

**Statement of Common Ground  
Dover District Council and Historic England**

**1. Overview**

1.1 This Statement of Common Ground (SoCG) reflects the jointly agreed position between the parties, Dover District Council (DDC) and Historic England, in relation to the Dover District Local Plan (DDLp) and its evidence base, as of July 2023.

1.2 The purpose of this SoCG is to demonstrate how DDC and Historic England have worked together to identify and address outstanding matters. It sets out the areas of agreement on matters raised by Historic England in response to the Dover District Local Plan (Regulation 19 Submission).

1.3 The NPPF sets an expectation that Local Plans should be prepared with the active involvement of statutory consultees and to this end, DDC has co-operated with Historic England throughout the preparation of the Local Plan since work started in 2017. This co-operation has been in the form of correspondence and the sharing of draft documentation. Historic England formally responded to the Regulation 18 draft DDLp consultation which took place between January to March 2021, and to the Regulation 19 Submission DDLp. A summary of activity is set out in the Duty-to-Cooperate Statement.

1.4 This Statement of Common Ground, without prejudice, relates to the representations made by Historic England to the Regulation 19 DDLp. It addresses unresolved issues, specifically to resolve differences and arrive at an agreed position.

**2. Representations made by Historic England**

2.1 Historic England made formal representation on the Regulation 19 Submission Dover District Local Plan which took place between 21 October and 9 December 2022.

2.2. Email exchanges have taken place between DDC and Historic England to discuss and agree modifications to the Plan in respect of Historic England comments. If the Inspectors are supportive of the view of Historic England comments on these matters, the Council would accept additional modifications and as such the following text has been agreed for policies, without prejudice, by both parties for this purpose.

**3. Current agreed position and areas of disagreement.**

3.1 The following table set out the responses received from Historic England to the Regulation 19 DDLp. A summary of comments is included as well as the current agreed position and proposed modifications.

<b>Policy</b>	<b>SDLP rep no.</b>	<b>Summary of rep</b>	<b>DDC response</b>	<b>Heritage England comments on DDC actions/comments/Response to Inspector MIQ</b>
SP15, HE1 and para 12.6	1169	Section of the Plan considered to be unsound as a heritage at risk policy has not been included.	Please refer to SDLP1200 response below.	Note and agree change to Policy HE1 as set out below (SDLP1200).

Vision and Objectives	1170	<p>Section of the Plan considered to be sound.</p> <p>Support for references to the historic environment.</p>	Support noted.	Noted
SP1 – Climate Change	1171	<p>Section of the Plan considered to be sound.</p> <p>Query raised regarding reference only to new buildings.</p>	<p>Support noted.</p> <p>Please note that SP1 refers to new development, instead of just new buildings, and HE1 refers to energy efficiency adaption for historic assets.</p>	Noted
SP7 – Retail and Town Centres	1172	<p>Section of the Plan considered to be sound.</p> <p>Support focus on town centres but heritage role could be enhanced.</p>	<p>Support noted.</p> <p>Additional Modification AM16 to SP7, criterion 7 would require all town centre development to “Invest in the quality of the town centre environments, <u>including their rich historic qualities and assets</u>, to create more attractive, accessible, safe and greener environments that appeal to all ages and groups”.</p>	Welcome revised text.
SP8 – Dover Town Centre	1173	<p>Section of the Plan considered to be unsound.</p> <p>Aspirations should more explicitly acknowledge the rich historic environment e.g., a reference at para 3.144 to celebrating the town’s rich past and heritage may contribute to</p>	<p>Additional Modification AM16 to SP7, criterion 7 would require all town centre development to “Invest in the quality of the town centre environments, <u>including their rich historic qualities and assets</u>, to create more attractive, accessible, safe and greener environments that appeal to all ages and groups”.</p> <p>Additional Modification AM89 to</p>	Welcome revised text.

