

Statement of Common Ground

Dover District Council and Kent Downs AONB Unit

1. Overview

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

1.2 The purpose of this SoCG is to demonstrate how DDC and Kent Downs AONB Unit have been working together to identify and address outstanding matters. It sets out the areas of agreement on matters raised by the Kent Downs AONB Unit in response to the Dover District Local Plan (Regulation 19 Submission) and confirms the agreed position between the two parties in response to the Matters, Issues and Questions (MIQs) for the examination.

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 been co-operating with the Kent Downs AONB Unit throughout the preparation of the Local Plan since work started in 2017. This co-operation has been in the form of regular meetings and email correspondence and the sharing of draft documentation. The Kent Downs AONB Unit formally responded to the Regulation 18 draft DDLPL consultation which took place between January to March 2021, and to the Regulation 19 Submission DDLPL. 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 the Kent Downs AONB Unit to the Regulation 19 DDLPL. It addresses unresolved issues, specifically to resolve differences and arrive at an agreed position.

2. Representations made by the Kent Downs AONB Unit

2.1 Kent Downs AONB Unit 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 AONB Unit to discuss and agree modifications to the Plan in respect of AONB Unit comments. If the Inspectors are supportive of the view of AONB Unit comments on these matters, the Council would accept additional modifications and as such the following text has been agreed for a number of 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 Kent Downs AONB Unit to the Regulation 19 DDLPL. A summary of comments is included as well as the current agreed position and proposed modification. The table also identifies where there is an agreed position in relation the Inspector's Matters, Issues and Questions.

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SP4	SDLP252	No objection, support proposed inclusion of criterion (c)	Matters, Issues, Questions (Matter 2, Issue 5, Question 5): It is agreed that Policy SP4 is consistent with paragraphs 176 and 177 of the Framework as set out in criteria (c)
SP5	SDLP253	Support the requirement for affordable housing on schemes of 6 units or more within Designated Rural Areas (which includes AONBs),	N/A
SP13	SDLP254	Support	N/A
SP14	SDLP255	Support	N/A
SAP1	SDLP256	The protection afforded to the potentially diverted route of the North Downs Way in the policy wording (criterion Z) is supported by the North Downs Way Manager.	N/A
SAP2	SDLP257	Appropriate safeguards are included in the policy wording to appropriately manage potential AONB impacts. The proposed safeguards to the North Downs Way as it passes through the site are also supported.	N/A

