



## Dover District Local Plan

Planning and Development  
Council Offices  
White Cliffs Business Park  
Dover  
Kent CT16 3PJ  
Website: [www.dover.gov.uk](http://www.dover.gov.uk)

Contact: Ashley Taylor  
Direct line: 01304 872244  
E-mail: [Ashley.taylor@dover.gov.uk](mailto:Ashley.taylor@dover.gov.uk)  
Date: 16<sup>th</sup> June 2023

Inspectors Birkenshaw and Coyne  
(By Email only, via Programme Officer)

Dear Inspectors Birkenshaw and Coyne,

### **DOVER DISTRICT COUNCIL LOCAL PLAN - DDC Response to Initial Questions for Examination**

Thank you for your letter dated 19<sup>th</sup> May requesting clarification on a number of matters in relation to the Submitted Local Plan. Please find a response to all questions below, along with additional supporting documents that have not previously been submitted. A list of these supporting documents is enclosed at Annex 1.

For ease of future cross reference, we have retained the paragraph number from your letter which was assigned to the questions, and paragraph numbers in our responses follow on from this sequence.

#### **Duty to Cooperate**

- 4. Policy SAP24 allocates land to the south of Aylesham for approximately 640 dwellings close to the administrative boundary with Canterbury. It is our understanding that the emerging Canterbury Local Plan also proposes growth in this area. Please can you direct us to the relevant documents which evidence how the Council has engaged constructively, actively and on an ongoing basis in relation to any strategic cross-boundary issues in this location?**

#### **DDC response**

- 4.1. The Duty to Cooperate statement (GEB01) provides an overview of the engagement that has taken place between Dover District Council (DDC/the Council) and Canterbury City Council (CCC) in preparing the Plan. In addition, the Council has agreed a Statement of Common Ground (SoCG) with CCC. The latest version of the SoCG is provided at GEB03. The first iteration of the SoCG which was finalised in April 2021, is provided alongside this response (Appendix 1).
- 4.2. In relation to strategic cross-boundary issues in the location of Aylesham, during the early stages of preparation of the Dover Local Plan (the Plan) no specific strategic cross-boundary issues were specifically identified by the parties relating to the planned growth at Aylesham in the Plan. Generic issues relating to infrastructure

provision (including secondary education and transport impacts) were identified for growth across both Districts in the SoCG.

- 4.3. The 2021 SoCG was agreed in the context of DDC having made CCC aware of the proposed growth in Aylesham (at the time, two sites with a total of 1140 dwellings). Strategic cross-boundary issues in this location only became relevant at the point that DDC were made aware of CCC's emerging proposals for significant growth in the Adisham/Aylesham area, which was shortly before the planned Publication of the Regulation 19 Submission Dover District Local Plan. This is evidenced through the following:
- i. 23.01.2020 – meeting between DDC and CCC to discuss and agree cross boundary strategic issues. DDC also shared information on the HELAA sites close to the District boundary at Aylesham. (GEB01)
  - ii. October to November 2020 – during this time there was correspondence and a meeting (17.11.2020) held. DDC made CCC aware that they were considering two potential allocations at Aylesham, and the first draft of the SoCG was discussed and agreed. No strategic issues specific to this location are identified. Generic matters relating to infrastructure requirements are relevant to development across the District as a whole. (Appendix 2)
  - iii. 17.03.2021 – CCC response to DDC Regulation 18 Local Plan, which (Appendix 3) identifies need for supporting community infrastructure and transport measures as a result of development in the District (including those at Aylesham). Acknowledges this is addressed through draft Strategic Policy 13 (now Strategic Policy 11)
  - iv. April 2021 – First iteration of Statement of Common Ground signed by parties. (Appendix 1)
  - v. East Kent Duty Co-operate Officer Meetings – These regular meetings were held with East Kent Officers which included Officers from CCC. These meetings provided the opportunity for general updates on Plan preparation and timescales to be shared, as well as updates in relation to cross boundary strategic issues. (GEB01 Appendix 2)
- 4.4. In relation to transport matters, five meetings were held with CCC, Swale Borough Council and KCC Highways during 2022 to discuss cross boundary strategic highway matters, resulting in the SoCG (GEB07) as detailed below in response to the question at paragraph 6.
- 4.5. 11.08.2022 – Meeting held between CCC and DDC. The minutes of this meeting are provided at Appendix 4. In summary the following was discussed:
- In relation to secondary education, discussions with Kent County Council (as summarised in the Duty to Co-operate Statement GEB01) had concluded that secondary education needs resulting from new development in Dover District would be met through expansion of existing secondary schools in Dover District, and not by schools within Canterbury District. This issue was agreed as being resolved.
  - CCC advised DDC it was proposing sites on District boundary for consultation in Regulation 18. At no point prior to this had CCC made DDC aware they were

considering potential proposals for strategic growth in the Aylesham area. This meeting was not an opportunity for DDC to engage, and the timing, which was very shortly before both plans were due to be agreed through their respective committee meetings for public consultation, meant there was no opportunity for amendments to be made to either DDC or CCC Plans. The actions for further meetings took place as set out in GEB01.

- 4.6. In addition to the subsequent engagement summarised in GEB01 on this matter, DDC responded to CCC's Regulation 18 consultation (Appendix 5), and CCC responded to DDC's Regulation 19 consultation<sup>1</sup>. DDC engaged with CCC to address the issues raised in their response and has agreed the proposed additional modification (AM51) in relation to Policy SAP24, as set out in the latest agreed SoCG (GEBD03).
- 4.7. The Council has engaged constructively, actively and on an ongoing basis with CCC in relation to all identified strategic matters.
- 5. The Duty to Cooperate Statement Update (Submission Doc GEB01) refers to a Statement of Common Ground with the Port Authority. What is the latest position regarding this document and why are the suggested changes to the Plan (relating to an Inland Terminal Facility) necessary for soundness?**

#### **DDC response**

- 5.1. The Statement of Common Ground (SoCG) with Dover Harbour Board (DHB) as the Port Authority has now been agreed and final copy will be provided shortly following this response.
- 5.2. As set out on page 1 of the Schedule of Additional Modifications (SD06<sup>2</sup>) the modifications proposed were considered by the Council to be minor in nature, factual updates and not considered to be soundness issues.
- 5.3. The Council does not consider that the suggested change (AM102) is necessary for soundness of the submitted Plan. It has been proposed for reasons of clarity and to address the concerns raised by DHB. DHB also agree it is not necessary for soundness, but does address their representations made on Policy TI4 and this will be set out in the SoCG.
- 6. The Statement of Common Ground in relation to Strategic Highways Matters (Submission Doc GEB07) remains unsigned by National Highways. What are the reasons for this? How has the Council considered the strategic cross-boundary impacts of Local Plan growth on the wider highways network?**

#### **DDC response**

- 6.1. The Statement of Common Ground in relation to Strategic Highway Matters remained unsigned as it was awaiting final review and sign off by National

---

<sup>1</sup> See SDLP1307, 1310, 1311, 1312 and 1318 within SD04.

<sup>2</sup> [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023](https://www.doverdistrictlocalplan.co.uk/SD06%20Schedule%20of%20Additional%20Modifications%20to%20the%20Regulation%2019%20Submission%20Plan%20March%202023)  
([doverdistrictlocalplan.co.uk](https://www.doverdistrictlocalplan.co.uk))

Highways. This is now complete, and the final signed version is provided alongside this response. (Appendix 6)<sup>3</sup>

6.2. The extent of assessment of impacts of Local Plan growth on the wider highways network has been informed by discussions with National Highways and Kent County Council as set out in the Statement of Common Ground (GEB06<sup>4</sup>). This has resulted in consideration of the following junctions which are located outside of Dover District on the wider highways network:

- (i) A20/A260/Alkham Valley Round junction in Folkestone and Hythe District – as set out in Appendix 1 of Submission Doc GEB06 the potential impacts upon this junction have been assessed. As set out in GEB06 KCC consider proportionate contributions are required towards mitigation. DDC proposes a 'manage and monitor' approach to be determined at application stage. This issue remains to be resolved.
- (ii) A2/A260 junction in Canterbury District – this junction is not listed in Appendix 1 of Submission Doc GEB06, as no concerns have been raised about capacity issues at the junction. It has therefore been agreed with National Highways that detailed assessment of this junction can be addressed by the transport assessment at the planning application stage for the proposed site allocation at Aylesham, as set out in Policy SAP24 at criterion iv).

6.3. National Highways and Kent County Council do not consider that further assessment is required outside of those identified above.

6.4. The purpose of the Statement of Common Ground (GEB07) is to ensure a consistency of methodology in transport modelling and that cumulative impacts on the highway network from the three emerging Local Plans. As set out in the Statement of Common Ground, in principle it is agreed that mitigation for the main A2 junctions will be delivered through the Local Plans of the respective authorities in which the junctions are geographically located. Given the early stages that the Canterbury City Council and Swale Borough Council Local Plans are at, it has not been possible to get to the next stages of the assessment work, and it is not considered necessary for the purposes of the evidence base of the Dover District Local Plan.

6.5. The Council considers that it has sufficiently considered the impacts of Local Plan growth on the wider highways network. National Highways and Kent County Council agree with this position as set out in the SoCGs.

## **Infrastructure Provision**

**7. The Infrastructure Delivery Plan (Submission Doc TIEB01) provides a useful summary of the highways mitigation necessary to support the level of growth proposed in the Plan. Further information is provided in the Statement of Common Ground between the Council, National Highways and Kent County Council (Submission Doc GEB06). In the Statement of Common Ground, it identifies further work which is required in relation to the 'Whitfield**

---

<sup>3</sup> DDC propose to replace GBE07 on the Submission Documents page of the website with this final version.

<sup>4</sup> [GEB06 Statement of Common Ground with National Highways and KCC Update March 2023](https://doverdistrictlocalplan.co.uk/GEB06%20Statement%20of%20Common%20Ground%20with%20National%20Highways%20and%20KCC%20Update%20March%202023)  
([doverdistrictlocalplan.co.uk](https://doverdistrictlocalplan.co.uk))

roundabout' and the 'Duke of York roundabout'. This includes an assessment of proportionate contributions from developments, identification of forward funding and delivery mechanisms. For the Duke of York Roundabout, it also requires a consideration of third-party land.

8. What is the latest position regarding this additional work? What confidence does the Council have that the necessary highways improvements (as set out in Policy SP12) will be viable, deliverable, and thus effective in mitigating the impacts of Local Plan growth?