		<p>its future attractiveness, vitality and success.</p> <p>Bullet point 5 of SP8 is welcomed as acknowledgement of the importance of the historic environment in the town's future, however the implementation section which follows the Principles could be strengthened by including a reference to the production of development briefs as an additional layer which will help ensure heritage is properly understood and celebrated within development sites, and that local character and distinctiveness is properly understood and embedded in the planning for a site.</p>	<p>the PM1 implementation section, paragraph 6.17, would require that <u>“where appropriate, development briefs will be prepared and adopted to help guide new development. These can have the advantage of ensuring that heritage context and distinctiveness is properly understood and embedded in the planning of a site.”</u></p> <p><b>No further modification proposed.</b></p>	
SP12 – Strategic Transport Infrastructure	1174	<p>Section of the Plan considered to be unsound.</p> <p>Strategic infrastructure upgrades have potential to impact non-designated archaeological remains, we would encourage early engagement with the Council's archaeological advisor as proposals come forward.</p>	<p>Comments noted. Proposals for strategic infrastructure that come forward will be subject to normal planning requirement which will include consideration of the heritage impacts. The general approach to designated and undesignated heritage assets is set out in policies HE1 to HE4. Therefore no modification proposed.</p> <p><b>No modification proposed.</b></p>	Noted.

		Expectation for proposals to demonstrate that the harm to heritage significance has been avoided or minimised, and where possible heritage significance is enhanced.		
SP13 – Environmental Sites and Biodiversity Assets	1175	Section of the Plan considered to be sound.  Positive management of this site for landscape and ecological reasons could in turn enhance the heritage significance of and engagement with the site.	Support noted.	Noted.
SP15 – Historic Environment	1176	Section of the Plan considered to be sound.  Welcomes reference to the creation of a local list, which can be a useful way to engage with local populations to understand what they value in their area. HE hope the Council can commit to the creation of a local list within the early part of the delivery of the updated local plan.	Support noted.	Noted.
Housing and Employment Allocations introduction	1177	Section of the Plan considered to be sound. Welcomes the purpose and intention of paragraph 4.24 and looks forward to advising the	Support noted.	Noted.

		Council and developers on assessments on appropriate sites		
SAP3 – Dover Waterfront	1178	<p>Section of the Plan considered to be unsound.</p> <p>Welcome acknowledgement of heritage, including the setting of the Western Heights, Dover Castle and the site's archaeological potential in the preamble to the policy and within the policy itself. However, we note the policy is for 263 units which on this site could mean higher buildings. We therefore stress again the need for detailed proposals to be genuinely character led and informed by a detailed assessment of the contribution of setting to the significance of designated heritage, so that the response actively seeks to avoid and minimise harm and where possible enhances significance.</p> <p>The policy itself does not reference the need for high quality design and this might be a useful addition given the site's general sensitivity and visible location. As with other town</p>	<p>The number of new dwellings is referred to as “approximately 263”, with the final number dependent of the mix of uses and general and site-specific design and heritage considerations. Paragraph 6.16 refers to the expectation that SAP3 proposals will be subject to Design Review at the pre-application stage.</p> <p>Additional Modification AM89 proposes an addition to the PM1 implementation section at the end of para 6.17: “Where appropriate, development briefs will be prepared and adopted to help guide new development. These can have the advantage of ensuring that heritage context and distinctiveness is properly understood and embedded in the planning of a site”.</p> <p>Additional modification AM32 proposes a reference to be added to SAP3 criteria e: “A consideration of the character and context of the area to ensure that the design <u>is of high quality, and the scale</u> (height and mass) and density of development proposed is well related to its surroundings.”</p>	Welcome and agree revised text in additional modifications and further modifications.

		<p>centre sites, this site would also benefit from a detailed design brief to provide a greater level of certainty to developers and as a way for the Council to be clear about what is achievable on the site without causing unacceptable levels of harm to important heritage.</p>	<p><b>Suggested further modification</b> to SAP3 criterion e: “A consideration of the character and context of the area, <u>including important views</u>, to ensure that the design...”</p> <p><b>Suggested further modification</b> to PM1, section 1 Context and Identity criteria a) requires all development in the District to: “Demonstrate an understanding of the context of the area (including <u>existing important views</u>, the <u>potential for creating new views</u> and <u>historical and architectural</u> character).”</p>	
SAP4 – Dover Western Heights	1180	<p>Section of the Plan considered to be unsound.</p> <p>Suggest the following minor amendments to the detailed wording of the policy (underlined):</p> <p>b. Make a positive contribution to the character and distinctiveness of this significant heritage asset and capitalise on opportunities to reduce risk across the whole site <u>and opportunities to enhance the significance of the heritage asset</u>: g. Enhance awareness and accessibility <u>and understanding</u> of this asset for residents and</p>	<p>Additional Modification AM33 proposes changes to Policy SAP4, including the removal of the Citadel references from the preamble and policy titles for clarity:</p> <p>“b. Make a positive contribution to the character and distinctiveness of this significant heritage asset and capitalise on opportunities to reduce risk across the whole site <u>and opportunities to enhance the significance of the heritage asset</u>.</p> <p>g. Enhance awareness and accessibility <u>and understanding</u> of this asset for residents and visitors</p> <p>h. Improve connectivity between the fortifications and the town, including, where possible, the delivery of links with</p>	<p>Welcome and agree revised text in additional modifications.</p> <p>Inspector MIQ Matter 3 Housing Allocations Q3:</p> <p>HE is supportive of the Council’s approach to identify a minimum figure of 100 units across the Western Heights site to include within the Local Plan’s housing trajectory. The number of units necessary to bring about the meaningful change required is contingent upon balancing the significance of the areas highlighted in the SPD (both individually and in respect of their contribution to the significance of the monument as a whole) against the potential for harm. There is already a good baseline of understanding of the</p>

