



Summary of Main Modifications

Introduction

What is the Local Plan?

The Dover District Local Plan to 2040 Regulation 19 Submission (The Local Plan) ([SD01](#)) establishes the general scale and distribution of new development which is required to meet Dover District's needs to 2040. It also provides the planning principles and policies to guide decisions on all new developments.

The Local Plan was submitted to the Secretary of State for Levelling Up, Housing and Communities for independent examination in March 2023. The examination hearings took place in November and December 2023.

What are Main Modifications?

This consultation on Main Modifications proposes changes to the Regulation 19 Submission Document which have been recommended by the Inspectors as being needed to make the plan 'sound'. The changes are proposed to address the Inspectors' Initial Findings ([ED45](#)) and changes agreed during the hearing sessions themselves, including some of those proposed in the Council's hearing statements and Statements of Common Ground. All background documents are available on the Council's website at: [Dover District Local Plan Examination](#).

This document provides a summary of the proposed Main Modifications, highlighting those of most significance. Each modification has a number with prefix 'MM'. A full schedule of modifications and the reasons for them can be viewed in full on the Council's [consultation portal](#) where representations (comments) can be made from 11th April 2024 until 5pm on 24th May 2024.

The consultation is limited to comments on the Main Modifications only. The consultation does not offer the opportunity to repeat or raise further representations about other parts of the Plan, or seek wider changes, which are not relevant to a Main Modification. Comments made during the previous public consultations on the draft Local Plan and during the Examination process are in front of the Inspectors and will be considered by them in their final report to the Council.

There are two supporting evidence base documents also open for consultation alongside the Main Modifications – the Sustainability Appraisal for Main Modifications (ED52) and Habitats Regulation Assessment 2024 (ED53), in addition to a Schedule of Policies Map Modifications arising from Main Modifications (ED51). More information is available at the end of this note.

What happens next?

Following the close of this consultation, the Council will forward all representations to the Planning Inspectors for their consideration. Once the Inspectors have considered the responses, including the evidence presented throughout the Examination, they will determine whether the Local Plan is 'sound' and produce a written report outlining their final recommendations.



Summary of Main Modifications

Strategic Policies

Key policy changes

SP3 Housing Growth (MM6 to MM8)

- Updated to reflect the Council's latest data on housing delivery and supply (Appendix D - Housing trajectory also updated)
- Gypsy and Traveller requirements updated to accurately reflect evidence in Gypsy and Traveller Accommodation Assessment, as set out in ED12
- Housing supply numbers amended to reflect site allocation changes
- Settlement Hierarchy added to supporting text (moved from Appendices)

SP4 Residential Windfall Development (MM9 to MM10)

- Addition of Burgoyne Heights as a settlement considered to form part of Dover for the purposes of the policy
- Additional guidance on implementation of policy criteria added to supporting text in relation to the meaning of 'adjoining' a settlement
- Changes to policy criteria including how matters of scale and relationship with existing settlements will be considered

SP5 Affordable Housing (MM12)

- Size, location of site and type of housing added as potential reasons to justify off-site contributions rather than on-site provision
- Clarity regarding how age restricted dwellings and older persons schemes will be considered

SP6 Economic Growth (MM13 to MM14)

- Updated to reflect the Council's latest data on employment land delivery and supply
- Supply amended to reflect modifications to indicative development areas on identified sites
- Strategy for delivering employment land needs has been clarified

SP12 Strategic Transport Infrastructure (MM16 to MM17)

- A256/A258 Junction removed from list of critical infrastructure
- Reference to Infrastructure Delivery Plan added in relation to developer contributions

SP13 Protecting the District's Hierarchy of Designated Environmental Sites and Biodiversity Assets (MM18 to MM19)

- Kent Downs AONB (National Landscape) reflects amended statutory duty introduced by the Levelling Up and Regeneration Act 2023.
- Updated to reflect the latest evidence of the HRA, including removal of Stodmarsh SPA and Ramsar site, and Dungeness, Romney Marsh and Rye Bay SPA; and clarifying requirements related to non-physical disturbance on the Thanet Coast and Sandwich Bay SPA
- Detailed Mitigation Hierarchy requirements deleted and replaced with reference to national policy
- Addition of references to Regionally Important Geological Sites and Local Nature Recovery Strategy.

