prior to the final document being presented to Full Council it will be necessary for a final version of the document to be produced, that includes the main modifications set out in the Inspector's Report as well as any minor modifications. It will also be necessary to produce an updated policies map that reflects the overall development plan i.e. both those contained within the Core Strategy and the 'saved' Shepway District Local Plan Review policies.

- 2.2 It is estimated that the process of producing the final document and policies map will be complete by September 2013, allowing the Core Strategy to be presented to Full Council for adoption in the Autumn. Although actions have been taken to review content and to correct factual errors, the process of a full proof read may result in very minor editing (for instance in relation to the use of commas) and delegated authority will be necessary in this respect before hard copies are printed.
- 2.3 It is a requirement that the policies map (formerly 'proposals map') be adopted alongside the adoption of the plan. However the Core Strategy does not directly replace all the local designations of the saved policies from the Local Plan Review 2006 on the current map (most Core Strategy policies are district-wide). It is therefore proposed that areas of change to the policies map from the Core Strategy be put forward for adoption alongside the existing map information.
- 2.4 This will result in hard copy maps to use in parallel with the current proposals map version, as it is not considered feasible to fully reproduce and reprint a new policies map. A new on-line policies map will be created and will be able to present the development plan policies in an integrated and user-friendly form. Moreover this will be able to better show the 'live' information (i.e. areas/boundaries not resulting from the Core Strategy but are relevant to planning policy, for instance AONB boundaries).
- 2.5 The council is also required to produce a factual Adoption Statement, and, subsequent to adoption a post adoption Strategic Environmental Assessment (SEA) statement
- 2.6 Although already highly relevant in a legal sense, at the point of Adoption, the Core Strategy will be formally and fully part of Shepway's development plan (when certain policies from 2006 are deleted). This has major implications for the council's determination of planning applications. The Planning & Compulsory Purchase Act (2004) states:
- "...for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise (Section 38(6))."*
- 2.7 In practice this means the Core Strategy will guide all developments requiring planning permission in Shepway. In the meantime, following the receipt of the Inspector's report but prior to formal adoption, Cabinet is asked to recognise the Core Strategy Local Plan, as modified, as a material consideration in the determination of planning applications.

3. THE DELIVERY OF THE CORE STRATEGY LOCAL PLAN

- 3.1 The adoption of the Shepway Core Strategy Local Plan is of great significance for the District as it provides the framework for the delivery of a number of the Council's regeneration objectives including:
- The delivery of at least 8750 new homes by 2031 (from 2006).
 - The delivery of 20ha of new employment land.

- The delivery of major mixed use proposals at Folkestone Seafront and Shorncliffe Garrison.
- The regeneration of Folkestone Town Centre and Hythe
- The regeneration of New Romney based on the delivery of new housing to the north of the town, the development of new employment opportunities at Mountfield Road and improvements to the High Street.
- The development of community infrastructure at Sellindge through the delivery of an appropriate level of residential development.
- Improvements to the District green infrastructure and further protection of high quality natural habitats.
- The delivery of new affordable housing.
- The delivery of new residential development that meets the needs of the local population and has a low level of environmental impact.
- Maintaining the sustainability of rural settlements through the local identification of development needs.
- Promoting sustainable rural tourism.
- The delivery of the appropriate infrastructure to support new development.

3.2 The delivery of the objectives of the Shepway Core Strategy will be require a range of further actions including:

- The preparation of master-plans and planning applications for the strategic site allocations and broad locations for development.
- The development of further planning policy through an additional 'Place and Policies' Local Plan, including the allocation of further sites for residential and employment development. A district wide consultation on initial proposals and ideas is anticipated to take place during winter 2012/13
- The development of town centre strategies for Folkestone and Hythe.
- The introduction of the Community Infrastructure Levy (CIL) in Shepway through the production of a CIL Charging Schedule and reduction in Section 106 legal agreements. It is anticipated that this will be available for public consultation in 2014.
Neighbourhood Planning (including Hythe and New Romney, where action is required under the Core Strategy).

3.3 The additional Local Plan document, featuring policies for sites and development management purposes, is likely to phase out the remaining 'saved' policies from the Local Plan Review 2006 (listed in Core Strategy Appendix 5). This plan, along with the CIL Charging Schedule, will require rounds of public consultation and examination by an independent Inspector.

4. RISK MANAGEMENT ISSUES

4.1 A summary of the perceived risks is as follows:

Perceived Risk	Seriousness	Likelihood	Preventative Action
Non adoption by Full Council	High	Low	The Core Strategy document and proposed modification have previously been considered in detail by Cabinet and by other Council Members through the scrutiny process.

5 LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments ()

The legal issues are fully covered in the report in particular the report correctly identifies that the adoption core strategy local plan is a matter reserved to full council.

5.2 Finance Officer's Comments (MF)

The service area has advised finance that the costs of adopting and producing the local plan will not exceed £10k. This will be met from within existing budgets and some costs will be covered by charging for hard copies of the plan. Financial implications arising from the strategies within the plan are unquantifiable at this time and will be reported on an individual basis in the future.

5.3 Diversities and Equalities Implications (DS)

The Shepway Core Strategy Local Plan was subject to an equality impact assessment as part of the process of preparation.

6 CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officers prior to the meeting

David Shore, Planning Policy and Economic Development Manager
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Mark Aplin, Planning Policy Team Leader
Telephone: 01303 853343
Email: mark.aplin@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report: None

Appendices:

Appendix 1: The Planning Inspectorate, Report to Shepway District Council.

Appendix 2: Annex to the Main Modifications Appendix.

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The Planning
Inspectorate

Report to Shepway District Council

by **Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 10th June 2013

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO SHEPWAY CORE STRATEGY

LOCAL PLAN

Document submitted for examination on 31 January 2012

Examination hearings held between 2 and 10 May 2012 and on 5 March 2013

File Ref: PINS/L2250/429/5

Abbreviations Used in this Report

AA	Appropriate Assessment
AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
BAP	Biodiversity Action Plan
CIL	Community Infrastructure Levy
CS	Core Strategy
EA	Environment Agency
ELR	Employment Land Review
GI	Green Infrastructure
GTAA	Gypsy and Traveller Accommodation Assessment
HRA	Habitats Regulations Assessment
HSE	Health and Safety Executive
LAA	London Ashford Airport, Lydd
LDS	Local Development Scheme
LP	Shepway District Local Plan Review 2006
MM	Main Modification
PCA	Priority Centre of Activity
PPTS	Planning Policy for Traveller Sites
RS	Regional Strategy (the South East Plan)
SA	Sustainability Appraisal
SAC	Special Area for Conservation (Habitats Directive)
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SEP	South East Plan
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area (Birds Directive)

Non-Technical Summary

This report concludes that the Shepway Core Strategy Local Plan provides an appropriate basis for the forward planning of the District providing a number of modifications are made to the Plan. The Council has requested that I recommend any modifications necessary to enable them to adopt the Plan. All of the modifications to address this were proposed by the Council. They have been the subject of public consultation as well as assessment under the Habitats Regulations. A revised and updated Sustainability Appraisal has been undertaken. I have recommended the inclusion of these changes after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- Inclusion of a policy to support sustainable development, in line with the National Planning Policy Framework (the Framework);
- Deletion of the Strategic Corridor;
- Clarification of the approach to flood risk to accord with national policy;
- Stronger safeguards in respect of the Area of Outstanding Natural Beauty and international nature conservation sites;
- Updated housing land supply figures, including an assessment of potential delivery from non-identified ('windfall') sites;
- Added flexibility to take account of development viability;
- Clarification of the proposed approach in respect of traveller sites;
- Deletion of the Folkestone Racecourse strategic site; and
- Inclusion of updated master-planning guidance for other strategic sites and broad locations for future development.

Introduction

1. This report contains my assessment of the Shepway Core Strategy (CS) in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (at paragraph 182) makes it clear that to be sound, a Local Plan should be positively prepared; justified; effective; and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for the examination is the CS Proposed Submission Document (July 2011). For the avoidance of doubt, this does not include the further amendments that were included in the submission version of the Plan (January 2012): as was clarified in written exchanges with the Council¹, such changes had not been subject to public consultation although some were of a material nature. Nevertheless, they have been considered during the examination, along with the additional changes suggested by the Council following the Plan's submission and those changes that have been sought by other parties.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant. They are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act, the Council has requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix and accompanying Annex.
4. The main modifications that go to soundness derive from a schedule of modifications² that was prepared by the Council following receipt of my Interim Conclusions paper (18 May 2012). This was the subject of public consultation, a revised Sustainability Appraisal (SA) report and an addendum to the Habitats Regulations Assessment (HRA)³, as well as a resumed examination hearing session in March 2013. I have taken the consultation responses into account and have made a number of additional small changes for reasons of clarity only. The main modifications do not include changes proposed by the Council that I consider are not needed for soundness/legal compliance reasons. For the avoidance of doubt, the report makes no comment about the merits of any additional changes recommended by the Council that are not specifically mentioned.
5. My report also takes account of responses to consultations held during the examination period in respect of the National Planning Policy Framework and Planning Policy for Traveller Sites (both March 2012), the February 2013 Ministerial Statement on the revocation of the South East Plan and decisions on the expansion of London Ashford Airport, Lydd (April 2013).

¹ Notably documents PS01, PS02 and PS03.

² Document M1.

³ Documents M2 and M6 respectively.

Assessment of Duty to Co-operate

6. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. The Council comments on this duty in its Record of Co-operation⁴, which describes the activities that it has undertaken with other bodies in order to maximise the effectiveness of Plan preparation. These include bodies such as Kent County Council, neighbouring Borough and District Councils (including councils in East Sussex) and relevant statutory authorities. None of these bodies raises a substantive concern that the Duty to Co-operate has not been met in respect of the Plan. I am satisfied that duty has been complied with.

Assessment of Soundness

Main Issues

7. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified several main issues upon which the soundness of the Plan depends. Representations on the Plan have been considered insofar as they relate to its soundness, but they are not reported on individually.

General Matters

Has the Plan been positively prepared and, overall, does it accord with the broad thrust of the National Planning Policy Framework?

8. The National Planning Policy Framework (the Framework) emphasises the importance of encouraging sustainable development through enabling economic growth and promoting housing development. The CS is underpinned by three over-arching strategic needs relating (in summary) to economic, environmental and social factors. It seeks to maintain existing commercial activity and attract new businesses and enterprise, recognising that it is essential that sufficient new development is permitted so as to inject new investment into the District⁵. As set out below, it proposes a housing development rate that is greater than that previously required by the South East Plan. Notwithstanding the matters and concerns discussed in this report, the Plan broadly seeks to give a clear and positive steer to new development, directing this towards existing sustainable settlements, making strategic allocations and identifying broad locations for development. Most CS policies are worded positively, generally seeking to support development subject to criteria: for example, policy CSD1 begins "Development will be allowed ...".
9. Nevertheless, there is a need for the Plan to include a policy that more specifically reflects the Framework's overarching presumption in favour of sustainable development. The Council accepts this and proposes to include additional wording, consistent with the model policy published on the Planning Portal website, within an expanded version of policy CSD10 – which would be moved to a more prominent position near to the start of the document (**MM1-MM4**). Subject to this, I conclude that the Plan has been positively prepared,

⁴ Document G16.

⁵ CS paragraph 4.32. References in this report refer to the July 2011 version of the CS.

and that, overall, it accords with the broad thrust of the National Planning Policy Framework. Nevertheless, several specific policy matters arising from the Framework are discussed later in this report: in some cases these require further changes to the Plan to be recommended.

Have satisfactory provisions been put in place to enable adequate monitoring of the Plan's effectiveness?

10. CS section 5.3 includes a schedule of major milestones (table 5.1) to provide an overview of progress towards implementing the primary elements of the Core Strategy. Potential risks are examined and contingencies are provided for in table 5.2. Appendix 3 provides a more detailed monitoring strategy, which sets specific targets and explains how each target will be measured. These targets are, in general, clearly expressed and relate specifically to the three over-arching strategic needs already mentioned. Annual updates will be provided in the Council's Annual Monitoring Reports (AMRs). Taking these matters together, I conclude that satisfactory provisions have been put in place to enable adequate monitoring of the Plan's effectiveness.

Has the Plan been subject to adequate Sustainability Appraisal (SA)?

11. The Core Strategy contains a number of significant changes from the 2009 Preferred Options version of the Plan. The Strategic Corridor (policy SS1) was introduced (see later in this report), the Plan period was extended from 2026 to 2031 and housing numbers at the three strategic allocations were increased – broadly adding 200 dwellings at Folkestone Seafront (policy SS6), 300 dwellings at Shorncliffe Garrison (SS7) and 420 dwellings at Folkestone Racecourse (SS8). At the same time, some previous allocations were deleted.
12. Local Plan preparation, and its accompanying SA, is an iterative process. It is unlikely that any plan can be progressed without making changes in response to matters such as an evolving evidence base, changing policy context and the need to respond to stakeholder comments. However, among other matters, the submitted Plan must accord with the requirements of the EU Directive (2001/42/EC) on Strategic Environmental Assessment (the SEA Directive), and the Environmental Assessment of Plans and Programmes Regulations 2004 (SI No.1633) which transpose the Directive into domestic legislation.
13. It was confirmed at the hearings that, at submission, the July 2011 SA report⁶ comprised the Environmental Report that is required by the 2004 Regulations. Regulation 12(2) states that this 'shall identify, describe and evaluate the likely significant effects on the environment of – (a) implementing the plan or programme; and (b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme'. Such an assessment should, of necessity, take account of any changes to alternatives that had been previously presented during the Plan preparation process – including circumstances where previously separate alternatives had been combined.
14. The changes to the number and size of the proposed strategic allocations took place around March-April 2011 – at Stage 4 (out of 5) of the process as described in the July 2011 SA report. They were considered in a 'Strategic Sites SA Commentary' document – which appears as Appendix 4 to a Council

⁶ Document A28.

Cabinet Report (13 April 2011)⁷. However, this document (although publicly available) did not itself form part of the final SA report and, as was clarified at the hearings, was not subject to the consultation that is required by the 2004 Regulations. While a summary was included in the SA report (Appendix IV) this did not present the changes to housing numbers in any level of detail. It failed to itemise the likely significant effects of the increased housing numbers (with the exception of a matrix in respect of policy SS8) and did not explain what, if any, reasonable alternatives to the proposals as revised had been considered.

15. In respect of Shorncliffe Garrison (policy SS7), the July 2011 SA report stated that the scheme would be '700 dwellings by 2026, and 1,200 when complete'⁸. This is at odds with the policy itself which provides for around 1,000 dwellings by 2026 and up to 1,200 by 2031, and had the potential to mislead readers about the intended phasing of development at this site.
16. With regard to Folkestone Racecourse (policy SS8), it was contended by the Council at the hearings that the consideration of alternatives is "implicit" in pages 140-144 of the July 2011 SA report and that its approach in this matter accords with accepted practice. The Council added that, as a site specific proposal, no reasonable alternatives existed. However, even if this were to be the case, this is not a view that is explicitly set out in the SA report. Furthermore, as discussed below, it is unclear to what extent consideration was given to alternative approaches to securing racecourse improvements that might result in a different quantum of housing development at the site.
17. Furthermore, the relevant section of the July 2011 SA report focused solely on the emerging approach to strategic sites that was appraised in April 2011⁹. It did not explore the extension to the Plan period (with the resulting increase in housing provision set out in policy SS2, albeit at the same annual rate). It also failed to consider either the likely significant environmental effects of the Strategic Corridor (policy SS1) or reasonable alternatives to the Strategic Corridor approach. At the hearings, it was the Council's case that the Corridor represents an 'amalgam' of approaches that had been tested at previous stage of the SA process – specifically option 1B at the Issues and Options stage and option SO3 at the Preferred Options. However, both options were materially different from the Strategic Corridor as it is presented in the Plan. Such differences were not articulated in the July 2011 SA Report.
18. For the above reasons, the July 2011 SA Report's approach to the strategic allocations (particularly policy SS8), the extended Plan period and the introduction of the Strategic Corridor did not fully accord with the requirements of the SEA Directive and 2004 Regulations.
19. In response to these concerns, which were raised in my Interim Conclusions paper, a revised SA was undertaken in parallel with the Council's suggested modifications to the Plan. While the modifications themselves were subject to SA, the opportunity was taken to revisit the entire SA document. It was confirmed at the resumed hearing session that the updated SA report (October

⁷ Document CR1.

⁸ Document A28, page 140.

⁹ Document A28, Appendix IV, 1st sentence.

2012)¹⁰ is intended to replace the previous document.

20. Bearing in mind the modifications that the Council has proposed, discussed in more detail later in this report, I am satisfied that the updated SA report addresses the matters described above. However, several parties have raised additional concerns about the substance of the revised document. While there are differences of detail between the two SA reports, for example in the assessment of specific schemes against the sustainability objectives, such differences (as a matter of principle) might be expected given that the SA has been comprehensively revised in the light of more recent information. As already noted, SA is an iterative process. Although some of the detailed assessments in both SA reports (for example in respect of the potential biodiversity impacts of possible development options) are broad-brush in nature, this is broadly consistent with the need to apply a proportionate approach to the evidence base. In respect of biodiversity, a more detailed HRA has been submitted in respect of the Plan's preferred approach.
21. Particular concerns were raised regarding the treatment of two locations in the October 2012 SA report. However, the decision to screen land to the west of Nickolls Quarry, Hythe site out of SA consideration at an early stage is consistent with the Plan's broader approach to development options and locations – as discussed further below. A number of the SA report's detailed assertions relating to Lymgne are clearly in dispute. Nevertheless, I am satisfied that, together with other evidence (notably in support of the Plan's settlement hierarchy), the conclusion that Lymgne should be neither a specific allocation or a broad location – albeit accepting it has some potential for growth to meet local need and ensure the settlement's sustainability – is adequately justified. Along with Folkestone Racecourse, Lymgne performs less well against sustainability objectives than the remaining allocated strategic sites, both of which relate closely to the urban area, and the identified broad locations for development, which are associated with higher level settlements in the table 4.3 hierarchy – also discussed below.
22. Taking all of the above matters together, I conclude that the Plan has been subject to adequate Sustainability Appraisal.

Issue 1 – Is the Core Strategy's spatial strategy and broad distribution of development sufficiently justified and consistent with the local evidence base and national policy? Has sufficient consideration been given to relevant environmental factors?

Strategic Corridor

23. The Strategic Corridor is a prominent feature of the CS, being mentioned in the opening sentence of the District Spatial Strategy policy (SS1). However, its role and purpose are unclear. Specifically, it is not clear from the Plan whether the Strategic Corridor represents a reflection of development proposals that are justified for other reasons, or whether these proposals derive from the Strategic Corridor's presence. The Council position on this matter at the hearings was not clear. At one point it was stated that the Strategic Corridor was not the justification for these development sites, while

¹⁰ Document M2.

at a later stage it was stated the Plan "is directing development to the Strategic Corridor" and that "the Strategic Corridor is not a product of the site allocation process, it is the other way round".