		visitors h. Improve connectivity between the fortifications and the town, including, where possible, the delivery of links with the town centre, Dover Priory railway station and the Dover waterfront <u>including by utilising the Grand Shaft as an important connector between the waterfront and Western Heights</u>	the town centre, Dover Priory railway station and the Dover waterfront <u>including by utilising the Grand Shaft as an important connector between the waterfront and Western Heights and improvements to the PRow network in addition to protection of the integrity and setting of the England Coast Path – South East National Trail.”</u>	site as a whole, but further work is required to develop a clear vision and strategy for development and growth within this site, and so HE is therefore also supportive of the Council’s approach to not include the housing figure within Policy SAP4.
SAP5 – Fort Burgoyne	1183	<p>Section of the Plan considered to be unsound.</p> <p>Pre-ambble should place greater emphasis on delivering heritage benefits within reuse proposals, and propose that the definition of mixed uses should be wider; i.e. to include cultural activities (which have previously been tested on the site via a grant aided project and proved to be very successful).</p> <p>The preamble should acknowledge the inherent challenge of accommodating new uses within the scheduled structures, and that providing sufficient levels of parking to support those uses will be</p>	<p>AM34 proposes changes to paragraph 4.109: “Fort Burgoyne has the potential to <del>accommodate new uses, deliver desirable heritage benefits</del> within proposals for its reuse, provided that they are compatible with its status as a scheduled monument. <u>The Council acknowledges the inherent challenges of accommodating new uses within the scheduled structure, but the site offers the potential for mixed uses, which could include leisure, tourism and cultural activities.</u> Development proposals will need to include a long term sustainable vision for investment in the reuse of the fort, supporting local business growth. <del>There is the potential for mixed uses, which could include leisure and tourism.”</del></p> <p>AM35 proposes additional wording to SAP5 criteria related to the Dover</p>	Welcome and agree revised text in additional modifications.

		critical to secure the site's long-term beneficial use unless more sustainable travel options to the site can be planned for and secured.	<p>Fastrack service which passes the site: <u>“On and off-site sustainable transport measures, as set out in Policy TI1, to include financial contributions to increase the frequency and reliability of Dover Fastrack, and towards provision of highway infrastructure improvements for Dover Fastrack.”</u></p> <p>Parking provision will be considered at the planning stage on a case-by-case basis. The former parade ground offers scope for some on-site parking.</p>	
SAP6 – Dover Mid Town	1188	<p>Section of the Plan considered to be unsound.</p> <p>Part of the site is within the Dover College and Dover Town Centre Conservation Areas and within the setting of the Dover Dour Street and Dover Castle Conservation Areas.</p> <p>Reference should be made to the potential need for views analysis in the policy. The site may benefit from a development brief, which gives greater certainty to a developer and allows the Council to explore and test different solutions for the site so that they can be</p>	<p>Paragraph 6.16 refers to the expectation that Dover Mid-Town proposals will be subject to Design Review at the pre-application stage.</p> <p>Additional Modification AM89 proposes an addition to the PM1 implementation section at the end of para 6.17: “Where appropriate, development briefs will be prepared and adopted to help guide new development. These can have the advantage of ensuring that heritage context and distinctiveness is properly understood and embedded in the planning of a site”.</p> <p><b>Suggested further modification</b> to paragraph 4.113: “The building is owned by Dover District Council and used as</p>	Welcome and agree revised text in additional modifications and further modifications.