Other strategic policy changes

Modifications are also proposed to SP1 Planning for Climate Change; SP2 Planning for Healthy and Inclusive Communities, SP7 Retail and Town Centres, SP14 Enhancing Green Infrastructure and Biodiversity and SP15 Protecting the District's Historic Environment. No modifications are proposed to Strategic Policies SP8, 9 and 10 related to Dover, Deal and Sandwich town centres or SP11 Infrastructure and Developer Contributions.



Summary of Main Modifications

Site Allocations

Housing site deletion

STM010 (part of Policy SAP40) – Land located between Salisbury Road and The Droveaway, St Margaret's-at-Cliffe deleted due to impacts upon the landscape, including Kent Downs AONB (MM94 & MM99 to MM100).

Indicative capacity and/or boundary changes

SAP2 White Cliffs Business Park (Phases 2, 3 and 4), Whitfield – employment floorspace indicative capacity of 132,000 sqm added to Policy text (MM31)

SAP3 Dover Waterfront – residential indicative capacity reduced from 263 to 260, commercial floorspace indicative capacity of 10,000 sqm added to Policy text (MM32 to MM33) and boundary correction to include Marina Curve (MM26)

SAP5 Fort Burgoyne, Dover – indicative capacity of 3,500 sqm added to Policy text for uses including education, employment, leisure and cultural uses (MM36 to MM37)

SAP12 Charlton Shopping Centre, Dover - reduced site boundary to only include the multi-storey car park (MM26 & MM47)

SAP13 Albany Place Car Park (DOV019) – residential indicative capacity increased from 15 to 20 (MM49) and boundary changed to combine two areas into one site and enlarge area (MM26)

SAP14 Land off Cross Road, Deal – residential indicative capacity increased from 100 to 140 (MM54 to MM55)

SAP17 Land south of Stonar Lake/north and east of Stonar Gardens - residential indicative capacity increased from 40 to 75 (MM62 to MM64) and boundary extended to reflect extent of site (MM61)

SAP21 Land adjacent to Sandwich Technology School – residential indicative capacity increased from 40 to 60 due to reduction in area of site required for school playing field / expansion (MM68 to MM69)

SAP25 Aylesham Development Area – employment floorspace indicative capacity of 8,500 sqm added to Policy text (MM75)

SAP31 Statenborough Farm, Eastry – employment floorspace indicative capacity of 2,000 sqm added to Policy text (MM85 to 86)

SAP52 Prima Windows, Nonington – residential indicative capacity reduced from 35 to 27 (MM117 & 119) and boundary amended to remove south-eastern strip of land (MM115)

Consequential changes have been made to figures and tables in the Plan to address the above site changes, including the Housing Trajectory in the Appendix.

Also see the Schedule of Policies Map Modifications arising from Main Modifications (ED51) for site boundary amendments, which will be applied to the online Policies Map.



Summary of Main Modifications

Other site-specific changes

Policy SAP1 Whitfield Urban Expansion

– updated to clarify that a masterplan is to be provided for parts of site that do not have already have planning permission, which is to be brought forward through a master planning process, rather than through an update to the existing Whitfield Supplementary Planning Document (MM28 to MM29)

Policies SAP4 Dover Western Heights and SAP26 Former Snowdown Colliery, Aylesham

- These sites are no longer site allocations and have been redesignated as **Heritage Regeneration Opportunity Sites** (now referenced as HRS1 and HRS2 respectively). The modifications reflect the uncertainty regarding the future of the sites but also the need for positive frameworks to supporting bringing these important heritage assets back into productive use. Changes have also been made to policy criteria and references to potential uses or indicative development capacities removed. (MM34 to MM35 & MM76 to MM77)

