

## **Examination of the Dover Local Plan**

**Matthew Birkinshaw BA(Hons) Msc MRTPI**

**Clive Coyne BA (Hons) Dip TP MRTPI**

Inspectors appointed by the Secretary of State

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## **Matters, Issue and Questions**

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## Contents

Introduction and Important Dates .....	3
Matter 1 - Legal Compliance .....	4
Matter 2 - Housing Growth and Residential Windfall Development.....	10
Matter 3 - Housing Allocations.....	14
Matter 4 - Meeting Housing Needs.....	32
Matter 5 - Type and Mix of Housing .....	33
Matter 6 - Employment and Economic Development .....	36
Matter 7 - Infrastructure and Transport.....	40
Matter 8 - Retail, Town Centres and Tourism.....	42
Matter 9 - Place Making.....	44
Matter 10 - Climate Change .....	46
Matter 11 - Natural and Historic Environment .....	47

## Introduction

Prior to the forthcoming hearing sessions, responses are invited from participants on the following Matters, Issues and Questions ('MIQs') for Examination. The MIQs are based on the Main Issues identified by the Council and other relevant issues raised by representors.

Further information about the examination, hearings and format of written statements is provided in the accompanying Examination Guidance Note, which should be read alongside the MIQs.

As set out in the Examination Guidance Note, the deadline for providing hearing statements is **Wednesday 18 October 2023**.

In answering questions and producing hearing statements, participants should be aware of the Council's response to the Inspectors' Initial Questions<sup>1</sup> and those documents which have been added to the Examination library following submission of the Plan. This includes, amongst other things, the updated Infrastructure Delivery Plan and the letter from Dover District Council concerning the provision of gypsy and traveller accommodation<sup>2</sup>.

Where reference is made to the 'Council's suggested changes' to the Plan, this refers to the schedule of changes that the Council has submitted in Core Document SD06. As set out in the Examination Guidance Note, only the appointed Inspectors can recommend Main Modifications if they are necessary to resolve problems that would otherwise make the Plan unsound. Any potential Main Modifications will be discussed, where appropriate, at the relevant hearing session and must be subject to public consultation.

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<sup>1</sup> Examination Document ED5

<sup>2</sup> Examination Documents ED7 and ED12

## Matter 1 – Legal Compliance

### Issue 1 – Duty to Cooperate

1. The Council's response to the Inspectors' Initial Questions refers to meetings with Canterbury City Council regarding new development proposed around Aylesham (developments identified in both Council's emerging Local Plans).
2. The updated Statement of Common Ground with Canterbury City Council<sup>3</sup> puts forward a suggested Main Modification to the Dover Local Plan. It would require proposals for land south of Aylesham (Policy SAP24) to consider the status of the Canterbury Local Plan and provide connectivity between the two corresponding sites. It is suggested that this provides evidence of the Council's working together to agree on necessary policy outcomes.
3. However, elsewhere the Statement of Common Ground identifies issues without providing details on how they have/or will be addressed. For example, it states that the parties agree that strategic education issues exist and relate to the provision of secondary school capacity in the Canterbury/north Dover area. The Council's response to the Canterbury Local Plan consultation also states that "*...it is therefore disappointing that there has been a lack of constructive engagement...*" when referring to the allocations around Aylesham.

Q1 Taking the above into account, what evidence can the Council point to which demonstrates that it has engaged constructively, actively and on an ongoing basis in relation to the known cross-boundary issues?

Q2 Are the remaining issues to resolve (such as transport, healthcare and education) matters of soundness or legal compliance?

Q3 What evidence can the Council point to which demonstrates constructive, active and ongoing engagement with other relevant prescribed bodies on these issues, such as Kent County Council?

Q4 Have any neighbouring authorities approached the Council to help address unmet needs from elsewhere? If so, what process did the Council follow and what was the outcome?

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<sup>3</sup> Core Document GEB03

4. The Statement of Common Ground<sup>4</sup> between the Council and Dover Harbour Board provides background and context regarding the possible need for an Inland Terminal Facility and lorry park. Paragraph 3.4 states that Policy TI4 was included 'as a direct response to Kent County Council's representations in response to the Regulation 18 draft local plan consultation about the strategic need for overnight lorry parking facilities across the County'.

Q5 What is the strategic need for overnight lorry parking facilities, how has this been considered as part of the Plan's preparation and how did the Council engage with bodies on this issue?

Q6 Has the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to the advice contained in the National Planning Policy Framework ('the Framework') and the Planning Practice Guidance ('the PPG')?

## **Issue 2 – Public Consultation**

Q1 Has public consultation been carried out in accordance with the Council's Statement of Community Involvement<sup>5</sup> the Framework, the PPG and the requirements of the 2004 Act and 2012 Regulations? If not, what were the reasons why?

Q2 Were adequate opportunities made available for participants to access the Plan, and other relevant documents, in different locations and in different formats (such as in paper and online)?

Q3 Were adequate opportunities made available for participants to submit and make representations, having particular regard to the length of public consultation and the process for making comments?

## **Issue 3 – Sustainability Appraisal**

Q1 What are the 'reasonable growth options' in the Sustainability Appraisal ('SA')<sup>6</sup> based on? How have they been determined, and do they adequately reflect a suitable range of alternatives? If not, what should the SA have considered at this stage?

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<sup>4</sup> Examination Document ED9

<sup>5</sup> Core Document SD11

<sup>6</sup> Core Document SD03a Options 1-3

Q2 Do any of the spatial options test a scale of housing growth that would enable affordable housing needs to be met in full? If not, what are the reasons why?

Q3 How were the spatial options A-E determined? Are there any other reasonable spatial options that should have been tested by the Council through the SA, and if so, why?

Q4 What are the percentages of growth in option C based on? Why do Sandwich and Aylesham vary?

Q5 How were suitable and potentially suitable housing sites determined for the purposes of the SA? What type of sites were discounted as part of this process?

Q6 How was the Kent Downs Area of Outstanding Natural Beauty ('AONB') taken into account as part of the appraisal of sites in the SA?

Q7 Is the SA based on a robust and up-to-date assessment of housing and employment sites? Were adequate reasonable alternative options considered and were they tested on a consistent basis?

Q8 How were employment site allocations tested as part of the SA and how (if relevant) was the approach different appraising residential development?

Q9 What are the implications of the SA Addendum and Errata Sheet II and the SA Non-Technical Summary<sup>7</sup>? Do either of these documents, published after submission of the Local Plan for examination, justify the submitted Plan or result in the need for any main modifications to it?

#### **Issue 4 – Climate Change**

Q1 Is it clear what is required of proposals for new development under Policy SP1? Is the policy effective?

Q2 Does the Plan (taken as a whole) include policies designed to secure that the development and use of land in the area contributes to the mitigation of, and adaptation to, climate change? If so, how?

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<sup>7</sup> Examination Document ED10

## **Issue 5 – Strategic Flood Risk Assessment**

5. Paragraphs 161 and 162 of the Framework state that all plans should apply a sequential approach to the location of development. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
6. In response to the Inspectors' Initial Questions, the Council stated that sustainable development could not be achieved through development entirely located in areas at the lowest risk of flooding and provided the reasons why. However:

Q1 How did the Council apply the sequential, risk-based approach to the site selection process? At what stage was this carried out?

Q2 Where sites were identified in areas at risk of flooding as part of the sequential test process, why were they carried forward and not discounted entirely at that stage?

