



Council's Response to Inspectors' Matters, Issues, Questions

Matter 2 – Housing Growth and Residential Windfall Development

Issue 1 – Local Housing Need and the Housing Requirement – Policy SP3

Issue 1 – Local Housing Need and the Housing Requirement – Policy SP3

11. To determine the minimum number of homes needed, paragraph 61 of the National Planning Policy Framework ('the Framework') states that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance ('the PPG') – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.

Q1 What is the minimum number of new homes needed over the plan period as calculated using the standard method? Are the calculations accurate and do they reflect the methodology and advice in the PPG?

Q1 DDC Response:

1. The Regulation 19 Local Plan uses the standard methodology calculation based upon March 2022 data. The standard methodology calculation is provided in Housing Topic Paper¹ para 3.3 and Appendix 1. The calculation is set out below following the three-step process that is set out in the planning practice guidance², using the 2014-based household projections and the affordability ratio of 9.25 released March 2022.

Step 1 - Setting the baseline.

2. Set the baseline using national [household growth projections](#) (2014-based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority. Using these projections, calculate the projected average annual household growth over a 10 year period (this should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period).
3. For Dover the relevant data is in row 327. This shows that the projection for 2032 is 57,838 households, which when taken against the projection for 2022 of 53,238 households, equates to 4,600 households over the 10 year period, creating the average need of **460 per annum**.

Step 2 – An adjustment to take account of affordability.

4. Then adjust the average annual projected household growth figure (as calculated in step 1) based on the affordability of the area. The most recent [median workplace-based affordability ratios](#), published by the Office for National Statistics

¹ HEB02

² Paragraph: 004 Reference ID: 2a-004-20201216 revision 16.12. 2020



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at a local authority level, should be used. No adjustment is applied where the ratio is 4 or below. For each 1% the ratio is above 4, the average household growth baseline should be increased by a quarter of a percent. An authority with a ratio of 8 will have a 25% increase on its annual average household growth baseline. Where an adjustment is to be made, the precise formula is as follows:

- For Dover the relevant data is on Table 5c row 250 which shows the published figure for 2021 is **9.25**

Apply the adjustment formula to get the adjustment factor.

$$\text{Adjustment factor} = \left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25$$

$$\frac{(9.25 - 4)}{4} \times 0.25 = 0.328125$$

$$\text{Local housing need} = (1 + \text{adjustment factor}) \times \text{projected household growth}$$

$$(1 + 0.328125) \times 460 = \mathbf{611 \text{ dwellings}}$$

Step 3 – Capping the level of any increase.

- A cap may then be applied which limits the increase in the minimum annual housing need figure an individual local authority can face. How this is calculated depends on the current status of relevant strategic policies for housing. Where these policies were adopted within the last 5 years (at the point of making the calculation), the local housing need figure is capped at 40% above the average annual housing requirement figure set out in the existing policies.
- Where the relevant strategic policies for housing were adopted more than 5 years ago (at the point of making the calculation), the local housing need figure is capped at 40% above whichever is the higher of:
 - the projected household growth for the area over the 10 year period identified in step 1; or
 - the average annual housing requirement figure set out in the most recently adopted strategic policies (if a figure exists).
- For Dover, the 2010 adopted Core Strategy figure of 505 would be the appropriate figure to use. As 40% equates to 707 dwellings per annum, no capping of the figure is required.



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Q2 Have any changes in the methodology, since the preparation of the Plan, resulted in any meaningful or significant changes to the calculation?

Q2 DDC Response:

9. Since the publication of the Plan and shortly before submission, an updated affordability ratio was published, and the 10-year projected period has moved on one year. The standard method calculation using this most recent data is set out below. This results in no meaningful or significant change in the calculation with the annual need reducing by two to **609 a year**.

Step 1 - Setting the baseline.

10. Set the baseline using national [household growth projections](#) (2014-based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority. Using these projections, calculate the projected average annual household growth over a 10 year period (this should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period).
11. For Dover the relevant data is in row 327. This shows that the projection for 2033 is 58,235 households, which when taken against the projection for 2023 of 53,715 households, equates to 4,520 households over the 10 year period, creating the average need of **452 per annum**.

Step 2 – An adjustment to take account of affordability.

12. Then adjust the average annual projected household growth figure (as calculated in step 1) based on the affordability of the area. The most recent [median workplace-based affordability ratios](#), published by the Office for National Statistics at a local authority level, should be used. No adjustment is applied where the ratio is 4 or below. For each 1% the ratio is above 4, the average household growth baseline should be increased by a quarter of a percent. An authority with a ratio of 8 will have a 25% increase on its annual average household growth baseline. Where an adjustment is to be made, the precise formula is as follows:
13. For Dover the relevant data is on Table 5c row 250 which shows the published figure for 2022 is **9.57**



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Apply the adjustment formula to get the adjustment factor

$$\text{Adjustment factor} = \left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25$$

$$\frac{(9.57 - 4)}{4} \times 0.25 = 0.348125$$

Local housing need = (1+adjustment factor) x projected household growth

$$(1 + 0.348125) \times 452 = \mathbf{609 \text{ dwellings}}$$

Step 3 – Capping the level of any increase.

14. A cap may then be applied which limits the increase in the minimum annual housing need figure an individual local authority can face. How this is calculated depends on the current status of relevant strategic policies for housing. Where these policies were adopted within the last 5 years (at the point of making the calculation), the local housing need figure is capped at 40% above the average annual housing requirement figure set out in the existing policies.
15. Where the relevant strategic policies for housing were adopted more than 5 years ago (at the point of making the calculation), the local housing need figure is capped at 40% above whichever is the higher of:
 - the projected household growth for the area over the 10 year period identified in step 1; or
 - the average annual housing requirement figure set out in the most recently adopted strategic policies (if a figure exists).
16. For Dover, the 2010 adopted Core Strategy figure of 505 would be the appropriate figure to use. As 40% equates to 707 dwellings per annum no capping of the figure is required.



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12. The PPG advises that there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method. Circumstances where this may be appropriate include situations where there are growth strategies for an area, where strategic infrastructure improvements are proposed or where an authority is taking on unmet housing needs from elsewhere.

Q3 Do any of these circumstances apply to Dover?

Q3 DDC Response:

17. As set out in response to the Inspectors' Initial Questions (para 20.2), the Council does not consider any of these circumstances to apply to Dover District. Dover District is not affected by any specific deliverable growth strategies or strategic infrastructure improvements that would drive an increase in the homes needed locally.
18. As set out in response to Matter 1, Issue 1, Q4, and as per the signed Statements of Common Ground, the Council's neighbouring authorities Canterbury (GEB03), Folkestone and Hythe (GEB04) and Thanet (GEB05) are planning to meet local housing needs within their own district boundaries and so Dover will not be required to take on any unmet housing need from its neighbours.
19. The PPG goes on to say that there may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. This is not the case for Dover District, with previous levels of delivery averaging 513 dwellings a year over the past five years.
20. Reference is also made in the PPG to making as much use as possible of previously developed or brownfield land and therefore urban centres, not only subject to the uplift, may strive to plan for more. The Council, through the allocation of sites in the urban areas of Dover, Deal and Sandwich, has sought to maximise the use of brownfield land, however given the availability of sites and other planning constraints, this has not resulted in the Council being able to plan to for a higher level of need.