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP4	SDLP259	<p>While there is no specific requirement proposed within the policy wording for mitigation of potential AONB impacts, it is considered that other criterion within the policy wording including that proposed within criterion (a) in combination with safeguards for AONB setting included within policy NE2, provide appropriate measures to address potential AONB impacts.</p>	<p>No modifications required.</p> <p>Matters, Issues, Questions (Matter 3, Issue 1, Policy SAP4, Question 4): <i>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?</i></p> <p>The site is not located within the AONB (although the westernmost part of the site is a very short distance from the designation.)</p> <p>It is agreed that policy wording set out in Policy SAP4 criterion (a) and Policy NE2 provide appropriate measures to address potential impact upon the setting of the AONB.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP5	SDLP260	<p>While there is no specific requirement proposed within the policy wording for mitigation of potential AONB impacts, it is considered that other criterion within the policy wording including proposed criterion (j), in combination with safeguards for AONB setting included within policy NE2, provide sufficient measures to address potential AONB impacts.</p>	<p>No modifications required.</p> <p>Matters, Issues, Questions (Matter 6, Issue 4, Policy SAP5, Question 4): <i>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?</i></p> <p>It is agreed that the site is not located in the AONB, although the eastern boundary of the site adjoins the AONB. The effects of the proposed development on the setting of the AONB have been considered through the Council's assessment of the site through the HELAA and SA, informed by consultation with the Kent Downs AONB Unit. The proposals for the site focus on the re-use of existing buildings, and therefore a scheme can be achieved that would meet the requirements of national planning policy concerning development adjoining AONBs and Policy NE2 provides the appropriate policy framework to ensure this.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP9	SDLP261	<p>We have no objection in principle to a sensitively designed residential scheme. It is requested however that paragraph 4.136 is amended to state the site's location relative to the AONB more accurately.</p>	<p>Modification AM39 satisfactorily addresses AONB concerns.</p> <p>Amend paragraph 4.136 as follow:</p> <p><i>“The built area in this location is wrapped around to the north and south by a large area of open space which is within the Dover & Folkestone Cliffs & Downs BOA and partly designated as a Nature Reserve (High Meadow) with a Local Nature Reserve to the south. The area to the north <u>western part</u> of the site lies in the Kent Downs AONB, and the rest of the site is therefore within the setting of the Kent Downs AONB.”</i></p> <p>Matters, Issues, Questions (Matter 3, Issue 1, SAP9, Question 1):</p> <p><i>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?</i></p> <p>The western part of the site falls within the Kent Downs AONB. The effects of the proposed development on the setting of the AONB have been considered through the Council's assessment of the site through the HELAA and SA, informed by consultation with the Kent Downs AONB Unit. It is agreed that the criteria in the Policy enable a scheme to come forward which meets the requirements of the NPPF.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP13	SDLP262	Outline planning permission has now been granted for up to 5 dwellings on the site. The proposed site specific requirements should help provide mitigation of potential AONB impacts.	N/A
SAP24	SDLP263	As recognised in the policy, the proximity of the site and scale of proposals means the allocation has the potential to impact on the setting of the Kent Downs AONB. The inclusion of criterion (I) to manage impacts on the AONB is therefore supported.	<p>No modifications required.</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 4, policy SAP24, Question 4):</i></p> <p><i>What effect will the allocation have on the landscape character of the area, having particular regard to views to and from the AONB?</i></p> <p>It is agreed the site has the potential to impact on the setting of the Kent Downs AONB from long distance views. This should be assessed further through a Landscape and Visual Impact Assessment as set out in criteria (I) of Policy SAP24. It is agreed that any impact from mid-range and long views can be mitigated through the design and layout of the scheme, and provision of landscape buffers and structural and internal landscaping.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP26	n/a	n/a	<p><i>Matters, Issues, Questions (Matter 6, Issue 4, policy SAP26, Question 6):</i></p> <p><i>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?</i></p> <p>It is agreed that Criteria d) of the Policy will ensure that the site is developed in a way that avoids any harmful visual impacts upon the AONB</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP34	SDLP264	<p>A large scale development here could impact on the setting of the AONB given its proximity to the AONB and intervisibility, with sensitivity of the site increased by its high topography and the fact it shares similar landscape characteristics to the adjacent AONB. The safeguards included in criteria a, b, c and e are considered crucial to help manage potential AONB impacts. While we support the provision of a requirement for advanced planting we consider it unlikely that it will reach maturity prior to the completion of the development.</p>	<p>Modification (AM61) satisfactorily addresses AONB concerns.</p> <p>Amend criteria (g) as follows:</p> <p><u>“Include provision for advanced tree planting. This should be undertaken on-site prior to the commencement of development or at the time the development of the site commences, to ensure trees are established and have reached maturity prior to the completion of the development, to mitigate the impact on the AONB”.</u></p> <p><i>Matters, Issues, Questions (Matter 3, Issue 8, policy SAP34, Question 2):</i></p> <p><i>Q2 What effect will the allocation have on the landscape character of the area, having particular regard to views to and from the AONB?</i></p> <p>It is agreed that the proposed development could impact on the setting of the AONB given its proximity to the AONB and sensitivity of the site increased by its high topography. It is also agreed that criteria a, b, c and e of the Policy SAP34 can manage these potential impacts through a sensitively designed scheme, that is set back from the western boundary of the site, with a landscape and visual impact assessment informing the provision of landscape buffers, structural planting and advanced tree planting.</p>

