
Examination Statement

Land off Sandwich Road, Ash

Dover District Council Local plan
Examination in Public

Matter 2: Housing Growth and Residential Windfall Development

Contents

1.	Introduction	3
2.	Response to the Inspectors Questions	4
3.	Conclusion	8

1. Introduction

- 1.1. This Examination Statement has been prepared on behalf of Barratt David Wilson Homes (BDW). BDW is the sole promoter of the Land at Sandwich Road, Ash (identified in the 2020 HELAA as Site reference ASH006). The site has not been allocated within the emerging Local Plan.
- 1.2. Prior to the submission of the Dover District Local Plan to the Planning Inspectorate for examination, BDW have participated in the formal consultation of the Local Plan at Regulation 18 (R18) (January 2021) and Regulation 19 (R19) stages (October-December 2022).
- 1.3. The location of ASH006, its surroundings and the vision have been set out in detail at the R18 stages and the R19 Stage and have therefore not been reproduced in detail in this statement.
- 1.4. For the avoidance of doubt, any policies referred to within this Statement relate to the emerging Local Plan unless otherwise stated.

2. Response to the Inspectors Questions

Issue 3 – Housing Distribution

Q1 Having established a settlement hierarchy, what process did the Council follow to determine the distribution of new development? Was this process robust and based on reasonable judgements about where to direct new development?

- 2.1. Paragraph 1.27 and 3.41 of the Local Plan explain that the distribution of housing is mostly in accordance with the settlement hierarchy. Paragraphs 3.43 – 3.45 set out the that constraints such as flood risk, wildlife sites, heritage and highways have resulted in a limited number of sites being identified as suitable in Deal and Sandwich. Appendix D of the SA¹ further explains that the Settlement Hierarchy Study² has informed the proposed site allocation for the Local Plan and how much development each settlement can accommodate. This is despite proposed allocations being made in the Regulation 18 Local Plan, which predated the Settlement Hierarchy Study. It therefore appears that the Settlement Hierarchy has been an afterthought to the site selection process and has been used to retrospectively justify some of the housing allocations
- 2.2. Local Plan Table 3.3 sets out the distribution of housing sites allocation by settlement. Ash does not feature within this distribution. Paragraph 4.214 is the first and only instance that DDC mention that no site allocations have been made in Ash due to the Neighbourhood Plan (Made in 2021). The allocation of further housing in Ash has not been considered.
- 2.3. The Settlement Hierarchy and Confines Topic Paper identifies that Ash scored joint highest (with Wignham) within the Local Centres category. Paragraph 5.10 explains that Local Centres: *“enjoy a wide range of the services regularly identified as key indicators of sustainability and appear to currently serve as local centres with each offering a good and sustainable range of facilities”*.

¹ SD03a – Sustainability Appraisal, Appendix D -The Selection of Site Allocations for the Regulation 19 Submission Local Plan, September 2022

² HEB03 – Settlement Hierarchy and Confines Topic Paper, August 2022

2.4. The Ash Neighbourhood plan was made in September 2021 and covers the period 2018 -2037. It allocates 323 dwellings (including 190 dwellings carried over from the DDC Land Allocations Plan 2015), provides allowance for 38 windfall developments and is already over two years old. The emerging Dover Local Plan considers that within the Local Plan Period (2022 – 2040) only 196³ of these dwellings will come forward, thus it is questionable whether Neighbourhood Plan can be considered up-to-date with a deliverable strategy. DDC has not provided any evidence to explain why it considers 196 of these dwellings are to come forward. Nor has it provided evidence for reassessing the deliverability of the Neighbourhood plan given that it is over 2 years old. The Council has precluded other sustainable development coming forward in Ash despite its sustainable nature as outlined within the Settlement Hierarchy and Confines Topic Paper. Thus, it is considered that the Council’s process for determining the distribution is not robust or fully justified.

