



**REPRESENTATIONS TO SHEPWAY  
DISTRICT COUNCIL (SDC) PLACES AND  
POLICIES LOCAL PLAN  
SUBMISSIONS DRAFT  
SDC/COZUMEL ESTATES LIMITED**

OTTERPOOL PARK

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# 1 Introduction

- 1.1 These representations are submitted on behalf of Shepway District Council (SDC) and Cozumel Estates Limited (herein referred to as ‘the Parties’) in response to the Policies and Places Local Plan (PPLP) – Regulation 19 Submission Draft (2018). The representations relate to the Parties’ land ownership and associated aspirations within the Otterpool Park Masterplan Boundary (OPMB) in Shepway.

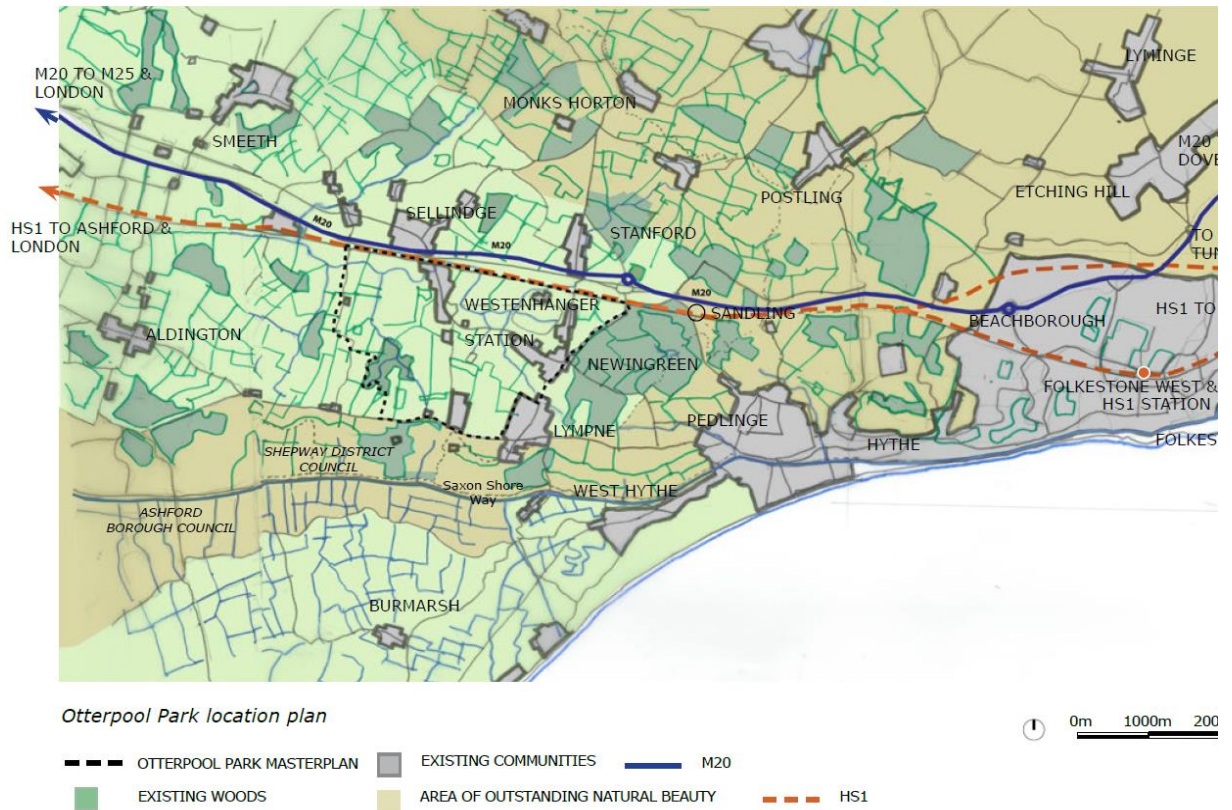
## Context to Representations

- 1.2 The emerging Otterpool Park Framework Masterplan (OPFM) area comprises approximately 750 hectares of land located in the west of the Shepway District.
- 1.3 The area is bounded by the M20 and Ashford-Folkestone railway line to the north, the A20/Stone Street and Sandling Park to the east, Harringe Lane to the west and Aldington Road to the south. The Kent Downs Area of Outstanding Natural Beauty (AONB) bounds the site along its eastern and southern edges. Four villages are within or adjacent to the site. Westenhanger to the north, Lympe to the south east and Barrow Hill, Sellindge and Newingreen to the north-west and east respectively.
- 1.4 The OPFM area is largely comprised of agricultural land with small farmsteads located on it, not widely accessible to the general public.
- 1.5 The Government, following the publication of the NPPF in 2012, has sought to significantly boost housing land provision through the promotion of new garden settlements.
- 1.6 The need for a new garden settlement in Shepway arises from the acknowledged housing need in the district and beyond, discussed further at section 3 of the representations.
- 1.7 SDC submitted an Expression of Interest (Eoi) for a garden settlement to the Government in July 2016. The Government announced its support for Otterpool Park November 2016.
- 1.8 The Parties are engaging proactively with SDC as Local Planning Authority (LPA), an arrangement formalised via a Planning Performance Agreement (PPA).
- 1.9 SDC are progressing a Core Strategy Review to occur alongside the PPLP. The Council are due to consult on the Regulation 18 Consultation Draft shortly following this consultation exercise. The Core Strategy Review contains policies of a strategic nature that are required to sit alongside the requirements of the PPLP, which seeks to allocate small and medium sizes sites for development throughout the district for the period to 2031. The policies within the draft PPLP should read alongside the Core Strategy without conflict.