## **Issue 6 – Public Sector Equality Duty**

Q1 In what ways does the Plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

## **Issue 7 – Habitats Regulations Assessment**

Q1 What are the main differences between the Habitats Regulations Assessment ('HRA') produced in support of the Regulation 19 version Local Plan, and the document dated March 2023<sup>8</sup>? Has this been subject to any public consultation, including with Natural England?

7. The Council's response to the Inspectors' Initial Questions clarifies the position regarding proposed housing sites and their proximity to the Thanet Coast and Sandwich Bay Special Protection Area ('SPA') and Ramsar site, the Stodmarsh SPA and Ramsar Site and the Dungeness, Romney Marsh and Rye Bay SPA for the purposes of functionally linked land. In summary, this clarifies that the buffer used to determine which sites should require applicants to assess the potential loss of habitat for wintering birds can be reduced from 15km to 5km following dialogue with Natural England.

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<sup>8</sup> Core Document SD09

Q2 Is it necessary to delete the requirement from all sites beyond the 5km buffer through Main Modifications to ensure that the Plan is justified and reflects the evidence-base? Are further changes to the Plan required to consider the impacts arising from windfall development proposals?

Q3 Where sites are within the 5km buffer zone, what impact will development have on suitable habitat? If mitigation is required, what will this consist of and how will it be achieved? Do the relevant policies provide an appropriate and effective mechanism to provide mitigation as required?

Q4 What is the justification for the suggested change to Policy SAP17 in Core Document SD06? If mitigation is necessary, is it sufficiently clear what is required, by whom and when?

8. Where recreational disturbance is concerned, the HRA concludes that mitigating the effects of Local Plan growth on the Thanet Coast and Sandwich Bay SPA is necessary for certain developments by contributing towards the ongoing application of the Strategic Access Monitoring and Mitigation Strategy ('SAMM').

Q5 Is the Plan sufficiently clear which allocations this relates to, including (where relevant) different types of development?

Q6 What are the reasons for the suggested changes to Policy NE3 in Core Document SD06? Are they necessary for soundness?

9. In response to the Inspector's Initial Questions, the Council states that the costs of the mitigation strategy have increased and therefore the values referred to in Table 11.2 of the Local Plan are no longer up to date.

Q7 Is it necessary to delete Table 11.2 from the Local Plan in the interests of soundness? If so, should the table be removed entirely or updated with relevant costs from the latest SAMM<sup>9</sup>?

10. The HRA considers the effects of Local Plan growth on other sites, including the Lydden and Temple Ewell Downs Special Conservation Area ('SAC') and the Dover to Kingsdown Cliffs SAC. In both cases it recommends mitigation measures.

Q8 Aside from the Thanet Coast and Sandwich Bay SPA SAMM, what other mitigation is required and how does the Local Plan ensure that it will be achieved? Is the Plan effective in this regard?

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<sup>9</sup> Core Document NEEB04a



Q9 The Statement of Common Ground with Natural England<sup>10</sup> confirms that further work is ongoing to consider the potential air quality impacts from increased ammonia, with a target completion date at the end of August 2023. What is the latest position regarding this work, what conclusions has it reached and what are the implications (if any) for the submitted Plan?

### **Issue 8 – Other Matters**

Q1 Where the Plan contains a policy that is intended to supersede another policy in the adopted development plan, does it state that fact and identify the superseded policy?

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<sup>10</sup> Examination Document ED8

## **Matter 2 – Housing Growth and Residential Windfall Development**

### **Issue 1 – Local Housing Need and the Housing Requirement – Policy SP3**

11. To determine the minimum number of homes needed, paragraph 61 of the National Planning Policy Framework ('the Framework') states that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance ('the PPG') – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.

Q1 What is the minimum number of new homes needed over the plan period as calculated using the standard method? Are the calculations accurate and do they reflect the methodology and advice in the PPG?

Q2 Have any changes in the methodology, since the preparation of the Plan, resulted in any meaningful or significant changes to the calculation?

12. The PPG advises that there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method. Circumstances where this may be appropriate include situations where there are growth strategies for an area, where strategic infrastructure improvements are proposed or where an authority is taking on unmet housing needs from elsewhere.

Q3 Do any of these circumstances apply to Dover?

Q4 In response to the Inspectors' Initial Questions, the Council addressed the relationship between jobs and the number of new homes proposed. In summary, it was concluded that the evidence does not support an increase to the housing requirement to account for intended employment growth. Is this conclusion reasonable and supported by the evidence?

13. The supporting text to Policy SP3 states that a non-implementation reduction of 5% has been applied to the total number of commitments identified in Table 3.1.

Q5 What is the justification for the use of a 5% figure? Does this reflect the circumstances in Dover?

Q6 Is a similar non-implementation rate applied for the Whitfield Urban Extension and/or other allocated housing sites in the Plan? If not, why not?

Q7 Is the housing requirement of 10,998 (net) new homes over the plan period justified? If not, what should the housing requirement be?

## **Issue 2 – Settlement Hierarchy – Policy SP3**

Q1 What is the justification for setting out the settlement hierarchy in Appendix E of the Local Plan? To be effective, does the hierarchy need to be set out in policy?

Q2 What methodology has the Council used to determine which settlements fall within each category for the purposes of Appendix E? Is that methodology appropriate and sufficiently robust?

Q3 The Rural Settlement Hierarchy Study<sup>11</sup> states that 2019 survey data was used as a starting point to assess sustainability due to restrictions on survey work caused by the Coronavirus pandemic. Has this work been updated as part of the Plan's preparation?

Q4 After scoring settlements, how did the Council then decide what the relevant thresholds would be for each category? Are the assumptions reasonable and adequately reflect the evidence?

Q5 How did the Council differentiate between Deal (a District Centre) and Sandwich (a Rural Service Centre) in the settlement hierarchy?

## **Issue 3 – Housing Distribution - Policy SP3**

Q1 Having established a settlement hierarchy, what process did the Council follow to determine the distribution of new development? Was this process robust and based on reasonable judgements about where to direct new development?

Q2 Paragraph 3.45 of the Local Plan states that Deal has seen high levels of windfall development over the past 10 years due to market demand which has resulted in a limited supply of suitable housing sites. How were factors such as market demand considered in making judgements about where to locate new development?

Q3 Table 12 in the Council's Housing Topic Paper<sup>12</sup> states that, combined, almost 50% of all new housing will occur in Dover and at Whitfield. When considering the acknowledged viability challenges around Dover, and the strategic size and scale of the Whitfield Urban Expansion, is the distribution of development justified?

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<sup>11</sup> Core Document HEB03

<sup>12</sup> Core Document HEB02

Q4 What is the justification for the scale of development proposed at Deal, which will contribute around the same amount of housing growth as the smaller, Rural Service Centres of Sandwich and Aylesham?

Q5 Is the scale of new housing growth justified at Aylesham, having regard to its role, function and position in the settlement hierarchy?

Q6 How was new housing growth distributed between settlements in the same category? For example, why do some settlements (such as Eythorne and Elvington) have significantly more housing proposed than Kingsdown? Is the Plan justified in considering Eythorne and Elvington together?

Q7 Has the Council identified land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, as required by paragraph 69 of the Framework? Does this include sites which have already been completed?

#### **Issue 4 – Site Selection Methodology**

Q1 How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to allocate?

Q2 How did the Council consider the viability and deliverability of sites, especially where new strategic infrastructure is required or where viability has proven challenging, such as within the built-up area of Dover?

Q3 How did the Council consider the infrastructure requirements of the growth proposed in the Plan and how did this inform the site selection process?