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Q4 In response to the Inspectors' Initial Questions, the Council addressed the relationship between jobs and the number of new homes proposed. In summary, it was concluded that the evidence does not support an increase to the housing requirement to account for intended employment growth. Is this conclusion reasonable and supported by the evidence?

Q4 DDC Response:

21. In response to the Inspectors' Initial Questions, the Council referred to the conclusion from the Strategic Housing Market Assessment (2017, Part 1, paragraph 7.25) (HEB01a) and to NOMIS unemployment statistics for January to December 2022 to demonstrate that the local labour supply was not constrained.
22. Further to this the latest figures for unemployment for the District (September 2023) show that the unemployment rate for Dover District has increased from 3.6 per cent last year to 3.8 per cent in August 2023 (joint ninth place amongst the 13 Kent districts including Medway). The unemployment rate for the whole of Kent was 3.3 per cent. The town of Dover includes the ward of Town and Castle which has the third highest unemployment rate in Kent at 8.3 per cent, with three of the adjoining wards having unemployment rates of 4.7, 6.3 and 7.4 per cent. In 2019, 5 of the 67 Lower Layer Super Output Areas for Dover were within the top 10 per cent most deprived areas in England.
23. The latest (2021) job density figures³ for Dover District show that the District has a significantly lower number of jobs per resident working age population at 0.66 compared with 0.85 for the South East and Great Britain. According to data for April 2021 the District has the second lowest job density of the District's in Kent.
24. In addition, as set out in the EDNA and shown on Figure 1 below, events including the loss of 2,400 jobs at Pfizer following the significant reduction in their Sandwich base have resulted in the number of jobs in the District today still being lower than that of the late 1990s. In addition, there have been recent job losses as a result of the Covid 19 Pandemic. Any further job creation is seeking to get the District back to its previous peak in the early 2000s.

³ ONS [from Nomis on 10 October 2023]



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Figure 1 - Workforce Jobs in Dover District 1997 to 2039 (Source: Figure 4.1 EDNA 2021)



Source: Experian (April 2021) / Lichfields analysis

- 25. The Council considers that the evidence set out in the Council’s response to the Inspectors initial Questions and supplemented by the above, and the response to the Matter 6, shows that there is no justification for increasing the housing requirement to account for intended employment growth.

13. The supporting text to Policy SP3 states that a non-implementation reduction of 5% has been applied to the total number of commitments identified in Table 3.1.

Q5 What is the justification for the use of a 5% figure? Does this reflect the circumstances in Dover?

Q5 DDC Response:

- 26. The 5% figure is based upon evidence of previous non-implementation of planning permissions in the District. Table 1 below provides an update to Table 3 of the Housing Topic Paper⁴, with the average non-implementation rate from records of the past 8 years being less than 3% of the extant number of dwellings per year. The data provided in Table 1 has been updated from that set out in the Housing Topic Paper to cover a longer period and to remove the extant supply for Whitfield Urban Expansion as this has not been included with a 5% non-implementation discount as explained in response to Q6 below.

- 27. It is considered appropriate to take a cautious approach towards non-implementation

⁴ [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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of extant dwellings to ensure sufficient supply of housing land. As a result, a 5% non-implementation discount has been applied and considered when reviewing the extant supply (excluding Whitfield Urban Expansion) for the Local Plan. The 5% is therefore considered to reflect local circumstances in the District as evidence by past rates of non-implementation.

Table 1 – Rate of expired applications in extant supply (excluding Whitfield Urban Expansion) (Source: DDC Housing Information Audits)

	Extant supply	Expired no. of dwellings	% of stock expired
2022-23	3,526	61	1.73%
2021-22	4,080	16	0.39%
2020-21	3,820	0 ⁵	0.00%
2019-20	3,603	14	0.39%
2018-19	3,311	234	7.06%
2017-18	3,021	238	7.88%
2016-17	3,233	20	0.62%
2015-16	3,053	22	0.72%
Average			2.68%

Q6 Is a similar non-implementation rate applied for the Whitfield Urban Extension and/or other allocated housing sites in the Plan? If not, why not?

Q6 DDC Response:

- 28. No, the non-implementation rate is not applied to Whitfield Urban Expansion or other allocated housing sites in the Plan.
- 29. In relation to Whitfield Urban Expansion Phase 1 and 1a which has outline planning consent for 1350 homes (of which 1,120 were extant on 1st April 2022⁶, and 1,005 are extant on 1st April 2023) the Council considers it is justified to include the full capacity of the site and not apply a non-implementation discount to it. The planning permission has been implemented and the site is under construction. Reserved matters approval has been given for 1123 units of the outline consents, and there remains sufficient land on the outline to deliver the balance of the consent (327 units).⁷

⁵ No expired permissions due to allowances for Covid pandemic site closures. Year not included in average.

⁶ Row 3 of Table 3.1 of Regulation 19 Local Plan

⁷ See Table 1 of response to Matter 3, Issue 1, SAP1, Q1



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30. In terms of the remainder of Whitfield Urban Expansion, detailed consideration has been given to the phasing and delivery of future phases in determining how many homes can be delivered in the plan period. As set out in Housing Topic Paper, the Council's responses to the Initial Questions (paras 17.6-17.9), and the Council's response to Matter 3, Issue 1, SAP1 Questions, the Council is confident that the remainder of the site can deliver at least 2200 homes in the plan period, and therefore it is not justified to include a non-implementation discount to the site's delivery.
31. In relation to other allocated sites, it is not considered necessary to apply a standard non-implementation discount to allocated sites. All allocated sites have been subject to an availability and achievability assessment through the Housing and Economic Land Availability Assessment (HELAA). Sites have been allocated with an indicative capacity, based upon the capacity assessments carried out as part of the HELAA process.
32. The Plan includes a contingency buffer of over 9%, and as set out at paragraph 3.37 of the Submitted Plan and in the Council's response to the Initial Questions, and updated in response to Matter 4 Issue 1, Q1. This is considered sufficient to deal with changing circumstances and any potential under-delivery on all site allocations, including the Whitfield Urban Expansion.

Q7 Is the housing requirement of 10,998 (net) new homes over the plan period justified? If not, what should the housing requirement be?

Q7 DDC Response:

33. Yes, the housing requirement of 10,998 is justified for the 18-year period 2022-2040. It is based upon the Standard Methodology as set out in the NPPG and PPG, and there are no other reasons to adjust the requirement.
34. The Council has provided an update to the housing supply over the plan period in response to Matter 4 Issues and Questions, which has a base date of 1st April 2023. To align the housing requirement with the supply data, the Council has also provided an update to Table 3.1 with a base date of 1st April 2023. This identifies a housing requirement of 10,353 for the 17-year period 2023-2040, based upon the March 2023 LHN calculation. The Council does not consider these changes are necessary for the soundness of the submitted plan, however, making these changes would ensure that the Plan is based upon the most up to date data.



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Issue 2 – Settlement Hierarchy – Policy SP3

Issue 2 – Settlement Hierarchy – Policy SP3

Q1 What is the justification for setting out the settlement hierarchy in Appendix E of the Local Plan? To be effective, does the hierarchy need to be set out in policy?