### **DDC response**

#### **Proportionate contributions calculations**

- 8.1. The Infrastructure Delivery Plan (IDP), Draft 2022, (TIEB01a<sup>5</sup>) sets out a proposed tariff approach to be applied to dwellings within certain 'zones' of the district within Part 1 – Theme 1: Transport. The tariff zones are based on data supplied by the transport consultants (WSP) to DDC officers and is based on the transport modelling, and trip data within it, relating to the site allocations and expected windfalls across the district, and the impacts those trip rates have on the two roundabouts on the A2, namely Whitfield Roundabout and Duke of York (DoY) Roundabout. These are both key junctions on the Strategic Road Network (SRN) that serve many areas of the district. The calculations were initially based on am and pm trips and impacts on each roundabout from the site allocations. The data was then merged to create an average trip by dwelling rate on both roundabouts combined, which was totalled to create the single tariff approach for the various zones.
- 8.2. The zones were determined using the trip data and those with similar levels of trips which impacted on each roundabout were grouped. As expected they are geographically broad locations of the district with similar trip patterns. The percentage of total trips on each of the roundabouts were then factored against the total costs of the mitigation proposals, and then proportioned out to the amount of expected dwellings in that zone from site allocations and their indicative capacities. As an example, the zone for Dover Urban Area had the lowest combined total trip rates which set the tariff lower than those in the Deal area which had the highest trip rates per dwelling due to the trips through DoY roundabout.
- 8.3. The IDP 2022 makes clear that the proposed tariff is indicative at the time it was published, and contains a number of caveats, listed at paragraph 3.31 in the IDP. Work is ongoing to resolve a number of these remaining issues, and the tariff remains in draft at this time. There are 2 main issues which require resolution before the tariff rate can be finalised; one is the rate to be applied to other types of development, in particular to job growth in White Cliffs Business Park (WCBP) which will use the Whitfield roundabout, the second is the final financial contribution being agreed from Whitfield Urban Expansion (WUE) Phase 1 development. The aim is to review these elements as part of the update to the IDP, to be submitted to the Examination by the end of June.
- 8.4. As set out in the IDP 2022 paragraph 3.16, National Highways have confirmed that the initially agreed mitigation solution at Whitfield roundabout as designed by the WUE Phase 1 developers secured through condition 10 of outline application

---

<sup>5</sup> [TIEB01a Infrastructure Delivery Plan Draft for Consultation October 2022 \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk)

10/01010 and to be funded and delivered by them prior to occupation of 801<sup>st</sup> dwelling, is no longer an acceptable mitigation solution. The proposed scheme, set out in the Local Plan and IDP, mitigates both the WUE Phase 1 scheme and Local Plan growth, and therefore DDC have requested that the Phase 1 developer now provides a proportionate and reasonable contribution to this revised mitigation scheme. The discussions between DDC and WUE Phase 1 developers are ongoing.

- 8.5. No representations were made on the proposed tariff in the IDP during the consultation as part of the Regulation 19 consultation in October 2022. The IDP is currently being updated for 2023 and will be submitted to the Examination by the end of June 2023.

## Funding and Delivery Mechanism

- 8.6. DDC are confident that both the Whitfield and Duke of York roundabout mitigation proposals are viable. As set out above, the dwellings costs set out in the IDP will be set at a level that would not threaten the overall viability of the schemes that will need to contribute to the tariff. Requiring contributions for SRN projects is a fairly common mechanism and in this instance is supported by NH and KCC. DDC consider that the 'per dwelling' costs are achievable when considered alongside other infrastructure requirements and do not create viability concerns.
- 8.7. However, the main area of uncertainty at this time concerns the ability to collect collection of the contributions within the timescales associated with the need for the mitigation schemes (in particular Whitfield roundabout) and consequently the likelihood that the schemes will need to be forward funded.
- 8.8. As set out in the SoCG, it has been agreed, following testing carried out by NH, that a further 1250 homes at Whitfield Urban Expansion (WUE) can come forward in advance of the Whitfield roundabout mitigation, rather than the 801<sup>st</sup> trigger agreed through the outline consent for Phase 1 and 1a. Based upon the Local Plan trajectory is estimated to be in year 2028/29. There is an interim scheme of minor works planned to improve safe operation of the junction programmed for delivery in 2024 by NH, until such time as the Local Plan mitigation scheme is delivered. The DoY mitigation scheme is expected to be required between years 5 and 10 of the plan period (by 2031). This trigger point assessment can be found in Appendix M of Reg 19 Forecasting Report<sup>6</sup>.
- 8.9. It should also be noted that these trigger points may be pushed back further, for the following reasons. Firstly, the transport modelling supporting the Local Plan is based on pre-covid data, with more recent post covid traffic surveys showing a reduction in baseline traffic levels. Secondly, as a result of potential modal shift from the implementation of Dover Fastrack (bus service and improved cycling and walking routes), which has not been factored into the transport modelling used to determine the current trigger points. In relation to this, and as set out in the SoCG with KCC and NH (GEB06)<sup>7</sup> this takes account of the national changes to transport planning through Circular 1/2022 in relation to the 'predict and provide' approach used for the transport modelling (see paras 2.8 and 2.9). Following this change, the Council has

---

<sup>6</sup> [TIEB02b-Regulation-19-Transport-Modelling-Forecasting-Appendices-October-2022.pdf](#)

<sup>7</sup> [GEB06 Statement of Common Ground with National Highways and KCC Update March 2023 \(doverdistrictlocalplan.co.uk\)](#)

proposed additional modifications to the Local Plan Policy TI2 (AM101)<sup>8</sup>, agreed with NH and KCC in the SoCG, which set out how transport assessments will now be based on a 'decide and provide' approach considering the modal shift to sustainable forms of transport and moving away from car travel. The Council will continue to work with NH and KCC to determine the appropriate delivery point.

8.10. As set out in paragraph 3.23 of the IDP 2022, these schemes would be interim schemes in advance of the National Highways Road Infrastructure Strategy (RIS) programme for the Dover A2 Access project, if this is progressed. Therefore, if the RIS options progress to projects prior to the mitigation being delivered, then any funds secured for the schemes could be transferred to the RIS scheme.

8.11. Due to the timescales of delivery of the two mitigation schemes, and likely timescales of receiving funds through developer obligations through the proposed tariff approach, DDC is considering options in relation to forward funding the mitigation schemes, including whether DDC itself delivers them. There is also the funding matter from Phase 1 of WUE, discussed above at para 8.4, which, depending on the amount secured, may reduce the amount needed to forward fund Whitfield roundabout.

8.12. Options also remain for the delivery mechanism, but as these are SRN proposals which link to the LRN, they can be delivered by either KCC or NH. These matters are both subject to ongoing discussions with KCC, NH and the developers for WUE, as set out in the SoCG.

### **Third Party Land – Duke of York**

8.13. There are two small parcels of third party land potentially required to deliver the mitigation proposals at Duke of York roundabout (as identified on Appendix 7), initial contact is being made with the landowners to commence discussion (in June 2023). Due to the nature of proposals and the size of the parcels affected, DDC considers that the matter will be resolved in a timely manner and will not affect delivery timescales of the mitigation scheme.

### **Scheme Designs – WCHaR and Stage 1 Road Safety Audit**

8.14. For both schemes at Whitfield Roundabout and Duke of York Roundabout, work has continued on the Stage 1 Road Safety Audit (RSA1). The Walking, Cycling and Horse Riding Assessment & Review (WCHaR) is now complete, initial feedback has been received from KCC Highways and NH to be incorporated into the final report, which is expected to be completed by the end of June. The full RSA1 is also programmed for completion by end of June 2023, when the findings will be shared with KCC Highways and NH for their input.

### **Conclusion**

8.15. Although some additional work is required in relation to finalising both mitigation schemes and securing funding/delivery body, the Council is confident that the proposed schemes on the SRN set out in Policy SP12 and detailed in the IDP are viable and deliverable within the timescales set out. There are a number of

---

<sup>8</sup> [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023](https://www.doverdistrictlocalplan.co.uk)  
([doverdistrictlocalplan.co.uk](https://www.doverdistrictlocalplan.co.uk))

scenarios available with regards to potential forward funding and delivery of both schemes, which allow for significant flexibility and enable any constraints which may arise to be addressed in the short term which in turn creates more certainty that they are deliverable in accordance with SP12.

8.16. The work already completed and the continuing progress and liaison with all relevant parties on both these SRN schemes provides a level of certainty that is customary at this stage in plan making in order that the Local Plan is able to be progressed to Examination. It is expected that further progress will be made over the next few months in order that additional updates can be made available to the Examination prior to, or as part of, the hearing sessions.

8.17. This position is supported by NH and KCC Highways, as set out in SoCG (GEB06)<sup>9</sup>

### **Environmental Considerations**

**9. Natural England’s Regulation 19 representation, dated 9 December 2022, only provided comments on some aspects of the Plan and its supporting evidence. A further written submission was provided on 13 January 2023, after the deadline for consultation responses. In the interests of clarity, please can the Council confirm whether this further letter was taken into account as a formal representation, or whether it forms part of the wider evidence supporting the Plan?**

#### DDC response

9.1. The further response from Natural England was not accepted as a formal representation however has been taken into account as wider evidence supporting the Plan. As a result of the further response, the Habitats Regulations Assessment has been updated (SD09) and modifications set out in Submission Doc SD06 have been proposed to address the comments received.

9.2. A copy of Natural England’s further written submission was not submitted with the Plan, as it was intended for it to be appended to the proposed Statement of Common Ground with Natural England. In advance of the Statement of Common Ground being agreed, the further written submission is submitted alongside this response (Appendix 8).

**10. Information provided by Natural England suggests that a buffer of 15km for considering the potential loss of functionally linked land could be seen as a “highly precautionary” distance. What implications does this have on the soundness of the submitted Plan? Were any sites discounted based on using a 15km buffer from designated sites?**

---

<sup>9</sup> [GEB06 Statement of Common Ground with National Highways and KCC Update March 2023 \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk)



## DDC response

10.1. The 15km buffer from the designated sites was not used as a constraint in the site selection process and therefore no sites were discounted because of this. The reduction in buffer zone to 5km therefore does not impact upon the site selection process, or the fundamental soundness of the submitted Plan.

10.2. The following paragraphs explain the implications of the advice on the Habitats Regulations Assessment and resulting proposed Additional Modifications to the Local Plan as set out in SD06<sup>10</sup>.