Q4 How did the Landscape Sensitivity Assessment<sup>13</sup> inform the site selection process, especially for sites within and/or adjacent to the AONB?

Q5 Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?

#### **Issue 5 – Residential Windfall Development – Policy SP4**

Q1 How were the list of settlements defined for the purposes of Policy SP4(1)? It is justified?

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<sup>13</sup> Core Document GEB11

Q2 Policy SP4 permits new residential development within or immediately adjoining the boundary of defined settlements provided that, amongst other things, development is commensurate with the scale of the settlement it adjoins. Is this sufficiently clear enough to be effective?

Q3 What are the reasons for the two groups of settlements in Policy SP4? How have the settlements in Part 2 of the policy been defined?

Q4 What is the justification for restricting new residential development under part 2 of the policy to 'minor' development? How is this defined?

Q5 Is Policy SP4 consistent with paragraphs 176 and 177 of the Framework, which require great weight to be given to conserving and enhancing the landscape and scenic beauty of AONBs and require the scale and extent of development within these areas to be limited?

Q6 How would a decision-maker determine what constitutes an 'unacceptable intrusion' into the countryside for the purposes of Policy SP4(d)?

Q7 Is it sufficiently clear how cumulative impacts will be considered under Policy SP4, not only in landscape terms but also having regard to the impact on matters such as infrastructure provision and highway capacity?

Q8 Is the restriction on preventing the use of best and most agricultural land, where it is currently used for agriculture, effective and consistent with national planning policy in footnote 58 of the Framework?

Q9 Is Policy SP4 consistent with paragraph 80 of the Framework insofar as the development of isolated homes in the countryside is concerned?

Q10 What is the justification for the proposed changes to the supporting text? Why are they necessary for soundness?

## **Issue 6 – Garden Village Principles and Requirements for Planning Applications**

Q1 Is the highlighted text on page 93 of the Plan a policy? Is it clear what is required of decision-makers, developers and local communities?

Q2 Is the inclusion of Appendix F of the Plan, which essentially provides a Local Validation Checklist, justified?

## Matter 3 – Housing Allocations

### Issue 1 – Dover Housing Sites

#### Policy SAP1 – Whitfield Urban Expansion

Q1 What is the latest position regarding planning permissions across the site? To assist the examination, it would be useful if the Council could provide a map showing progression across the various parcels to date and who is responsible for bringing forward the different components of the allocation.<sup>14</sup>

Q2 What is the justification for the extension to the site already allocated in the Core Strategy? How will it relate to the rest of the already permitted site(s)?

Q3 Is it clear to decision-makers, developers and local communities what will be provided and where across the site? Is it appropriate to defer details relating to the amount and distribution of development to a Supplementary Planning Document ('SPD')?

Q4 In answering Q3 above, what are the reasons for the suggested changes to Policy SAP1 and the supporting text in relation to the SPD? Why are they necessary for soundness?<sup>15</sup>

Q5 If a revised masterplan is required, does this relate to the extension or the entire allocation? What impact will this have on the delivery of development across the site?

Q6 Can the necessary measures be provided on site to mitigate potential impacts on the Lydden and Temple Ewell SAC?

14. Policy SAP1(u) requires financial contributions towards improvements to the Whitfield roundabout and the Duke of York roundabout. For the Whitfield roundabout, the updated Infrastructure Delivery Plan ('IDP')<sup>16</sup> states that the necessary mitigation involves a three-lane circulatory arrangement, with signalised arms and priority junctions, additional flare lanes and an extension of the existing underpass. For the Duke of York roundabout, the upgrades relate to the provision of additional lanes to approach roads, upgrades to the roundabout itself and provision of traffic lights.

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<sup>14</sup> Similar to the one found in the Housing Topic Paper – Examination Document HEB02

<sup>15</sup> In answering Questions 3 and 4 participants, should be aware of the Council's response to the Inspector's Initial Questions in Examination Document ED5

<sup>16</sup> Examination Document ED7

Q7 In order to be effective, should the necessary upgrades be listed in Policy SAP1?

Q8 Has the scale of financial contribution required from the Whitfield Urban Expansion been established? Has it been tested to ensure that the allocation remains viable, and thus, deliverable and effective?

15. The Council's response to the Inspectors' Initial Questions highlights that the initially agreed mitigation for the Whitfield roundabout, which required a scheme to be funded and delivered prior to occupation of the 801st dwelling, is no longer an acceptable solution. However, that position is established by the approved outline planning permission and associated planning obligation for Phase 1.

Q9 Taking the above into account, how will the Council ensure that the requirements of the Plan are met? Will the Plan be effective in securing the necessary mitigation?

Q10 In response to the Inspectors' Initial Questions, the Council also highlighted that the trigger points for providing the necessary mitigation can be pushed back. Does this need to be reflected in the Plan to be effective?

Q11 What is the latest position regarding the third-party land required to implement the upgrades to the Duke of York roundabout? What confidence can the Council provide that the necessary upgrades are deliverable?

16. As part of the suggested changes to the Plan, Core Document SD06 suggests that the Plan should be modified to require a travel plan to include targets and measures to achieve a modal shift of 20% from private car use to sustainable modes of transport, and, to require contributions towards the Dover Fastrack.

Q12 What is the justification for these suggested changes and why are they necessary for soundness? How will the outcomes of the travel plan be measured (both at application stage and going forward) and is it clear to decision-makers, developers and local communities what exactly is required?

Q13 The supporting text at paragraph 4.61 states that the masterplan should be informed by a Landscape and Visual Impact Assessment. Is this a policy requirement and how have possible landscape impacts been considered?

### Policy SAP3 – Dover Waterfront

Q1 What scale of development is proposed at Dover Waterfront? To be effective, it is necessary to set this out in the Plan?

Q2 The site is located within Flood Zone 2 and 3 and the River Dour flows into the sea at the Wellington Dock via the Northampton Key outflow. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

Q3 What is the justification for requiring occupation of the development to be phased to align with the delivery of sewerage infrastructure. When and how will the necessary improvements be delivered? Is the allocation deliverable, and thus, effective?

Q4 The site was allocated in the 2010 Core Strategy. What are the reasons why it has not yet come forward for development? Is the allocation deliverable within the plan period?

Q5 How have the effects of development on the settings of heritage assets such as the Fairburn Crane Scheduled Monument, the Grade II listed Wellington Dock and the Dover Waterloo Crescent Conservation Area been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of nearby heritage assets?

Q6 What potential implications will the development of the site have on the adjacent Air Quality Management Area?

Q7 How has any potential disturbance for future occupiers associated with the adjacent A20 trunk road and Port operations been considered?

### Policy SAP4 – Dover Western Heights

Q1 What scale of development is proposed at the Dover Western Heights? To be effective, it is necessary to set this out in the Plan?

Q2 The supporting text states that the cost of restoring the heritage assets will be significant. What evidence is there to suggest that the allocation is viable, deliverable, and effective?



Q3 Policy SP4 requires development that conserves and where possible enhances the significance of the heritage asset. However, the supporting text concedes that there will almost certainly be a degree of harmful change that will need to be outweighed by any benefits that proposals can provide for. What evidence is there to suggest that a scheme can be achieved on the site which satisfies the policy requirements, especially where heritage assets are concerned?

Q4 Does any part of the site fall within the Kent Downs AONB? How have the effects of the proposed development on the setting of the AONB been considered?

Q5 What is the justification for the suggested changes to Policy SAP4? Why are they necessary for soundness?

#### Policy SAP6 – Dover Mid Town

Q1 How has the estimated scale of residential development for the site been established? What evidence can the Council point to which identifies that the proposed mix of uses will be achievable?