24. However, as already noted, the Strategic Corridor was not an explicit proposal at the Plan's Preferred Options consultation stage (2009). It did not appear in the papers supporting the Cabinet Report (13 April 2011) that considered the key decisions prior to finalising the CS for consultation. Appendix 2 to that report ('Strategic Distribution') states that 'at the core of delivering this spatial strategy will be: a settlement hierarchy; a network of town centres and other focal points of commercial activity; a selection of strategic sites for development'¹¹. The role of the Strategic Corridor is not mentioned.
25. The boundaries of the Strategic Corridor are not shown on the Policies Map and, as was apparent during the hearings, are disputed. The corridor cuts across the District's three character areas (Folkestone/Hythe; Romney Marsh; and the North Downs), and extends outside the urban area – where policy SS1 recognises that the majority of development will take place. Its central section overlies part of the Kent Downs Area of Outstanding Natural Beauty (AONB), in which great weight is given to conserving landscape and scenic beauty.
26. Furthermore, the CS does not explain how the Strategic Corridor concept would be taken forward into other Local Plans, if at all. While para 4.179 refers to the 'growth objectives of the Strategic Corridor' it is not clear whether such objectives relate to the sites that have already been designated or whether they represent an intention to locate further development in this part of the District. At the hearings, the Council implied that the Strategic Corridor did have a role with regard to future planning (stating that its removal would make "an element of difference"), but this was not clarified further. Specific growth objectives for the corridor, over and above sites such as Folkestone Racecourse and the broad location at Sellindge, are not explicitly articulated in the Plan.
27. In recognition of these concerns, the Council proposes to remove the Strategic Corridor from policy SS1 and supporting text and figures. These changes (**MM5-MM28**) are needed to ensure that the Plan is effective and justified. However, the revised figure 4.1 proposed by the Council contains no extra policy information and is not therefore required for soundness reasons.

Settlement Strategy

28. As noted above, it is the urban area (and particularly Folkestone) that is intended as the main focus for development. This is made clear by policy SS1, notwithstanding the proposed deletion of the Strategic Corridor, and by the settlement hierarchy referred to in policy SS3 and set out in table 4.3.
29. It was clarified at the hearings that the table 4.3 hierarchy represents the current status of these settlements, rather than reflecting a view as to their future role. The position of specific settlements in the hierarchy is broadly justified by the evidence base – specifically the Rural Services Study and

¹¹ Document A90; para 6.5.

Strategic Distribution Report¹². While Stanford/Westenhanger has the status of a 'tertiary cluster level' in the Rural Services Study's settlement hierarchy information table, the presence of a main line railway station is an important factor supporting its identification as a primary village in CS table 4.3. The proximity of Littlestone-on-Sea to New Romney justifies its inclusion with that settlement: this is proposed by the Council and, although not necessary for soundness reasons, represents a useful clarification.

30. As drafted, the general development criteria in policy SS3 (which include those relating to flood risk, discussed further below) could be considered only to apply to schemes on previously-developed land. This is clearly not the policy's intention, and the Council proposes to reword it and supporting text (included in **MM33**, discussed in more detail below) accordingly. This is necessary for reasons of effectiveness.

Flood Risk and the Romney Marsh Character Area

31. The CS's approach to flood risk has been informed by the preparation of a Strategic Flood Risk Assessment (SFRA)¹³, updated by a more recent Flood Evaluation document¹⁴. Consultation with the Environment Agency (EA) has been ongoing, and the Agency does not raise soundness concerns about the Plan. It considers that the SFRA is sufficiently robust to support the CS. While the EA notes that new flood defences at Dymchurch will need to be factored in to the SFRA, this is a matter for subsequent Local Plans – and in any case represents an improved level of protection over that assessed in the SFRA as submitted. I am satisfied that the SFRA, which takes account of climate change implications, adequately underpins the CS's approach to flood risk.
32. Notwithstanding this, it is necessary to consider the CS in the light of national policy on planning and flood risk. Paragraph 100 of the National Planning Policy Framework requires Local Plans to apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and to manage any residual risk, taking into account the impacts of climate change. A substantial part of Shepway District (some 55%) has a high probability of flooding (flood zone 3A¹⁵). Much of this is concentrated within the low lying Romney Marsh character area.
33. Although the CS does not make any specific allocations in Romney Marsh, it identifies a broad location for development at New Romney (policy CSD8), including around 300 dwellings. While other possible development sites have been identified in the Strategic Housing Land Availability Assessment (SHLAA), these do not equate to land allocations. If they were to be proposed as such in a future plan then their compliance with flood risk policies would need to be assessed at that stage. Nevertheless, the CS's settlement strategy supports the principle of further development within identified settlements in this character area, as long as it is proportionate and consistent with that settlement's position within the above-noted hierarchy. Given the nature of Romney Marsh, it is likely that such development would fall within (or close to) an area with a high probability of flooding.

¹² Documents B5 and A90 respectively.

¹³ Documents A92-A98 (including appendices).

¹⁴ Document A91.

¹⁵ See Table 1 of the Technical Guidance to the National Planning Policy Framework.

34. While policy SS3 applies a sequential approach to development and flood risk, it restricts the application of this approach to the relevant character area. As such, development proposals within Romney Marsh would be assessed against other reasonably available sites within the Romney Marsh character area.
35. It was clarified at the hearings that the EA raises no objection in principle to this approach. Neither the National Planning Policy Framework nor its accompanying Technical Guidance specifies the area to which the sequential test should be applied. However, the need for development to maintain the local sustainability of settlements on Romney Marsh is generally, if not universally, accepted. It is consistent with the Plan's evidence base, which highlights the area's particular social and economic challenges – for example with reference to indices of multiple deprivation¹⁶. Given the degree of separation between many Romney Marsh settlements and other parts of the District, development outside the Romney Marsh character area would fail to maintain local sustainability. As a result, such development could not realistically be located elsewhere. The approach to sequential testing described above is therefore broadly justified. Indeed, it accords with the Planning Policy Statement 25 Practice Guide¹⁷ (extant at the time of writing), which recognises the particular issues that arise in areas requiring redevelopment or regeneration.
36. Notwithstanding the above, the fact that character area boundaries are not precisely defined in the CS creates some uncertainty about how this approach would work in practice. The Council accepts this and proposes modifications accordingly. The detailed boundaries now put forward are based on established administrative boundaries and broadly accord with the indicative boundaries shown in the Plan as submitted. I am satisfied that they are appropriate for the purposes of this policy. (It should be noted that they are not equivalent to, nor are intended to replace, Local Plan settlement boundaries.) This change (**MM29**) is required for reasons of effectiveness.
37. While this approach relates specifically to development needed to maintain local sustainability, the wording of policy SS3 requires all developments to be tested sequentially within their respective character areas. However, it is implicit from the national policy described above that any substantial scheme of District-wide significance coming forward within any of the Plan's three character areas should more appropriately be tested, in flood risk terms, against reasonably available sites within the District as a whole. This is accepted by the Council and changes have been proposed (**MM30-MM33**) to address this concern. These are needed in order to be consistent with national policy. However, mindful of comments made at the resumed hearing session, I have made a number of minor editing amendments for reasons of clarity.
38. Some parties seek to impose a numeric threshold on the amount of housing that would be acceptable on Romney Marsh. During preparation of the CS, the Council assessed the development needs of the Marsh as a whole as being some 700 dwellings – derived from Preferred Option SO3, informed by demographic evidence¹⁸ and taking into account the flooding constraints.

¹⁶ Strategic Distribution Report and Romney Marsh Socio-economic Plan (Documents A90 and A106 respectively).

¹⁷ PPS 25: Development and Flood Risk Practice Guide – see paras 4.36-4.38.

¹⁸ Document A88.

However, this is not an absolute figure and it is accepted that further work will need to be undertaken if allocating sites in future plans. As such, the evidence base does not support imposing a threshold within the CS: such an approach would, in any event, be both unduly inflexible and at odds with the general presumption in favour of sustainable development set out in the National Planning Policy Framework. The criteria already set out in the Plan (notably in policy SS3, subject to the above-noted changes) are sufficient to guide development decisions and future plan-making in support of the CS's overarching strategic needs. In this context, I agree with the Council that the evidence base does not justify introducing a specific definition of what constitutes a strategic district-wide development opportunity: such an assessment should be based on the merits of individual proposals, with reference to guidance in the new supporting text (included in **MM31**).

39. Two nuclear power stations (Dungeness A and B) are located on Romney Marsh. Decommissioning of Dungeness A is underway, while that of Dungeness B is programmed. The Council's support in principle for a new Dungeness C station is summarised in CS para 5.113. Concern has been raised about the implications of these nuclear facilities in respect of the amount of development that can be accommodated in the Romney Marsh character area. However, I have seen no evidence that the scale or location of development proposed or allocated in the CS conflicts with any safeguarding or consultation zone in respect of major hazards. The Health and Safety Executive (HSE) has been consulted at various stages during the CS process in line with National Planning Policy Framework paragraph 194: clearly, further consultation will be required in future plan preparation.

Priority Centres of Activity

40. Policy SS4 identifies the Priority Centres of Activity (PCAs) as focal points for maintaining and developing jobs and services. The identified PCA network relates to settlements and existing employment locations and is broadly justified by the Plan's evidence base – notably the Employment Land Review (ELR) and Strategic Distribution paper¹⁹. It is broadly consistent with the settlement strategy already described.
41. Nevertheless, the status and definition of the major employment sites could be clearer. The Council explains that no additional sites are proposed for designation through the CS: the relevant sites are those already shown on the Policies Map in respect of LP policies E1, E2 and S3-S7 of the Shepway District Local Plan Review 2006 (LP). These boundaries will be reviewed in future plans. However, the Council proposes modifications to clarify the relationship between policy SS4, figure 4.5 and the Policies Map and to provide more detailed guidance about the location of employment-generating non-town centre uses. These changes (**MM34-MM35**) are needed for reasons of effectiveness.

Environmental Designations

42. Shepway District contains nationally and internationally important habitats, species and landscapes. Concerns were raised at the pre-submission

¹⁹ Documents A8 and A90 respectively.

consultation stage by Natural England and others about both the Plan's approach to biodiversity and landscape protection and the robustness of the supporting Habitat Regulations Assessment (HRA) process.

43. In this context, it is not clear from the CS (notably policy CSD4) how developments affecting particular elements of 'green infrastructure' (which is defined as including a range of environmental assets) would be assessed. Specific designations have their own intrinsic purposes and requirements. For example, while the National Planning Policy Framework gives great weight to conserving landscape and scenic beauty in AONBs, the status of the AONB in planning decisions is not reflected accurately in policy CSD4. Furthermore, while the Plan's spatial strategy has rejected further outward expansion of Hawkinge (which lies within the AONB), the inclusion of part of the AONB within the Strategic Corridor creates uncertainty about the potential for future development in that area. That latter concern has been addressed by the Strategic Corridor's deletion (see above). However, it is necessary for policy CSD4 to align more closely to national policy in respect of the AONB.
44. Similarly, it is necessary to adopt a tiered approach to nature conservation designations, recognising that the highest level of protection (with reference to statutory and national policy requirements) should be afforded to protecting the integrity of international sites of nature conservation importance. A number of such sites are located in and around Shepway District, comprising, first, a concentration around Dungeness, Rye and Romney Marsh²⁰ and, second, several chalk grassland sites²¹. These two groups of sites were addressed by two HRA documents at the pre-submission consultation stage²². These were the subject of concerns raised by Natural England (and others) – particularly relating to the importance of maintaining active coastal processes (at Dungeness) and the need to manage the potential effects of any added visitor pressure (on all sites).
45. As a result of these comments, the two HRA documents have been revised²³. Policy changes have also been proposed by the Council, adding further text in respect of natural coastal processes (in policy CSD5), access management strategies and the hierarchy of nature conservation designations (in policy CSD4). Natural England supports these revisions. While it is accepted that further survey work will be needed in the context of future plan preparation, notably with regard to potential effects on the Dungeness sites, the present information base is sufficient to justify the approach taken in the CS. Although some respondents have sought to add a further reference stating that individual development schemes may be required to undertake HRA, this would be an unnecessary duplication of the relevant statutory requirement. As already noted, an additional update of the HRA has been carried out to take account of the Council's proposed modifications.
46. For the above reasons, the changes proposed by the Council to policies CSD4, CSD5 and supporting text (**MM36-MM53**), along with an added reference to

²⁰ Dungeness SAC; Dungeness to Pett Level SPA (and SPA extension); Dungeness, Romney Marsh and Rye Bay potential SPA and proposed Ramsar site.

²¹ Folkestone to Etchinghill Escarpment SAC; Parkgate Down SAC; Dover to Kingsdown Cliffs SAC; Lydden to Temple Ewell Downs SAC.

²² Documents A24 and A25.

²³ Documents A26 and A27.

the AONB's setting in policy SS1 (included in **MM11**), are needed in order for the Plan to be justified, effective and consistent with national policy. Additional references to international nature conservation sites are also proposed in respect of the two remaining strategic allocations – see later in this report.

Conclusion – Main Issue 1

47. Taking the above matters together, and subject to the above-noted main modifications, I conclude that the Core Strategy's spatial strategy and broad distribution of development is sufficiently justified and consistent with the local evidence base and national policy. Sufficient consideration been given to relevant environmental factors.

Issue 2 – Are the Core Strategy's proposals for the provision of new housing and economic development deliverable, clear, sufficiently justified and consistent with the local evidence base and national policy? Does the Core Strategy provide satisfactorily for the delivery of development and enable adequate monitoring of its effectiveness?

Housing - General

48. The CS was prepared and submitted in the context of an extant South East Plan (SEP). As such, the starting point for the Council's assessment of housing need was the evidence base produced in association with the SEP – notably the Strategic Housing Market Assessment (SHMA) for the East Kent sub-region²⁴. This has been taken forward by the Council's Strategic Requirement report²⁵, which (in association with Kent County Council) undertakes a demographic analysis of social and economic factors.
49. Growth alternatives were explored and tested at the Plan's Preferred Options and Issues and Options stages. The preferred option (a refined version of option SO3) aims to balance the CS's over-arching strategic needs in order to give a positive framework for delivery. It proposes a rate of housing development (a minimum of 350 dwellings per year to 2030/31) that markedly exceeds that set out in the SEP (290 dwellings per year to 2026). Key demographic drivers supporting this increase are a reduction in average household size, a substantially ageing local population (leading to a higher local dependency ratio) and a projected decline in the local labour supply. While some local labour force reduction would occur even under the Plan's preferred growth option, such a loss would be minimised in comparison to adopting the SEP housing delivery rate²⁶.
50. Although the CS evidence base largely predates the National Planning Policy Framework's publication, I am satisfied that, taken together, it represents an objective assessment of housing needs as required by the Framework's paragraph 47. I have seen no evidence that the Plan's preferred approach would adversely affect housing delivery elsewhere. Neighbouring local planning authorities raise no concerns in this regard.

²⁴ Document A6.

²⁵ Document A89.

²⁶ See for example table 6 of Document A89.

51. Given the various environmental factors discussed elsewhere in this report (including flood risk and potential effects on international nature conservation sites), the higher growth options that have been discarded by the Council would conflict unacceptably with the Plan's over-arching strategic need B (relating to the District's rich natural and historic assets) and with other relevant policies of the National Planning Policy Framework. Nevertheless, the preferred housing delivery target is supported by the Shepway Water Cycle Study²⁷, which considers (among other matters) water supply and water quality issues in the light of the EU Water Framework Directive and provides the background for the water efficiency measures set out in policy CSD5.
52. Indeed, a significantly higher rate of housing development would be at odds with the evidence that is available about development deliverability. The annual housing target set by policy SS2 is greater than recent building rates – a minimum requirement of 350 dwellings per year compared to a six year average completion rate of some 270 dwellings per year (2006/7 to 2011/12)²⁸. However, it is in line with delivery rates over a longer term period and does not appear to be unduly constrained by housing land supply. While there has been some recent under-delivery (compared with CS housing targets), a five year land supply (plus 5% buffer) has been maintained. There is no evidence that an additional 20% buffer is required in the terms of the National Planning Policy Framework. The present housing land supply position substantially exceeds five years based on both the SEP and higher CS targets, even taking into account the above-noted recent under-delivery.
53. In the longer term, the evidence suggests that land is available to meet the CS's stated housing requirement. As described elsewhere, the Council's modifications include the deletion of the Folkestone Racecourse allocation (policy SS8), reducing planned housing supply by some 820 dwellings. However, the updated (2012) housing evidence paper²⁹ shows that supply remains in excess of the long term minimum target to 2030/31.
54. In part, this results from the additional consideration of potential supply from windfall developments. At the resumed hearing, the Council clarified that its estimated annual windfall figure of 75 dwellings relates entirely to small sites (1 to 4 units), which are excluded from the SHLAA. Although this is less than the small sites mean windfall delivery rate over the last six years, that figure has not been discounted to reflect recent changes to the planning policy status of private residential gardens. As such, the Council's estimate may be somewhat optimistic. However, given that garden land has only yielded some 20% of windfall completions (on sites of all sizes) in the last three years, and noting that the Council has not relied on windfall delivery before 2018/19, any over-counting is unlikely to be so serious as to threaten the overall housing land supply position. In any event, Appendix 4 of the 2012 housing evidence paper shows an overall housing land supply (some 9,400 dwellings) that is well in excess of the long term CS target (8,750 dwellings).
55. The Council proposes changes to policy SS2, supporting text and the housing trajectory data in order to reflect the updated housing land supply position,

²⁷ Document A31.

²⁸ See Modifications 2012 Technical Note (Document M7).

²⁹ Document M7.

the deletion of the Folkestone Racecourse site and the inclusion of a windfall estimate (**MM54-MM58**). These changes are necessary for the Plan to be effective and justified.

Employment and Retail

56. Policy SS2 sets an employment development target of approximately 20 ha (industrial, warehousing and office uses) to 2026. This is derived from the Shepway Employment Land Review 2011 (ELR)³⁰. Although greater than the 15 ha figure suggested by the ELR's 'higher growth' scenario³¹, the target takes into account the CS's longer time period (a 2006 start compared to the ELR's 2008 base date) and applies conservative assumptions about likely jobs/floorspace and plot ratios. It represents a positive and aspirational approach to future employment development that builds on recent progress in bringing forward a number of large sites in the District. The assumptions and methodology of the ELR have not been subject to substantive challenge. There is no shortfall in employment land supply and, with the exception of office uses proposed at Folkestone Seafront (policy SS6), no specific employment allocations are made in the CS. As already noted, boundaries of existing LP employment sites will be reviewed in future plans.
57. The CS (figure 4.3) includes an extract from the ELR, showing an independent view of possible development opportunities. These do not represent actual proposals and, as such, the diagram creates a clear potential for confusion. This is accepted by the Council, which proposes its deletion and the amendment of some accompanying text. These changes (**MM59-MM61**) are needed for reasons of effectiveness. They include necessary clarification that employment and retail figures are gross, rather than net. Subject to this, the retail development target (approximately 35,000 sq m) set out in policy SS2 is appropriately justified by the Retail Need Assessment Study (2010) update³², the findings and methodology of which have not been disputed in any detail. Indeed, much of the floorspace is already in place. While some representors seek greater support for out-of-centre retail locations, the sequential approach set out in policy SS3 (as modified – see above) is consistent with the National Planning Policy Framework's stance on town centre uses.

Transport and Other Infrastructure

58. Although there is significant local concern about the transport effects of development, including schemes that have already been approved, no substantive objections have been made to the details of the modelling exercise that has been undertaken by the Council³³. Technical concerns raised by the Highways Agency, including those relating to transport modelling in support of the site at Shorncliffe Garrison (policy SS7) and in respect of the future capacity of the A20/A260 junctions, have now been resolved³⁴.
59. Infrastructure planning in general is addressed by CS policy SS5, supported by

³⁰ Document A8.

³¹ Table 11.1, Document A8.

³² Document A9.

³³ Documents A11-A22.