10.3. The Habitats Regulations Assessments September 2022<sup>11</sup> that were published at the time of the publication of the Plan concluded (paragraph 6.4) no adverse effect on integrity as a result of physical damage and loss in relation to Thanet Coast and Sandwich Bay SPA and Ramsar, Stodmarsh SPA and Ramsar and Dungeness, Romney Marsh and Rye Bay SPA providing that safeguards and mitigation measures were implemented successfully. The safeguards and mitigation recommended were for the completion of wintering bird surveys for sites identified with high or moderate suitability for qualifying bird species (within the 15km buffer) and where bird surveys identify the potential for a site allocation to exceed the threshold of >1% for birds that there is a commitment in the Local Plan for specific mitigation, such provision of suitable habitat for birds to be implemented. This recommendation resulted in the inclusion of Criterion d) of Policy SP13 and the following specific criterion being included in the relevant site allocation policies:

*'In accordance with Policy SP13 a wintering bird survey must be undertaken in advance of a planning application on the site. If the bird survey identifies that the development will exceed the threshold of significance, mitigation will be required. A suitable scheme of mitigation will need to be submitted with the planning application for the site.'*

10.4. As a result of Natural England's advice, the Habitats Regulations Assessment was updated (SD09) to reduce the buffer to 5km, which therefore identified fewer site allocations where bird surveys and potential mitigation may be required. The following additional modifications as set out in Submission Doc SD06 were proposed altering the buffer identified in Policy SP13 and removing the site specific criterion from sites outside the 5km buffer:

- AM24 - Policy SP13
- AM30 – Policy SAP1
- AM31 – Policy SAP2
- AM47 – Policy SAP17
- AM53 – Policy SAP24
- AM55 – Policy SAP26
- AM59 – Policy SAP28
- AM61 – Policy SAP34
- AM62 – Policy SAP26
- AM69 – Policy SAP41
- AM71 – Policy SAP44
- AM76 – Policy SAP46

---

<sup>10</sup> [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023](https://www.doverdistrictlocalplan.co.uk/SD06%20Schedule%20of%20Additional%20Modifications%20to%20the%20Regulation%2019%20Submission%20Plan%20March%202023)  
([doverdistrictlocalplan.co.uk](https://www.doverdistrictlocalplan.co.uk))

<sup>11</sup> [Habitat Regulations Assessment Sept 2022](https://www.doverdistrictlocalplan.co.uk/Habitat%20Regulations%20Assessment%20Sept%202022) ([doverdistrictlocalplan.co.uk](https://www.doverdistrictlocalplan.co.uk))

- AM77 – Policy SAP47
- AM79 – Policy SAP48

10.5. Natural England state in their response (Appendix 8) that *‘While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit’*. The Council considers that the modifications are needed to ensure that the requirements set out in the Plan in this regard are justified, being based upon the most up to date evidence provided by the latest Habitats Regulations Assessments.

**11. The Duty to Cooperate Statement Update (Submission Doc GEB01) states that discussions are ongoing with Natural England regarding potential impacts from ammonia. Advice from Natural England also refers to the potential air quality impacts from increased ammonia. Please can the Council confirm what the latest position is, and whether any further information has been prepared (or is needed) to support the growth proposed in the Plan?**

#### DDC response

11.1. The following further information and correspondence with Natural England (NE) has taken place on this matter:

- i. Email to Natural England dated 9<sup>th</sup> January 2023 (Appendix 9) – This sets out how the Council had considered the matter following the initial advice received from Natural England and why no further assessment was carried out or is considered to be necessary.
- ii. Letter from Natural England dated 27<sup>th</sup> March 2023 (Appendix 10<sup>12</sup>) – This letter sets out Natural England’s latest position on the matter and states regarding Air Quality: *‘I am currently in the process of seeking further advice on the traffic-generated ammonia issue and would still appreciate the opportunity to discuss the alone vs in-combination air quality impacts of the Plan more generally with your consultants.’*
- iii. A meeting was held on 28<sup>th</sup> March 2023 between DDC and Natural England, with follow up correspondence (Appendix 11) confirming further action could not be taken by DDC until further advice develops from Natural England, at which point DDC would be happy to facilitate a discussion with the consultants.

11.2. Natural England’s further written submission of 13<sup>th</sup> January confirms that the local plan is ‘sound’ in respect of their remit, stating: *“While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit”*. It is therefore not considered that further information is needed on this matter.

11.3. Nevertheless, DDC is currently seeking confirmation from Natural England on this matter which will be provided in the Statement of Common Ground. The Council is unable to advise when this will be provided as a response on this matter is outstanding from Natural England, but DDC will be actively pursuing the response to ensure that a SoCG can be submitted in a timely manner.

---

<sup>12</sup> This letter contains other matters which have subsequently been resolved with Natural England.

**12. What is the justification for the suggested main modification which seeks to remove the tariff from Table 11.2 of the submitted Plan? Why is this necessary for soundness?**

DDC response

- 12.1. The tariff rates included in Table 11.2 of the submitted Plan were based upon the recommendations of the Thanet Coast and Sandwich Bay SPA Strategic Access Mitigation and Monitoring Strategy (SAMM) September 2022<sup>13</sup> that was published at the time of the Regulation 19 Publication of the Plan. The costs set out in the September 2022 SAMM have been reviewed during the initial process of recruitment to the SAMM Officer role that is required as part of the mitigation strategy. This resulted in the costs of the mitigation strategy increasing and therefore the tariff increasing. The revised tariff is set out in the March 2023 Updated SAMM (NEEB04a). This updated document should have been included in the list provided of updated documents in the Council's Submission Letter (SD08).
- 12.2. The additional modifications (AM109 and AM111) propose the removal of Table 11.2 to be replaced with reference to the Tariff that is set out in the latest version of the SAMM. Whilst at the time of submission the Council did not consider the modifications proposed to be necessary for soundness reasons, on review of this matter, it is now considered that this change is necessary. The proposed modification does not change the fundamental aim or purpose of the policy.
- 12.3. However the increased Tariff needs to be secured through new development to ensure that the mitigation identified as being necessary through the Habitats Regulations Assessment can be provided in perpetuity. Rather than replacing the rates in Table 11.2, the modification proposes to remove the table. This is to provide future flexibility should the SAMM need to be reviewed in the future.
- 13. To assist the examination, please can the Council produce a list of allocated sites which fall within (or adjacent to) the Kent Downs AONB? How was the AONB considered as part of the site selection process, including through the Sustainability Appraisal? For example, did the Council seek to preclude certain forms of development in the AONB when deciding which sites to allocate?**

DDC response

**Allocated sites within or adjacent to AONB**

- 13.1. Table 1 below provides a list of the proposed site allocations which are located within, or adjacent to (within 400m) the Kent Downs AONB. Where the sites fall partly within the Kent Downs AONB, the percentage of site area located in the AONB designation is also provided.
- 13.2. Five sites are located wholly within the AONB, three sites are located partly within the AONB and twelve sites are located within 400m of the AONB. The table also identifies sites that are located more than 400m away from the AONB boundary where the Submission Plan includes site specific policy criteria to ensure they are

---

<sup>13</sup> Available on Dover District Local Plan Regulation 19 Evidence Base webpage at [Thanet Coast and Sandwich Bay SPA SAMM Strategy Sept 2022 \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk/Thanet-Coast-and-Sandwich-Bay-SPA-SAMM-Strategy-Sept-2022)

designed to avoid or minimise adverse impacts due to the sites having the potential to be within long range views of the AONB.

Table 1 – Site Allocations within, adjacent to (within 400m), or with potential for long range views of the Kent Downs AONB.

Policy Reference and Name	Within AONB/ adjacent (within 400m)/ longer views	Percentage (%) of allocated site area in AONB
<b>Site Allocations wholly or partly in the Kent Downs AONB</b>		
SAP40 – Land at New Townsend Farm, Station Road, St Margaret's at Cliffe (STM006)	Wholly within	100
SAP40 – Land located between Salisbury Road and The Droveaway, St Margaret's at Cliffe (STM010)	Wholly within	100
SAP43 – Land at Short Lane, Alkham	Wholly within	100
SAP45 – Land known as the former Archway Filling Station, New Dover Road, Capel-le-Ferne (CAP011)	Wholly within	100
SAP53 – Land at Ringwould Alpines (RIN002 and RIN004)	Wholly within	100
SAP9 – Land at Barwick Road Industrial Estate, Coombe Valley, Dover	Partly within and adjacent to	30
SAP38 – Land adjacent to Reach Road bordering Reach Court Farm and rear of properties on Roman Way, St Margaret's at Cliffe	Partly within and adjacent to	60
SAP39 – Land to the west of Townsend Farm Road, St Margaret's at Cliffe	Partly within and adjacent to	75
<b>Site allocations adjacent to (within 400m) of the Kent Downs AONB</b>		
SAP3 – Dover Waterfront	Adjacent	0
SAP4 – Dover Western Heights	Adjacent	0
SAP5 – Fort Burgoyne, Dover	Adjacent	0
SAP6 – Dover Mid Town	Adjacent	0

Policy Reference and Name	Within AONB/ adjacent (within 400m)/ longer views	Percentage (%) of allocated site area in AONB
SAP7 – Bench Street, Dover	Adjacent	0
SAP10 – Buckland Paper Mill, Crabble Hill, Dover	Adjacent	0
SAP26 – Former Snowdown Colliery, Aylesham	Adjacent	0
SAP34 – Land at Woodhill Farm, Kingsdown	Adjacent	0
SAP44 – Land to the east of Great Cauldham Farm, Capel-le-Ferne	Adjacent	0
SAP45 – Londships, Cauldham Lane, Capel-le-Ferne (CAP009)	Adjacent	0
SAP45 – Land at Cauldham Lane, Capel-le-Ferne (CAP013)	Adjacent	0
SAP47 – Land adjacent to Lydden Court Farm, Church Lane, Lydden (LYD003)	Adjacent	0
<b>Site allocations with potential longer views</b>		
SAP2 – White Cliffs Business Park	Longer views	0
SAP24 – Land to the South of Aylesham	Longer views	0

### Site Selection process

13.3 For the assessment and selection of sites, the Council has had regard to the requirements set out in the NPPF in relation to the AONB. The Council has therefore sought to preclude development in the AONB where its scale and extent would not be limited, and/or it would not conserve and enhance the landscape and scenic beauty of the AONB. For sites within the setting of the AONB, consideration was given as to whether development could be sensitively located and be designed to avoid or minimise adverse impacts. This was assessed on a site-by-site basis through the landscape assessment carried out as part of the HELAA site assessments, rather than precluding a specific form of development as a matter of principle.