Q2 Have the South Kent College authorities confirmed that it is their intention to re-locate? Can the site come forward for a comprehensive new mixed-use development over the plan period?

Q3 How have the effects of development on the settings of heritage assets such as the Mason Dieu Scheduled Monument, the Grade I listed Dover Town Hall building and the Town Centre and Dover Castle Conservation Areas been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of these heritage assets?

Q4 The site is located within Flood Zone 2 and 3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

Q5 What is the justification for the suggested changes to Policy SAP6? Why are they necessary for soundness?

#### Policy SAP7 – Bench Street Dover

Q1 What scale of development is proposed at Bench Street Dover? To be effective, it is necessary to set this out in the Plan?

Q2 How have the effects of development on heritage assets such as the Grade II listed Medieval Undercroft and potential archaeological remains of national importance been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of these heritage assets?

#### Policy SAP8 – Land Adjacent to Gas Holder, Coombe Valley Road

Q1 Has any evidence been produced to determine whether the allocation is deliverable, when taking into account the costs associated with the de-commissioning of the gas holder and clearance of the site?

#### Policy SAP9 – Barwick Road Industrial Estate

Q1 Does any part of the site fall within the Kent Downs AONB? How have the effects of the proposed development on the setting of the AONB been considered?

Q2 What is the latest position regarding proposals for the site?

#### Policy SAP10 – Buckland Paper Mill

Q1 What is the latest position regarding proposals for the site?

Q2 Is it sufficiently clear to users of the Plan what noise and flood-risk mitigation is required?

#### Policy SAP11 – Westmount College, Folkestone Road

Q1 What is the justification criterion a, b i) and ii)? What is the ownership of the public open space to the north and can the necessary links be achieved?

#### Policy SAP12 – Charlton Shopping Centre

Q1 What is the justification for allocating the shopping centre for housing? What is the current use of the site and can it be developed for housing over the plan period?

#### Policy SAP13 – Dover Small Housing Sites

Q1 What is the latest position regarding proposals for the Dover small housing sites?

Q2 How has the dwelling capacity been established for site DOV030? Is it justified?

Q3 Are the Dover small housing sites justified, effective and consistent with national planning policy?

## **Issue 2 – Deal Housing Sites**

### Policy SAP14 – Land off Cross Road, Deal

Q1 What is the latest position regarding proposals for the site?

Q2 How have the effects of the allocation on the landscape character of the area been considered? In allocating the site, how has the Council considered previous decisions to refuse planning permission and the issues it raised?

Q3 What effect will the allocation have on the safe and efficient operation of the highway network?

Q4 How will the necessary widening of Cross Road and the provision of a pedestrian link to the station be achieved?

Q5 Is it clear to decision-makers, developers and local communities what is required to mitigate the impacts of development on drainage and surface water flooding?

### Policy SAP15 – Land at Rays Bottom

Q1 How have the effects of the allocation on the landscape character of the area been considered, having particular regard to the topography of area and the density of surrounding residential development?

Q2 What effect will the allocation have on the safe and efficient operation of the highway network, having particular regard to the width of Liverpool Road and the opportunities available to provide pedestrian and cycle connections?

Q3 Is it clear to decision-makers, developers and local communities what is required to mitigate the impacts of development on drainage and surface water flooding?

Q4 How have the effects of development on the setting of heritage assets such as the Grade II Registered Park and Garden of Walmer Castle, and the significance of heritage assets of archaeological potential been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of these heritage assets?

Q5 What effect will development of the site have on the adjacent national priority broadleaved woodland habitat and nearby Kingsdown and Walmer beach local wildlife site?

Q6 What is the justification for the suggested changes to Policy SAP14? Why is this necessary for soundness?

### Policy SAP16 – Deal Small Sites

Q1 What is the justification for the suggested changes to Policy SAP16 (GTM003)? Why is this necessary for soundness?

Q2 What is the justification for the allocation of site TC4S008? Does paragraph 99 of the Framework apply, which states that existing open space, sport and recreational buildings and land, including playing fields, should not be built on unless certain criteria are met?

Q3 How has the site threshold for site TC4S008 been determined?

Q4 Sites TC4S032 and TC4S047 are located within Flood Zone 3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

Q5 Are the Deal small housing sites justified, effective and consistent with national planning policy?

### **Issue 3 – Sandwich Housing Sites**

#### Policy SAP17 – Stonar Road, Sandwich

Q1 What scale of development is proposed at Stonar Road? To be effective, it is necessary to set this out in the Plan?

Q2 What is the justification for requiring that primary access to the site shall be provided from Ramsgate Road and/or Stonar Road? How have effects on the highways network and safety, including the A257 been considered?

Q3 How have the effects of the development on biodiversity, including the Saline Lagoons national priority habitat, Monks Wall Nature Reserve, and protected European Sites been considered?

Q4 The site is located within Flood Zone 3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

#### Policy SAP18 – Sandwich Highway Depot

Q1 How have the effects of development on the significance of heritage assets such as the Sandwich Walled Town Scheduled Monument and Conservation Area been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of these heritage assets?

Q2 The site is located within Flood Zone 3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

#### Policy SAP19 – Land at Poplar Meadow, Sandwich

Q1 What is the justification for allocating the site for housing, and not retail uses? Is the allocation of the land for residential development justified?

Q2 What effect will the allocation have on the safe and efficient operation of the highway network? Are the requirements of Policy SAP19(c) deliverable?

Q3 The site is located within Flood Zone 2/3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

#### Policy SAP20 – Wood's Yard, rear of Woodnesborough Road, Sandwich

Q1 What is the justification for requiring the re-provision of on-street parking spaces within the site? Is this deliverable?

Q2 How will the site be accessed and are there any ownership constraints preventing its redevelopment?

Q3 The site is located within Flood Zone 2/3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

### Policy SAP21 – Land adjacent to Sandwich Technology Centre

Q1 What is the justification for the proposed mix of uses on the site? What proportion of the site would be residential and how much land would be for the future expansion of the school?

Q2 How does the proposed allocation differ from the existing development plan? What are the reasons why the existing allocation has not come forward?

Q3 How and when will the proposed expansion of the school occur? Is the allocation viable and deliverable?

Q4 Can the proposed uses be achieved on the site, including any necessary mitigation and other policy requirements?

Q5 What is the justification for the suggested changes to Policy SAP21? Why are they necessary for soundness?

### Policy SAP22 – Land at Archers Low Farm

Q1 How have the effects of the allocation on the landscape character of the area been considered? In allocating the site, how has the Council considered the planning history of the site, including the previous dismissed appeal and previous Inspector's recommendations as part of the examination of the Land Allocations Local Plan?

Q2 What is the justification for the suggested changes to Policy SAP22? Why are they necessary for soundness?

### Policy SAP23 – Sydney Nursery, Dover Road

Q1 What is the justification for the type and scale of development proposed and the proposed site boundary? Is the allocation for 10 dwellings justified?

## **Issue 4 – Aylesham Housing Sites**

### Policy SAP24 – Land South of Aylesham

Q1 What is the justification for allocating site SAP24, when considering the other reasonable alternatives for delivering growth around Aylesham? Is the chosen strategy an appropriate one?

Q2 How does the site boundary relate to possible development proposals in the emerging Canterbury Local Plan? When viewed in isolation, does it adequately reflect the form of the existing settlement?

Q3 What is the justification for the suggested changes to Policy? Why are they necessary for soundness and will they be effective in achieving the expected outcomes?