³⁴ See HA/SDC Statement of Common Ground (Document Z84).

a detailed schedule of projects in Appendix 2. In general terms, and subject to comments in respect of specific sites below, these requirements are appropriately justified by the evidence base and (in a broader context) are consistent with the East Kent Local Investment Plan 2011-2026³⁵. Viability and deliverability have been assessed through an Economic Viability Assessment³⁶ – the methodology of which is consistent with relevant guidance. However, in the light of the requirements of the National Planning Policy Framework (notably paragraph 173), the Council accepts that greater flexibility is needed to ensure that development viability is not adversely affected. This is included in changes to specific development proposals set out below and, in respect of policy SS5 itself, in **MM62**.

Affordable Housing and Lifetime Homes

60. Policy CSD1 includes the Plan's requirements for affordable housing. The proposed thresholds and targets have been tested through the above-noted economic viability assessment. This has considered a range of assumptions in respect of additional infrastructure costs and other development requirements (for example Lifetime Homes standards and various levels of the Code for Sustainable Homes). In some of the scenarios, the study accepts that decisions will need to be made on the relative priorities of particular requirements. Bearing that in mind, and consistent with paragraph 173 of the National Planning Policy Framework, policy CSD1 includes appropriate flexibility in respect of development viability. However, an additional change is needed to enable the provision of affordable housing off-site in appropriate circumstances in line with paragraph 50 of the Framework. This is proposed by the Council (included in **MM63**) and is needed in order to be consistent with national policy.

Traveller Sites

61. As already noted, the CS was submitted prior to the publication of the national Planning Policy for Traveller Sites (PPTS). The Plan's evidence base, notably the East Kent Gypsy and Traveller Accommodation Assessment (GTAA), suggests that needs in Shepway District are very limited (two private residential pitches in 2007-11 and one social rented pitch in 2012-17)³⁷. Nevertheless, the PPTS sets out a number of requirements in respect of forward planning, including the identification of a supply of deliverable and developable sites and the inclusion of criteria-based policies. The very limited consideration that CS policy CSD2 gives to this matter is inconsistent with the PPTS. Additional work is therefore needed to update the evidence base to accord with the PPTS's expectations.
62. Given the timing of the PPTS's publication, and noting the scale of need that is suggested by the GTAA, it would be unreasonable to delay the Plan to address this matter. Nevertheless, it is necessary that the CS explains that the PPTS's requirements will be met in future Local Plans. This is accepted by the Council which proposes a change accordingly (**MM64**) – which is needed in order to be consistent with national policy.

³⁵ Document A87 – see page 81.

³⁶ Document A5.

³⁷ Document A7, amplified by SDC statement in response to the PPTS (document Z56).

Conclusion – Issue 2

63. Taking the above matters together, and subject to the above-noted main modifications and the comments about specific allocations and broad locations in the remainder of this report, I conclude that the CS's proposals for the provision of new housing and economic development are deliverable, clear, sufficiently justified and consistent with the local evidence base and national policy and that the CS provides satisfactorily for the delivery of development and enables adequate monitoring of its effectiveness.

Issue 3 – Are the Core Strategy's proposals for its three strategic allocations (Folkestone Seafront, Shorncliffe Garrison and Folkestone Racecourse) effective, adequately justified and consistent with national policy?

Folkestone Seafront (policy SS6)

64. Given their proximity to the town centre and the presence of significant areas of vacant land, Folkestone's seafront and harbour provide clear potential for substantial urban regeneration activity. The need for such improvement, consistent with safeguarding the area's historic heritage and the integrity of nearby nature conservation sites, is generally accepted. Specifically, the opportunity exists to increase and reinforce linkages with the town centre – for example through Folkestone's Creative Quarter.
65. A mixture of uses is proposed, including up to 1,000 dwellings and at least 10,000 square metres of commercial activity. The scale and nature of development is justified by the site's size and waterfront/seaside location. Various alternatives have been tested through the Preferred Options document³⁸ and the SA process. Further master-planning (since July 2011³⁹) has refined the proposed mix of uses: the Council has clarified infrastructure requirements in the light of updated school capacity information and has accepted the need to include a reference to existing traditional maritime activities. Also added are further safeguards in respect of nature conservation sites⁴⁰ and amended terminology on heritage assets in order to accord with national policy. These matters are the subject of changes proposed by the Council (**MM65-MM66**), which are needed for reasons of effectiveness. Revisions to the wording of policy SS6 (and the notation of the diagram concerned) – also included in the above-noted changes – explain the status of the information shown on figure 4.7, explaining that these are core principles for master-planning rather than an indicative concept diagram. This greater clarity is needed in order to be effective.
66. Freight and pedestrian traffic between Folkestone and Boulogne ceased a number of years ago (2000). A specific area of concern is whether the CS should include safeguards to allow the reintroduction of cross-channel ferry services and re-establishment of the harbour rail link. Neither is explicitly ruled out by policy SS6 which, for example, retains the rail corridor as a cycle/pedestrian link. However, the Council clarified at the hearing session

³⁸ Document G5.

³⁹ Document A49.

⁴⁰ For clarity, I have deleted the word 'local' from the Council's proposed references to Natura 2000 sites. This is an international rather than a local designation.

that development that met this policy's requirements but did not retain the potential for passenger ferries to be reintroduced would be acceptable in principle. As such, the CS proposes the deletion of LP policy FTC4 and its safeguards.

67. I have had regard to the documents submitted by representors supporting these projects. However, in both cases there is no strong evidence that there is sufficient likelihood of either being delivered within the likely development timescale of this site. Although a business plan has been prepared for the reopening of the Folkestone Harbour Branch Railway, key delivery elements (including project funding and the conclusion of negotiations with Network Rail) do not appear to have been secured. Investigations by the owner of Folkestone Harbour and the Mayor of Boulogne concluded that reintroducing the ferry service would be unfeasible for both technical and commercial reasons. While this is disputed by some parties, very little evidence to the contrary has been submitted. For example, a funding package for a resumed ferry service is not in place. Neither project is a national policy requirement. Notwithstanding its revocation, neither scheme was required by the SEP, which (within East Kent) made reference to the Ports of Dover and Ramsgate – identifying the latter as Kent's second cross-channel port.
68. Clearly, the re-establishment of the cross-channel ferry and harbour rail link would accord with sustainable transport objectives. Both would be likely to result in economic benefits. Nevertheless, LP policy FTC4's protection of the potential for a cross-Channel ferry link and the retention of the Harbour Station has failed to deliver either the Port area's regeneration or the implementation of the projects themselves. Bearing in mind both the accepted need for the area's regeneration and the wider housing pressures that apply to the District as a whole (discussed elsewhere in this report), the alteration of policy SS6 in order to perpetuate safeguards for passenger ferry services and the harbour rail link is not needed to make the Plan sound.
69. Subject to the above-noted main modifications, I conclude that the Core Strategy's proposals for Folkestone Seafront are effective, adequately justified and consistent with national policy.

Shornccliffe Garrison (policy SS7)

70. The Shornccliffe Garrison site arises as a result of a Ministry of Defence review of land holdings that identifies a need for land consolidation and improvement of retained facilities. Some 70 hectares of land is to be released, a substantial part of which is previously-developed. Forming a transitional area between the town and less built-up land, the site is well integrated with existing settlements – notably Cheriton. As such, the redevelopment proposal is consistent with the Plan's strategic focus on Folkestone's urban area.
71. The Council accepts that the plan shown in the CS (fig. 4.8) is inconsistent with the most recent output of the site's master-planning process⁴¹, and proposes to amend it accordingly. This change (**MM67**), along with changes to the wording of policy SS7 (**MM68**), also clarifies the status of the relevant information (in a similar way to policy SS6 above) as being more than

⁴¹ Documents A68-A79, A113 and A114.

indicative. Bearing in mind that significant work has been done to refine proposals in consultation with the local community, and noting that it will be necessary for policy SS7 to guide future master-planning activity for the site, these changes are needed for reasons of effectiveness. The revised wording of policy SS7 also takes account of updated information on infrastructure needs (in the light of new school capacity information) and provides additional safeguards in respect of nature conservation sites and the site's heritage assets – which reflect its long tradition of military occupation and use.

72. While there is some support for the principle of the site's redevelopment, local concerns have been raised about the scale of housing that is now proposed – particularly in respect of the scheme's traffic implications. However, the proposals have been examined in the Shepway Transport Strategy⁴² and, for the Ministry of Defence, in the Shorncliffe Transport Strategy⁴³. The methodology of these studies has not been substantively challenged. As already noted, the Highways Agency is now satisfied that the site's potential traffic impacts have been considered within the transport evidence base. Critical and necessary infrastructure upgrades (including transport) are set out in CS Appendix 2. Particular analysis has been made of the potential pinch-point of the Horn Street bridge, identifying a viable and deliverable solution.
73. Subject to the above-noted main modifications, I therefore conclude that the Core Strategy's proposals for Shorncliffe Garrison are effective, adequately justified and consistent with national policy.

Folkestone Racecourse (policy SS8)

74. Folkestone Racecourse – which closed in mid-December 2012 – has been a significant attraction within Shepway District. The proposal set out in policy SS8 is intended to secure investment to retain and improve the venue, which the policy describes as reaching the latter phase of its operational use.
75. As already described, Stanford/Westenhanger is identified as a Primary Village in table 4.3 of the Plan. Nevertheless, the scale of development proposed at the Racecourse (including up to 820 houses) is markedly in excess of what the Plan proposes for other settlements of this size and scale. Indeed, it is considerably greater than the housing numbers assigned by the Plan to settlements with a more favourable position in the settlement hierarchy: for example the approximate 250 dwellings at Sellindge (a Rural Centre) proposed in policy CSD9. This is at odds with the requirement of CS policy SS3(a) that the proposed use, scale and impact of development should be proportionate and consistent with the settlement's status and its identified strategic role within the district (with reference to table 4.3).
76. While part of the site is occupied by the existing racecourse and buildings, policy SS8 would result in substantial development taking place outside existing settlement boundaries. The site's rural and greenfield nature is inconsistent with the priority that the CS gives to previously-developed land in the urban area. Although the site lies within the Strategic Corridor, that element of the Plan fails soundness tests and is to be deleted from the Plan – as already described. The likely visibility of the proposed development from

⁴² Documents A11-A22.

⁴³ Documents A72-A76.

the nearby AONB is disputed: nevertheless, the submitted landscape and visual assessment⁴⁴ accepts that local views would be affected, in contrast to their presently open character. Irrespective of potential effects on the AONB, the introduction of housing of the scale envisaged would have a markedly urbanising effect on the existing locality. For all of the above reasons, the Racecourse proposal represents a departure from the Plan's overall strategy that requires particular justification.

77. Policy SS8 requires that residential development is provided only as a necessary part of a comprehensive approach for reconstructing the racecourse facility as a high quality visitor attraction. It is accepted that some benefits, such as improvements to the setting of Westenhanger Castle, could result from the scheme. While such benefits were not explored in detail in the initial evidence base⁴⁵, which relied to a significant extent on an industry-wide report and on evidence from other racecourse developments that do not necessarily relate to the specific circumstances at Folkestone, further information has subsequently been submitted by the Racecourse's owners in response to the Council's proposed modifications⁴⁶. Nevertheless, neither document fully quantifies the viability of current operations at the Racecourse, and a detailed cost-benefit analysis of options is not available. These factors reduce the weight that can be attached to the scheme's stated advantages.
78. The required improvements to the Racecourse are set out in the initial paragraph of policy SS8. However, the evidence base relates to one specific scheme to secure such an outcome – in essence, a proposal by the site's landowner – and does not explore alternatives in any level of detail. For example, while it appears that other access options were considered⁴⁷, these are not described further. The evidence base tests one access proposal⁴⁸ – a scheme that the Council later accepted requires more refinement. Similarly, while a range of cost estimates for the scheme have been provided⁴⁹ these do not test different options for the improvement of racecourse facilities. Given that the construction costs of any such scheme bear heavily on total costs – and, as a result, the level of 'enabling' development that would be required – this is a significant weakness in the scheme's justification. I have already commented above about failings in the treatment of this site within the Plan's overall SA process.
79. A further concern relates to the detailed justification for the 820 dwelling figure set out in policy SS8. Although presented as a maximum, it was the Council's case at the hearings that this represents a realistic total. However, while various viability exercises have been undertaken⁵⁰, all take their respective housing figures as inputs rather than outputs. For example, the Indicative Development Timeline and Cashflow Projections document⁵¹ serves to demonstrate what profit would accrue to the developer from a scheme comprising 820 dwellings, rather than to show what level of dwelling numbers

⁴⁴ Document A58.

⁴⁵ Document A56.

⁴⁶ Economic Benefits Assessment (December 2012): Nathaniel Lichfield and Partners.

⁴⁷ Document A56, page 24.

⁴⁸ Document A57.

⁴⁹ Documents S6 and S6.1.

⁵⁰ Notably in documents A55 and S5.

⁵¹ Document S5.

would be required in order to deliver the stated improvements – as is usual practice in schemes relating to 'enabling' development.

80. In addition, it is clear from the evidence base⁵² that the profit level that is anticipated from this exercise would comprise two elements. First, a 20% return is anticipated on the total racecourse cost. Such a level of return appears, in principle, broadly appropriate given the level of risk involved, and has not been substantively challenged. Second, a return is expected in association with the land element of the project. It is stated that 'it would not be equitable for [the developer] to be expected to bring forward a racecourse and in so doing 'forego' 25ha of potential development land where they are simply receiving a return on cost for the 'construction element' of the new racecourse'⁵³. However, it is clear from the terms of policy SS8, as described above, that the development potential of the land concerned derives from the racecourse reconstruction – for which the developer risks are accounted for by the 20% return already noted. In order to generate an additional level of return, additional houses would be required over and above those needed to meet the costs of the racecourse development itself.
81. While it was the Council's view, as stated at the hearing, that this is what the landowner requires in order to bring the scheme forward, the above approach goes further than the necessary justification set out in policy SS8. Indeed, it appears at odds with the importance that the landowner attaches to securing the necessary improvements: these are presented as being vital for the Racecourse's future viability⁵⁴. On the evidence, it appears clearly, and strongly, in the landowner's interest to secure improvements on their own merits. Bearing in mind that a reasonable rate of return would also accrue from such a proposal, and that this rate of return has taken into account the requirements identified for affordable housing, infrastructure and associated costs in line with National Planning Policy Framework paragraph 173, it is unclear why an additional return is required in order to ensure deliverability. Taking these matters together, the 820 dwelling figure has not been fully justified. This fails the Framework's soundness requirements.
82. In the light of the above concerns, which were set out in my Interim Conclusions paper, the Council proposes to delete policy SS8 and other CS references to the Racecourse proposal. The existing LP policy (policy LR5) is no longer proposed for deletion.
83. In response to the Council's proposed changes, the Racecourse's owner suggests that policy SS8 should be amended to a criteria-based policy rather than deleted. I have given this suggestion careful consideration. However, such a policy, which would refer to residential development without stating numbers, would derive from a similar evidence base as is discussed above – with similar faults, notably in respect of the consideration of alternatives. As already stated, substantial residential development in this location would conflict with the Plan's overall spatial strategy. Furthermore, the suggested wording that the scale of residential development should be 'proportionate' to the need to meet the financial requirements of Racecourse improvements

⁵² Document A55.

⁵³ Document A55, paragraph 3.6.

⁵⁴ Document A56, page 6.

would, to my mind, be less rigorous than policy SS8's requirement that residential development at Folkestone Racecourse is provided 'only as a necessary part of' a comprehensive approach for racecourse reconstruction. Such a change would not make the Plan sound. While I understand the urgent nature of the Racecourse owner's concerns, the CS is a long term plan for the District as a whole. Although the National Planning Policy Framework supports positive planning, the Council has demonstrated (as already described) that the District's objectively assessed development and infrastructure needs can be met by the CS without the inclusion of policy SS8.

84. For the reasons set out above, I conclude that the Core Strategy's proposals for Folkestone Racecourse are not adequately justified. This concern would not be overcome by the alternative wording for policy SS8 that has been suggested by the Racecourse's owner. Accordingly, the changes proposed by the Council (**MM69-MM75** and changes included in **MM10**, **MM11** and **MM16**) are needed in order to make the Plan sound in respect of this matter.

Issue 4 – Are the Core Strategy's proposals for other identified Areas of Strategic Change (policies CSD6 to CSD9) effective, adequately justified and consistent with national policy?

85. The role of policies CSD6 to CSD9 was discussed at the hearings. The Council confirmed that while none of the policies represent specific allocations, all are intended to guide development within the identified areas of strategic change at the subsequent plan-making stage.

Central Folkestone Strategy (policy CDS6)

86. The need to co-ordinate the regeneration potential of Central Folkestone is not disputed. The supporting evidence base includes the Folkestone Town centre Spatial Strategy⁵⁵, as well as the availability of sites in the SHLAA and ELR. The National Planning Policy Framework (at paragraph 23) recognises that residential development can play an important role in ensuring the vitality of centres. As such, the Council proposes to amend policy CSD6 in order to give a more positive steer to residential schemes where they can deliver mixed use development to enable the area's full commercial potential to be realised. This change (**MM76**) is needed to be consistent with national policy.
87. Bearing in mind that site allocation is a matter for a subsequent Local Plan, the identification of specific development opportunities on figure 5.5 is both premature and unsupported by the evidence base. The Council accepts this and proposes a change accordingly (**MM77**), which is needed in order to be justified and effective. While some concerns have been voiced about the proposed deletion of a number of central Folkestone site allocations lying outside the policy SS6 allocation, it is accepted that policy CSD6 (along with other relevant CS policies) provides an updated strategic context to guide any developments coming forward in advance of the Site Allocations Local Plan.

Hythe Strategy (policy CSD7)

88. Taking into account a recent major planning permission including residential and employment uses at Nickolls Quarry to the south-west of the town, the CS

⁵⁵ Document A10.

does not propose additional major development within Hythe. In view of the District's overall housing and employment land supply position already described, this approach is justified.

89. Policy CSD7 seeks to provide a strategic context for future plan preparation, consistent with the town's position in the Plan's settlement hierarchy and its particular and important historic heritage. Although figure 5.6 identifies development opportunities (albeit not on an exact map base), the Council has clarified that these show the current position in respect of existing planning permissions and extant allocations: as such, they do not represent extra policy guidance. While the Council proposes minor changes to update this policy and supporting diagram, these are not required for soundness reasons.

New Romney Strategy (policy CSD8)

90. The identification of New Romney as the most sustainable location for growth on Romney Marsh is justified by its concentration of services and transport links⁵⁶. Parts of the town are at a comparatively lower risk of flooding than much of the remainder of the Marsh. A sequential assessment of sites in New Romney was undertaken, based on the hazard maps contained in the District-wide SFRA. These represent the hazards associated with flooding in respect of flood depth and water velocity, deriving from a modelling exercise that considered a range of scenarios involving potential flood defence breaches and wave overtopping. Climate change effects have been included.
91. Land at Cockreed Lane was proposed for allocation at the Plan's Preferred Options stage, and was the subject of a wide range of local objections. Nevertheless, the above-noted assessment suggests that this is the most realistic location to accommodate housing of this scale in the settlement. Subject to the inclusion of a reference to the Shepway SFRA (see below), the EA does not object to policy CSD8. A feasibility study has been undertaken in respect of the Cockreed Lane site⁵⁷ and consultation has been carried out⁵⁸.
92. As a result of these factors, it is appropriate for the CS to indicate that land at Cockreed Lane is likely to be allocated for development, leaving matters such as site boundaries and more specific infrastructure requirements to be determined at a later stage. While greater certainty could have been achieved if the site had been progressed as a CS allocation, the approach of identifying a broad location for development is consistent with the National Planning Policy Framework. The Council proposes a number of changes to policy CSD8 (**MM78**), including the above-noted requirement to accord with the Shepway SFRA and more qualified references to infrastructure requirements, which are needed for reasons of effectiveness.

