

Places and Policies Local Plan

Preferred Options

Representation Form

The council is producing a Places and Policies Local Plan. The second public consultation on the 'Preferred Options' stage will start on **7th October 2016** until **5pm on 18th November 2016**. We are really keen to hear your views!

The consultation documents including a summary document are available to view on the council's website www.shepway.gov.uk/telluswhatyouthink or hard copies will be available to view at the district council offices and public libraries throughout the district. You can make a representation directly on the consultation portal or by using this form. **Please note representations cannot be confidential.**

During the consultation period there will be the opportunity to go along to a number of staffed information points which will be spread out across the district. Details of these are on the web link above.

In order for us to process your comments most effectively please ensure that you use a separate form for each comment you wish to make and clearly reference your comment to the document.

Contact Information

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Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

General introductory comment

Comment

CPRE Kent understands the need to progress the Places and Policies Plan and the necessity of maintaining a 5 year supply of deliverable housing sites. However, it is surprising that the plan does not, in its introductory chapter, explain the relationship of the document to the Core Strategy Review. Local people in the district will be concerned about the relationship of this plan to a potential new settlement at Otterpool (and any other strategic allocations). Strategic allocations in a Core Strategy Review will obviously have infrastructure and environmental capacity implications, which may have relevance to the proposed sites in this plan.

CPRE looks forward to further information on how these plans can progress together in a way that secures public understanding of the process being followed and ensures that cumulative impacts of development are understood.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

General introductory comment

Comment

At the Issues and Options consultation, CPRE Kent expressed concern that the proposed approach, which mechanically divided the housing requirement amongst the settlement hierarchy, was not (on its own) a sound basis to allocate land for development. We agreed that the allocation of sites should accord with the agreed settlement hierarchy, but suggested the approach should be more 'bottom up', with the council engaging directly with each community to discuss with them what levels of development they would like to achieve and are prepared to accept.

Unfortunately this 'preferred options' draft of the local plan is devoid of essential information against which to judge the extent to which it responds to the settlement hierarchy, the extent to which it seeks to meet the housing requirement, nor which sites have been proposed in response to an emerging neighbourhood plan or other community involvement.

From the information available it is not possible determine the number of dwellings that have already been given permission since 2006. This number is required to determine whether the

distribution of residential housing within the three character areas for the period 2006 to 2026 is being broadly adhered to i.e. Urban 75%, North Downs 15% and Romney Marsh 10%.

The consultation document gives an incomplete picture of the residential allocations for the Shepway District to date. It focuses on proposed future land allocations, but fails to put these proposed housing sites into the proper context.

It is essential that the plan indicates

- a) Completions to date;
- b) Sites with planning permission, yet to be completed;
- c) Windfall allowance;
- d) Provision needed to meet local plan target;
- e) How the completions to date accord with the settlement hierarchy;
- f) How the proposals set out in the Local Plan accord with the settlement strategy.

Further, it remains unclear how the allocations accord with the objective set in Policy SS2 of the Core Strategy, which states that at least 65% of the proposed houses will be provided on brownfield land.

In conclusion, the plan needs to be clear on how many dwellings it is seeking to accommodate on new sites, and the extent to which allocations accord with the settlement hierarchy and brownfield target set out in the Core Strategy. The strategic role of settlements is a strategy that **seeks to** deliver a sustainable development.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

General comment Romney Marsh Character Area

Comment

The Core Strategy set out a requirement that approximately 10% of new dwellings should be allocated in the area according to the Plan's Spatial Strategy by 2030/31. 10% would equate to approximately 800 of the 8000 homes target.

A broad location north of New Romney was allocated 400 dwellings in the Core Strategy (2013). This document is proposing a further 579 for New Romney alone (including RM5 Land to the south of New Romney for 400 dwellings).

It appears likely that if the dwellings given permission were included in the total, then the Romney Marsh Character Area would be contributing substantially more dwelling than 10%.

CPRE Kent made comments on infrastructure in the Romney Marsh area to the Issues and Options document. These concerns do not appear to have been resolved in this Preferred Options document. As stated in paragraph SS5 of the Core Strategy: *“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.”*

1. It remains the case that drainage in the Marsh is inadequate with frequent back-ups of foul sewers in wet weather. Further housing development in this area should not proceed without improvements to this.
2. Although recent improvements to sea defences along almost the entire Shepway coast have reduced the probability of a devastating flood in the Marsh, there still needs to be a contingency plan for dealing with widespread inundation. Such a plan would likely highlight the inadequacy of the area's roads for emergency evacuation. This would suggest improvements to the A259 (e.g. at Hammonds Corner and Brenzett) and other roads which in any case struggle to cope at peak times at present.
3. Highway capacity and safety is generally a concern in this area. Given the 300 plus dwellings in the Cockreed Lane Broad Location and an additional number of dwellings on other sites around the Parish, CPRE Kent is concerned about the additional allocations proposed in the plan. There does not appear to be evidence to demonstrate that additional car growth can be accommodated on the network. Nor is there evidence to suggest that measures are being put in place to secure a modal shift towards increased use of sustainable transport modes. This is essential to combat congestion issues. The present infrastructure is inadequate to cope with this level of new development.