13.4 The following sections set out how the AONB was considered as part of the site selection process through the Housing and Economic Land Availability

Assessment (HELAA) (GEB09) and Sustainability Appraisal (SD03) and how the Kent Downs AONB unit were consulted throughout the process.

#### HELAA Assessment

- 13.5 During the HELAA Initial Desktop Assessment of sites (paragraph 1.11 of GEB09a) 13 sites were eliminated at this stage of assessment for reasons of being located within the AONB and being divorced from existing settlements or isolated development in the countryside. Sites located within the AONB that were adjoining or well related to existing settlements were not eliminated at this stage and were subject to the Stage 2 Suitability Assessment (paragraph 1.13 of GEB09a).
- 13.6 46<sup>14</sup> sites located within (or partly within) the AONB at the settlements of Alkham, Capel le Ferne, Dover, Hougham, Kingsdown, Ringwould and St Margarets at Cliffe were assessed in the Stage 2 suitability assessment. This was in addition to 43 sites which were located within 400m of the AONB.
- 13.7 Appendix 2C and 3A of the HELAA set out the original landscape assessments for each of the sites. Sites were assessed using a Red/Amber/Green (RAG) rating in relation to their landscape impact. With red sites being unsuitable, amber sites being potentially suitable where further consideration was needed as to whether any impacts could be mitigated, and green sites were considered suitable, including consideration of potential mitigation.

#### Consultation with Kent Downs AONB Unit

- 13.8 To inform the suitability of sites in relation to impacts upon the AONB during the HELAA assessment process, the Council carried out joint site visits with the Kent Downs AONB Unit to discuss sites located in and around the settlements listed above. The AONB Unit provided written comments on sites which the Council had through their initial assessment considered to be suitable or potentially suitable. Their responses can be viewed in HELAA Appendix 3a (GEB09d).
- 13.9 Further engagement took place with the AONB Unit between the Regulation 18 and Regulation 19 stages of plan production, to seek their views on site-specific evidence that was submitted in relation to sites within the AONB, new sites submitted through the Targeted Call for Sites, and detailed comments on draft policy wording and proposed site capacities. These comments can be viewed in HELAA Appendix 3g and Appendix 2c. The overall suitability of some sites was updated at this stage to reflect the AONB Unit's views as set out in Table 2 of the HELAA Main Report (GEB09a).
- 13.10 The AONB unit agree that, except for sites STM010 and CAP011, the sites proposed for allocation in the Local Plan within or affecting the setting the AONB comply with the requirements of the NPPF, on which the Council has based its assessment of the site.

---

<sup>14</sup> In the HELAA site AYL003 (SAP24) is identified as being in the AONB, however this relates to the original site submission covered a wider area than the allocation. The site proposed for allocation is not located within or adjacent to the AONB.

## Landscape Sensitivity Assessment (2021)

- 13.11 DDC also commissioned independent landscape sensitivity assessments of 33 generally larger, more strategic scale sites which were considered to be more sensitive in landscape terms following the officer-level assessment. This assessment was not exclusively for sites within or affecting the AONB, though 11 AONB (or close to AONB) sites were included. The assessment combined the susceptibility of the landscape and visual baseline to a specific change and the value of that landscape and visual characteristics to provide a rating of landscape sensitivity, which was used to inform the overall suitability of sites in the HELAA.

## Sustainability Appraisal (SA)

- 13.12 SA objective 11 which focusses on the conservation and enhancement of the special qualities, accessibility, local character and distinctiveness of the District's settlements, coastline and countryside, considers impacts on the AONB.
- 13.13 The assessment of effects of site options on SA objective 11 drew exclusively on the Council's HELAA site assessments which bring together the council's landscape sensitivity assessment, comments from the AONB Unit and the Council's landscape consultant. The landscape assessment in the HELAA considered designated and non-designated assets, including the AONB. Sites within and in close proximity to the AONB were generally found to have the potential for a major impact on the local landscape and were therefore highlighted through the SA as having the potential to generate significant negative effects on SA objective 11. Some sites within and in close proximity to the AONB were judged to be able to accommodate development with suitable mitigation measures and were therefore found to have the potential for more minor or even negligible effects on the local landscape. These sites were recognised in the SA as having the potential for more minor negative or negligible effects on SA objective 11.
- 13.14 Prior to the selection and allocation of specific sites and the definition of specific mitigation measures some uncertainty is acknowledged for all of the effects identified against SA objective 11 in **Chapters 4 and 5** of the SA Report. This is in acknowledgement of the fact that impacts very much depend on the final location, design, scale and layout of development. This uncertainty is removed from the assessment of effects for the final site allocation policies where these details are known (see **Chapter 7** of the SA Report).

## **Conclusion**

- 13.15 In conclusion, the Council did not seek to preclude certain forms of development in the AONB when deciding which sites to allocate as a matter of principle, but instead considered them on a site-by-site basis through the site assessment process, which included proactive and ongoing engagement with the Kent Downs AONB Unit. The Council considers that where development is proposed within the AONB its scale and extent is limited, and it would conserve and enhance the landscape and scenic beauty of the AONB and for sites adjacent to the AONB, they are sensitively located and designed to minimise adverse impacts on the AONB, as required by the NPPF.

## Flood Risk

14. The Sequential and Exception Test Summary and Review Note (Submission Doc CCBE02) states that most of the sites allocated for development are within Flood Zone 1. However, because suitable sites in Flood Zone 1 would not meet the minimum housing requirement in full, other sites in Flood Zones 2 and 3 had to be considered. Please can the Council 1) identify the extent of the shortfall against the housing requirement when only looking at suitable sites in Flood Zone 1 sites, and 2) explain how sites in Flood Zones 2 and 3 were then considered for allocation.

## DDC response

### Shortfall Vs Housing Requirements for Flood Zone 1

14.1 Table 2 below sets out the extent of the shortfall against the housing requirement when looking at suitable sites in Flood Zone 1 (FZ1). The position is set out for both the Regulation 18 draft Plan and also the Submission Local Plan to demonstrate how this matter has been considered through the plan making process.

14.2 Please note that from the outset, the Local Plan has aimed for a contingency buffer of 10% on the housing requirement, in order to provide flexibility and choice, and to take account of changing circumstances and/or under-delivery on site allocations.

Table 2 – Shortfall V Housing requirements for suitable sites in FZ1.

	Draft Local Plan / HELAA 2020	Submission Local Plan / HELAA 2022
Housing requirement without buffer (excluding extant supply and estimated windfall delivery)	6295	4666
10% buffer	1192	1100
Total requirement	7487	5766
Capacity of Suitable HELAA sites in Flood Zone 1	6596	6161
<b>Extent of Shortfall</b>	<b>891</b>	<b>-395 (surplus)</b>

14.3 As illustrated in the table above, compared to the capacity of suitable sites in FZ1, there was a shortfall of 891 units to meet the total housing requirement at the Regulation 18 stage of plan production. Please note that the housing number attributed to sites at Regulation 18 had not yet been not adjusted for constraints, position in settlement hierarchy or other policy requirements (on-site open space, for example) etc. Please also note that some 'potentially suitable' sites were proposed as draft allocations, which would make the shortfall at Regulation 18 less than that shown on the table.



## Consideration of sites in Flood Zones 2 & 3

**14.4** The process for considering sites in Flood Risk Zones 2 and 3 undertaken by the Council is summarised below and reflects the Planning Practice Guidance<sup>15</sup> (updated 2022).

- i. Dover District Council prepared a Strategic Flood Risk Assessment in December 2019 and this was updated in 2021.
- ii. The SFRA was used to inform the scope of the sustainability appraisal and identify areas with a low risk of flooding.
- iii. The Council identified suitable and potentially suitable sites and these were assessed using the Sustainability Appraisal.
- iv. The Council concluded at this stage (Regulation 18) that sustainable development could not be achieved through new development located entirely within Flood Zones 2 and 3.
- v. The Council used the sustainability appraisal to inform the allocation of land in the Regulation 18 draft of the Local Plan.
- vi. A sequential test was applied and a Level 2 Strategic Flood Risk Assessment was undertaken. Sites in Flood Zone 2 were considered first, followed by sites in both Flood Zones 2 and 3, followed by sites in Flood Zone 3. The sites all had some sustainability benefits indicated and it has been necessary to select sites in areas of higher risk. There was only one suitable site to assess in Flood Zone 2. Lowest risk sites were selected first. This is explained in Submission Document CCBE02.
- vii. At the Regulation 19 stage, the Sustainability Appraisal was used to inform the final suite of sites for allocation, in accordance with the sequential test. There were some additional development options as a result of the Targeted Call for Sites.

**14.5** The Council considered it was necessary for certain sites within Flood Zones 2 and 3 to be assessed and considered for their suitability. This enabled the Council to test options to consider whether sustainable development could be achieved through new development entirely within areas with a low risk of flooding. On this basis, sites in Flood Zones 2 and 3 with the following strategic (growth strategy) or sustainability benefits, were identified through the HELAA process as options for further consideration:

- Sustainable location within or close to the main settlements Dover, Deal or Sandwich in accordance with the growth strategy in the local plan, and also previously developed;
- Existing land allocation or has existing planning consent;
- Regeneration opportunity;
- Relatively unconstrained in other respects and would have low levels of impact in relation to other planning matters;
- Limited availability of other sites, which are not significantly constrained, in the relevant location; and
- Where only part of the site was subject to Flood Risk and development of the site could avoid those areas.

**14.6** At the Regulation 19 preparation stage there was a slight reduction in the total housing requirement, such that there was a small surplus of suitable and available

---

<sup>15</sup> [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101222/flood_risk_and_coastal_change_-_gov_uk.pdf) Paragraph: 008 Reference ID: 7-008-20220825

sites in Flood Zone 1. The Council considered the comments received to the Regulation 19 consultation and reviewed site allocations, and some sites were removed from allocation as they were no longer considered suitable.

14.7 The changes also included the consideration of new sites in Flood Zones 2 and 3: Land to the south of Stonar Lake and to the north and east of Stonar Gardens (SAN004); Ethelbert Garages, Deal (TC4S032); 104 Northwall Road, Deal (TC4S047), which were submitted through the targeted call for sites carried out at the Regulation 18 stage. Whilst at this stage, there were technically sufficient suitable sites in Flood Zone 1 to meet the need, these additional sites were considered as potentially suitable options to assess through the SA and Level 2 Strategic Flood Risk Assessments, due to the sites being brownfield sites in locations within the existing settlements of Sandwich and Deal, to ensure consistency in the assessment of sites with that at the Regulation 18 stage.