Sellindge Strategy (policy CSD9)

93. The Council supports the development of locally-led proposals for Sellindge. While some concerns have been raised about the level of such local involvement, the evidence suggests⁵⁹ that a significant amount of consultation

⁵⁶ Strategic Distribution report (Document A90).

⁵⁷ Document S10.

⁵⁸ Documents A80 and A81.

⁵⁹ For example, Documents A83 and A84.

and engagement has taken place. Although a specific land allocation was proposed at the Plan's Preferred Options stage, there is general support for the present approach of identifying Sellindge as a broad location. This would enable detailed master-planning to continue at the local level – potentially in the context of a Neighbourhood Plan. As such, the red line boundary shown in CS figure 5.8 is both misleading and unduly prescriptive.

94. The Council proposes to replace figure 5.8 with a diagram showing the key features of policy CDS9 in schematic form. This leaves flexibility in respect of the exact boundaries of the potential core development area and the siting of any additional residential development (if required). This change (**MM79**), along with an associated change to the wording of policy CSD9 (**MM80**) is needed for reasons of effectiveness.
95. Objections have been raised to the housing total (of approximately 250 dwellings) set out in policy CSD9 – both that it is too high and that it is too low – and to the proposed location of the core area for residential development. However, the housing figure derives from assessments of deliverability and likely infrastructure provision undertaken through the master-planning process to date. It is also broadly consistent with the settlement's position in the hierarchy set out in CS table 4.3. The location of the core development area responds to both the settlement's existing built form and the clear local wish to create a new village green/open space area in a central position. On balance, these elements of policy CSD9 are adequately justified.

Conclusion – Issue 4

96. Taking the above matters together, and subject to the above-noted main modifications, I conclude that the Core Strategy's proposals for other identified Areas of Strategic Change (policies CSD6 to CSD9) are effective, adequately justified and consistent with national policy.

London Ashford Airport (LAA), Lydd

97. The expansion of London Ashford International Airport (LAA) at Lydd was the subject of a substantial public inquiry held in 2011 before the CS's submission. Consideration of the specific merits of this scheme was therefore outside the scope of the CS examination. In April 2013, planning permission was granted, subject to conditions, for two applications relating to (1) the construction of a runway extension and a 'starter extension' to the north/south runway and (2) the erection of a passenger terminal together with a car park on the existing Bravo apron comprising a car park at LAA, Lydd⁶⁰. At the time of writing, the decisions of the Secretaries of State⁶¹ are subject to legal challenge.
98. As these decisions were announced after the close of the examination's resumed hearing sessions, I initiated a further consultation exercise to seek comments on their implications, insofar as they were relevant to the CS examination. I have taken these comments into account in this report.
99. The CS deals with the matter of LAA at paragraphs 5.115-5.117. It does not

⁶⁰ Applications APP/L2250/V/10/2131934 & 2131936 – Document LA1.

⁶¹ The Secretary of State for Communities and Local Government and the Secretary of State for Transport.

contain a specific policy in respect of the airport, but refers to saved LP policy TR15. During the examination, it was suggested that this policy should be incorporated into the CS. However, given that it already forms part of the development plan, this would serve no additional planning purpose. Calls have been made to delete policy TR15 and amend other CS policies in the light of the above-noted decisions. However, irrespective of the outcome of the ongoing legal challenge, policy TR15 reflects the Council's continued support for airport expansion. Such a change is not sought by the Council⁶². The main potential infrastructure implication associated with the expansion of LAA (the Hammonds Corner A259/B2075 junction upgrade) is addressed in CS Appendix 2.

100. Taking these matters together, no substantive change to the CS in respect of LAA, Lydd is required for soundness reasons. There is however scope for the Council to make minor non-material alterations prior to adoption in order to provide a factual update about the status of the airport applications, as is suggested by the footnote to CS paragraph 5.116.

Other Matters

101. Appendix 4 of the CS includes five maps (maps 6.4 to 6.8) showing allocations in the adopted Kent Minerals and Waste Local Plans. These are not linked to CS policies and it is not necessary for them to be included within the CS document. While their deletion is proposed by the Council, this matter is outside the scope of my recommendations, which can relate only to the soundness of the CS and its compliance with relevant legal requirements.

⁶² Shepway DC consultation response (not numbered).

Assessment of Legal Compliance

102. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS (November 2011) which sets out an expected submission date of January 2012. The content and timing of the CS are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in September 2007 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed changes.
Sustainability Appraisal (SA)	Subject to the comments in the main body of this report, SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	HRA has been carried out, including HRA of the Council's proposed changes, and is adequate.
National Policy	The Core Strategy complies with national policy except where indicated and modifications are recommended.
Regional Strategy (RS)	The Core Strategy is in general conformity with the South East Plan, insofar as this remains extant.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the East Kent Local Strategic Partnership SCS (2009).
2004 Act (as amended) and 2012 Regulations.	The Core Strategy complies with the Act and the Regulations.

Overall Conclusion and Recommendation

103. The Plan has a number of deficiencies in relation to soundness and legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

104. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix (and accompanying Annex) the Shepway Core Strategy Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

M J Hetherington

INSPECTOR

This report is accompanied by the Appendix and Annex containing the Main Modifications.

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and **bold** for additions of text.

The paragraph numbering below refers to the July 2011 version of the Local Plan, and do not take account of the deletion or addition of text.

Ref	Policy/ Paragraph	Main Modification
MM1	New para 2.50a	Development will be sustainably delivered in the Core Strategy and in line with national policy as set out in the following policy:
MM2	New policy DSD	<p>When considering development proposals Shepway District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this plan (and, where relevant, with polices in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> • Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or • Specific policies in that Framework indicate that development should be restricted. <p>Shepway District Council will implement the policies and proposals of the Core Strategy to meet milestones and seek to ensure that essential infrastructure to support regeneration is secured through Policy SS5 and by:</p> <p>a. Working with partner organisations on local plans delivery and in development management of planning applications;</p> <p>b. Producing further local plans with a focus on specific sites, delivery/funding arrangements and detailed planning</p>

Ref	Policy/ Paragraph	Main Modification
		<p>policies;</p> <p>c. Preparing AMRs to review the effectiveness of policies and the collection of resources for infrastructure projects</p> <p>d. Undertaking pre-application discussions with developers and involving partner organisations where appropriate;</p> <p>e. Negotiating legal agreements and obligations as suitable, utilising other powers and non-planning capabilities;</p> <p>f. Taking a corporate lead in place-shaping through aligning with Shepway District Council's own activities and internal strategies.</p> <p>Shepway District Council will collaborate with partners on the sustainable development of the area in accordance with the statutory Duty to Co-operate.</p>
MM3	New para 2.50b	Provisions for Core Strategy implementation are set out in Section 5.3.
MM4	Policy CSD10	<i>Delete policy.</i>
MM5	Para 4.1	<p>Shepway's appeal is primarily based on its connectivity and wide variety of towns, and villages and rural environments. The district's The heart of the North Downs and Romney Marsh areas are either AONB or Grade 1 classified agricultural land (respectively). Both of which have a rich and diverse landscape character. Accordingly, Shepway's rural character needs to be maintained as a key part of its attractiveness. Moreover the landscape and agricultural contribution of much of the district's open countryside chimes with longstanding popular images of the English countryside (the heart of Shepway's hinterlands Allied to this is the historic influence of the coast on the evolution of settlements and on current perceptions of the district.</p>
MM6	Para 4.2	<p>Maintaining positive rural and coastal attributes has to will be highly influential to any spatial strategy for the future. Nevertheless, towns are the places where most people in Shepway live and work and strategy has to address the needs of these places and neighbourhoods, alongside villages and the rural context. The concept of the Strategic Corridor depicts the centre of Shepway which is critical in respect of population and economic centres, and has been the focus of major transport upgrades in previous years, as illustrated in Figure 4.1.</p>
MM7	Fig 4.1	<i>Delete figure.</i>
MM8	Table after para 4.3; 3 rd bullet	Elsewhere in the Strategic Corridor, promote development at the largest and best served communities and close to economic development opportunities such as Folkestone Racecourse, in less sensitive environments.
MM9	Para 4.16	In the context of this and the identified strategic needs, a geographically selective strategy is necessary backed by a focus on deliverable sustainable development opportunities. A fresh

Ref	Policy/ Paragraph	Main Modification
		<p>approach is adopted through a <i>spatial</i> strategy that confirms a wider zone of interest, the strategic corridor, as well as recognising specific urban (and rural) regeneration capacity, seeking to influence the nature of places and how they function. This approach is underpinned by the physical make-up of the district, its relatively dispersed communities, varied environment and external transport links. The resulting locational emphasis is considered consistent with principles reflected in adjoining districts, and can be seen as a clear evolution of policy that responds the features found within Shepway that are identified as the primary spatial elements of the South East Plan.</p>
MM10	Fig 4.2	<i>Delete figure and replace with version in attached Annex.</i>
MM11	Policy SS1	<p>Major new development will be delivered within the Strategic Corridor, with priority given to previously developed land in the Urban Area. Accordingly, the majority of Shepway's commercial floorspace and the majority of the Urban Area's housing development will take place in Folkestone, to enhance its role as a sub-regional centre.</p> <p>Development to meet strategic needs will be led through Strategically allocated developments at Folkestone Seafront and Shorncliffe Garrison, Folkestone; and the delivery of strategic mixed-use development at Hythe.</p> <ul style="list-style-type: none"> • Strategic allocation of mixed use redevelopment at Folkestone Racecourse, Westenhanger, in the Strategic Corridor, additional to the urban extensions above. <p>Additionally, development should be focused on the most sustainable towns and villages as set out in Policy SS23. Development in the open countryside and on the coast (defined as anywhere outside of settlements within Table 4.3 the Settlement Hierarchy) will only be allowed exceptionally, where a rural/ coastal location is essential (Policy CSD3).</p> <p>This is supported by the following strategic priorities for the three character areas of the district:</p> <ul style="list-style-type: none"> • The future spatial priority for new development in the Urban (Folkestone and Hythe) Area is on promoting the development of vacant previously developed land, central Folkestone and the north of the town, and other locations within walking distance of Folkestone Central railway station; securing new accessible public green space, plus regenerating western Hythe. • The future spatial priority for new development in the Romney Marsh area is on accommodating new development at the towns of New Romney and Lydd, and at sustainable villages; improving transport communications; protecting and enhancing the coast and the many special habitats and landscapes, especially at Dungeness; and avoiding further co-joining of settlements and localities at the most acute risk to life and property from tidal flooding. • The future spatial priority for new development in the North Downs area is on accommodating major new development

Ref	Policy/ Paragraph	Main Modification
		<p>within the Strategic Corridor outside of the AONB and without material impact on its setting; consolidating Hawkinge's growth; and sensitively meeting the needs of communities within the AONB at better served settlements.</p> <p>Additional to the focus on the Strategic Corridor, tThe long-term strategic growth of New Romney is also supported to allow the market town to fulfill its potential to sustainably provide for the bulk of the housing, community infrastructure and commercial needs of the Romney Marsh area. Development will also be planned at other identified settlements in line with the settlement hierarchy sufficient to ensure the achievement of growth requirements. In particular, development which helps to maintain and support the local role of the market town of Lydd, and the rural centres including Sellindge, in the Strategic Corridor can meet priority needs. Development in the open countryside and coast, and other rural places (defined as anywhere outside of settlements within the Settlement Hierarchy) will only be allowed exceptionally, where a rural/coastal location is essential (policy CSD3). Within other identified settlements, development as agreed by the local community in formal plans will be encouraged where well related in scale and location to the settlement hierarchy, and in line with Shepway Local Plan aims.</p> <p>In all locations throughout Shepway, development should be designed to directly contribute to the sense of place and sustainable design as set out policy SS23.</p>
MM12	Para 4.20	<p>The strategic corridor underpins the long-term potential of Shepway for significant sustainable development is focused on offering a range of development opportunities, starting within the urban area. Shepway's existing population, jobs, shops and higher order public facilities are predominantly found in Folkestone and Hythe. this corridor — as are tThe major transport connections which are now a feature of the district (including High Speed 1 services), the Channel Tunnel terminus and the M20/A20, open up central and northern Folkestone and north/west and central Hythe as accessible locations for investment.</p>
MM13	Para 4.21	<p>This spatial concept, These characteristics when considered as a whole, and set alongside the overall attractiveness and competitiveness of locating or living in Shepway, has have the potential for transforming the economic performance of the district. This will be driven by a coastal economy that offers appeal to external investors and employers of a critical mass and choice of premises, markets, supporting facilities and working /living environments; all well served by regional, national and international transport connections.</p>
MM14	Para 4.23	<p>The strategic corridor cuts across local administrative boundaries, urban/rural divides, and includes contrasting towns and villages. In and around Folkestone and Hythe tthe character and quality of the natural environment also varies significantly, but includes part of the AONB and other valuable features. This is an asset as there are opportunities within the Corridor for a range of targeted improvements, not only housing and jobs, but also developing networks of connected multi-functional green infrastructure in</p>

Ref	Policy/ Paragraph	Main Modification
		proximity to the bulk of the district's population. As set out in later policies, current military training land at Seabrook Valley is well placed to both Folkestone and Hythe, the AONB, and can be a catalyst for improved management of the urban/rural fringe.
MM15	Para 4.24	The strategic corridor embraces nearly all the Urban area, and part of the North Downs area. Maintaining the environmental quality and vitality of places in rural Shepway must be allied with the delivery of substantial regeneration of towns in the district. The spatial strategy therefore prioritises substantial opportunities in central Folkestone (including the Seafront and on other central sites near High Speed 1 railway stations) and at Shorncliffe Garrison. These developments now provide the most feasible means to secure major new community services in Shepway for all residents.
MM16	Para 4.26	The main area of future change in the North Downs area is expected to be within the Strategic Corridor, outside of the AONB. Folkestone Racecourse, located next to the Strategic Corridor, The protection of open countryside, recognising its intrinsic character and beauty, in policy SS1 (and policies such as CSD3 and CSD4) will be significant to sustainable development in this Shepway character area. In the west, Westenhanger mainline railway station plus regular rural bus services provide a valuable public transport connections to nearby towns presents an opportunity to renew Kent's only racecourse and to build on and sustainable access to the cluster of employment and visitor attractions in the Lympne and Stanford area. Opportunities may exist in other Strategic Corridor villages, although new development should be well integrated within the heart of settlements and local community activity, to protect the countryside and AONB and to enhance their sense of place. Elsewhere in the North Downs/ AONB development will be limited; at Hawkinge some specific sites remain available for various uses including employment, community services, housing and tourism.
MM17	Para 4.27	The Romney Marsh area lies outside the Strategic Corridor, but has its own particular strategic development needs. These should be addressed in the context of widespread potential flood risk and infrastructure availability. Rural transport is a priority, especially along the coastal route to benefit from services in and around Folkestone and Hythe the Strategic Corridor (for example development at Nickolls Quarry). Its coast and distinctive environmental features need to be protected, most notably at Dungeness. To this end, the spatial strategy seeks to focus new development at New Romney to serve both the town and the wider area, complemented by actions to address regeneration needs at Lydd. At better served Romney Marsh villages, there may be potential for some sensitive modest development to create more sustainable village clusters.
MM18	Para 4.28	Change is also inevitable in places outside of these towns and villages, but the spatial strategy for development in seeks active environmental management of the countryside sets out to for green infrastructure and sustainable agricultural, coastal and tourism purposes and to restrict unnecessary and inappropriate proposals. Countryside protection will also allow a focus on local community, rural business, affordable housing, and other activities where a countryside location is

Ref	Policy/ Paragraph	Main Modification
		essential. Specific criteria are set out in other Core Strategy policies including CSD3 and CSD4.
MM19	Paras 2.33, 2.34, 2.35; fig 2.10	<i>Delete paragraphs and figure.</i>
MM20	Para 5.44	'Natura 2000' series habitats benefit from specific protection under the Habitats Regulations (Appropriate Assessment), but spatial planning for GI purposes can still offer benefits through setting out positive and integrated management provisions. These district-wide features, along with the GI assets of the Strategic Corridor central Shepway suggest priorities in approaching the delivery of network improvements.
MM21	Para 4.36	To achieve this, and in response to competition from growing commercial floorspace at Ashford and Dover, a supportive commercial environment is necessary to bring forward sufficient new employment premises. Demand is sustained in the spatial strategy both by competing for investment using the advantages of recent infrastructure improvements, and by planning sufficient accommodation (residential and commercial) to maintain affordability for existing industry and key local employers. As is the case for residential development, the majority of employment provision will be in the Strategic Corridor central area of Shepway.
MM22	Para 4.45	From dwellings already completed, and identified potential housing locations in the Core Strategy, the following features of the 8,750+ dwellings to 2030/31 should guide future planning: <ul style="list-style-type: none"> • At least c. 7,500 dwellings will be on previously developed ('brownfield') land. • Approximately 2,000 -2,500 dwellings will be affordable housing (see CSD1). Approximately 6,500 - 7,000 dwellings will be in the Strategic Corridor Urban Area.
MM23	Para 5.31	Rural parts of Shepway offer a range of attractions from Stelling Minnis in the AONB through to Dungeness at the southern tip of the district. Shepway's high quality natural environment can be the basis of further appeal through growing 'footloose' enterprises, existing tourist accommodation, and opportunities for new small-scale high quality accommodation and marketing of local food, drink, craft and natural produce. The North Downs part of the Strategic Corridor offers particular opportunities for investment in existing tourist facilities, including Folkestone Racecourse and Westenhanger Castle (policy SS8) and Port Lympne Wild Animal Park, subject to sympathetic consideration of the natural and historic attributes of rural Shepway that underpin the district's appeal.
MM24	Para 4.57	Previously developed 'brownfield' land provides many of the most important and feasible office/ industrial development opportunities in and around Shepway's urban economies. Intervention to ensure a positive market framework is required to promote the delivery of this land, especially former heavy industrial sites compared to less complex - and often less sustainable/ essential - sites nearby. The

Ref	Policy/ Paragraph	Main Modification
		spatial strategy provides support through the positive commercial environment in the Strategic Corridor, however this will need to be addressed in the implementation of policies including SS4.
MM25	Para 4.126	Communication networks are at the heart of Shepway's future growth. In relation to transport, the district is fortunate to have benefited from major investment in the Strategic Corridor transport infrastructure connecting Shepway nationally and internationally.
MM26	Para 4.127	To fully capitalise benefit from this economically, and to address social inclusion and environmental objectives, a focus is now needed on the linkages that serve the interchanges and allow movement from strategic infrastructure to and from local residents and businesses. This applies both within the Strategic Corridor, and to elsewhere in across Shepway (most notably along the coastal route to the Romney Marsh from the Urban Area). Accordingly, in implementing the travel infrastructure priorities featured here and in Appendix 2, a spatial focus is advantageous, potentially on the Strategic Corridor and M20 corridor and its connections by a variety of modes to Romney Marsh.
MM27	Para 4.163	The site is well placed in the district, within the Strategic corridor and with motorway and high speed rail services nearby. The provision of day-to-day services on site (such as the primary school) will limit overall traffic generation for key activities. However in line with policy SS5, close attention is needed to the package of upgrades and contributions necessary to offset travel impacts generated by new residents, especially connections to strategic transport routes. A list of junction improvements, including tackling the existing limitations of Horn Street railway bridge and critical upgrades on Cheriton High Street (notably the highway near the M2 junction approach, where it may be appropriate for other developments to contribute) are outlined in Appendix 2.
MM28	Para 5.25	Improved communications, particularly electronically, can improve the competitive offer of rural east Kent economies. Rural Shepway has particular infrastructure and communication needs (many recognised within Appendix 2) particularly to address regeneration requirements in places like Romney Marsh. More immediate benefits to business from upgrades such as High Speed 1 rail are most likely to be felt in Folkestone/ the Strategic Corridor the M20 corridor but competitive advantages accrue in 'access dependent' sectors elsewhere (for example tourism).
MM29	Policies Map	<i>Add Urban, North Downs and Romney Marsh Character Area boundaries to Policies Map, as shown in attached Annex.</i>
MM30	Para 4.74	PPS25 categorises the vulnerability of uses to flooding. 'More vulnerable' uses include dwelling houses, care homes and many community uses. Given this, local characteristics, and the frequency of developments involving dwellings, specific provisions are set out in Policy SS3 below drawing from the Shepway SFRA in relation to proposals such as replacement dwellings. Although often necessary, these will require close consideration, and Moreover, for safety reasons it is unlikely that single storey dwellings are appropriate in areas of flood risk. Similarly, particularly close attention will be necessitated for 'high vulnerability' proposals in flood zones, including caravans and mobile homes used for permanent residential purposes.