Q1 DDC Response

35. Policy SP3 sets out the housing growth strategy for the district. A number of factors influenced the distribution of such growth. As explained in paragraph 3.41 of the Local Plan, the Settlement Hierarchy was a starting point for the assessment of the distribution of development in the district. However, as this paragraph clarifies, additional factors played a role in influencing this element of the housing growth strategy in addition to the Settlement Hierarchy, including the availability of suitable sites, environmental constraints, and past delivery rates in certain settlements.
36. As the Settlement Hierarchy is only one element of the evidence base which supports and justifies Policy SP3, it is considered most appropriate and effective that it is referred to in paragraph 3.43 as part of the evidence base and retained in Appendix E for information, rather than as part of the policy itself. In addition, the objective of the policy is to set out the overarching spatial distribution strategy, namely the approaches taken to the urban centres and the rural area, and in doing so does not reference the hierarchy directly.
37. Furthermore, the Settlement Hierarchy is an important element of the evidence which supports other policies in the Plan, principally Policy SP4 - Residential Windfall Development, which aims to direct housing to the most sustainable locations and to control the level of windfall development that takes place in the least sustainable areas. As set out in paragraph 3.71, the Hierarchy is one of the factors underpinning Policy SP4. Two categories of settlements are set out in the Policy based on the Hierarchy, given the wide range of services and facilities available at settlements across the district, with additional policy requirements addressing matters including flood risk, design, highways issues, environmental designations, and the protection of heritage assets. This reflects the approach of the Plan with regard to windfall development, namely that the position of the settlement concerned within the Settlement Hierarchy is not the sole determinant of the suitability of a windfall site. It is considered that the approach as set out in Policies SP3 and SP4 is clear, sound, and effective and that the Hierarchy itself does not need to be included within policy and is more appropriately located in the Appendices to the Plan reflecting its status as evidence to the Plan.



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Issue 2 – Settlement Hierarchy – Policy SP3

Q2 What methodology has the Council used to determine which settlements fall within each category for the purposes of Appendix E? Is that methodology appropriate and sufficiently robust?

Q2 DDC Response:

38. The concept of developing a hierarchy of settlements within a district based on surveying the range of facilities and services available to residents at a certain point in time, in order to provide an indicative view as to the sustainability of a settlement, has long been accepted as an effective evidence base in Plan making. It has its origins in Regional Spatial Strategies which identified Primary and Secondary Regional Centres (Dover town was identified as a Secondary Regional Centre in the South East Regional Plan). This analysis now reflects and contributes to the principles of sustainable development advocated by the NPPF.
39. As set out in paragraphs 3.6 and 4.1 of HEB03 – Rural Settlement Hierarchy Incorporating the Settlement Confines Review Topic Paper 2022⁸, the current Core Strategy (2010) and Land Allocations Local Plan (2015) were informed by a Hierarchy, and a review of this work was one of the starting points for the Plan.
40. The main towns of the district of Dover, Deal and Sandwich were not included in the review of the Settlement Hierarchy as their position and level of services and facilities is well-established, and as explained in 4.2 of HEB03 some smaller settlements in close proximity to Dover and Deal were considered to form part of these main towns. However, the Council considered a review of the services and community facilities of the remaining rural settlements to be an important part of the evidence base update. This work was seen as meeting the requirements of paragraph 79 of the NPPF, which requires Plans to promote sustainable development in rural areas, and to locate housing where it will enhance or maintain the vitality of rural communities.
41. HEB03 sets out the methodology undertaken by DDC to determine which settlements fall within each of the 'Settlement Type' categories or 'tiers'. The Table on page 24 of that document show clearly how different types of services and facilities were 'scored' and how the resulting settlement score was arrived at. Please see answers to Q3 and Q4 below which also apply to the issue raised in this Question.
42. Paragraphs 5.3 – 5.13 of HEB03 explain how each of the rural settlements were placed into each settlement type category based on a scoring system which is commonly accepted as a method of obtaining a snapshot of the sustainability of a settlement at a point in time.. In the case of Aylesham, its previous identification in

⁸ [HEB03 Settlement Hierarchy and Confines Topic Paper \(2022\) \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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Issue 2 – Settlement Hierarchy – Policy SP3

the Core Strategy was as a Rural Service Centre, due to its unique strategic role as an identified garden village, population size as well as its score being significantly higher than the other settlements in the tier below. This position had not changed, and the category of Rural Service Centre was retained for Aylesham.

43. The review of the hierarchy resulted in a number of changes to the previous Hierarchy. Firstly, in reviewing the Settlement categories the previous 'Village' and 'Hamlet' categories were considered better defined as 'Larger Villages' and 'Smaller villages and hamlets' given the range of scales of and facilities available at the villages of the district. This also more closely reflects the NPPF principles of sustainable development.
44. The justification for the tiers is clearly set out in paragraphs 5.10 and 5.11.
45. A number of the settlements have changed tiers from the previous hierarchy, for example both Elvington and Eythorne have moved from a previous 'village' category up to a 'Local Centre', and the reasons for this are explained in paragraph 5.10. Capel-le-Ferne has moved from the 'Local Centre' category into the 'larger villages' category. This is based on the services available now being commensurate with others in this category such as Lydden, which although it has a good bus service which increases its score, the settlements themselves have fewer day-to-day services such as shops available.
46. The review also factors in that the smaller villages and hamlets are likely to rely on services of the nearby larger villages or urban centres to meet day to day needs. Paragraph 3.13 of HEB02⁹ reiterates the outcomes of the updated Hierarchy review.
47. It is important to emphasise that although a snapshot of the particular time they were reviewed, the levels of services and facilities found in each rural settlement were subject to fact-checking with Parish Councils through direct consultation during the preparation of the Hierarchy and as part of the Regulation 19 stage.
48. The Council considers that the methodology undertaken in this assessment is appropriate as it is based on up-to-date evidence and clear methodology which meets the requirements of the NPPF, has been subject to consultation and review and is sufficiently robust to support the Local Plan as evidence base.

⁹ [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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Issue 2 – Settlement Hierarchy – Policy SP3

Q3 The Rural Settlement Hierarchy Study¹ states that 2019 survey data was used as a starting point to assess sustainability due to restrictions on survey work caused by the Coronavirus pandemic. Has this work been updated as part of the Plan's preparation?

Q3 DDC Response:

49. As set out in footnote 1 and paragraphs 4.3 – 4.4 of HEB03, the starting point for creating the updated Settlement Hierarchy was to use the 2019 data from the Authority Monitoring Report (AMR) 2019/20¹⁰ contained within Appendix 4 – Parish Services and Facilities, which was based on settlement site visits by Council officers. This was updated in 2020/2021 by using up-to-date desktop information from Local Land Property Gazetteer and internet searches and was sent to Parish Councils for their review, given the restrictions imposed during the Covid Pandemic when site visits were not possible. The responses received from Parish Councils were then reviewed and the resulting factual updates were included within the 2022 updated version of the 'Settlement Summaries' and 'Table 2: Settlement Scoring tables by Services/Facilities' which can be found within Chapter 5 of the Topic Paper itself. Paragraph 4.4 of HEB03 sets this methodology out clearly and the remainder of Chapter 4 sets out the 'scoring' process and weighting of facilities process that was undertaken by officers during 2022. Paragraph 3.13 of HEB02¹¹ also reiterates the outcomes of the updated Hierarchy review.
50. It should be noted that a further desktop review of data was undertaken following the Regulation 19 consultation in order to review representations submitted in relation to Appendix E: Settlement Hierarchy. It was concluded that no changes were required to the Settlement Hierarchy as a result of the comments made during that consultation period. More information about the representations received and this Council's detailed response to each of the issues raised by can be found on pages 177 – 181 of SD05d – Regulation 22 Consultation Statement Summary of Representations¹².