14.8 In summary, the Council consider that in accordance with the PPG, sustainable development could not be achieved through development entirely located in areas at lowest risk of flooding.

14.9 On three of the sites; SAP49 (WOR6), SAP22 (SAN023) and SAP19 (SAN007), much of the land is not at risk of flooding, such that the development layout can be substantially arranged to avoid flood risk. This is specified in the policy when relevant. The other allocated sites in Flood Zones 2 and 3 have significant benefits against other planning objectives, including regeneration and the efficient use of previously developed land, or they may be less constrained than the alternative sites in a certain locality. The detail and context of each site proposed for allocation in Flood Zones 2 and 3 is below:

- (i) **SAP3 (DOV017) Dover Waterfront:** Allocated for an estimated 263 dwellings. The site is previously developed and located within the settlement confines. It is an existing allocation with regeneration benefits. It is considered that there is scope to avoid or significantly mitigate any negative effects through the policies in the Local Plan. It is considered the site is less constrained and more sustainably located than the alternatives sites not proposed in the Local Plan. The development can be made safe for its lifetime.
- (ii) **SAP6 (DOV018) Dover Mid Town:** Allocated for an indicative capacity of 100 dwellings. The site is previously developed and located within the settlement confines. It is an existing allocation with regeneration benefits. It is considered that there is scope to avoid or significantly mitigate any negative effects through the policies in the Local Plan. It is considered that the site is less constrained and more sustainable located than the alternatives sites not proposed in the Local Plan. The development can be made safe for its lifetime.
- (iii) **SAP7 (DOV017) Bench Street:** Allocated for an estimated 100 dwellings, to be determined. The site is previously developed and located within the settlement confines. It is an existing allocation with regeneration benefits. It is considered the site is less constrained and more sustainable located than the alternatives sites not proposed in the Local Plan. The development can be made safe for its lifetime.
- (iv) **SAP10 (DOV023) Buckland Paper Mill, Crabble Hill, Dover:** Allocated for an indicative capacity of 135 dwellings. The site is previously developed and located within the settlement confines. Regeneration benefits. It is an existing allocation. It is considered that there is scope to avoid or significantly mitigate any negative effects through the policies in the Local Plan. The site is less constrained and more sustainable located than the alternatives sites not proposed in the Local Plan. The development can be made safe for its lifetime.

- (v) **SAP12 (DOV028) Charlton Shopping Centre, High Street, Dover:** Allocated for an indicative capacity of 100 dwellings. A small proportion of the site is within Flood Risk Zones 2 and 3 (92% in Flood Zone 1). The site is previously developed and located within the settlement confines. Development on the site can be arranged to avoid areas of flood risk. It is considered that it is less constrained and more sustainably located than alternatives sites not proposed in the Local Plan.
- (vi) **SAP16 (TC4S032) Ethelbert Road Garages, Deal:** Allocated for an indicative capacity of 5 dwellings. The site is previously developed and within the settlement confines. It is considered that the site is less constrained, more sustainably located than the alternatives sites not proposed in the Local Plan and offers the opportunity for regeneration. The development can be made safe for its lifetime.
- (vii) **SAP16 (TC4S032) 104 Northwall Road, Deal:** Allocated for an indicative capacity of 8 dwellings. The site is partly previously developed and in part within the Deal urban area. It is considered that the site is less constrained, more sustainably located than the alternatives sites not proposed in the Local Plan and offers the opportunity for regeneration. The development can be made safe for its lifetime.
- (viii) **SAP17 (SAN004) Land south of Stonar Lake and to the north and east of Stonar Gardens, Stonar Road, Sandwich:** Allocated for an estimated 40 dwelling, to be determined. Approximately 48% of the site is Flood Risk Zone 1. This site is previously developed and sustainably located (partially located within the settlement confines). The site is less constrained than the alternative available sites and offers the opportunity for regeneration. The development can be made safe for its lifetime.
- (ix) **SAP18 (SAN006) Sandwich Highway Depot / Chippie's Way, Ash Road, Sandwich:** Allocated for an indicative capacity of 32 dwellings. This site is previously developed and sustainably located (adjacent to the settlement confines). The site is less constrained than the alternative available sites and the site offers the opportunity for regeneration. The development can be made safe for its lifetime.
- (x) **SAP19 (SAN007) Land at Poplar Meadow, Adjacent to Delfbridge House, Sandwich:** Allocated for an indicative capacity of 35 dwellings. This site is sustainably located adjacent to the settlement confines of Sandwich. Flood risk is relevant to only a proportion of the site (77.8% is in Flood Zone 1), such that it can be avoided or significantly mitigated. Many of the available alternative sites in the Sandwich area are also in flood zones. The development can be made safe for its lifetime.
- (xi) **SAP20 (SAN008) Woods' Yard, rear of 17 Woodnesborough Road, Sandwich:** Allocated for an indicative capacity of 35 dwellings. This site is previously developed and sustainably located (adjacent to the settlement confines). Many of the available alternative sites in the Sandwich area are in flood zones and are less suitable for development. The site offers the opportunity for regeneration. The development can be made safe for its lifetime.
- (xii) **SAP22 (SAN023) Land at Archers Low Farm, St Georges Road, Sandwich:** Allocated for an indicative capacity of 35 dwellings. Flood Risk is relevant to a very small percentage of this site (97.5% Flood Zone 1) and the layout of the site can avoid these areas. The exceptions test was not required.
- (xiii) **SAP49 (WOR006) Land to the East of Jubilee Road, Worth:** Allocated for an indicative 10 dwellings. Flood Risk is relevant to approximately half the site. While that part of the site at risk of flooding could have been excluded from the site boundary, this would reduce the opportunities for on-site SUDS and associated biodiversity / open space benefits. The exceptions test was not required.

14.10 The Environment Agency were consulted throughout the iterative process of preparing the Local Plan and the accompanying Sustainability Appraisal.

**15. Is the overall approach consistent with paragraph 11b of the Framework, which states that strategic polices should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development? This includes areas at risk of flooding and coastal change.**

**DDC response**

15.1 The Council considers the overall approach to be consistent with paragraph 11b of the Framework, taking into account paragraph 159 and guidance in the PPG. The Council considers the allocation of the proposed sites located in Flood Zones 2 and 3 to be necessary for the growth strategy of the Plan, to make best use of brownfield land and for the regeneration benefits they provide. Any potential adverse impacts would not outweigh these identified benefits.

15.2 The identified benefits of each site are explained in CCBE02 and summarised in answer to question 14 above, which also demonstrates through the exceptions test that the sites can be made safe for their lifetime, without increasing flood risk elsewhere. All of the sites located within Flood Risk Zones 2 and 3 have policy requirements to complete the necessary site-specific flood risk assessment to ensure this is achieved.

**Policy SAP1 – Whitfield Urban Expansion**

**16. Who will be responsible for producing the revised Supplementary Planning Document for the amended Whitfield Urban Expansion? Is it sufficiently clear what will be required?**

**DDC response**

16.1. The Submission Plan states that the revised Supplementary Planning Document (SPD) is to be prepared by the landowner. However, given the changing status in ownership and development agreements on the site, it may not be the landowner who will prepare the updated masterplan. There is currently a well-known and established land promotor who is interested in the land and is in active discussions with the landowners to secure most, if not all, the remaining parcels. It will therefore be the responsibility of the landowners and/or site promotors and developers of the site to bring forward the revised masterplan for the site.

16.2. The Council therefore included proposed Additional Modifications (AM29 and AM30) to the wording of Policy SAP1 through SD06 Schedule of Additional Modifications<sup>16</sup>, to provide clarity and flexibility on the matter.

16.3. AM30 proposes to amend the wording of the policy itself to set out exactly what will be required in that masterplan, and to state that this should be prepared by the main landowner and/or developers. AM29 ~~also~~ proposed modification to the supporting text to SAP1 to add clarity to the master planning requirements –

---

<sup>16</sup> [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023](https://www.doverdistrictlocalplan.co.uk/SD06-Schedule-of-Additional-Modifications-to-the-Regulation-19-Submission-Plan-March-2023)  
([doverdistrictlocalplan.co.uk](https://www.doverdistrictlocalplan.co.uk))

including when updates will be expected to be submitted to DDC and how they will be taken into consideration alongside planning applications.

- 16.4. The modifications also introduce the provision of an approach that would allow for the provision of a master planning process to support an outline planning application for the remaining land that is not subject to planning consents (as an alternative approach to updating the masterplan through an update to the existing SPD).
- 16.5. DDC considers that, along with the proposed modifications, Policy SAP1 and its supporting text is sufficiently clear and provides sufficient flexibility and clarity in setting out and requiring what an updated masterplan or revised SPD for the site needs to include.
- 16.6. The principle of this update to the SPD/masterplan approach has been provided from two of the developers and is set out in representation SDLP900 (Danescroft Land Ltd and Pentland Homes Ltd) at paragraph 6.2.1, where it states *'The Council is currently working with the main landowners and developers of the site to update the SPD and masterplan to account for changing circumstances since the original SPD was adopted. Our clients are fully involved in and committed to this review/update process'*.

**17. Please can the Council point us to the relevant supporting information which demonstrates that the site will deliver new housing as envisaged. What confidence does the Council have that the site will deliver as expected?**

DDC response

- 17.1. The Housing Topic Paper (HEB02)<sup>17</sup> sets out the history, the current planning consents and expected future housing delivery assumptions for Whitfield Urban Expansion (WUE) within paragraphs 5.7 to 5.20. The build out rates used to assess the future delivery of WUE are set out in HEB02 separately from the other sites, due to the strategic nature of the site, the multiple housebuilders and that Phase 1 has already commenced and delivering completions. Phases referred to below are identified on the Phasing Plan at Figure 3 of HEB02.

**Phase 1 Delivery**

- 17.2. The original developer, Halsbury Homes, has built out one sub-phase of the Phase 1 development, and has been selling parcels to other housebuilders. Barratt Homes and BDW Homes are building out further sub-phases of Phase 1 and several new Reserved Matters consents have been granted in the last monitoring year for over 300 units.
- 17.3. Another completed element of Phase 1a has been built out by Abbey Homes, along with the Phase 4a development. A further 26 dwellings of Phase 1a have been recently constructed by Dover District Council. DDC understands that there has also been a further sale of the Phase 1 land to national housebuilders, Abbey Homes and Barratts Homes.
- 17.4. According to the most recent land supply survey response from BDW/Barratts in June 2023, of the 278 units granted consent in 2022/23 for BDW, 30 units were

---

<sup>17</sup> [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk/HEB02-Housing-Topic-Paper-March-2023)

under construction as of 31<sup>st</sup> March. Barratts have confirmed 64 are under construction on their parcels for the same period, totalling 94 under construction units.