Ref	Policy/ Paragraph	Main Modification
MM31	New para 4.74a	This plan has considered and made provision for strategic district wide development opportunities by applying national policy, and the strategy includes policies guiding proposals in selected locations. However other new major proposals could potentially emerge after the adoption of this plan. If the nature of such proposals (including development scale, uses or form) addresses strategic district needs (or wider) - and not purely local issues arising from within the applicable Shepway character area – then these developments should be considered on a district wide flood risk basis and in full satisfaction of national policy.
MM32	New para 4.74b	To promote sustainable, secure and vital places, development will be promoted in Policy SS3 by the guiding locational principles of protection of cherished and vital uses/places, the avoidance of hazards, and the designing-in of adaptation; operating in the context of sustainable development options within the three character areas of Shepway. This will be delivered through an insistence on high quality and sustainable design; by protection of the countryside and natural and historic environments; the application of a sequential approach for developments at risk of flooding or at risk of impacting adversely on viability; and the efficient mixed use of land that is well related to settlements, previously developed land, or well served by a choice of transport modes.
MM33	Policy SS3	<p>Development within Shepway is directed towards existing sustainable settlements to protect the open countryside and the coastline, in accordance with Policy SS1. Change in settlements will be managed to occur in a form that contributes to their role within the Settlement Hierarchy (Table 4.3) and local place shaping objectives, to promote the creation of sustainable, vibrant and distinct communities.</p> <p>The principle of development is likely to be acceptable on previously developed land, within defined Settlements provided it is not of high environmental value. All development must also meet where the following requirements are met:</p> <p>a. The proposed use, scale and impact of development should be proportionate and consistent with the settlement's status and its identified strategic role (see table 4.3) within the district;</p> <p>b. Consideration should be given to site selection and of alternative options within the appropriate area should be evident, with a sequential approach taken as required for applicable uses set out in line with national policy, for example to inform decisions against clause (c) below on flood risk. In considering appropriate site options, proposals should consider identify-locational alternatives with regard to addressing the need for sustainable growth applicable for within the Romney Marsh Area, or Urban Area and the or North Downs Area;</p> <p>c. For development located within zones identified by the Environment Agency as being at risk from flooding, or at risk of wave over-topping in immediate proximity to the coastline (within 30 metres of the crest of the sea wall or equivalent) site specific evidence will be required in the form of a detailed flood risk assessment. This will need to demonstrate that the proposal is safe</p>

Ref	Policy/ Paragraph	Main Modification
		<p>and meets with the sequential approach within the applicable character areas of Shepway of the three identified, and (if required) exception tests set out in national policy. It will utilise the Shepway Strategic Flood Risk Assessment (SFRA) and provide further information. Development should also meet the following criteria as applicable:</p> <ul style="list-style-type: none"> i) no residential development, other than replacement dwellings should take place within areas identified at "extreme risk" as shown on the SFRA 2115 climate change hazard maps; or ii) all applications for replacement dwellings, should, via detailed design and the incorporation of flood resilient construction measures, reduce the risk to life of occupants and seek provisions to improve flood risk management. iii) Strategic scale development proposals should be sequentially justified against district-wide site alternatives. <p><i>Sections d, e and f of policy SS3 remain unchanged.</i></p>
MM34	Fig 4.5	<i>Delete figure and replace with version in attached Annex.</i>
MM35	Policy SS4	<p>In focal points for maintaining and developing jobs and services, as represented by the Priority Centres of Activity, development will be encouraged where it complies with national policy (PPS4) and contributes to continued centre viability. Major commercial development, including A and B-class uses, should be located in accordance with the Priority Centres of Activity network as shown on the Policies Map and should reinforce the role of the centre. Development in Priority Centres of Activity will only be allowed where it does not result in a net loss of on-site of B-Class uses, and it does not in any way jeopardise the identified commercial purpose of the areas set out in the Priority Centres of Activity network (see Table 4.4).</p> <p>Strategic objectives will be delivered through the following principles:</p> <ul style="list-style-type: none"> • A 'town centre first' policy will operate for applicable uses in line with national policy. Potential town centre activities or those creating significant transport demand, including retail, leisure and major office uses should be located sequentially looking firstly at locations within town centres, then on the edge of centres, and only then out of centre; and with regard to their impact on the vitality and viability of the defined town, district and local centres. • For other employment generating (non-town centre) activities, investment should alternatively be directed to designated Major Employment Sites. If no suitable sites is are shown to be unavailable and unfeasible within any Priority Centre of Activity, development for employment generating uses may only be acceptable in accordance with policies SS1, SS3 and CSD3 and where demonstrated to be in locations suffering longstanding deprivation to stimulate local economic activity, (and subject to directly contributing to local workforce up-skilling, sustainable transport provisions and an positive acceptable environmental impact on the locality).

Ref	Policy/ Paragraph	Main Modification
		<i>No change to the remainder of policy SS4.</i>
MM36	Para 5.35	This policy covers Shepway's varied and extensive green and open spaces . the green and open spaces that come in a multitude of forms. In order to provide clarity and tTo enable a strategic approach across environments, a 'green infrastructure' (GI) approach perspective is used. It complements the fundamental objectives of countryside protection and urban regeneration; and the policy's GI principles can also apply to the district's water features and coast.
MM37	Para 5.37	Natural and open spaces, including inland aquatic environments, underpin the character of rural Shepway and the quality of the district's towns and villages. These spaces and their varied functions are far from being mutually exclusive, and this multi-functional dimension has underpinned the concept of planning for an integrated 'green infrastructure'. For example, forests can produce fuel, define a landscape, hold recreational value, and play a positive role in biodiversity and contribute to combating climate change. Climate change is a major issue that will affect land use and development particularly around the coast. The GI approach offers land management and site specific opportunities to co ordinate local mitigation and adaption; parallel with spatial strategy measures to reduce Shepway's carbon emissions such as through more sustainable modes and patterns of travel.
MM38	Para 5.38	Nationally and internationally recognised landscapes and habitats such as those within the AONB, Romney Marsh and Dungeness are prominent in Shepway (illustrated previously in Figure 2.8) and, along with Biodiversity Action Plan habitats and species, are essential for protection and improved management especially in the context of climate change (4)The other major land element below in Figure 5.1 is a 'strategic and local green infrastructure wash' across various other smaller parts of Shepway. This background layer has been developed in East Kent capturing all green infrastructure features under 'biodiversity' 'civic amenity' and 'linear features' groupings (5). Climate change and associated flood risks are one example whereby GI provisions should be read in close conjunction with the following policy (CSD5) on water and the coastline.
MM39	Para 5.39	The Romney Marshes were highlighted in the South East Plan (policy NRM5) as an 'Area of Strategic Opportunity' in relation to delivering improved biodiversity. Similarly at the local level, specific Biodiversity Opportunity Areas (BOAs) are shown on Figure 5.3 to inform the delivery of habitat creation. Some linear features, including other habitats and the coastal environments and watercourses (notably the Royal Military Canal) are also of major significance due to their multi-functional and cross-boundary nature. Whatever the form of individual features, the concept of a network will transcend distinctions whether they be physical (e.g. urban-rural, land-water) or administrative. The spatially cross-cutting nature of key GI aspects are illustrated in Figure 5.3, alongside the vast extent GI opportunities within Shepway. Natural and open spaces, including inland aquatic environments, enhance Shepway's character and the quality of its towns and villages. These spaces and their varied

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		<p>functions are far from being mutually exclusive, and this multi-functional dimension has underpinned the concept of planning for an integrated 'green infrastructure'. For example, forests can produce fuel, define a landscape, hold recreational value, play a positive role in biodiversity and contribute to combating climate change.</p>
MM40	Para 5.40	<p>Shepway District Council will seek to lead efforts to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, green infrastructure within the district. A Green Infrastructure Network can help promote the appropriate management of features of major importance for wild flora and fauna; and shape the improvement of urban open spaces and guide investment in the urban/rural fringe. It does not hold however that in all instances all facets of GI are necessarily equally sustainable or suitable on GI land; this is contingent on the nature of the asset. Some sites have a recognised primary function and may be sensitive to other functional uses and warrant strong protection for that sole purpose, and their future sustainable management should be based on a precautionary principle.</p>
MM41	Para 5.41	<p>The green infrastructure approach requires management actions of a variety of forms, and action throughout the planning system across bodies with responsibility for environmental management including councils, national bodies including Natural England and the Environment Agency, and several critical local partners, especially from the voluntary sector. This particularly applies at the management of the most significant localities, as confirmed by the Appropriate Assessment of Dungeness and its Natura 2000 series habitats of importance, detailed after the policy below: Notable within Shepway is a range of internationally protected habitats, including the Dungeness/ Romney Marsh complex, with the UK's largest shingle structure at Dungeness (demonstrating the most diverse and extensive examples of stable vegetated shingle in Europe) and the grassland sites at Folkestone-Etchinghill Escarpment, and Park Gate Down.</p>
MM42	New para 5.41a	<p>The international Natura 2000 series sites in Shepway (shown in blue in Figure 2.8) are protected by the Habitats Regulations. Following assessment of the Core Strategy's compliance with these Regulations, Shepway District Council has committed to work with partners and to take actions towards ensuring the integrity of international habitats (areas outside the boundaries of international sites where these support the species for which an international site has been selected will also be protected). Key principles in this regard are set out below for Dungeness.</p>
MM43	New para 5.41b	<p>As a funder of the Romney Marsh Countryside Partnership, Shepway District Council has long supported work to sustainably manage tourism and recreation at Dungeness and will continue to do so. By working with stakeholders including Natural England, RSPB, the Environment Agency, landowners and neighbouring authorities, the Council will also explore new opportunities to develop a formal sustainable access strategy needed for the area – which it is envisaged would include proposals to support sustainable</p>

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		visiting and to monitor impacts on the Dungeness Natura 2000 series sites. Given the breadth of its membership and its cross-boundary geographical scope the Romney Marshes Living Landscape project, or similar grouping, would appear to offer a good vehicle to achieve such a strategy.
MM44	New para 5.41c	With regard to the internationally important calcareous grassland improved GI management and evidence gathering, including site monitoring, is specifically recognised as a necessary part of the future sustainable development of Shepway and is highlighted in Appendix 2. This applies district-wide. As at Dungeness, Shepway District Council has long supported work to sustainably manage the Downs in Shepway and will continue to do so through working with partners including the White Cliffs Countryside Partnership, Natural England and the Kent Downs AONB Unit, to explore new opportunities to monitor impacts and manage the Folkestone - Etchinghill international habitat.
MM45	New para 5.41d	After internationally designated sites, protection and enhancement will apply to green infrastructure district-wide, but guided through recognising a hierarchy of sites such as national SSSIs, and then sub-national designations (for example Kent Biodiversity Action Plan (BAP) habitats and geological sites and Local Wildlife Sites).
MM46	New para 5.41e	Other areas of strategic opportunity for biodiversity improvements exist in Shepway and will be addressed through green infrastructure strategy, with action complementing ongoing management of development by the planning system. At the local level, specific Biodiversity Opportunity Areas (BOAs) are shown on Figure 5.3 to inform protection, increase connectivity and the delivery of habitat creation. Some linear features, including other habitats and the coastal environments and watercourses (notably the Royal Military Canal) are also of major significance due to their multi-functional and cross-boundary nature.
MM47	New para 5.41f	In short, Shepway District Council will co-ordinate efforts to secure opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and sustainably managed access to, green infrastructure within the district. This policy will support continuous development of a holistic and joined-up programme of action on critical sites in Shepway between partners from across administrative boundaries. To verify this, green infrastructure, in particular the condition of key sites and the implications of developments, will be a focus of increased monitoring (see Appendix 3).
MM48	New para 5.41g	The district's coastal environment is clearly a defining factor of Shepway green infrastructure, as acknowledged in this plan's place shaping objectives and Figure 5.3. In addition to marine-related habitats, the coast provides outdoor recreation for residents and visitors. The general multifunctional principle of green infrastructure needs careful consideration in this respect, as development of these functions may not be mutually complementary. However a tailored green infrastructure approach recognises

Ref	Policy/ Paragraph	Main Modification
		<p>that the varied nature of the coast (indeed all water assets as covered in policy CSD5) can manage stretches of coastline sustainably. A positive and integrated approach can relieve potential pressures on sensitive elements of green infrastructure, through absorbing and managing activities such as coastal recreation in places best served for that purpose; enabling enhanced protection of other key natural environments.</p>
MM49	New para 5.41h	<p>It is particularly important for GI that development is consistent with coastal management plans. Proposals must not adversely affect dynamic coastal processes and should avoid unnecessarily exacerbating 'coastal squeeze' impacts as recognised in the Habitat Regulations Assessment and elsewhere.</p>
MM50	Policy CSD4	<p>Improvements in green infrastructure (GI) assets in the district will be actively encouraged and an increase in the quantity of GI delivered by Shepway District Council working with partners and developers in and around the sub-region, Development for GI (including natural networks and public open spaces, recreation and sports facilities) will be acceptable where in a suitable location/sustainable transport improvements are provided, and a sufficient and proportionate contribution is made to the provision and management of networks of multi-functional greenspace. including through pursuing opportunities to achieve net gains in biodiversity, and positive management of areas of high landscape quality or high coastal/recreational potential.</p> <p>Green infrastructure will be protected and enhanced and the loss of GI uses will not be allowed, other than where demonstrated to be in full accordance with national policy, or a significant quantitative or qualitative net GI benefit is realised or it is clearly demonstrated that the aims of this strategy are furthered and outweigh its impact on GI. Moreover:</p> <ul style="list-style-type: none"> • Development must avoid a net loss of biodiversity. • The highest level of protection in accordance with statutory requirements will be given to protecting the integrity of sites of international nature conservation importance. • A high level of protection will be given to nationally designated sites (SSSI and Ancient Woodland) where development will avoid any significant impact. • Appropriate and proportionate protection will be given to habitats that support higher level designations, and sub-national and locally designated wildlife/ geological sites (including Kent BAP habitats, and other sites of nature conservation interest). • Planning decisions will have close regard to the need for conservation and enhancement of natural beauty in the AONB and its setting, which will take priority over other planning considerations. Elsewhere development must not jeopardise the protection and enhancement of the distinctive and diverse local landscapes in Shepway

Ref	Policy/ Paragraph	Main Modification
		<p>(especially where these support the setting of the AONB), and reflect the need for attractive and high quality open spaces throughout the district.</p> <p>The Shepway's GI network shown in Figure 5.3 and other strategic open space, will be managed with a strategic focus on:</p> <ul style="list-style-type: none"> • Adapting to and managing climate change effects, and maintaining and improving biodiversity and providing opportunities for adaptation to climate change effects. • Avoiding development which results in the fragmentation or isolation of natural habitats. • Protecting and enhancing biodiversity and access to nature, particularly in green corridors and other GI Strategic Opportunities in Figure 5.3, with appropriate management of public access (including a Sustainable Access Strategy for Dungeness and together with a strategic approach to the international sites as detailed above); and also avoiding development which results in significant fragmentation or isolation of natural habitats. • Identifying opportunities to expand the GI functions of greenspaces and their contribution to a positive sense of place (including enhancements to public open spaces and outdoor sports facilities) with a priority on the Strategic Corridor. • Tackling network and qualitative deficiencies in the most accessible, or ecologically or visually important GI elements, including a focus on corridors with the potential to link urban green spaces and rural and urban fringe. improving the GI strategic fringe zones in Figure 5.3 through landscape improvements or developing corridors with the potential to better link green spaces and settlements. <p>Major development on the edge of settlements should provide green and open space with landscaping and biodiversity provisions on-site, unless demonstrated to be not viable or feasible, to enable a sympathetic visual and functional connection between urban and rural areas.</p> <p>Developments are expected to take into account the need for continued protection and enhancement of the district's ecological, biological, geological and recreational assets (and water features in line with policy CSD5). The loss of GI uses will not be allowed, other than where a significant quantitative or qualitative net GI benefit is realised and it is clearly demonstrated that strategic aims of this plan are furthered.</p>
MM51	Para 5.49	<p>As the primary area of change in the spatial strategy, the Strategic Corridor also offers several opportunities for tackling qualitative deficiencies, especially as the bulk of the urban/rural fringe is within or nearby AONB land. GI interventions in this area also may productively address popular GI uses, including area parks and parks currently in relatively poor condition, sports pitch deficiencies, playspaces in deprived areas, and allotments. One good example of the potential for GI improvements in the Strategic Corridor, where major multi-functional benefits may be realised – including visitor infrastructure improving accessibility – is the Seabrook Valley (see policy SS7).</p>

Ref	Policy/ Paragraph	Main Modification
		<p>In and around urban areas, development should be planned to deliver multiple GI benefits, involving provision and upgrading of public parks, remediation of deficiencies in sports provision, provision of play spaces in deprived areas and encouragement for the provision of allotments. An example of potential improvements to GI that could be delivered under the Core Strategy is the Seabrook Valley (see Policy SS7).</p>
MM52	Para 5.50	<p>Shepway District Local Plan Review saved polices hereby deleted: LR2, LR6, LR14, CO7, CO8, CO9, CO10, CO12.</p>
MM53	Policy CSD5	<p>Development should contribute to sustainable water resource management which maintains or improves the quality and quantity of surface and ground water bodies, and where applicable, the quality of the coastal environment and bathing waters.</p> <p>This will be achieved by protecting or enhancing natural water reserves through sustainable design and construction, managing development in relation to wastewater infrastructure, and promoting long term resilience to climatic pressures on the coast and water systems. Proposals must be designed to contribute to the maintenance of a sustainable supply of water resources in the district and the achievement of water management plans for the district and the maintenance of coastal ecological habitats (through seeking to avoid the inhibition of natural coastal processes).</p> <p>Development will be permitted where the following criteria are met:</p> <ul style="list-style-type: none"> • All developments should incorporate water efficiency measures appropriate to the scale and nature of the use proposed. Planning applications for the construction of new dwellings should include specific design features and demonstrate a maximum level of usage of 105 litres per person per day, or less. • New buildings and dwellings must be delivered in line with wastewater capacity, and designed so as to ensure that peak rate and surface water runoff from the site is not increased above the existing surface water runoff rate; incorporating appropriate sustainable drainage and water management features. The quality of water passed on to watercourses and the sea must be maintained or improved, and flood risk must not be increased by developments within the district. <p>Water reserves and the coastal environment will be maintained and enhanced through Shepway District Council working with partners to manage development and upgrade water infrastructure and quality, and through green infrastructure provisions (policy CSD4).</p>
MM54	Para 4.38	<p>The housing trajectory shows that there is expected to be an increase in dwelling delivery rates up to approximately 5,000 2,500 dwellings in the 10 5 year period after plan adoption (2013/14 - 2022/2317/18). This period shows a relatively high level of delivery reflecting both the build out of housing sites in the planning system prior to the Core Strategy, and the development</p>