¹⁰ [Authority-Monitoring-Report-2019-20.pdf \(dover.gov.uk\)](#)

¹¹ [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](#)

¹² [SD05d Regulation 22 Part 2 Appendix F -Summary of Representations March 2023 \(doverdistrictlocalplan.co.uk\)](#)



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Issue 2 – Settlement Hierarchy – Policy SP3

Q4 After scoring settlements, how did the Council then decide what the relevant thresholds would be for each category? Are the assumptions reasonable and adequately reflect the evidence?

Q4 DDC Response:

51. The methodology is set out in sections 4, 6 and 7 of HEB03. To clarify, in scoring settlements, seven 'key' services were identified. These are set out in paragraph 4.8 of HEB03 and were scored higher as they are deemed to make a more significant contribution to the sustainability of a settlement than other services (this is an approach that has been considered an acceptable one with other Rural Settlement Hierarchy assessments undertaken to as part of the preparation of other Local Plans, including in Kent). The presence of such key services was one of the factors subsequently taken into account when considering the categories within the Hierarchy.
52. The settlement of Aylesham to the north-west of the District emerged as having successfully developed as a Rural Service Centre, its strategic role since 2002. It is a larger village, and one with a stronger range of facilities than all other villages, including all key services. It therefore was considered appropriate to continue to be categorised as a Rural Service Centre.
53. With regard to the remaining rural villages and hamlets, settlements enjoying between 5 and 7 of the key services were deemed to be more sustainable than others. The settlements of Wingham, Ash, Eastry, St Margarets at Cliffe, Shepherdswell, Kingsdown, Elvington and Eythorne, all enjoy a significant number of the services regularly identified as key indicators of sustainability and, furthermore, appear to currently serve as local centres with each offering a good and sustainable range of facilities including all key services, with the exception of a lack of medical services at Eastry, Eythorne and Elvington and Post Office facilities at Ash. The villages of Eythorne and Elvington are located adjacent to each other and share a number of key services, including a primary school, which are located in Eythorne but are readily accessible to residents of Elvington along a road with footpaths. These settlements therefore formed the Local Centres tier.
54. Villages containing three or four key services were deemed to be more sustainable than those that had only one or two key services or none, and were also predominantly, but not always, larger in terms of population than those that are most poorly served. This analysis formed the basis of the formation of the Larger Villages and Smaller Villages and Hamlets categories. It is considered that this approach to settlement development thresholds was the most reasonable and reflects all the evidence available to the council during the plan preparation process.



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Issue 2 – Settlement Hierarchy – Policy SP3

Q5 How did the Council differentiate between Deal (a District Centre) and Sandwich (a Rural Service Centre) in the settlement hierarchy?

Q5 DDC Response:

55. As shown in Appendix A of HEB03, Deal and Sandwich were categorised as a District Centre and a Rural Service Centre respectively in the Dover Core Strategy 2010 (Policy CP1 – Settlement Hierarchy) and in the Dover Land Allocations Plan 2015. Further explanation of this is set out in paragraph 3.7 of HEB03.
56. Due to the size and facilities available within the centres of Deal and Sandwich these settlements were not included in the settlement services review undertaken and set out in within HEB03 as it was considered that their sustainability credentials were well-established (Para 1.3).
57. The two settlements vary considerably in scale. Local Area Profiles, taken from the 2021 census, show Deal Parish¹³ (without Walmer and Sholden Parishes included) has a population of over 20,000 while Sandwich has a population of less than 5,000¹⁴. With regard to levels of services in each settlement, analysis provided within EEB04a – Retail and Leisure Needs Assessment 2021¹⁵ – Table 7.3 shows the total outlets for retail and service offer in Deal as 269 compared to 104 for Sandwich.
58. Therefore, although both Deal and Sandwich are towns, with town centres, the settlements clearly differ significantly in terms of scale, and in the range of retail, commercial and leisure facilities, and services they provide. As a result, Deal is considered to function as an urban area and a District Centre, while Sandwich continues to be categorised as a Rural Service Centre, as set out in Paragraph 1.40 of the Local Plan. It was therefore determined in preparation of the Local Plan, that no changes were required to the existing settlement hierarchy in relation to Deal and Sandwich and therefore the Settlement Type was not revised from that established as part of the previous Core Strategy hierarchy.

¹³ [Deal Town \(Parish\) Profile \(dover.gov.uk\)](https://www.dover.gov.uk)

¹⁴ [Sandwich Town \(Parish\) Profile \(dover.gov.uk\)](https://www.dover.gov.uk)

¹⁵ [EEB04a RTCNA Update Volume 1 - Retail and Leisure Needs Assessment \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk)

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Issue 3 – Housing Distribution- Policy SP3

Issue 3 – Housing Distribution- Policy SP3

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?

Q1 DDC Response:

59. The distribution of growth set out in the Plan was developed through the iterative plan making process. It started with the strategic options which performed most favourably in the sustainability appraisal, which are those based upon the settlement hierarchy, focusing development in the areas with the greatest access to existing services and facilities. The higher a settlement is on the District's settlement hierarchy, the more sustainable it is considered to be in terms of the range of its existing services and facilities, and its access to those services by public transport. Therefore, as a matter of principle, greater proportions of growth are reserved for the settlements higher up the hierarchy.
60. ED3 – Selection of Site Allocations – Housing Sites Addendum¹⁶ Chapter 1, explains that the Sustainability Appraisal (SA) assessed five options for the distribution of growth across the district. Table 1.1 from that document, copied below, sets out the distribution percentages that were tested under each option:

Table 1.1: % distribution Tested through the Sustainability Appraisal, and Local Plan Proposed Distribution

Settlement	SA Option A (suitable sites based upon HELAA 2020)	SA Option B (Population based)	SA Option C (Settlement hierarchy)	SA Option D (Dover Focus)	SA Option E (Even settlement focus)
Dover	76%	38%	45%	70%	20%
Deal	5%	28%	20%	10%	30%
Sandwich	2%	5%	15%	5%	20%
Aylesham	1%	4%	10%	7%	15%
Rural Settlements Total	17%	25%	10%	8%	15%

