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11 July 2019

Dear James,

**Re: Otterpool Park Development Ashford Road Sellindge Kent (Ref: Y19/0257/ FH) -
Outline application with all matters reserved**

Thank you for inviting Kent County Council (KCC) to comment on the outline planning application for the comprehensive, residential led mixed-use development at Otterpool Park comprising:

- **Up to 8,500 residential homes including market and affordable homes; age restricted homes, assisted living homes, extra care facilities, care homes, sheltered housing and care villages**
- **Demolition of identified existing buildings**
- **A range of community uses including primary and secondary schools, health centres and nursery facilities**
- **Retail and related uses**
- **Leisure facilities**
- **Business and commercial uses**
- **Open space and public realm**
- **New planting and landscaping, and ecological enhancement works**
- **Sustainable urban drainage systems**
- **Utility and energy facilities and infrastructure**
- **Waste and waste water infrastructure and management facilities**
- **Vehicular bridge links**
- **Undercroft, surface and multi-storey car parking**
- **Creation of new vehicular and pedestrian accesses into the site, and creation of a new vehicular, pedestrian and cycle network within the site**
- **Improvements to the existing highway and local road network**

- **Lighting**
- **Engineering works, infrastructure and associated facilities**
- **Interim works or temporary structures required by the development and other associated works including temporary meanwhile uses.**

The County Council has consistently supported the District Council's ambition to deliver a new garden settlement at Otterpool Park, and has worked closely with the District Council in the preparation of a submission of an Expression of Interest and the Locally-Led Garden Villages, Towns and Cities Prospectus.

The County Council is aware that Folkestone and Hythe District Council has carried out a comprehensive assessment of the need for new homes to accommodate growth within the district, as part of the emerging Core Strategy Review (CSR). The CSR includes detailed policies to guide new strategic development on this site and ensure that it is a beacon of best practice environmentally, follows garden town principles and creates a strong and cohesive community. The County Council also notes the District Council's published Otterpool Park Charter, that sets out its aspirations for the new settlement.

The County Council notes that this outline application will form part of a three tier planning approach taken by the applicant; approval of an outline application, approval at key phases (including Design Codes) and finally Reserved Matters applications. It is also noted that within the documentation submitted under this outline application, the applicant has made a distinction between plans/documents submitted for approval and those providing context and background to support the application. However, at this stage in the outline application process, KCC currently has a number of concerns with the proposal, as outlined below.

- KCC, as Local Highway Authority, advises that there are a number of significant outstanding issues to be resolved with the application as currently submitted and a holding objection is placed until these matters have all been addressed in full by the applicant at the earliest opportunity. These matters are set out in chapter 1. KCC, as Local Highway Authority, is happy to meet the applicant to discuss these issues further.
- The level and quality of information that has been submitted by the applicant has in some instances restricted the ability of the County Council to properly assess the proposal and its associated impact on local infrastructure. The quality of the application material has also been impacted by the level of evaluation of both the site and the proposal.
- The County Council is concerned with some of the assumptions that the application has been based upon, such as the level of infrastructure provision. There must be agreement between the County Council and the applicant on the assumptions that the proposal is founded upon and this is set out further within the response.
- There will need to be a flexible approach assumed for the planning and delivery of this scheme to reflect potential changes in service provision, infrastructure requirements (both community and environmental) and funding. The three tier planning approach would support this. The County Council questions the approach taken by the applicant

in submitting very detailed information (such as within the phasing and parameter plans) that relate to the lifetime of the development at this early stage in the planning process. Instead, such detail should be reviewed at agreed stages throughout the development process. At this stage, the plans should show a clear understanding of the genuine vision for Otterpool Park and seek to create a more cohesive approach for the proposed development to ensure long term sustainability of the project. The County Council fully reserves the right to comment on the detail of the Parameter Plans and Phasing Plans (or any subsequent revisions) until such a time when the assumptions are agreed.

- The concerns with the Parameter and Phasing Plans include, but are not limited to, the education assumptions. The County Council has concerns relating to the proposed education provision for the site, at both primary and - more significantly - at secondary stages. As set out within this response, the County Council does not agree with the number, nor the size of, the sites currently proposed as safeguarded for education facilities. Nor is the County Council satisfied that the proposed levels of forms of entry are appropriate for a garden settlement. The applicant is urged to discuss the provision of education facilities with the County Council as the earliest opportunity to seek appropriate resolution.
- The County Council recognises that the delivery of a large scale new settlement over a long period presents its own challenges for the applicant, District Council and County Council. It creates a particular challenge for the County Council in modelling the future population and determining the likely infrastructure needs for the entire development scheme; including education and community facilities, transport and low carbon infrastructure need to deliver net zero emissions by 2050 and environmental considerations. The County Council is concerned that the applicant has not allowed for the appropriate level of infrastructure within the masterplan that will be required for the development to be sustainable and low carbon, nor considered fully the requirements for long term governance / stewardship of the infrastructure on the site. There is also a lack of consideration of some infrastructure items (for example, social care, special educational needs and public health), which will need to be fully addressed by the applicant. The applicant should also note that any changes to housing quantum will require remodelling and the applicant will have to build this into timescales for delivery.
- All County Council services and infrastructure must be captured in the planning, phasing and delivery of the new settlement, to ensure that services are funded, delivered to a high standard and well maintained in the long term. The commitment to infrastructure delivery is critical to the acceptability of the scheme. In recognition of both the scale and complexity of this project, the County Council looks to contribute effectively to detailed negotiations and will expect to be a signatory to the section 106 agreement for this outline application as agreed in the Planning Performance Agreement (June 2016) paragraph 13.6.

The matters set out within this response are necessary to mitigate the impacts of the Otterpool Park garden settlement proposal on the provision of those services for which the County Council has a statutory responsibility.

The County Council would welcome engagement at the earliest opportunity with the applicant, District Council and relevant stakeholders to discuss the matters raised in this response. The County Council will also engage with the relevant parties, to review and understand any relevant infrastructure funding that may be available to support the viability of this development and ensure the necessary infrastructure is delivered. KCC will continue to work closely with the District Council and other stakeholders and with the applicants to ensure that Otterpool Park is delivered to a high level of design, providing necessary infrastructure and a sustainable community.

The County Council has reviewed the application in its entirety and has an extensive commentary to raise in response to the submitted material, set out clearly in a subject chapter format.

The County Council continues to support the positively planned delivery of a new garden settlement at Otterpool Park supported by the timely provision of infrastructure in a truly green setting. This strategic location offers a unique range of opportunities to deliver a sustainable settlement of the highest quality, founded on garden city principles. Otterpool Park can offer an exceptional response to the demonstrable need for new homes by maximising the existing strengths of the area and embracing new and emerging environmental technologies to deliver a healthy, inclusive and thriving community.

However, as this response highlights, there are a number of matters that require addressing ahead of determination of this planning application to ensure delivery of this aspiration. The resolution of these matters is essential to ensure that KCC is satisfied that the garden settlement will deliver a sustainable community. KCC wishes to ensure that its infrastructure and services continue to be funded and delivered to a high standard and that a sustainable settlement is created at Otterpool Park. We welcome further meetings with the applicant to discuss the issues raised within this response to ensure they are satisfactorily addressed.

The County Council would like to thank the Council and its officers for the collaborative approach they have taken to date and look forward to continuing this cooperative relationship for the benefit of both existing and future residents of Folkestone and Hythe and the wider County.

If you require any further information or clarification on any matter, then please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'B. Cooper'.

Barbara Cooper

Corporate Director – Growth, Environment and Transport

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1. Highways and Transportation

This planning application follows on from almost two years of pre-application discussions between the applicant and KCC in its role as Local Highway Authority.

A Transport Assessment and Framework Travel Plan has been submitted with this planning application. There are, however, a number of significant concerns with the Transport Assessment as currently submitted. These are addressed in the order presented in the Transport Assessment.

1.1 Transport Assessment

The scope of the submitted Transport Assessment is as agreed with KCC Highways and Transportation.

The highway capacity study area is as agreed with KCC Highways and Transportation. This is set out in Figure 1 of the Transport Assessment.

A VISSIM (micro-simulation) model has been produced by the applicant to assess local junctions that are most impacted by this development. The VISSIM model however is not included in the Transport Assessment. KCC is therefore not able to confirm the adequacy of the model, the model outputs or whether or not the proposed mitigation that is outlined is acceptable. A Local Model Validation Report also needs to be submitted, which validates the base model and outputs in the VISSIM model.

The proposed assessment years are acceptable, as they include the end of the Local Plan period at 2037, full build out of the 8,500 dwellings and associated land uses as submitted in this current planning application at 2044 and full build out of the 10,000 dwellings at 2046.

2018 Baseline Highway Capacity

There are a number of junctions within the Study Area that operate in excess of capacity. For traffic signal junctions, this equates to a Degree of Saturation (DoS) of more than 90% or for priority or roundabout junctions, a Ratio to Flow Capacity (RFC) of more than 0.85. These are as follows:

- A20 Ashford Road / A261 Hythe Road in the AM Peak. The Hythe Road arm has an RFC of 0.87 together with a queue of six vehicles and an average delay of 89 seconds.
- M20 Junction 9 (Ashford) in the PM Peak. The Trinity Road arm has a DoS of 92% together with a queue of 16 vehicles and a delay of 45 seconds. The M20 Eastbound off-slip arm has a DoS of 91.3% together with a queue of ten vehicles and an average delay of 37 seconds.
- B2064 Cheriton High Street / A2034 Cherry Garden Avenue in both the AM and PM Peaks.

The B2034 (Beachborough Road) arm has a DoS of 91% in the AM Peak and 94% in the PM Peak together with queues of 23 and 27 vehicles respectively and delays of 99 and 95 seconds. The A2034 (Cheriton Road) westbound arm has a DoS of 94.1% in the PM Peak together with a queue of thirteen vehicles and delay of 77 seconds.

- Old Dover Road / St Lawrence Road / The Drive (Canterbury) in both the AM and PM Peaks. Three arms operate in excess of capacity in the AM Peak (Old Dover Road westbound, Old Dover Road eastbound and St Lawrence Road) with DoS's of 98%, 95% and 99%. One arm operates in excess of capacity in the PM Peak (Old Dover Road eastbound) with a DoS of 101%.
- Nackington Road / Old Dover Road (Canterbury) in the AM Peak. The Nackington Road arm operates in excess of capacity with a DoS of 97% together with a queue of 25 vehicles and a delay of 94 seconds.

Road Safety – Personal Injury Data

The personal injury accident data search is considered out of date as it does not include the most up to date 5-year crash period. The applicant is required to obtain the most up to date 5-year statistics and then re-submit this accordingly. The Local Highway Authority needs to understand if there are any new highway safety issues on the local highway network since the previous crash search was undertaken.

The Newingreen Junction (Junction of Ashford Road, Hythe Road and Stone Street) does however appear on KCC's 2018 Crash Remedial List due to the significant number of crashes at this junction within the past three years. There are no small-scale interventions that can be done at this junction to improve the safety record and the Highway Authority is currently exploring large scale changes to the junction, both to improve capacity and safety at this junction. The County Council notes that the applicant has not submitted a mitigation plan for this junction.

Otterpool Park Transport Strategy

Walking and Cycling Strategy - The Walking and Cycling Strategy discusses off-site connection improvements to Hythe, Folkestone, Westenhanger Station access and destinations to the north of HS1 and the M20. No detailed plans have, however, been submitted showing what improvements are proposed to these destinations from the application site. Detailed plans are required to be submitted showing these improvements, together with a Stage 1 Road Safety Audit if this subsequently results in changes to the public highway. KCC in its position as Local Highway Authority would welcome further discussions with the applicant in this regard.

Bus Network and Services - KCC supports the proposal within the Transport Assessment for the provision of bus services to serve the Otterpool Park site. The strategy plan showing two indicative routes (serving the northern and southern parts of the development site) will ensure that the vast majority of homes will be within a 400 metre walking distance of a bus stop.

Detailed discussions are required with Kent County Council's Public Transport Team and Stagecoach East Kent to agree the necessary Section 106 funding for routes, frequencies and appropriate trigger points for when these new services will be introduced. The delivery of bus stop facilities; including shelters, raised kerbs and bus stop clearways will also need to be secured through the proposed section 106 agreement. As such, further discussions with the applicant are required.

Highway Access Strategy - Upgrade of the A20 Ashford Road - The existing A20 link between the U-Turn roundabout south of M20 Junction 11 and the Newingreen Junction is currently operating well in excess of its 13,000 daily vehicle movement theoretical capacity, with estimated flows of over 18,000 vehicles a day based on the 2018 base year. As such, any significant development on this section of the A20 would be expected to make significant improvements to the road. This application is proposing a dual carriageway urban road with a 40mph speed limit. This will provide sufficient capacity for this section of the A20 for both the application proposal and the eventual 10,000 dwellings, as set out in the Core Strategy Review. An alignment plan has been submitted showing the detail of the proposal (OP-ARC-XXX-DR-T-0001 Revision P4). However, the plan is not of sufficient detail for KCC to confirm the adequacy of it. There are no details of the tie in with the existing A20 at the Newingreen junction, the cross-section details cannot be read and there are no details of the proposed footpath / cycle path crossing across the new road. The alignment plan should also be of a better scale for the Local Highway Authority to consider what is being proposed. KCC would also request clarity on whether the applicant is seeking the approval of this plan as part of the outline planning permission.

Newingreen Link - A new Newingreen Link is proposed through the site to tie in the existing A20 with a new junction at a point to the west to Newingreen. In principle the diversion of the A20 through the site is supported by KCC as this takes traffic away from the congested Newingreen junction. An alignment plan has again been submitted showing the detail of the proposal (OP-ARC-XXX-DR-T-0002 Revision P4). However, the plan is not of sufficient detail for KCC to confirm the adequacy of it. There are no details of the tie in with the existing A20 to the west of the Newingreen junction and the cross-section details cannot be read. The alignment plan should also be of a better scale for the Local Highway Authority to consider what is being proposed. The applicant should clarify as to if they are seeking the approval of this plan as part of the outline planning permission. Furthermore, there is the need for Nu-Steel articulated vehicles to transverse this link and associated junctions, so vehicle tracking needs to be undertaken for a 50 metre long articulated vehicle to show that it can use the link road and junctions.

Otterpool Park Footpath Layout (Drawing Number: OP-ARC-XXX-DR-T-0006) - A combined footway / cycleway is also required along the northern side of the A20 in between the proposed western signal junction with the A20 and where the footway / cycleway is currently proposed on the drawing. This can however be provided later on in the development when the development to the northern side of the A20 comes forward. It is not acceptable for pedestrians / cyclists to have to cross the A20 twice to reach the proposed footway / cycleway on the northern side of the A20. The drawing and intention should therefore be amended showing a 3.5 metre wide combined footway / cycleway on the northern side of the A20.

Future Baseline Highway Conditions

Committed / Planned Developments - The Nickolls Quarry site off Dymchurch Road, Hythe needs to be included as a committed development. Only a small proportion of the houses permitted have since been built on this site.

The list of committed highway schemes is acceptable.

Development Trip Generation

The Trip Generation by Land Use tables (Tables 28-30) do not include details of multi-modal trip rates for each residential unit, extra care unit or the various other use classes as would normally be expected in any Transport Assessment. It is not currently clear how these trip generation figures have been calculated. A summary table therefore needs to be produced showing the proposed multi-modal trip for each residential unit / extra care unit / hotel bedroom / 100sqm of commercial use and the proposed D1/D2 uses according to the proposed land use class. This will enable KCC to undertake its own TRICS assessment of the proposed land use classes. Only sites with a population range of up to 125,000 within a 5-mile radius should be used, as these will represent the population characteristics of the Otterpool Park site.

The business park TRICS outputs submitted currently use sites with a far greater population range and therefore needs to be re-run accordingly.

The proposed extra care housing (C2) should be assessed against Sheltered Housing in TRICS. This is because there will be an element of care that is provided on-site and is not a general C3 residential use like retirement flats. A new TRICS analysis is therefore required, based on sheltered housing land use class in TRICS.

The proposed trip generation cannot be agreed until this analysis is undertaken.

Development Trips by Mode

The methodology used to calculate development trips by mode is acceptable to KCC, as Local Highway Authority.

The proposed internal and external trip mode splits by trip purpose is acceptable to KCC, as Local Highway Authority.

Table 34 - Allocation of Mode Splits by Trip Purpose to Land Use - The proposed modal split allocation for A2 Business Land Use, Trip Purpose (Personal Business) should be 'personal business' rather than 'leisure'" and should be revised.

The proposed internal and external trips by mode cannot be agreed until the total multi-modal trip rates are agreed. Furthermore, it is not clear how these trips have been calculated in Tables 35-37 based on the trip generation summary in Table 31. It is requested that the applicant provides detailed justification as to how these trip rates have been calculated.

Development Trip Distribution

The assumptions made in the development trip distribution are acceptable to KCC, as Local Highway Authority. The likely effect on key roads as set out in Tables 41 to 43 can however only be agreed once the proposed trip rates and internal / external trips have been revised and agreed as set out above.

Effects on Sustainable Transport Modes

Effects on Pedestrian Network - Part of this section discusses proposed improvements to PRoW HE 281 across the A20 as a result of the proposed dualling. It is proposed that this crossing is staggered, and a central refuge is provided. This is acceptable to KCC Highways and Transportation given the improvements to visibility for pedestrians and the need to minimise delay to vehicular traffic. Nonetheless, there will be an increase in demand of the above PRoW that goes through Sandling Park and this is evidenced in Table 49 which suggests that there could potentially be 79 pedestrian movements in the AM Peak and 60 pedestrian movements in the PM Peak. The potential for surfacing improvements to this PRoW and PRoW 291 (Bridleway) should be investigated in conjunction with the KCC Countryside Access Improvement Plan Officer in order to make this a more attractive all-weather pedestrian route to Hythe.

Effects on Cycle Network - The A261 Hythe Road is likely to attract the greatest number of external cycle trips. It is however not conducive to cycling due to it being a heavily trafficked, high speed road with poor alignment. The Transport Assessment does however highlight there will be an increase in demand for cycling routes to Hythe and so the potential to create an improved cycling route should be investigated. A more attractive route for cyclists does exist via Stone Street, Aldington Road and then the restricted byway known as Old London Road. This will however require the complete re-surfacing of this restricted byway to make it more attractive for cyclists. The potential for surfacing improvements should also be investigated in conjunction with the PRoW team at KCC.

Effects on Bus Network - It is expected that the proposal will generate a significant increase in the use of the number 10 service that runs between Ashford and Folkestone. Table 51 of the Transport Assessment predicts that the proposal will generate almost 300 bus passengers per hour in the AM Peak and almost 220 bus passengers in the PM Peak. The Transport Strategy for the application suggests a bus service frequency of four to six buses an hour. For almost 300 bus passengers an hour it is suggested that at least six buses an hour are required to serve the site. There is also predicted to be an element of internal bus-only trips in the AM Peak with almost 100 bus passengers and in the PM Peak almost 80 bus passengers. These could either be accommodated on the suggested improvements to the 10 service or by the provision of a brand-new shuttle service that runs around the application site. As such, KCC, as Local Highway Authority would welcome further discussions with Stagecoach East Kent, Folkestone and Hythe District Council and the applicant to discuss funding requirements for these service improvements.

Effects on Rail Network - Any improvements to the facilities and increase in the use of Westenhanger station as a result of the proposed development will need to be considered by Network Rail, South Eastern (the train operating company) and the KCC Principal Transport Planner for Rail within the Transport Policy team. KCC would however welcome discussions on the bus service interchange, improved cycle parking and improved access for all to the station. This is a very important issue and needs to be addressed prior to the determination of the outline planning application.

Junction Capacity Assessments

A plan needs to be submitted showing the location of the new junctions on the A20 Ashford Road and B2067 Otterpool Lane. It is currently not clear where some of the junctions that are proposed in Table 54 will be located. Paragraph 11.1.7 is incomplete as the location of these junctions has not been previously noted in the Transport Assessment.

KCC, as Local Highway Authority, does not typically accept priority cross-roads junctions as many tend to have a poor safety record. A priority cross-roads junction is proposed (Junction 38 in Table 4). This is not acceptable for a road with a national speed limit (60mph). An alternative junction design therefore needs to be designed.

A number of junctions are proposed to go over capacity (either a Degree of Saturation (DoS) of more than 90% or a Ratio to Flow Capacity (RFC) of more than 0.85) in future year assessments which include the proposed development. These scenarios are based on a Do-Minimum (levels of traffic growth on the highway network and the numbers of dwellings and jobs in the Core Strategy Review spread throughout the District) and Do-Something (levels of traffic growth on the highway network and the proposed development at Otterpool Park). These scenarios are as follows:

- M20 Junction 11 in the 2037, 2044 and 2046 Do-Something scenario.
- Hythe Road (A20) / The Street in a 2046 Do-Something scenario.
- Aldington Road / Stone Street in the PM Peak in a 2044 and 2046 Do-Something scenario.
- A20 Ashford Road / A261 Hythe Road in all future year scenarios.
- A20 Ashford Road / Stone Street in the AM Peak in a 2037, 2044 and 2046 Do-Something scenario.
- Aldington Road / Lympe Hill in the AM Peak in a 2044 and 2046 Do-Something scenario.
- A259 / Dymchurch Road / Military Road in all future year scenarios.
- A259 Prospect Road / A259 East Road / Station Road / High Street in the AM Peak in all future year scenarios.

- M20 Junction 13 in the 2037 Do-Something PM Peak, 2044 Do-Something AM and PM Peaks and 2046 Do-Something AM and PM Peaks.
- M20 Junction 9 in the PM peaks for a 2037, 2044 and 2046 Do-Something scenarios.
- B2064 Cheriton High Street / B2063 Risborough Lane in all future year scenarios.
- B2064 Cheriton High Street / A2034 Cherry Garden Avenue in all future year scenarios.
- A259 Prospect Road / Stade Street in all future year Do-Something scenarios.
- Barrow Hill 1-way in all future year Do-Something scenarios.
- A260 Spitfire Way / White Horse Hill / A20 Slip Roads in all future year Do-Something scenarios.
- Alkham Valley Road / A20 slip roads in all future year Do-Something scenarios.
- A260 Canterbury Road / Alkham Valley Road in all future year Do-Something scenarios.
- A20 Ashford Road small roundabout in a 2037 AM Peak Do-Something scenario and AM and PM peaks in a 2044 and 2046 Do-Something scenario.
- Nackington Road / Old Dover Road / St Lawrence Road / The Drive in the PM peak in all future year scenarios.

