

Ref	Policy / Paragraph	Commentary
MM01	Supporting text: Insert new paragraphs to follow paragraph 4.36	The County Council notes the paragraphs added in respect of Dungeness Power Station and recommends these are updated to reflect the EDF announcement in June 2021 regarding the defueling of Dungeness B.
MM02	Section 4.2 Housing and the Economy Growth Strategy Supporting text: Paragraphs 4.42 – 4.56	Provision and Delivery of County Council Community Services and Infrastructure: KCC welcomes the additional paragraph that makes reference to the need for local authorities to make a realistic assessment of likely rates of delivery, given the lead-in times for large-scale sites (as set out in National Planning Policy Framework, paragraph 73).
MM03	Policy SS3: Place-Shaping and Sustainable Settlements Strategy d-i)	Heritage Conservation: In respect of Policy SS3 part e - KCC is supportive of the proposed changes, which strengthen the commitment to the conservation and enhancement of heritage assets in the district.
MM05	Policy SS5: District Infrastructure Planning	Provision and Delivery of County Council Community Services and Infrastructure: The County Council supports the inclusion of paragraph 4 of Policy SS5, which states “...developers will be required, where necessary, to provide the necessary infrastructure and/or make a proportionate contribution towards such infrastructure” and would highlight the importance of section 106 agreements to secure funding for necessary infrastructure.
MM06	Policy SS6: New Garden Settlement Development Requirements	Provision and Delivery of County Council Community Services and Infrastructure: The County Council welcomes the amendment, which makes reference to the three-tier approval structure in respect of the preparation and consultation of the masterplan. In respect of part d, the County Council would emphasise that if other phases of development come forward at the same time as the early phases within and around the town centre, the Local Planning Authority will need to consider the cumulative impact on existing infrastructure including, but not limited to, school places and social care provision.
MM07	Supporting text: Paragraph 4.178	KCC fully supports the need to engage with Network Rail and other partners to encourage sufficient rail capacity for the garden settlement to support the future population. Heritage Conservation: KCC welcomes the additional requirement for a Landscape and Visual Impact Assessment to be prepared for the new garden settlement. This is essential in ensuring that the new development does not detract from the setting of Westenhanger Castle and will help the new development benefit from the proximity of the heritage asset.
MM09	Supporting text: New paragraphs following existing paragraph 4.190	Provision and Delivery of County Council Community Services and Infrastructure: The County Council welcomes the additional paragraph, which makes reference to the three-tier approach in respect of the need for flexibility with regard to phasing.
MM09	Policy SS9 New Garden Settlement – Infrastructure, Delivery and Management	Highways and Transportation: KCC supports the references made within the new paragraphs to the ‘ <i>monitor and manage</i> ’ approach. The exact details of this approach will be set out as part of the County Council’s response to the proposed amendments to the new garden settlement planning application, which is expected in due course. The requirements will then be secured through a section 106 agreement with the district council. Waste Management: There remains some concern that waste management is not fully considered by the Local Plan. Whilst reference to waste is made within Policy SS9 (p48), under the ‘delivery of infrastructure and phasing’ paragraph, from reading the supporting paragraphs it is not clear whether it is in fact referring to waste management or wastewater provision. Folkestone and Hythe district does not have a waste transfer facility and KCC is aware that operational teams at the district council have raised the need for one. The district currently uses the Waste Transfer Station at Ashford but its capacity is diminishing. There is a critical need for a new waste transfer station in the Folkestone and Hythe district, and the pressure resulting from the Otterpool Park development particularly, will make it extremely challenging for the County Council, as Waste Disposal Authority, to meet its statutory requirements. It is vital that KCC is supported in identifying land suitable for a facility within the district. Without a new facility, the waste management service will not be sustainable, which would be contrary to Policy SS5.
MM12	Policy CSD1: Balanced Neighbourhoods	Provision and Delivery of County Council Community Services and Infrastructure: The County Council notes the additional paragraph within this policy around site specific viability assessments and affordable housing. It is not clear whether ‘ <i>the requirements</i> ’ refers specifically to affordable housing, or whether it applies to the range of infrastructure requirements. If the latter, the County Council would strongly request engagement to ensure that the necessary infrastructure is provided.
MM14	Policy CSD3: Rural and Tourism Development k)	Heritage Conservation: The County Council is supportive of the new sentence (part k), which will help ensure the future of heritage assets.
MM15	Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation	Public Rights of Way and Access Service: KCC would recommend reference is made to the Public Rights of Way (PRoW) network within Policy CSD4.