- 17.5. Using the data they provided, along with the latest indicative completion data from the Council's monitoring for the annual Housing Information Audit 2022/23 period (yet to be finalised and published), initial completion figures from WUE for the latest monitoring year are around 100 units, from 2 sites. The Council remains confident that, although there has been under-delivery in Phase 1 in previous years, the build out rates are increasing and projected to increase further over the next parcels of development, due to the applications recently granted, ongoing positive discussions between the council and various developers involved, the number of developers involved in delivery and the recent survey results.

### **Delivery of Phase 2 Onwards**

- 17.6. Table 5 within HEB02 sets out the WUE delivery assumptions for Phase 2 onwards. As set out in paragraph 5.20, it is considered that these are conservative estimates and a number of assumptions are set out to add clarity to those estimates which are also contained within the Housing Trajectory (HT) at Appendix d of the submitted Plan.
- 17.7. Representation SDLP900 (DHA on behalf of Danescroft and Ltd and Pentland Homes Ltd), explains the main landownership/control in the later phases and makes clear that the delivery as set out in the Local Plan Housing Trajectory and topic paper can be achieved. At paragraphs 6.5.26 onwards the promoters agree that the delivery rates in the HT are a minimum and fully supported and acknowledged that it is also based on the requirements for the mitigation at Whitfield roundabout and trigger point for delivery. Danescroft, as a land agent, adds confidence on the position that there are likely to be several delivery outlets operating on site at the same time and that the position set out at paragraph 5.10 regarding planning applications for the start of Phase 2 is correct, with the Pentland application expected to be submitted imminently, and the Danescroft application to follow before the end of the Summer.
- 17.8. A representation has also been made by Foster & Payne (SDLP241) in relation to a 3.2 hectare site within the WUE, on Sandwich road, stating that they intend to bring the site forward for specialist housing for older people. This adds further confidence that the site has developer interest and is deliverable.
- 17.9. In addition to this, the Council is aware that there is a well-established promotor with a strong track record of delivery who is interested in the remaining land at Whitfield. Active discussions are taking place with the landowners to secure most, if not all of the remaining parcels of land. It is the intention of the Council to enter into a Statement of Common Ground with the party once it is able to do so and in advance of the examination hearing sessions to provide further evidence and assurance in respect of the delivery expectations.

### **Conclusion**

- 17.10. It is accepted that past delivery of Whitfield Urban Expansion (WUE) Phase 1 has been slower than originally anticipated, but the improved viability and delivery potential of the site is now being demonstrated by the increased interest in the site

from national housebuilders and land promoters, which currently includes Barratts, BDW Homes, Abbey Homes, Pentland Homes and Danescroft. Danescroft is a land promoter and it is expected that they will promote parcels to several developers, providing multiple delivery outlets across the site.

17.11. The latest indicative completion data for WUE shows that completions are approximately 100 in the 22/23 monitoring year - this adds further confidence to the Council's position that with multiple developers, the build out rates will come forward as expected and as set out within the Housing Trajectory at Appendix D of the Local Plan.

17.12. The Council has and continues to engage with the committed and emerging developers and site promoters with an interest in the WUE in relation to short term and long-term delivery. It is intended that site specific requirements and phasing and delivery information will be confirmed through a SoCG with the developers/landowners of all the parcels/phases. Discussions with the relevant parties have already commenced and the SoCG is expected to be available by the time of Matters/Issue Statements.

17.13. The Council is confident about the robustness of the evidence in the Local Plan, and the supporting documents such as the Housing Topic Paper and based on data of applications, build out rates and communications with the landowners/developers and as such, has confidence that the WUE will deliver as expected.

**18. Does the Plan include any contingency arrangements should the site not come forward as expected? If not, what are the reasons for this?**

DDC response

18.1. There is a buffer provided on the overall housing need of 9.4% of the local housing need for the plan period, as set out in the Housing Topic Paper (HEB02) paragraph 5.33. This is considered sufficient to provide flexibility and choice, and to account of changing circumstances and under-delivery on all site allocations, including WUE.

18.2. As set out in the response to 17. above, the delivery rate expected from WUE in the Local Plan Housing Trajectory (HT) is precautionary and based on evidence on build out rates and on landowner/developer liaison. As can be seen in the Housing Trajectory, there is an oversupply of sites in the short term and it can be seen from the Plan, the Housing Topic Paper and proposed modification AM8<sup>18</sup> that the Council currently has a very strong 5 year housing land supply and a windfall allowance which is based upon small windfall sites only.

18.3. As specified in paragraphs 1.37 and 1.38 of the Local Plan, the Council intends to annually monitor development targets against the expected delivery rates set out in the Housing Trajectory through the annual Authority Monitoring Report process using the indicators set out in Appendix C. If key elements of the overall strategy are not being delivered, such as housing growth targets, the Council will undertake a formal review of the Local Plan in accordance with national policy.

---

<sup>18</sup> [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023](https://www.doverdistrictlocalplan.co.uk/SD06-Schedule-of-Additional-Modifications-to-the-Regulation-19-Submission-Plan-March-2023)  
([doverdistrictlocalplan.co.uk](https://www.doverdistrictlocalplan.co.uk))

18.4. The Council considers that based on evidence, Whitfield Urban Expansion is the most sustainable location for significant growth in the District, and providing further sites in the less sustainable locations, requiring further greenfield land would result in a less sustainable pattern of development that is not necessary to meet the housing needs of the District.

## **Employment**

### **19. How much land (in hectares) is proposed to be allocated for employment purposes by Policy SP6? How does this relate to the identified need for additional employment land?**

#### DDC response

19.1. The identified need for employment land is informed by the Economic Development Needs Assessment Update 2021 (EDNA) (EEBD01)<sup>19</sup>. Two scenarios are considered for future employment growth set out in Table 4.6 of the EDNA. Considering these two scenarios, Policy SP6 aims to deliver a minimum of 31.1ha of land for traditional employment uses falling within the office, industrial and distribution uses, between 2022 and 2040.

19.2. The provision of land against the identified need will mainly be achieved through the allocation and development of the sites listed in Table 3 below, which are included in Part 1 of Policy SP6.

**Table 3 - Allocated Employment sites (Policy SP6 Part 1)**

Site	Total area of allocation boundary (ha)	Area allocated to meet employment needs (ha)
White Cliffs Business Park Phase 2	7.3ha	7.3 ha <sup>20</sup>
White Cliffs Business Park Phase 3	28.5ha	26.5ha <sup>21</sup>
White Cliffs Business Park Phase 4	31ha	14.27ha <sup>22</sup>
Discovery Park, Sandwich	80 ha	10.77ha <sup>23</sup>
Aylesham Development Area	4.3ha	2.1 ha <sup>24</sup>
Statenborough Farm	0.8ha	0.6 ha <sup>25</sup>
<b>TOTAL</b>		<b>61.54ha</b>

<sup>19</sup> [EEB01 Economic Development Needs Assessment 2021 \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk/EEB01-Economic-Development-Needs-Assessment-2021)

<sup>20</sup> This is an update to the position set out at paragraph 4.83 of the Submitted Local Plan, due to extant planning consents which have now expired.

<sup>21</sup> Excludes indicative landscape buffer zones 13.35ha of this land is subject to the Special Development Order for the Inland Border Facility (see answer to question 21 for further detail)

<sup>22</sup> Excludes indicative landscape buffer zones

<sup>23</sup> Remaining cleared development zones

<sup>24</sup> Land remaining available for development

<sup>25</sup> Area remaining available for development



- 19.3. These sites provide a total of 61.54ha allocated to meet employment needs, compared to the 31.1ha minimum target set out in Policy SP6. Paragraphs 3.109 to 3.111 and 3.116 of the submitted Local Plan explain the reasons why the Council is allocating more land than is required from a purely quantitative perspective. In summary, this is to provide choice and flexibility in the market with a range of sites in locations across the District, to ensure sufficient land is available to deliver light industrial uses (as set out in the EDNA Labour Demand Scenario) and due to the uncertainty regarding the availability of Phase 3 of White Cliffs Business Park, which is addressed in further detail in response to the question at paragraph 21.
- 19.4. The Council is also seeking delivery of a higher level of employment growth in the District than seen in the past, with a key strategic objective for the District being to grow and diversify the local economy by making it an attractive and competitive place to start, grow and invest in a broad range of businesses, attracting more and better jobs and attracting and retaining working age people.
- 19.5. In addition, in relation to White Cliffs Business Park and Discovery Park some of the identified land may also come forward for uses that do not contribute the identified employment land need. For White Cliffs Business Park, Policy SAP2 identifies sports facilities as a suitable use on part of the site. Also, whilst the Plan does not specify the suitability of retail development at White Cliffs Business Park, nor identify a quantitative need for further retail development over the Plan period, given the history of development of this site (which has included a number of large 'out of town' retail units and drive through take-aways) it is envisaged that some of the site may come forward for retail or other E use classes. This would need to be subject to consideration of the acceptability of the proposal in relation to Policy R2 – Sequential Test and Impact Assessment.
- 19.6. Redevelopment land at Discovery Park, a designated Life Sciences Opportunity Zone, received outline permission in 2015 for the re-purposing or replacement of buildings at the former Pfizer site. The planning permission is for a broader range of use classes to those where an identified need has been established through the EDNA. The additional uses that may be provided at Discovery Park are E(g)(i) office and (ii) the research and development of products or processes, F1 (learning and non-residential institutions) and sui generis (energy).
- 19.7. Furthermore, market demand will to a large extent drive the type of employment that will come forward so it is therefore considered necessary to oversupply the provision of land to ensure there is sufficient flexibility in the supply in the case of proposal for low density employment coming forward.
- 19.8. Part 2 of Policy SP6 goes on to identify four additional site allocations, which are intended to contribute to the wider economic growth strategy, as set out in Table 4 below:

Table 4 – Redevelopment Sites in Part 2 Policy SP6

Site name and Policy ref	Area (ha)	Identified Uses
Former Snowdown Colliery, Aylesham (Policy SAP26)	40ha	Re-use of designated and non-designated heritage assets to include offices, research and development, industrial and leisure, retail, food and drink, non-residential and tourism uses
Western Heights (including The Citadel) Dover (Policy SAP4)	33ha	No uses specified in Policy. Aim to provide viable uses to secure the future of the heritage asset.
Fort Burgoyne, Dover (Policy SAP5)	10ha	No uses specified in Policy. Aim to provide viable uses to secure the future of the heritage asset.
Dover Waterfront, Dover (Policy SAP3)	11ha	Retail, restaurants and cafes, assembly and leisure, offices within Class E g (i) and residential

19.9. The redevelopment of these sites provides the opportunity to redevelop and bring back in to use brownfield sites and in the case of Snowdown Colliery, The Citadel and Fort Burgoyne to secure the future of important heritage, ecological and landscape assets in the District. The sites have been allocated for a mix of uses, as set out in the relevant site-specific policies. Development of these sites may make some contribution to meeting the need for employment uses for which there is an identified need for land, but this is not the prime objective for these sites, which are allocated to bring forward a wider range of uses which will contribute to the expected job growth in other sectors as referred to in Table 4.2 of the EDNA.