There is a proposal for an artery road to by-pass the town centre at Site RM5. However it is difficult to judge how this will alleviate traffic pressures as there are no details as to where traffic will be diverted from the A259 onto the artery road, other than indicating there will be a junction on the Lydd Road. Further, there is no indication how it will return to the A259. If it joins the Mountfield Road/ Station Road junction, then substantial improvements will be required because the railway bridge obscures the view of traffic approaching from the right on Station Road / Littlestone Road. Furthermore there is no evidence to demonstrate it is viable.

4. Medical facilities are under substantial pressure in New Romney town. There are no medical facilities, doctor's surgeries or clinic north of the town and there are no proposals in this document for any future medical facilities to be located to the north of the town.
5. The local schools are nearing their capacity at present population levels without further development of family homes. Sufficient local educational places will be needed which will not require pupils to have to travel unacceptable distances to school.

6. The 'consideration' of extra care housing and C2 residential care home facilities should be a 'firm' inclusion in the plan due to the existing demographics and increasing number of retired residents moving to the area from other parts of Kent and the wider area.

Evidence on infrastructure capacity is essential so that cumulative development impacts are understood.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy RM2 Land off Victoria Road West, Littlestone

Comment

CPRE Kent objects to this proposed allocation for the following reasons:

1. The land is open countryside in agricultural use. The Council has not demonstrated that this land is needed for meeting the housing requirement.
2. Highway capacity, safety and car parking concerns;
3. Harm to a valued landscape;
4. It is located in an area at risk of flooding;
5. Potential adverse impacts on protected species/ habitats, both on-site and at nearby nationally and internationally protected sites;
6. Potential impacts on archaeological assets;
7. Concerns about the capacity of local services.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy RM3 Land rear of the Old School House, Church Lane

Comment

CPRE Kent objects to this proposed allocation for the following reason:

Policy RM3 does not include adequate safeguards to ensure that biodiversity is protected. Appropriate surveys must be undertaken, since it is likely there are species on the site protected by UK or European law. If harm cannot be avoided or adequate mitigation provided on-site or within the immediate locality, then compensatory measures should be achieved to provide a net gain in biodiversity overall. Kent wildlife trust should be able to assist with appropriate wording.

The Council should ensure they understand the community value of this site. The plan seems unsure, stating: 'appears to be in use as a garden / recreation area'. It is perhaps a site that community will want to propose as a Local Green Space.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy RM5 Land to the south of New Romney

Comment

CPRE Kent objects to this proposed allocation for the following reasons:

1. The land is open countryside in agricultural use. The Council has not demonstrated that this land is needed for meeting the housing requirement.

2. Highway capacity, safety and car parking concerns.

There is a proposal for an artery road to by-pass the town centre. However it is difficult to judge how this will alleviate traffic pressures as there are no details as to where traffic will be diverted from the A259 onto the artery road, other than indicating there will be a junction on the Lydd Road. Further, there is no indication how it will return to the A259. If it joins the Mountfield Road/ Station Road junction, then substantial improvements will be required because the railway bridge obscures the view of traffic approaching from the right on Station Road / Littlestone Road. Furthermore there is no evidence to demonstrate it is viable or deliverable.

3. Harm to a valued and historic landscape;
4. Harm to the character and form of the settlement. The edge of the allocation will be very difficult to defend, due to the lack of any field boundary or road delimitation.
5. It is located in an area at risk of flooding;
6. Drainage concerns. Drainage in the Marsh is inadequate with frequent back-ups of foul sewers in wet weather. Further housing development in this area should not proceed without improvements to this.
5. Potential adverse impacts on nationally and European protected species/ habitats, both on-site and at nearby nationally and internationally protected sites;
6. Potential impacts on historic assets, including archaeological assets;
7. Concerns about the capacity of local services.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy RM10 Car Park, Coast Drive, Greatstone

Comment

CPRE Kent objects to the loss of this car park to residential development for the following reasons:

1. There is significant local objection to the loss of this community asset.
2. It is an important and well used car park, providing an essential parking facility at this popular part of the coast. It is the only car park in the New Romney Town and coast area which can accommodate coaches and large motorhomes.
3. As a result of its capacity to accommodate coaches, the loss of this facility would be detrimental to local businesses and the local economy generally.
4. The car park has experienced fluvial flooding in the past after heavy rain or wet weather.
5. Drainage in the vicinity is inadequate with frequent back-ups of foul sewers in wet weather. This occurred recently. Further housing development in this area should not proceed without improvements to sewerage infrastructure.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy RM12 Lands north and south of Rye Road, Brookland

Comment

CPRE Kent objects to residential development on these sites for the following reasons:

1. This is a prominent site on the roundabout at Brooklands. A visual connection between the two parts of the settlement by development on the A259 roundabout does not respond appropriately to the historic form and character of the settlement.
2. Drainage in the vicinity is inadequate with frequent back-ups of foul sewers in wet weather. This occurred recently. Further housing development in this area should not proceed without improvements to sewerage infrastructure. If it is a wet winter or there are prolonged periods of heavy rain, the septic tanks fill up and overflow into gardens and houses. Alteration to the waste water treatment plant will not change the situation due to the very high water table on the Romney Marsh. The means with which the situation is resolved will need to be demonstrated by evidence that there is a technical solution to this problem.
3. Access and egress on to Rye Road will be restricted as it a narrow lane. There are safety and visibility concerns.
3. The land is open countryside in agricultural use. The Council has not demonstrated that this land is needed for meeting the housing requirement.
4. Harm to a valued and historic landscape;

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

North Downs Character Area general policies comment

Comment

The Core Strategy sets out a requirement that approximately 15% of new dwellings should be allocated in the North Downs area according to the Plan's Spatial Strategy by 2030/31. There is

insufficient information in the plan to understand the housing need context within which new development is proposed within the AONB.

In this regard it is necessary for the plan to indicate: completions to date; permissions; remaining requirement; and how the remaining requirement should be met by allocations to accord broadly with the spatial strategy. Demonstrating need and the relationship the adopted spatial strategy, must be an essential part of allocating land for development in the AONB, particularly for major development. As a result, in this section of the plan, CPRE must object to the following site proposals:

- a) **ND5** – Land south of Canterbury Road, Lyminge
- b) **ND11** – Land adjoining 385 Canterbury Road, Densole
- c) **ND12** – Etchinghill Nursery, Etchinghill

Given the sensitive location of these sites in the AONB, and the absence of evidence that they are needed, CPRE Kent must object to their allocation at this stage.

The following smaller sites which are in, or on the edge of the AONB, also have the potential to have detrimental impact on the sensitive landscape. High quality landscaping, site layout, materials and design is essential in these locations to minimise impacts, and CPRE may wish to object to their allocation for development, should it be demonstrated that development is not needed locally. Some detailed comments are made on Policies ND4.

- d) **ND4** - Land at Duck Street, Elham
- f) **ND10** – Camping and Caravan Site, Stelling Minnis
- g) **ND13** – Land adjacent to the golf course, Etchinghill

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Paragraph 7.17 – Residential allocations in Hawkinge

Comment

CPRE Kent would like to make the following comments relevant to development in Hawkinge, and Policies ND1, ND2 and ND3 in particular.

Hawkinge has seen a lot of development over recent years. The infrastructure has not kept pace and more dwellings will add to the pressure to the road network and better amenities are needed to

service the town. As the plan develops the council will need to ensure that sufficient highway and social infrastructure is in place to ensure the settlement is sustainable.

Given the location of the sites within the AONB, it is essential that design is of the highest quality. High quality materials and extensive landscaping should be essential features of these developments to ensure the relationship of the settlement to the protected landscape is a positive response to the distinctive character and qualities of the AONB.

Any historic assets on the sites, which are relevant to the town's links to the Battle of Britain should be incorporated into site layout and design, with site densities adjusted accordingly.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy ND4 – Land at Duck Street, Elham

Comment

CPRE Kent would like to make the following comments on this proposal.

CPRE Kent does not object to the principle of development of this size at local centres to meet local needs. It is critical, however, that consultation with the Parish Council and the community are essential elements of site choice to ensure development delivers an appropriate housing mix, tenure, and scale in a suitable location. There is currently no evidence to demonstrate this is the case.

This site in particular, does present problems which will be challenging to resolve, including access and highway safety, and substantial sewerage and surface water runoff concerns locally (associated with the Nailbourne). Any development would need to carefully consider the relationship to the settlement edge. Detailed consultation with the Parish Council, local community and statutory consultees will be critical components when determining whether this site should be allocated in the local plan.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy ND5 Land South of Canterbury Road Lyminge

Comment

The Core Strategy sets out a requirement that approximately 15% of new dwellings should be allocated in the North Downs area according to the Plan's Spatial Strategy by 2030/31. There is insufficient information in the plan to understand the housing need context within which new development is proposed within the AONB.

In this regard it is necessary for the plan to indicate: completions to date; permissions; remaining requirement; and how the remaining requirement should be met by allocations to accord broadly with the spatial strategy. Demonstrating need and the relationship to the adopted spatial strategy, must be an essential part of allocating land for development in the AONB, particularly for major development. As a result, CPRE must object to this site proposal.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy ND6: Land at Barrow Hill

Comment

This site is somewhat remote from essential services and CPRE is concerned that this is not a sustainable location for development of this scale. Residents will inevitably rely on the private car for accessing services in the village. It is also a concern that the proposal will consolidate development, close to an historic asset (bronze age burial mound) without evidence of an understanding of the historic landscape, landscape character and potential archaeology.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy ND7: Former Lympne Airfield

Comment

The Core Strategy sets out a requirement that approximately 15% of new dwellings should be allocated in the North Downs area according to the Plan's Spatial Strategy by 2030/31. There is insufficient information in the plan to demonstrate the housing need context within which this development is proposed.