SAP38	SDLP265	<p>The site would seem an appropriate extension of the settlement. The proposed requirements included in criteria a and b to help manage impacts on the AONB are supported. Advanced planting is unlikely to reach maturity prior to the completion of the development.</p>	<p>Modification (AM65) satisfactorily addresses AONB concerns.</p> <p>Amend criterion b iii as follows:</p> <p>“Include provision for advanced tree planting. This should be undertaken on-site <u>prior to the commencement of development</u> at the time development of the site commences to ensure trees are established and have reached maturity prior to the completion of the development, to mitigate the impact on the AONB;”</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 7, Policy SAP38, Question 1):</i></p> <p><i>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?</i></p> <p>It is agreed that the proposal does not constitute major development in the AONB, with the proposals being a logical extension to the existing settlement and approximately 60% of the site being located in the Kent Downs AONB. The potential impacts of development on the character and appearance of the area, including the AONB and Heritage Coast, has been considered through the Council’s assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB Unit, and the Landscape Sensitivity Assessment. It is also agreed that criteria a, and b of the Policy SAP38 can manage potential impacts through a sensitively designed scheme, the provision of landscape buffers, structural planting and advanced tree planting.</p>
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Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP39	SDLP266	The proposed requirements included in criteria a and b to help manage impacts on the AONB are supported	<p><i>Matters, Issues, Questions (Matter 3, Issue 7, Policy SAP39, Question 1):</i></p> <p><i>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?</i></p> <p>It is agreed that the proposal does not constitute major development in the AONB, with the approximately 75% of the site being located in the Kent Downs AONB, and taking into account the relationship of the site to the existing settlement and size of St Margaret's. The potential impacts of development on the character and appearance of the area, including the AONB, has been considered through the Council's assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB Unit and the Landscape Sensitivity Assessment. It is also agreed that criteria a, and b of the Policy SAP39 can manage potential impacts through a sensitively designed scheme, the provision of landscape buffers and landscaping scheme informed by a Landscape and Visual Impact Assessment.</p>