Q4 What effect will the allocation have on the landscape character of the area, having particular regard to views to and from the AONB?

Q5 What effect will the allocation have on the safe and efficient operation of the highway network?

Q6 What is the justification for Policy SAP24(q)? What are the existing facilities that need upgrading and why?

Q7 How have the effects of development on biodiversity, including the ancient woodland (Ackholt Wood) been considered? What is the justification for the suggested changes to the Plan which seek to increase the buffer?

### Policy SAP25 – Aylesham Development Area

Q1 Is the intention of this allocation to come forward separately, or as part of land south of Aylesham (SAP24)? Does the masterplan for site SAP24 need to account for this development too?

Q2 What scale of development is proposed at the Aylesham Development Area? To be effective, it is necessary to set this out in the Plan?

Q3 What is the justification for a Landscape and Visual Impact Assessment and screening along the southern and western boundaries when taking into account the size of the site and its relationship with SAP24?

Q4 What are the existing uses on the site and how do they form part of the plans for its redevelopment?

#### Policy SAP27 – Land at Dorman Avenue

Q1 What evidence is available to demonstrate that the site can achieve the 9 dwellings proposed, having regard to access arrangements, separation distances to existing properties, the requirement for tree surveys and root protection zones and the need to retain access to wastewater infrastructure? Is the allocation justified?

### **Issue 5 – Eastry and Shepherdswell Housing Sites**

#### Policy SAP32 – Land at Buttsole Pond, Eastry

Q1 How has the scale of development proposed been established? Is it commensurate with the character, role and function of Eastry?

Q2 Can a safe and suitable access be achieved for both vehicles and pedestrians? How has this been assessed as part of the allocation of the site?

#### Policy SAP33 – Eastry Small Sites

Q1 Are the Eastry small housing sites justified, effective and consistent with national planning policy?

Q2 What is the justification for the suggested changes to EAS009? Why are they necessary for soundness?

#### Policy SAP36 – Land north and east of St Andrews Gardens, Shepherdswell

Q1 What is the justification for the primary access being taken from St Andrews Gardens? Is a safe and suitable access achievable and how have the effects on the highways network been considered?

Q2 Is it sufficiently clear to users of the Plan what off-site highway infrastructure is required? What is reason for specially referring to pram crossings?

Q3 How will the two parcels of land come forward to create a single, coherent development site? Is the allocation as a whole deliverable?



## Policy SAP37 – Shepherdswell Small Housing Sites

Q1 Are the Shepherdswell small housing sites justified, effective and consistent with national planning policy? How has the ability to create a safe vehicle and pedestrian access been taken into account in the allocation of site SHE006, whilst retaining the existing hedgerow?

## **Issue 6 – Eythorne and Elvington and Wingham Housing Sites**

### Policy SAP28 – Land between Eythorne and Elvington

Q1 How has the scale of development proposed been established? Is it commensurate with the role and function of Eythorne and Elvington as separate Local Centres?

Q2 How have the effects of the proposed development on existing infrastructure been considered, having particular regard to school place provision, highways capacity and wastewater been considered?

Q3 What is the justification for Policy SAP28(q)? What are the existing facilities that need upgrading and why?

Q4 What is the justification for requiring proposals to investigate the opportunity to provide access from Wigmore Lane? Is this necessary and if so, how would it be achieved?

Q5 Is it necessary to place the existing power cables underground? What are the viability and feasibility of this requirement? If not, can a suitable layout be achieved on site as required by criterion (p)?

Q6 What is the justification for the suggested changes to Policy SAP28? Why are they necessary for soundness?

### Policy SAP29 – Land on south-eastern side of Roman Way, Elvington

Q1 How will pedestrian and vehicular access to the site be achieved? Is it clear to users of the Plan what off-site highway improvements are required by Policy SAP29?

Q2 Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements including healthcare and education?

### Policy SAP30 – Chapel Hill, Eythorne

Q1 What is the existing use of the site? Is available for development?

Q2 What evidence is available to demonstrate that the site can achieve the 5 dwellings proposed, having particular regard to access arrangements, separation distances to existing properties and the need to retain existing trees?

### Policy SAP41 – Staple Road, Wingham

Q1 How has the scale of development proposed been established? Is it commensurate with the role and function of Wingham as a Local Centre?

Q2 What is the justification for the suggested changes to Policy SAP41? Why are they necessary for soundness?

### Policy SAP42 – Wingham Small Housing Sites

Q1 What is the justification for requiring speed surveys for sites WIN003 and WIN004? Is it clear to users of the Plan what is required from development proposals?

Q2 Are the Wingham small housing sites justified, effective and consistent with national planning policy?

## **Issue 7 – St Margaret’s at Cliffe Housing Sites**

### Policy SAP38 – Reach Court Farm/Roman Way

Q1 Does the site allocation represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB and Heritage Coast, been considered?

Q2 What is the justification for the suggested changes to Policy SAP38? Why are they necessary for soundness?

Q3 How has the scale of development proposed been established? Is it commensurate with the role and function of St Margaret’s at Cliffe as a Local Centre?

## Policy SAP39 – West of Townsend Farm Road

Q1 Does the site allocation represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered?

Q2 Can a safe and suitable access be achieved for both vehicles and pedestrians? How has this been assessed as part of the allocation of the site?

Q3 What is the justification for the suggested changes to Policy SAP39? Why are they necessary for soundness?

## Policy SAP40 – St Margaret’s at Cliffe Small Housing Sites

### *STM006 – Land at New Townsend Farm*

Q1 Does the site allocation represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB been considered?

### *STM010 – Land between Salisbury Road and The Drove*

Q1 Does the site allocation represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB and Heritage Coast, been considered, having particular regard to the topography of the area?

Q2 How have the effects of development on the integrity of the Dover to Kingsdown Cliffs SAC and SSSI been considered as part of the plan-making process? What mitigation, if any, is required?

Q3 What is the justification for requiring a speed survey? Is it clear to users of the Plan what is required from development proposals?

Q4 Can a safe and suitable access be achieved for both vehicles and pedestrians? How has this been assessed as part of the allocation of the site? Where will access be taken from?

Q5 How have the effects of development on the setting of heritage assets such as the Grade II\* listed Dover Patrol War Memorial and the St Margaret’s Bay Conservation Area been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of these heritage assets?

Q6 What is the justification for the suggested changes to Policy SAP40? Why are they necessary for soundness?

## **Issue 8 – Kingsdown Housing Sites**

### Policy SAP34 – Land at Woodhill Farm

Q1 What is the capacity of the site based on? Is it justified?

Q2 What effect will the allocation have on the landscape character of the area, having particular regard to views to and from the AONB?

Q3 What is the justification for requiring the primary access to be taken from Ringwould Road? How have effects on the highways network and safety been considered?

Q4 What is the justification for the suggested changes to Policy SAP34? Why are they necessary for soundness?

### Policy SAP35 – Land adjacent to Courtlands

Q1 What effect will the allocation have on the landscape character of the area, having regard to any potential for coalescence between Kingsdown and Walmer?

## **Issue 9 – Housing Sites in Villages**

### Policy SAP43 – Land at Short Lane, Alkham

Q1 Does the site allocation represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered?

Q2 What is the latest position regarding proposals for the site?

### Policy SAP44 and SAP45 – Capel-le-Ferne

Q1 Is the cumulative scale of development proposed at Capel-le-Ferne commensurate with its size, role and function as a Large Village?

Q2 Can a safe and suitable access be achieved for both vehicles and pedestrians to site SAP44? How has this been assessed as part of the allocation of the site? Where will access be taken from?