Given the planning history of this site, the notable highways and infrastructure constraints, and its location within the setting of the AONB, consultation with the Parish Council, local community and statutory consultees will be critical components when determining whether this site should be allocated in the local plan. In the absence of further evidence, this development appears to be of a scale that is not sensitive to its location, the capacity of local infrastructure and the needs of local people.

In the unfortunate event that the Council proposes to retain an allocation in the publication draft of the Local Plan, then site 2 and undeveloped land at site 1 must be designated as a Local Green Space and be protected in perpetuity for local people.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy ND9: Land at Folkestone Racecourse

Comment

Paragraph 8.81 of the consultation document states that *"not all of the proposed site will be suitable for residential allocation"*. Given the enormous disparity between the size of site indicated in the draft local plan and the land necessary to accommodate 11 dwellings CPRE Kent would wish to see the proposed allocation site more clearly defined. It is not possible to determine the impact of the proposal on the AONB, historic assets and landscape character in the absence of this detail. It is unlikely, however, to amount to a sustainable location for development. CPRE must object.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy ND11 – Land adjoining Canterbury Road Densole

Comment

The Core Strategy sets out a requirement that approximately 15% of new dwellings should be allocated in the North Downs area according to the Plan's Spatial Strategy by 2030/31. There is insufficient information in the plan to understand the housing need context within which new development is proposed within the AONB.

In this regard it is necessary for the plan to indicate: completions to date; permissions; remaining requirement; and how the remaining requirement should be met by allocations to accord broadly with the spatial strategy. Demonstrating need and the relationship to the adopted spatial strategy, must be an essential part of allocating land for development in the AONB, particularly for major development. As a result, CPRE must object to this site proposal.

CPRE is also concerned about the following issues:

1. Highway capacity, safety and visibility concerns.
2. Sustainability of the settlement. There are limited local services and the occupants would be likely to rely on the private car.
3. The land is open countryside in agricultural use and there are potentially significant harmful impacts on sensitive landscape in the AONB

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy ND12 – Etchinghill Nursery, Etchinghill

Comment

The Core Strategy sets out a requirement that approximately 15% of new dwellings should be allocated in the North Downs area according to the Plan's Spatial Strategy by 2030/31. There is insufficient information in the plan to understand the housing need context within which new development is proposed within the AONB.

In this regard it is necessary for the plan to indicate: completions to date; permissions; remaining requirement; and how the remaining requirement should be met by allocations to accord broadly

with the spatial strategy. Demonstrating need and the relationship to the adopted spatial strategy, must be an essential part of allocating land for development in the AONB, particularly for major development. As a result, CPRE must object to this site proposal.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy HB1 Quality Places Through Design

Comment

CPRE Kent would like to make the following comments on this policy.

The policy should further emphasise the importance of responding to the context of site and its surroundings. This should include the restoration and integration of existing natural features into the site, and the use of locally relevant architectural features and materials. It is important that development strengthens local distinctiveness, even if a modern/innovative architecture is deemed appropriate.

At the settlement/landscape scale it is important that development responds to settlement character, form and pattern, and takes account of pattern in the landscape (such as field boundaries), the historic landscape features and the cultural context.

Development should also take account of dark skies and tranquillity as valued features in the landscape. Tranquillity and light pollution mapping is available on the CPRE website.

Part 4 of the policy refers to avoiding the creation of single aspect north facing dwellings. The policy should be more proactive and ensure that layout and design takes advantage of local climate and site conditions to incorporate passive solar heating and energy efficient landscaping strategies. This should be an important element of the quality places policy.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy HB2 Cohesive Design

Comment

CPRE Kent would like to make the following comments on this policy.

The following comment was made in response to HB1 and is also relevant to this policy which sets out in detail the contents of a design statement.

The policy should further emphasise the importance of responding to the context of site and its surroundings. This should include the restoration and integration of existing natural features into the site, and the use of locally relevant architectural features and materials. It is important that development strengthens local distinctiveness, even if a modern/innovative architecture is deemed appropriate.

At the settlement/landscape scale it is important that development responds to settlement character, form and pattern, and takes account of pattern in the landscape (such as field boundaries), the historic landscape features and the cultural context.

CPRE agrees that the detailed set of requirements set out in the policy will help the Council ensure high quality development in the district. It is essential, however that the policy goes further to emphasise the importance of demonstrating that layout and design has responded to landscape character and pattern, has retained and enhanced habitat networks and has responded to settlement character and form and any historic (including cultural) context. In addition, development proposals should demonstrate that they are able to contribute to delivering a modal shift to sustainable transport modes.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy HB3 Development of Residential Gardens

Comment

CPRE Kent strongly objects to this policy.