## 2 Site Context

- 2.1 The OPFM area comprises approximately 750 hectares of land located in the west of Shepway district. Figure 1 identifies the site location.
- 2.2 Four villages are within or adjacent to the area. Westenhanger to the north where, aside from the castle and station, existing buildings are primarily residential use. Lympe is a residential settlement which lies to the south east. Barrow Hill, Sellindge and Newingreen are small residential settlements to the north-west and east respectively.
- 2.3 Lympe Distribution and Industrial Park (known as Link Park) lies to the south west. A large portion of the remainder of the area is used as agricultural land with small farmsteads

Figure 1: Land at Barrow Hill, Sellindge Allocation



## 3 Policy Context

- 3.1 This section provides additional context to the representations by setting out the relevant national planning policy, adopted and emerging development plan position and relevant evidence base in relation to the emerging proposals for the Otterpool Park garden settlement.

### National Policy

#### Local Plan Preparation

- 3.2 The presumption in favour of sustainable development is central to national planning policy, being seen as a “golden thread” that runs through plan making (NPPF (2012), Paragraph 14).
- 3.3 For SDC this means “positively seeking opportunities” through the Local Plan process to “meet the development needs of an area” (NPPF (2012), paragraph 14).
- 3.4 The PPLP should be based on appropriate, up-to-date and relevant evidence about the economic, social and environmental characteristics of the area. This means ensuring that their assessment of, and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals (NPPF, paragraph 158).
- 3.5 The PPLP needs to be ‘sound’, namely it should be, ‘positively prepared’ based on a strategy which seeks to meet objectively assessed development and infrastructure requirements; ‘justified’ by the most appropriate strategy, when considered against the reasonable alternatives, and based on proportionate evidence, ‘effective’ at ensuring it is deliverable over its period and consistent with national policy (NPPF, Paragraph 182).

#### Housing

- 3.6 The delivery of a wide choice of high quality homes is a key objective and LPAs are required to “boost significantly the supply of housing” (NPPF (2012), paragraph 47).
- 3.7 The NPPF (2012) specifically states that housing applications should be considered in the context of the presumption in favour of sustainable development.

#### Employment

- 3.8 The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth.
- 3.9 To help achieve economic growth, the NPPF (2012) confirms “local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century” (paragraph 20).
- 3.10 With regard to land currently in employment use, the NPPF (2012) highlights that it is not in the interests of good planning or economic growth to protect employment sites for future employment uses simply for the sake of it. It notes at Paragraph 22 that:

*“...applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”*

- 3.11 Plan-making and decision-taking needs to ensure that land supply is capable of responding to shifts in market need over the plan period.

### Town Centres

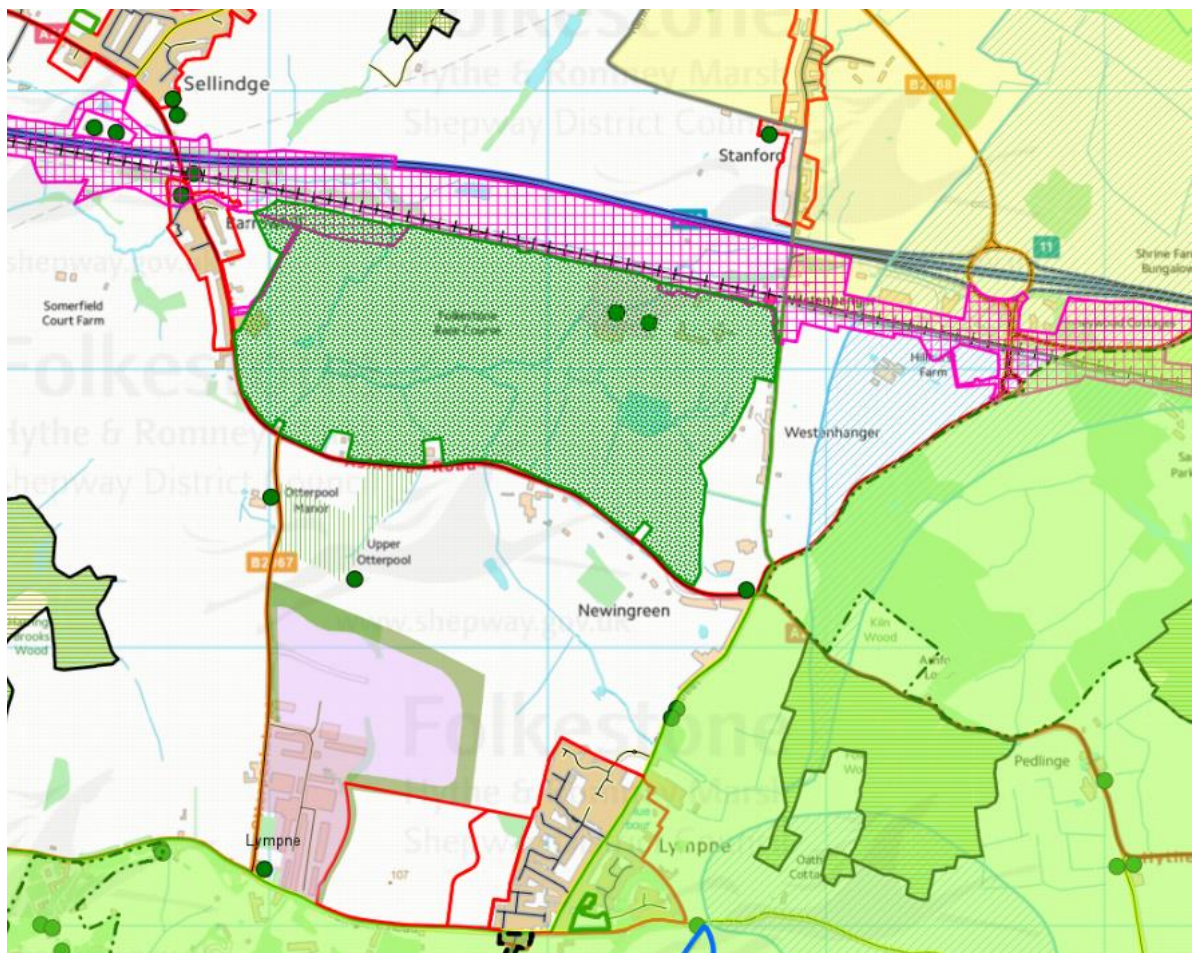
- 3.12 The NPPF (2012) requires LPAs to “set out policies for the management and growth of centres over the plan period”. In drawing up local planning policies LPAs should “define a network and hierarchy of centres that is resilient to anticipated future economic changes” (paragraph 23).
- 3.13 The NPPF (2012) confirms “It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability” (paragraph 23).

