

## Statement of Common Ground between (i) Dover District Council (DDC) and (ii) Dover Harbour Board (DHB)

### 1. Overview

- 1.1. This Statement of Common Ground has been prepared by the two parties and reflects the jointly agreed position between DDC and DHB, in relation to Dover Waterfront (Site Policy SAP3) in the Dover District Local Plan (DDLPL). DHB are the principal site promoter, and this statement seeks to demonstrate soundness and deliverability to the Inspectors and address representations submitted by DHB.
- 1.2. This is one of two Statements of Common Ground prepared and agreed by the two parties – the other separate Statement of Common Ground (ED9) reflects the jointly agreed position between DDC and DHB in respect of Policy TI4 – Overnight Lorry Parking Facilities – to address representations submitted by DHB to the Regulation 19 consultation.

### 2. DHB representations on Regulation 19 Submission Dover District Local Plan

- 2.1. DHB made formal representation on the Regulation 19 Submission Dover District Local Plan which took place between 21 October and 9 December 2022.
- 2.2. A summary of the DHB representations is provided below:

Rep number	Policy/ Section	Summary of representation	Summary of change requested
554	Vision	Support for vision	None
558; 985	SP3	Support	None
559	SP5	Support	None
560	SP6	Support	Commercial development potential of the site has been underestimated in Table 3.5. 2,350sqm should be increased to 10,000 sqm
561	SP8	Supports Strategic Policy SP8 in its reference to improvements to connectivity of the town centre with the seafront.	Wording of 3.158 is clarified to make clear what measures are already being implemented and what further measures are identified to deliver through the development of Dover Waterfront and Bench Street.
562	SP11	Support	None
563	SAP3	Supports identification of Dover Waterfront in Policy SAP3.	Boundary of site allocation amended to include the new marina and Marina Curve
564	CC8	Support the principle of tree planting requirements	More flexibility for the requirements where there are other regeneration benefits
565	PM1	Supports recognition of higher density development in	None

		sustainable and accessible locations	
567	PM3	Provision of open space required to meet Policy PM3 should include water areas and public realm	Additional wording in policy or supporting text to make clear that open space provision for SAP3 should include water areas and public realm
568	H1	Support	None
569	E1	Support	None
570	E4	Support	None
571	R2	Support objectives of policy and requests that the policy recognises that in locations (such as Dover Waterfront) where there is already a significant amount of retail and town centre uses, proposals for development of equivalent floorspace will not be required to satisfy the Sequential Test requirements of Policy R2	Wording of Policy R2 or supporting text is amended to recognise or clarify that in locations (such as Dover Waterfront) where there is already retail and town centre uses, proposals for redevelopment/reprovision of equivalent floorspace for such uses will not be required to satisfy the Sequential Test requirements of Policy R2.
572	TI3	Support	None
573	SP15	Support	None
574	HE1	Support	None

### 3. Current Position at Dover Waterfront (Policies SP6 and SAP3)

- 3.1. Dover Waterfront occupies a key location within Dover immediately between the town centre and Dover Western Docks. It forms part of the western and seaward gateways to the town. It consists of Wellington Dock (marina), the former De Bradelei Wharf factory outlet centre, seafront development including 4/5 storey late-Regency terraces which accommodate mixed residential and commercial uses (including DHB's offices at Harbour House) which are listed and within the Waterloo Mansions Conservation Area, car parking (including the Camden Crescent public car park), a public garden (Granville Gardens) and part of the promenade and beach. The majority of the site with development potential is owned by DHB. DDC are the landowner of the western parcel of the site (Camden Crescent Car Park), with the remaining parts in various other ownerships. To the north and west is Snargate Street (A20) and one of the main entrances to the Western Docks.
- 3.2. The total site covers 11.0 hectares although the developable area (excluding the water surface of Wellington Dock) is 8.07 hectares.
- 3.3. The site is currently designated as part of the town centre on the adopted Policies Map. Policy CP8 'Dover Waterfront' in the Core Strategy 2010 allocated the Dover Waterfront site for a mixed use scheme including retail (A1 uses up to 20,000 square metres floorspace), restaurants, cafés and drinking establishments (A3 and A4 uses up to 7,000 square metres), assembly and leisure (D2 uses up to 15,000 square metres), residential (C3 use of at least 300 homes), offices (B1) and hotel (C1) uses. One of the requirements of this policy was that any application for redevelopment of the site was to be preceded by, and be consistent with, a Masterplan for the whole site which had been agreed by the Council. DHB supported DDC and its appointed consultants in the preparation of the Dover Waterfront Masterplan but in the

event, the decision was taken by DDC in late 2018 not to progress it further as a Supplementary Planning Document ('SPD').