The policy fails to take account of sustainability in terms of the location of the site and access to services and employment without relying on the private car. Development in a garden that is not

associated with a settlement should be considered isolated rural development, would not represent sustainable development, and be refused. The importance of the sustainability of location, and the relationship to a settlement is not clear in this policy. The restraint on development of gardens in rural areas should be clear.

The importance of gardens to wildlife is important to recognise, as are their value in reducing rainwater run-off from urban areas. The supporting text should make reference to these issues and the policy should refer to the necessary design responses in more detail. Although biodiversity is mentioned, the supporting text would benefit from discussing potential design responses, such as ensuring gardens are permeable to wildlife (e.g. hedgehog gaps in fences), the benefits of retaining / replacing garden ponds, and the potential for designing bat/swift etc. boxes into new buildings.

In addition, part 1 of the policy should include reference to the wider landscape and countryside setting. The contribution of gardens to *historic* character and pattern is also relevant and should be discussed in the policy and supporting text. The impact of additional development on the availability of car parking may be relevant.

Part 2 should make reference to prevailing density, and the massing and height of existing buildings.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy HB7 Local Housing Needs in Rural Areas

Comment

CPRE Kent broadly supports this policy and agrees that housing development at villages makes an important contribution to sustainable rural communities. CPRE is pleased to see the supporting text gives guidance on the information that should be sought from a local housing needs survey.

However, it is difficult to construct housing needs surveys that contain all the necessary information and it would be more helpful if the document were to refer to existing guidance, such as the 'Kent Protocol' titled: *Rural Homes: Supporting Kent's Rural Communities*.

The policy should recognise that housing proposals to meet local needs will normally be expected to have Parish Council support.

CPRE supports Part 6 of the policy, which refers to delivering Local Needs Housing without reliance on cross subsidy. Some Council's do allow a small element of cross-subsidy (supported by an open book development appraisal for the proposal containing inputs assessed and verified by a chartered surveyor) to facilitate the delivery of affordable homes. CPRE would support a limited cross-subsidy

to meet another identified need (e.g. bungalows or self-build plots) in exceptional circumstances if essential in viability terms and supported by the parish.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy HB8 Residential development in the countryside

Comment

Although titled 'residential development in the countryside' this policy appears to only relate to replacement dwellings. The supporting justification to this policy makes reference to development in the countryside associated with rural workers dwellings, re-use of redundant buildings, and development of buildings of exceptional quality. Policy guidance should be provided for these developments too.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Paragraph 9.46 – 9.49 Accessible dwellings and Water Efficiency

Comment

These paragraphs need to be re-ordered and preferably separated into separate sections. It is not very clear what, if anything, is changing relative to the Core Strategy and whether any more policy provision should be made. Does 'passported across in this plan period', simply mean that the water efficiency element of Policy SS7 remains relevant?

Presumably the Code for Sustainable Homes reference in Policy SS7 is not 'passported' across? Although the Code for Sustainable Homes cannot now be a local requirement given the outcomes of the Housing Standards Review, the plan does still need to recognise that new development should proactively seek to reduce carbon emissions and maximise the contribution of new development to sustainable living. For example, passive design principles, including using site layout and orientation to make use of local climate and site conditions can make a significant contribution to reducing future energy consumption and remain within the proper remit of the local plan. Much of this is covered in policy CC2, so a reworking of these paragraphs, together with clarification of the relationship to CC2 will assist.

It is not clear how policies SS6 and SS7 in the Core Strategy relate to Lifetime Homes Standards and water consumption restrictions in non-residential development. How does the paragraph on water efficiency on non-residential buildings relate to CC2 in terms of viability?

It is not clear whether paragraphs 9.48 or 9.49 are amending an existing policy, or whether a new policy is missing.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Missing policies

Comment

Insert new policy that seeks to ensure that new developments include a mix of housing, types, tenures and sizes. In particular, this should assist to ensure there is a range of accommodation types (such as lifetime homes, extra care housing or bungalows) should people wish to downsize and release family housing.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy E2

Comment

CPRE strongly objects to this policy.

Rural tourism is vitally important to the rural economy and can be a valuable element of farm diversification. It can benefit local communities by helping to support local services and providing employment.

However, it is essential that rural tourism is managed in a sustainable way to ensure the asset on which its popularity depends is not destroyed. The policy does not, currently, provide sufficient safeguards to ensure development is sensitively and sustainably located.

The supporting text indicates that new development should be located within settlements and where outside settlements, should rely on utilising existing buildings. This approach is not clear in the policy itself. The first part of the policy does not indicate the importance of the relationship of new development to a settlement. Reference to new tourism facilities is not appropriate here given

the final paragraph and the reference to 'new tourism proposals' in the countryside being granted in exceptional circumstances.