The above junctions are discussed below:

M20 Junction 11

M20 Junction 11 goes over capacity between the 2037 and 2044 Do-Something scenario. In a 2044 Do-Something scenario in the AM Peak Hour the M20 Westbound Off-Slip has an RFC of 0.94, queue of twelve vehicles and a delay of 34 seconds and the M20 Eastbound Off-Slip has an RFC of 0.87, queue of six vehicles and a delay of 28 seconds. In the PM Peak Hour the M20 Westbound Off-Slip has an RFC of 0.96, a queue of fifteen vehicles and a delay of 46 seconds, the M20 Eastbound Off-Slip has an RFC of 1.27, a queue of 120 vehicles and a delay of six minutes and the B2068 Stone Street has an RFC of 0.94, queue of nine vehicles and a delay of 73 seconds.

A mitigation scheme is therefore required for this junction. A mitigation scheme is proposed which involves part signalization of the roundabout and new lane markings on the roundabout and the eastbound on and off slips. This brings the junction to within capacity with a maximum DoS of 84.9% on the M20 Westbound Off-Slip. Unfortunately, no plans are submitted of this proposed mitigation scheme nor a Stage 1 Road Safety Audit. These are required so that KCC Highways and Transportation and Highways England can assess the proposed mitigation scheme.

Hythe Road (A20) / The Street

This junction is only predicted to operate in excess of capacity in a 2046 Do-Something scenario with The Street arm going over the 0.85 RFC in the AM Peak and PM Peak. The PM peak hour is especially bad for delay and queuing with an RFC of 1.05 and a delay of approximately three and a half minutes. As described above this arm of junction only falls apart between 8,500 and 10,000 dwellings being proposed at the Otterpool Park site. The current application is for 8,500 dwellings and so it would not be reasonable to request that this current application delivers a mitigation scheme at the junction. A new link road is also being provided from the William Harvey Hospital emergency access and Hinxhill Road, which connects directly onto the A20 (Hythe Road) opposite the Tesco service access. This will reduce traffic flows on The Street as Hinxhill Road is proposed to be closed to vehicle traffic as a result of this link road being constructed. In order to assess the impact of this scheme being delivered, KCC will require the applicant to undertake new junction assessments of this roundabout (ARCADY) in 2037, 2044 and 2046 to determine the impact of the development on this roundabout. If the modelling results are worse than predicted, then a mitigation scheme to provide two-lane queuing on The Street arm is likely to be required.

Aldington Road / Stone Street

This junction is predicted to operate in excess of capacity in a 2044 and 2046 Do-Something scenario with Stone Street arm going over the 0.85 RFC in the PM Peak. It should be noted that the roads are labelled incorrectly in Tables 68 and 69 and it is the Stone Street arm of the junction that will go over capacity in a 2044 and 2046 Do-Something scenario. As the delay per vehicle is more than twenty seconds (increase in delay from twelve seconds to 46 seconds and a queue increase of four vehicles from a 2044 DM scenario to a 2044 DS Scenario) a mitigation scheme is required.

A20 Ashford Road / A261 Hythe Road and A20 Ashford Road / Stone Street

This junction is predicted to operate in excess of capacity in all future year scenarios even with the proposed flaring improvement scheme on the Hythe Road arm of the junction as agreed through the Quinn Estates application in Sellindge (Y16/1122/SH). The Hythe Road arm is the worst affected arm of the junction, with queuing on Stone Street also way in excess of normal acceptable capacity limits. The Do-Something scenarios have a much worse effect on capacity than the Do-Minimum scenarios. As part of the current proposal, the Newingreen Link road to the north of the Newingreen junction is proposed. This will tie back into the A20 further west of the junction and would divert a substantial amount of traffic routing along the A20 away from the junction. This in itself will have a significant positive impact on traffic conditions at the Newingreen junction. The proposed development will however attract increased vehicle trips along both Hythe Road and Stone Street. Both arms of the junction are over capacity in the Do-Minimum 2037 scenario and the addition of development traffic along these roads especially in the AM Peak will further worsen delays at the junction despite the diversion of the A20 through traffic to the Newingreen Link road. The 2044 Do-Something scenario as set out in Table 73 predicts intolerable queuing on the A261 Hythe Road arm and the Stone Street arm in the AM Peak and so it is evident that a further mitigation scheme is

required at this junction.

The mitigation scheme as proposed requires the signalisation of all arms of the junction. Table 75 demonstrates a signalisation scheme is proposed to operate within practical capacity on all approaches. The signalisation scheme increases capacity and reduces delay compared to a Do-Minimum scenario. A mitigation scheme in the form of a traffic signal junction is therefore accepted in principle by KCC, as Local Highway Authority. No plans are submitted of this proposed mitigation scheme, nor a Stage 1 Road Safety Audit. These are required so that KCC can assess the proposed mitigation scheme. Unfortunately, the LinSig Data for the PM scenarios found in Volume 4 of the Transport Assessment does not match with the model outputs found in tables 74 and 75 and so the output tables should be changed accordingly.

Aldington Road / Lympne Hill

The junction modelling results predict that the junction will operate within practical capacity in the 2037 Do-Minimum and Do-Something scenarios. The 2044 Do-Something scenario predicts the junction will go over capacity in the AM Peak with the Lympne Hill arm having an RFC of 0.9, a queue of seven vehicles and a delay of 57 seconds. In a 2046 Do-Something scenario, the junction will go over capacity in the AM Peak with the Lympne Hill arm having an RFC of 0.92, a queue of eight vehicles and a delay of 65 seconds. Since traffic counts were undertaken for this junction in 2016/2017, a traffic calming scheme has been implemented on Lympne Hill and Aldington Road with a reduction in the speed limit to 30mph, speed cushions and a raised table at the junction of Aldington Road / Lympne Hill. KCC hopes that this will reduce traffic along West Hythe Road and Lympne Hill. Due to the fact that the Lympne Hill arm of the junction will only be operating slightly over capacity it is agreed that no mitigation will be proposed at this current time. In order to assess the impact of the traffic calming scheme that has been delivered, KCC will require the applicant to undertake new junction assessments of this junction (PICADY) in 2037, 2044 and 2046 to determine the impact of the development on this junction at this time. If the modelling results are worse than predicted, then a mitigation scheme to provide additional capacity at this junction will be required.

A259 / Dymchurch Road / Military Road

This junction is currently approaching capacity at the signalised pedestrian crossing point located by Sainsbury's on Military Road. This crossing point is a key pinch point on the gyratory in Hythe as Military Road is lined as two lanes wide but operates as single lane only due to the presence of parked vehicles on the southern side of the carriageway. The parked vehicles also cause a merge issue at the eastern side on Military Road as two streams of traffic enter from the A259 and the A261 (London Road). Only a single lane of traffic can continue along the A261 Military Road and through the pedestrian crossing. From site visits undertaken, this causes long queues on Military Road when the pedestrian crossing is called.

In a 2037 Do-Minimum scenario the stop line will operate above practical capacity with a DoS of 94% in the AM Peak and 93.3% in the PM Peak. This causes a maximum queue of 27 vehicles in the AM Peak. This almost blocks back to the junction and the issue of vehicles having to merge in turn will further worsen queuing.

The 2037 Do-Something scenario demonstrates that the stop line will go over a 100% practical capacity with a DoS of 102.8% in the AM Peak and 101.6% in the PM Peak. This causes a maximum queue of 57 vehicles and will result in blocking of the junction and also the potential to block the junction of Dymchurch Road / Scanlons Bridge Road to the south. The Scanlons Bridge right-turn into Military Road is also over capacity at 101.5% in the PM Peak due to the signal timing optimiser restricting traffic entering Military Road due to reducing the amount of available green time. This congestion and queuing would only get worse in a 2044 and 2046 DM and DS Scenario.

The applicant is proposing a mitigation scheme to ensure that the junction is brought back to capacity. This involves parking restrictions along the southern side of the carriageway between Sainsbury's access and the signalised pedestrian crossing point. The restrictions are also required between the pedestrian crossing point and the bus stand at the eastern end of Military Road. This will enable a two-lane section of carriageway from Sainsbury's access to the end of Military Road. It is suggested that parking restrictions are also required on the southern side of Military Road between the junction with Scanlons Bridge Road and Sainsburys access. This proposed mitigation scheme will bring the junction back to within capacity under all future year Do-Something scenarios. It should be noted that no person has a right to park on the highway as the sole purpose of the highway is for the movement of vehicles. Furthermore, there is a pay and display car park in close proximity to Military Road where vehicles can be parked. Unfortunately, no plans are submitted of this proposed mitigation scheme nor a Stage 1 Road Safety Audit. These are required so that KCC Highways and Transportation can assess the proposed mitigation scheme.

A259 Prospect Road / Station Road / High Street

This roundabout junction is currently operating within capacity. It will only go over capacity in a 2037 Do-Something scenario on Prospect Road with an RFC of 0.87, a queue of six vehicles and a delay of 21 seconds. This is not considered to be severe. Even in a 2044 Do-Something scenario on Prospect Road, the RFC only goes up to 0.88 together with a queue of seven vehicles and a delay of 22 seconds. Again, this is not considered to be severe enough to require a mitigation scheme.

M20 Junction 13

The roundabout junction is currently operating within capacity. It will only go over capacity in a 2037 Do-Something scenario on Castle Hill Bridge in the PM Peak with an RFC of 0.89, queue of seven vehicles and a delay of 20 seconds. In a 2044 Do-Something PM Peak scenario, the RFC on Castle Hill Bridge goes up to 0.95 together with a queue of thirteen vehicles and a delay of 35 seconds. The Churchill Avenue arm also goes over capacity within the AM Peak with an RFC of 0.88 together with a queue of seven vehicles and a delay of 17 seconds. In a 2046 Do-Something PM Peak scenario, the RFC on Castle Hill Bridge goes up to 0.96 together with a queue of fifteen vehicles and a delay of 38 seconds. The Churchill Avenue arm is also over capacity in the AM Peak with and RFC of 0.88, together with a queue of seven vehicles and a delay of nineteen seconds.

In paragraph 11.11.8 of the Transport Assessment, a mitigation scheme is discussed for

Churchill Avenue to provide a greater length of two-lane queuing on the approach to the roundabout. This apparently allows Churchill Avenue to operate at capacity. Unfortunately, no plans are submitted of this proposed mitigation scheme nor a Stage 1 Road Safety Audit. These are required so that KCC Highways and Transportation can assess the proposed mitigation scheme.

Given the sensitive location of the Castle Hill Bridge to the M20 Eastbound off-slips, a robust monitoring regime of the roundabout is also required. KCC will require the applicant to undertake new junction assessments of this roundabout (ARCADY) in 2037, 2044 and 2046 to determine the impact of the development on this roundabout. If the modelling results are worse than predicted, then a mitigation scheme on the Castle Hill Avenue arm is likely to be required.

M20 Junction 9

The roundabout is predicted to operate in excess of capacity in a 2037 Do-Minimum scenario on the Trinity Road with a DoS of 95.1% a queue of 21 vehicles and a delay of 36 seconds. The 2037 Do-Something scenario is better in terms of capacity with the DoS at 93.3%, together with a queue of eighteen vehicles and a delay of 30 seconds. This is likely to be because of a decrease in demand of vehicles exiting Trinity Road and a greater number of vehicles coming off the roundabout from a westbound direction. In a 2044 Do-Minimum scenario, the Trinity Road arm goes up to a DoS of 97.9% together with a queue of 27 vehicles and a delay of 48 seconds. In a Do-Something scenario, the Trinity Road arm goes up to a DoS of 99% together with a queue of 30 vehicles and a delay of 56 seconds. The M20 Slip Road westbound DoS goes up to 99%, together with a queue of seventeen vehicles and a delay of 86 seconds. The M20 Slip Road eastbound DoS goes up to 93% together with a queue of fifteen vehicles and a delay of 41 seconds.

The result of the increase in queuing on the Trinity Road arm of the roundabout means that there is the potential for blocking back to the Rutherford Road roundabout as a result of the increase in queuing from 27 vehicles to 30 vehicles in lanes 2 and 3. As such, a mitigation scheme is required for the Trinity Road arm of the roundabout.

Issues regarding increased queuing on the slips roads are a matter for Highways England who manage the Strategic Road Network (SRN). However, it should be noted that the increase in delay on M20 Slip Road westbound in the PM Peak is more than 40 seconds when compared to a Do-Minimum scenario. As such, a mitigation scheme on this arm of the roundabout is likely to be required.

The applicant is proposing a mitigation scheme at the roundabout by extending the exiting flare on Trinity Road by 30 metres. This increases the capacity on the approach and also provides additional stacking space. The applicant is also proposing to amend the lane allocations on Trinity Road such that the middle lane can be shared for ahead and left turn movements. This will require lane marking and road sign changes. A uniform cycle time for the junction is proposed of 65 seconds in the AM Peak and 72 seconds in the PM peak hour for a 2044 Do-Something scenario. This subsequently results in the AM Peak operating within practical capacity. The PM Peak is predicted to operate above practical capacity with a

maximum DoS of 93.5%. This is however better than the Do-Minimum scenario and therefore represents a net benefit in capacity. In a 2046 Do-Something scenario there is again a reduction in the DoS on Trinity Road but a slight increase in the DoS on the M20 Slip Road westbound. On balance the queuing across the junction goes down and so does delay.

Unfortunately, no plans are submitted of this proposed mitigation scheme nor a Stage 1 Road Safety Audit. These are required so that KCC Highways and Transportation can assess the proposed mitigation scheme.

Regrettably, the LinSig data in volume 4 of the appendices also does not tally up with the model outputs in the Transport Assessment. This should be clarified by the applicant.

B2064 Cheriton High Street / Risborough Lane

This signalised junction is currently operating just within capacity, based on a 2018 base year. The junction is predicted to operate well in excess of capacity in a 2037 Do-Minimum scenario. The Stanley Road arm will operate with a DoS 106.1%, the Risborough Lane arm operate with a DoS of 106.3% capacity and the Cheriton High Street Eastbound arm operate with a DoS of 106% in the AM Peak and Risborough Lane arm operate with a DoS of 126.9% and the Cheriton High Street Westbound arm operate with a DoS of 123% in the PM Peak.

The 2037 Do-Something scenario predicts worsening queuing and delay. The Stanley Road arm will operate with a DoS 111.7 %, the Risborough Lane arm operate with a DoS of 125% capacity and the Cheriton High Street Eastbound arm operate with a DoS of 127.9% in the AM Peak and Stanley Road operating with a DoS of 90.6%, Risborough Lane operating with a DoS of 156.7% and the Cheriton High Street Westbound arm operating with a DoS of 151.5% in the PM Peak.

Separate tables are required for a 2044 DM and DS scenario and a 2046 DM and DS scenario. The impact on this junction of the Otterpool Park proposal in a 2037 scenario can be seen as severe and therefore a mitigation scheme needs to be delivered by the Otterpool Park development. Unfortunately, no mitigation scheme has been submitted currently. KCC, as Local Highway Authority would welcome further discussions with the applicant on this matter.

B2064 Cheriton High Street / Cherry Garden Avenue

This signalised junction is currently operating at just above practical capacity in the Base 2018 AM and PM Peak with a maximum DoS of 91% and 94% respectively. The junction is predicted to operate well in excess of capacity on three arms of the junction in a 2037 Do-Minimum scenario. The A20 Cherry Garden Avenue arm will operate with a maximum DoS of 96.4%, A2034 Cheriton Road westbound arm operate with a maximum DoS of 94%, B2034 Beachborough Road arm operate with a DoS of 96.1% in the AM Peak. In the PM peak, the A20 Cherry Garden Avenue arm will operate with a maximum DoS of 102.2%, A2034 Cheriton Road westbound arm operate with a maximum DoS of 97.7%, B2034 Beachborough Road arm operate with a DoS of 103.9%.

A mitigation scheme has been put forward by the applicant, which demonstrates that the

junction will operate within capacity in 2037 and 2044 Do-Something scenarios. The applicant is proposing to run the right hand turns from Cherry Garden Avenue and Beachborough Lane together in order to deliver capacity improvements at the junction. This would reduce the number of stages from five to four. Parking restrictions are also proposed on the Cheriton Road westbound exit after the bus stop. This will result in further stacking capacity for the right-hand turn lane. Unfortunately, no plans are submitted of this proposed mitigation scheme, as the junction is very constrained in terms of carriageway available nor a Stage 1 Road Safety Audit. These are required so that KCC, as Local Highway Authority can assess the proposed mitigation scheme.

For the 2046 Do-Something scenario, the junction is predicted to operate over practical capacity in the PM peak, but this is still better than a 2037 Do-Minimum scenario.

The LinSig data for the mitigation scheme in volume 4 of the appendices also does unfortunately not tally up with the model outputs in the Transport Assessment. This should be clarified with the applicant.

A259 Prospect Road / Stade Street

This T-junction is currently operating within capacity in the Base 2018 AM and PM Peak. In a 2037 Do-Minimum scenario the Stade Street arm goes over capacity in the PM peak with an RFC of 1.05, a queue of ten vehicles and a delay of almost four minutes. In a 2037 Do-Something scenario the Stade Street arm goes over capacity in both peaks with a RFC of 0.95 in the AM peak together with a queue of seven vehicles and a delay of almost three minutes and an RFC of 1.24 in the PM peak, together with a queue of nineteen vehicles and a delay of almost seven minutes. The increase in delays will mean that the junction of Stade Street just to the south of The Tin Tabernacle will be blocked.

In a 2044 Do-Minimum scenario, the RFC will be 0.86 in the AM Peak together, with a queue of four vehicles and a delay of 1 minute 45 seconds. In the PM Peak the RFC will be 1.1 together with a queue of twelve vehicles and a delay of four and half minutes. In a 2044 Do-Something scenario the RFC will be 1.04 in the AM Peak together with a queue of ten vehicles and a delay of 3 minutes 45 seconds. In the PM Peak the RFC will be 1.56 together with a queue of 29 vehicles and a delay of almost eleven minutes.

The traffic flows on Stade Street are relatively low at approximately three vehicles a minute. The PICADY modelling, which has been undertaken assumes a one-hour profile and assumes that traffic flows will have a normal distribution within the peak hour. This means that the demand is 22% higher in the middle 30 minutes of the peak hour compared with the fifteen minutes either side. This means that the junction is predicted to be over capacity for 30 minutes within the peak hour.

This simple junction modelling does not take into account the benefits to traffic on Stade Street from the pedestrian crossing on Rampart Road. This pedestrian crossing is heavily called as it acts as the main crossing point between the High Street and the Royal Military Canal, Seafront and the recreational areas to the south. Because of this, KCC has asked for the junction to be modelled with the pedestrian crossing in LinSig. The junction has been re-

modelled in a 2044 PM peak scenario and has been tested based on the pedestrian crossing being called at different frequencies. The Highway Authority has also requested that a scenario in which 'Keep Clear' markings are added to the A259 Eastbound lane on approach to the pedestrian crossing is considered. This will allow right turners from Stade Street to turn into Rampart Road when the pedestrian crossing is called. The results of the LinSig assessment in Table 117 indicate the frequency at which the pedestrian crossing is called does have an impact on the performance of the Stade Street arm of the junction with junction performance improving at lower frequencies i.e. the crossing being called more. The junction is predicted to operate within practical capacity in the DM 2044 PM peak scenario for all the frequencies that have been tested. For the DS 2044 PM peak scenario, the junction is predicted to operate within capacity if the pedestrian crossing is called once a minute. Keep clear markings improve the capacity of the junction such that the junction only goes over capacity if the pedestrian crossing is only called once every four minutes.

In order to ratify the predicted future modelling results KCC will require the applicant to undertake new junction assessments of this junction (LinSig) in 2037 and 2044 to determine the impact of the development on this junction. If the modelling results are worse than predicted, then a mitigation scheme to provide additional capacity at this junction will be required. This may involve signalisation of the junction to include the pedestrian crossing facility. A keep clear marking scheme should in any event be delivered as part of the Otterpool Park proposal and therefore a plan therefore needs to be submitted showing the extent of the proposed keep clear markings.

Barrow Hill One-Way Operation

The Barrow Hill funnel junction is located on the A20, just to the south of Sellindge village centre. This junction takes the form of a signal shuttle working scheme under the Ashford - Folkestone railway line. The 2037 Do-Minimum scenario predicts the junction to operate within capacity. In a 2037 Do-Something scenario all arms of the junction are predicted to operate over capacity in both the AM and PM Peaks. The highest predicted DoS in the AM peak hour is 104.8% and 104.4% in the PM peak hour.

In a 2044 Do-Something scenario, the DoS will further increase to 107.7% in the AM peak hour and 117.3% in the PM peak hour.

In order to mitigate the impact of the proposal, the applicant is proposing cycle time optimisation. Cycle time optimisation has been used to find the lowest cycle time required for the junction to operate within practical capacity for each of the future scenarios. In a 2037 Do-Something scenario, cycle times of 68 and 72 seconds are proposed in the AM and PM Peak respectively. In a 2044 Do-Something scenario, cycle times of 72 and 88 seconds are proposed in the AM and PM Peak respectively. This brings the junction down to operating at less than a 90% DoS in both 2037 and 2044 scenario years. The increased queuing will impact on the access to the development site (Y16/1122/SH) to the east of the A20 and potentially block the access. A scheme of keep clear markings is therefore required to ensure that the right hand turn from the A20 into the development site is kept clear and also the right hand turn out of the development site onto the A20 is also kept clear.

There does however not appear to be any LinSig data submitted in the appendices to demonstrate the output tables 123 and 124. These need to be submitted for KCC Highways to check the outputs.

Further discussions are also required with the Signals Team at KCC Highways regarding the potential upgrade on the current vehicle detection system. It may be well that a MOVA style system can be implemented as part of the mitigation scheme, which will enable further efficiency of the junction and allow cycle times to vary depending on queue length and demand. As such KCC, as Local Highway Authority would welcome further discussions with the applicant on this matter.

The 2046 sensitivity test has further amended cycle times in a Do-Something scenario to 80 seconds in the AM Peak and 104 seconds in the PM Peak. A cycle time of 104 seconds in the PM Peak will result of queues of 22 vehicles. This is an increase of three vehicles on the 2044 Do-Something scenario; however, the increase in queuing and delay is not considered to be severe. Again, LinSig data needs to be submitted for the output tables.

A260 Spitfire Way / White Horse Hill / A20 Slip Roads

This roundabout junction is currently operating within capacity. In a 2037 Do-Minimum scenario, the Spitfire Way arm of the roundabout is predicted to operate just over practical capacity in the AM Peak with an RFC of 0.87, queue of six vehicles and a delay of eighteen seconds.