¹⁶ [ED3 Selection of Site Allocations Housing Sites Addendum April 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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61. The Settlement Hierarchy was the starting point for establishing the housing distribution strategy and levels of growth set out in Policy SP3, but not the only factor. As set out at paragraphs 3.42 to 3.48 of the Local Plan, the distribution of growth, whilst being based upon the settlement hierarchy, has been influenced by site availability, environmental constraints, and factors of delivery.
62. Factors of delivery for example constrain development potential at Dover Town and the Whitfield Urban Expansion and other planning constraints such as flood risk and other environmental designations constrain development potential in Deal and Sandwich, and highway capacity constrains development potential in Deal and Aylesham. The availability of sites, and site-specific constraints in some locations has also influenced the distribution of growth.
63. Paragraph 1.6 explains that when determining the total amount of development that would be suitable within the main settlements, a broad range as a percentage of the total homes that needed to be allocated has been the starting point, rather than a specific amount, and this was based upon the Strategic Options which performed most favourably in the SA assessment. Paragraph 1.7 specifically goes on to explain how the Settlement Hierarchy Study and position of each settlement in the hierarchy informed the levels of development within each settlement.
64. In summary, the Council did not identify a specific number of homes that should be allocated in each settlement based on the hierarchy. Instead, the council used all the evidence available to it in the Strategic Options and then also included constraints such as specific designations, and suitability and availability of sites for consideration at a later stage.
65. It is also explained in paragraph 1.7 that the number of homes needing to be delivered in the rural area changed during the iterative plan making process as a result of housing need requirement and adjustments to the scale of development potential in the higher order settlements and how the potential scale for each settlement type was then established, reducing the scale for each tier as they become more lower scoring. This resulted in a number of the smaller villages and hamlets not being considered appropriate for any Local Plan growth.
66. Table 1.2 on page 6 of ED3 sets out clearly the potential and then actual distribution of development within each tier of the Hierarchy (for Local Plan growth and including extant consents) and how this relates to other settlements and the SA options for distribution of growth.



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Q2 Paragraph 3.45 of the Local Plan states that Deal has seen high levels of windfall development over the past 10 years due to market demand which has resulted in a limited supply of suitable housing sites. How were factors such as market demand considered in making judgements about where to locate new development?

Q2 DDC Response:

67. Market demand was one of the factors that was considered in making judgements about where to locate new development, which has been balanced against other sustainability factors to determine the growth strategy. As set out at paragraph 3.41 of the Local Plan, the distribution of housing growth has been influenced by 'factors of delivery'. Factors of delivery include both market demand and development viability.
68. Through monitoring the progress towards the growth targets set out in the adopted Core Strategy through the annual Authority Monitoring Report, this highlighted the strength of the market in Deal, Aylesham and rural villages when compared to Dover Town and Whitfield. This is summarised in Figure 2 of the Housing Topic Paper which shows completions in the District by location compared to the growth strategy in the Core Strategy. This informed Spatial Option E, which as stated at paragraph 4.52 of the Sustainability Appraisal Report¹⁷ offers insight into the likely effects of deallocating a potentially 'undeliverable' Whitfield Urban Expansion and reallocating its growth elsewhere within the District where development is proving to be more deliverable.
69. As set out at para 4.2 of the Housing Topic Paper, the issue of there being more constrained delivery rates in Dover and at Whitfield, which includes more limited market demand in these locations, was a factor in determining the scale of growth that could likely be delivered in these locations, which have in turn influenced the distribution of housing.

¹⁷ SD03a



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Q3 Table 12 in the Council's Housing Topic Paper¹ states that, combined, almost 50% of all new housing will occur in Dover and at Whitfield. When considering the acknowledged viability challenges around Dover, and the strategic size and scale of the Whitfield Urban Expansion, is the distribution of development justified?

Q3 DDC Response:

70. The amount of development that could come forward in Dover and at the Whitfield Urban Expansion has been a key issue that the Council considered throughout the plan making process.
71. As set out in the Housing Topic Paper (HTP¹⁸) at para 4.2, the adopted strategy of the Core Strategy placed emphasis on housing delivery within the Dover Town area and at Whitfield, with a target of 70% of the growth over the plan. Dover urban area (including Whitfield) remains the most sustainable location for growth and with the most opportunity to maximise development on brownfield land and support the regeneration of Dover Town. This is recognised in the sustainability appraisal of the growth options, with Options D and E generally performing the most strongly against the SA objectives (para 4.114).
72. It is also acknowledged that Dover and Whitfield have not delivered at the rates envisaged in the Core Strategy. It was therefore necessary to find the right balance between identifying land in the most sustainable location against the likely delivery in these areas. The strategy needs to ensure that it does not unnecessarily require the use of greenfield land in less sustainable parts of the District, when there are the suitable sites available in Dover town (including Whitfield) that have the potential for significant growth over the plan period.
73. In relation to sites in Dover Town specifically, it is considered that evidence-based judgements have been made in relation to the amount of development that can come forward in Dover Town, and that the Council has been relatively cautious about the amount of development assumed to come forward on specific allocations. In addition, the Council has purposefully not identified potential residential capacities on two of the opportunity sites identified in Dover for this reason. The policy requirement for nil affordable housing will provide the market with more confidence in bringing forward sites in the Town. It is acknowledged that public sector intervention may be required to bring some sites forward, and a number of the sites in the town are already in public sector ownership.
74. In relation to the Whitfield Urban Expansion, detailed consideration has been given to the phasing and delivery of future phases in determining how many homes can be delivered in the plan period. As set out in Housing Topic Paper, the Council's

¹⁸ [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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responses to the Initial Questions (paras 17.6-17.9), and Matter 3, Issue 1, SAP1 Questions, the Council is confident that the remainder of the site can deliver at least 2200 homes in the plan period, and therefore considers the strategy to be justified.

75. The Council considers that the strategy represents a balance between these factors and is justified based upon the evidence. The Plan includes a contingency buffer of over 9%, and as set out at paragraph 3.37 of the Submitted Plan and in the Council's response to the Initial Questions, this is considered sufficient to deal with changing circumstances and any potential under-delivery on all site allocations, including the Whitfield Urban Expansion.

Q4 What is the justification for the scale of development proposed at Deal, which will contribute around the same amount of housing growth as the smaller, Rural Service Centres of Sandwich and Aylesham?

Q4 DDC Response:

76. As set out in response to Matter 2, Issue 2 Question 1, the settlement hierarchy was the start point for considering the distribution of housing growth, influenced by site availability, environmental constraints, and factors of delivery. In relation to Deal, paragraph 3.45 of the Submitted Plan highlights the constraints in and around the settlement which have limited the availability of suitable sites, these include flood risk, other environmental designations, and highways constraints.
77. In addition to this, Deal has seen high levels of windfall development over the past ten years, which has contributed to the limited supply of suitable housing sites as set out in response to Q2 above.
78. Site specific reasons are set out in the HELAA suitability assessment for sites in the Deal, Sholden, Walmer and Great Mongeham parishes.
79. Early in the plan-making process, the Council considered options for significant growth to the north of Deal, however the need for significant highway upgrades which were deemed to be undeliverable and constraints in relation to flood risk and other environmental designations resulted in this option being considered unsuitable and undeliverable. This is summarised in the 2020 HELAA site assessment¹⁹ for site DEA012.
80. A revised and reduced scheme was submitted in response to the Regulation 18 consultation and re-assessed by the Council. The reasons the revised scheme was considered unsuitable is set out in the HELAA assessment of the site in GEB09d Appendix G, and GEB09b Appendix 1a.

¹⁹ GEB09d Appendices 3a, b, c and d



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Q5 Is the scale of new housing growth justified at Aylesham, having regard to its role, function and position in the settlement hierarchy?