## Local Policy

### Adopted

- 3.14 The development plan for SDC comprises the Core Strategy (2013) and saved policies of the Local Plan Review (2006).

Figure 2: SDC Proposals Map extract



- 3.15 The OPFM area benefits from a range of local planning policy designations. The most relevant to the representations are as follows:

- Employment Site (existing Link Park Industrial Area);
- Employment Opportunities (area to the north of the Link Park Industrial Area);
- Key Development Sites – Strategic Landscape Buffer (surrounding the Employment Opportunity to the north of the Link Park Industrial Area);
- New or Enhanced Recreation & Leisure Facilities (Land to the north of the A20, covering Folkestone Racecourse and land to the west of the Racecourse);
- Settlement Boundary (Lympne and Sellindge);
- Special Landscape Area;
- Channel Tunnel Safeguard Area (along the Ashford-Folkestone railway line);
- Listed Buildings; and
- Scheduled Ancient Monument.

### Emerging

- 3.16 The NPPF (2012) encourages LPAs to have an up to date policy framework that allows up to fifteen years of land for housing to be identified (paragraph 47). SDC recognises that there is a need to review the Core Strategy (2013) and to extend it until 2037.
- 3.17 The Core Strategy Review (2018) process requires SDC to produce an evidence base to support its proposals. In 2017, SDC published a Strategic Housing Market Assessment (SHMA) and Growth Options Study to establish the scale of future housing need and how this need can be accommodated within the Shepway District up to 2037.
- 3.18 Emerging Policy SS6 of the Core Strategy Review (2018) identifies Otterpool Park as a suitable location for a new garden settlement and emerging Policy CSD9 has identified land to the south of Sellindge for additional housing. Consultation on the emerging policies will be undertaken by the LPA in the course of the Core Strategy Review (2018).

## Evidence Base and Monitoring

### Strategic Housing Market Assessment Report (2017)

- 3.19 In support of the Core Strategy Review (2018) process, Peter Brett Associates prepared a report that calculates the proposed amount of new housing required in Shepway in the Core Strategy review period up to 2037. The figures will be tested through the Core Strategy Review (2018) process but currently conclude that in the period 2014 to 2037 SDC will require 14,600 new dwellings in the district (633 per annum).
- 3.20 SDC considers it already has approximately 8,000 of these dwellings ‘committed’ through planning permissions and proposed allocations. This will require the Core Strategy Review (2018) to allocate new land for 6,600 dwellings across the plan period.

### Growth Strategy Options and Related Reports (2017)

- 3.21 AECOM produced three reports for SDC that identify options for the accommodation of the level of growth identified up to 2037 in the SHMA report (2017). These documents also covered landscape issues.
- 3.22 The reports are strategic in their consideration and conclude that Otterpool Park is the most appropriate location to accommodate growth in the future because it is the least constrained of six areas identified throughout Shepway. Initial work identifies, at high level, constraints and opportunities within the Otterpool Park area which is broadly contiguous with the area of search assessed on behalf of the Parties.