In a 2037 Do-Something scenario in the AM Peak the Spitfire Way arm RFC goes up 0.88 with a queue of seven vehicles and a delay of twenty seconds. This is not considered to be a severe impact. In the PM Peak the A20 Slip Road RFC goes up to 0.88 together with a queue of 7 vehicles and a delay of 21 seconds.

In a 2044 Do-Minimum scenario the Spitfire Way arm of the roundabout is predicted to operate just over practical capacity in the AM Peak with an RFC of 0.88, a queue of seven vehicles and a delay of 21 seconds. In the PM Peak the A20 Slip Road RFC goes up to 0.88, together with a queue of seven vehicles and a delay of 21 seconds.

In a 2044 Do-Something scenario in the AM Peak the A20 Slip Roads arm of the roundabout is predicted to operate with an RFC of 0.89, queue of 7 vehicles and a delay of 31 seconds and the Spitfire Way arm is expected to operate with an RFC of 0.9, a queue of eight vehicles and a delay of 24 seconds. In the PM Peak the A20 Slip Road RFC goes up to 0.95, together with a queue of fourteen vehicles and a delay of 41 seconds.

In a 2046 Do-Minimum scenario the Spitfire Way arm of the roundabout is predicted to operate just over practical capacity in the AM Peak with an RFC of 0.89, a queue of seven vehicles and a delay of 22 seconds. In the PM Peak the A20 Slip Road RFC goes up to 0.89, together with a queue of seven vehicles and a delay of 22 seconds.

In a 2046 Do-Something scenario in the AM Peak the A20 Slip Roads arm of the roundabout is predicted to operate with an RFC of 0.9, a queue of seven vehicles and a delay of 33

seconds and the Spitfire Way arm is expected to operate with an RFC of 0.91, a queue of nine vehicles and a delay of 26 seconds. In the PM Peak the A20 Slip Road RFC goes up to 0.96, together with a queue of sixteen vehicles and a delay of 46 seconds.

The A20 Slip Road is in the ownership of Highways England so they will comment on the impact of the development on the slip roads.

The impact of the development on Spitfire Way which is in KCC's ownership, is not considered to be severe across all three future year scenarios.

Alkham Valley Road / A20 Slip Roads

This roundabout junction is currently approaching capacity in the 2018 AM Peak hour and operating within capacity in the PM Peak hour. In a 2037 Do-Minimum AM Peak scenario, the Alkham Valley Road (south) arm of the roundabout is predicted to operate in excess of capacity with an RFC of 1.06, a queue of 47 vehicles and a delay of approximately two minutes. In a PM Peak scenario, the RFC is 0.85 together with a queue of five vehicles and a delay of sixteen seconds.

In a 2037 Do-Something AM Peak scenario, the Alkham Valley Road (south) arm of the roundabout is predicted to operate in excess of capacity with an RFC of 1.09, queue of 64 vehicles and a delay of approximately two minutes and 40 seconds. In a PM Peak scenario, the RFC is 0.87 together with a queue of six vehicles and a delay of eighteen seconds.

The impact of the development on this roundabout is therefore considered to be severe in a 2037 Do-Something scenario as the queue will increase by seventeen vehicles and delay increase by 36 seconds.

In a 2044 Do-Minimum AM Peak scenario, the Alkham Valley Road (south) arm of the roundabout is predicted to operate in excess of capacity with an RFC of 1.11, a queue of 75 vehicles and a delay of approximately three minutes. In a PM Peak scenario, the RFC is 0.86 together with a queue of six vehicles and a delay of seventeen seconds.

In a 2044 Do-Something AM Peak scenario, the Alkham Valley Road (south) arm of the roundabout is predicted to operate in excess of capacity with an RFC of 1.19, a queue of 120 vehicles and a delay of approximately five minutes. In a PM Peak scenario, the RFC is 0.88 together with a queue of seven vehicles and a delay of nineteen seconds.

The impact of the development on this roundabout is therefore considered to be severe in a 2044 Do-Something scenario as the queue will increase by 35 vehicles and delay increase by 110 seconds.

In a 2046 Do-Minimum AM Peak scenario, the Alkham Valley Road (south) arm of the roundabout is predicted to operate in excess of capacity with an RFC of 1.12, a queue of 80 vehicles and a delay of approximately three minutes and fifteen seconds. In a PM Peak scenario, the RFC is 0.87 together with a queue of six vehicles and a delay of eighteen seconds.

In a 2046 Do-Something PM Peak scenario, the Alkham Valley Road (south) arm of the roundabout is predicted to operate in excess of capacity with an RFC of 1.19, queue of 120 vehicles and a delay of approximately five minutes. In a PM Peak scenario, the RFC is 0.89 together with a queue of eight vehicles and a delay of 21 seconds.

A mitigation scheme is therefore required for this arm of the junction in order to prevent a severe impact. As part of pre-application discussions with the applicant the need to increase the flaring on this arm of the roundabout junction was raised as a potential solution with the applicant.

A260 Canterbury Road / Alkham Valley Road

This T-junction is currently operating within capacity in both peak hours. In a 2037 Do-Minimum AM peak hour scenario, the Canterbury Road Northbound arm (right hand turn movement into Alkham Valley Road) is predicted to operate in excess of capacity with an RFC of 1.08, queue of fifteen vehicles and a delay of just over four minutes. In a PM peak hour scenario, the RFC is 0.96 together with a queue of nine vehicles and a delay of almost two minutes.

In a 2037 Do-Something AM peak hour scenario, the Canterbury Road Northbound arm is predicted to operate in excess of capacity with an RFC of 1.16, a queue of nineteen vehicles and a delay of just over five minutes. In a PM peak hour scenario, the RFC is 0.99 together with a queue of twelve vehicles and a delay of almost two and a half minutes.

No 2044 or 2046 future year scenario assessment tables have been submitted. These need to be submitted.

Taking account of the above, a mitigation scheme is therefore required for this arm of the junction in order to prevent a severe impact. KCC would welcome further discussions with both the applicant, the District Council and Highways England in respect of the above three junctions (Canterbury Road (A260) / Alkham Valley Road; Spitfire Way / White House Hill / A260 3) Alkham Valley Road / A20 Slip Road) to agree a suitable mitigation scheme for the development to deliver, as these three junctions are closely interlinked to one another.

A20 Ashford Road Small Roundabout

This roundabout is located immediately to the south of M20 Junction 11. This junction is currently operating well within capacity. In both 2037 scenarios the roundabout will continue to operate within capacity.

The junction only exceeds capacity in a 2044 Do-Something scenario, with both arms of the roundabout going over capacity in both peaks. The highest RFC is on the northbound arm of the roundabout in the AM Peak with an RFC of 0.97, queue of 20 vehicles and a delay of 41 seconds. The increase in delay is such that a mitigation scheme is required. A mitigation scheme is currently proposed in the form of signalling the A20 Ashford Road northbound arm. It is predicted that with this mitigation scheme, the Ashford Road southbound arm of the

junction will operate within a maximum DoS of 90%, with a DoS of 89.1% and queues of four vehicles in each lane in a 2044 Do-Something AM Peak scenario.

In a 2046 Do-Something AM Peak scenario, the DoS will reach 90.2% with a queue of four vehicles in each lane. The predicted increase in delays and queues is not considered to be severe.

Unfortunately, no plans are submitted of this proposed mitigation scheme, nor a Stage 1 Road Safety Audit. These are required so that KCC Highways and Transportation can assess the proposed mitigation scheme. The LinSig data in the appendices does not tally up with the output tables in Tables 145-147. This should be clarified with the applicant.

Nackington Road / Old Dover Road / St Lawrence Road / The Drive

Both of these signal junctions are operating within capacity in a 2037 Do-Minimum and Do-Something scenario. The impacts of the development are marginal with increases in delays of less than 10 seconds in both a 2044 and 2046 Do-Something scenario which is likely to be due to the distance the site is located from these junctions even though the junction is predicted to operate just over capacity in a 2044 and 2046 future year scenario. No mitigation is therefore required for this junction.

KCC does however wish for the applicant to fund the provision of two new directional signs to the New Dover Road Park and Ride site from Faussett Hill and Bridge Road to sign drivers to use this route to access the Park and Ride site. This can be secured through a planning condition should planning permission for this site be granted.

1.2 M20 Merge and Diverge Assessments

As all the slip roads are in the ownership of Highways England it will be their duty to respond on the assessments undertaken and potential upgrades required.

1.3 Harringe Lane

KCC, as Local Highway Authority, has concerns about increased use of Harringe Lane as a result of the development. The lane is single width with a width restriction currently in place except for access. The lane does not benefit from any formal passing places. It is KCC's opinion that the lane should be closed to vehicle traffic in the middle together with turning heads either side of the closure. A plan therefore needs to be produced showing the extent of the closure for vehicular traffic, together with tracking for an 11.4 metre long refuse vehicle. It is understood that this closure request is supported by a resident that lives along Harringe Lane and by the British Horse Society.

1.4 Phasing Plans

KCC, as Local Highway Authority, is concerned with the initial phasing of the site with it being built out in two separate phases. This is not conducive towards encouraging sustainable travel, especially if the essential services and facilities are not provided very early on in the development. It is the Highway Authority's opinion that phases should be built in the same locational area in order to ensure the maximum use of new services and in order to encourage sustainable transport. KCC would therefore welcome further discussions on the submitted phasing plans. Further consideration of the phasing of the development is set out in Chapter 3 of this response.

1.5 Travel Plan

The aims and objectives of the Travel Plan are welcomed, as is the forecast modal share targets upon completion of the site and the action plan measures set from page 44 onwards.

A £500 sustainable travel voucher should also be given to each purchaser of a dwelling on the site so that sustainable travel patterns are encouraged from the outset. The voucher could be used towards any of the following: 1) Rail Travel 2) Bus Travel 3) Purchase of a bike from a local bicycle shop. This should be written into the proposed Section 106 Agreement for the site.

The Local Highway Authority will require a robust monitoring regime over a 25 year period (from the date of the occupation of the 100th dwelling) so that the number of movements associated with the development can be assessed yearly over a 25 year period to ensure that the actual number of movements is not greater than that predicted in the Transport Assessment. Therefore, on-site multi-modal counts will be required at the vehicle and pedestrian site access points at yearly periods over that 25-year monitoring period. Upon final occupation of the last dwelling on-site and all of the commercial units and other on-site uses, the applicant will be required to undertake a fully complaint TRICS survey for the site, including for the proposed residential and non-residential uses. This should be sent to TRICS for validation to enable this site to be uploaded to the TRICS database. The Travel Plan should be secured through the proposed Section 106 Agreement together with a £25,000 monitoring fee (£1,000 per annum over a 25-year period) so that KCC Highways can effectively monitor the travel plan to ensure that the initial trip rates are met.

1.6 Design and Access Statement

The applicant should be made aware of KCC Highways and Transportation standard palette of materials that the Highway Authority will accept on adopted roads. All materials on the public highway need to be sustainable. Only tarmac and block paving will be accepted as hard surfacing materials. As such some of the materials proposed in the hard landscape section of the D&A will not be adoptable by KCC as Local Highway Authority.

1.7 Electric Vehicle Charging Point

All dwellings with private off-street car parking should have an electric vehicle (EV) charging point installed. Where communal car parks are proposed (for the district centres, for apartment blocks and other uses) EV charging points should be provided at a rate of 10% active and 10% passive of the total car parking provision. KCC would also welcome discussions regarding the need for on-street electric charging points as the Travel Plan has identified the need for 85 on street spaces to serve the development site. KCC recommends that these 85 spaces are accommodated in car parks, destinations (including supermarkets) and other charging hubs, with only some being provided on the highway where absolutely necessary.

1.8 Layout

The internal layout of the new Garden Town at Otterpool should promote sustainable travel options above that of private car use. Streets and connections within the development should encompass direct and legible walking and cycling routes to all public transport muster points and community hubs. Footways and cycleways, where possible, will be separated from major roads within the site and will be a safe and welcoming environment in which to travel through green corridors and to promote social engagement at every opportunity. Such routes will be equipped with seating at regular intervals to encourage sustainable journeys to be made by all sectors of the community including the elderly or mobility impaired.

Parking across the site will accord to standards as set out by the County Council and District Council. Rear parking courts will not be supported unless they are part of a thoroughfare with more than one means of access, are sufficiently overlooked, have ample turning provision and are the only viable parking option for those properties i.e. footway parking cannot take place at the front of the property. Car barns will only be supported if permitted development rights prevent them from being enclosed to form storage facilities. Garages will not be counted as a parking space. There will be sufficient visitor spaces across the site and best endeavours will be made to secure Traffic Regulation Orders to control commuter parking within the vicinity of the Westernhanger Station if required. Cycle parking will be provided in accordance with the standards for residential dwellings but also at community and retail and public transport hubs within the development.

The developer should avoid cul-de-sac roads and seek to provide a highway grid or loop road arrangement across the site to prevent unnecessary turning and increased mileage which in turn can add to air quality issues, noise pollution and unnecessary additional trip lengths. The roads within the site shall be laid out and constructed to an adoptable standard and the developer should enter into a Section 38 Road Agreement to have the roads transferred into the ownership of the Highway Authority in accordance with KCC Policy.

Primary schools to be provided within the development will be required to provide sufficient car drop off/pick up facilities clear of the public highway in addition to staff parking and a robust travel plan. Opportunities should be sought to share parking across the site with daytime car parks for community uses acting as overnight parking facilities for visitors and unallocated residential provision.

Based on all the above comments, there are a number of significant outstanding issues to be resolved with the application as currently submitted. KCC, as Local Highway Authority wishes to place a holding objection on the planning application until these matters have all been addressed in full by the applicant.

The Local Highway Authority welcomes further discussions with the applicant.

2. Transport Policy

2.1 Rail

KCC welcomes the focus on sustainable transport options and therefore supports the proposed enhancement to the existing Westenhanger Station, which will facilitate a more frequent rail service for the Otterpool Park development. The proposed works involve the extension of the existing down platform from 8-car to 12-car length, the construction of an entirely new up platform opposite the extended down platform (also to be of 12-car length), the provision of a new station building and car park on the south (London-bound) side of the station and connections to the existing highway network. The County Council acknowledges that lift access to platforms must also be provided within the new pedestrian overbridge to ensure accessibility of the station.

The proposal for bus interchange is considered essential, but would need to be supported by a new bus service for the Otterpool Park development. Detailed discussions and agreement would have to be sought with the County Council and bus operator and so the applicant should engage on this matter at the earliest opportunity. Any proposal to expand the car park with decking or structures to provide a multi storey facility will need to be on the south side of the station.

The County Council recognises the potential to enhance High Speed rail services with additional direct services to London being explored, with the aspiration for at least hourly direct services of less than 60 minutes journey time. This is an essential element of the expanded station and would need agreement from the Department for Transport (DfT). There is likely to be an expectation that the applicant guarantees to fund the net marginal operating costs (OPEX) for the first three years.

It is recognised that the proposed development will have an impact on rail patronage, however, it is difficult to quantify the impact at this stage. The implementation of a high speed service at Westenhanger will also have wider implications, which must be considered. Further assessment work should be undertaken in discussion with Network Rail, the new South Eastern franchise operator and the DfT and changes to rail patronage should be monitored over time as the development phases are built out.

The forecast number of rail trips, which is also based primarily on existing trip patterns and service provision, is low. It is expected that existing service provision would be capable of accommodating the increase in patronage suggested by the forecast. There is a need for a revised assessment of passenger demand, based on likely patronage from the new Otterpool population.

Overall, it is recommended that the applicant continues to engage with Network Rail to secure the changes proposed within the Transport Assessment in respect to rail.

2.2 Freight

The current Airport Café lorry park located on the Otterpool Park development has provision for thirty spaces for overnight lorry parking. If the outline application is approved, the lorry park will be removed as part of the wider masterplan. The County Council is concerned about the reduction of overnight lorry parking spaces in the area, as the removal of these spaces will lead to displacement of Heavy Goods Vehicles parking in other, more unsuitable locations. KCC would therefore ask that equivalent alternative lorry parking provision is identified within the district. This is in line with Paragraph 107 of the revised National Planning Policy Framework (NPPF) stating the *“importance of providing adequate overnight lorry parking facilities, taking into account any local shortages”*.

The Stop 24 Service Area at Junction 11 of the M20 is adjacent to the planned development at Otterpool Park. This service area provides a vital role allowing motorists and especially HGV drivers rest and welfare facilities. Stop 24 also provides customs clearance to freight vehicles crossing the Channel via the Eurotunnel. If the UK was to leave the European Union without a Deal, then the use of this facility would be greatly increased for customs clearance. FHDC should therefore be sympathetic to the needs of this facility now and in the future

3. Provision and Delivery of County Council Community Services

3.1 Infrastructure Requirements

The County Council has assessed the implications of this outline application in terms of the delivery of its services and is of the opinion that it will have a significant additional impact on the delivery of these services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to a range of specific requirements outlined in the text below as well as in the table in Appendix A.

To determine the specific infrastructure required to mitigate demand arising from the proposed garden settlement at Otterpool Park, the County Council has modelled the population impact of up to 10,000 homes within a garden settlement within Folkestone & Hythe District. Otterpool Park is potentially a fundamentally different development from others within the District. The proposed development may change the nature of people who choose to re-locate to the District. Recent evidence from other large developments in Kent (such as Kings Hill, Tonbridge and Malling and Park Farm, Ashford) suggests Otterpool Park may attract a different and higher proportion of working people with children as people to the district and fewer retired people moving into the district. These requirements outlined below take some of this demographic shift into account. The outcome of this population modelling is included as Appendix B.

The County Council fully supports the approach to plan for the wider framework masterplan. It has modelled three scenarios to determine infrastructure requirements:

1. Up to 8,500 homes (current planning application submitted 1 March 2019)
2. Up to 10,000 homes (wider framework masterplan proposed by F&HDC Core Strategy Review 2019)
3. Up to 1,500 homes (remaining quantum to fulfil the wider proposal)

Any revisions to these housing scenarios will impact the infrastructure requirements and will require time to model.

The scale of development and its projected timescales present a momentous challenge to determine and reflect future changes in service provision in legal agreements relating to the funding for the infrastructure. This challenge will necessitate a flexible approach to ensure infrastructure can be funded and delivered over the long term. The proposed three tier approach to planning will help to respond to this challenge. The County Council would expect to see much greater reference to this approach in any future submissions by the applicant.

Please note that any costs associated with KCC's infrastructure requirements:

- are to be **index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment** (Oct-16 Index 328.3)
- are valid for three months from the date of this letter, after which they may need to be recalculated due to changes in District Council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

3.2 Community Infrastructure

The applicant's Community Facilities Strategy refers to allowing nearby communities "appropriate access" to the new community facilities provided at Otterpool Park. Just as existing residents at Otterpool benefit from a range of community facilities across the locality, new residents will also benefit from these community facilities in the wider area. To develop the new community and weave it together with the existing community, the applicant must be mindful of providing for existing and new residents alike, with equal access to a range of community facilities rather than restricting access to the new community. One of the key principles of sustainable development is that the accessible services and open spaces should reflect current and future needs and support communities' health, social and cultural well-being¹. Furthermore, it is important to create mixed and balanced communities².

The County Council notes the submission of the Statement of Community Involvement accompanying the application. It requests that the applicant undertakes greater, more extensive consultation with the local community as the planning application progresses to ensure the community is fully engaged and their views on the full range of topics, including the stewardship and governance arrangements, are captured.

3.3 Education

3.3.1. General Principles

Given the scale of development, it is a challenge to forecast school places arising from this development over the longer term. In light of this, the County Council must safeguard both land within and potentially outside the development, as well as secure developer contributions to ensure there is sufficient education provision over the long term³. The Department for Education's recent guidance underlines the need to factor in the demographic profile of new

¹ National Planning Policy Framework (NPPF) para 7 (b)

² NPPF para 62 (b)

³ Securing developer contributions for education, Department for Education, April 2019

communities when calculating education requirements and the need to secure sites large enough to meet the maximum need generated by the development^{4 5}. Pupil yield factors should be based on up-to-date evidence from recent housing developments⁶. Housing development should mitigate its impact on community infrastructure, including schools.

3.3.2. Education Review Mechanism

Given the uncertainty of the exact quantum of school places required over the lifetime of this development, the County Council is supportive of the “monitor and manage” approach proposed by the applicant in the Community Facilities Strategy. The County Council welcomes support from the applicant to monitor housing quantum as part of this approach. However, it is important to remember that it is the County Council who has the statutory duty to ensure that school places exist for all resident statutory school aged children who require one. School place planning remains the responsibility of the County Council as the Local Education Authority.

To support this ‘monitor and manage’ approach, it may be more useful to survey new residents earlier than the proposed 1,000 homes. An initial residents survey at 500 homes may provide more timely information for the purposes of school place planning. It should be noted that the data obtained from such a survey may not be wholly reliable, as the residents would not be under a duty to provide such information. If there is a low response rate to the survey, the figures may be skewed. The review mechanism to ensure demand created by the development can be met will still need to take a formulaic approach⁷, which is then influenced by the survey response.

Further, the applicant’s proposal regarding the determination of “Final Yield” contained in section 3.56 of the Community Facilities Delivery Strategy will need further consideration. Such final yield cannot be determined within the first 30 days of a facility opening. Yield is subject to a variety of factors, all of which change over time. For example, the stated aspiration is that provision is available early in the phases of development, a time when pupil yield may well be lower. The purpose of the Education Review Mechanism is to enable the County Council and the developer to respond proactively to these changes.

The County Council confirms it can provide geographic data to support the Education Review Mechanism. Data protection requirements will determine the level of detail which can be provided.

Documents supporting the applicant’s application refer, on more than one occasion, to the provision of school places to solely meet the needs of children resident at Otterpool Park. It is an important principle that Otterpool Park must be self-sufficient in terms of education provision. However, there must be a recognition that in law, parents have the right to express a preference for the school their child will attend, and the relevant admissions authorities have

⁴ Education provision in garden communities; Department for Education, April 2019

⁵ Securing developer contributions for education, Department for Education, April 2019

⁶ Securing developer contributions for education, Department for Education, April 2019

⁷ KCC’s DRAFT “Education Modelling and Timing” shared with the promoters January 2019

a legal duty to comply with that preference if they are able to do so. In practice, parents of children resident at Otterpool Park may choose a primary or secondary school place at a school outside of the development. The impact of their decision may be that children from outside the development may be allocated a school place within the development. The allocation of school places is determined on a range of criteria, including distance from home to school. Again, the purpose of the Education Review Mechanism is to understand the travel patterns of pupils, to be able to plan accordingly to achieve its core purpose of ensuring children resident within the development can access a local school place.