SAP40	SDLP268	<p>STM010 - Site wholly within AONB and associates with the rural environs and softens the built up edge of the village. However, the site is surrounded on three sites by built form and potentially logical. However, topography is an issue and the site comprises a mound above the surrounding land. Concerned the development will be more prominent than the existing development which could be visually damaging to the AONB. Also possible impact on views of important historic features. Particular coastal landscape sensitivities. Harm may be exacerbated by low density and potential larger sized houses. Given the sensitivities of the site and LVIA or LCS is required. Current evidence base does not support the allocation.</p>	<p>Additional Modification (AM67) has been submitted to the Examination:</p> <p>Amend Site-specific issues and requirements column in SAP40 for STM010:</p> <p><u>“The Site is in the Kent Downs AONB and South Foreland Heritage Coast. In order to minimise any impact on these protected landscapes, built development should be limited in extent, located in the lower part of the site along the road frontage with The Drove way only, and should comprise a maximum of 10 dwellings. A Landscape and Visual Impact Assessment, to include topographical details of existing and proposed ground levels, should be submitted as part of any planning application, in order to mitigate the impact of development on the AONB, the Heritage Coast, the Dover to Kingsdown Cliffs SAC and the wider countryside, including long views to and from the Grade II* listed Dover Patrol Memorial, and to identify appropriate building ridge heights, and generous landscape buffers to the south and east. Such buffer zones should consist of semi-natural habitat such as woodland, be planted with local and native species appropriate to the setting of this site, and contribute to wider ecological networks.</u></p> <p><u>Development and any scheme coming forward on this site should be designed to provide an appropriate transition to the wider countryside, with particular regard to the site’s sensitive location, with the Kent Downs AONB in respect of scale, ridge heights, mass, form, materials and colour palette.</u></p> <p><u>Existing trees and hedgerows should be retained and enhanced, informed by a Tree Survey, including the woodland in the south-western corner of the site, and the trees and hedgerows along the frontage with The Drove way with the exception of removal needed to provide suitable accesses, which shall be kept to the minimum necessary to provide the required sight lines, and an</u></p>
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			<p>appropriate landscape buffer provided to mitigate the impact of development on the AONB.</p> <p><u>Opportunities should be identified for biodiversity habitat creation and enhancement. Development should not commence until a Landscape Plan has been agreed, in order to ensure that the landscaping proposed for this site contributes to wider ecological networks and the enhancement of the Dover and Folkestone Cliffs and Downs. The site is within a Biodiversity Opportunity Area in which it is located.</u></p> <p><u>An Archaeological Assessment is required in order to avoid any harm to any archaeological assets identified through the assessment.</u></p> <p>A Flood Risk Assessment is required. As part of this the Sequential Approach should be applied to the layout of the site. SuDS should be provided.</p> <p>A post submission amendment to the submitted AM67 is proposed to include street frontage development along Salisbury Road, as well at the Droveaway, as follows:</p> <p>The Site is in the <u>Kent Downs AONB and South Foreland Heritage Coast. In order to minimise any impact on these protected landscapes, built development should be limited in extent, located in the lower parts of the site along the road frontage with The Droveaway and Salisbury Road, and should comprise a maximum of 10 dwellings.....</u></p>
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			<p><u>AONB position</u></p> <p>Our previously raised concerns that the site maybe unsuitable for any development in terms of AONB impacts remain and we are still of the view that appropriate assessments need to be carried out prior to the allocation to properly inform the decision as to whether a development is acceptable here in terms of landscape impacts.</p> <p>However, should the allocation be taken forward, the modification is welcomed. I would suggest amending the wording to require the LVIA to 'inform' the proposal. We'd also want to see a landscape buffer to the north (actually north-north-east) – the amendment refers to landscape buffers being required to the 'south and east'.</p> <p>If the principle is found acceptable, do not consider the AONB impacts from development with a Salisbury Street frontage to be more harmful than a Drove Road frontage.</p> <p>Council Response - To seek to address the AONB Units comments a Landscape and Visual Statement has been produced and shared with the AONB Unit. This statement is provided in Appendices to Matter 3, Issue 7.</p> <p><u>AONB latest position</u></p> <p>The AONB Unit welcomes the recent submission of a Landscape and Visual Statement for the site. However, the AONB Unit considers that there are several flaws in this Assessment which appear to fail to adequately assess</p>
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			<p>the subtleties of the topographical differences of the site relative to surrounding land.</p> <p>The AONB Unit disagrees with some of the conclusions/assessments of both this Statement and those contained within the 2021 DDC 'Landscape Sensitivity Assessment of proposed development sites' and remains concerned that the allocation, notwithstanding the proposed additional safeguards proposed in the AM, would fail to conserve the scenic beauty of the AONB and is unjustified.</p> <p>Matters, Issues, Questions (Matter 3, Issue 7, Policy SAP40, STM010, Question 1):</p> <p>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?</p> <p>It is agreed that taking into account the enclosure of the site on three sides with existing residential development and the restriction of proposed development to a maximum of 10 dwellings, it is agreed that the allocation does not represent major development.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP40	SDLP315	STM006 - Site well contained within the wider landscape and relates well to the existing settlement. The proposed requirements included in site specific requirements to help manage impacts on the AONB are supported.	<p>No modifications required</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 7, policy SAP40, STM006, Question 1):</i></p> <p><i>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?</i></p> <p>It is agreed that the proposal does not constitute major development in the AONB, with the site being contained within the wider landscape and relating well to the existing settlement.</p> <p>The potential impacts of development on the character and appearance of the area, including the AONB, has been considered through the Council's assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB Unit and the Landscape Sensitivity Assessment. It is also agreed that the site-specific requirements set out in Policy SAP40 manage the impacts on the AONB through provision of a sensitively designed scheme and landscape buffer.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP43	SDLP269	<p>The site is relatively well contained within the wider landscape and relates well to the existing settlement. The proposed requirements included in site specific requirements to help manage impacts on the AONB are supported.</p>	<p>No modifications required</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 9, policy SAP43, Question 1):</i></p> <p><i>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?</i></p> <p>It is agreed that the proposal does not constitute major development in the AONB, with the site being contained within the wider landscape and relating well to the existing settlement.</p> <p>The potential impacts of development on the character and appearance of the area, including the AONB, has been considered through the Council's assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB. It is also agreed that the site-specific requirements set out in Policy SAP43 manage the impacts on the AONB through provision of a sensitively designed scheme and landscape buffer.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP44	SDLP270	<p>Site is well contained within the landscape by existing development on its south and eastern sides and vegetation along the western boundary. The proposed requirements included in criterion a and b to help manage impacts on the AONB are supported.</p>	<p>No modifications required</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 9, policy SAP44, Question 4):</i></p> <p><i>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.</i></p> <p>The site is located close to the AONB, and does therefore not constitute major development in the AONB.</p> <p>The potential impacts of development on the character and appearance of the area, including the AONB, has been considered through the Council's assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB Unit. It is also agreed that the site specific requirements set out in Policy SAP44 manage the impacts on the AONB through provision of a landscape buffer.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP45	SDLP271	<p>CAP009</p> <p>The site lies in the setting of the AONB. The proposed requirements included in site specific requirements to help manage impacts on the AONB are supported.</p>	<p>No modifications are required</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 9, policy SAP45, CAP009, Question 4):</i></p> <p><i>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.</i></p> <p>The site is located adjoining the AONB, and does therefore not constitute major development in the AONB.</p> <p>The potential impacts of development on the character and appearance of the area, including the AONB, has been considered through the Council's assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB Unit. It is also agreed that the site specific requirements set out in Policy SAP45 manage the impacts on the AONB through provision of a landscape buffer.</p>