### Authority Monitoring Report (AMP, 2016)

- 3.1 The SDC Authority Monitoring Report (AMP, 2016) confirms housing completions in the district from 2006/07 up to 2015/2016, as follows:

Monitoring Period	Residential Net Completions
2006/07	146
2007/08	402
2008/09	562
2009/10	180
2010/11	132
2011/12	207
2012/13	206
2013/14	165
2014/15	348
2015/16	293
<b>Total</b>	<b>2,641</b>

- 3.2 The housing delivery numbers demonstrate the LPA fell short of the minimum target of 3,500 net additional dwelling completions (since 2006/2007) by 31 March 2016 (Core Strategy, 2013).



## 4 Representations

- 4.1 This section sets out the representations made by the Parties, having regard to the context set out earlier in this document.

### Part one – Places

#### General Sellindge Policy – Policy ND5

Figure 3: Policy ND5

**Policy ND5**

**General Sellindge Policy**

The following sites are allocated for residential development with indicative capacities as follows:

- The Piggeries, Main Road Sellindge - 5 dwellings;
- Land West of Jubilee Cottage, Swan Lane, Sellindge - 15 dwellings;
- Land at Barrow Hill, Sellindge - 15 dwellings; and
- Silver Spray, Sellindge - 5 dwellings.

Development proposals will be supported where:

1. The design incorporates adequate landscaping to mitigate impact on the setting of the countryside;
2. Existing trees and hedgerows around the site boundary are retained and enhanced;
3. The proposal complements the surrounding street pattern and urban grain, fronting dwellings onto existing streets and following the existing built edge wherever possible; and
4. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

**Site Specific Criteria**

The following additional site-specific criteria should also be complied with:

**The Piggeries, Main Road:**

1. The development should avoid direct effects on the nearby ancient woodland; and
2. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

**Land West of Jubilee Cottage:**

1. An assessment is carried out of the impact on the setting of the nearby Grade II Listed Building and appropriate measures put in place to preserve or enhance its setting;
2. The design, layout and landscaping of the site mitigates the impact on the setting of the Kent Downs Area of Outstanding Natural Beauty including incorporation of landscaping to filter views of the development from the Area of Outstanding Natural Beauty to the north;
3. Any potential contamination from the former use of the adjoining land is investigated, assessed and if appropriate, mitigated as part of the development; and
4. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

- 4.2 The Parties support the emphasis that draft Policy ND5 places on ensuring an adequate supply of appropriately designed housing in Sellindge, and Shepway generally.
- 4.3 Draft Policy ND5 (PPLP Submission Draft, 2018) would benefit from reference to and clarification on the emerging strategic allocation for approximately 600 homes at 'Land to the south of Sellindge' (draft Policy CSD9 of the Core Strategy Review, 2018). In order to embody an effective 'general' approach to development at Sellindge it would be prudent to define and manage patterns of growth in Sellindge over the plan period, which may include the strategic allocation set out in the Core Strategy Review (2018), to achieve sustainable development in accordance with the requirements of the NPPF (2012).
- 4.4 So no unacceptable impacts arise directly from the Draft Policy ND5 (PPLP Submission Draft, 2018) residential allocations or cumulatively with development at 'Land to the south of Sellindge' (Policy CSD9 of the draft Core Strategy Local Plan Review, 2018) and/or the emerging Otterpool Park Framework Masterplan, Policy ND5 (SDC PPLP Submission Draft, 2018) should prescribe indicative delivery timeframes for the allocations, to avoid conflict.