The cost to the County Council of monitoring school places must be funded through developer contributions. The County Council will confirm its role in reviewing education requirements as part of further discussions with the District Council and applicant.

3.3.3. Education Delivery

The applicant's Governance Strategy refers to a "joint commissioning process" to deliver the school and identify the promoter. As outlined above, the County Council is the sole body with statutory responsibility for commissioning education provision. The provision of education is regularly subject to reviews by government with a view to improving education delivery and it is reasonable to assume that the legal landscape for education commissioning will change, possibly more than once, during the delivery period of Otterpool Park. The County Council must ensure it is able to discharge its statutory obligations and exercise its education function in the way that complies with relevant legislation and planning policy at the time a decision is made about the planning application. The County Council cannot agree to anything which might lead it to act *Ultra Vires* now or in the future, inhibit its ability to discharge its statutory functions, or in a way which would fetter its discretion. Therefore, in accordance with current practice⁸, the County Council requires that the land required for school provision is transferred to it freehold under its General Transfer terms (Appendix C), and at nil cost, together with the required financial contributions to enable it to commission school places⁹.

The County Council notes reference in the applicant's Governance Strategy to an Education Campus and is willing to explore the potential for this, possibly bringing primary, special educational needs and secondary provision together. This Strategy also suggests schools may be required to play a wider role in the community. The applicant cannot seek to dilute a school's primary purpose, to educate children in line with the national curriculum. At this stage schools cannot be expected to meet requirements that go "above and beyond a standard approach". As part of the provision of new schools and associated sports facilities (indoor and outdoor), it is anticipated that such spaces will be available for use by the community outside school hours. However, such use cannot be assumed, and thus cannot be considered as a solution to the leisure and recreation needs generated by new developments. The Department for Education's recent guidance¹⁰ outlines the measures needed to secure the shared use of school facilities only where appropriate.

⁸ KCC Development Contributions Guide

⁹ Development and Infrastructure - Creating Quality Places, Kent County Council

¹⁰ Education provision in garden communities, Department for Education, April 2019

The County Council agrees that there is additional construction cost to building schools in phases. Recent capital projects indicate the additional cost on building out 1FE primary school and then a further 1FE to build a 2FE primary school in total can add £2m to the construction cost. These construction costs would need to be met by the applicant.

Whilst the total land take required for each school can be identified at this stage, any further breakdown of floorspace is subject to building regulations and building bulletins. This breakdown cannot be specified within this outline planning application nor within the section 106 agreement.

Decisions about the construction and school design will be made by the determining planning authority at the Reserved Matters stage, in consultation with the applicant. Operational decisions remain the remit of Local Education Authority in consultation with the school promoter, the District Council and other stakeholders.

3.3.4. School Locations

The County Council notes the indicative locations of the schools on the applicant's Parameter Plans and illustrative drawings. The County Council reserves the right to comment on the suitability of the location of any school until further discussions have been held with the County Council, District Council and the applicant. Please note, the County Council expects each school site to be level, above flood level and adequately drained, in line with the General Transfer Terms. Both the County Council's General Transfer Terms and Primary School Service Requirements are included as Appendix C and D respectively.

The County Council notes the inclusion of Phasing Plans and Parameter Plans submitted with the application. The County Council believes the Phasing Plans may be too detailed and unnecessarily fixed at this stage of the planning process. Rather than comment in detail on these plans, the County Council proposes the applicant reviews and amends the Parameter Plans in collaboration with the District and County Council, as well as with other stakeholders. To aid this review, the land take required for a range of school sizes is included as Appendix E. Once the County Council agrees the quantum of education provision, this land take should be reflected in any revised Parameter Plans.

When the applicant starts to masterplan each phase, there must be close liaison with KCC Education and KCC Highways to determine the school layout and specific access arrangements.

3.3.5. Education Requirements

In light of the recent population modelling¹¹, the table below summarises the maximum quantum of education that will be required to mitigate the impact of development arising at Otterpool Park. (Further detail is provided in Appendix F):

¹¹ KCC's DRAFT "Education Modelling and Timing" shared with the promoters January 2019

School Yields up to 8,500 homes (not including older persons' housing)¹²

Education Type	Pupil Numbers (up to)	Forms of Entry	Delivery
Nursery and pre-school provision	783	x 15 nursery settings	52 place nursery provision included in each new 2FE primary school. Further provision made through community facilities, and the construction of commercial premises suited to private sector providers.
Primary school provision	2914	x 6.9 two form entry primary schools	x7 2FE primary schools on site Possible early provision off site Release safeguarded sites should it be evidenced that these will not be required
Secondary school provision	1584	up to 10.6 form entry school	Majority of secondary school places will be met on-site via one new secondary school and one secondary school as part of a wider education campus.
Sixth Form (A-Level)	471		Include alongside secondary school provision
Further Education	236		Provided by the private sector and East Kent College
Specialist Education Provision	75	up to x 75 place specialist education provision	Single facility, co-located alongside one of the primary or secondary schools in an 'education campus'

¹² KCC's DRAFT "Education Modelling and Timing" shared with the promoters January 2019

School Yields up to 10,000 homes (not including older persons' housing)¹³

Education Type	Pupil Numbers (up to)	Forms of Entry	Delivery
Nursery and pre-school provision	949	x 18.2 nursery settings	52 place nursery provision included in each new 2FE primary school. Further provision made through community facilities, and the construction of commercial premises suited to private sector providers
Primary school provision	3533	x 8.4 two form entry schools	x 8 2FE primary schools on site Possible early provision off site Release safeguarded sites should it be evidenced that these will not be required
Secondary school provision	1926	up to 12.8 forms entry school	Majority of secondary school places will be met on-site via one new secondary school and one secondary school as part of a wider education campus.
Sixth Form	558		Include alongside secondary school provision
Further Education	279		Provided by the private sector and East Kent College
Specialist Provision	92	up to x 92 place specialist education provision	Single facility, co-located alongside one of the primary or secondary schools in an 'education campus'

3.3.6. Early Years and Childcare

Kent County Council has a duty to ensure early years childcare provision in Kent as set out in the Childcare Acts 2006 and 2016. Government policy¹⁴ is clear that developer contributions must help fund nursery provision required as a result of new housing growth. In addition, the policy is clear that some of these early year places will be provided through settings with primary schools. It is anticipated that the private and voluntary sector will continue to provide the majority of places in the early years and childcare sector. 52 place nursery provision would be included in each new school. Further provision would be made through community facilities, and the construction of commercial premises suited to private sector providers.

¹³ KCC's DRAFT "Education Modelling and Timing" shared with the promoters January 2019

¹⁴ Securing developer contributions for education, Department for Education, April 2019

Potentially eight 52 place provisions will be required by 2031, with 18 nurseries required for the full 10,000 units.

The County Council supports the creation of nursery spaces in other community buildings, and through appropriately placed/design commercial settings. However, there is the need for the Promoters to make a solid commitment to this provision in other settings before the County Council would agree to reduce any developer contributions. Alternatively, the County Council may collect developer contributions for nursery provision and apply those contributions to support the adaptation of commercial buildings for nursery provision.

3.3.7. Primary Education

The wider framework masterplan proposes up to 10,000 homes. Not including the older persons' housing, this quantum gives rise to up to eight 2FE primary schools¹⁵. The expectation is that Otterpool Park will meet the education requirements created by the development. The proposal is projected to give rise to additional primary school pupils from the date of occupation of this development. These primary school places can only be met through the construction of new primary schools on site, potentially temporary provision on site and the possible enlargement of Sellindge Primary school off site.

The provision for primary education including land and build costs should be secured within the section 106 agreement.

The County Council requires a financial contribution towards the construction of the primary schools on site. A 2.05 hectare site is required for each 2FE school and nursery. The County Council requires the appropriate land to be made available on site. The County Council requires that the land required for school provision is transferred to it freehold under its General Transfer terms (Appendix C).

The County Council's standard rate for financial contributions towards primary schools is based on a standard school design. The County Council notes the applicant's aspirations for "outstanding community infrastructure"¹⁶, alongside further design ambitions laid out in the Otterpool Charter¹⁷. If enhanced school design increases the capital cost of construction, as well as the longer term maintenance, both would require mitigation by the applicant.

The County Council notes the applicant's suggested delivery options for primary school sizes. The County Council welcomes the safeguarding of land adjoining the proposed primary school sites to enable expansion, should this be required. The County Council advocates this approach to all Local Planning Authorities as good planning policy. However, as discussed previously with the applicant, KCC's planning guidelines identify that primary schools are best delivered as 2FE provision (420 places)¹⁸ where possible. This allows for the most efficient deployment of resources and is preferred by most parents. Whilst KCC's planning principles

¹⁵ KCC's DRAFT "Education Modelling and Timing" shared with the promoters January 2019

¹⁶ Promoters' Design and Access Statement

¹⁷ Published November 2017

¹⁸ Kent Commissioning Plan for Education Provision in Kent 2019-2023

do not preclude the creation of larger primary schools¹⁹, and indeed Kent has a number of 3FE primary schools, KCC would not wish for this to be considered the default solution to meeting the needs of Otterpool Park should pupil yields exceed the standard County averages.

KCC's demand modelling has shown that other large development sites generate greater school place demand than other smaller sites. The County Council would wish to see a better balance of proposal to meet this likely demand, through a combination of safeguarded 2FE school sites and land adjoining proposed primary sites. The intention of the Education Review mechanism must be to continually assess demand, and enable the release of safeguarded sites should it be evidenced that these will not be required. It is also important that any safeguarded land to enable a primary school to expand to 3FE is sufficiently large, of a regular shape (to allow for the space to be fully utilised including for any sports provision), fit for purpose and undivided.

The promoters have indicated a total site size of 2.3ha for 3FE. This is the DfE minimum for 630 pupils²⁰ (ie 3FE primary without nursery). As the community strategy states nursery classes will be included in primary schools, the minimum site area for 711 pupils is 2.6ha, with a maximum of 3.2ha. Minimum site sizes do not seem to be in keeping with the aspirations set out in the documents accompanying the application, which seem to want to set the bar much higher than this. As land is being safeguarded, and may be released at a later date for development if demand is lower than anticipated, it would seem prudent to safeguard on a maximum rather than minimum basis.

It is important to consider place making principles when planning for school sizes and two form entry schools are most appropriate to a garden settlement. It is also important for the applicant to articulate the overall vision for Otterpool Park itself as a new place for people to live, work and visit and how this vision then ties into provision for schools as well as other community infrastructure. The provision of 630 school places in the first primary school is not in keeping with the applicant's garden settlement place making aspirations nor potentially the new community's ambitions. Otterpool Park's overall landscape setting should influence the size of each primary school, ensuring it is appropriate to its surroundings. Three forms of entry are more typically located in more urban settings where housing densities are greater.

The County Council notes the indicative locations of the primary schools on the applicant's illustrative drawings. The County Council will reserve the right to comment on the suitability of the location of the primary schools until further discussions have been held with the District Council and the applicant. Please note, the County Council expects each school site to be level, above flood level and adequately drained, in line with the General Transfer Terms. Both the County Council's General Transfer Terms and Primary School Service Requirements are included as Appendix C and D respectively.

¹⁹ Kent Commissioning Plan for Education Provision in Kent 2019-2023

²⁰ Promoters' Planning and Delivery Statement

There may be the opportunity for the applicant to fund off site provision for the initial demand for primary school places arising out of the development. This will be dependent on the timing of delivery. There may also be a requirement throughout the development to fund temporary provision and travel costs for pupils until the primary school reaches a certain size. This will be dependent on the pace of housing delivery both on site at Otterpool Park and potentially at other residential sites in the locality.

The County Council may also require a proportionate contribution towards the acquisition of land off site for the purposes of providing early or temporary primary school places or both. The site acquisition cost will be based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

Please note this process will be kept under review and may be subject to change as the Local Education Authority has a duty to ensure provision of sufficient primary pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011.

3.3.8. Secondary School

The proposal is projected to give rise to a need for additional secondary school places from the date of occupation of this development. As indicated in the table above, KCC's population modelling indicates up to 10,000 homes at Otterpool Park may generate up to thirteen forms of entry of secondary school demand across the lifetime of the development.

The County Council anticipates meeting part of the demand created by Otterpool Park through the expansion of The Harvey Grammar School (a selective boys' school) and Folkestone School for Girls (a selective girls' school). Other off-site solutions may be possible and necessary, especially in the early years of the development. The local authority is able to propose expansions of the schools it maintains, but not that of free schools and academy schools, which are outside local authority control. Any decision to extend academies or free schools will be subject to a decision by the Secretary of State and therefore cannot be guaranteed. It should be noted that all secondary schools in Folkestone and Hythe District, and all but one in Ashford Borough are, at the time of writing, outside of the control of the County Council.

The provision for secondary education, including land and build costs, should be secured within the section 106 agreement. The County Council may require a proportionate contribution towards the acquisition of land off site for the purposes of expanding these schools to provide secondary school places. The site acquisition cost will be based upon current local land prices, subject to indexation and increases in market value. Any section 106 agreement would need to include a refund clause, should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

Sustainable travel patterns and transport choices are central to the applicant's vision for Otterpool Park. This requires the majority of secondary school places are being provided on site rather than necessitating travel across the District or into neighbouring districts if any spaces are identified.

The applicant has put forward a requirement for one 10FE secondary school. Secondary school sizes can be as large as 10FE, however there are only two such secondary schools in the County. Ten forms of entry are not the County Council's preferred choice of secondary school size, and parents are not keen on schools this large. Secondary schools with six to eight forms of entry are the preferred size because of the allocation of resources. Planning for a school with almost 2,000 pupils on a single site is not in keeping with the landscape led master-planning principles and the applicant's place making ambitions for Otterpool Park. Therefore, the County Council remains of the view that the District Council should be looking to protect in policy two secondary school sites within Otterpool Park. In line with the County Council's comment above, one of these being a campus solution, or even an all-through school is something the County Council would be willing to support.

The County Council is not aware of any other opportunities to secure land locally for the purposes of a second secondary school. At this stage, the County Council is unable to identify additional land outside of the site that could be secured for education purposes or through future planning applications. This planning application presents the most appropriate opportunity to secure the required land take within the development and contributions to deliver the secondary school places required to mitigate the impact of this development and the wider masterplan framework. The County Council's preferred option is to identify and safeguard a second site within the development that could deliver secondary school places alongside other education provision for example primary or special educational needs places.

Therefore, the County Council expects to see a second secondary school site identified within the development and included within future submissions by the applicant. Land take required for a variety of secondary school sizes are included as Appendix E.

Please note that the County Council expects each school site to be level, above flood level and adequately drained, in line with the General Transfer Terms. Both the County Council's General Transfer Terms and Primary School Service Requirements are included as Appendix C and D respectively.

This process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

3.3.9. Special Educational Needs

Approximately 3% of pupils have Education, Health and Care Plans that set out the provision needed to support the child, and this provides statutory protection. The major growth areas have been Autistic Spectrum needs, Speech and Language needs, and Social, Emotional and Mental Health needs.

Otterpool Park development is expected to generate the need for up to 92 additional special school places (assuming 10,000 homes). There is no capacity to provide these school places off site. It is envisaged these places may be provided via a new special school in Otterpool Park, co-located alongside one of the primary or secondary schools in an education campus.

The applicant would be required to provide the land on site and capital funding to deliver this special educational needs school and for this to be secured within the section 106 agreement, alongside the other infrastructure requirements.

3.3.10. Sixth Form

Given the applicant's planned housing trajectory, there will be a requirement to provide sixth form places on site at Otterpool Park from 2031. Any new secondary schools on site at Otterpool Park and any Grammar school expansions off site to mitigate the impact of development will require sixth form provision. The specific requirements are outlined in the table above or on page 35 and 36.

This provision for sixth form places, including land and build costs funded by the applicant should be secured within the section 106 agreement.

3.3.11. Further Education

Further Education addresses vocational post-16 education needs, i.e. people being educated in a setting other than a sixth form. The needs arising from Otterpool Park will be met by the private sector and East Kent College.

3.4 Other Community Infrastructure

To mitigate the impact of the development, the County Council requires a quantum of space in community facilities to deliver its services; including social care, community learning, early help (younger people from birth to 25 years) and public health. These services are delivered either directly by the County Council or commissioned through a range of other local organisations. The County Council is willing to consider gifting a capital asset (the community space) to whatever stewardship body may be chosen in return for use of that space when required and developer contributions towards any maintenance charge. When not required by these groups, the stewardship body can rent this space to other local community groups to generate income for itself.

The exception to this is libraries, which will require dedicated space in a community facility, as detailed below.

The County Council recognises there needs to be flexibility built into delivery mechanisms to ensure that service providers can respond to the changing needs of the community and

changes in how services are delivered. The County Council has worked closely with other providers on previous community facilities to identify the potential components of a community hub and will continue to work with the District Council and the applicant on the proposal for Otterpool Park, though discussions are at a very early stage.

Other providers such as health and the voluntary sector also have a key role to play using community space to deliver services at Otterpool Park. The County Council would support the provision of flexible space, which different service providers could access as the community's needs evolve over time. The County Council will also consider the scope for co-locating services and dual use of facilities, though there may be some limitations to integration with other uses as a result of child protection and asset management considerations. Practical opportunities to co-locate will be considered, particularly where there are wider community benefits.

The community spaces must be designed to be accessible to a full range of users. Each facility will require a changing place,²¹ and larger facilities will require sensory facilities. They must be fully accessible to all and fully compliant with the Equality Duty Act (2010) and any relevant building regulations such as British Standard BS8300 which includes but is not limited to ramp access, electric opening doors and height adjustable kitchen worktops etc. Any community facility must also provide capacity and capability for charging electric vehicles. Specific detail is provided under Appendix G. The applicant is requested to fully involve KCC in the design of the community facilities to ensure they are appropriate for all users and uses.

The County Council would be grateful to receive further detail of the health hub and community facilities in light of the requirements set out in this response and would welcome future discussions with the District Council and the applicant at the earliest opportunity.

3.4.1. Community Learning

The provision for Community Learning (formerly known as adult education) is not mentioned specifically in the planning application, however this development will create a demand for this service.

To accommodate the increased demand on this service, the County Council requests space to deliver classes within a community setting on site, as well as developer contributions to equip the space and set up the classes. The service will include the delivery of adult numeracy and literacy classes. The community space will need to be suitable for a full range of users and accessible to a range of clients.

This provision for community learning, including capital build costs, equipment, rent free use of space and initial start-up costs funded by the applicant, should be secured within the section 106 agreement.

²¹ Changing Places toilets for severely disabled people to be made mandatory in new buildings used by the public, under government proposals. Buildings covered will include shopping centres, supermarkets, sports and arts venues
<https://www.gov.uk/government/news/new-public-buildings-to-have-changing-places-toilets-for-severely-disabled-people>

3.4.2. Libraries

KCC is the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

To mitigate the impact of this development, the County Council will need to provide additional library services to meet the additional demand directly created by the development. The County Council therefore requires a fully equipped, dedicated space within a community facility on site to deliver library services. The library space will need to be suitable for a range of uses and accessible to a range of clients. It can be co-located with other community uses.

This provision for libraries, including capital build costs, equipment, book stock, rent free use of space and initial start-up costs funded by the applicant, will need to be secured within the section 106 agreement.

3.4.3. Early Help

Early Help includes services for young people from birth to 25. To accommodate the increased demand on KCC services, the County Council requires space with a community facility or facilities to deliver and commission children's centre services, other specialist children's services, youth services as well as wider public health services. The County Council also requires external space co located with the community facility to provide outdoor play space for example a skate park Some of these services could be co-located within the proposed health hub as well as other community services.

This provision for Early Help including capital build costs, equipment, rent free use of space and initial start-up costs funded by the applicant should be secured within the section 106 agreement.

3.4.4. Social Care

The applicant must recognise the importance of placing delivery of social care and public health alongside the wider health agenda. There is a requirement to ensure all these services are appropriately provided for at the proposed garden settlement. This will include provision of employment and community space for delivery of both social care and public health funded by developer contributions.

The proposed development will result in additional demand upon social care, which includes services for older people and adults with Learning or Physical Disabilities. All available care capacity is fully allocated already and there is no spare capacity to meet the considerable additional demand arising from this development. In addition, the social care budgets are fully allocated, therefore no spare funding is available to address additional capital costs for social care clients generated from this new development.

The County Council welcomes the 648 extra care housing units to accommodate older persons' housing needs identified in the application. Alongside care home and extra care facilities, there will also be a requirement for sheltered housing. To further mitigate the impact of this development, KCC requires:

- a proportionate monetary contribution **per household** towards assistive technology
- space within the community facilities to deliver social care services local to the development delivered by KCC or a third party.
- employment space within proposed health hub as mentioned below
- the applicant must ensure the delivery of:
 - 1% of total units (85 homes) Wheelchair Adaptable Homes as part of the affordable housing element on this site, with nomination rights given in consultation with KCC Social Care
 - 1% of total units (85 homes) Wheelchair Adaptable Homes as part of the private housing on this site, with nomination rights given in consultation with KCC Social Care

The County Council supports the approach of using the Encompass model at Otterpool Park. The County Council could link the community navigation and social prescribing contract to this model once it is in place. This would be dependent on additional funding from Clinical Commissioning Groups.

The application, including the Community Facilities Strategy and the Health Impact Assessment, does not incorporate the positive learning from Healthy New Towns concept, including the experience at Ebbsfleet, North Kent. For example, the application lacks sufficient focus on the needs of those living within the development with dementia.

In their future submissions, the applicant is required to review their proposal to take greater account of social care requirements, including:

- designing Otterpool Park to include those who need support for example due to illness, disability or old age. This would include reviewing and amending the masterplan and the approach to designing community buildings and public realm
- understanding the needs of those who may need to access social care services and ensuring this influences the Community Facilities Delivery Strategy
- community space for delivery of social care services, alongside delivery of health services
- employment space for social care teams, alongside space for health professionals

The applicant should consider the Joint Health & Well Being Strategy (2015 to 2021)²² and the Kent and Medway Sustainability and Transformation Plan²³, which provide more detail on the integrated health and social care model for Kent and Medway.

²² <https://www.kent.gov.uk/about-the-council/strategies-and-policies/health-policies>

²³ <https://kentandmedway.nhs.uk/stp/>

This provision for social care, including assistive technology, capital build costs for employment and community space, equipment, rent free use of space and initial start-up costs funded by the applicant, should be secured within the section 106 agreement.