SAP45	SDLP296	CAP011 - Wholly in AONB, unrelated to built form, new development in the countryside, not complementary to settlement pattern. Conflict with Management Plan SD9. Undeveloped nature contributes to rural character. Not PDL. Would fail to conserve or enhance the landscape and scenic beauty of the AONB. But not major development.	<p>The following Post Submission Modification (PSM xx) will be submitted to the Examination:</p> <p>Amend second requirement as follows:</p> <p>“The site is in the AONB and any scheme coming forward on this site <u>will be informed by a Landscape and Visual Impact Assessment to ensure it is</u> should be designed to be appropriate to the sites sensitive location within the Kent Downs AONB in respect of scale, form, materials and colour palette. “</p> <p>AONB response - Amendment does not address AONB concerns; the issue of impact on landscape character cannot be overcome, even with the most sensitive design or incorporation of mitigation and we do not consider any proposed development to be acceptable in terms of AONB impacts on this site.</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 9, policy SAP45, CAP011, Question 4):</i></p> <p><i>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.</i></p>
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Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
			The site is located wholly within the AONB. However, it is agreed that the proposal does not constitute major development in the AONB.
SAP45	SDLP302	CAP013 - This site immediately abuts the Kent Downs AONB on its north-western boundary and lies on high ground that is highly visible in long distance views from the AONB. The proposed requirements included in site specific requirements to help manage impacts on the AONB are supported.	<p>No modifications required</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 9, policy SAP45, CAP013, Question 4):</i></p> <p><i>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.</i></p> <p>The site is located adjoining the AONB, and does therefore not constitute major development in the AONB. The potential impacts of development on the character and appearance of the area, including the AONB, have been considered through the Council's assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB Unit. It is also agreed that the site specific requirements set out in Policy SAP45 manage the impacts on the AONB through a sensitively designed scheme and the provision of a landscape buffer.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP47	SDLP272	<p>The site is considered relatively well contained within the wider landscape with limited intervisibility between the AONB and the site.</p> <p>The proposed requirements included in criterion c to help manage impacts on the AONB are supported.</p>	No modifications required