### Land at Barrow Hill, Sellindge

Figure 4: Land at Barrow Hill, Sellindge Allocation

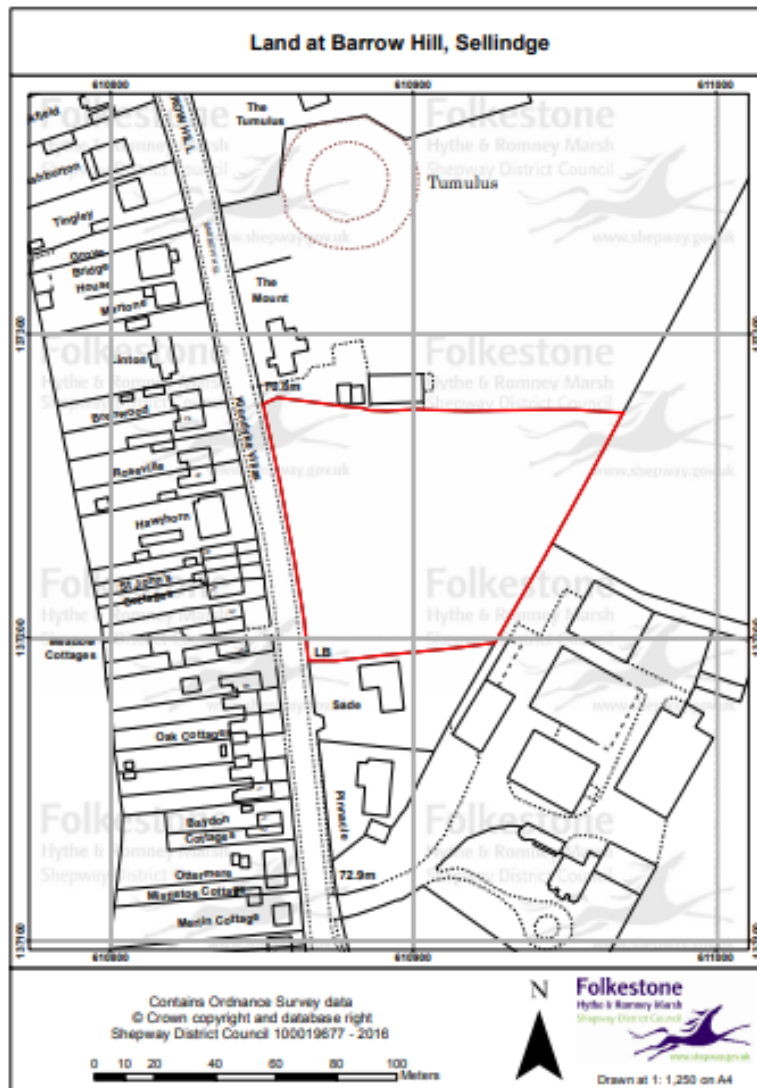
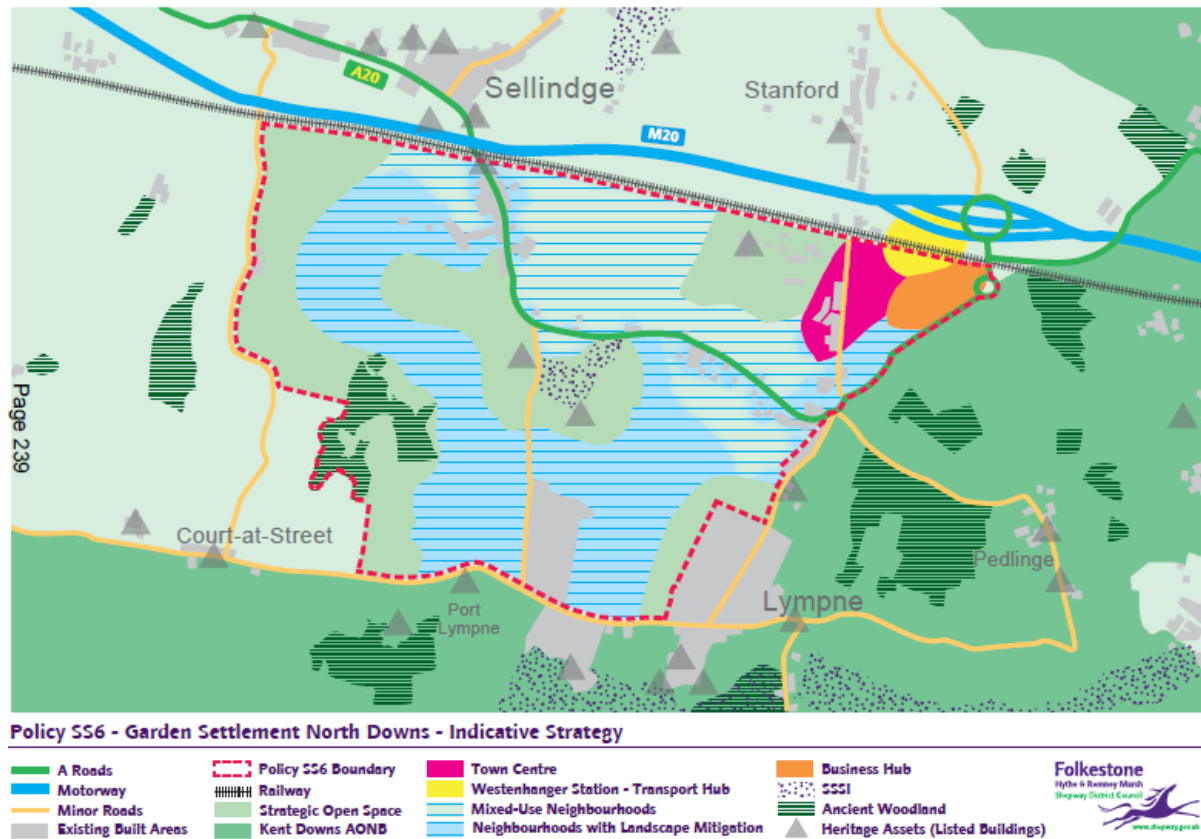


Figure 5: Otterpool Garden Settlement Boundary (Draft Core Strategy Review Designation)



- 4.5 Draft Policy ND5 (PPLP Submission Draft, 2018) includes an allocation for 15 dwellings<sup>1</sup> at ‘Land at Barrow Hill, Sellindge’. The site is located within the OPMB, to the north west.
- 4.6 The OPFM recognises the existing community along Barrow Hill. It is important that infill development within the OPMB relates appropriately to the Otterpool Park vision.
- 4.7 Development within the OPMB has the potential to undermine the objectives of the new garden settlement, compromising SDC’s ability to bring forward the volume of housing necessary to meet the district’s uplifted objectively assessed need and housing targets (SHMA, 2017), over the plan period in line with NPPF (2012) core planning principle three.
- 4.8 Policy ND5 (PPLP Submission Draft, 2018) should signpost the development forthcoming at Otterpool Park so development at ‘Land at Barrow Hill, Sellindge’ can be brought forward in co-ordination with this.

### Policy ND6 – Former Lympne Airfield

- 4.9 The Former Lympne Airfield is located within the OPMB, to the south east.