The first part of the policy should only refer to proposals within existing settlements, and proposals that seek the change of use of existing rural buildings for tourism purposes, or are seeking sensitive extension to existing tourism facilities.

The second part of the policy refers to development in the countryside only being permitted in exceptional circumstances. The circumstances in which tourism development in the open countryside might be permitted should be set out in more detail. It could discuss the need to demonstrate:

- a) that available sites within or on the edge of settlements are not suitable and clearly indicate why an open countryside location is needed;
- b) that there are no suitable vacant buildings in the locality that could be converted;
- c) that the development is viable and will have significant economic and other benefits to the locality that outweighs the harm.

Furthermore, the applicants should be expected to enter into a legal agreement to ensure the facilities / accommodation remains in holiday use.

As currently stated in the policy, the development should have to satisfy the general criteria as well. The criteria 1-5 are generally supported. They should, however, ensure the proposal is of an appropriate scale and nature relative to its location, would not have a significant impact on rural lanes in terms of the amount and nature of traffic generated, and should not have a detrimental impact on the nocturnal character or tranquillity of its location.

The supporting text should make reference to the AONB and relevant policy.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy E4

Comment

The second half of this policy sets out criteria to be met when proposing change of use of caravan sites to residential. An additional criterion should be added which requires the applicant to demonstrate that the business has been marketed at a reasonable rate and for an appropriate period of time.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy E5

Comment

The supporting text need to be clear how this policy relates to Policy E2, in terms of tourism accommodation.

An additional criterion should be added which seeks to ensure that new uses do not increase traffic to the detriment of the character of rural lanes.

The policy or the supporting text could usefully make reference to historic assets and their setting.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy E7

Comment

An additional criterion should be added which seeks to ensure that new uses do not increase traffic to the detriment of the character of rural lanes. A further criterion related to protected species, such as bats, is essential.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Missing Policy

Comment

The plan does not, currently, provide sufficient evidence to demonstrate that development in the borough (and potentially beyond the borough) will not individually, or cumulatively have an adverse effect on the integrity of Natura 2000 sites. Recreational impacts are important, but other impacts including those related to air and water pollution may be relevant. This should be discussed in detail with Natural England, KWT and RSPB.

Insert a new policy which ensures development is only permitted is there if no adverse effect on the integrity of SPA, SAC or Ramsar sites alone, or in combination with other plans or projects.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy NE1 Enhancing and managing access to the environment

Comment

Part 3 of this policy mentions the management of access to internationally designated nature conservation sites. The plan does not, currently, provide sufficient evidence to demonstrate that development in the borough (and potentially beyond the borough) will not individually, or cumulatively have an adverse effect on the integrity of Natura 2000 sites.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy NE2

Comment

This policy and its supporting text does not provide sufficient guidance to ensure that development minimises impacts on biodiversity and achieves net gains. The NERC Act 2006 imposes a legal duty on local authorities to protect and enhance biodiversity. We suggest that the following changes are made:

- a) Make distinctions between the hierarchy of internationally, nationally and locally designated sites. Ensure that it is understood that the duty to 'protect and enhance' does not only relate to protected sites.
- b) Detailed policy wording should establish the importance of ensuring development contributes to the creation of habitat networks and ensures that existing connecting features such as ditches and hedgerows are retained wherever possible. This should include reference to Biodiversity Opportunity Areas. Supporting text should explain the importance of 'living landscapes' and landscape scale biodiversity networks (including BOA's) for resilient habitat networks that allow species to respond to a changing climate.

- c) Detailed policy wording should be included which refers to irreplaceable habitats, such as ancient woodland, marshland, certain hedgerows, veteran trees and traditional orchards.
- d) Include detailed policy wording and supporting text to ensure that development is accompanied by appropriate surveys early in the development process. This is particularly important when it is known, or likely, that the development site is used by species or habitats, subject to UK or European Law. Survey should be carried out by a suitably qualified ecologist. The policy options included the following text: *'Require developers to provide ecological survey at the time of submitting a planning application unless there is clearly no ecological interest on the site'*. This should assist to ensure that surveys are completed in a timely manner. Requests for species surveys after submission can delay determination of the application, since the presence/population of some species can only be assessed in particular seasons. Even an assessment that there is 'no ecological interest' will often need to be made by a qualified ecologist.
- e) Include supporting text which ensures the relationship between the planning process and Biodiversity Action Plans and the national Strategy 'Biodiversity 2020' is clear. Habitats and species of principal importance are not mentioned.
- f) Part 3 of the policy should include reference to *'new pollinator habitat and native species planting'*
- g) Part 6 of the policy should be amended to ensure it is clear that mitigation provided on-site or in the immediate locality is preferred to off-site compensation for adverse effects. It needs to be clear that mitigation must be in the control of the developer. The supporting text needs to provide information on protected species, advise applicants to consult Natural England's standing advice and ensure there is reference to legal procedures triggered by Regulations (including the Habitats Regulations 2010).