- 3.4. In its place, DHB has continued to deliver development both in the Western Docks and in the Waterfront:
- Regeneration of the Western Docks commenced after successfully securing the Harbour Revision Order (HRO) in 2012.
  - Following a further period of consultation on the Dover Western Docks Revival (DWDR) masterplan scheme, approval and consent was given by DDC to develop the new Cargo Terminal in 2014.
  - Construction of the DWDR project started on site in January 2016, which included A20 Junction improvements for both the port and town benefit (completed in 2016)
  - The new Marina Pier opened to the public in May 2019, extending 500 metres and leading to a seating area and viewing point across the harbour to the famous White cliffs and Castle. This followed the opening up of access to the seafront via the new bascule bridge. The navigation channel linking the Wellington Dock with the new marina was also flooded and the lock gates fully commissioned in 2019.
  - At the end of 2019, the development of land covering the 103,506 sqm new Cargo Terminal facility and berths officially opened.
  - The completion of new public space set around Clock Tower was completed in May 2021 reinstating various historical artefacts relating to the former Prince of Wales Pier.
  - The construction of access roads, car parking and the marina ablution facilities were completed in April 2021 coinciding with the completion of the Marina Curve and reconfiguration of marina facilities.
  - The new Marina formally opened in April 2023.
- 3.5. DHB remains committed to bringing forward future phases of its £250 million DWDR development as economics and demand allow, including potential port-centric logistic facilities in the area of Northampton Quay. It has in the last few weeks commissioned consultants to support it in the development of its new Port of Dover 2050 Strategic Masterplan Framework.
- 3.6. Completion of the above developments unlocks DHB's ability to accelerate development in the Waterfront. Within the Waterfront, DHB (supported by its development partner Bride Hall) have already completed implementation of phase 1 (a and b) - the refurbishment and conversion to residential apartments of two listed properties - Cambridge Terrace (completed in 2020) and Protea House (completed in 2022). Demolition of the former De Bradelei Wharf factory outlet centre is due to commence within the next 2 months to make way for future development.
- 3.7. Planning permission (20/01236) has also been granted in December 2021 for the erection of 3 no. three and four storey motel buildings (90 bedrooms in total), a two storey reception building and 2 no. single storey buildings for welfare and storage on the Marina Curve.
- 3.8. The development opportunities and strategy to deliver regeneration and new development within DHB's landownership in the Waterfront<sup>1</sup>, including the extend area encompassing the new Marina Curve (AM32), has been defined through a considerable body of surveys and

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<sup>1</sup> excluding DDC's landownership around Camden Crescent and Granville Gardens

feasibility and technical assessments. DHB's 'Strategic Framework & Analysis Report' Spring 2017 and 'Dover Waterfront Strategic Plan – March 2021' (submitted under DHB's representations DLP810 – DLP1240 and updated in December 2022 – Extract attached to DLP563) set out its realistic assessment and framework for delivery of development at Dover Waterfront for the next 20 years as follows:

Phasing	
HERITAGE BUILDING NAME	
1 - Cambridge Terrace	Completed in 2020
2 - Waterloo Crescent	1.5 years
3 - Harbour House	1.5 years
NEW DEVELOPMENT ZONES	
Zone A - New Boat Yard	completed 2022
Zone B - Private Residential and hotel parking	1.5 years
Zone C - Residential and commercial	1.5 years
Zone D - Residential and commercial	5-10 years
Zone E - Public realm	completed 2021
Zone E - Commercial	1-5 years
Zone F - Hotel, Leisure, Offices, Residential, Marina and Public Carpark	1-5 years
Zone G - Future Parking	
Zone H - Commercial	1-10 years 1.5 years
PROPOSED FUTURE PLANNING APPLICATIONS	
Waterloo Crescent	2024
Harbour House	2025-2026
Zone A	Completed
Zone B	2028-2030
Zone C	2028-2030
Zone D	2026-2028
Zone E (commercial)	2024-2025
Zone F	2024-2025 Phase 2
Zone G	2024-2026
Zone H	Consented

3.9. The site specific allocation of Dover Waterfront (Site Policy SAP3) in the DDLP supports its development and regeneration.

#### 4. Main Areas of Agreement

4.1. DHB's representations (560;563;571) support the identification of Dover Waterfront as a regeneration site and its allocation for mixed use under **Policy SAP3 – Dover Waterfront** but raised a number of concerns that the development potential and deliverable floorspace of this area within the plan period is understated. In particular:

- (563) The **Policies Map** excludes the new marina and Marina Curve from the Dover Waterfront allocation. This area is a focal point for the DWDR masterplan and the regeneration the Waterfront area and is an important development area.
- (560) The 'Estimated Employment Floorspace Supply' in **Table 3.5 Employment Land Supply** in the supporting text to **Policy SP6 - Economic Growth** only anticipates some 2,350 sqm employment floorspace will be delivered in the Plan period despite there being at least some 4,500 sqm of existing commercial space within the Waterfront which is to be replaced in addition to the opportunities for new buildings on the development platforms being created.