<sup>1</sup> “...depending on the size and layout” (PPLP Submission Draft, 2018)

Figure 6: Policy ND6 Former Lympne

## Policy ND6

### Former Lympne Airfield

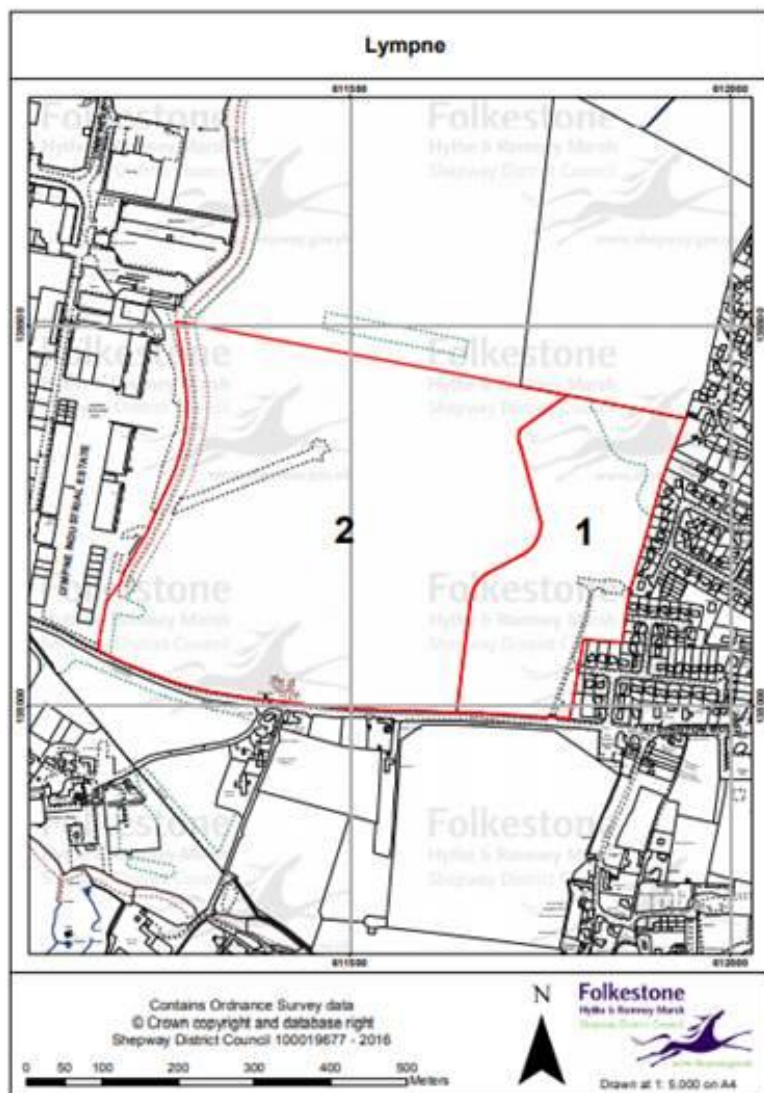
Site 1 is allocated for residential development with an estimated capacity of 125 dwellings and Site 2 is to be retained as an open space/landscape buffer.

Development proposals will be supported where:

1. Existing trees and hedgerows within and around the perimeter of the site are retained and enhanced as part of a comprehensive landscaping scheme;
2. The northern building edge is fragmented and softened with a strong landscape buffer;
3. Open spaces and planting are used to provide a visual link to the countryside and North Downs Scarp and an attractive backdrop to development;
4. Mitigation and enhancement measures should be incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;
5. A landscape buffer is provided between the existing edge of the village to the east of the site and the new development;
6. On-site open space is provided within Site 1 to meet the recreational needs of residents;
7. At least 6 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development;
8. Appropriate and proportionate contributions are made to improvements at the Newingreen Junction and expansion of Oaklands Health Centre through a Section 106 agreement;
9. Site 2 remains undeveloped and enhanced to retain the separation between Lympne and the Business Park;
10. A new footpath across Site 2 is provided in parallel with the development of Site 1;
11. The proposal complements the surrounding street pattern and urban grain, fronting dwellings onto existing streets and following the existing built edge wherever possible;
12. Footpaths are provided to link to the existing public rights of way network;
13. A primary vehicle access is provided onto Aldington Road and an emergency access is provided onto Aldington Road or Tourney Close;
14. An assessment of non-designated heritage assets and an archaeological survey is carried out and appropriate mitigation measures put in place if required;
15. Features and structures associated with the site's former use as a World War II airfield are retained wherever possible to provide a link with the site's past;
16. Any potential contamination from its former use is investigated, assessed and if appropriate, mitigated as part of the development;
17. A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider; and
18. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes.