Q5 DDC Response:

81. As detailed in response to Matter 2, Question 4 above, the Council did not identify a specific number or range of homes that should be allocated in each settlement based on the hierarchy. Instead, the Council used all the evidence available to them including constraints such as specific designations and infrastructure requirements, and suitability and availability of sites for consideration.
82. It should also be noted that as plan-making is an iterative process, the initial distribution of growth identified in the Regulation 18 Local Plan has evolved following changes in the residual requirement following the grant of consent of a number of sites initially identified for potential allocations in different settlements in the district, and other factors such as housing need requirement changes and in responses to issues raised through consultation. This has resulted in some changes to the distribution. The Council has therefore included in Table 12 of HEB02 a distribution percentage taking into account the extant consents as of 31st March 2022.
83. As part of iterative process set out above, an additional site identified within the settlement in the Regulation 18 Local Plan²⁰ (SP5 North Aylesham ref: AYL004) for 500 homes has subsequently been removed from consideration as being unsuitable following concerns raised in relation to highways and the amount of development proposed in the settlement as a whole. ED3²¹ (pages 57-58) set out the reasons for the removal of this site in more detail.
84. The role of Aylesham as a planned settlement which would form part of the strategic growth opportunities in the district as a new garden town is long established, originally identified in the 1920s by Sir Patrick Abercrombie. This was continued in the 2002 District Local Plan and has seen significant growth since then, becoming a settlement which has seen the largest areas of growth in the district since 2006²² at 17%. Paragraphs 4.196 – 4.199 of the Local Plan (SD01) set out the history of the settlement and garden village classification in more detail.
85. The updated Settlement Hierarchy work clearly shows that from the previous position of Aylesham as 'potential' as a Rural Service Centre established in the 2002 Dover Local Plan has evolved significantly and that the number of services and facilities has increased considerably through the development of the settlement which has seen the addition of a number of general shops, community facilities and day-to-day services, which in addition to its location and access to sustainable transport options with the rail services makes the settlement an established Rural

²⁰ [Regulation 18 Consultation on the Draft Dover District Local Plan - Keystone \(objective.co.uk\)](#)

²¹ [ED3 Selection of Site Allocations Housing Sites Addendum April 2023 \(doverdistrictlocalplan.co.uk\)](#)

²² Table 11 (Page 17) of [Authority-Monitoring-Report-2021-22.pdf \(dover.gov.uk\)](#)



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Service Centre.

86. With regards to its position in the Hierarchy in relation to other settlements, as set out in Table 12 of HEB02²³, and subsequent updated housing distribution table 1.2 of ED3²⁴, the percentage of Local Plan allocations in the settlement of Aylesham as a Rural Service Centre is around 11% compared with the other Rural Service Centre of Sandwich at around 4%. However, as shown, when considered along with extant consents as of 31st March 2022, the percentage of both settlements' growth is comparable at around 10%.
87. It should be noted that the levels of growth identified in the tier above or the same tier as Aylesham had several other factors taken into account, such as constraints and site availability, which did not apply to Aylesham in the same way. The Plan at paragraph 3.43 makes clear that the distribution of housing growth is not purely based on the settlement hierarchy. The approach taken to the scale of growth in Aylesham is based on a wide range of evidence which justifies the allocation of 11% of the growth in the Local Plan.

²³ [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

²⁴ [ED3 Selection of Site Allocations Housing Sites Addendum April 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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Issue 3 – Housing Distribution- Policy SP3

Q6 How was new housing growth distributed between settlements in the same category? For example, why do some settlements (such as Eythorne and Elvington) have significantly more housing proposed than Kingsdown? Is the Plan justified in considering Eythorne and Elvington together?

Q6 DDC Response:

88. As detailed in response to Matter 2, Question 4 and Q6 above, the Council did not identify a specific number or range of homes that should be allocated in each settlement based on the hierarchy. Instead, the Council used all the evidence available to it, including constraints such as specific designations and infrastructure requirements, and suitability and availability of sites for consideration.
89. It should also be noted that as plan-making is an iterative process, the initial distribution of growth identified in the Regulation 18 Local Plan has evolved, following changes in the residual requirement following the grant of consent of a number of sites initially identified for potential allocations in different settlements in the district, and other factors such as housing need requirement changes and in responses to issues raised through consultation. This has resulted in some changes to the distribution. The council has therefore included in Table 12 of HEB02 a distribution percentage, taking into account the extant consents as of 31st March 2022.

Elvington and Eythorne

90. The Settlement Hierarchy at Appendix E of the Local Plan and within HEB03²⁵, Elvington and Eythorne are both listed as rural Local Centres in their own right, based on their individual score and both have a wide range of services, and due to their close proximity to each other they also have good access to the services in their neighbouring settlement. This is set out in paragraph 5.10 and the table on page 26 of HEB03. Their geographical proximity is relevant in compliance with the NPPF paragraph 79 which requires that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services taking into account that development in one village may support services in a village nearby.
91. Due to their new Local Centre categorisation, close proximity to each other and the number of shared services, the Local Plan (SD01) in paragraph 4.220 (with Proposed Additional Modification AM58²⁶) sets out the intention of the Local Plan

²⁵ [HEB03 Settlement Hierarchy and Confines Topic Paper \(2022\) \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

²⁶ [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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site allocations to strengthen their roles as local centres. The additional modification seeks to clarify that the settlements are not considered to be one local centre, but two separate local centres.

92. Due to the location of the largest site allocation (SAP28) being between the two settlements, and easily accessible from both settlements, it is considered to be justified to consider the settlements together. Whilst the site would be considered a physical expansion of Elvington, due to the proximity to the village of Eythorne it will support and access services within both settlements. For example, the primary school and sports facilities, which are adjacent to Eythorne, and serve both settlements. The site is therefore considered to provide housing and other facilities that would support both settlements and assist in strengthening both of their roles as local centres.
93. However, if considered as two separate settlements, the level of growth proposed does not greatly differ from other local centres.
94. In addition, the Council does not consider that the amount of development proposed in Elvington and Eythorne should be directly compared to others in the same tier, such as Kingsdown and St Margarets, which have other significant constraints, such as AONB and Heritage, limiting the options for site allocations, as set out in ED3 page 78. These constraints are not relevant to Elvington and Eythorne.

Q7 Has the Council identified land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, as required by paragraph 69 of the Framework? Does this include sites which have already been completed?

Q7 DDC Response:

95. The Council set out the components of its supply of small sites (no larger than 1 hectare) at para 5.43 of the Housing Topic Paper (2023). This established that, when combining extant consents, Local Plan allocations and Ash Neighbourhood Plan allocations, the Council can meet 12.6% of its required supply (or 1390 dwellings) on small sites. If an evidence-based windfall allowance is included in the supply, which would be expected to be delivered through small sites, then the portion of supply which can reasonably be expected to be met through small sites increases to over 22% (or 2,440 dwellings). The position set out in the Housing Topic Paper provides an update to the position that is set out at para 3.52 of the Local Plan (also referred to in AM9) and is based upon the survey of housing completions dated 1 April 2022.



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Issue 4 – Site Selection Methodology

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?