Policy SAP17 Land south of Stonar Lake/north and east of Stonar Gardens

– addition of consideration of impacts from non-physical disturbance on Thanet Coast and Sandwich Bay SPA and Ramsar as a result of the HRA update (MM63 to MM64)

Policy SAP24 Land to the South of Aylesham

– changes and added detail to specific requirements for the schemes transport assessment and travel plan (MM74)

Policy SAP28 Land between Eythorne and Elvington

– changes have been made to ensure development avoids settlement coalescence and maintains visual and physical separation between Eythorne and Elvington. Clarification has also been added around rural road network considerations and the requirement for undergrounding of power cables has been deleted (MM82)

Policy SAP35 Land adjacent

Courtlands – development is now to take account of topography of area and views from the PRow network (MM91)

Policy SAP47 – Land adjacent to Lydden Court Farm, Church Lane, Lydden

– design and layout considerations have been updated for clarification (MM110)

Clarity and consistency of site policy wording

In addition to the above site specific changes, several site policies have been updated for clarity and consistency in relation to requirements for wintering bird surveys; the timing of species and habitats surveys; sustainable transport including contributions to Dover Fastrack; heritage statements; pedestrian connectivity and PRow network enhancements, including integrity of the England Coast Path – South East National Trail; views and quality of development; Ancient Woodland buffer zones; transport assessments or statements; and the sequential test in relation to the layout of development for sites at risk of flooding. Justification has been added for speed survey requirements and requirements for ‘advanced’ tree planting have been deleted.



Summary of Main Modifications

Development Management Policies

Climate Change

Policies CC1 Reducing Carbon Emissions and CC2 Sustainable Design and Construction – amended to clarify what should be considered for development proposals in relation to energy efficiency, carbon emissions and sustainable design and construction methods, and removal of requirements for energy statements to be submitted with applications (MM123 to 126)

Policy CC3 Renewable and Low Carbon Energy – text added to encourage new development to maximise opportunities for renewable energy, including the use previously development land (MM127)

Policies CC4 Water Efficiency, CC5 Flood Risk, CC6 Surface Water Management and CC8 Tree Planting and Protection – amendments for clarity, effectiveness and compliance with local guidance (MM128 to MM131 & MM134)

Policy CC7 Coastal Change Management Areas – amended regarding requirements for different types of development and the need for coastal change vulnerability assessment and geotechnical appraisals (MM132 to 133)

Place Making

Policy PM1 Achieving High Quality design, Place Making and the Provision of Design Codes – additional criteria covering views and creation of new views, provision of pedestrian and cycle infrastructure, including the PRow network and outdoor lighting considerations (MM135 to MM136)

Policies PM2 Quality of Residential Development, PM4 Sports Provision, and PM6 Community Facilities and Services – minor amendments for clarity and effectiveness (MM137 to MM139 & MM141)

Policy PM5 Protection of Open Space, Sports Facilities and Local Green Space – policy now applies to all open space, not just open space in settlements and additional criterion added in relation to loss of open space to reflect national policy wording (MM140)

No changes proposed to Policy PM3 - Providing Open Space

New Homes

Policy H1 Type and Mix of Housing – amendment to include taking account of the latest evidence of need when determining type and mix of housing proposed (MM142 to MM143)

Policy H2 Rural Local Needs Housing – amendments for consistency with national policy in relation to promoting market housing within local needs sites (MM144 to MM145)

Policies H3 Meeting the needs of Gypsies and Travellers and H4 Gypsy and Traveller Windfall Accommodation - amendments in relation to the overall supply of sites and for consistency with national policy including to criteria relating to site layout and design, landscaping and ensuring a good living environment (MM146 to MM149)

Policy H5 Self-Build and Custom Housebuilding – removal of requirement for consideration of self-build supply and demand evidence (MM150)

Policy H6 Residential Extensions and Annexes – detail added about impacts on neighbouring buildings and living conditions (MM151)

Retail and Town Centres

No Main Modifications are proposed.