3.4.5. Public Health

If the ambition is to embed health and well being from the start of development, there must be a commitment to public health. The Joint Health and Well Being Strategy (2015 to 2021) ²⁴ provides further policy context on both the social care and the public health needs that must be considered by the applicant. In addition, Kent and Medway's Sustainability and Transformation Plan for Kent and Medway²⁵ provides further detail.

Public health services, some of which will be required to mitigate the impact of development at Otterpool Park from the outset and all of which will be required to mitigate the impact of development over the long term, include:

- Smoking Cessation
- Sexual Health Services
- Substance Misuse Services
- Health Visiting
- School Nursing
- Suicide Prevention
- Child Measurement Programme
- One You (covers obesity, alcohol and smoking)
- Live Well Kent (focused on mental and physical wellbeing)

Demographic profiling within the applicant's Health Impact Assessment relies on existing data from Folkestone and Hythe District. The demographic profile of the proposed garden settlement is likely to differ significantly from the district's current profile. For example there may be a potentially younger profile, which will impact a range of health indicators and must be considered by the applicant. The County Council would like to engage further with the applicant and District Council to ensure that the Otterpool Park Health Impact Assessment considers this potential for demographic change.

This provision for delivery of Public Health services, including capital build costs for employment and community space, equipment, rent free use of space and initial start-up costs funded by the applicant, should be secured within the section 106 agreement.

In order to embed health and wellbeing from the start of development, the County Council recommends that there must be a commitment to public health, including consideration of The Joint Health & Well Being Strategy (2015 to 2021) ²⁶, and the Kent and Medway's Sustainability and Transformation Plan for Kent and Medway²⁷.

²⁴ https://www.kent.gov.uk/__data/assets/pdf_file/0014/12407/Joint-health-and-wellbeing-strategy.pdf

²⁵ <https://kentandmedway.nhs.uk/resources/kent-medway-sustainability-transformation-plan/>

²⁶ https://www.kent.gov.uk/__data/assets/pdf_file/0014/12407/Joint-health-and-wellbeing-strategy.pdf

²⁷ <https://kentandmedway.nhs.uk/resources/kent-medway-sustainability-transformation-plan/>

The County Council notes that any issues with staffing for the local healthcare facilities are likely to be alleviated by more available housing. There is need to consider the staffing for the school public health service and health visiting, as these costs are borne by the local authority. These services would also benefit from the use of meeting spaces in community hubs included with the proposed masterplan for Otterpool Park.

It is important that any building intended for community use can be used as a true community hub and meeting place for the new community. The County Council is also supportive of green spaces for leisure activity as there is clear evidence that these have additional benefits to indoor leisure spaces.

The County Council requests that active travel continues to feature heavily in any design, including the use of bicycles to encourage modal shift. The provision of bus services to the neighbouring towns of Ashford and Folkestone could further encourage modal shift - providing sustainable transport options for commuters and those wanting to access local services.

The County Council also requests that the applicant considers dementia friendly standards and standards such as the Lifetime Homes Design Criteria to ensure that the new development meets the needs of the diverse new community at Otterpool Park.

3.5 Other Infrastructure

3.5.1. Off Site Strategic Transport Requirements

The applicant is advised to refer to the Highways and Transportation section of the Kent County Council response.

3.5.2. Public Transport

The applicant is advised to refer to the Highways and Transportation section of the Kent County Council response.

3.5.3. Off Site Public Rights of Way Improvements

The application, through the Design and Access Statement, requires Otterpool Park to be an exemplar garden settlement. This exemplar status will be achieved, in part, through enhancing existing landscape features so they can be enjoyed by the community who both do and will reside at Otterpool Park. Improving the existing connectivity of these landscape features through walking and cycling routes is critical to integrating the new community with the existing community. The importance of these connections to the health of the new community is also identified in the Health Impact Assessment.

In order to mitigate the impact of this development, developer contributions will be required to improve off-site walking and cycling links and schemes with the development, as well as funding the construction of off-site Public Rights of Way improvements.

The provision for these improvements funded by the applicant should be secured within the section 106 agreement.

The County Council would welcome discussions with the applicant at the earliest opportunity on the list of priority network improvements that the KCC PRow and Access Service has compiled.

3.5.4. Other Sustainable Transport Requirements

The site should also include provision for electric vehicle (EV) charging points and EV sub stations within the development as well as provision for car sharing. All dwellings with private off-street car parking should have an electric vehicle (EV) charging point installed. Where communal car parks are proposed (for the district centres, for apartment blocks and other uses) EV charging points should be provided at a rate of 10% active and 10% passive of the total car parking provision. KCC would also welcome discussions regarding the need for on-street electric charging points as the travel plan has identified the need for 85 on street spaces to serve the development site.

3.5.5. Employment Space

The delivery of some of KCC's services, including public health and social care, will necessitate provision of employment space on site for professionals involved in the delivery of those services. This employment space could be provided as part of the proposed health hub.

The County Council would be grateful to receive further detail of the health hub and community facilities in light of this requirement for employment space and would welcome future discussions with the District Council and applicant to progress this.

The County Council would like to reiterate the importance of the delivery of employment space as part of a sustainable new community at Otterpool Park. Otterpool Park offers an opportunity to create a thriving hub of activity within the Gateway and Enterprise Quarter. The applicant should work with the District Council and County Council to ensure the delivery of a diverse range of employment spaces to meet the needs of different employment sectors. The employment spaces should provide high quality, flexible working spaces with access to sustainable transport options and gigabit capable broadband. The delivery of employment spaces within the Otterpool Park development, alongside residential development, should offer the opportunity for people to live and work sustainably at the new garden settlement.

3.5.6. Heritage

The County Council considers that there is an opportunity for people to become actively engaged in the site's heritage through participation in archaeological-led activities through the life of the development programme. The employment of a project specific community archaeologist would be necessary to facilitate the delivery of such activities. KCC recommends

that this role is funded through developer contributions secured through the section 106 agreement.

The archaeological works, which are required to be carried out across the Otterpool Park development, will result in the production of an extensive archaeological archive, including physical artefacts and remains as well as paper and digital archives. Provision should be made for the long-term storage of, and public access to, the archaeological archive, funding for which should be secured through developer contributions secured through the section 106 agreement.

3.5.7. Waste Disposal

In 2017, KCC Waste Management completed an Infrastructure Review to understand the impacts of the predicted population growth, up to 2030, on its network of Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs) in Kent. This took account of projected population growth for each district and modelled which HWRC residents are most likely to use based on their location. It also accounted for which WTS kerbside collected waste would need to be delivered into. At the time the review was undertaken, the population in Folkestone and Hythe was set to increase by 13.9% by 2033.

There are two HWRCs in the district of Folkestone and Hythe; Folkestone HWRC and New Romney HWRC. The review showed that Folkestone HWRC will be over capacity by 2025. New Romney HWRC is a newer site opened in 2010 and is currently operating under capacity, and based on population projections is set to remain under capacity for the modelled period up to 2030. Ashford WTS (where the majority of Folkestone and Hythe's kerbside collected food and residual waste is delivered) will also be over capacity over the modelled period. The District owned facility at Ross Way, Folkestone where the recycled materials are bulked is also unsustainable.

The proposed level of growth at Otterpool Park will have a significant impact on the KCC waste disposal infrastructure in the area. Growth of this scale will result in both the Folkestone HWRC, Ashford WTS and Ross Way being unable to cope with this increased level of throughput. Further capacity is required to mitigate the demand from the proposed growth outlined in this application.

Ashford WTS and Folkestone HWRC are constrained by location and neither have the ability to be expanded. As a result, KCC Waste Management requires a new co-located HWRC and WTS in the locality, in order to account and provide for the growth planned at Otterpool Park. A facility of this kind would have a capital cost of approximately £7 million to build at present, excluding the cost of land purchase, which would attract an industrial premium. There is the opportunity for KCC to work in partnership with Folkestone and Hythe District Council to identify a new WTS and HWRC site in the District.

As this new facility would provide additional capacity beyond that required by Otterpool Park alone and an improved service benefitting the wider community the applicant would only be expected to fund a proportionate share of this new facility.

The provision for the applicant's share of the waste disposal infrastructure funded by the applicant should be secured within the section 106 agreement.

3.5.8. Country Parks

The proposed development is adjacent to Brockhill Country Park, a popular local park managed by the County Council, with a lake, open grassland and meadows, café, education and meeting facilities. Even if works begin upon commencement, the green infrastructure proposed by the development will take time to develop. In the interim, an upgrade to facilities at Brockhill Country Park will be required to mitigate the impact of additional visitors. The nature of this upgrade will need to be determined in discussions with the District Council and applicant, but may take the form of additional car parking or improvements to increase park and visitor accessibility. In addition, Brockhill can help to develop and support the new community as a more formal meeting space and a more informal social space for existing and new residents to come together in the early days of the development. There are existing, and potential future, volunteering opportunities, as well as possible health and wellbeing projects.

Any upgrade to Brockhill Country Park would also have longer term benefits to the development, for example Otterpool Park Primary Schools accessing Education and Training programmes, including Forest Schools that are delivered at the park.

The provision for these improvements funded by the applicant should be secured within the section 106 agreement.

3.6 Section 106 Agreement

The County Council is of the view that the developer contributions identified above and included as a table in Appendix A comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the Otterpool Park garden settlement proposal on the provision of those services for which the County Council has a statutory responsibility. It is requested that the Local Planning Authority seeks a section 106 obligation with the developers and any other interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, officer fees and expenses incurred in completing the section 106 agreement.

Providing certainty for the delivery and timing of the infrastructure needed to support the proposed development, through securing them in the section 106 agreement, is critical to the acceptability of the scheme. The matters which should be secured in the section 106 agreement will be subject to further detailed negotiations in which the County Council would expect to be fully involved as they will relate to the provision of services for which it is responsible. These services includes infrastructure requirements outlined above and included as Appendix A below:

- Education – nursery, primary, secondary and Special Education Needs,
- Transport infrastructure, including strategic transport improvements, public transport, walking and cycling provision off site

- Library services
- Community learning
- Early help (including youth services)
- Social Care
- Public health
- Employment space capable of accommodating KCC services as identified in this response, alongside other requirements
- Heritage
- Waste Disposal
- Country Parks

The section 106 agreement should make provision for:

- The transfer of freehold land at nil cost and in accordance with KCC's General Site Transfer Terms attached as Appendix C
- The full cost of construction, including build and fit out costs
- Third party land acquisition, compensation and procurement costs
- Cost of Compulsory Purchase Order and similar procedures in respect of transport infrastructure
- Revenue contributions to fund the start of service delivery where appropriate
- County Officer monitoring fees

Further details of the specific requirements are as set out in this letter and the attached appendices. The County Council requires that these are set out in the next draft Heads of Terms submitted by the applicant.

Where appropriate, section 106 obligations should be reinforced by Grampian conditions to prevent development from proceeding before the associated infrastructure is in place.

In recognition of both the scale and complexity of this project, the County Council is keen to contribute effectively to detailed negotiations, including the section 106 and section 278 agreements, the drafting of relevant conditions, the evolution of the master plan, details pursuant applications and provision planning. Further discussions are required across a range of infrastructure requirements before determination of the planning application. The County Council will ensure that all relevant service departments engage at the appropriate stages. The County Council would consider appointing dedicated resources to support negotiations and legal support if the applicant funded this resource.

The County Council wishes to be fully involved in the negotiations with the developer especially in concluding a section 106 agreement, albeit recognising that it is for the District Council to ultimately agree. The County Council expects to be a signatory to these agreements. In the event that the applicant is unwilling to meet the requirements set out in this response, and KCC has not been party to agreeing the terms of the section 106 agreement, KCC would object to the proposal on the basis that:

- it would fail to satisfy the NPPF and its principles of sustainable development including those for infrastructure provision

- KCC would be unable to discharge its statutory duties for example as the Strategic Commissioner of Education Provision in Kent and as Kent's Strategic Highways Authority

The County Council notes that this application was made on behalf of Cozumel Estates in association with F&HDC as joint applicants of Otterpool Park. In light of this arrangement, the complexity of land ownership and the dual role undertaken by the District Council, the County Council asks for further detail, provided on a full and confidential basis, on the:

- respective arrangements, including landownership and the proposal for enforcement given District Council's interest (as landowner and Local Planning Authority), so it is considered early in the process and any side agreements can be put in place alongside the section 106 agreement;
- relationship between these various roles including any joint venture arrangements once determined; and
- section 106 mechanisms, three tier planning arrangements and governance approach, beyond the basic outline submitted with the application

3.7 Phasing and Housing Delivery

The applicant is proposing an ambitious quantum of housing and an equally ambitious annual rate of completion. The County Council has some reservations about the deliverability of this annual rate of completion given historical rates of completion in the District. The Promoters have provided a greater level of detail for the phasing than is perhaps required at this stage of the process. The County Council believes these plans may be too detailed and unnecessarily fixed at this stage of the planning process. Further focus on reviewing and amending the parameter plans may be more appropriate at this stage to allow for the flexibility required to accommodate the delivery of development on such a large scale.

The County Council has reservations about delivering phase 1a and phase 1b in parallel and the impact this may have on developing the new community and delivering community infrastructure for the community as a whole. The County Council notes the approach to bringing forward phase 1A and phase 1B within the initial five years. Whilst the Promoters have reason, presumably relating to land ownership, to take this approach, the County Council continues to believe these reasons are insufficient to warrant commencing the development in this way. Bringing forward these two phases in parallel may hamper the communities from developing in a sustainable way, for example those residents in one phase will need to travel along the A20 to access services in the other phase for example the first primary school. As outlined in the highways chapter above, it is not conducive towards encouraging sustainable travel especially if the essential services and facilities are not opened very early on in the development. In particular, it is the Highway Authorities' opinion that phases should be built in the same locational area in order to ensure the maximum use of new services and in order to encourage sustainable transport. Kent County Council would therefore welcome further discussions on the submitted phasing plans.

3.8 Viability

KCC understands that the overall package of infrastructure required is broadly capable of being funded by the development. It is expected that this site is viable, that the applicant has calculated values and costs to ensure these infrastructure requirements detailed in this response will be met through section 106 and other legal agreements²⁸.

The applicant is commended for their placemaking ambitions; for example the vision outlined in their Creative and Cultural Strategy. However there must be a recognition of the impact of these ambitions on site-wide viability, in both the short and longer term.

The County Council welcomes the approach outlined in the application to capturing the uplift in land value to ensure the delivery of infrastructure on site, early on in the development. The County Council would ask for further detail on how this approach might work in practice.

The County Council will work with the District Council, the applicant and other partners in delivering large scale housing growth to identify and secure any relevant infrastructure funding to support the viability of this development. It will be necessary to demonstrate how the funding would help to accelerate the pace of delivery as that remains a key test for Government investment.

²⁸ Updated Planning Practice Guidance paragraphs 007 and 009 requires developer contributions for Education infrastructure <https://www.gov.uk/guidance/viability>

Appendix A – Draft Kent County Council Infrastructure Requirements.

SITE: OTTERPOOL PARK, FOLKESTONE & HYTHE DISTRICT

DRAFT AND SUBJECT TO MEMBER APPROVAL

Homes (C2 units)		643	51	694	
Homes (C3 Units)		7,857	1,449	9,306	
Total Homes		8,500	1,500	10,000	
Total Population		22,643	4,108	26,751	
Service	Requirement	Quantum (8,500 homes)	Quantum (1,500 homes)	Quantum (10,000 homes)	
Education	Nursery and pre-school provision	x 15 nursery settings	X 3.2 nursery setting	x 18.2 nursery settings	
Education	Primary school provision	up to x 6.9 two form entry schools	up to x 1.5 two form entry schools	x 8.4 two form entry schools	
Education	Off site and/or temporary primary provision	TBD	TBD	TBD	
Education	Secondary school provision	up to 10.6 forms entry school	up to 2.2 form entry school	up to 12.8 forms entry school	
Education	Off-site secondary provision	TBD	TBD	TBD	
Education	Sixth Form and Further Education	x 471 A-Level places	x 87 A-Level places	x 558 A-Level places	
Education	Sixth Form and Further Education	x 236 Further Education places	x 43 Further Education places	x 279 Further Education places	
Education	Specialist Provision	up to x 75 place	up to x 17 place	up to x 92 place	

		specialist education provision	specialist education provision	specialist education provision	
Libraries	Fully equipped, dedicated space in a community facility including book stock	TBD	TBD	TBD	
Social Care	Mix of residential, nursing, and extra care units	643 C2 units	51 C2 units	694 C2 units	
Social Care	Community and employment space	TBD	TBD	TBD	
Social Care	Contributions including capital fit out, maintenance charge, resourcing initial service	TBD	TBD	TBD	
Social Care	Assistive technology	TBD	TBD	TBD	
Social Care	Wheelchair adaptable housing	TBD	TBD	TBD	
Public Health	Community and employment space	co-locate with social care and NHS	co-locate with social care and NHS	co-locate with social care and NHS	
Community Learning	Community classroom space & contributions	TBD	TBD	TBD	
Early Help	Community space & contributions	TBD	TBD	TBD	
Early Help	Other specialist family/ children services	TBD	TBD	TBD	
Waste	New co-located Household Waste and Recycling Facility and Waste Transfer Station	TBD	TBD	TBD	
Transport	Public transport requirements	TBD	TBD	TBD	
Transport	Strategic highway network	TBD	TBD	TBD	

Transport	Off-site pedestrian requirements	TBD	TBD	TBD	
Heritage	Preparation of Heritage Strategy	TBD	TBD	TBD	
Heritage	Heritage Interpretation	TBD	TBD	TBD	
Heritage	Archaeological storage	TBD	TBD	TBD	
Heritage	Heritage interpretation facility(ies) or within other community venues	TBD	TBD	TBD	
Heritage	Community archaeologist	TBD	TBD	TBD	
Heritage	Heritage assets - sustainable use, enhancement, and conservation	TBD	TBD	TBD	
Other	Country Parks	TBD	TBD	TBD	
Other	Drainage and flood defence	TBD	TBD	TBD	
Other	Ecological Mitigation	TBD	TBD	TBD	
Other	Arts & Cultural delivery	TBD	TBD	TBD	
County Resource	Officer resource including education reviews and section 106 monitoring	Lifetime of development	Lifetime of development	Lifetime of development	
Digital Infrastructure	Gigabit capable fibre to the premise Enhanced 4G and 5G mobile services	n/a	n/a	n/a	
Costs do not include capital cost of those assets developer/ infrastructure partner must build/ procure for example community buildings					
All costs will need to be index linked, subject to interest payments and late payment charges					

Appendix B - Population Modelling

Assumption 2.8 people per household

Current ONS projections assume average household is 2.20 within Folkestone & Hythe District and will reduce to 2.08 by 2031

2.8 projection similar to seen in study sites (Park Farm and Kings Hill)

	8,500 homes	1,500 homes	10,000 homes	Percentage breakdown of age ranges
Home Types				
Residential (C2 and C3) homes	8,500	1,500	10,000	
Residential C3 homes	7,857	1,449	9,306	
Age Range				
0 to 3	1,760	325	2,085	8
4 to 10	2,640	487	3,127	12
11 to 15	1,540	284	1,824	7
16 to 64	14,080	2,597	16,676	64
65+	1,980	365	2,345	9
Total population from C3 units	22,000	4,057	26,057	100
Residential C2 Units	643	51	694	
Total population	22,643	4,108	26,751	

Appendix C - General Site Transfer Terms

1. The developer/landowner to provide a formal site investigation report by a competent registered expert confirming that the land prior to transfer is free from the following:

- contamination (including radiation),
- protected species
- ordnance
- rubbish (including broken glass)
- any adverse ground and soil conditions
- occupation
- archaeological remains

Should any of the above be present the developer/owner to implement an agreed strategy of remediation/removal prior to transfer to KCC.

2. The site to be a single undivided site, and regular in shape capable of accommodating sports pitches.

3. The County Council to be granted a Licence for access onto the site, prior to transfer for the purpose of surveying and carrying out technical investigations.

4. The site and any associated areas i.e. playing fields are fit for purpose, above flood plain level, adequately drained and close to public transport.

5. The site to be provided to KCC level, if works are required to do so then they shall be undertaken by the owner and to an agreed specification and form of works

6. The site to be clearly pegged out on site to the satisfaction of the delegated representative of KCC's Head of Property and fenced with GIS co-ordinates prior to completion of the transfer.

7. The site to be freehold unencumbered and conveyed with full title guarantee and vacant possession with no onerous covenants.

8. Prior to site transfer the developer/landowner is to provide, at their own cost and subject to KCC approval suitable free and uninterrupted construction access to a suitable location on the site boundary. Haul roads should be constructed, at no cost to KCC, and maintained to a standard capable of accommodating HGV's and other construction traffic.

9. Prior to the site transfer the developer/landowner is to provide, at their own cost and subject to KCC approval adopted services and utilities to an agreed location(s) on the site boundary of sufficient capacity and depth to accommodate the maximum potential requirement without mechanical aide upon transfer. Utilities to include, fresh water, foul, surface water, gas, electricity and telecommunications. Necessary statutory undertakers' plant (such as electricity sub-stations or transfer stations) shall be located outside

of the site boundary and KCC shall not be liable for any costs (including legal costs) associated with the installation and commissioning of such plant.

10. The owner to provide KCC with full surface water drainage rights to allow discharge of all surface water from the school site into the owner's infrastructure without the requirement for storage tanks.

11. The developer/landowner is to provide temporary electricity and water supplies to the site from the start of construction if formal permanent utilities are not yet present.

12. Prior to the use of the site for its intended purpose i.e. a school, an adopted highway (or highway capable of being adopted), which is suitable for the intended use of the site is to be provided up to a suitable point on the site boundary together with a suitable alternative vehicular access for deliveries etc., if required. The highway and any alternative access is subject to approval by KCC and no maintenance charges shall be borne by the KCC should the developer chose not to adopt the road.

13. The developer/landowner to provide separate entrance and exit points on to the adoptable highway from the school site, capable of satisfying the Highway Authority's 'in and out' access requirements.

14. No mobile phone masts, overhead cables etc within 250m of a school site and where possible the developer/landowner to impose a covenant that none will be erected within this distance of any site boundary.

15. Rights to enter so much of the adjoining land within the ownership of the Developer as is reasonably necessary to carry out construction works on the site. The County Council to be responsible for making good any disturbance caused to the reasonable satisfaction of the adjoining owner in the exercise of these rights.

16. The landowner to be responsible for the County Council's legal costs and surveyor's fees together with administrative costs incurred during negotiations and in completing the Section 106 Agreement, taking transfer of the land including Land Registry costs, the granting of any easements/licences, or any other documentation and any Project Management agreements.