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy NE3 – To protect the districts landscapes and countryside

Comment

CPRE Kent believes is essential that the areas designated as Special Landscape Area have special qualities which justify their continued designation in the local plan. The same goes for the other local designations for the most part.

The Local Plan needs to positively promote their retention because of their special quality. The lack of a detailed assessment is an unacceptable reason for their retention. It does not reflect their importance to spatial planning in the district and is of great concern to CPRE. Most districts, including Maidstone, Canterbury and Swale (all of which are at examination), are successfully

arguing retention of local landscape designations. They are important tools and the Council should proactively promote retention of these designations. The Special Landscape Areas may need to be renamed.

The policy should seek to ensure that the value, character, amenity and tranquillity of the district's landscapes are protected and enhanced where appropriate. To assist with this assessment, it is important that the Council ensures (whether designated or not) that an up-to-date and detailed landscape assessment is completed for the whole district. This should also recognise the presence of habitat networks.

The policy should make reference to 'tranquillity'. Noise, light pollution and traffic movements, for example, can have a negative impact on the tranquillity of landscapes.

Part 1 of policy should refer to conserving and enhancing and the 'setting' of the AONB. Reference should be made to guidance produced by the AONB Unit.

CPRE Kent objects strongly to Part 6 of the policy. Landscapes do not have to be designated to be considered 'valued' for the purpose of the NPPF. This criterion must be reworded. GLVIA guidelines assist with determining whether a landscape is valued. 'Protect and enhance' is still relevant.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy NE4 Equestrian Development

Comment

Floodlighting associated with equestrian activities (and maneges in particular) can have a significant impact on the countryside. The control of lighting should be given more emphasis in this policy.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy NE5 Light pollution and external illumination

Comment

The policy should be amended to ensure that its objectives are clear. For example it should clearly seek to ensure that there are no significant adverse effects (whether individually or cumulatively) to the character of the area, or the amenity of residents. The policy should also refer to ensuring that

outdoor lighting does not disturb the feeding, roosting and breeding activities or the diurnal activities of biodiversity assets. Lighting should also be managed and minimised close to river margins, where it can also affect seasonal migration of fish. Biodiversity would benefit from lighting as near to red spectrum lighting as possible.

The supporting justification should be improved to explain the impacts of lighting on biodiversity in more detail. Artificial light considerably disrupts natural patterns of night and day, disrupting invertebrate feeding, breeding and activity resulting in reducing and fragmenting populations. For example, moths are attracted to artificial lights at night and many of these insects will die because of exhaustion. Furthermore, birds that have their sleep deprived due to artificial light and thus continual lack of sleep are likely to suffer from disruption to the long-term circadian rhythm that dictates the onset of the breeding seasons. Many species of bird and fish migrate at night. The foraging of bats at night is also affected as their food source, often moths and midges, congregate around a light source. This can have a number of effects such as decimating the moth population, causing collisions and overcrowding of certain species to the detriment of another, therefore interrupting the natural balance of foraging behaviour. Opting as near to red spectrum lighting as possible, which is invisible to wildlife would be beneficial.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Paragraph 13.49

Comment

A co-ordinated approach to marine planning is essential since development or other coastal activity can cause erosion or other effects elsewhere along the coast. This could adversely affect the sensitive nature of seabed ecology and biodiversity, marine ecology (mammals etc.) and heritage assets such as the Goodwin sands.

Please state whether you are supporting, commenting or objecting?

Support

Please state which policy, paragraph or question number you are commenting on?

Policy T1 Street Hierarchy and Layout

Comment

CPRE Kent welcomes and supports the clear prioritisation of active travel over private vehicles.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Box 4 Residential parking

Comment

While we support the focus away from travel by private vehicles, we also support the principle of densification in urban areas. However houses with more than one bedroom in such areas are highly likely to be occupied by more than one adult and a blanket limit of one parking space per unit, even for homes of 4+ bedrooms, could lead to problematic and inappropriate on-street parking elsewhere.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy T2 – Residential Parking

Comment

Tandem on-plot parking for homes which are provided with more than one parking space should not be encouraged unless it can be clearly demonstrated that it is not going to lead to unacceptable unplanned parking.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy T4 Lorry Parking

Comment

We support in principle all the policy measures in T4, but they must additionally require employment uses which are established or extended, resulting in an increase in HGV movements, to demonstrate that sufficient provision is made for the movement and parking of HGVs in a way that does not lead to the public highway being used inappropriately.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy CC1: Reducing carbon emissions

Comment

CPRE Kent broadly supports this policy, but would like to make the following comments.