Q1 DDC Response:

96. The process for deciding which sites to allocate has been an iterative one, evolving through various stages of plan production and evidence base gathering. The process is set out in full in the following documents which support the Local Plan:

- GEB09 - Housing and Employment Land Availability Assessment (HELAA) and appendices
- SD03 - Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) September 2022 (with appendices, addendum, and Erratum)²⁷ (Note appendix D SD03a is the site selection paper)
- HEB02 - Housing Topic Paper March 2023²⁸
- ED3 - Selection of Site Allocations Housing Sites Addendum April 2023 ED3²⁹ (to specifically be read in conjunction with Appendix D of SD03a above)

Housing and Employment Land Availability Assessment (HELAA)

97. Sites considered for Local Plan allocation, whether submissions received during the 'call for sites' process in 2017 and targeted call for sites (TC4S) in 2021, existing allocations, or 'omission' sites received during Regulation 18 Local Plan consultation, along with a range of other site sources (listed in paragraph 1.9 of GEB09a), have followed a consistent assessment process.
98. This commenced with the Housing and Employment Land Availability Assessment (HELAA), where sites for housing and employment or Gypsy and Traveller use, were appraised and screened through 4 stages - firstly as a desk-top assessment which removed some sites, and then to assess the suitability, availability, and achievability of the remaining sites for their potential for development, including site capacity. These stages also included consultation with relevant statutory bodies, and in some cases a landscape consultant and internal heritage officers in order to fully understand site constraints.

²⁷ GEB09 and SD03 available here: [Submission Documents \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

²⁸ [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

²⁹ [ED3 Selection of Site Allocations Housing Sites Addendum April 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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99. The site assessment process was also based on officers' view following a site visit. These site visits were initially undertaken in 2018/19 but have been updated throughout the Local Plan evolution where the council felt this was required and/or site details or constraints may have changed.
100. The full methodology undertaken for the HELAA process is detailed within GEB09a and is in accordance with the PPG on Housing and economic land availability assessment³⁰ which outlines the process which should be undertaken to assess sites and inform Development Plan preparation. The PPG directs that the primary role of the HELAA is to identify sites and broad locations with potential for development, assess their suitability for development and the likelihood of development coming forward.
101. The HELAA was initially published in 2020 and then updated throughout the plan preparation stages, taking into account a number of factors.
102. The draft HELAA (April 2020) was subsequently updated to take account of:
- Further evidence requested by officers in relation to highways constraints was identified on certain sites.
 - New availability evidence.
 - Viability evidence in respect of achievability.
 - Comments made as part of the wider engagement on the HELAA sites.
 - Sites which now have planning permission.
103. The 2022 HELAA was subsequently updated to take account of:
- Representations made through the Regulation 18 consultation on the draft Local Plan.
 - Sites which now have planning permission or resolution to grant subject to S106.
 - Changes to the capacity of sites.
 - Further technical work.
 - Further engagement with key stakeholders; and
 - Further site assessment work.
104. Full details of the process undertaken, and changes made throughout the HELAA stages over the plan preparation stages are set out in Chapter 4 of GEB09a.

Sustainability Appraisal

105. Following the initial HELAA stage in 2019, sites that passed the initial stages as suitable or potentially suitable at that time, were further assessed through the SA

³⁰ [Housing and economic land availability assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362222/Housing_and_economic_land_availability_assessment_-_PPG_2020.pdf)



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process. Chapter 5 of the SA (SD03a) provides full details of the site assessment process from the HELAA stage, referenced above, and further comprehensive assessment work was then undertaken for the SA on those sites which were considered to be 'reasonable alternatives. These are shown visually on figures 5.1 and 5.2 within Chapter 5.

106. The initial SA assessment process commenced with an appraisal against the SA Framework (as set out in Table 3.2 of Chapter 3), identifying each site likely significant effects against the criterion using a table format, and colour coded as to the results under each objective. Site results within each settlement are then summarised for all housing, employment and Gypsy and Traveller categories leading to a preferred site allocations diagram (Figure 5.3). This site assessment work fed into the Regulation 18 Draft Local Plan.
107. Following the Regulation 18 stage, the SA site assessment process was revisited.
108. The SA document contains individual site sheets showing the scoring given following the assessment and a written justification. These are set out in SD03b (SA Appendix F)³¹ These sites are all referenced as 'reasonable alternatives' and were options for the Council to consider further for allocation.
109. Not all these sites were then allocated in the Local Plan, but the detailed site conclusions within the Selection of Site Allocations Housing Sites Addendum April 2023 (ED3) explains why the site was considered suitable or unsuitable for allocation in a settlement-by-settlement summary.
110. It is worth noting that some sites assessed in the SA include sites which originally may have been identified as suitable or potentially suitable in the HELAA but were then reassessed following SA assessment. This was due to an evolving and overlapping site assessment process and occurred where the original desktop assessment of a site at HELAA stage was suitable but following the more detailed work undertaken at SA stage, it became apparent that the site no longer met the HELAA 'suitability' criteria in stage 2 or the SA suitability assessment. The HELAA was then updated to this effect, as this is considered a 'live' document and required to be consistent with the SA survey. This is summarised in ED3.
111. A higher 'score' in the SA site assessment, whilst providing an indication of relative sustainability, does not necessarily equate to the site being overall more suitable for allocation than an alternative site elsewhere in the district - various considerations all played a role in determining the final list of site allocations included within the submission Local Plan.

³¹ [SD03b Sustainability Appraisal \(SA\) Appendix F Site Assessments Sept 22 \(doverdistrictlocalplan.co.uk\)](#)



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Issue 4 – Site Selection Methodology

Strategic Options and Settlement Hierarchy

112. As set out in ED3, paragraphs 1.3 to 1.7, the distribution of sites was in part informed by the SA Strategic Options and the Settlement Hierarchy, although these were not site specific as the HELAA and SA assessments were. They were however influenced by the site assessment results and the limited options for suitable sites in some of the higher tiered settlements such as Deal and Sandwich which influenced the site selection across other areas of the district which were required to be considered to meet the housing requirement.

Conclusion

113. In summary, all sites which have been considered for allocation have been assessed through a consistent process, including through the HELAA and Sustainability Appraisal, in consultation with stakeholders and taking into consideration the outcomes of other background evidence which support the Local Plan.

114. The council's site assessment methodology and final assessment of each site allocation is made clear in the evidence base documents, particularly the conclusions within the individual SA site assessment and within ED3 which summarises the sites assessed, their HELAA assessment results, SA ranking and the conclusions of the site selection in a settlement context. The 'Settlement Maps'³² published alongside the Regulation 19 consultation also set out a visual 'story' of site selection for each settlement.

115. The more detailed written conclusions of each SA site sheet (appendix C within SD03a) provide an overall analysis of the suitability and sustainability of each of the sites which led to allocation. However, it is important to stress that the overall 'score' from the sustainability appraisal process was not the only determining factor for site allocation selection.

116. Other factors also played an important role in final site selection where the council considered issues such as market choice and variety, deliverability in the short term, and cumulative impact of allocations in a settlement – none of which are directly accounted for as part of the SA score. This is explained in full on pages 8-9 of Appendix D of SD03a.

117. The overall site conclusions set out in ED3 take into account individual sites and local factors which may not be covered by the scoring process. This included an assessment of the overall suitability, deliverability, availability, and the location of the site with regards to the overall distribution of development across the district required by strategic policy SP3 of the Local Plan which had also been assessed through the SA process.

118. The Council considers it has allocated the most appropriate and suitable sites for

³² [Settlement Maps \(doverdistrictlocalplan.co.uk\)](http://doverdistrictlocalplan.co.uk)



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growth in accordance with the evidence base and the strategic objectives of the Plan with regards to sustainable housing delivery and has given appropriate weight to all factors relating to suitability and deliverability as explained in ED3.