Q3 What is the capacity of the site SAP44 based on? Is it justified?

Q4 Do any of the Small Housing Sites represent major development in the AONB, and if so, are they justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered? In answering this question, the Council should address any cumulative landscape impacts, especially from sites around Cauldham Lane.

Q5 Can a safe and suitable access be achieved for both vehicles and pedestrians to the Capel-le-Fern Small Housing sites, particularly CAP009 and CAP013?

Q6 What is the latest position regarding proposals for the sites in Capel-le-Ferne?

#### Policy SAP46 – The Street, East Langdon

Q1 What is the justification for the scale of development proposed? Is it commensurate with the size of the village and the level of services on offer?

Q2 What is the justification for requiring the primary access to be taken from East Langdon Road and including a 'review' of the speed limit? How have effects on the highways network and safety been considered and is it sufficiently clear what is required from users of the Plan?

Q3 What is the latest position regarding proposals for the site?

Q4 What is the justification for the suggested changes to Policy SAP46? Why are they necessary for soundness?

#### Policy SAP47 – Land adjacent to Lydden Court Farm, Lydden

Q1 Can a safe and suitable access be achieved for both vehicles and pedestrians to the site? How has this been assessed as part of the allocation of the site? Where will access be taken from?

Q2 How have the effects of development on the setting of heritage assets such as the Grade II\* listed St Mary's Church been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of the heritage asset?

Q3 What is the justification for the suggested changes to Policy SAP47? Why are they necessary for soundness?

#### Policy SAP48 – Apple Tree Farm, Preston

Q1 What is the justification for the scale of development proposed? Is it commensurate with the size of the village and the level of services on offer?

Q2 Is the site all within the same ownership? Is it deliverable in the form allocated in the Plan?

Q3 What is the justification for the suggested changes to Policy SAP47? Why are they necessary for soundness?

#### Policy SAP49 – Worth Small Housing Sites

Q1 What is the latest position regarding proposals for site WOR006?

Q2 Site WOR006 is located within Flood Zone 2/3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

Q3 What is the justification for the suggested changes to Policy SAP49? Why are they necessary for soundness?

#### Policy SAP50 – Short Street, Chillenden

Q1 What effect will the allocation have on the rural character of Chillenden? How has this been considered as part of the preparation of the Plan?

Q2 What is the justification for stating that the site is suitable for executive homes? Is it clear to users of the Plan what type of housing is proposed?

#### Policy SAP51 – Land Opposite the Conifers, Coldred

Q1 What is the latest position regarding proposals for the site?

#### Policy SAP52 – Prima Windows, Nonington

Q1 What is the latest position regarding proposals for the site?

### Policy SAP53 – Land at Ringwould Alpines

Q1 Does the site allocation represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered?

Q2 Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements including surface and wastewater drainage

### Policy SAP54 – Land at Durlock Road, Staple and Policy SAP55 – Woodnesborough Small Housing Sites

Q1 What is the latest position regarding proposals for site WOO005?

Q2 Are Policies SAP54 and SAP55 justified, effective and consistent with national planning policy?

## **Matter 4 – Meeting Housing Needs**

### **Issue 1 – Total Supply**

- Q1 What is the most up-to-date position regarding the projected supply of housing over the plan period?
- Q2 What is the windfall allowance based on and is it justified?
- Q3 Is the projected supply of housing justified and has sufficient land been identified to ensure that housing needs will be met, including an appropriate buffer to allow for changing circumstances on development sites?

### **Issue 2 – Five Year Housing Land Supply**

- Q1 What is the five-year housing land requirement?
- Q2 Based on the housing trajectory, how many dwellings are expected to be delivered in the first five years following adoption of the Plan?
- Q3 What evidence has the Council used to determine which sites will come forward for development and when? Is it robust?
- Q4 Where sites have been identified in the Plan, but do not yet have planning permission, is there clear evidence that housing completions will begin within five years as required by the Framework?
- Q5 What allowance has been made for windfall sites as part of the anticipated five-year housing land supply? Is there compelling evidence to suggest that windfall sites will come forward over the plan period, as required by paragraph 70 of the Framework?
- Q6 Having regard to the questions above, will there be a five-year supply of deliverable housing sites on adoption of the Plan?
- Q7 What flexibility does the Plan provide if some of the larger sites, such as the Whitfield Urban Extension, do not come forward in the timescales envisaged?



## **Matter 5 – Type and Mix of Housing**

### **Issue 1 – Affordable Housing and Viability – Policy SP5**

Q1 How was the Dover Urban Area defined for the purposes of Policy SP5? Does it reflect the evidence in the Whole Plan Viability Study<sup>17</sup> and Viability Study Update Note<sup>18</sup>?

Q2 How will affordable housing be delivered in the Dover urban area as a result of Policy SP5?

Q3 Are the assumptions regarding infrastructure and Section 106 costs in the Viability Study Update Note still broadly accurate following updates to the IDP? What implications, if any, does the latest evidence in the IDP have on the viability of residential development and the ability to deliver affordable housing?

Q4 Based on the requirements for qualifying developments, how many affordable homes is the Local Plan expected to deliver? How does this compare to the identified need? If needs will not be met, what alternative options has the Council considered?

Q5 What is the justification for the suggested changes to Policy SAP5? Why are they necessary for soundness?

### **Issue 2 – Type and Mix of Housing – Policy H1**

Q1 Paragraph 62 of the Framework states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including housing for older people and people with disabilities. What is the need for housing for older people and how will this be met over the plan period?

Q2 What is the justification for the threshold in Policy H1 of 10 dwellings?

Q3 Is it clear what the 'Council's latest evidence' relates to for the first paragraph of Policy H1, and what 'extensive and robust' evidence means for the second part of the policy? Is the policy sufficiently clear enough to be effective?

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<sup>17</sup> Examination Document GEB08a

<sup>18</sup> Examination Document GEB08b

### **Issue 3 – Rural Local Needs Housing – Policy H2**

Q1 Is Policy H2 consistent with national planning policy as set out in paragraph 78 (and Annex 2) of the Framework?

Q2 What is the justification for the suggested changes to Policy H2? Why are they necessary for soundness?

### **Issue 4 – Meeting the needs of Gypsies and Travellers – Policies H3 and H4**

17. Examination Document ED12 and associated Appendices 1 and 2 highlight that the calculation of need for gypsy and traveller accommodation was carried out incorrectly, and therefore the wrong figure was presented in the Regulation 19 version Local Plan.

Q1 What is the correct total need figure over the plan period? What is it based on and how has it been calculated?

Q2 Taking into account the answer to Question 1, what is the total number of additional pitches required over the plan period to meet this need?

Q3 Does the Plan make suitable provision to meet identified needs? Will needs be met in full?

Q4 Are the sites identified in Policy H3 justified, effective and consistent with national planning policy? Will they contribute towards meeting the identified need?

Q5 Has the Council identified any needs for transit site provision, and how will these needs be met?

Q6 What is the justification for the suggested changes to Policies H3 and H4? Why are they necessary for soundness?

### **Issue 5 – Self Build and Custom Housebuilding – Policy H5**

Q1 What is the identified need for self-build and custom housebuilding?

Q2 What is the justification for allowing self-build, but only where it would not result in the 'over provision' of housing against the identified need? How would this be determined? Is Policy H5 justified and effective?

**Issue 6– Residential Extensions and Annexes and Homes in Multiple Occupation – Policies H6 and H7**

Q1 Are Policies H6 and H7 justified, effective and where relevant, consistent with national planning policy?

