



DOVER LOCAL PLAN EXAMINATION (HALSBURY HOMES REF. 1232)

EXAMINATION DOCUMENT ED44

1 Introduction

- 1.1 This statement has been prepared on behalf of Halsbury Homes. It responds to Examination Document ED 44 (WUE & Whitfield Roundabout Mitigation Expected Delivery Trajectory Table) issued on 1 February 2024.
- 1.2 As requested by the Inspectors, it comments solely on the housing trajectory as it relates to the delivery of the Whitfield Roundabout/Whitfield Urban Expansion (WUE). Nothing in ED44 alters Halsbury's position on Matters 3 or 7 as set out in its hearing statements and its appearances at the Examination.
- 1.3 Halsbury Homes have been clear throughout previous written representations and orally at the Examinations in 2023 that they remain committed to, and fully support, the principle of development at Whitfield having been involved for over 15 years.

2 Overall Observations

- 2.1 During the hearing sessions Halsbury noted the alignment between the 1,250 trigger for the Whitfield Roundabout major upgrade works¹ and the overall 1,250 homes approved for the WUE Phase 1 permission (ref. DOV/10/01010), rendering the current 801 home roundabout trigger (in condition 10 of that permission) redundant.
- 2.2 The trajectory in ED44 reinforces why there is no need for Halsbury to contribute. All of the other Developers are assumed to be providing the full cost of the roundabout works. The penultimate row of ED44 indicates that the three major developments (other than Halsbury) are expected to contribute £6.274 million, i.e. all of the £6.3million cost of the roundabout works indicated in the table (once rounding has been taken into account)². On the basis of the DDCs own figures, the developers would be contributing even more than the £6.3 million if Halsbury were not contributing. The figures for Pentland and Danescroft are based on a rate of £1,040 per unit. Using a rate of £1,400 based on Halsbury not contributing (see ED44 footnote v), table ED44 would show those developments would contribute £420,000 (rather than £312,000) and £623,000 (rather than £462,000) respectively, resulting in a total of £6.54 million.
- 2.3 Table ED44 should be amended to show a £200,000 contribution from Halsbury towards the signs and lines scheme. Notwithstanding, Halsbury's view that there isn't any justification for it to contribute to the Whitfield Roundabout works, they remain willing to contribute £200,000 in the event that the current 801 unit restriction is removed.

¹ Source Appendix 2 of DDC's Matter 3 Hearing Statement, Paragraph 11

² The figure for Persimmon is incorrectly shown as an 'up to' figure which is inconsistent with the fixed costs for the other Developers. The figure has been shown to be viable in Appendix 3 of the DDCs Matter 3 statement



Dover Local Plan

- 2.4 This is equivalent to the cost for the signs and lines scheme which National Highways have, since the examination, advised is not funded and there are no plans for it to be delivered³. The £200,000 contribution would allow meaningful upgrade works to be undertaken in the short term, well ahead of the more permanent works which, on the basis of ED4, would be delivered in 2028.
- 2.5 Following these changes, Halsbury believes that there would be increased clarity around the contributions sought from each party to allow this plan to progress.

3 Withdrawal of Halsbury Planning Appeal

- 3.1 On 2 February 2024 Halsbury withdrew its planning appeal (ref. APP/X2220/W/23/3328672) relating to the removal of condition 10 of the outline planning permission for Phase 1/1a of WUE (relating to the trigger for works to upgrade the Whitfield Roundabout). A copy of the letter explaining the reasoning for the withdrawal is attached.
- 3.2 It means that the Council and Highways Authorities can not rely on financial contributions from Halsbury for the Whitfield Roundabout (other than the £200,000) and table ED44 should be updated accordingly.

³ As confirmed in a meeting on 31 January 2024 (minutes can be provided)

Your ref: APP/X2220/W/23/3328672
Email: sean.bashforth@quod.com
Date: 2 February 2024



Helen Skinner
The Planning Inspectorate
Major Casework
Third Floor, Temple Quay House, 2 The Square,
Temple Quay, Bristol , BS1 6PN

Dear Ms Skinner

**[Planning Appeal - Land South East Of Archers Court Road, Whitfield, CT16 3FY
APP/X2220/W/23/3328672](#)**

I refer to the above appeal and note the contents of your email to Mr Luke Blaskett of 31 January 2024, confirming that the timetable set out at the Case Management Conference (CMC) remains in effect.

The Appellant's have carefully considered the EIA Screening Direction issued on 23 January 2024 and attended a highways meeting with Dover District Council (DDC), Kent County Council and National Highways on Wednesday 31 January 2024.

The Appellant's conclusion is that it is impossible to comply with the appeal timetable, given the need to agree the scope, prepare a transport assessment and, in turn, prepare an Environmental Statement (ES) addendum. Basic matters on the highways assessment need to be agreed before the preparation of the ES can commence. However, it is clear from the 31 January meeting that this will not be straight forward given:

1. Inconsistencies in the position now being taken by the authorities for this appeal compared to the recent local plan examination. This includes confirmation that there is no funding or plan to carry out the 'lining and signing scheme' for the Whitfield roundabout as presented in evidence at the Local Plan Examination (ref. ED7, paragraph 3.24 and ED7a).
2. The District Council having received highway modelling information from their consultants about the specific impacts from the Appellants development, but not sharing this nor presenting this as evidence at the Local Plan examination; and
3. Fundamental disagreements about the baseline for any transport assessment.

More broadly, it is regrettable that DDC erred in not screening the application immediately after it was submitted in December 2022 and failed to raise the issue with the Appellant before raising it with the Inspectorate on 1 December 2023. It is further regrettable that it took until 23 January 2024 for the screening decision to be made (significantly later than indicated in the note of the CMC).



If the Appellant had received any indication during the application process that an ES would be required it would not have appealed. The Appellants consider that the DDC were right to not request an ES at the outset and disagree with screening direction. However, as you are aware there is no appeal on the merits of the screening direction and Halsbury does not wish to lodge a legal challenge. **Accordingly the appeal is hereby withdrawn.**

Our client is withdrawing the appeal at the earliest opportunity it can. It could not have foreseen DDC's error nor the outcome of the screening decision which was made contrary to its representations, and the delay in issuing the screening was no fault of the Appellant.

The Appellants are currently considering its position on seeking costs. If DDC were contemplating seeking costs we would direct it to the guidance in the PPG.

I trust this position is clear and you will formally confirm the withdrawal of the appeal.

Yours sincerely

A handwritten signature in black ink, appearing to read "S. Bashforth".

Sean Bashforth
Senior Director

cc. Halsbury Homes