19.10. In relation to the site areas for these sites, the Local Plan refers to, and has allocated on the Policies Map, the entire area of these sites as employment allocations. The suitable developable areas of these sites will be significantly smaller than the allocated areas, due to the complexity and constrained nature of each site as set out in the respective allocation policies. In the case of The Citadel, Snowdown Colliery and Fort Borgoyne, development of these sites will be focused on the re-use of the existing buildings rather than significant development of the wider sites.

19.11. It is acknowledged that Policy SP6 as currently drafted does not make the distinction clear between the role of the allocated sites in meeting the identified employment land need and those contributing to the wider economic strategy through redevelopment.

19.12. Therefore, for added clarity on this matter, and if considered necessary by the Inspectors, the Council will consider modifications to the wording of Policy SP6 and its supporting text, as well as the Policies Map, to make the distinction clearer.

## Employment Topic Paper

19.13. It was the intention for the Council to include the information that has now been set out above within the Employment Topic Paper, due to be submitted by the end of June. Given this, we would be grateful for Inspectors to advise whether any further information is required in this regard, so that we can focus the Topic Paper on information that can assist the examination. If further information is required, we would welcome agreement on a revised date for its submission. However, if the information provided in answer to this question is sufficient, we no longer intend to provide the Employment Topic Paper.

### **20. How does the amount of allocated employment land relate to the housing requirement in Policy SP3? Does the Plan make enough provision for new housing and the workforce needed to support the planned growth in employment?**

#### DDC response

20.1. The housing requirement set out in Policy SP3 has been calculated using the Standard Methodology (SM), following the set guidance for the calculations that is provided in the planning practice guidance (PPG)<sup>26</sup>. The SM calculation set out in the PPG does not include any requirements to consider an uplift in relation to workforce needs.

20.2. The PPG states that there may be circumstances where it may be necessary to consider whether actual housing need is higher than the standard methodology indicates. The examples of circumstances provided, whilst not exhaustive, are not considered to be applicable to Dover District.

20.3. In any event, the Council has considered through its evidence base whether the housing requirement should be increased to support the planned growth in employment.

20.4. The Strategic Housing Market Assessment (2017, Part 1, Chapter 7) (HEB01a) considered whether the housing requirement (529 dwellings per annum at that time) should be increased to ensure there is sufficient labour supply available to meet the future job growth expected in the area. Paragraph 7.25 states that *'the data clearly points to a local economy that does not have a shortage of labour today, or should the SNPP 2014 be delivered in full.'* The SHMA concluded that that there was no justification for an economic uplift increasing the objectively assessed need above that arrived at through the demographic evidence (in accordance with the relevant methodology at that time).

20.5. In addition to this, the SHMA conclusions cautioned against increasing the housing requirement due to potential negative impacts this could have including decreasing economic activity rates and potential increasing out-commuting.

20.6. Whilst this analysis was carried out in 2017, the Council considers that it can still be relied upon.

---

<sup>26</sup> Paragraph: 004 Reference ID: 2a-004-20201216 Revision date: 16 12 2020

- 20.7. The analysis was based upon the 2014 based population projections, which still forms the basis for the housing requirement today. The housing requirement used in the assessment of potential workforce implications at the time of the SHMA in 2017 was 529 dwellings. The Plan already provides more than that due to the standard methodology calculation being 611 dwellings per annum.
- 20.8. The NOMIS unemployment statistics for January to December 2022 show that Dover District (3.6%) continues to struggle to absorb the available labour supply, with rates above those for the region (3.1% for the South East).
- 20.9. According to ONS population projections (2020), cited in the EDNA 2021 update, Dover District's working age population is expected to increase by 11.3% from 2018 to 2040. This is significantly higher than the increase projected for the wider area of Kent (7.9%), the South East (1%) and the UK (3.1%) over the same time period.
- 20.10. The SHMA 2017 conclusion, that the local labour supply was not constrained, remains valid.
- 20.11. Whilst the delivery of all the employment land and sites identified in Policy SP6 may represent an uplift in the delivery of jobs in excess of that seen in the past, these are by no means secured. The SHMA recommended that a cautious approach was needed to the housing target unless significant economic interventions were secured in excess of that seen in the past. A further increase in the provision of housing in the District, that is not matched by job growth, would add to out-commuting - contrary to the strategy that seeks to enable these workers to find more local employment.
- 20.12. The Council considers the above to provide proportionate evidence that the housing requirement does not need to be, and should not be, increased as a result of the proposed economic growth strategy.

**21. What is the status of the Phase 2 and Phase 3 land at the White Cliffs Business Park, which had previously been identified as the Inland Border Facility? Is the Plan sufficiently clear what uses will be permitted on both sites?**

DDC response

- 21.1 Paragraphs 3.109 and 4.86 of the Submitted Plan state that the remaining area of Phase 2 and 3 were identified by the Department for Transport (DfT) as a location for a proposed Inland Border Facility. The reference to phases in that paragraph relate to the phases of White Cliffs Business Park as set out in the adopted Land Allocations Local Plan (Policy LA2)<sup>27</sup>.
- 21.2 As a result of the final route and land requirement for the Dover Fastrack through White Cliffs Business Park, the phases have been updated in the Submitted Plan. These are shown on the Indicative Development Strategy at Figure 4.2. With reference to this Plan, the land that has been previously identified as the Inland Border Facility is

---

<sup>27</sup> [Land Allocations Local Plan Adopted 2015 \(dover.gov.uk\)](https://www.dover.gov.uk/land-allocations-local-plan-adopted-2015)

that located to the east and north of the Fastrack route identified as Phase 3 and does not contain any land now identified as Phase 2. DDC proposes that a minor modification be drafted to paragraphs 3.109, 4.83, 4.84 and 4.86 to clarify this.

21.3 In terms of the status of this land, the entirety of Phase 3 was purchased by the Department for Transport (DfT) for the intended Inland Border Facility (IBF). The Special Development Order (SDO) for the IBF covered approximately half of the site (as set out in Table 3 above) and granted temporary planning permission for the use. It is the Council's understanding that the IBF is no longer being brought forward through the SDO. However there remains uncertainty as to the availability of the site for the employment purposes for which it is allocated. The Council has sought clarity from the landowner in this respect, but at the current time no information has been forthcoming regarding the landowners' future intentions for the site.

21.4 Policy SAP2 sets out the uses that will be permitted on Phases 2 and 3 of White Cliffs Business Park. As identified in the first paragraph of the Policy the site is allocated for 'a mix of employment purposes including office, light industrial, general industrial and distribution uses, along with other employment generating uses which do not form part of the use classes order. Ancillary retail/trade counter uses may also be considered acceptable'. In addition to this there are specific restrictions set out in paragraph (p) in relation to Phase 3, and additional sports uses identified as being acceptable in paragraph (u) in relation to Phase 4. The Council considers this to be sufficiently clear, however if the Inspectors consider it necessary, the Council would be happy to provide modifications to Policy SAP2 to include the specific use classes order references (as has been included in Policy SAP25 for example), to provide further clarity.

## **Viability**

**22. The Viability Study Update Note (Submission Doc GEB08b) found that the delivery of sites in the lower value areas is likely to remain challenging. A similar conclusion was drawn in respect of the strategic sites. Based on this evidence, what is the justification for the affordable housing requirements in Policy SP5?**

### **DDC response**

22.1 The Council is committed to achieving the Affordable Housing (AH) targets as set out in Policy SP5, and delivering AH is considered a priority of the Council, as set out in the Infrastructure Funding Statement 2021/22<sup>28</sup> and Corporate Plan<sup>29</sup>. The Council also recognises that development viability in the lower values of the District can be challenging – having said this, affordable housing has been coming forward, in some of the lower value areas.

---

<sup>28</sup> [Infrastructure-Funding-Statement-2021-2022.pdf \(dover.gov.uk\)](#)

<sup>29</sup> [Corporate-Plan-2020-2024-web-FINAL.pdf \(dover.gov.uk\)](#)

22.2 The Strategic Housing Market Assessment 2017 (HEB01<sup>30</sup>) identified a substantial need for affordable housing.

22.3 The Whole Plan Viability Study 2020 GEB08a<sup>31</sup>, was a comprehensive assessment of the effect of national and emerging local policies on the deliverability of development. It was carried out as per the requirements of the NPPF and the PPG and in line with the Harman Guidance and the relevant RICS Guidance. The preparation of the report included a period of consultation with the development industry. The Council then uses the Whole Plan Viability Study 2020 to refine the policies in the Local Plan and to further inform the plan-making process. The Viability Update note 2022 (GEB08b<sup>32</sup>) was prepared shortly before submission as the Council considered it prudent to pre-empt questions, particularly around inflation, but also around increasing national standards.

22.4 The base analysis in the Whole Plan Viability Study 2020 (paragraph 10.6) assumes a 30% requirement of for affordable housing, but the study went on to test a range of total requirements (from paragraph 10.14) and a to consider the effect of different tenure mixes (from paragraph 10.36). It is clear that the delivery of affordable housing is impacted by the requirements for developer contributions, so the relationship between these requirements was then explored (from paragraph 10.44).

22.5 Having considered the above analysis, the Whole Plan Viability Study 2020 suggests (paragraph 10.67) 30% affordable housing (Intermediate Housing 35%, Affordable Rent 65%). Nil rate in the built-up area of Dover, based on developer contributions of £4,000/unit on the typologies and £20,000/unit on the Strategic Sites. These recommendations were then subject to sensitivity testing (from paragraph 10.76).