Summary of Main Modifications

Employment and the Local Economy

Policy E1 New Employment

Development – amended to require major development to demonstrate it cannot be located on a site allocated in the Plan and will not undermine the employment strategy for the area (MM152 to MM153)

Policy E2 Loss or redevelopment of Employment Sites and Premises – amended to clarify that it applies to buildings and land currently or last used for employment purposes (MM154)

Policy E3 Businesses Operating from a Residential Property – removal of reference to scale of proposal not resulting in a change of use (MM155)

Policy E4 Tourist Accommodation and Attractions – changes to locational requirements for serviced visitor accommodation (MM156 to MM157)

Transport and Infrastructure Policies T11 Sustainable Transport and Travel and T13 Parking Provision in new Development – clarity regarding how Kent County Council Parking Standards are considered (MM158 to MM159 & MM161 to MM162)

Policy T12 Transport Statements, Assessments and Travel Plans – supporting text has been updated to add further detail about the requirements for Statements and Assessments (MM160)

Policy T14 Overnight Lorry Parking Facilities – amended in relation to connection to the Strategic Road Network and how proposals in the Kent Downs AONB will be considered (MM163)

Policy TI5 Digital Technology – amended to take account of changes to new building regulations and removal of requirement for digital infrastructure statements (MM164 to MM165)

Natural Environment

Policy NE1 Biodiversity Net Gain - amended to take account of and ensure consistency with the latest regulations and guidance on delivery of biodiversity net gain and clarify local requirements. (MM166 to MM167)

Policy NE2 – Landscape Character and the Kent Downs AONB – reflects amended statutory duty introduced by the Levelling Up and Regeneration Act 2023 (MM168 to MM169)

Policy NE3 – Thanet Coast and Sandwich Bay SPA Mitigation and Monitoring Strategy – Updated in increase per dwelling tariff amounts in accordance with evidence (MM170 to MM171)

Policy NE4 Air Quality – consideration of habitats and species added to supporting text (MM172 to MM173)

Policy NE5 Water Supply and Quality – amended to add more guidance in relation to areas in the district not on non-mains drainage (MM174)

Historic Environment

Policy HE1 Designated and Non-designated Heritage Assets – amended policy in relation to ‘heritage at risk’ and supporting text to add more clarity around the requirements for heritage statements (MM175 to MM176)

No modifications proposed to Policies HE2 Conservation Areas, HE3 Archaeology and HE4 Historic Parks and Gardens.



Summary of Main Modifications

Other Changes

Changes have been made throughout the plan in relation to terminology 'avoid or minimise harm' to heritage assets, to ensure consistency with national policy.

Several policies have been updated where they referenced other guidance and documents outside of the Local Plan. The terminology has been updated to 'have regard to' rather than 'be in accordance' with the guidance and documents.

Appendices have been updated as follows:

- Appendix D Housing Trajectory – updated to reflect site policy and capacity changes as set out above, updated information on existing permissions as of 31st March 2023 and phasing of sites based on updated evidence
- Appendix E – Settlement Hierarchy – has been moved into the Plan under Policy SP3
- Appendix F – Supporting Documents for planning applications has been deleted
- Appendix G – Local Plan Allocations has been updated to reflect site name and capacity changes as set out above
- New Appendix added – Superseded Development Plan Policies has been included to make clear which policies within the current development plan are deleted or superseded by the Local Plan, as required by Local Plan Regulations

Other relevant documents

Policies Map Changes

A Schedule of Policies Map Modifications (PMMs) arising from Main Modifications (ED51) is available as part of the consultation and relate to mapping changes as a result of Main Modifications proposed or factual updates.

Additional Modifications

A schedule of 'Additional Modifications' (AMs) (ED50) is also available for information alongside the consultation which sets out minor and/or factual changes to text in the plan which are not required for 'soundness' reasons and are therefore not subject to public consultation.

Sustainability Appraisal Addendum and Habitats Regulations Assessment 2024.

An Addendum to the Sustainability Appraisal (SA) (ED52) to address the Main Modifications and update to the Habitats Regulations Assessment Report (HRA) 2024 (ED53) are also open for consultation alongside the Main Modifications, up to 24th May 2024.