- (571) The wording of **Policy R2 - Sequential Test and Impact Assessment** restricts retail development and other main town centre uses to existing town centres, ignoring the 4,200 sqm of existing retail floorspace in the former De Bradelei Wharf factory outlet centre which is to be redeveloped.
- 4.2. AM32 proposes to alter the Dover Waterfront site boundary on Figure 4.1 to include the pier, marina curve and Council car park (but not marina itself). AM130 proposes a corresponding change to the Policies Map (although the text in SD06 Schedule of Additional Modifications to the Regulation 19 Submission Local Plan refers in error to Policy SP4). DHB agrees that AM32 and AM130 would address the representation (563) it has made on this point.
  - 4.3. AM15 proposes changes in Policy SP6 supporting text 3.101 and 3.121 (which DHB supports) but does not address DHB's representation (560). DHB is aware of DDC's response in respect of Policy SP6 to the Inspectors' initial questions (ED5). The 'Dover Waterfront Strategic Plan – March 2021' (updated in December 2022) identifies an area of 6,750 sqm for commercial employment uses which will be delivered within the period of the DDLP.
  - 4.4. Following further discussion between the parties, minor additions to AM15 as originally drafted have been agreed, as set out below.

*Amendment to the 'Estimated Employment Floorspace Supply' in Table 3.5 Employment Land Supply at paragraph 3.120:*

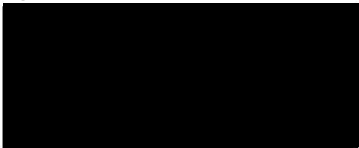
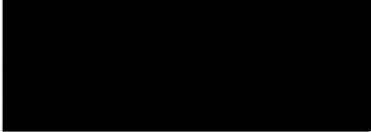
Replace the figure of 2,350 sqm employment floorspace against Dover Waterfront with the figure of up to 10,000 sqm (E(g)).

- 4.5. It is agreed by both parties that this modification addresses concerns raised in representation 560. It is also agreed that the modification is not necessary for soundness of the submitted Plan however is proposed for clarity.
- 4.6. DHB is aware of discussions between DDC and Historic England (HE) in respect of HE's representations (1178) suggesting changes to the wording of **Policy SAP3 – Dover Waterfront**. DHB acknowledges the need for high quality design but does not favour HE's suggestion of the need for a detailed design brief (given previous experience of the delay to development this may introduce) and instead finds the modifications proposed by DDC in its response to SAP3 - Q5 of the MIQs acceptable.
- 4.7. Following further discussion between the parties, it is understood and agreed that the inclusion of the wording "and are not supported by other policies" in **Policy R2 - Sequential Test and Impact Assessment** avoid the need to satisfy the Sequential Test requirements (and thus the concern raised by DHB) in the context of the allocation of Dover Waterfront for mixed use under Policy SAP3. It is agreed by both parties that no change is needed to Policy R2 and that this addresses representation 571.
- 4.8. Following further discussion between the parties regarding the clarity of the wording of paragraph 3.158 in respect of **Strategic Policy SP8 – Dover Town Centre**, it is agreed by the parties that this relates to improvements to the connectivity of the town centre with the seafront, rather than to the Waterfront area. It is agreed by both parties that no change is needed to paragraph 3.158 of the wording of Strategic Policy SP8 – Dover Town Centre and that this addresses representation 561.

■ It is agreed between the parties that the other concerns raised by DHB on **Policy CC8 - Tree Planting and Protection** (representation 564) and **Policy PM3 – Providing Open Space** (representation 567) are matters capable of appropriate interpretation in the context of the circumstances presented when applications for development are brought forward. It is agreed by both parties that no change is needed to these policies and that this addresses representations 564 and 567.

4.10. As is demonstrated at paragraph 3.4 above, considerable progress in the delivery of development both in the Western Docks and in the Waterfront has been made over the last 10 years and the infrastructure investment now completed provides a very strong platform on which the remainder of the development of the Waterfront can be progressed as economics and demand allow. Noting the premium that can be achieved on the value of properties with a waterfront or sea view, and with the support of the policies in the DDLP (specifically Policies SP5 on zero affordable housing), DHB is confident that the anticipated delivery dates for future phases of development set out on paragraph 3.8 above will be delivered.

**5. Signatories**

<p><b>Signed for and on behalf of Dover District Council:</b></p>  <p><b>Name:</b> Sarah Platts <b>Position:</b> Head of Planning and Development <b>Date:</b> 16/10/2023</p>	<p><b>Signed for and on behalf of Dover Harbour Board:</b></p>  <p><b>Name:</b> Christian Pryce <b>Position:</b> Chief Commercial Officer <b>Date:</b> 16/10/2023</p>
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