

Statement of Common Ground between (i) Dover District Council (DDC) and (ii) Dover Harbour Board (DHB) – Inland Terminal Facilities

1. Overview

- 1.1. This Statement of Common Ground has been prepared by the two parties and reflects the jointly agreed position between DDC and DHB. It covers the issue of Inland Terminal Facilities and Policy TI4, raised in representations from DHB.¹

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

- 2.1. DHB made formal representation on the Regulation 19 Submission Dover District Local Plan which took place between 21 October and 9 December 2022.
- 2.2. Representations SDLP705, SDLP1053, and SDLP1054² considered Policy TI4 to be unsound due to concerns that it would potentially restrict the delivery of Inland Terminal facilities that are required for the continued operation and growth of the Port. The representations requested the policy be amended to include an area of search for co-joined Inland Terminal and Lorry Park facility on the A20 and A2/M2 corridors in Dover District. DHB requested removal of the criterion restricting overnight lorry parking in the Area of Outstanding Natural Beauty (AONB) and its replacement with a criteria based policy including requirements for Landscape and Visual Impact Assessment and a landscape scheme to conserve and enhance the AONB.

3. Current position

- 3.1. DHB's representations (705;1053;1054) consider that Policy TI4 of the Dover District Local Plan Submission is unsound as it would restrict the delivery of Inland Terminal facilities, with co-located lorry parking. The representation sets out the reasons why DHB consider there is a need for an Inland Terminal and recommends amendments to Policy TI4. The representation identifies an area of potential search (along the A20 corridor in the AONB) for the facility and recommends changes to the overnight lorry parking policy to enable proposals to be considered. The representation recognises the high degree of protection afforded to the AONB in the NPPF, identifying the tests set out at paragraph 177 of the NPPF for major development in the AONB. The representation does not seek to demonstrate that these tests have been met, but suggests that they could be met, and that this should be tested at the planning application stage rather than excluded by Local Plan Policy.
- 3.2. DDC agree with this overall approach, however, do not agree with the proposed amendment set out in the representation, because the proposed wording of the policy suggests that the tests of paragraph 177 of the NPPF have been met, which is not the case. In addition, in the absence of a specific detailed proposal/site it is not possible to determine the likelihood that the exceptional circumstances tests could be met. The identification of a Local Plan "area of search" along the A20 corridor and within an AONB can therefore not be justified.

¹ DHB also made representations on other matters including in relation to Dover Waterfront (SAP3) which are to be addressed in a separate Statement of Common Ground.

² There are three duplicate representations on this matter submitted by DHB against different parts of the Plan as follows: SDLP705 – Policy TI4, SDLP1053 – Policy SP6 and SDLP1054 – Policy SP12.



- 3.3. The DHB representation raises concern that Policy TI4 – Overnight Lorry Park Facility would restrict proposals for an Inland Terminal Facility coming forward along the A20 corridor due to the policy stating overnight lorry parking should not be located in the AONB.
- 3.4. DDC do not agree this is the case, as the Policy is not intended to capture proposals for an Inland Terminal Facility. The policy was included as a direct response to Kent County Council’s representations in response to the Regulation 18 draft local plan consultation about the strategic need for overnight lorry parking facilities across the County.
- 3.5. To clarify this and address the concerns raised by DHB, DDC drafted an additional modification (AM102) which is included in the Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023 (SD06).
- 3.6. Following further discussion between the parties, minor additions to AM102 as originally drafted have been agreed, as set out below.

New paragraph after 10.33:

Dover Harbour Board has identified the potential need for an Inland Terminal Facility to be provided along the A20 and/or M2/A2 corridor in the Dover District to supplement and/or relocate existing facilities at the Port of Dover, the UK's busiest port, to an inland site. This would also provide the opportunity to enhance local, regional and national traffic management operations and increase resilience in the network. The proposal may include the co-location of overnight lorry parking. For the avoidance of doubt, Policy TI4 would not be applicable to such a proposal for an Inland Terminal Facility, which would be considered on its own merits. The A20 corridor is located within the Kent Downs Area of Outstanding Natural Beauty (AONB), and therefore proposals that come forward would need to meet the tests set out in national policy (and Policy NE2 of this Plan) in relation to major development in the AONB.

- 3.7. It is agreed by both parties that this modification addresses concerns raised in representations SDLP705, 1053 and 1054. It is also agreed that the modification is not necessary for soundness of the submitted Plan however is proposed for clarity.

4. Signatories

<p>Signed for and on behalf of Dover District Council:</p>  <p>Name: Sarah Platts Position: Head of Planning and Development Date: 27/06/2023</p>	<p>Signed for and on behalf of Dover Harbour Board:</p>  <p>Name: Christian Pryce Position: Chief Commercial Officer Date:15/06/2023</p>
--	--