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
SAP53	SDLP273	<p>This site lies wholly within the AONB but is well contained by existing vegetation. The proposed requirements included in site specific requirements to retain and enhance the boundary vegetation and help manage impacts on the AONB are supported.</p>	<p>No modifications required</p> <p><i>Matters, Issues, Questions (Matter 3, Issue 9, policy SAP53, Question 1):</i></p> <p><i>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?</i></p> <p>It is agreed that the proposal does not constitute major development in the AONB, due to the site's existing nature and previous use, its relationship to the existing settlement, its relatively minor scale relative to the size of Ringwold and as it is well contained by existing vegetation.</p> <p>The potential impacts of development on the character and appearance of the area, including the AONB, has been considered through the Council's assessment of sites in the HELAA and SA, informed by consultation with the Kent Downs AONB Unit. It is also agreed that the site-specific requirements set out in Policy SAP53 manage the impacts on the AONB through a sensitively designed scheme, retaining and enhancing the existing boundary landscaping and provision of a landscape buffers.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
CC3	SDLP276	Support – consider an appropriate balance has been struck between supporting renewables and protecting the District’s natural resources, including the AONB.	No modifications required
H2	SDLP280	Support, consider an appropriate balance has been struck between supporting the provision of rural local needs housing and ensuring appropriate safeguards to the Kent Downs AONB and its setting.	No modifications required
H3	SDLP281	Half Acres, Alkham: Do not object in principle to the allocation in this location for a traveller site. The site is relatively open to views from Public Rights of Way. It will therefore be essential for strong vegetative screening along the southern boundary and bolstered screening along the northern boundary to ensure compliance with the requirements in paragraph 176 of the NPPF.	Modification AM94 satisfactorily addresses AONB Unit concerns: “b The proposal would <u>recognises the intrinsic character and beauty of the countryside and protects or conserve and enhances the character and appearance of the landscape in accordance with Policy NE2.</u> and The proposal <u>must be well-screened by existing or additional native vegetation and physically contained by landscaping. This screening should be maintained permanently, and while additional planting could supplement existing landscaping, it should not be used as the only way the impact of new development is mitigated.</u> High fences and walls will not be acceptable for the purposes of screening;”

H4	SDLP284	<p>Criterion e) does not align with the requirement contained within the NPPF that 'great weight' be given to the conservation and enhancement of landscape and scenic beauty in AONBs and instead reflects lesser requirements set out in the NPPF for proposals within the AONB setting.</p>	<p>Modification AM94 satisfactorily addresses AONB Unit concerns:</p> <p>Amend criteria c, f, h, i and o:</p> <p>"c The site has <u>safe and suitable</u> good access to the road network, and there is sufficient car parking provision for residents and visitors in accordance with Policy T13;"</p> <p>"f The proposal would <u>recognise the intrinsic character and beauty of the countryside and protect</u> conserve and enhance <u>landscape</u> the character <u>of the landscape</u> and biodiversity <u>in accordance with other Policies in this Plan;</u>"</p> <p>"h The proposal must be well-screened by existing or additional native vegetation and physically contained by landscaping. This screening should be maintained permanently, and while additional planting could supplement existing landscaping, it should not be used as the only way the impact of new development is mitigated. High fences and walls will not be acceptable for the purposes of screening;"</p> <p>"i The proposal is well designed and laid out, ensuring suitable spacing between pitches and shared facilities and the provision of amenity space <u>(including play space for children)</u> and soft landscaping; minimising the use of hard landscaping. Proposals for amenity blocks <u>buildings</u> and dayrooms must be of an appropriate scale and design;"</p> <p>"o New sites, or the enlargement of existing sites, are of a scale appropriate to their surroundings and would not individually or cumulatively dominate the nearest settled community, cause significant visual harm to an area and its landscape, or unduly impact on the capacity of local services <u>or infrastructure.</u>"</p> <p>In Addition, the following Post Submission Modification (PSM xx) will be submitted to the Examination:</p>
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Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
			<p>“e In the case of proposals in, or adjacent to, the AONB or heritage coasts, <u>that the proposal complies in the first instance with the primary requirement of conserving and enhancing landscape and scenic beauty, and where this is demonstrated, that</u> the scale and extent of development is limited, sensitively located and designed to avoid or minimise adverse impact on the designated landscape;</p> <p><i>Matters, Issues, Questions (Matter 5, Issue 4, Question 6):</i></p> <p><i>What is the justification for the suggested changes to Policies H3 and H4? Why are they necessary for soundness?</i></p> <p>It is agreed that the modification in relation to landscape impacts is necessary for soundness of the Plan to ensure that it accords with NPPF.</p>
E1	SDLP285	Support, consider an appropriate balance has been struck between supporting the delivery of new employment development, including in rural areas and ensuring appropriate safeguards to the Kent Downs AONB and its setting.	N/A