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MM16	Policy CSD5: Water and Coastal Environmental Management	Public Rights of Way and Access Service: KCC would recommend that reference is made to the newly created National Trail - the England Coast Path. As a coastal National Trail, any development should ensure that the England Coast Path is contiguous with the coast and not forced inland whenever development is proposed.
MM19	Supporting text: Paragraph 5.157 Sellindge	Public Rights of Way and Access Service: The County Council is supportive of the additional text within paragraph 5.157 and suggests that reference to the Kent County Council Rights of Way Improvement Plan would also be appropriate here (https://www.kent.gov.uk/_data/assets/pdf_file/0005/90491/Rights-of-Way-Improvement-Plan-2018-2028.pdf).
MM19	Supporting text: Paragraph 5.159	Heritage Conservation: The County Council welcomes the additional text, which highlights the archaeological potential of the Sellindge site.
MM21 Appendix 5	Table 9: Other Infrastructure - Delivery, Phasing and Management (Within Plan Period) Page 115	<p>Provision and Delivery of County Council Community Services and Infrastructure: KCC cannot accept the option for delivery of primary, secondary or special educational needs (SEN) school provision by Otterpool Park LLP at this stage. Any consideration of this proposal will be taken at a later stage and will be subject to both legal advice and Member approval.</p> <p>Given the uncertainty of the exact quantum of school places required over the lifetime of this development, the County Council is supportive of the “<i>monitor and manage</i>” approach proposed by the applicant. However, 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. Expansion of any grammar school places (either The Harvey Grammar School or The Folkestone School for Girls) in the district will be subject to land availability.</p> <p>KCC notes the indicative timings for education referred to in the table, but reserves taking any view until detail relating to housing tenures and phasing has been shared. Instead, the County Council proposes the timing reads “<i>delivered throughout construction of development</i>” - akin to the wording for timing of other infrastructure.</p> <p>The County Council strongly recommends that the timing of SEN provision is amended from “<i>late in the development</i>” to “<i>delivered throughout construction of development</i>”.</p> <p>Current local SEN provision at the Beacon School is at capacity and therefore places to mitigate the impact of SEN demand created at Otterpool Park will be required far earlier than at the point of delivery of the first 6,000 homes, as indicated. KCC cannot accept the current proposal drafted in Table 9 relating to timing of SEN provision. SEN provision is critical and necessary infrastructure for the garden settlement. Permanent SEN provision will be required early in the development, in line with need created by the development.</p> <p>KCC is concerned that there is no mention of critical and necessary infrastructure relating to social care. Consideration of infrastructure relating to social care must be given in order to plan for the garden settlement. Please refer to KCC’s response to the Otterpool Park Planning Application (July 2019) and subsequent infrastructure requirements shared with the applicant for further detail on the requirements¹.</p>
MM21 Appendix 5	Table 9 and 10: Other Infrastructure - Delivery, Phasing and Management	Public Rights of Way and Access Service: The County Council strongly advises that “ <i>KCC PRoW and Access Service for Otterpool and Sellindge</i> ” is included under the ‘ <i>Delivered by</i> ’ in respect of ‘ <i>On Site Pedestrian / Cycle Routes (Away from Spine Roads)</i> ’.
MM21 Appendix 5	Table 10: Other Infrastructure - Delivery, Phasing and Management (Up to 10,000 Homes) Pages 122 to 125	Provision and Delivery of County Council Community Services and Infrastructure: KCC notes that comments relating to the timing of SEN provision and lack of necessary infrastructure for social care in Table 9 are equally relevant for Table 10.

¹ The County Council can provide a copy of the KCC response to the Otterpool Planning Application on request.