17. Plan of the site to a scale of 1:1250 to be supplied prior to transfer showing site levels, access, boundaries and details of any adjoining development. The plan is to be provided in a suitable electronic format together with paper copies. GPS Coordinates are to be marked on the plan.

18. Adjoining uses should not cause interference, conflict or be inappropriate in any way to the use of the site i.e. the curriculum delivery for schools. This also includes adverse conditions disruption and inconvenience by noise, dust, fumes, traffic circulation, artificial lighting etc

Appendix D – Primary School Service Requirements (2 Form Entry Primary School)

INCOMING SERVICES Electricity – 200 kVA (280A) Gas – 60 cu m/hr 430,000 kWh/year
Water - 15 cu m / day, 4 l/s (63mm NB)

Fire hydrant: to be in the Highway adjacent to the School entrance and within 90m from an entrance to the school building. In accordance with the fire regulations: 200 dia 20 l/s fire supply.

Broadband – Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and gigabit capable connections to multi point destinations to all buildings. This shall provide sufficient capacity, including duct sizing, to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future educational delivery. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process.

DRAINAGE Foul water discharge is usually as water supply; with a 150mm dia outlet. Surface water is variable depending on ground conditions. For a typical school with a playground and small car park, a SW discharge rate of c. 60 l/s is required. Any restrictions on the flow will require attenuation tanks to be installed at no cost to the County Council.

NOTE Clearly these are indicative, and KCC would need to confirm exact requirements at the detailed design stages.

January 2017

Appendix E - Education land take

School Type	Pupil Places	Land take required*
2 form entry primary school	420	2.05 ha**
3 form entry primary school	630	3.2 ha**
6 form entry secondary school	900 (excluding sixth form)	8.4 ha
8 form entry secondary school	1,200 (excluding sixth form)	10.5 ha
10 form entry secondary school	1,500 (excluding sixth form)	14.2 ha

* Whilst the total land take required for each school can be identified at this stage, any further breakdown of floorspace is subject to building regulations and building bulletins and cannot be specified within this planning application nor the section 106 agreement. In the case of primary schools, this land take includes space for nursery provision

** In their application, the applicant has indicated a total site size of 2.3ha for 3FE primary school land take. This is the DfE minimum for 630 pupils (i.e. 3FE primary without space for nursery provision). As the community strategy states nursery classes will be included in primary schools, the minimum site area for 711 pupils is 2.6ha, with a maximum of 3.2ha. Minimum site sizes do not seem to be in keeping with the aspirations set out in the documents accompanying the application, which seem to want to set the bar much higher than this. As land is being safeguarded, and may be released at a later date for development if demand is lower than anticipated, it would seem prudent to safeguard on a maximum rather than minimum basis.

Appendix F - Education Infrastructure Requirements

Education Type	Up to 8,500 homes	Up to 1,500 homes	Up to 10,000 homes
Nursery and pre-school provision	x 15 nursery settings	x 3.2 nursery setting	x 18.2 nursery settings
Primary school provision	up to x 6.9 two form entry schools	up to x 1.5 two form entry schools	x 8.4 two form entry schools
Secondary school provision	up to 10.6 forms entry school	up to 2.2 form entry school	up to 12.8 forms entry school
Sixth Form	x 471 A-Level places	x 87 A-Level places	x 558 A-Level places
Further Education	x 236 Further Education places	x 43 Further Education places	x 279 Further Education places
Specialist Provision	up to x 75 place specialist education provision	up to x 17 place specialist education provision	up to x 92 place specialist education provision

Appendix G - Current Electric Vehicle Charging Specification for Schools and Community Buildings

Schools

- 100% of car parking spaces for staff and visitors to have passive provision (i.e. ducting installed)
- 10% of all car parking spaces for staff and visitors (not including parents dropping off children) should have an electric charger installed.
- Recommended spec: Untethered, 22kwh Fast charger, 34Amp AC, Single Phase, smart (to enable school to monitor charging and recoup charging costs later or for users to pay at time of use)

Community Buildings

- 100% of car parking spaces for staff and visitors to have passive provision (i.e. ducting installed)
- 10% of all car parking spaces for staff and visitors should have an electric charger installed.
- Recommended spec: Untethered, 22kwh Fast charger, 34Amp AC, Single Phase, smart (to enable school to monitor charging and recoup charging costs later or for users to pay at time of use)

4. Digital Infrastructure

The Government's Future Telecoms Infrastructure Review, published July 2018, states that all new homes and developments should have full fibre or gigabit capable connectivity (i.e. fibre to the premise). Similarly, all new housing schemes and developments should be planned for adequate and future proofed mobile connectivity (5G and enhanced 4G services).

As a result, the County Council considers digital connectivity meeting the above requirements will need to be provided to all residential, business and community premises in the Otterpool Park scheme.

It is requested that Folkestone and Hythe District Council considers a requirement for the applicant to provide 'fibre to the premise' (gigabit capable) to all buildings (residential, commercial and community) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings. The County Council requests that before development commences, details shall be submitted (via condition or as part of reserved matters) for the installation of fixed telecommunication infrastructure and Gigabit Capable Fibre Optic to multi point destinations and all residential, commercial and community buildings. This shall provide sufficient capacity, including duct sizing, to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process.

The County Council requests that, should the District Council be minded to approve the application, the following informative is included within any decision notice:

The BT GPON system is currently being rolled out in Kent by BDUK. This is a laid fibre optical network offering a single optical fibre to multi point destinations i.e. fibre direct to premises."

In respect of the Utilities Delivery Strategy (February 2019), the County Council notes that at point 2.6.6, the document refers to a variety of speeds obtainable via Fibre to the Cabinet (FTTC). The County Council would like to advise the applicant that only speeds up to 80Mbps can at present be obtained via this method – the speeds quoted of 300Mbps and 1,000Mbps can only be obtained by full fibre (i.e. Fibre to the Home (FTTH)).

The County Council notes that the proposal is for FTTH in Otterpool Park – this needs to include all commercial, educational, community and business premises – i.e. full Fibre to the Premises (FTTP) to every premise. The Policy SS9, part 2a requires all residential, business, community and town centre buildings and public spaces to be enabled for ultra-fast fibre-optic broadband provided to the premises.

KCC recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next digital infrastructure is a fundamental and integral part of the project. Access to gigabit capable broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. The applicant

should liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. KCC understands that major telecommunication providers are now offering gigabit capable broadband connections free of charge to the developer. Developers should also work with mobile network operators to ensure that premises can obtain enhanced 4G and 5G services from all four mobile network operators.

.

The County Council notes that Openreach has been approached, alongside an alternative utility infrastructure provider, GTC. KCC understands that the intended benefit of connecting adjacent communities to benefit from the FTTP system can only currently be achieved if Openreach is the chosen supplier – as GTC currently does not offer this type of product as they bundle their work with other utilities in new build only and do not currently retro-fit to existing communities.

The County Council would therefore recommend that the applicant engages with the County Council prior to entering into any agreements to ensure that the intention of the project can be realised with the chosen supplier. KCC is happy to advise on the detail of any project prior to any supplier being selected and to assist the developer generally with telecommunications issues that may arise.

5. Minerals and Waste

The County Council, as Minerals and Waste Planning Authority, has reviewed the Mineral Resource Assessment prepared by SLR Consulting (on behalf of Arcadis Consulting (UK) Ltd). KCC considers that the Assessment is comprehensive and has identified the main economic minerals that the Otterpool Park development potentially affects in the relevant Mineral Safeguarding Areas (MSA), which are safeguarded under Policy CSM5 of the Kent Minerals and Waste Local Plan²⁹ (KMWLP). The safeguarded minerals are:

- Sub- Alluvial River Terrace Deposits
- Silica Sand/Construction Sand – Sandstone: Folkestone Formation
- Limestone Hythe Formation (Kentish Ragstone)
- Sandstone – Sandgate Formation

The report has analysed each mineral for its economic potential using available data. The County Council has interpreted following conclusions within the Assessment:

- Sub- Alluvial River Terrace Deposits - A high proportion of fines (silts, clays) in the region of 35% renders this mineral (superficial) deposit as not economic to process (washing). Though quantities are not estimated (though the depth is estimated at 0.0-5.0m), the mineral is a superficial type and from the evidence available does not have a significant area of deposition. It appears to occur along past water courses and may well be described as a marginal deposit. The assessment concludes that the mineral is of an uneconomic nature.
- Silica Sand/Construction Sand – Sandstone: Folkestone Formation - The mineral is correctly identified as an important economic mineral that consists of an aggregate (building or soft sands) and an industrial mineral (silica sands). Whilst the depth of the deposit is not identified, regional geological information is used to infer a potential depth of 15m.
- Limestone Hythe Formation (Kentish Ragstone) - Previous working of this aggregate bearing crustal unit is correctly noted, and though the ratio of more economic Ragstone to Hassock horizons is not known, it is anticipated to be between 20-50% of the bed thickness of 10m. The mineral is identified as of high economic probability.
- Sandstone – Sandgate Formation - A deposit that has been used in Surrey as a foundry sand but has not been extracted in Kent for that purpose. There was limited brick making (of a high clay fraction part of the deposit) in Westenhanger historically, and the assessment concluded that the mineral to be of an uneconomic nature.

The Assessment then examines the potential yield from the Otterpool Park area of the economic minerals and states:

²⁹ <http://consult.kent.gov.uk/file/4073744>

- Limestone Hythe Formation (Kentish Ragstone)- assuming a recovery of 30% of the material and a 10m depth with a density 2.7 tonne/cubic metres could come from the site, giving a yield of 17.2mt.
- Silica Sand/Construction Sand – Sandstone: Folkestone Formation- assuming a thickness of 5 metres and a recovery of 75% and a density of 1.6 tonnes/cubic metres the site could yield 1.1mt.

The Assessment considers the relevant exemption from the presumption to safeguard criteria in Policy DM7 of the adopted KMWLP. It concludes that extraction of the economic minerals would take a considerable length of time.

The Assessment states that it would take 57 years for the Kentish Ragstone to be extracted, given an assumed extraction rates of some 300,000 tonnes per annum [roughly half the total assumed Kent rate of extraction for this mineral].

The Assessment states that it would take eleven years for the Folkestone Formation deposit at 100,000 tonnes per annum [which is the equivalent 20% of the total assumed Kent rate of extraction for this mineral].

These extractions would delay the delivery of housing to a degree that would render the project unviable and contrary to the sustainable development strategy of the CSR.

The Assessment also questions the practicality of developing the site post prior extraction, particularly regarding the impact of the typical 15m deep quarried voids typically associated with the hard rock quarrying of this material. The permitted reserves of hard rock (Kentish Ragstone) are also sufficient to meet the adopted KMWLP objectively assessed need over the Plan period and beyond (assuming a 0.78mtpa extraction rate). In light of these conclusions, the sterilisation of these areas of Ragstone are considered to be acceptable, in that to do so would not jeopardise the steady and adequate supply of this type of hard rock derived aggregate into the future in Kent. The Assessment notes that this does not apply to the Soft Sands reserves, though makes the point that quarries producing Soft Sand are running at 58% capacity and there is 8.85mt of available reserves (which will only need replenishment toward the end of the Mineral Sites Plan period with 1.99mt [now 2.5mt]) based on 2017 aggregate monitoring data. The 'loss' of 1.1mt of windfall Soft Sand prior extraction has to be balanced with the need to deliver sustainable development overall, including the delivery of Otterpool Park.

The County Council, as Minerals and Waste Planning Authority, notes that the Mineral Assessment correctly identifies the nature and potential of the economic minerals that are threatened with sterilisation by the non-mineral development proposed at Otterpool Park. It goes on to make the case that their sterilisation is acceptable, in that it can be justified by invoking criterion (5) of Policy DM7 of the of the KMWLP. It is considered that the submitted Mineral Assessment evidence justifies this conclusion and an exemption from the presumption to safeguard the economic minerals present on the site is acceptable.

However, notwithstanding the above, the site for the materials recycling facility and anaerobic digestion plant at Otterpool Quarry lies within the site of the proposed development at

Otterpool Park. The facility was granted planning permission by KCC under reference SH/08/124. The planning permission has been implemented, and is therefore lawfully extant – however, the facility is not yet active. The site is safeguarded for waste management purposes under policy CSW6 of the KMWLP.

With regard to the Otterpool waste facility, consideration needs to be given to where the needs for the management of this waste stream can be met elsewhere, if required, as to not adversely impact the county's ability to self-sufficiently manage its own waste. This review is often carried out through an Infrastructure Assessment (waste) to satisfy Policy DM8 of the adopted KMWLP.

The County Council, as Minerals and Waste Planning Authority, is keen to engage with the applicant and the District Council at the earliest opportunity on this matter to resolve this conflict with the proposed development at Otterpool Park.

6. Public Realm

6.1 Street furniture

The County Council has a standard palette of materials for those areas of the highway which will be adopted by the County Council as Local Highway Authority as referred to in Chapter 1, page 26. The County Council relies on a standard palette in order to have confidence in the robustness and suitability of materials from a safety, ease of maintenance and cost perspective. Poorer quality materials can fail more quickly and be costly to maintain. Alternatives might be considered providing that they are “fit for purpose” provide the same function (including safety/robustness and other criteria), are no more costly than standard pallet costs and are readily available now and in the future. No commuted sums are required where the standard palette is used and applied.

When embedding public art in the public realm and street furniture, the applicant must consider the long term aesthetics and long term maintenance of these assets.

6.2 Lighting

The County Council has reviewed the external lighting proposed within the Design and Access Statement (February 2019) (DAS) and welcomes the consideration of the environmental zone classification and reference to the Institution of Lighting Professional guidance document – Guidance Notes for the Reduction of Obtrusive Light.

It is best practice for the quantity and illumination of lighting proposed to be set at the minimum level necessary. It should be positioned and directed only where it is required to minimise glare, with the design of lighting complying with lighting levels, uniformity and other parameters of current and relevant lighting standards. All street lighting should be timed so that it is not illuminated during day light hours.

The County Council’s current policy³⁰ is for the all night operation of street lighting, but it does implement a dimming regime at a predetermined time of the night to reduce lighting levels and energy consumption. This is undertaken by the County Council’s Central Management System (CMS). The CMS operation is standard for all new lighting installations across Kent adopted by the County Council, so would also be required at the Otterpool Park development. Part night lighting would need to be discussed with the County Council.

The Design and Access Statement makes reference to the presence of feature lighting on key routes and fitments, to complement the character of the external areas. KCC requests clarity on whether this street lighting is proposed for adoption. The County Council has a palette of materials which are required to be adhered to for any equipment that is proposed for adoption. The Street Lighting List of Approved Apparatus immediately follows this section. There are likely to be further revisions of the Street Lighting List of Approved Apparatus at the detailed design lighting stages of the Otterpool Park development and so it is recommended that the

³⁰ <https://democracy.kent.gov.uk/ieDecisionDetails.aspx?Id=878>

applicant enters into discussions with KCC on street lighting at relevant stages of the development to ensure they are working to the latest requirements and specifications.

With reference to street lighting column heights for particular routes, the County Council considers that the height of the required columns is largely dictated by the uniformity requirements for the specified lighting class. Higher levels of uniformity require taller columns.

The County Council does not use or adopt bollard lighting or solar powered lighting. The use of these types of lighting would need to be privately owned and maintained.

KCC notes that point 4.7.12 of the Design and Access Statement refers to figure 134 - 'Precedent images to illustrate building typologies'. The correct reference should be Figure 142.

6.3 Street lighting list of Approved Apparatus

Asset Type	Material Description	Specification	Manufacturer
Columns	Galvanised Steel post top column 5 / 6 / 8 / 10 & 12 m (Integral or separate brackets with approval only)	KCC coastal specification. Unpainted unless approval sought and granted.	Stainton Fabrikat CU Phosco
	Flange plate columns (as above)	As above	Fabrikat
	Galvanised steel raise and lower post top columns 5 / 6m	Coastal specification Trent mid hinged range with normal door	Stainton
	Ornate columns Commuted sums applicable	Subject to approval	
Sign posts	Galvanised wide based post	G1 finish KCC Coastal Specification	Stainton Fabrikat
Embellishment Kits		Subject to approval	Metcraft

To be procured with internal node. To be ordered to Kent specification	Commuted sums applicable		
Wall Mounted	Wall pack Bulkhead	To be confirmed To be confirmed	
CMS nodes / DCU / DCUR / network coverage design.	Control nodes to be fitted by the developer.	Telematics Wireless Control nodes.	Telematics Wireless
Sign Lights Solar powered sign lights	LED Subject to approval	LUA range (to include photocell): 3w for small plates (600mm and under) 8w for large plates (over 600mm)	Simmons signs
Photocells for sign lights		Microstar 35/18 lux	Royce Thompson
Signs, bollards, feeder pillars, boxes, beacons,	Material Description	Specification	Manufacturer
Sign Faces	Class 2 reflective		RBLI

School Crossing Patrol Signs	Pulsa LED	Pulsa LED magnetic switch School to take responsibility for programmable control unit	Simmons signs
Beacons	AVG-3 Refuge Beacon	Higlow Beacon Opal & non-flashing LED unit	Charles Endirect
	AVG-3 Belisha Beacon	Higlow Beacon Amber & flashing LED unit	Charles Endirect
	Midubel	Midubel Belisha Beacon LED unit	Simmons signs
Illuminated Bollards	Re-flex (Flexible)	LED base box	Haldo or other approved
Solar powered bollards	Safelite (600)	LED base box	Haldo
	Solaboll	Dual aspect LED	Pudsey Diamond
Non-Illuminated Bollards	Reflex Bollard	Metro Plus anti- twist	TMP
Pole and Wall Brackets and Boxes	Pole brackets Wall Brackets Wall Boxes		Pudsey Diamond
Feeder Pillars	Galvanised feeder pillar	3mm hot dipped galvanised steel to BSEN ISO1461	Charles Endirect Haldo Lucy Pudsey Diamond
Cut outs and Secondary Isolation	Lockable Safety Isolators	LSI 2, 3 & 4 range	Charles Endirect
Commando sockets		To comply with BS7671	

Cable Joints		To comply with BS7671	Birkett
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7. Public Rights of Way

The County Council recognises that the following Public Rights of Way (PRoW) are directly impacted by the proposed development at Otterpool Park:

Public Bridleways:

- HE271
- HE271A
- HE317

Public Footpaths:

- | | |
|----------|---------|
| • HE221A | • HE303 |
| • HE274 | • HE314 |
| • HE275 | • HE315 |
| • HE277 | • HE316 |
| • HE281 | • HE371 |
| • HE302 | |

The locations of these PRoW are indicated on the extract of the Network Maps, at the end of this section. The Network Map is a working copy of the Definitive Map.

The County Council considers that the Otterpool Park development provides a significant opportunity to improve access across the site and offer sustainable transport options to the Otterpool Park community. The County Council notes that this is reflected in the submitted Sustainability Statement (February 2019), which covers the importance of reducing the reliance on private cars. This would have a range of benefits, including reduced localised congestion, improved air quality, reduction in traffic noise and the promotion of healthy lifestyles with an overall improvement to the connectivity to the wider area.

The County Council notes that the site currently has limited public access. The Design and Access Statement (DAS) states that Otterpool Park will provide excellent pedestrian connections across the site, linking the new community with the wider landscape and surrounding communities. The County Council would like to ensure that these opportunities for improved connectivity will also be delivered for cyclists and equestrian users.

7.1 Walking, cycling and equestrian access

The County Council supports the proposed PRoW infrastructure, which will be complemented by bespoke green travel measures, building on the opportunities offered by the existing and proposed walking, cycling, equestrian and public transport infrastructure.

The use of Kent Design guidance³¹ is welcomed and KCC expects that all PRoW within the site are retained and protected. KCC is pleased to see that all existing PRoW have been accommodated within the areas of green open space (apart from HE303, which appears to

³¹ <https://www.kent.gov.uk/about-the-council/strategies-and-policies/regeneration-policies/kent-design-guide>

be a dead end route). HE303 provides access to Ashford Road and the connectivity of this path within the development will need to be considered.

The full width of the existing PRow routes must be accommodated within the development layout and improved to a standard which can accommodate all year round use. The County Council is supportive of the submitted Walking and Cycling Strategy (February 2019), which looks to ensure that all walking and cycling routes are of high quality with all weather surfacing. Surface improvements will be required as part of the development to mitigate against the impact of the increase used generated by the new Otterpool Park. The applicant should be made aware that any proposed work on the existing surface of a PRow must be approved and authorised by the County Council PRow and Access Service.

The Walking and Cycling Strategy also states that the crossing facilities incorporated into routes that cross the A20 between the northern and southern parts of the development will give priority to pedestrian and cyclists (and equestrians, where there is a bridleway). The County Council is supportive of these crossing improvements, alongside the proposed safe crossing points over Otterpool Lane and the A20, between A261 and M20 to the existing footpath HE281. Additionally, the County Council requests that all access route crossing points over existing and proposed PRow within the site are kept to a minimum. Where crossing points are required, these will need to be approved by the County Council PRow and Access Service.

The County Council supports the proposed shared footway and cycleway on the southern side of the A20 to connect with a possible cycle route to Folkestone and improvements to provide cycle and pedestrian shared route access. The primary cycle path routes and footpaths that follow the primary access roads – which is assumed will become part of the adopted highway - will help towards more sustainable travel choices. The majority of proposed secondary cycle paths and footpaths are accommodated within traffic free green corridors or areas of open space and provide additional connectivity through the site and to the surrounding settlements.

The County Council's previous comments on the Environment Impact Assessment Scoping Report noted the limited reference to equestrian users. The County Council welcomes the inclusion of a number of additional bridleway routes included within the application. In line with Kent Design Guidance³², these routes have been accommodated within areas of green corridor. The routes provide essential links to the surrounding settlements, the wider network and recreational facilities, such as at the Royal Military Canal, the Saxon Shore Way and the Downs.

There is a lack of equestrian access from the site to the east. There is potential for the applicant to upgrade the existing footpath (HE281) to bridleway, with the view of securing further bridleway access through Sandling Park, providing links to Brockhill Country Park and Hythe. The County Council understands that is proposed that only part of the footpath HE281 that is within the site boundary and in the applicant's control that will be upgraded. However, the potential bridleway access outside the site boundary is something that should be explored as part of the external PRow network improvements.

³² <https://www.kent.gov.uk/about-the-council/strategies-and-policies/regeneration-policies/kent-design-guide>

7.2 PRow improvements

The Otterpool Park development will have far reaching impacts on the PRow network. The application identifies PRow links outside the site boundary, including for footpaths HE281 and HE293 - routes that will experience an increase in pedestrian movement as a result of the development. There are however, no specific details of external PRow improvement work within the application.