Ref	Policy/ Paragraph	Main Modification												
		<p>pipeline introduced by this plan (broken down on a year-by-year basis in the first two charts in Appendix 1). It is underpinned by a pool of specific potential locations capable of accommodating five dwellings or more identified in the SHLAA. There is no reliance on an allowance in the later part of the plan period for unidentified 'windfall' sites totaling 75 dwellings per year.</p>												
MM55	Policy SS2	<p>The core long-term aim objective is to ensure the delivery of a <i>minimum</i> of 350 dwellings (Class C3) per annum on average until 2030/31 (inclusive from 2006/7). This is an achievable rate and can address strategic needs. To promote sustainable development and prioritise urban regeneration, a target is set for at least 65% of dwellings to be provided on previously developed ('brownfield') land by the end of 2030/31.</p> <p>To support this positive trajectory for housing delivery, a target is set to aim provide for approximately 8,000 dwellings by the end of 2025/26. This equates to an initial target average delivery of approximately 400 dwellings per annum. This trajectory is set out to provide impetus to the transformation of the district's economy sought in the district spatial strategy, and to promote a good rate of delivery of new employment land and infrastructure.</p> <p>Allied to this rate of housing delivery, business activity and the provision of jobs will be facilitated through supporting town centres, the protection of sufficient employment land across the district, strategic allocations and concerted efforts to deliver rural regeneration (especially in the south and west Shepway).</p> <p>A balance of development will be secured, as follows for 2026/7:</p> <table border="1" data-bbox="544 1216 1437 2004"> <thead> <tr> <th data-bbox="544 1216 735 1335">Use</th> <th data-bbox="735 1216 1059 1335">Target amount of additional development 2006/7 to 2025/26 (inclusive)</th> <th data-bbox="1059 1216 1437 1335">Delivery over the plan period</th> </tr> </thead> <tbody> <tr> <td data-bbox="544 1335 735 1711">Housing (Class C3)</td> <td data-bbox="735 1335 1059 1711">Target approximately 8,000 (minimum 7,000) dwellings</td> <td data-bbox="1059 1335 1437 1711"><i>How/when:</i> In accordance with provisions set out in this policy, a rolling requirement is set that deliverable land for 1,750 dwellings and a sufficient buffer be continuously identified for the forthcoming five year period. Completions total 1,282 1,621 dwellings in first 4 6 years of plan period.</td> </tr> <tr> <td data-bbox="544 1711 735 1830">Industrial, warehousing and offices (B classes)</td> <td data-bbox="735 1711 1059 1830">Approximately 20ha gross</td> <td data-bbox="1059 1711 1437 1830"><i>How/when:</i> Target to be monitored and to inform Allocations Development Pplan Ddocument.</td> </tr> <tr> <td data-bbox="544 1830 735 2004">Goods retailing (Class A1)</td> <td data-bbox="735 1830 1059 2004">Approximately 35,000sqm gross</td> <td data-bbox="1059 1830 1437 2004">Approximately 7ha B-class employment land and 28,000 sqm of A1 retail have been achieved in the first 4 years of the plan period.</td> </tr> </tbody> </table>	Use	Target amount of additional development 2006/7 to 2025/26 (inclusive)	Delivery over the plan period	Housing (Class C3)	Target approximately 8,000 (minimum 7,000) dwellings	<i>How/when:</i> In accordance with provisions set out in this policy, a rolling requirement is set that deliverable land for 1,750 dwellings and a sufficient buffer be continuously identified for the forthcoming five year period. Completions total 1,282 1,621 dwellings in first 4 6 years of plan period.	Industrial, warehousing and offices (B classes)	Approximately 20ha gross	<i>How/when:</i> Target to be monitored and to inform Allocations Development P plan D document.	Goods retailing (Class A1)	Approximately 35,000sqm gross	Approximately 7ha B-class employment land and 28,000 sqm of A1 retail have been achieved in the first 4 years of the plan period.
Use	Target amount of additional development 2006/7 to 2025/26 (inclusive)	Delivery over the plan period												
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Industrial, warehousing and offices (B classes)	Approximately 20ha gross	<i>How/when:</i> Target to be monitored and to inform Allocations Development P plan D document.												
Goods retailing (Class A1)	Approximately 35,000sqm gross	Approximately 7ha B-class employment land and 28,000 sqm of A1 retail have been achieved in the first 4 years of the plan period.												

Ref	Policy/ Paragraph	Main Modification												
		<p>Table 4.1</p> <p>Provisions to ensure the effective implementation of this policy are detailed in section 5.3.</p>												
MM56	Table 4.2	<table border="1" data-bbox="544 443 1209 1003"> <thead> <tr> <th data-bbox="544 443 963 510">Source¹</th> <th data-bbox="963 443 1209 510">Contribution (net dwellings)</th> </tr> </thead> <tbody> <tr> <td data-bbox="544 510 963 607">1. Delivered in first years of plan period (2006/07 to 2010/11 2011/12)</td> <td data-bbox="963 510 1209 607">1,400 1,600</td> </tr> <tr> <td data-bbox="544 607 963 770">2. Delivery through allocated development sites (see policies SS6-87 and saved Local Plan provisions, Appendix 5)</td> <td data-bbox="963 607 1209 770">4,000 3,300</td> </tr> <tr> <td data-bbox="544 770 963 801">3. 'Windfall' sites</td> <td data-bbox="963 770 1209 801">1,000</td> </tr> <tr> <td data-bbox="544 801 963 936">4. Delivery (minimum) through further Local Plans LDF provisions and planning permissions</td> <td data-bbox="963 801 1209 936">3,400 2,900</td> </tr> <tr> <td data-bbox="544 936 963 1003"><i>Total 2006/07 - 2030/31 (minimum)</i></td> <td data-bbox="963 936 1209 1003"><i>>8,800</i></td> </tr> </tbody> </table> <p>Table 4.2 How the housing minimum requirement will be delivered through the plan period</p> <p>¹ Notes: Rounded to the nearest hundred. Row 1 includes a provisional estimate of 2010/11 delivery, which will be updated. Confirmed delivery (first 4 years) totals 1,282 dwellings. The balance will be made up in row Column 3.</p>	Source ¹	Contribution (net dwellings)	1. Delivered in first years of plan period (2006/07 to 2010/11 2011/12)	1,400 1,600	2. Delivery through allocated development sites (see policies SS6-87 and saved Local Plan provisions, Appendix 5)	4,000 3,300	3. 'Windfall' sites	1,000	4. Delivery (minimum) through further Local Plans LDF provisions and planning permissions	3,400 2,900	<i>Total 2006/07 - 2030/31 (minimum)</i>	<i>>8,800</i>
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<i>Total 2006/07 - 2030/31 (minimum)</i>	<i>>8,800</i>													
MM57	Para 4.46	<p>With the development of strategic allocations, and other urban regeneration opportunities in the district it is appropriate for Shepway to seek to exceed PPS3's national a Previously Developed 'brownfield' land target of 605% of dwellings. As shown in Appendix 1 figure 6.3, approximately two-thirds or more of dwellings will be on previously developed 'brownfield' land. This chart also shows the overall rate of delivery against targets on a cumulative basis.</p>												
MM58	Figs 6.1, 6.2 & 6.3	<i>Delete figures and replace with versions in attached Annex.</i>												
MM59	Para 4.55	<i>Delete paragraph.</i>												
MM60	Fig 4.3	<i>Delete figure.</i>												
MM61	Para 4.56	<p>4.56 Significant land for employment uses was identified in the previous Shepway Local Plan Review (policies E1 and E2) and provided for existing key employers Shepway has a wide range of existing business premises and locations, with recent progress having been made on bringing forward large sites (including Shearway Business Park in Folkestone, and Link Park at Lympe). These have been brought forward by maintaining a plentiful supply of potential office/industrial land to aid development delivery, especially to provide a good choice of smaller/ medium sized modern office units in the urban area. These premises will allow start-up firms and local company expansions to complement inward</p>												

Ref	Policy/ Paragraph	Main Modification
		<p>investment, realising growth from Shepway's points of comparative advantage. Planning positively for commercial and employment needs requires a sufficiently flexible framework is set to ensure suitable development is delivered, without losing viable land to other uses on the basis of shorter-term profit pressures. across much of Shepway. This helped deliver a significant amount of business space in the first few years of the plan, although recent rates of development have been slower.</p>
MM62	Policy SS5	<p>Development should provide, contribute or otherwise address Shepway's current and future infrastructure needs. Infrastructure that is necessary to support development must exist already, or a reliable mechanism must be available to ensure that it will be provided at the time it is needed., in accordance with the principles of spatial planning set out in PPS12</p> <p>The Community Infrastructure Levy (CIL) will be introduced to ensure that resources are in place sufficient to meet the infrastructure needs of the district in line with the growth provisions of this strategy. CIL will apply to all qualifying forms of development across Shepway, and a meaningful proportion of levy revenues raised in each neighbourhood will be used to deliver infrastructure within that neighbourhood. Developer contributions via specific legal agreements will be negotiated taking appropriate account of the development's viability for required necessary local infrastructure (including facilities essential for development to take place or to mitigate the immediate impact of development), and in all instances prior to the introduction of CIL in Shepway, on the basis of this policy.</p> <p><i>The subsequent paragraphs of policy SS5 remain unchanged.</i></p>
MM63	Policy CSD1	<p>Development resulting in new housing (class C3) will be allowed in line with policy SS3 (optimising will be allowed where it contributes to the optimisation of the distinctiveness, appeal, sustainability and accessibility of places in Shepway)- Development resulting in new housing (class C3) will be permitted where allocated or within a recognised settlement, and where it contributes to the creation of balanced and popular neighbourhoods through high quality design proposals which address identified affordable housing needs.</p> <p>All housing development should, subject to viability, include a broad range of tenures (incorporating market housing for sale, shared equity and other forms of intermediate housing, and affordable rented) wherever practicable. This requirement includes:</p> <ul style="list-style-type: none"> • Development proposing (or land capable of accommodating) 5 to 9 dwellings (net gain) should provide at least one affordable dwelling on-site, subject to viability. • Development proposing (or land capable of accommodating) 10 to 14 dwellings (net gain) should provide at least two affordable dwellings on-site, subject to viability. • Development proposing (or land of 0.5ha or more in size) 15 or more dwellings (net gain) should provide 30% affordable dwellings on-site, subject to viability. <p>Provision should be made on-site (unless off-site provision</p>

Ref	Policy/ Paragraph	Main Modification
		<p>through a financial contribution of broadly equivalent value can be robustly justified).</p> <p><i>The final two paragraphs of policy CSD1 remain unchanged.</i></p>
MM64	Policy CSD2 (last para)	<p><i>The preceding paragraphs of policy CSD2 remain unchanged.</i></p> <p>The accommodation needs of specific groups will be addressed based on evidence of local need, including appropriate provision for Gypsies, Travellers and Travelling Showpeople, through the safeguarding or allocation of sites as required in national policy. Policies will be included in local plans to provide criteria and make allocations for Traveller sites in line with national policy.</p>
MM65	Fig 4.7	<p><i>Delete figure and replace with version in attached Annex.</i></p>
MM66	Policy SS6	<p>Folkestone Seafront area is allocated for mixed use development, providing a variety of dwellings (up to 1,000 homes), in the region of 10,000sqm of floorspace comprising small shops and retail services (A use classes), and offices (class B1) and other community and leisure (C1, D1, D2 and sui generis) uses; totaling at least 10,000sqm; together with enhanced beach sports and cultural sea sport facilities and with associated and improved on- and off- site community and physical infrastructure.</p> <p>Planning permission will only be granted where:</p> <ul style="list-style-type: none"> • Proposals clearly support the delivery of planned incremental redevelopment for a distinctive, unique and high quality seafront environment; with a mix of uses providing vitality for the whole site and Folkestone. • The proposals directly contribute to the regeneration of Folkestone by reconnecting the town centre to the Seafront, and enhancing the attractiveness of the central Folkestone and its appeal as a cultural and visitor destination, through the provision of an offer that is complementary to the Creative Quarter and existing traditional maritime activities. • Development is appropriately phased to ensure benefits can be fully realised, with infrastructure improvements delivered at a suitably early appropriate stages to ensure on and off site facilities are available to foster create a new sense of place and community, and to manage environmental impacts improvements in relation to infrastructure capacity. • Sufficient contributions, are made to highways, public transport and parking arrangements are made to improve the so as to provide sustainable connectivity of between the Seafront development, to the town centre and central and eastern Folkestone, opening up new direct including improved pedestrian, cycle and bus links and according with SS5. • Appropriate financial contributions are provided to meet additional school pupil places generated by the development. • The Design is of very high quality, and preserving the setting of the key heritage assets and archaeological and heritage features of the site, and is sympathetic to the landscape and coastal character of the area including the retention of the Inner Harbour Bridge.

Ref	Policy/ Paragraph	Main Modification
		<ul style="list-style-type: none"> • The layout is planned to achieve sufficient ground floor active/commercial uses in and around the Harbour and at the Pier Head Quarter to ensure a sense of vitality can be maintained fully utilising the setting, and also featuring a restored Marine Parade promenade central avenue and a range of open and enjoyable coastal environments. • Development delivers 300 affordable housing dwellings for central Folkestone, subject to viability (or if the total residential quantum is less than 1,000 units, a 30% contribution). • Residential buildings must achieve a minimum level of water efficiency of 90 litres/person/day or better, plus Code for Sustainable Homes level 3 or higher, and a All development must be designed and constructed to achieve high standards of environmental performance, and buildings should be designed to allow convenient waste recycling. • All development is located within the site in accordance with national policy on the degree of flood risk and compatibility of specific use and, where necessary, include design measures to mitigate flood risk. • Development proposals include an appropriate recreational access strategy to ensure additional impacts to Natura 2000 site(s) are acceptably mitigated against, in accordance with Policy CSD4. <p>Any detailed planning application submitted in relation to any of the site will only be granted if it is supported by and consistent with either:</p> <ul style="list-style-type: none"> • Either a A masterplan for the whole site produced in line with this policy, or • An outline/detailed planning application for the whole site that provides satisfactory masterplanning in line with this policy, including phasing proposals and necessary viability assessments. <p>Masterplanning for the site should accord with the core principles shown in Figure 4.7.</p>
MM67	Fig 4.8	<i>Delete figure and replace with version in attached Annex.</i>
MM68	Policy SS7	<p>The Shorncliffe Garrison complex is allocated for a predominantly residential development of around 1,000 dwellings to 2026 (up to 1,200 by 2031) and an improved military establishment, together with a hub of new community facilities, associated enhancements to sports and green infrastructure, and on- and off- site travel infrastructure upgrades.</p> <p>Planning permission will also only be granted where:</p> <ul style="list-style-type: none"> • Residential development is shown to be part of a comprehensive approach to modernisation and consolidation of military land within Shepway. • Development is appropriately phased to ensure benefits can be fully realised, with infrastructure improvements delivered at a suitably early appropriate stages to ensure military operations can continue, on and off site facilities are available to foster create a new sense of place and community, and to manage environmental impacts in relation to infrastructure capacity.

Ref	Policy/ Paragraph	Main Modification
		<ul style="list-style-type: none"> • Significant transport improvements are delivered including appropriate contributions for critical junction upgrades, and other highway improvements, and a contribution is made to improved and extended bus services and further sustainable travel measures for walking and cycling (including connections to Cheriton High Street and Folkestone West railway station) in accordance with policy SS5. • The proposal includes on-site provision of appropriate community infrastructure including land and possible contributions towards a two form entry new primary school (up to two form entry) and health/care facility (and/or delivery of a community/public facility of equal social value). • The proposal incorporates high quality green infrastructure at the design stage, with sports and public open space usable for active recreation retained in line with national policy; and improved changing facilities provided at 'The Stadium'. • Land at Seabrook Valley as shown in Figure 4.8 is released from military use for public and natural open space purposes and a management strategy is in place to enhance biodiversity and to increase accessibility to the countryside where appropriate. Development proposals shall include an appropriate recreational access strategy to ensure additional impacts to Natura 2000 site(s) are acceptably mitigated against, in accordance with policy CSD4. • The design and layout of development should form a legible network of streets, drawing on the scale and pattern of surrounding development so as to enhance connectivity from east to west with a strong new south to north pedestrian/cycle axis, through the site. Townscape, heritage and archaeological analysis should be undertaken prior to the demolition of any buildings. This should ensure good place making through the retention of important features, including heritage assets and reference to former uses on the site. • Development design integrates fully and sensitively with the existing residential neighbourhoods of Cheriton and with the Seabrook Valley landscape. • Development delivers 360 affordable housing dwellings for the Urban area subject to viability (or if the total residential quantum is less than 1,200 units, 30%) • Residential buildings must achieve a minimum level of water efficiency of 90litres/person/day or better, plus Code for Sustainable Homes level 3 or higher, and a All development must be designed and constructed to achieve high standards of environmental performance, and buildings should be designed to allow convenient waste recycling. • A programme is agreed for the satisfactory remediation of the land. <p>Any detailed planning application submitted in relation to any of the site will only be granted if it is supported by and consistent with either:</p> <ul style="list-style-type: none"> • Either a A satisfactory masterplan for the whole site produced in line with this policy, or • An outline/detailed planning application for the whole site that

Ref	Policy/ Paragraph	Main Modification
		<p>provides satisfactory masterplanning in line with this policy, including phasing proposals and necessary viability assessments.</p> <p>Masterplanning for the site should accord with the core principles shown in Figure 4.8.</p>
MM69	Fig 4.6	<i>Delete figure and replace with version in attached Annex.</i>
MM70	Paras 4.173 to 4.192	<i>Delete paragraphs.</i>
MM71	Fig 4.9	<i>Delete figure.</i>
MM72	Policy SS8	<i>Delete policy.</i>
MM73	Appendix 4 Map 6.3	<i>Delete proposed change to Policies Map.</i>
MM74	Appendix 2 Table 6.1	<i>Amend Appendix 2 as shown in attached Annex.</i>
MM75	Fig 5.3	<i>Delete figure and replace with version in attached Annex.</i>
MM76	Policy CSD6	<p><i>The first two paragraphs of policy CSD6 remain unchanged.</i></p> <p>Within the Central/West Development Arc there are opportunities for mixed use development providing major new office and retail businesses or other services that will contribute to the wider regeneration of the district and East Kent. Some residential development may be supported, provided can be justified by enabling it delivers genuinely mixed use development or it enables the full commercial potential of the area to be realised, and: Furthermore:</p> <ul style="list-style-type: none"> • New development should be of very high quality design that contributes to and improves the existing character and townscape of the area. • It is appropriate for development to support delivery of public realm and transport improvements within and to the north of the arc. • Development will need where appropriate to detail the delivery of measures, or contribute to improvements in skills/training in nearby deprived areas. <p>The <i>Seafront/Creative Quarter Regeneration Arc</i>, provides major opportunities for development to contribute to strategic needs and to upgrade the fabric of the town drawing from its past and potential sense of place:</p> <ul style="list-style-type: none"> • Further development by the charitable sector and others through conversion and re-use of derelict land promoting cultural, educational uses, visitor attractions, and other small-scale active uses will be encouraged. • Within this Arc development must maximise wider benefits to the Town Centre through improved connectivity and transport links overcoming physical barriers to movement and providing uses that attract pedestrian footfall, and proposals within the boundary set out in Appendix 4 must be in accordance with Policy SS6 (Folkestone Seafront allocation).