- 4.10 Policy ND6 splits the Former Lymgne Airfield site into “two separate parcels” (PPLP Submission Draft, 2018). Site 1 is allocated for residential development, with a capacity of 125, while Site 2 “remains undeveloped and enhanced to retain the separation between Lymgne and the Business Park”

Figure 7: Former Lymgne Airfield



**Picture 7.11 Former Lymgne Airfield**

- 4.11 The OPFM considers the Former Lymgne Airfield site - “The Lymgne Industrial Area and land to the east of Otterpool Lane is included in the masterplan area for housing with a defensible landscape edge to the east and south and separating development from the west of Lymgne.” The aspirations of the OPFM are for low density housing at Site 2 and open space with a sensitively planted landscape buffer at Site 1. Policy ND6 of the PPLP Submission Draft (2018) therefore conflicts with the aspirations of the OPFM. Moreover, this draft allocation as currently drafted is in potential conflict with the emerging designations affecting the OPFM contained within the Core Strategy Review process.
- 4.12 The Parties encourage SDC to reconsider the makeup of the allocation(s) at the Former Lymgne Airfield Allocation. It is the Parties position that housing development of low density is more appropriate at, and adjacent to, the Lymgne Industrial estate with a green buffer between the new housing and existing Lymgne

village, to protect and enhance the amenities of the community at Lympe. It is more appropriate, given the location of the draft PPLP designation of the Former Lympe Airfield, to remove this designation from future stage of the PPLP consultation as this sits within the draft strategic designation of the site within the Otterpool garden town settlement boundary (see figure 5). This emerging policy can then be updated, as required, to ensure that the policy intent of ND6 is reflected within the emerging Core Strategy Review process.

## Affordable Housing

4.13 The Parties support the aspirations of the PPLP Submission Draft (2018) with respect to affordable housing provision, in accordance with Core Strategy Policy CSD1: Balanced Neighbourhoods for Shepway. Otterpool Park will seek to provide a diverse mix of housing to create a mixed and balanced community.

## Part Two – Development Management Policies

### Policy HB4 – Self-Build and Custom Housebuilding Development

4.14 The Parties note the Council’s aspiration that “sites within the North Downs and Romney Marsh Areas delivering more than 20 dwellings... supply no less than 5 per cent of dwelling plots for sale to custom housebuilders on the Council’s register”.

4.15 The OPFM embodies a strong commitment to providing self-build and custom-build homes as serviced plots. However the Parties request that development within the OPMB is exempt from a prescriptive “no less than 5 per cent” target to reflect the need for certainty of delivery of the masterplan proposals within the OPFM area.

## Policy E1 – New Employment Allocations

Figure 8: Policy E1 New Employment Allocations

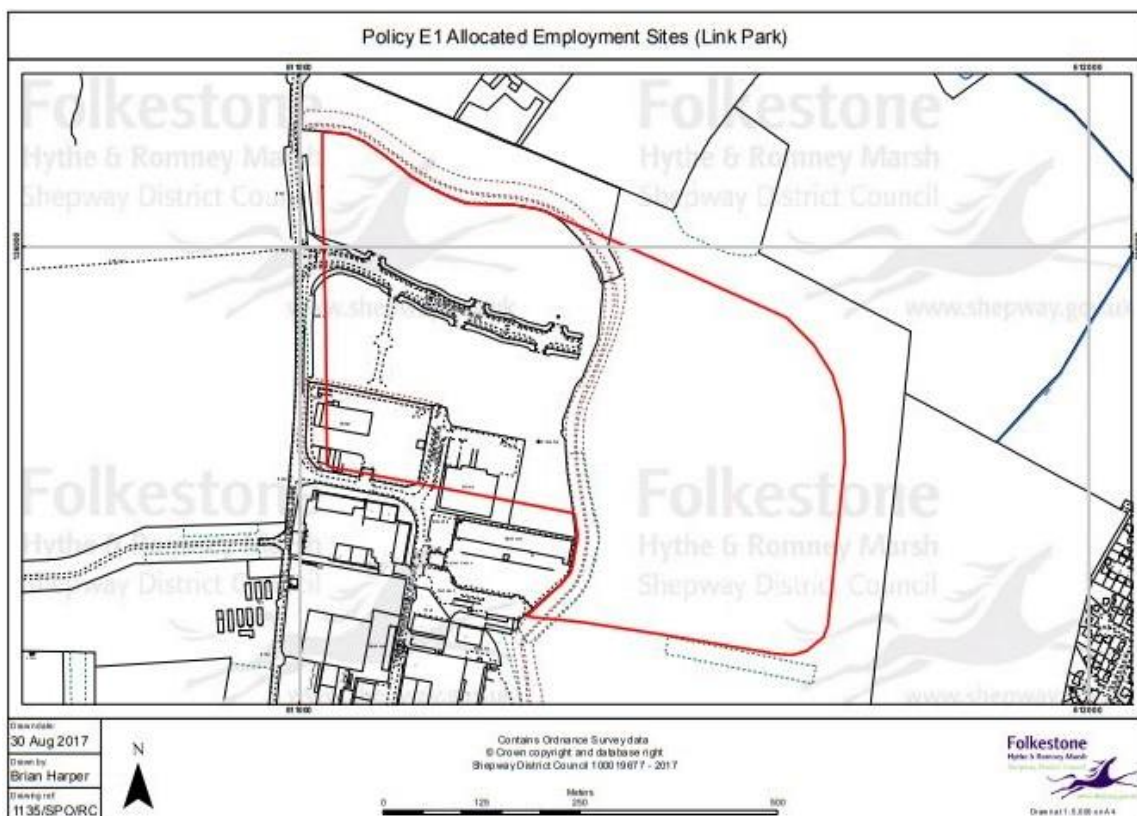
Policy E1		
New Employment Allocations		
The sites identified below are protected for business uses under use classes B1 (business), B2 (general industrial) and B8 (storage and distribution), unless otherwise stated.		
Site	Floorspace (sqm)	Uses
Shearway Business Park, Folkestone	11,650	B1 - B8
Cheriton Parc, Folkestone	15,000	B1a
Ingles Manor, Folkestone	1,600	B1
Park Farm (Former Silver Spring site), Folkestone	10,000	B1
Affinity Water site, Cherry Garden site, Folkestone	3,500	B1a
Folkestone Harbour	500	B1a
Hawkinge West, Hawkinge, Folkestone	2,366	B1 and B8
Nickolls Quarry, Hythe	15,000	B1
Link Park (Phase 1 and 2) Lympe Hythe	73,175	B1, B1c, B2 and B8
Mountfield Road Phase 3 and 4, New Romney	9,010	B1, B1c, B2 and B8
Harden Road, Lydd	840	B1 and B1a
Dengemarsh Road, Lydd	11,725	B1 Mixed
A proportion of non-business class uses (up to 25 per cent) will be permitted provided it can be demonstrated that:		
<ol style="list-style-type: none"> <li>1. The use will add to the attractiveness and function of the employment site;</li> <li>2. There is full justification of its location within the wider employment site; and</li> <li>3. Proposals comply with other Local Plan policies, including those relating to Retail and Leisure.</li> </ol>		