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
E4	SDLP287	Support, an appropriate balance has been struck between supporting the delivery of new tourism development, including in rural areas and ensuring appropriate safeguards to the Kent Downs AONB and its setting.	N/A
TI4	SDLP288	Support, consider appropriate safeguards for the AONB and its setting are provided within criterion b of this policy.	<p><i>Matters, Issues, Questions (Matter 7, Issue 4, Question 1):</i></p> <p><i>Q1 What is the justification for specifying that overnight lorry parking facilities must not be located within the AONB?</i></p> <p>Proposals for overnight lorry parking in the AONB would result in major development in the AONB. Given the need is a strategic need across Kent, it is considered that it would be difficult to justify major development in the AONB when alternative sites are likely to exist.</p>

Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
NE2	SDLP290	Support. Request that reference to the AONB Management Plan is updated to reflect the actual dates of the current version (2021 to 2026)	<p>Modification (AM107) satisfactorily addresses AONB Unit concerns: Amendment to paragraph 11.17 “Kent Downs AONB Management Plan 2020-2025 2021 – 2026”</p> <p><i>Matters, Issues, Questions (Matter 11, Issue 1, Question 6):</i></p> <p><i>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?</i></p> <p>It is agreed that Policy NE2 (subject to the Council’s suggested changes) is 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.</p>

<p>Duke of York Roundabout</p>		<p>In email communication, the AONB Unit does not express significant concern and refer to the relatively minor land take into the AONB and containment of much of the works within the existing highway boundary and recognising the strategic need and long-term aspirations for the works.</p> <p>It is identified that Principle SD12 from the new AONB Management Plan is particularly relevant, although is mainly aimed at larger scale interventions that the proposals at the Duke of York roundabout:</p> <p><i>Transport and infrastructure schemes and growth areas are expected to avoid the Kent Downs AONB. Unavoidable developments will be expected to fit unobtrusively into the landscape, respect landscape character, be mitigated by sympathetic landscape, buffering, land bridges and design measures and provide compensatory measure through benefits to natural beauty elsewhere in the AONB.</i></p> <p>The key will be the detailed design and in particular landscaping</p>	<p>No modifications required</p>
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Policy	Rep numbers	Summary of Kent Downs AONB Unit representations	Latest Agreed position/AM reference/Response to MIQ
		<p>proposals – there appears to be plenty of opportunities for incorporating additional beneficial planting, but it will be important to ensure sufficient land is secured to achieve this outside of the actual highway works themselves. Opportunities for having vegetated traffic islands rather than hard surfaced ones should also be looked into, but these are detailed matters I'd be happy to discuss once the proposals are further worked up.</p>	

4. Conclusions

4.1 In summary there remain two areas of disagreement between the AONB Unit and the Council with regards to impacts upon the AONB, and these relate to Policy SAP40 – Site STM010 and Policy SAP45 – Site CAP011. The AONB Unit are continuing to consider the additional information submitted in relation to STM010 and an update to their position may be provided in advance of the hearing sessions on that matter.

All other matters raised in representation by the AONB Unit have been addressed through Additional Modifications proposed in SDO06.

5. Signatories

<p>Signed on behalf of Dover District Council:</p> <p></p> <p>Name: Sarah Platts Position: Head of Planning and Development Date:</p>	<p>Signed on behalf of Kent Downs AONB Unit:</p> <p></p> <p>Name: Katie Miller Position: Planning Manager Date:11/10/2023</p>
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