³ SD01, Submission Plan, Appendix Di - Local Plan Housing Supply Position and Trajectory, October 2022.

Issue 4 – Site Selection Methodology

Q1 How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to allocate?

&

Q5 Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?

- 2.5. The process that DDC undertook in the identification and assessment of sites is set out within Appendix D of the SA⁴. Their approach includes Call for Sites exercises, completion of a HELAA, and consideration of the preferred spatial/growth options. Concern is raised regarding the HELAA. Firstly, The PPG defines suitability as:

“A site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated.”⁵

- 2.6. Given this, it is surprising to see that the HELAA considers any sites in Ash that have not been allocated within the Ash neighbourhood plan as unsuitable. As discussed in our answers to Issue 3, Ash is recognised as a sustainable settlement with access to a range of services and facilities. Thus, purely the allocation within a Neighbourhood Plan does not demonstrate that a site is not in an appropriate location for development. Moreover, the Ash Neighbourhood Plan is not cited as a constraint at paragraph 1.13 within the HELAA⁶ and should not have been used as a reason to exclude sites. DDC has not provided any narrative to explain the exclusion of site within Ash over and above the Neighbourhood Plan. On this basis, the HELAA cannot be considered a robust and justified piece of evidence to support the allocations of sites.

⁴ SD03a – Sustainability Appraisal, Appendix D -The Selection of Site Allocations for the Regulation 19 Submission Local Plan, September 2022

⁵ Planning Practice Guidance, Paragraph: 018 Reference ID: 3-018-20190722, revision Date 22.07.2019

⁶ GEB09a HELAA Main Report October 2022

2.7. BDW is also concerned at the HELAA's contradicting views as to whether a site is suitable. With regards to ASH006, the site is considered unsuitable on the basis of:

- a) *Development of this site would urbanise the northern part of Ash which is predominantly characterised by open countryside and acts as an undeveloped arc and a buffer for the A257 Ash bypass and would encourage urbanisation of neighbouring parcels.*
- b) *Low-medium landscape sensitivity.*
- c) *No access concerns.*

2.8. In relation to point (b) above, Appendix 3 a⁷ of the HELAA gives site ASH006 an amber rating, detailing that the site is able to accommodate residential development and that further assessment as to whether any landscape mitigation is required. Given this, we can accept that the site is potentially suitable for development in landscape terms.

2.9. With regards to point (c), Appendix 3 b assess the site to have a green rating in relation to highways and transport. Therefore, it is accepted that the site is suitable in highways terms.

2.10. There is no evidence to support the statement made at point (a) above. Moreover, the urbanising effects of the development and impact to the area would have been assessed as part of Appendix 3 a. It can only be assumed that point (a) is a subjective view from the Council and not a based on evidence. Furthermore, no mitigation relating to this point has been considered. The Council have not taken an objective approach to the HELAA and so it can be concluded that the site selection process is justified.

⁷ GEB09d – HELAA Appendix 3 a to g

3. Conclusion

- 3.1. This Examination Statement is written on behalf of Barratt David Wilson Homes (BDW) with regards to the Land at Sandwich Road, Ash. It has answered questions raised by the Planning Inspectors under Matter 2 (Housing Growth and Residential Windfall Development), Issues 2 (Settlement Hierarchy) and 4 (Site Selection Assessment).
- 3.2. Within this statement, BDW has questioned the lack of site allocations with Ash given the outcome of the Settlement Hierarchy Study which outlines the sustainable nature of the village. This is particularly relevant when considering ASH006 which was only discounted from the HELAA on a subjective view that the site would urbanise the north of Ash and encourage adjacent sites coming forward. This view was not reflected in the landscape comments supporting the HELAA. This instead considered the potential landscaping effects could be mitigated. Despite this ASH006 did not proceed to the next stage of the HELAA.
- 3.3. On the basis of the information set out in this statement, BDW raises concerns about the process the Council undertook in assessing and allocating sites.