## **Matter 6 – Employment and Economic Development**

### **Issue 1 – Employment Land Requirement – Policy SP6**

Q1 Having regard to the Council's response to the Inspectors' Initial Questions, should the requirement for employment land, and the amount of land to be provided by the employment allocations, be set out in the Plan?

Q2 How has the requirement figure (a minimum of 31.1ha) been established? It is robust and based on appropriate available evidence?

Q3 In response to the Inspectors' Initial Questions, the Council states that allocated sites at the White Cliff Business Park, Discovery Park in Sandwich, the Aylesham Development Area and Statenborough Farm will provide around 61.5ha of employment land. The reason for the additional land is to provide flexibility and choice. Is this justified?

Q4 In addition to Part 1 of the policy, Policy SP6 also refers to allocations at the Former Snowdown Colliery, Western Heights, Fort Burgoyne and Dover Waterfront, all of which include economic development. From these allocations, how much additional land for office/industrial development/storage and distribution is proposed? How does this relate to need?

Q5 What is the justification for the suggested changes to Policy SP6? Why are they necessary for soundness?

### **Issue 2 – New Employment Development – Policy E1**

Q1 What is the justification for allowing new employment development on land adjacent to all settlements in the hierarchy? How would the suitability of a development proposal be determined? For example, how would size and scale be judged? Is the policy effective?

Q2 Is Policy E1 consistent with paragraph 84 of the Framework, which requires planning policies to enable the sustainable growth and expansion of all types of business in the rural areas, both through conversion of existing buildings also well designed new buildings?

### **Issue 3 – Loss of Employment Sites – Policy E2**

Q1 Does Policy E2 only apply to land and buildings currently in use?

Q2 Is criterion (b) sufficiently clear enough to be effective? Does this relate to the supply of employment land across the district as a whole?

Q3 How have the sites in Table 8.1 been identified? What is the reason for their inclusion in the Plan?

#### **Issue 4 – Employment Site Allocations**

Q1 How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to allocate?

Q2 Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?

#### Policy SAP2 – White Cliffs Business Park

Q1 What is the area of land available for development at the White Cliffs Business Park, by phase and as defined by Policy SAP2?

Q2 In response to the Inspectors' Initial Questions, the Council clarified that the Phase 3 land (as show in the submitted Plan) is that which relates to the intended Inland Border Facility. The Council's response also confirms that the Inland Border Facility is no longer being taken forward. Is the land available for development and what evidence is there to suggest that it will come forward within the Plan period? Is the extent of the allocation justified?

Q3 Is it sufficiently clear what 'employment generating uses which do not form part of the use classes order' entails? Is the policy effective?

Q4 What are the reasons for the very prescriptive sizes of landscape buffers and building heights. How have they been established and are they appropriate for a strategic Local Plan policy? Are they justified and effective?

18. Policy SAP2(f) (as suggested to be modified) requires a travel plan for the site to include targets and measures to achieve a modal shift of between 10 and 20% from private car use to sustainable modes of transport.

Q5 What is the justification for this, how will it be measured (both at application stage and going forward) and is it clear to decision-makers, developers and local communities what exactly is required?

Q6 Is it sufficiently clear to users of the Plan what off-site highway mitigation is required to facilitate the allocation? How have the costs associated with necessary contributions to the Whitfield roundabout and Duke of York roundabout been considered as part of the plan making process?

Q7 What is the justification for the suggested changes to Policy SAP2?  
Why are they necessary for soundness?

#### Policy SAP5 – Fort Burgoyne

Q1 What type and amount of development is proposed at Fort Burgoyne?  
To be effective, it is necessary to set this out in the Plan?

Q2 The supporting text to Policy SAP5 states that the ‘open nature of the surrounding area has an important function in the significance and setting of Fort Burgoyne’. How has the significance of the site been considered and what evidence can the Council point to which demonstrates that the site is suitable for development?

Q3 How are development proposals expected to ‘enhance the economic well-being of Dover’ as per Policy SAP5(d)?

Q4 Part of the site falls within the AONB? How has this been considered as part of the allocation of the site? Can a scheme be achieved that would meet the requirements of national planning policy concerning development within AONBs?

Q5 Taking into account the constraints of the site, is the allocation viable and deliverable?

Q6 What is the justification for the suggested changes to Policy SAP5?  
Why are they necessary for soundness?

#### Policy SP6/E2 – Discovery Park, Sandwich

Q1 What is the reason for Discovery Park not having an allocation in the same way as other employment sites?

Q2 How much land is available for development and is it clear what uses will be permitted? Is the Plan effective where Discovery Park is concerned?

#### Policy SAP26 – Former Snowdown Colliery, Aylesham

Q1 What type and amount of development is proposed at the Former Snowdown Colliery site, especially the type and amount of leisure and retail uses? To be effective, it is necessary to set this out in the Plan?

Q2 How has the allocation site boundary and the mix of uses been established? Are they justified and effective?

Q3 Where main town centre uses are concerned, what is the justification for their inclusion and is the approach consistent with national planning policy as set out paragraph 87 of the Framework?

Q4 Is it clear to users of the Plan what off-stie highway improvements are required by Policy SAP26?

Q5 What evidence has been produced to demonstrate that the proposed mix of uses are viable, and that the allocation is therefore deliverable and effective, having particular regard to heritage and possible land contamination issues?

Q6 How have the effects of the proposed development on the setting of the AONB been considered? Can the site be developed in a way that avoids any harmful visual impacts to the character and appearance of the area?

Q7 What is the justification for the suggested changes to Policy SAP26? Why are they necessary for soundness?

#### Policy SAP31 – Statenborough Farm, Eastry

Q1 What type and amount of development is proposed at Statenborough Farm? To be effective, it is necessary to set this out in the Plan?

Q2 What is the justification for requiring the existing buildings to be re-used? Is this justified?

Q3 How have the effects of noise on the living conditions of existing local residents been taken into account in allocating the site for further industrial uses? Can a suitable scheme be achieved?

## **Matter 7 – Infrastructure and Transport**

### **Issue 1 – Infrastructure Provision – Policy SP11**

Q1 Is the Plan consistent with paragraph 20 of the Framework, which states that strategic policies should make sufficient provision for, amongst other things, new infrastructure including community facilities such as health and education?

Q2 What is the justification for the viability clause in Policy SP11? Is the policy justified, effective and consistent with national planning policy?

Q3 What is the justification for the suggested changes to Policy SP11? Why are they necessary for soundness?

### **Issue 2 – Strategic Transport Infrastructure – Policy SP12**

Q1 Is it clear to users of the Plan the total costs associated with the necessary upgrades to the Whitfield roundabout and the Duke of York roundabout? Aside from the strategic allocations (discussed above), what other forms of development are expected to contribute to these upgrades?

Q2 Have the necessary costs been subject to viability and feasibility testing?

Q3 What are the upgrades identified as necessary to the A256 at the junctions with the A257 and A258? How have they been costed and what developments will be expected to contribute towards them? Are the necessary upgrades achievable in the plan period?

Q4 Where strategic highway improvements have been identified as necessary, what amount of development can come forward in advance of their implementation? How has this been considered in the Council's Housing Trajectory?

Q5 How have the effects of development on the non-strategic (local) highway network been assessed as part of the plan-making process? Where highway mitigation is required, where is this set out and how will it be achieved?

Q6 What is the justification for the suggested changes to Policy SP12? Why are they necessary for soundness?



### **Issue 3 – Sustainable Travel and Parking Provision – Policies T11, T12 and T13**

Q1 Are Policies T11 and T12 justified, effective and consistent with national planning policy?