		<p>confident about achieving the right balance between competing planning considerations, and set a high bar for design which will be essential in order to maximise the potential of this site.</p>	<p>Dover Town Hall. <u>Parts of the site are also within the Dover College and Dover Town Centre Conservation Areas and within the setting of the Dover Dour Street and Dover Castle Conservation Areas.</u></p> <p><b>Suggested further modification</b> to SAP6 criterion f: “A consideration of the character and context of the area, <u>including important views</u>, to ensure that the design...”</p> <p><b>Suggested further modification</b> to PM1, section 1 Context and Identity criteria a): “Demonstrate an understanding of the context of the area (including <u>existing important views</u>, the potential for <u>creating new views</u> and <u>historical and architectural character</u>).</p>	
SAP7 – Bench Street, Dover	1191	<p>Section of the Plan considered to be unsound.</p> <p>The positive role that it could play by celebrating heritage within the site, be reinforcing and revealing the wider town's historic character, is underplayed in the preamble and the policy. For example, the site contains a number of good quality unlisted buildings of the 19th century which may be candidates for the</p>	<p>Paragraph 6.16 refers to the expectation that Dover Bench Street proposals will be subject to Design Review at the pre-application stage.</p> <p>Additional Modification AM89 proposes an addition to the PM1 implementation section at the end of para 6.17: “Where appropriate, development briefs will be prepared and adopted to help guide new development. These can have the advantage of ensuring that heritage context and distinctiveness is properly</p>	<p>Welcome and agree revised text in additional modifications and further modifications.</p>

		<p>Council's local list (ref Policy SP15). While we acknowledge many are in poor condition, we do not agree that the site as a whole is of low architectural quality as noted in paragraph 4.124.</p> <p>See response to SAP6 for suggested modifications.</p>	<p>understood and embedded in the planning of a site”.</p> <p><b>Suggested further modification</b> to PM1, section 1 Context and Identity criteria a): “Demonstrate an understanding of the context of the area (including <u>existing important views</u>, the <u>potential for creating new views</u> and <u>historical and architectural character</u>).</p> <p><b>Suggested further modification</b> to paragraph 4.124, replacing the second sentence: “<del>The site as a whole is also of low architectural quality and relates poorly to the wider area.</del> Although the historic street pattern has been partly retained and a number of buildings have some heritage value, past demolition has resulted in significant areas of open land which are unsightly and relate poorly to the wider area. In addition, poor quality redevelopment in the past means the site is considered to be of moderate to low architectural quality.”</p>	
HE1	1196	Policy considered to be sound.	Support noted	Noted
HE2	1197	Policy considered to be sound.	Support noted	Noted
HE3	1198	Policy considered to be sound.	Support noted	Noted
HE4	1199	Policy considered to be sound.	Support noted	Noted

<p>HE1 – Designated and Non-designated Heritage Assets and preceding paragraph 12.6</p>	<p>1200</p>	<p>Section of the Plan considered to be unsound.</p> <p>No policy to describe how a positive strategy to reduce risk to vulnerable heritage assets will be developed and implemented. NPPF para. 190: “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect decay or other threats”.</p>	<p>The Council’s approach to Heritage at Risk is covered by Policy HE1. A local Register of Heritage at Risk is a recommendation of the Dover District Heritage Strategy (2013, updated 2020) and is referenced in paragraph 12.6 of this Plan.</p> <p><b>Proposed further modification</b> to HE1, second sentence: In particular, proposals that bring redundant or under-used buildings and areas, <del>including those on the Heritage at Risk Register</del> <u>at risk through neglect, decay or other threats</u> into appropriate and viable use consistent with their conservation will be encouraged. <u>This includes those on the Heritage at Risk Register held by Historic England, buildings and sites identified during the planning application process and any emerging local list of heritage assets at risk,”</u></p>	<p>Welcome and agree revised text in additional modifications.</p>

#### 4. Conclusions

4.1 In summary, all matters raised in representation by Historic England have been addressed through Additional Modifications proposed in SDO06 and proposed further modifications set out in the Statement of Common Ground.

## 5. Signatories

**Signed on behalf of Dover District Council:**

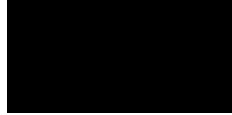


**Name:** Sarah Platts

**Position:** Head of Planning and Development

**Date:** 17 October 2023

**Signed on behalf of Historic England:**



**Name:** Alan Byrne

**Position:** Historic Environment Planning Adviser

**Date:** 17 October 2023