As referenced within the Otterpool Park Transport Assessment (February 2019), the development will be influenced by the travel needs of the existing and future communities. A balance is needed between providing a place to live and work and the amenities that the population needs, whilst providing easy connections to and from the neighbouring communities. The improvement of the external PRow routes will not only help mitigate the impact of the increase use from the development, but will also provide connections to these neighbouring communities, facilities and the wider countryside – and this will need to be secured via developer contributions. The County Council would welcome discussions at the earliest opportunity with the applicant and the District Council on the list of priority network improvements that the PRow and Access Service has compiled.

Overall, the County Council considers that public access within the site has been well considered. However, there are opportunities to further improve the sites access, to encourage sustainable travel patterns and further increase the opportunities available for recreation, active travel and exercise. The applicant should contact the County Council PRow and Access Service at their earliest convenience to address the issues raised and avoid any unnecessary delays to the planning process.

The applicant should also be aware that any PRow diversions must be considered at an early stage. Where it is probable that consent will be granted, it is sensible to initiate consultation on proposed alterations to the PRow network as soon as possible. It is important that Folkestone and Hythe District Council is in a position to make the necessary Orders at the point at which consent is given.

Lastly, the applicant should be made aware of the following:

- No furniture, fence, barrier or other structure may be erected on or across Public Rights of Way without the express consent of the Highway Authority.
- There must be no disturbance of the surface of the Public Right of Way, or obstruction of its use, either during or following any approved development without the express consent of the Highway Authority.
- No hedging or shrubs should be planted within 1.5 metre of the edge of the Public Right of Way.
- Any planning consent given confers no consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.
- No Traffic Regulation Orders will be granted by the County Council for works that will permanently obstruct the route unless a diversion order has been made and confirmed. If the applicant needs to apply for a temporary traffic regulation order whilst works are undertaken, the PRow and Access Service will need six weeks notice to process this.

7.3 Extract of the Network Map 1



<ul style="list-style-type: none"> Footpath Bridleway Restricted Byway Byway Open to All Traffic Point path number or status changes Boundary of area covered by 1:2500 scale Network Map Area covered by 1:2500 scale Network Map 	<p align="center">EXTRACT OF THE WORKING COPY OF THE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY FOR THE COUNTY OF KENT</p> <p align="center">© Crown Copyright and database right 2013. Ordnance Survey 100019238</p> <p align="center">FOR REFERENCE ONLY – NO FURTHER COPIES MAY BE MADE</p> <p align="center">Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.</p> <p align="center">Produced by the KCC Public Rights of Way and Access Service</p>		Created by:	<p align="center">N</p> <p align="center">1:10,000</p> <p align="center">Kent County Council kent.gov.uk</p>
			Text	
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			Issue Date:	
Reference:	04/06/2018			
	Text			

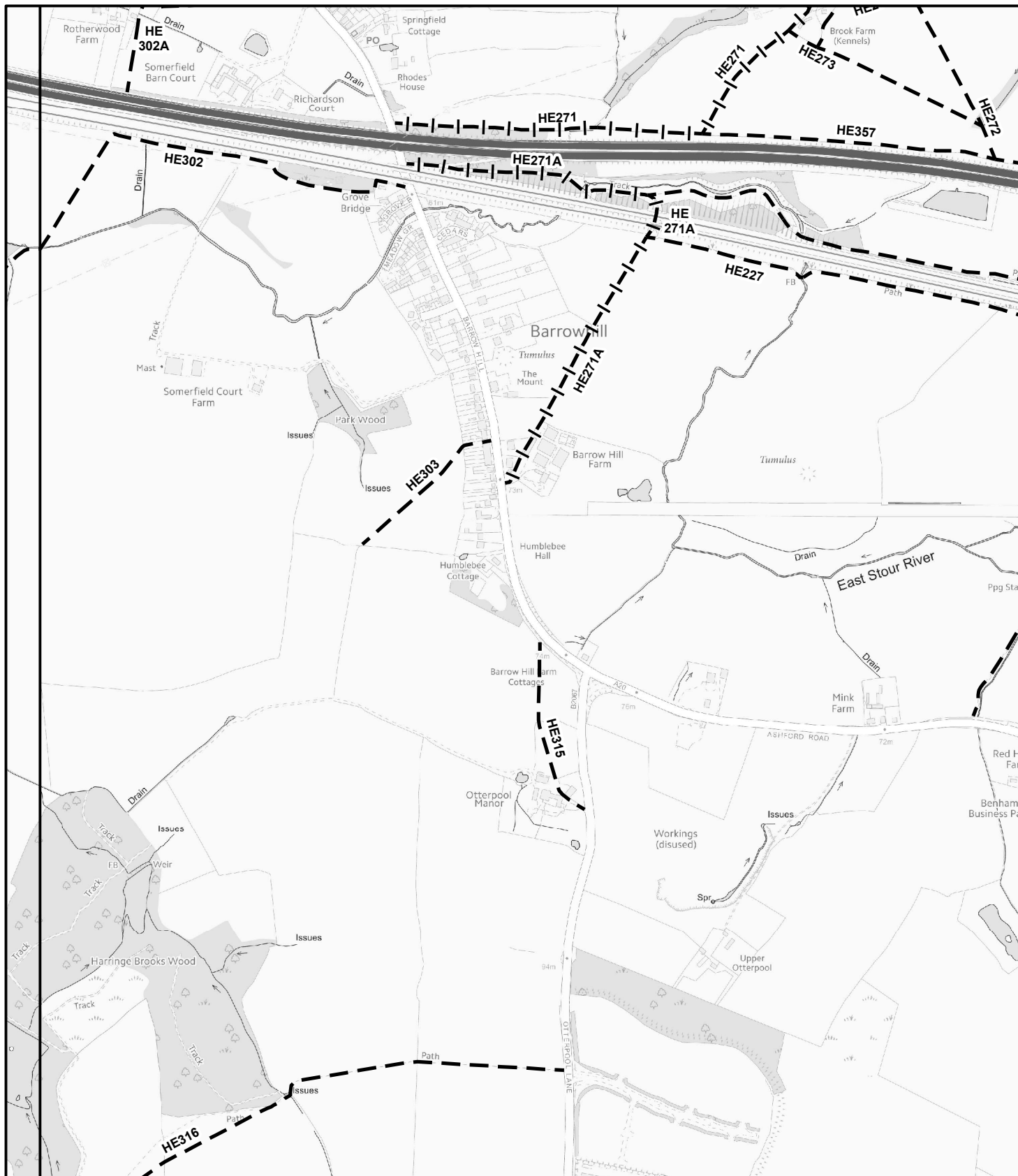
0 0.5 1

Kilometres

0 0.25 0.5

Miles

7.4 Extract of the Network Map 2



<ul style="list-style-type: none"> Footpath Bridleway Restricted Byway Byway Open to All Traffic Point path number or status changes Boundary of area covered by 1:2500 scale Network Map Area covered by 1:2500 scale Network Map 	<p>EXTRACT OF THE WORKING COPY OF THE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY FOR THE COUNTY OF KENT</p> <p>© Crown Copyright and database right 2013. Ordnance Survey 100019238</p> <p>FOR REFERENCE ONLY – NO FURTHER COPIES MAY BE MADE</p> <p>Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.</p> <p>Produced by the KCC Public Rights of Way and Access Service</p>	<p>Created by:</p> <p>Text</p> <p>Checked by:</p> <p>Text</p> <p>Issue Date:</p> <p>04/06/2018</p> <p>Reference:</p> <p>Text</p>	<p>N</p> <p>1:10,000</p> <p>Kent County Council</p>
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7.6 Extract of the Network Map 3



<ul style="list-style-type: none"> Footpath Bridleway Restricted Byway Byway Open to All Traffic Point path number or status changes Boundary of area covered by 1:2500 scale Network Map Area covered by 1:2500 scale Network Map 	<p align="center">EXTRACT OF THE WORKING COPY OF THE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY FOR THE COUNTY OF KENT</p> <p align="center">© Crown Copyright and database right 2013. Ordnance Survey 100019238</p> <p align="center">FOR REFERENCE ONLY – NO FURTHER COPIES MAY BE MADE</p> <p align="center">Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.</p> <p align="center">Produced by the KCC Public Rights of Way and Access Service</p>		Created by:	<p align="center">N</p> <p align="center">1:10,000</p> <p align="center">Kent County Council</p>
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0 Kilometres 0.5 1

0 Miles 0.25 0.5

8. Sustainable Urban Drainage Systems

The Flood Risk Assessment and Drainage Strategy submitted to support this development applications demonstrates how surface water will be managed within the scale of development. It is proposed that surface water will discharge from the site at rates not to exceed greenfield runoff rates. It is agreed that this is an appropriate approach to ensure flood risk is managed. This states principles which need to be assessed as further detail design is undertaken for the next stages of planning.

It is particularly important as noted within the FRA that downstream flood volumes on the River East Stour are not increased. The development proposal identifies areas where infiltration can be utilised, and these opportunities should be maximised within detailed design. Re-use of surface water provides additional benefit in management of surface water volumes and reduction of potential flood risk downstream of the proposed development, though this is discussed, further detail should be provided to KCC as Lead Local Flood Authority.

NPPF promotes inclusion of sustainable drainage systems which are multi-functional. Any drainage provision should be provided which adopts a sustainable drainage approach with consideration of water quantity control, water quality protection, amenity provision and biodiversity enhancement. The information as submitted supports this approach but further detail will need to be provided as detailed design is progressed.

There are specific concerns in relation to level of detail provided for a development of this magnitude:

- a) The delivery time frame occurs over a lengthy planning horizon. It would be expected that changes will occur within the development delivered per phase. Any strategic drainage provision must be sufficiently flexible to provide for changes within the contributing catchment and also evaluate the timing of contributions to the River Stour.
- b) As there has been a commitment to ensuring that surface water flows to the River Stour do not increase, it is important that the baseline flow rate within Stour is defined downstream of the Otterpool development.
- c) A phasing plan has been included within the planning application - it must be clear how different phases and areas contribute strategically the strategic surface water drainage network.
- d) With delivery over a lengthy period of time and with possible changes in development which comes forward, there should be a mechanism which confirms that the baseline conditions in the Stour have not been exceeded. If surface water volumes have increased then mitigation should be proposed to ensure that the impacts to surface water flows and potential flood risk are mitigated.

KCC agrees and strongly supports the proposal for a more detailed Water Cycle Study to be completed with greater design detail in the next stage of planning which further assesses matters raised in the Outline Water Cycle Study and Flood Risk Assessment. The sustainable drainage and water supply benefits are mentioned but no specifics are presented. The ability to control surface water volumes may require a “consumptive” use in addition to maximising infiltration to manage excess volumes. A detailed Water Cycle Study should be undertaken prior to or in conjunction with further development of the next planning stage at Reserved

Matters. This study should define the baseline flows within the East Stour and a strategic drainage framework for the development.

The County Council recommends that any approval includes the following conditions:

Condition:

Prior to the submission of any application for the approval of Reserved Matters a detailed water cycle study and water cycle strategy shall be submitted to (and approved in writing by) the local planning authority, which provides a detailed framework for the sustainable provision of water cycle infrastructure, and which includes consideration of water supply and flood risk management objectives and promoting sustainable drainage solutions. A baseline for flows in the River East Stour shall be assessed and defined.

Reason:

To ensure the development is served by a sustainable water supply and ensure that satisfactory arrangements for the disposal of surface water are incorporated into the proposed layouts and occur to the environment.

Condition:

No development within each phase or Reserved Matter site shall be commenced until a surface water drainage scheme for the relevant phase has been approved in writing by the Local Planning Authority. The surface water drainage scheme shall comply with the principles and strategy as defined by the detailed water cycle study and water cycle strategy, incorporating sustainable drainage systems and maximising infiltration. The surface water scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site and without resulting in any changes to the baseline conditions in the River East Stour.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water

drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

9. Heritage Conservation

The County Council has reviewed the documentation in respect of heritage conservation and is providing a strategic overview of some of the key heritage issues, which should be considered in the determination of this planning application. The County Council will also be providing detailed advice directly to Folkestone and Hythe District Council on this application, as the District Council's archaeological advisor.

9.1 Summary of main comments

The Environmental Statement (February 2019) (ES) states that the “evaluation has provided sufficient information to develop an understanding of the heritage resource within the site and informed how mitigation is approached” (paragraph 9.4.5). The County Council does not agree with this statement. KCC considers that there is a clear and urgent need for further targeted archaeological evaluation works to be undertaken before the application is determined. If this evaluation is not carried out, there may be grounds to raise a holding object to the application in its current form.

The County Council does not agree with the assessment of the level of harm that the proposed development would cause to Westenhanger Castle, as set out within the ES, but considers that the harm is greater than suggested and that the current masterplan needs to be revised to mitigate against a case for objecting to the proposal on this ground.

The County Council considers that the whole group of prehistoric barrows on Barrow Hill should be preserved in-situ as a rare survival of a group of upstanding barrows, particularly in Kent. KCC also does not think that preservation within sports pitches or some types of open space may be appropriate if it would prevent the appreciation of the landscape context of the barrows. The County Council recommends that the proposed masterplan should be amended to allow meaningful preservation, in line with national policy.

A Heritage Strategy should be agreed before the application is determined. The County Council considers that the current scope of the Heritage Strategy should be revised to provide a positive and visionary strategy that explains how heritage benefits will be maximised, such that future residents can best appreciate, understand and enjoy their significance.

The County Council welcomes the principle of ensuring that Otterpool Park has a clear sense of identity. KCC considers that the rich heritage of the area must play an important role in the identity of the new settlement. The NPPF highlights the role that the historic environment can make to sustainable communities and the positive contribution that it can make to local character and distinctiveness. It is essential that Westenhanger Castle plays a major role in defining the identity of the new town.

The County Council notes that the ES does not make provision for the discovery of further important archaeological remains, beyond those already identified by the limited trial trenching undertaken to date. Further, presently unknown archaeological remains that may require preservation in situ should be expected and prepared for.

There is an opportunity for people to become actively engaged in the site's heritage by participation in archaeological-led activities through the life of the development programme. The employment of a project specific community archaeologist would be necessary to facilitate the delivery of such activities. KCC recommends that this role is funded through developer contributions secured through the section 106 agreement.

KCC recommends that opportunities should be taken to allow new and existing residents to interact with and enjoy the heritage of the site. The ES commitments to the creation of on-site heritage interpretation, trails and walks are welcomed.

The archaeological works required to be carried out across the Otterpool Park development will result in the production of an extensive archaeological archive, including physical artefacts and remains as well as paper and digital archives. Provision should be made for the long-term storage of, and public access to the archaeological archive, funding for which should be secured through developer contributions via the section 106 agreement.

9.2 Archaeological assessment and evaluation

The proposed Otterpool Park development has been subject to archaeological evaluation works to inform the proposed masterplan. The evaluation trenching carried out to date has been undertaken at a low density (approximately 3%) and only provides partial coverage of the site, having focussed so far on areas which could be easily accessed.

Reports have been submitted on the evaluation trenching undertaken to date. These form part of the baseline data supporting the ES. The County Council has noted that there are several errors within these reports, which may affect the soundness of some of the conclusions reached within the ES. The County Council has provided more detailed comments direct to Folkestone and Hythe District Council on this matter.

The County Council considers that in some areas, the ES has assigned too low a level of significance to heritage assets. In other instances, the magnitude of the effect of the development on an asset's significance has been downplayed. This has meant that some significant effects have been identified as non-significant in the Statement and as such, have not been given sufficient consideration in the masterplan.

It is highly likely that further important archaeological remains will be found within the Otterpool Park development area. These may include finds within areas already subject to trial trenching, in consideration of the low level of evaluation so far. By way of an example, evaluation trenching to the south-west of Otterpool Manor has suggested the presence of Neolithic features; however, within the scope of the limited evaluation, it has not been possible to properly characterise and understand whether this interest is of national importance. Similarly, the assessment of significance of the prehistoric barrows has been based on a very low level of evaluation. The County Council considers that if a precautionary approach to preservation in situ is not taken, there will be a need for further evaluation to determine significance before final decisions on development layout are made.

The County Council notes that the application suggests that the Neolithic interest is of medium importance (county or regional) – however, not enough evaluation has been undertaken to reach such a conclusion. The Neolithic interest may be of national importance and could require the masterplan for this part of the site to allow for the preservation of a large area. It is essential that further evaluation work is carried out at this stage of the design and planning process to ensure that any identified nationally important remains are preserved ahead of the reserved matters and design code stages.

The County Council recommends that archaeological trial trenching should take place at the former Lymgne airfield site and adjacent to Link Park prior to the Otterpool Park outline planning application being determined. This area is identified within the Otterpool Archaeological Fieldwork Strategy (2017), prepared by Arcadis, as being an area of high archaeological potential. Geophysical survey has shown extensive archaeological remains across this area, but the precise character and their significance is not yet fully understood. It remains possible that the archaeological remains here could be of high importance. Additionally, this area of the site is identified as being of increased potential for Palaeolithic archaeology.

Appendix 9.16 of the ES provides a desk-based assessment for Geoarchaeology. This identifies the potential for Palaeolithic remains in various parts of the site, KCC considers there is clearly a need for further archaeological evaluation in these areas. Evaluation should take place in the fissure deposits and head/brickearth deposits as a minimum prior to determination of the Otterpool Park planning application. The Pleistocene and Early Holocene stratigraphic model should be updated with the results of the geotechnical investigations and the site should be characterised according to its Palaeolithic potential.

Additionally, further evaluation should be undertaken in areas of colluvium and across alluvial floodplains where geophysical surveys should also be undertaken to help identify subsurface stratigraphy. This work should be undertaken as soon as possible to help inform the layout of development or habitat creation.

Within the southern part of the Otterpool Park site, there are several buildings and structures associated with the use of Lymgne airfield during WW2. Surviving airfield structures include various air raid shelters, pillboxes, RAF huts, battle HQ bunker and shelter, a gas decontamination building, a munitions store and other ancillary buildings. The County Council notes that the applicant has undertaken a screening assessment of these structures and has suggested that the battle HQ bunker and a Pickett Hamilton Fort (a type of retractable pillbox used at airfield locations that are nationally rare) are likely to meet the criteria for designation through listing. A second Pickett Hamilton Fort is suggested to be present, but could not be assessed because it was inaccessible, being buried under a spoil heap. The County Council considers that further information is required on the survival and condition of this second Pickett Hamilton Fort before it can be ruled out for listing. Indeed, the fact that it was observed in a sunken (retracted) state in 2005 might increase its significance if this means that its internal mechanisms survive.

Although other buildings and structures are not identified as possible listing candidates, KCC considers this should not automatically mean that their loss should be accepted. Retention of these military assets, individually and as a group would, in combination with the interpretation

and heritage trails already proposed within the ES, help ensure that the important role that RAF Lympne played in WW2 remained appreciable within the new settlement.

In the area of the recently identified Roman villa, the County Council considers that it would be appropriate to undertake further evaluation adjacent to Red House Farm and on the north side of the A20 Ashford Road to ensure that the full extent of the villa is properly understood and taken account of in the masterplan.

Overall, the County Council considers that there is a clear need for further targeted archaeological evaluation works to be undertaken before the application is determined. This information must be provided to mitigate against potential grounds for objecting to the Otterpool Park planning application.

The County Council also considers there is need for the assessment of the historic built environment provided by the applicant to be reviewed in relation to historic buildings of less than national importance and the setting of Conservation Areas. The County Council notes that Folkestone and Hythe District Council does not currently employ an in-house Conservation Officer, so KCC encourages that specialist advice is sought on this area.

9.3 Setting of heritage assets - Westenhanger Castle

The County Council does not agree with the assessment of the level of harm that the proposed development will cause to Westenhanger Castle, as set out within the ES, and considers that the harm is greater than suggested.

The setting of Westenhanger Castle will be harmed due to the significance of the monument based on the current proposal and changes to the setting that will be incurred by Otterpool Park. The County Council does not consider the Otterpool Park development in its current form to be an enhancement to the setting of the monument. Whilst it is recognised that there may be some benefits delivering a positive impact, the overall effect is harmful.

The County Council does not consider that the proposed development will lead to substantial harm in terms of Paragraph 196 of the NPPF, but notes that substantial harm is a very high test. The NPPF requires that great weight should be given to the conservation of designated heritage assets - irrespective of whether the harm amounts to substantial harm, or less than substantial harm. The County Council currently considers the harm to be “very high”, and although less than substantive, it is at upper end of the ‘less than substantial harm’ spectrum. Overall, the County Council does not think that the applicant’s assessment of this harm is sufficiently thorough.

The County Council does not consider that the ES has properly considered the effect that the development will have on the setting of Westenhanger Castle. The application appears to have given greater weight to the view from the causeway back towards Westenhanger Castle, which is just one of many important views from and towards the castle. The NPPF defines the setting of a heritage asset as “the surroundings in which a heritage asset is experienced”. The County Council considers that the ES has taken a too narrow view as to what constitutes the setting of Westenhanger Castle. It has focussed too heavily on a limited number of views,

rather than fully considering how the landscape setting of the castle contributes to how it is experienced.

Westenhanger Castle was once one of the very great houses in Kent and in the sixteenth century was under Royal ownership. It was set within a substantial deer park, which surrounded the castle on all sides. KCC acknowledges that to the north, the castle's setting has been harmed by the M20 motorway, domestic and Channel Tunnel Rail Link rail lines which have severed the castle from its estate to the north. The County Council considers that this makes the remaining aspects, particularly those to the west and south, more sensitive to change.

The County Council places special importance on the castle's southern aspect. This is because it is from the south that the castle was historically approached (by means of a tree-lined causeway). Also, historically, the castle would have included chambers that were designed to take advantage of the view south from the castle. It is here that KCC believes the more formal elements of the castle's landscape would have been located, including a walled garden immediately south of the scheduled area.

The County Council agrees that the south aspect has seen change since Tudor times, not least through the establishment of the racecourse. Nevertheless, the current openness that the racecourse provides helps visitors to Westenhanger understand that the castle was once set within a very extensive deer park, which historically extended as far as the A20 Ashford Road. The County Council considers that this openness is a key part of how the asset is experienced and thus is a key part of its setting.