- 4.16 The 'Link Park (Phase 1 and 2) Lympe Hythe' site is located within the OPMB, to the south west.
- 4.17 The 'Link Park (Phase 1 and 2) Lympe Hythe' site is allocated for 73,175 sqm of B1, B1c, B2 and B8 floor space by Policy E1 of the PPLP Submission Draft (2018). See figure 9 for the Link Park allocation boundary.
- 4.18 The long-term aspiration of the OPFM is to deliver primarily low scale and low density housing, with elements of medium density housing at the Link Park site, set within an overall ambition to deliver new employment space elsewhere within the masterplan.
- 4.19 The OPFM supports the creation of a strategically significant<sup>2</sup> number of jobs, set within a sustainable pattern of development. The OPFM provides dedicated employment space to the north east of the OPFM area, which is a more sustainable location close to junction 11 of the M20 and Westenhanger railway station. The emerging policies should enable flexibility of delivery relative to this. The potential suitability of land adjacent to Junction 11, was identified in SDC's Economic Development Strategy (2015-2020). This potential was further reinforced by the accompanying land and property market analysis, which noted the viability of introducing high quality employment sites close to the M20 and the associated rail route.
- 4.20 The Parties request that Policy E1 of the PPLP (Submission Draft, 2018) embodies sufficient flexibility so land in Shepway can respond appropriately to market needs in accordance with the direction of NPPF (2012) paragraph 22.
- 4.21 Furthermore, given the requirement for this document to read alongside the remainder of the development plan for Shepway District, The Core Strategy Review is considering the potential for the OPFM to form a significant element of the borough's growth requirements over the plan period. As the Link Park site is included within this boundary allocation (highlighted at figure 5 above), it is necessary to enable the strategic aspirations of this designation to be accommodated within the boundary. Therefore, the Parties request that Policy E1 be updated to reflect the strategic nature of employment development to be delivered within the OPFM, as recognised within the draft designation for the garden settlement.
- 4.22 The Parties therefore request that the Link Park sites be removed from the future iterations of the PPLP Policy E1, as this sits within the draft boundary of a major strategic site, and thus is not appropriate for retention within the PPLP. Instead, appropriate wording relative to the strategic aspirations of Policy E1 and its consistency with the masterplan objectives surrounding the OPFM should be included within the draft Core Strategy Review.

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<sup>2</sup> Approximately 8,000.

## Policy RL1 – Retail Hierarchy



- 4.23 The Parties are generally supportive of the ‘town centre first’ approach but request Otterpool Park is identified by Policy RL1 (PPLP Submission Draft, 2018) as a potential future town centre in the Retail Hierarchy.
- 4.24 As the OPFM is built out on a phase by phase basis, local centres will be located within the neighbourhoods and on public transport corridors linked to the railway station. The local centres will provide mixed uses with employment use business space above, services such as retail, restaurants, cafes, dentists, nurseries located on street frontages. The Parties request provision is written into Policy RL1 (PPLP Submission Draft, 2018) for local centres to emerge at Otterpool Park over the plan period.
- 4.25 The NPPF (2012) requires that local planning authorities allocate a range of suitable sites to meet their town centre needs. The SDC Town Centres Study (2012) confirms “quantitative goods comparison needs are principally generated in the longer term — and as such there is merit in safeguarding sites for future development towards the end of the plan period, should further analysis prove them to be viable development opportunities.” The new town centre at Otterpool Park provides a strategic opportunity to meet the district’s full qualitative and quantitative needs over the plan period.



## 5 Notification

- 5.1 We trust that you will register the above representations accordingly.
- 5.2 We would be grateful if we could be kept informed of any further consultations and reserve the right to make further comments in due course