Q2 What are the reasons for the suggested changes to Policies T11 and T12? Why are they necessary for soundness?

Q3 Is it sufficiently clear what Policy T13 requires from decision-makers and developers? Is the policy effective and justified by including references to supplementary planning documents and guidance?

### **Issue 4 – Overnight Lorry Parking Facilities – Policy T14**

Q1 What is the justification for specifying that overnight lorry parking facilities must not be located within the AONB?

Q2 What are the reasons for the suggested changes to Policy T14 (and the further suggested changes in Examination Document ED9)? Why are they necessary for soundness?

## **Matter 8 – Retail, Town Centres and Tourism**

### **Issue 1 – Dover, Deal and Sandwich Town Centres – Policies SP8, SP9 and SP10**

Q1 What are the Opportunity Areas, how were they defined and is their inclusion in the Plan justified?

Q2 What effect will the Whitfield Urban Expansion have on the town centres of Dover, Deal and Sandwich (if any)? How has this been considered?

Q3 Where are the anticipated needs for retail, leisure, office and other main town centre uses set out? Is the information on future needs based on appropriate and up-to-date evidence?

Q4 Does the Plan allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least 10 years ahead, as required by paragraph 86 of the Framework?

Q5 Are the development requirements for non-town centre uses sufficiently clear? Are they effective?

### **Issue 2 – Primary Shopping Areas and Retail – Policies SP7, R1, R2, R3 and R4**

Q1 How have the Primary Shopping Areas for Dover, Deal and Sandwich been determined? Are they justified?

Q2 What is the justification for seeking to reduce the town centre boundaries and consolidate Primary Shopping Areas under Policy SP7? How will this be achieved and what is required from development proposals to meet this requirement?

Q3 What is the justification for identifying opportunities for residential development on the edges of town centres, but not within them?

Q4 What are the reasons for the suggested changes to Policy SP7? Why are they necessary for soundness?

Q5 Are the requirements of Policies R1, R2, R3 and R4 consistent with national planning policy concerning the management of main town centre uses?

### **Issue 3 – Tourism and Homeworking – Policies E3 and E4**

Q1 How have the effects of the Whitfield Urban Expansion on tourism been considered, in particular the location of touring caravans on Singledge Lane?

Q2 Is it clear to decision-makers, developers and local communities what is meant by the phrase 'attractive to the market' in Policy E4? Is the policy effective?

Q3 Does Policy E4 enable sustainable rural tourism and leisure developments as required by paragraph 84 of the Framework?

## **Matter 9 – Place Making**

### **Issue 1 – Achieving High Quality Design and Quality of Development – Policies SP2, PM1 and PM2**

Q1 Is Policy SP2 justified, effective and consistent with paragraph 92 of the Framework, which requires planning policies to aim to achieve healthy, inclusive and safe places?

Q2 Is it sufficiently clear to users of the Plan what is meant by ‘where relevant and appropriate’ in Policy PM1? Is the policy effective?

Q3 What are the reasons for the suggested changes to Policy PM1? Why are they necessary for soundness?

Q4 Does Policy PM2 also relate to the standard of living accommodation for potential future occupants? Where/how is this secured?

Q5 What is the justification for the use of the Nationally Described Space standards?

Q6 What is the justification for the thresholds in Policy PM2 where Building Regulations M4(2) and M4(3) standards are concerned? Are the requirements justified and have they been subject to appropriate viability testing?

Q7 Does Policy PM2 consider site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable, as required by the PPG<sup>19</sup>?

Q8 Does Policy PM2 make the distinction between wheelchair accessible and wheelchair adaptable homes?

### **Issue 2 – Open Space and Sports Provision – Policies PM3 and PM4**

Q1 How have the requirements in Policies PM3 and PM4 been established as part of the plan-making process? Are they based on robust, up to date evidence?

Q2 Have the requirements been adequately tested to ensure that they are viable and deliverable?

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<sup>19</sup> Paragraph: 008 Reference ID: 56-008-20160519

### **Issue 3 – Protection of Open Space and Local Green Space – Policy PM5**

Q1 How is open space defined for the purposes of Policy PM5?

Q2 Is Policy PM5 consistent with paragraph 99 of the Framework, which states that existing open space, sport and recreational buildings and land, including playing fields, should not be built on unless certain criteria are met?

Q3 How did the Council decide which sites to allocate as Local Green Space? Are the 14 sites consistent with paragraph 102 of the Framework, which sets out when Local Green Space designations should be used?

### **Issue 4 – Community Facilities – Policies SP2 and PM6**

Q1 Are Policies SP2 and PM6 consistent with paragraph 93 of the Framework, which states that planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs?

Q2 What are the reasons for the suggested changes to Policy PM6? Why are they necessary for soundness?

## **Matter 10 – Climate Change**

### **Issue 1 – Climate Change and Development Requirements – Policies CC1, CC2, CC3, CC4, CC5, CC6, CC7 and CC8**

Q1 What is the justification for Policy CC1? In the event that changes to the Building Regulations occur in 2025, what is the requirement for a policy in the Local Plan?

Q2 Is it sufficiently clear what is expected of applications for planning permission now, ahead of planned changes to the Building Regulations?

Q3 Where energy reduction is concerned, is the Plan consistent with paragraph 154(b) of the Framework, which states that any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards?

Q4 Have the full range of measures required by Policies CC1, CC2, CC4 and CC8 been tested, alongside other planning policy costs, to determine how they will impact upon the viability of development? Are the conclusions accurate and robust?

Q5 Have any locations that would be 'suitable in principle' for medium or large-scale wind turbines been identified? If so, are these locations appropriate and justified by evidence? If not, why not?

Q6 What is the justification for the requirement set out in Policy CC4 for all new dwellings to be built to a higher water efficiency standard? Is this appropriate in all circumstances?

Q7 What are the reasons for the suggested changes to Policies CC5, CC6 and CC7? Why are they necessary for soundness?

## **Matter 11 – Natural and Historic Environment**

### **Issue 1 – The Natural Environment – Policies SP13, SP14, NE1, NE2, NE4, N5 and NE6**

Q1 What are the reasons for the suggested changes to Policy SP13? Why are they necessary for soundness?

Q2 Is it clear to users of the Plan how all development proposals (excluding householder developments) should connect to ‘off-site networks’ under Policy SP14? Will this be possible for all development types and locations?

Q3 What is the justification for biodiversity net gain requirements in Policy NE1? What information is available to demonstrate that these targets can be achieved?

Q4 Is Policy NE1 effective and justified by including requirements for developments to accord with supplementary planning documents?

Q5 What are the reasons for the suggested changes to Policy NE1? Why are they necessary for soundness?

Q6 Is Policy NE2 (subject to the Council’s suggested changes) consistent with paragraphs 176 and 177 of the Framework, which require great weight to be given to conserving and enhancing the landscape and scenic beauty of AONBs and require the scale and extent of development within these areas to be limited?

Q7 What are the reasons for the suggested changes to Policies NE4, NE5 and NE6? Why are they necessary for soundness? Subject to these changes, will the policies be justified, effective and consistent with national planning policy?

### **Issue 2 – The Historic Environment – Policies SP15, HE1, HE2, HE3 and HE4**

Q1 Are the Plan’s heritage policies consistent with the approach to conserving heritage assets in the Framework, having particular regard to the tests in paragraphs 200-203?

Q2 Where changes are suggested by the Council in Core Document SD06, why are these necessary for soundness?

End.