Ref	Policy/ Paragraph	Main Modification
		<p>Across these arcs, and within central or deprived places in the town, development bringing investment for schools, new education/training provision and workforce development measures that increase the skills attainment of local people in priority economic sectors, will be acceptable.</p>
MM77	Fig 5.5	<p><i>Delete figure and replace with version in attached Annex.</i></p>
MM78	Policy CSD8	<p><i>The first three paragraphs of policy CSD8 remain unchanged.</i></p> <p>Development of the broad location should meet the following criteria:</p> <ul style="list-style-type: none"> • The development as a whole should provide around 300 dwellings (Class C3) and a range and size of residential accommodation, including 30% affordable housing, subject to viability. • Pedestrian/cyclist linkages southwards to the town centre should be improved and prioritised from the central area of the development, in preference to linkages around the periphery of the site. • Land proposed for residential development must have a sufficient level of internal connection through providing a new movement link through the site, appropriately designed to 20mph, and/or through a cycleway/footpath to provide a secure and attractive green corridor. • Proposals should incorporate as necessary a minimum of 0.7ha of KCC land for the upgrade of St Nicholas' Primary School playing facilities on a consolidated area adjacent to the southern site boundary. • Archaeological constraints need to be examined and associated mitigation will be required to be provided at an early stage, in order to inform the masterplan, development strategy and quantum of development. • Flooding and surface water attenuation for the overall site should be concentrated in the lowest areas of the site, recommendations of the Shepway SFRA must be followed, and measures should also provide visual and nature conservation enhancement for the benefit of the site and local community. • Appropriate off-site mitigation measures must be identified, including to ameliorate highway impacts and manage drainage demands; <p>Any planning application for the broad location should be preceded by, and consistent with, a single masterplan, addressing these objectives and produced in consultation with the local community, the District Councils and key stakeholders.</p> <p>Development of the broad location is within must aim to integrate with the physical environment, including addressing the natural boundary which is currently defined by Cockreed Lane, as well as neighbouring previously developed land to the north east of Cockreed Lane currently in commercial use, as shown in Figure 5.7. In addition, if the objectives of this policy cannot be met within the scope of this area, consideration</p>

Ref	Policy/ Paragraph	Main Modification
		<p>may be given to additional development land to the southwest of Ashford Road, subject to further discussions with the landowner and any environmental or other constraints being addressed.</p> <p>Development at the town should also seek to consolidate and improve the market town/service centre function of New Romney through contributing as relevant to the public realm and other priorities for investment in the High Street in line with SS5 including:</p> <ul style="list-style-type: none"> • Providing additional crossing points in the High Street to increase the ability of shoppers and visitors to circulate along the retail frontage, • Improving the setting of historic buildings and minimising the environmental impact of through traffic within the High Street • Contributing towards community facilities required to serve the needs of the town <p>Development will need where appropriate to detail the delivery of measures, or contribute to improvements in skills/training in Romney Marsh area.</p>
MM79	Figure 5.8	<i>Delete figure and replace with version in attached Annex.</i>
MM80	Policy CSD9	<p><i>The first two paragraphs of policy CSD9 remain unchanged.</i></p> <p>Permission for private residential development sites outside of the defined settlement boundaries and not considered in the Rural Masterplanning Project will be refused in line with policy SS1.</p>

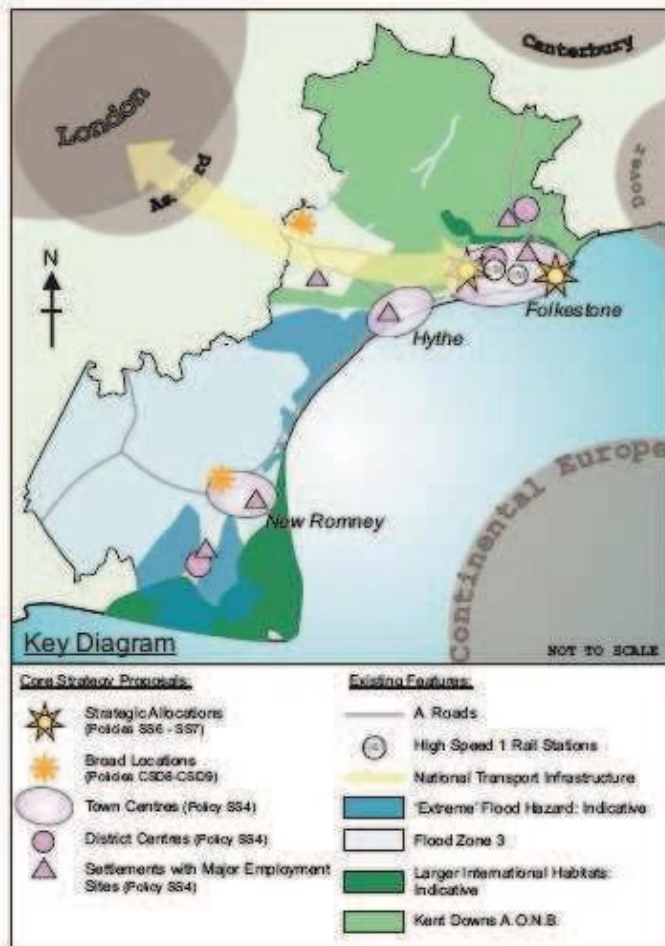
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Annex to the Main Modifications Appendix

Main Modification MM10

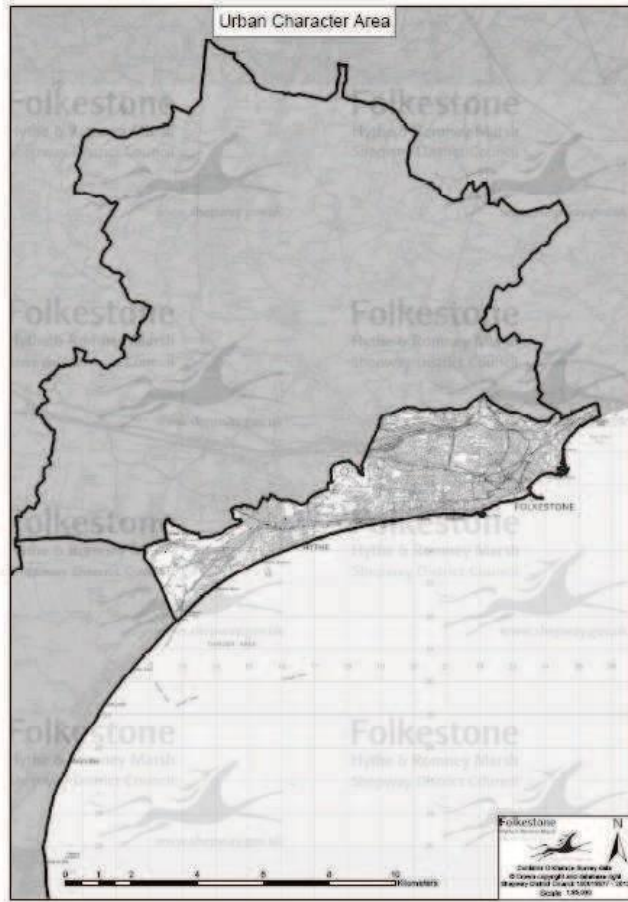
Figure to replace Figure 4.2:

Figure 4.2 The Key Diagram

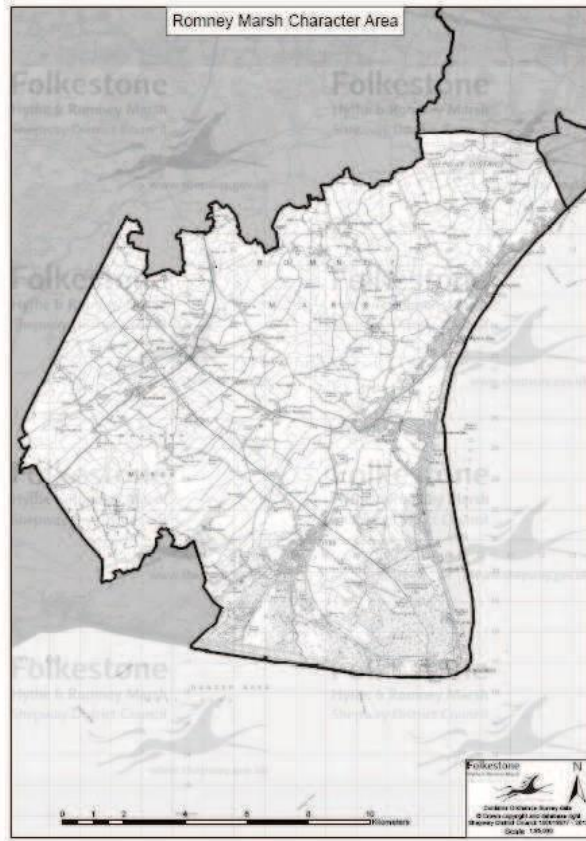


Main Modification MM29

Add three Character Area boundaries to Policies Map:



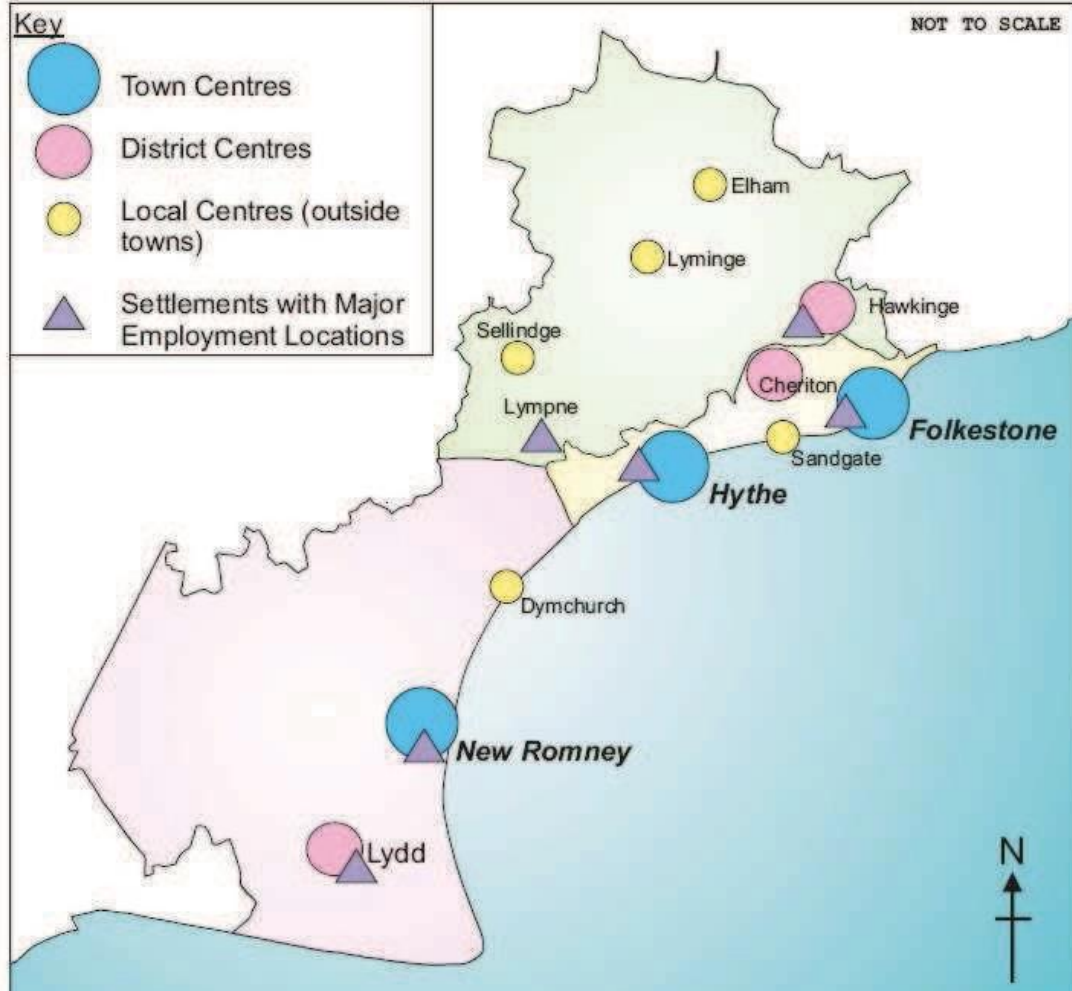




Main Modification MM34

Figure to replace Figure 4.5:

Figure 4.5 Priority Centres of Activity Network



Main Modification MM58

Figures to replace Figures 6.1, 6.2 and 6.3

Figure 6.1 Core Strategy Housing Trajectory 2006-2031

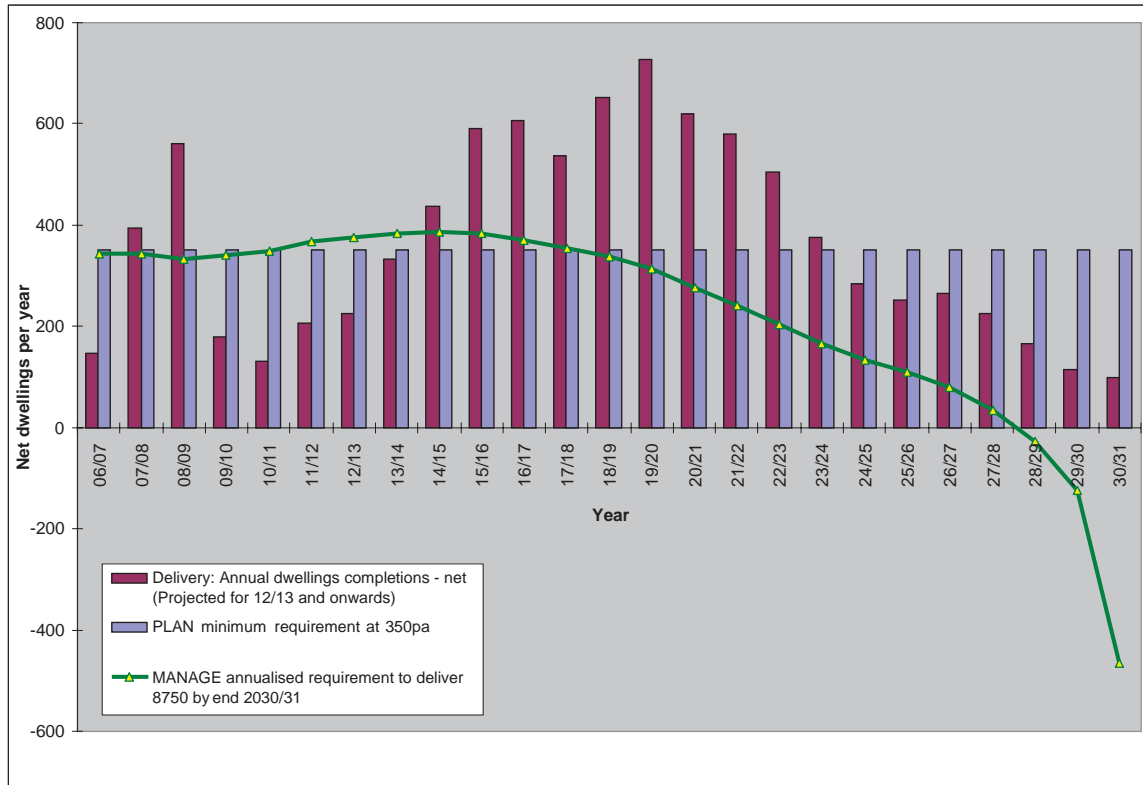


Figure 6.2 Annual Dwelling Delivery by Source 2006-2031

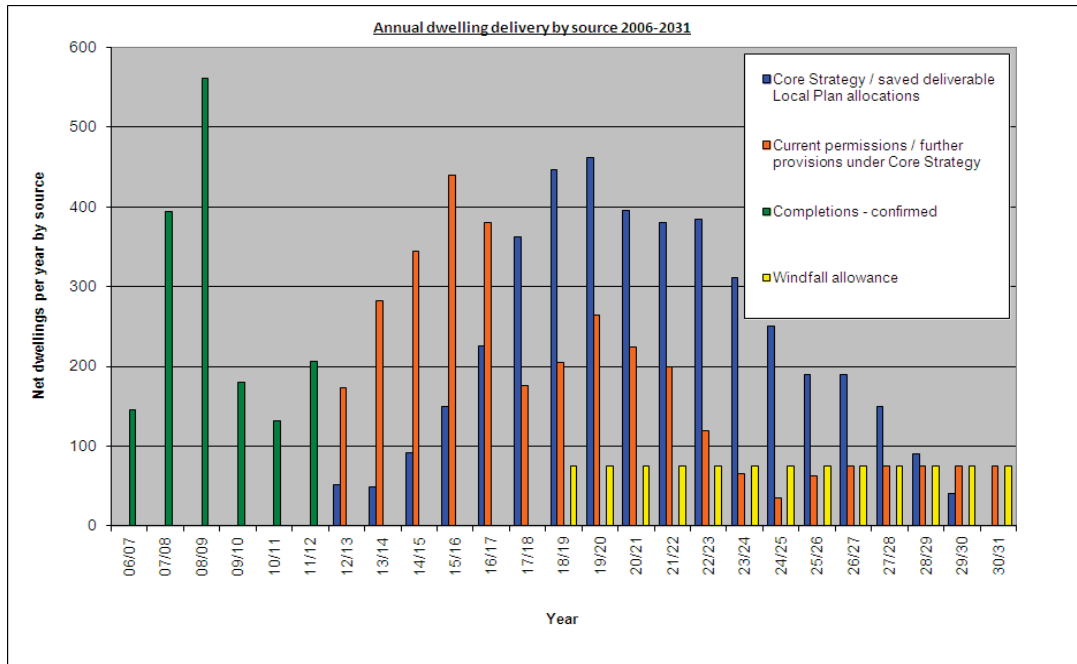
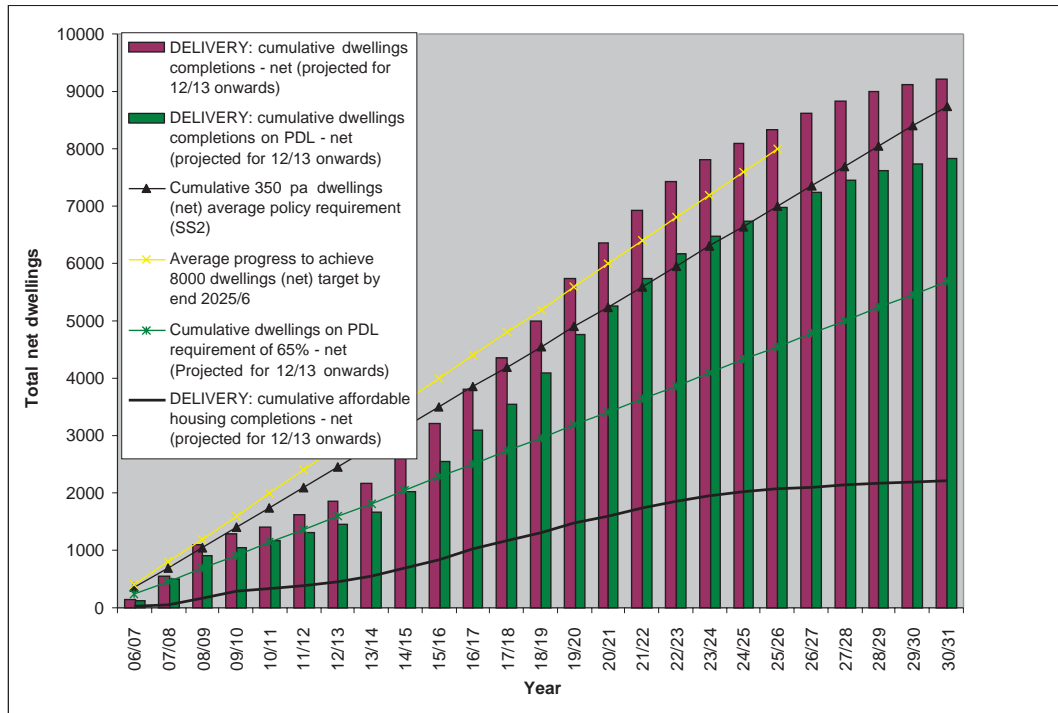