22.6 It is important to note that the Whole Plan Viability Study 2020 caveated this advice saying (from paragraph 10.69) the Council could, rather than set a nil target in the built-up area of Dover, as little development is anticipated in this area, it may not be proportionate to set a separate target and acknowledge that it would be appropriate to accept viability assessments at the development management stage from such sites.

22.7 In particular, the Whole Plan Viability Study 2020 emphasised (from paragraph 12.101) that it is necessary to be cautious about relying on the brownfield sites to in the early years of the Plan, and the Council should only count on such sites (for example in the five year land supply calculation) where it is confident the site will be forthcoming, for example where there is a recent planning consent. The report went on to caution (from paragraph 12.102) that the delivery of any large site is challenging so it recommended that that the Council engages with the owners in line with the advice set out in the Harman Guidance (page 23) and paragraph 10-006 of the PPG:

---

<sup>30</sup> [Submission Documents \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk)

<sup>31</sup> [GEB08a-Whole-Plan-Viability-Study-Main-Report-and-Appendices.pdf](#)

<sup>32</sup> [GEB08b Viability Study Update Note \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk)

22.8 The Lower Value Areas (LVA) of the district are (paragraph 4.43) ‘... *the sites within and adjacent to Aylesham, and the sites adjacent to wider Dover, principally to the north and west of the built-up area, and Whitfield*’. The Lower Value Area is tightly defined and whilst a number of typologies were tested in this area, there is little development anticipated, beyond the 2 Strategic site allocations of Whitfield Urban Expansion (SAP21) and Land to the south of Aylesham (SAP24). In relation to these Strategic Sites, as with the other Strategic Sites, the Council has worked with the site promoters to ensure that they are developable. See heading *Engagement with Strategic Site landowners/promoters* below.

## **S106 Strategic Infrastructure and Mitigation Costs**

22.9 The 2020 report assumed all the modelled residential sites will contribute £4,000/unit with the strategic sites contributing £20,000/unit. A range of higher costs of up to £40,000/unit were also tested along with various options for Affordable Housing requirements.

22.10 The 2022 update note to the Viability Study included an update to the potential strategic infrastructure and mitigation costs for strategic site allocations. As set out in paragraph 46, it is now assumed that the infrastructure costs at Aylesham (SAP24) would be around £15,500 per unit (The note also references potential additional costs for SPA mitigation in, but the strategic sites are not within the 9km zone of influence and therefore this would not apply to these sites).

22.11 Paragraph 47 then sets out the following with regards to these per unit costs for the different areas of the district:

*‘The Council has also considered the maximum likely strategic infrastructure and mitigation costs (i.e. s106 costs) on the wider development represented by the typologies in the 2020 WPVS – this should be considered a ‘worst case scenario’, and will only apply where there is a site specific need (as per CIL Regulation 122). The Council now estimates that the costs will be about £15,000/unit for the development associated with Deal, Aylesham Sandwich and Elvington / Eythorne and about £22,500 for the development associated with the town of Dover. These amounts are significantly more than the £4,000/unit assumed in 2020’.*

22.12 The Council is currently updating the 2022 Draft Infrastructure Delivery Plan (TIEB01a)<sup>33</sup> to submit at the end of June 2023, as part of the Local Plan evidence. As part of these updates, the strategic sites have been analysed more closely in relation to their policy requirements for developer obligations in relation to AH, off-site contributions and specific on-site infrastructure. The Council will consider this information in relation to the Strategic Sites as soon as it is available.

22.13 The initial outcomes of this more detailed work around off-site infrastructure costs shows that all strategic and major sites will have off-site infrastructure contribution requirements of around 10-15k per unit, significantly lower than the costs used in the

---

<sup>33</sup> [TIEB01a Infrastructure Delivery Plan Draft for Consultation October 2022 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

Whole Plan Viability Study 2020, or those detailed above and considered in the 2022 update. These updated costs draw on the Strategic Road Network tariff in the IDP and the recently published KCC Developer Contributions Guide draft document<sup>34</sup>. It is anticipated that £15k per unit would be the maximum strategic infrastructure and mitigation contribution and is likely to be reduced significantly if some of the sports and community facility infrastructure is delivered on-site.

## House Prices and Build Costs Increases

22.14 Paragraph 52 of Viability Update Note (GEB08b) states that, since the Whole Plan Viability Study 2020 was undertaken:  
*‘... average values of newbuild property have increased by about 40% and build costs by about 13%. The Residual Value will have increased, indicating that viability will therefore have improved.’*

22.15 The concluding paragraph set outs the following:  
*‘58. The above comments are made in the context of a very substantial increase in house prices over the last two years and significant increases in build costs. Both house prices and build costs are forecast to continue to rise and there is clearly uncertainty around both house prices and inflation. We therefore recommend that the Council continues to monitor the situation, and if appropriate revisit viability before the new Local Plan is submitted for examination.’*

22.16 The Council accepts that house prices are no longer rising, however it is helpful to note that as of June 2023, since the Whole Plan Viability Study 2020 was undertaken, newbuild house prices have increased by about 37% but and build costs by about 24%.

Table 5 – Change in Average house prices and Build Costs

	Average House Prices		Build Costs
	Newbuild	Existing	BCIS
<b>2020-06</b>	£350,328	£243,663	360.8
<b>2023-01</b>	£480,630	£306,058	
<b>2023-06</b>			447.7
	£130,302	£62,395	£87
	37%	26%	24%

Source: Land Registry and BCIS (15<sup>th</sup> June 2023)

22.17 It is important to note that the above table shows the most recently published data from these two sources. There is a substantial lag in the Land Registry data. The increase in values remains substantially more than build costs – indicating that viability has improved.

<sup>34</sup> [Developer Contributions Guide | Let's talk Kent](#)



## **Tenure Mix changes**

22.18 It is also important to note that the 2020 study reflected the proposed AH tender mix at the time of the Regulation 18 Local Plan of 35% Intermediate Housing and 65% Affordable Rent.

22.19 Paragraph 10.38 in the 2020 report sets out that a 5% increase in intermediate housing results in an increased Residual Value of over £20,000/ha. Policy SP5 reflects the updated Tenure Mix following the introduction of First Homes tenure and the tender mix of 55% Affordable/Social rent, 25% First Homes and 20% other home ownership products. Therefore, there would be significant increases in residual land value from change of 'intermediate housing', in addition to those in relation to sales values set out above.

## **Engagement with Strategic Site landowners/promotors**

22.20 As recommended by paragraph 56.b. of the 2022 update note, the Council has and continues to engage with the site promoters of the strategic sites in relation to viability of development and specifically on the matter of affordable housing requirements and infrastructure costs. DDC is anticipating that the commitment to a fully policy compliant scheme (including with regard to affordable housing provision) and the site-specific infrastructure requirements will be confirmed through SoCG with the developers/landowners of all the strategic sites, including of SAP1 and SAP24 in the Lower Value Area. These are currently being prepared, and the infrastructure types and indicative costs will also be set out in more detail within the updated IDP for all sites within the district to be submitted to the Examination shortly. This will provide more certainty to all parties that the sites are viable with the local plan policy requirements taken into account.

22.21 It is accepted that past delivery of Whitfield Urban Expansion (WUE) has been difficult, in some part due to viability reasons, but the improved viability position at Whitfield is now being demonstrated by the increased interest in the site by national housebuilders and land promoters which now include Barratts, Abbey Homes, Pentland Homes and Danescroft. See response to question at paragraph 6 for further information on expected WUE delivery.

## **Conclusion**

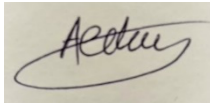
22.22 As is appropriate in plan-making, the Council has taken a cautious approach to the total costs of planning obligations and the costs of the various policy requirements as set out in the Whole Plan Viability Study 2020 and the 2022 Update Note. The policies have been informed by the evidence through the iterative plan making process.

22.23 It is also important to note that Policies SP5 (Affordable Housing) and SP11 (Infrastructure and Developer Contributions) allow for flexibility over the plan period in relation to site viability and changes that may occur in relation to the AH and/or other infrastructure requirements, including deferred payment mechanisms. However, if viability is considered to be marginal at the time of land purchase, then the land value

will need to be reviewed/adjusted to reflect that current position, as set out in PPG paragraph 002<sup>35</sup>.

We believe that this response provides clarity on the matters you have raised and that it sets out the Council's position clearly. We look forward to hearing from you regarding the next steps in the Examination process.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Ashley Taylor', enclosed in a light blue oval.

Ashley Taylor MRTPI  
Planning Policy and Projects Manager

---

<sup>35</sup> [Viability - GOV.UK \(www.gov.uk\)](http://www.gov.uk) Reference ID: 10-002-20190509

## **Annex 1 – List of Supporting Documents**

### Duty to Co-operate

4.

Appendix 1 – SocG between CCC and DDC April 2021

Appendix 2 – Correspondence from DDC to CCC dated 27.10.2020

Appendix 3 - CCC response to DDC Regulation 18 consultation

Appendix 4 – Notes of meeting between CCC and DDC on 11.08.2022

Appendix 5 – DDC response to CCC’s Regulation 18 consultation letter 16.01.23

6.

Appendix 6 – SoCG between DDC, SBC, CCC, KCC and NH Signed (Updates GEB07)

### Infrastructure Provision

8.

Appendix 7 – Plan indicating third party land potentially required for the Duke of York roundabout mitigation scheme

### Environmental Considerations

9.

Appendix 8 – Natural England Further Written Response dated 13<sup>th</sup> January 2023

10.

Footnote 9 – Link to Regulation 19 published evidence - Habitats Regulations Assessments September 2022

11.

Appendix 9 – DDC correspondence to Natural England 9.01.2023

Appendix 10 – Correspondence Natural England to DDC 27.03.2023

Appendix 11– Correspondence (and attachment to) between Natural England and DDC 31.03.23 and 28.03.2023

12.

Footnote 10 - Link to Regulation 19 published evidence – Thanet Coast and Sandwich Bay SPA Strategic Access Mitigation and Monitoring Strategy (SAMM) September 2022

### Employment

21.

Footnote 28 – Link to Adopted Land Allocations Local Plan 2015

### Viability

22.

Footnote 29 – Link to Infrastructure Funding Statement 2021-2022

Footnote 30 – Link to Corporate Plan 2020-2024

Footnote 35 – Link to KCC Developer Contributions Guide