1. The supporting text to the policy should refer to the energy hierarchy as the primary means by which minimise energy use and CO2 emissions i.e. (in summary) to use energy efficiently; supply energy efficiently and finally to use renewable energy. In this way buildings will prioritise lower cost passive design measures rather than the more expensive renewable energy technologies. This hierarchy should be reflected in the policy.
2. The use of decentralised energy, given its importance to efficient supply of energy (the second stage in the energy hierarchy), should be considered before renewable energy. This should be reflected in the policy.
3. The Council should consider whether the threshold for reducing carbon emissions could be lower. Furthermore, it is noted that a 10% reduction in carbon emissions through renewable energy technologies is quite conservative.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy CC2: Sustainable construction

Comment

CPRE Kent is pleased to see the Council recognises the importance of sustainable construction and has carefully sought to introduce measures that are not contrary to the Governments Written Ministerial Statement of March 25 2015.

It is suggested that the policy might usefully be divided in to two sections, so that essential site layout, orientation and infrastructure requirements (green infrastructure, pedestrian cycle routes, SUDS etc) are discernible from measures associated with building construction, materials and technology.

The first paragraph of the policy should 'require' development to be resilient to climate change and encourage all developments to meet the highest standards that are financially viable.

The policy should make clear whether the information sought by the policy should be included as a section of the design and access statement, or as a separate statement.

Check wording of part 2 of the policy – maximum water use.

Some measures in the policy should be framed more positively. For example all developments should demonstrate how they have incorporated passive solar design principles into design and landscaping.

Water efficiency measures should be included in the policy. A criteria should be inserted which sets out requirements for rainwater collection and grey water recycling. Simple measures, such as water butts (for example) should be incorporated in the design of new dwellings.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy CC3: SuDS

Comment

CPRE Kent broadly supports this policy, but would like to make the following comments.

The supporting text to the policy should be reordered so that the SuDS measures sought clearly encourage a hierarchical approach to SuDS methods. For example rainwater storage for reuse, followed by use of infiltration techniques, attenuation for gradual release, followed by attenuation in sealed features for future release.

CPRE is pleased to see references to 'ecological services' and the multi-functional use of surface water management features. The potential value to ecological networks should be mentioned.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy CC4: Wind Turbine Development

Comment

CPRE agrees that designation of land suitable for wind energy development in a neighbourhood plan is an appropriate way to demonstrate that impacts have been assessed and the proposal has community backing. We further note the Council has commissioned more detailed research on wind energy, but it is not clear what information this will provide and how it will be used. It is, however, accepted that neighbourhood plans are the most appropriate place to consider land allocation for renewable energy. The plan, however, should recognise the importance of consultation beyond the neighbourhood plan boundary to determine impacts on landscapes, biodiversity and communities not located in the neighbourhood plan area.

The plan should also be clear how a proposal will be considered if an application is submitted without the benefit of a neighbourhood plan allocation. It is not clear whether the Council is simply proposing to rely on the Ministerial Statement.

There is a potential policy gap here, if the council cannot refuse an application for windfarm development on the basis it does not benefit from neighbourhood plan allocation, then a detailed policy is necessary. This should set out how issues related to agricultural land quality, biodiversity, landscape character, visual impact, heritage, geology, flood risk, residential amenity, safety, tranquility, cumulative impacts, community involvement etc will be considered.

There should be a presumption against large scale wind turbine development in the AONB and on best and most versatile agricultural land.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy CC5: Domestic wind turbines

Comment

CPRE Kent objects to this policy. While small scale turbines associated with residential development may be acceptable and potentially encouraged, the policy and the supporting text needs to be developed further. The scale of turbine that is acceptable is unclear, the means by which cumulative impacts will be considered is unclear, and the expected relationship to the dwelling is unclear. Guidance and safeguards need to be developed further.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Policy CC6: Solar Farms

Comment

CPRE Kent would like to make the following comments on this policy:

1. Part 1 should also refer to the setting of heritage assets and 'valued' landscapes. Impact on landscape character should be mentioned. There should be a presumption against large scale wind turbine development in the AONB.
2. It is unclear what value the word 'direct' has in this policy.
3. Part 3 should refer to the sensitive siting of ancillary building works.
4. Ecological enhancements, such as pollinator habitat should also be sought.
5. The reference to best and most versatile agricultural land is supported.
6. The policy should refer to prioritising previously developed land and buildings.

Please state whether you are supporting, commenting or objecting?

Objecting

Please state which policy, paragraph or question number you are commenting on?

Historic Environment chapter

Comment

CPRE Kent understands the value of not repeating NPPF policy. Some detailed policy (or potentially supporting text) is, however, still needed to assist.

For example, there should be guidance on: consideration of 'setting' in decision-making; relationship of setting to 'significance'; consideration of cumulative change; assessment of substantial harm; and an explanation that significance is not solely defined by a list description. It should include signposting to relevant guidance and the Historic Environment Record. The Local Plan is an opportunity to guide development decisions. As stated within the nPPG, conservation is not a passive exercise. Opportunities for conservation and enhancement of heritage assets should be identified.

A policy could usefully assist protecting heritage assets from inappropriate renewable energy proposals, ensuring heritage features/patterns in landscapes are understood in decisions, or set out the information needed to accompany planning applications in the Shepway district.