Figure 6.3 Cumulative Housing Trajectory 2006-2031

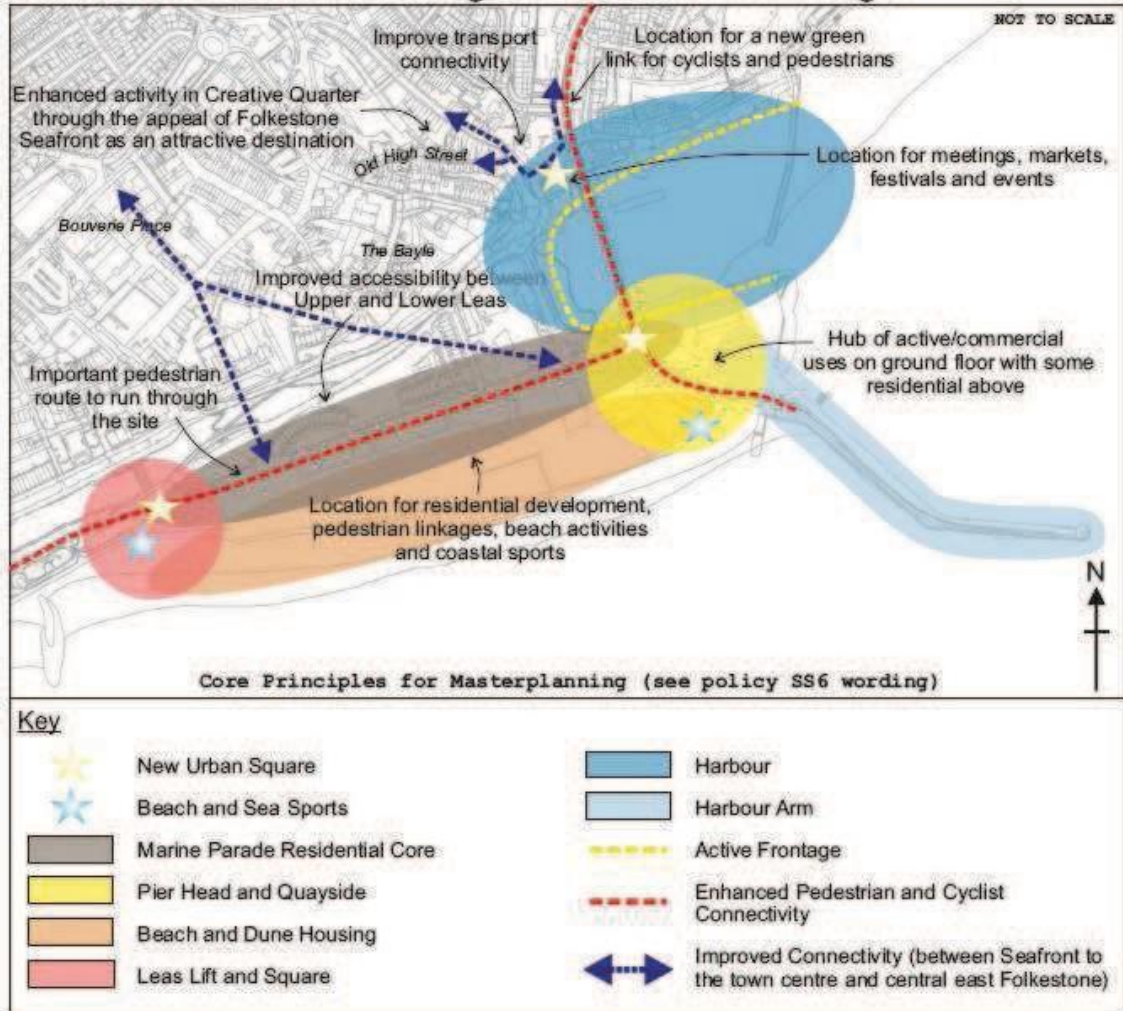


Main Modification MM65

Figure to replace Figure 4.7

Figure 4.7 Folkestone Seafront strategic site and surroundings

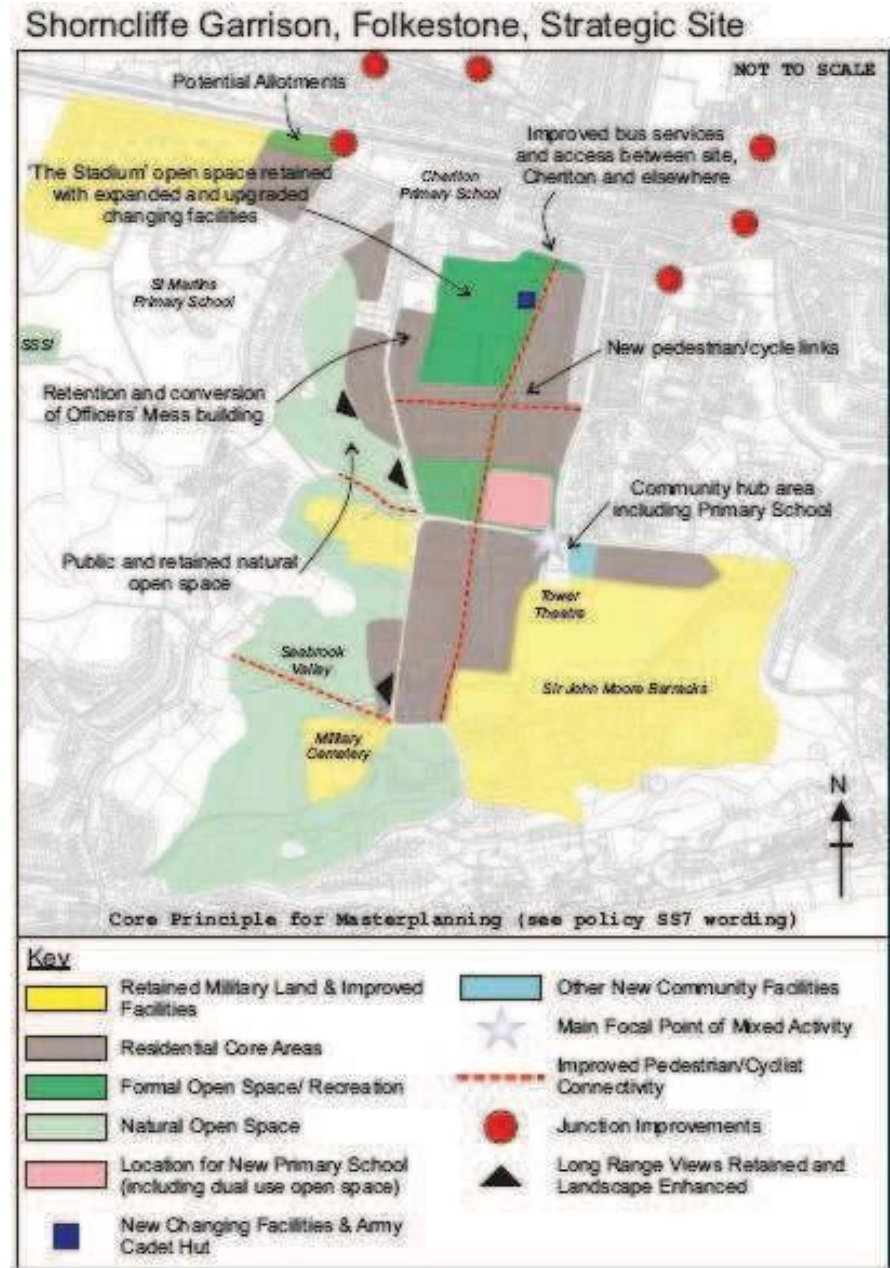
Folkestone Seafront Strategic Site and Surroundings



Main Modification MM67

Figure to replace Figure 4.8

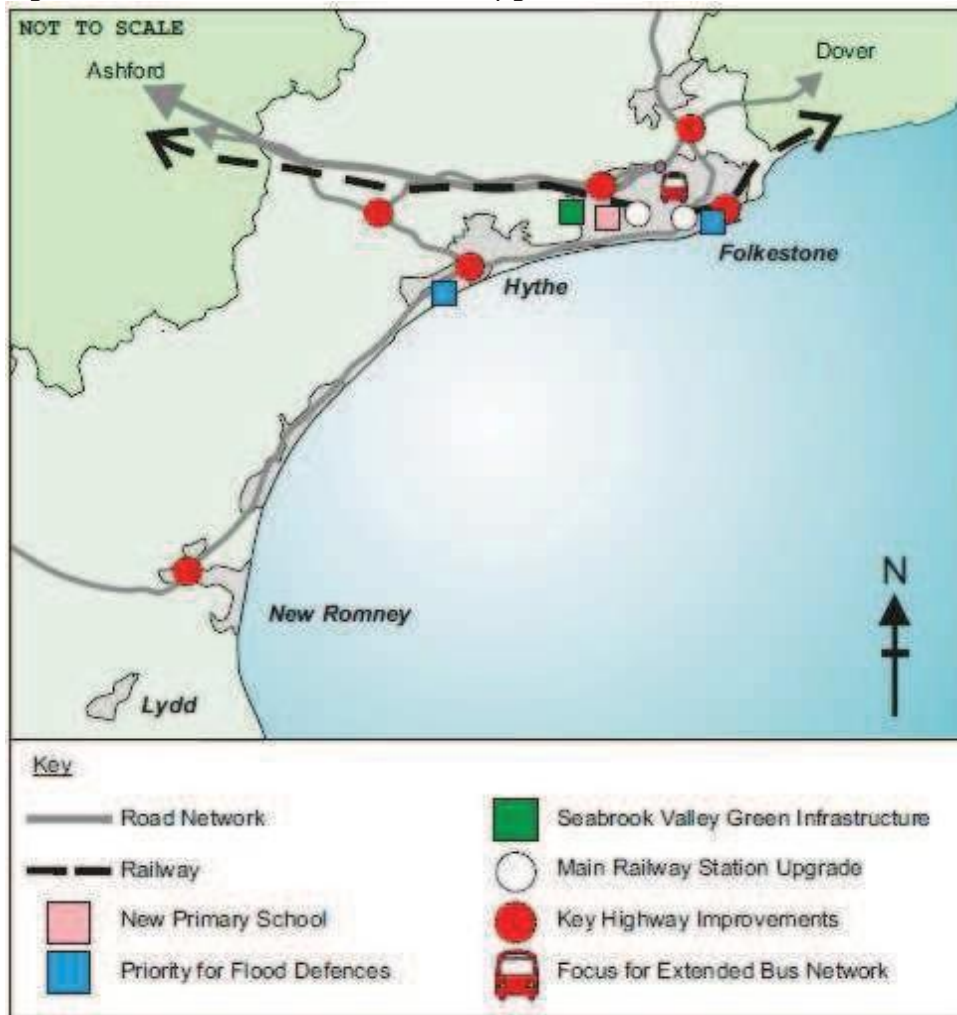
Figure 4.8 Shorncliffe Garrison strategic site



Main Modification MM69

Figure to replace Figure 4.6

Figure 4.6 Identified infrastructure upgrades



Main Modification MM74

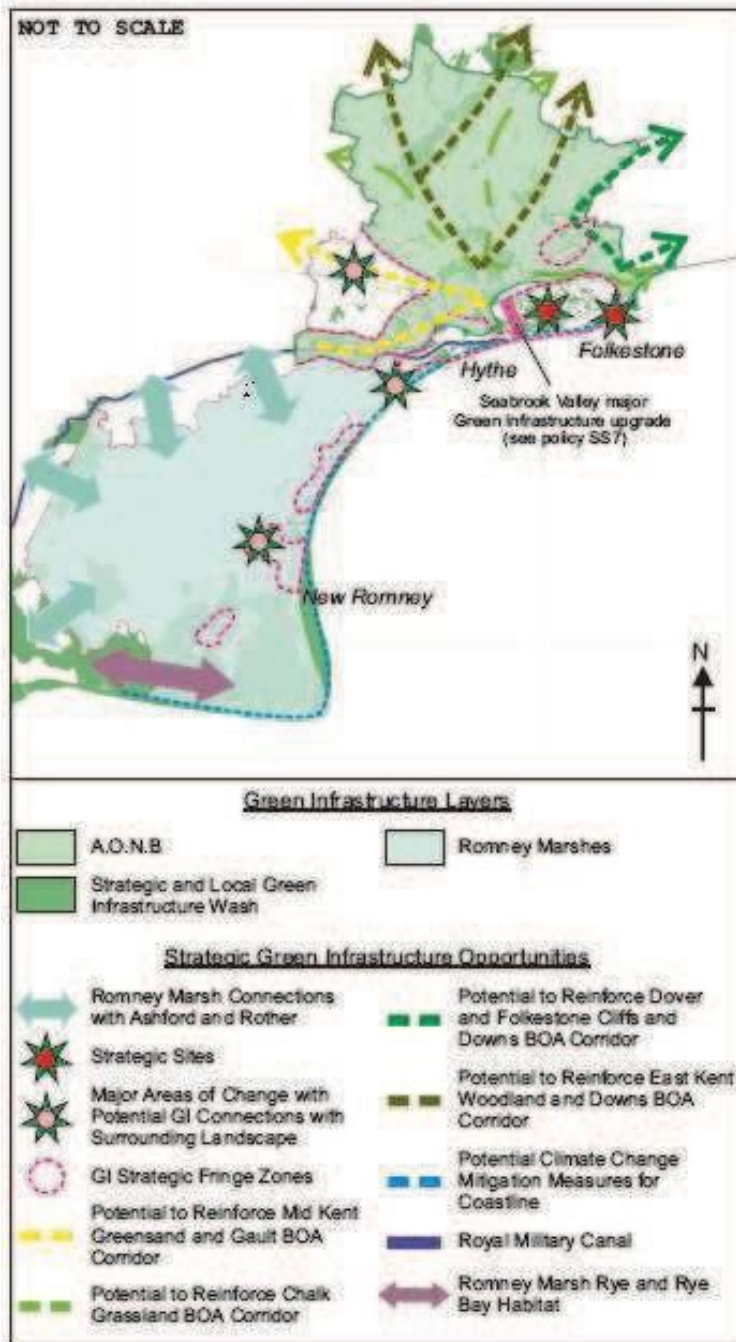
Amendments to Appendix 2 (table 6.1).

Transport	3. Newingreen – A20/A261/Stone Street Spur junction(s)	Upgrades to improve vehicular capacity, safety, ease of use and cycle and pedestrian movement	By 2016	Landowner Racecourse Landowner Nickolls Quarry Other potential development landowners £TBC	Landowners	Shepway Transport Strategy
Education	11. Westenhanger	Provision of new 1 or 2 form entry primary school on strategic site Treatment works	2021-2016	Racecourse landowner £c. 4.8M	Kent County	Strategic sites
Wastewater	12. Stanford/ Westenhanger	Provision of a new wastewater mains connection from Folkestone Racecourse to Sellindge wastewater	By 2021	Racecourse landowner £TBC	Southern water and racecourse landowner	Strategic Site: SS8 Water Cycle Report

Main Modification MM75

Figure to replace Figure 5.3

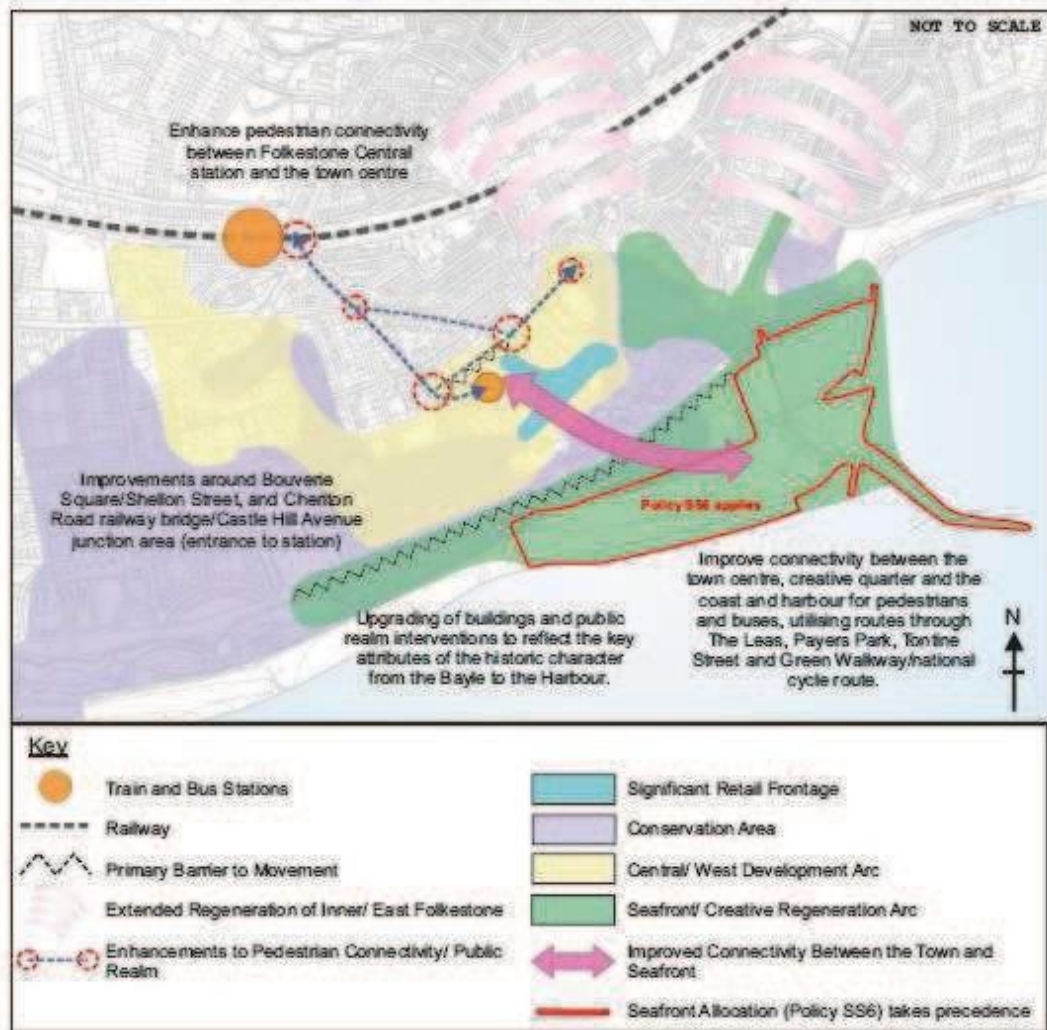
Figure 5.3 Green Infrastructure network



Main Modification MM77

Figure to replace Figure 5.5

Figure 5.5 Central Folkestone Strategy



Main Modification MM79

Figure to replace Figure 5.8

Figure 5.8 Sellindge Strategy