The Otterpool Park proposal includes development that extends close to the scheduled monument to the west and east. The County Council considers that this development, which includes higher density development, encroaches too closely on the castle. It is noted that more extensive open space is allowed for to the south, but this does not extend fully to the Ashford Road, except for a reduced corridor along the line of the former causewayed approach. Resultingly, the ability to understand and appreciate the former extent of the deer park would be lost. The open space proposed to the south of Westenhanger Castle is too small and a significantly greater area of open space, that extends fully to the A20 Ashford Road, needs to be allowed for.

It is essential that the former status of Westenhanger as a great house set within a large park can be understood and appreciated. The current masterplan does not allow for such appreciation and should be revised accordingly to mitigate against a holding objection to the scheme on this matter.

9.4 Setting of heritage assets - prehistoric barrows

The applicant has provided a Statement of Significance for the prehistoric barrows that have been identified within the development area. Five of the barrows, four of which form the core of the group on Barrow Hill, have been assessed as nationally important and four of those within the application site have been noted as regionally important. The County Council does not agree with the conclusion that the outer barrows of the group on Barrow Hill should be

regarded as regionally important, as there has been insufficient evaluation to determine the character and significance of each of those barrows. Furthermore, there is an absence of analysis on how the individual barrows relate to each other as part of the group; or how they have been located in the landscape in terms of topography, aspect, natural features and other prehistoric monuments in the area. KCC considers that the group of barrows should be considered as a whole, and together regarded as nationally important. It should not be assumed that the larger barrows are the primary components of the group – it is possible that one of the smaller barrows is the earliest in date. Barrow 130, as an example, has not yet been dated and could have been constructed in the late Neolithic period. The possible ring ditch identified in Trench 96 to the arch of Barrow 114 may also be part of the group.

The group as a whole and its landscape setting should be preserved in situ as a rare survival of a group of upstanding barrows, particularly in Kent. Preservation within sports pitches or some types of public open space may not be appropriate if that would prevent an appreciation of the landscape context of the group. An appropriate level of open space should also be allowed around Barrow 44, which is located on a spur of higher ground to the east of Burnbrae. The proposed masterplan should be amended to allow meaningful preservation, in line with national planning policy.

9.5 Setting of heritage assets – farmsteads

The County Council welcomes the initial assessment of the historic farms within the site and in the adjacent area (Appendix 9.3 of the ES). The report notes that the farms at Otterpool Manor, Upper Otterpool and Newingreen Farm survive relatively well as historic farms, but no recommendations have been made as the buildings fall outside the application site. There are farm buildings which lay outside of the site, of which their setting will be affected by the development within the site. It is important therefore that a sufficient buffer zone is provided within the Otterpool Park masterplan to ensure that these farms retain a sense of their farmland setting. KCC recommends that the masterplan is reviewed in this context and amended accordingly.

If historic farms have undergone partial demolition, or other development, the County Council considers that it may be appropriate to encourage any new development to use the layout of the historic farm for the location of new buildings.

9.6 Proposed Otterpool Park Heritage Strategy

The ES commits the applicant to produce a Heritage Strategy for Otterpool Park – however this has not been provided with the application. This Strategy must be submitted ahead of determination of the outline application.

The County Council has been in discussion with the applicant and their consultant Arcadis on the production of the Heritage Strategy. However, KCC considers that the scope of the emerging strategy as proposed is more appropriate for an action plan for dealing with known heritage assets within the Otterpool site, rather than providing a true strategy.

The County Council considers that there is a need for a strategy that provides an overall heritage vision for the future development that builds upon and links back to the high-level aspirations described within the Otterpool Park Charter. The Heritage Strategy should consider how the benefits that the rich heritage brings to the site will be maximised in the immediate, medium and long-term and set out commitments as to how these goals will be achieved.

The emerging Heritage Strategy should consider how heritage will play an on-going role in shaping the identity of Otterpool Park and contribute to the overarching place-making objectives. The proposed Strategy should explain how the new community will experience and enjoy the historic environment of Otterpool, and in doing so, how the area's heritage can contribute to objectives around health, wellbeing, education and community.

The emerging Heritage Strategy should link with other relevant strategy documents, including the Cultural and Creative Strategy. It should also allow for future new discoveries and consider how these might be dealt with.

The emerging Heritage Strategy should also link to the draft Folkestone and Hythe District Council Heritage Strategy and explain how the proposed development might help deliver some of the aspirations and recommendations contained within the district wide strategy.

The County Council considers that the scope of the Heritage Strategy should be revised to provide a positive and visionary strategy that explains how heritage benefits will be maximised, such that future residents can best appreciate, understand and enjoy their significance. At present, the scope is too focussed on mitigating harm, not promoting positive benefits. The Strategy must be agreed with the County Council and District Council prior to the determination of this outline application.

9.7 Placemaking

The County Council welcomes the principle of ensuring that Otterpool Park has a clear sense of identity. The rich heritage of the area must play an important role in the identity of the new settlement. The NPPF highlights the role that the historic environment can make to sustainable communities and the positive contribution that it can make to local character and distinctiveness.

The County Council considers that it is essential that Westenhanger Castle plays a major role in defining the identity of the new town. The castle is currently located just outside the planning application boundary. Potentially, if the castle were brought into the red-line boundary - the application could better ensure a long-term sustainable future for Westenhanger Castle.

The proposed development will cause harm to the significance of Westenhanger Castle. The NPPF describes how this harm should be weighed against the public benefits of the proposal. These public benefits must include heritage benefits, such as ensuring that the castle has a viable future.

The County Council considers that the application should positively develop new or existing uses for this nationally important heritage asset and that any future use of the castle promotes and supports public access to the site. KCC considers this has not been adequately addressed in the present application. The County Council is not satisfied that sufficient heritage benefits can be delivered at the castle if it is not included within the red-line boundary.

The character of the historic environment should be used to influence and help design the layout, form and character of the proposed new development. An initial Historic Landscape Characterisation (HLC) has been provided in Appendix 9.3 of the ES. It is recommended that it would be beneficial to use the predominant type of rectilinear fields with wavy boundaries (HLCT1.6) to influence the layout of the development, including the major transport routes, which in the current proposal appear as an imposed form not in keeping with the landscape.

The County Council recommends that the HLC should be updated periodically as new information becomes available, particularly in relation to archaeological remains.

As well as using the site's rich heritage to shape the new place, the County Council considers that it is essential that opportunities are built into the development that allow new residents to interact with and enjoy the heritage of the site. KCC welcomes commitments within the ES for the creation of on-site heritage interpretation, trails and walks. It is important that appropriate provisions are put in place (either through conditions or legal agreement) to ensure their delivery and on-going management.

Further, on-site facilities for heritage interpretation should also be included within the Otterpool Park development, either within dedicated spaces, or preferably integrated within proposed community venues, schools and public buildings.

The long-delivery timetable means that new residents will be living at Otterpool Park as development works progress. There will be a need for extensive programmes of archaeological investigation and recording throughout the development works. The NPPF explains that developers should record and advance understanding of heritage assets that will be impacted, and to make this evidence publicly accessible.

The County Council considers that there is an opportunity for people to become actively engaged in the site's heritage by participation in archaeological-led activities through the life of the development programme. The employment of a project specific community archaeologist, funded through developer contributions secured through the section 106 agreement, would be necessary to facilitate the delivery of such activities. The County Council considers that this approach would be in line with garden settlement principles and the vision of the Otterpool Park Charter.

9.8 Archaeological mitigation programme

The ES acknowledges that the proposed development will involve extensive groundworks to facilitate the construction of the new settlement, and that these groundworks are likely to have a significant and widespread impact on archaeological remains. There will also be impacts

from ecological mitigation works and the establishment of green and blue Infrastructure (including from advanced structural planting works).

The ES does not appear to make provision for further important archaeological remains beyond those already identified by the limited trial trenching undertaken to date. The County Council does not think it can be assumed that mitigation through investigation (by record) will be an acceptable response for all archaeological remains. Further presently unknown archaeological remains that will require preservation in situ should be expected.

The NPPF explains that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. It also notes that “the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted”.

Significant parts of the site have not been evaluated and are not identified for trial trenching prior to determination of the planning application. The County Council considers that this presents a risk, as there is a high possibility that nationally important archaeological remains could be present within un-trenched parts of the Otterpool Park site. If pre-determination evaluation is not carried out within all areas that will be impacted by development, KCC considers that it is essential that there is sufficient flexibility in the masterplan to allow for the preservation in situ of as yet unknown, but nationally important archaeology.

It is noted that sufficient flexibility is not currently identified or demonstrated. The County Council also considers that the ES incorrectly assumes that archaeological excavation would be a suitable response for any future archaeological discoveries.

The County Council acknowledges that there will be large areas of the site where archaeological remains will be present, but that much of the archaeology present will be of a level of significance such that their loss is accepted, providing that they are appropriately investigated and recorded. The ES sets out options for archaeological mitigation in paragraph 9.4.7. Where accepted, KCC agrees that such mitigation measures could be secured through planning conditions, as suggested in line with paragraph 9.4.10 of the ES.

The archaeological works will result in the production of an extensive archaeological archive, including physical artefacts and remains and paper and digital archives. Provision should be made for the long-term storage of, and public access to, the archaeological archive. The funding for this archive service should be secured through the section 106 agreement. Furthermore, the results of the archaeological investigations undertaken at Otterpool Park will need to be published.

At present, the ES allows for the archaeological preservation in situ of the recently discovered Roman villa close to the A20 near Red House Farm, part of a Prehistoric barrow group at Barrow Hill, and a single barrow located just north of the former racecourse straight.

The County Council would like to raise concerns about the proposal to preserve part of the group of barrows at Barrow Hill under playing fields and recommends that more information is required to understand whether this will result in meaningful preservation (including how this might be managed in the long-term).

The County Council would also welcome clarification of how the barrow adjacent to the former racecourse straight will be preserved. The ES states that the barrow will be preserved in situ under public open space (para 9.4.63), but such open-space is not shown on the masterplan drawings. KCC requests confirmation that this barrow will be preserved in situ - a meaningful area needs to be agreed between the County Council and the applicant.

Where archaeology is preserved in situ, an appropriately resourced plan must be put in place to allow for the ongoing management of the archaeology. KCC therefore recommends that the applicant is required to submit and resource an Otterpool Park Conservation Management Plan.

The County Council is keen to further engage with the applicant and their consultants to discuss the heritage conservation matters raised within this response.

10. Cultural Strategy

The County Council welcomes the submission of the Cultural Strategy (October 2018) and endorses the Strategy's ambitions and recommendations. Cultural vibrancy helps to create sustainable and successful communities.

The County Council supports the approach to cultural learning in schools. KCC recommends that this is adopted as a priority and that new schools are designed and built in partnership with expertise to make sure this approach is embedded from the start.

Otterpool Park should aim, not to duplicate Folkestone's cultural infrastructure, but recognise Folkestone's critical role as a resource in providing activity for the Otterpool Park community. KCC recommends that the applicant considers how the new community at Otterpool Park will be able to reach central Folkestone by public transport to support, and benefit from, the day and night-time economy of Folkestone.

The County Council recommends that the applicant develops a programme of cultural co-location in Otterpool Park that sees space for cultural production and activity co-located with other community spaces and services such as libraries, health centres and community centres.

The County Council also recommends that the applicant includes co-working and short lease workspaces to support new ways of working within the Otterpool Park masterplan. The creative sector is predominantly freelance and co-working dramatically increases productivity and business success rates.

The County Council would also like to show support of the approach by the applicant that enables new communities to design and build their own homes, supported by local architecture and design businesses.

11. Stewardship Arrangements

The County Council notes the governance arrangements as set out within the applicant's Governance Strategy. The County Council supports the approach to establish a new body or possibly bodies to manage a variety of assets within the development over the longer term. Discussions with the applicant to date have been at a very high level and the County Council requires further discussions with the District Council and the applicant in relation to governance and long term stewardship, in particular in relation to public realm and managing community buildings which will be required to deliver KCC services.

It cannot be determined at this stage whether schools can secure additional revenue streams, and this cannot form an integral part of any business model.

KCC is supportive of applying the multi-speciality community providers approach at Otterpool Park but would require that any future discussion includes both social care and public health, alongside health partners.

The County Council requires further consideration by the applicant of how community development and stewardship of the new development are connected. Going forward, the existing community should be more involved in shaping these two workstreams.

When developing the business model for the stewardship body, the applicant will need to consider the long term cost of maintaining high quality public realm. The County Council agrees it is vital to determine the ownership of a range of assets alongside their maintenance regime early on in the application process. The County Council is happy to discuss options for managing both the public realm and sharing community buildings providing these meet appropriate standards including safety requirements, accessibility and cost considerations. The County Council is willing to share previous experience from a range of sites from across the County to inform the stewardship arrangements.

12. Biodiversity

The County Council is satisfied with the range of species/habitat surveys carried out by the applicant and considers that they provide a good understanding of the ecological interest of the site. An overview of the mitigation has been submitted, and in general, KCC is satisfied, however would like to raise several concerns. The County Council has provided further detailed ecological advice on this application direct to Folkestone and Hythe District Council.

The proposed dark corridors for bats appear to be very narrow, and the County Council is concerned that adjacent residential areas will result in a high light spill into these areas. KCC requests that the proposed buffer is incorporated into the site. It should be ensured that no lighting will be added within this dark corridor at a later stage.

The applicant should explore whether there is capacity within the north east of the Otterpool Park development to create the replacement water vole habitat.

The County Council notes the proposal for offsite breeding / wintering bird mitigation in response to the loss of habitat. However, mitigation proposal is on land outside the applicant's ownership – so it is not clear how the mitigation measures will be implementable in practice.

Overall, the mitigation that is proposed is being considered on a sitewide basis, but if approved, the development will be built out in phases. The County Council requests further clarity on the mitigation areas that can be developed in advance of the development taking place.

The habitats on site will be multifunctional, with a number of uses, including biodiversity mitigation, amenity and sustainable urban drainage systems – therefore, there is need to ensure that the proposed mitigation can be implementable, taking into account the constraints.

Open space areas will need to be developed in advance so that they have time to establish, before the various phases of development are occupied. These areas will need to be protected during the main development phases. The County Council is not supportive of any encroachment of residential uses into the areas identified for open space. KCC would also like to understand if the proposed sports pitches will have lighting – the area to the north east of the area is an area with good bat usage and flood lighting could have a negative impact on it.

The County Council requests that a Management Plan is submitted for the Otterpool Park development, should permission be granted for this application. There is a need to ensure that there is only one management plan for the whole site (as opposed to separate phase by phase Plans and Open Space Plans). The Management Plan must reflect the requirements of the Biodiversity Action Plan.

The County Council notes that there will be a need for updated surveys and monitoring of the site for through the construction process across the development.

The County Council notes that the applicant is proposing to create a 20% net gain, which is aspirational. This can only be demonstrated once the development has been implemented.

The Habitat Regulations Assessment (HRA) details that the air quality effects on Folkestone to Etchinghill Escarpment Special Area of Conservation (SAC) are not predicted to have any significant effect on the integrity of the SAC. The County Council advises that confirmation should be sought from an air quality specialist to confirm if the conclusions of the report are correct. The HRA provided details of visitor surveys undertaken by Arcadis at locations along the Folkestone to Etchinghill Escarpment SAC and at the Wye and Crundale Downs SAC. The surveys identified that a significant proportion of people use particular walking routes because of the proximity to their home and/or within 20 minutes maximum drive time. The HRA has assessed that when provided, green spaces are more likely to be used than designated sites.

The County Council agrees with this in theory, but green infrastructure may not be created during the early stages of the development. Therefore, there is a risk that there will be a short term increase in recreational pressure on the designated sites. Additional information is required to clarify why the applicant is satisfied that there will not be an increase in recreational pressure on the Folkestone to Etchinghill Escarpment SAC and at the Wye and Crundale Downs SAC.

13. Landscape

The County Council recognises that due to its scale and location, the proposal will have an impact on the setting of the Area of Outstanding Natural Beauty (AONB) and would refer to the Kent Downs AONB Unit and Natural England on this matter.

14. Emergency Planning and Resilience

The County Council recommends the applicant has a design-in approach to enhance landscape and community resilience against flooding, air and water pollution and other potential risks. The scale of this site presents the potential to deliver an exemplar scheme in terms of adaptation and mitigation of climate change impacts, such as:

- Periods of increased and reduced precipitation can be mitigated through managing water use and supply.
- Increased temperatures can be controlled through the use of shading and vegetation. Examples could include green-walls, pale coloured materials, positioning of units and the use of water features).
- Biodiversity should be enhanced through landscape design utilising connectivity and complex topography, shade and wetlands).
- Air quality should be optimised utilising for example extensive new woodland and street tree planting.
- A reduction in fire risk through avoiding conifers and non-native trees which create a heavy litter layer.
- Biosecurity could be enhanced through the avoidance of invasive non-native trees and shrubs, utilising local provenance native planting and natural regeneration while enabling dynamic natural processes across new natural habitats such as floodplain woodland and scrub which function without human intervention.

15. Climate Change

The County Council welcomes the inclusion of an Energy Strategy as part of the application. There are a number of positive proposed policies and technology installations set out within the Strategy relating to energy efficiency, renewable energy and electric car charging.

However, with the recent changes in Government targets to Net Zero Emissions by 2050, and the current draft Kent and Medway Energy and Low Emissions matching the net zero emissions target by 2050. The County Council would recommend that the applicant is more ambitious with regards to the standards that are being proposed for both residential development and non-residential development. The County Council would have expected the applicant to be targeting standards 20-30% better than building regulations. In addition, in light of the revised, accelerated targets, KCC would strongly recommend that the applicant considers the installation of a Central Heating and Power network (CHP) and district heating.

It is recognised that the idea of hydrogen fueled network may be too costly for the development, however, the County Council notes that Scotia Gas Networks (SGN) is currently reviewing the potential for hydrogen trials and questions whether the applicant should explore the potential for the Otterpool Park development to be part of this trial as well as looking at emerging low carbon Government Funding. The County Council would be happy to work with the applicant to explore opportunities further.

The technologies covered within the Energy Strategy are generally accepted – although the County Council questions whether solar water heating has been considered by the applicant.

It is recognised that technological changes are occurring continually, however, the County Council considers that the applicant should demonstrate a clear approach for the development in terms of an energy preference. Options are discussed within the Energy Strategy, and the applicant appears to be considering the use of gas for the development, following on to more electrically driven energy forms as the various carbon and cost drivers are introduced. The County Council requests the technoeconomic model for this pathway. If the development is built utilising high fabric standards (eg. Passivhaus), this could potentially reduce the reliance on gas. Whatever the energy approach for the development, KCC recognises that there is need for high level investment in gas and electric infrastructure in the area, which is in turn, acknowledged by the applicant.

The County Council welcomes the recognition that smart technology will play a part in reducing energy and carbon emissions, although further detail on this is requested.

In March 2019, the UK Government announced intentions to implement by 2025, a series of measures to help reduce the UK's greenhouse gas emissions and tackle climate change, including the Future Homes Standard³³. The applicant should have consideration of how this may impact the development at Otterpool Park.

³³ <https://www.theccc.org.uk/2019/03/13/ccc-welcomes-government-commitments-to-new-low-carbon-homes-and-green-gas/>

The County Council has had discussions with the District Council on the matter of BREEAM Excellent and BREEAM Outstanding. Clarification should be provided as to whether this will be included in the Strategy.

Overall, the County Council considers that the applicant should further explore opportunities for adapting to climate change, heat, shade and water usage to ensure the development at Otterpool Park is environmentally sustainable.

16. Design

In 2018, Kent County Council commissioned Design South East to provide advice on how the county's public and private sector could deliver higher design quality more consistently, particularly in housing development. As part of this exercise, two workshops were held to facilitate a county wide dialogue on how the county could raise design quality, and equally importantly, deliver high quality consistently across all scales, types and geographies. These workshops attracted participation from local authorities, developers, housebuilders – including volume housebuilders – agents, consultants and statutory consultees. They identified a range of factors which would contribute to raising design quality across the County. Those factors most relevant to Otterpool Park are outlined below. The applicant is requested to consider these as the development progresses:

- Commit to and deliver collaboration in practice between stakeholders on the strategic decisions that impact on design quality at Otterpool Park - before, during and after the planning process.
- Ensure the Otterpool Park Place Panel is an integral part of the design discussions
- Work with the District Council to use design review as a tool for design dialogue and design quality management
- Engage the existing and future communities at Otterpool Park more constructively in the design debate generally and in the development of this garden settlement. Realise the value of a truly engaged public.
- Ensure future proposal aligns with Kent's Design Guide³⁴.

As the applicant is seeking higher, exemplar design standards for community buildings (for example schools) then additional contributions may be required to fund these higher standards.

³⁴ It is anticipated that the refreshed Kent Design Guide will be published in 2020.

17. **Sports and Recreation**

The County Council welcomes the provision proposed for sport, leisure and community facilities – which includes sports pitches and planned cycle and walking routes. It is recommended that the applicant takes account of Sport England's policies, guidance and standards in relation to sports and playing field/pitch provision³⁵, as well as active design guidance to maximise the benefits from these provisions.

The current Government and Sport England's strategies for sport are very much focussed on tackling inactivity and supporting/encouraging under-represented groups to be active. Through the national Active Lives Survey, it was concluded that 25% of people nationally (24% now in Kent, 26% two years ago) are inactive and this is having knock on effects on physical and mental health, as well as individual and social/community development. Nearly 23% of the Folkestone and Hythe population are reported to be inactive and 33% are doing less than the Chief Medical Officer's guidelines of 150 minutes of sport / physical activity per week. Therefore, any development needs to consider a mix of formal and informal areas/spaces (indoor and out) where people can be active, including walking and cycling routes and open spaces.

At Ebbsfleet Garden City, Ebbsfleet Development Corporation is developing a Sport & Physical Activity Strategy as part of its work as a Healthy New Town. Sport and Leisure Consultancy (SLC) has been commissioned to assist with the Strategy and the consultancy has held a series of workshops with local stakeholders to develop a vision, objectives and an action plan. The County Council recommends that the applicant also considers this approach and suggests contacting Ebbsfleet Development Corporation / SLC to explore this further.

The County Council would also like to draw the applicant's attention to KCC's local strategic framework - Towards an Active County³⁶, which may provide some useful local context to be incorporated into the proposal at Otterpool Park.

Shepway Sports Trust are a local provider that may be able to support local development opportunities – KCC recommends that the District Council considers options for Shepway Sports Trust to play a specific role within the Otterpool Park development.

The County Council is in agreement with Sport England that there is need for developer contributions to be directed at facilities for sports development and to facilitate the delivery of Active Design principles.

³⁵ <https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/>
<https://www.sportengland.org/facilities-planning/active-design/>

³⁶ <https://www.kentsport.org/about-us/towards-active-county/>