Q2 How did the Council consider the viability and deliverability of sites, especially where new strategic infrastructure is required or where viability has proven challenging, such as within the built-up area of Dover?

Q2 DDC Response:

119. The Plan Viability Assessment 2020 (GEB08a)³³ was undertaken alongside preparation of the Local Plan. The assessment highlights the importance of ongoing and proactive dialogue between site owners and developers and the Council. The assessment also acknowledges the uncertainty around the impact of COVID-19 and Brexit on the economy and recommends that the Council monitor their effects closely, so that appropriate changes can be made to the Local Plan before it is adopted.
120. As summarised in Paragraphs 3.18 – 3.23 of HEB02³⁴, the viability assessment covers two substantial matters. The first matter is in respect of testing the deliverability of the Local Plan to ensure that the sites identified in the Plan are not subject to a scale of planning obligations and policy requirements that render them undeliverable. The second matter relates to reviewing the level of section 106 (developer obligation) costs and the level of affordable housing that would allow the funding of infrastructure and meet needs, without putting at risk the economic viability of development in the District. The 2022 update (GEB08b)³⁵ identified that in the two years since the 2020 assessment, house prices had increased at a higher rate than costs of construction and as a result there were no changes to the assessment conclusions. The viability assessment tested a range of S106 costs which were considered to incorporate the potential cost of new strategic infrastructure, enabling the Council to understand where there may or may not be viability issues in delivering strategic infrastructure costs.
121. The HELAA process also factored in this viability evidence in respect of achievability stage 2 assessment. This is set out in more detail in paragraphs 1.22 – 1.27 of GEB09a³⁶ which explains that the Study identified that the District broadly fell into four value areas. The value areas were determined by: the areas with the higher financial return, medium return, lower return and areas of negative return from

³³ [GEB08a Whole Plan Viability Study Main Report and Appendices \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

³⁴ [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

³⁵ [GEB08b Viability Study Update Note \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

³⁶ [GEB09a HELAA Main Report October 2022 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

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development. The Study specifically prescribes the four areas as:

- Higher: Being the north of the District.
- Medium: Being the Coastal Towns to the east of the District and the Rural areas and settlements to the south of the District.
- Lower: Being 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.
- Dover Town: Being the relatively tightly defined built-up area of Dover.

122. These value areas were used when determining the achievability of sites assessed through the HELAA process following the RAG rating process. The scoring is summarised below:

Value Area	Achievability RAG	Process summary
Higher	Achievable	Good or better financial return from land development
Medium		
Lower	Marginally	Marginal to moderate financial return from land develop
Dover Town	Unachievable	No or negative return from land development

Figure 1. Source - Page 8 of GEB09a

123. Following this assessment stage, 18 sites in the Dover urban area were all considered 'unachievable', however, as set out in paragraph 2.4 of GEB09a, a review of these sites determined that development would facilitate needed regeneration and that removing the policy requirement for 30% of dwellings to be affordable would allow the sites to become achievable. They therefore remained in the site selection process. The process was also followed again for sites identified through the Targeted Call for Sites (TC4S) in 2021, and as set out in paragraph 3.10 of GEB09a, 4 additional sites in Dover urban area were considered unachievable but the same process was applied.
124. As set out in response to Issue 3 – Question 3 above, it is acknowledged that public sector intervention may be required to bring some sites forward in Dover Town, and a number of the sites in the town are already in public sector ownership.



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125. Through the plan making process as the infrastructure costs have become clearer the viability of sites, particularly the strategic sites have been revisited, in liaison with the developer of those sites, to ensure they can deliver the infrastructure required and meet all other policy requirements. As set out in response to the Inspectors' Initial Questions and responses to Matter 3, Issue 1, Policy SAP1, Q8.

Q3 How did the Council consider the infrastructure requirements of the growth proposed in the Plan and how did this inform the site selection process?

Q3 DDC Response:

126. As set out within GEB01³⁷, early and continuous engagement with infrastructure providers has taken place throughout the evolution of the Local Plan to identify any significant infrastructure requirements or constraints to growth. This has included liaison on specific sites through the HELAA assessment stages. This engagement is set out in more detail within GEB09, in particular listed within Appendix 3g which sets out the responses to stakeholder engagement that has taken place following the Regulation 18 consultation and has informed the re-assessment of sites.

127. The Infrastructure Delivery Plan (IDP)³⁸ and Appendices including the Infrastructure Delivery Schedule³⁹ classify infrastructure as critical, essential, or desirable. There are six pieces of infrastructure classified as critical in the IDP:

- Whitfield Roundabout Improvements
- Duke of York Roundabout Improvements
- A257/A256/Ash Road
- A256/A258 Deal Rd junction
- New trunk main, service reservoir and booster station to serve the Whitfield urban expansion.
- A new local system and upgrade to serve the Whitfield urban expansion. Needed at the time of 1800 occupations.

³⁷ [GEB01 Duty to Cooperate Statement Update March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

³⁸ [ED7 Infrastructure Delivery Plan - V3 July 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

³⁹ [ED7A Appendices to IDP V3 July 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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128. Other than the specific requirements set out above, no other site-specific critical constraints have been identified by other stakeholders such as utilities providers. Some essential and desirable infrastructure has been identified through the engagement with providers, and this is summarised below in relation to the key areas of education and highways.

Education

129. The Council has worked on a continual basis with Kent County Council, as Strategic Commissioner of Education Provision in Kent, throughout the development of the Local Plan in order to understand the education implications of the proposed development allocations. This is detailed at paragraphs 3.31 to 3.33 of the Duty to Co-operate Statement (up to March 2023) and continued right up to August 2023 where they provided additional commentary to be included within the updated IDP and the resultant wording is contained within Theme 5 of the Infrastructure Delivery Plan.
130. In relation to Early Years, SEND and Primary Education, the specific requirements for school places are set out within the IDP. In relation to Secondary Education, the needs resulting from new development in Dover District will be met through expansion of existing secondary schools in Dover District. Where land has been identified by KCC as being required to do this, such as to expand Sandwich Technology School, the Local Plan has safeguarded land. The details of this has been agreed through engagement with Kent County Council (see response to Matter 3, Issue 3, Policy SAP21, Q1)

Water and Utilities

131. With regards to water infrastructure, the provision of wastewater infrastructure has been a constraint to earlier delivery of the Whitfield Urban Expansion development. A solution to accommodate the first 1800 units of development is currently in place. A comprehensive upgrade to accommodate the remainder of the development is being developed by Southern Water as part of the Business Plan for the period 2025-2030.
132. Southern Water was consulted on all sites during plan preparation, and as can be seen from the criteria included within several of the site policies in relation to sewerage infrastructure, their comments and requirements have been factored in the site-specific policies.

Local Highways

133. Constraint on the local highways network has been a factor influencing the selection of sites for allocation and has been informed through consultation with Kent County Council Highways (KCC), National Highways (NH) and the Transport Modelling that has been carried out. KCC have provided comments on all HELAA sites subject to the suitability assessment, with updates to their comments being provided following



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the Regulation 18 consultation, targeted call for sites, and in response to additional information submitted by site promoters, and post Regulation 19 stage. The likelihood of being able to identify appropriate highway infrastructure upgrades, as well as likelihood of the delivery of such in terms of timescales and cost have been considered. For example, North Deal (DEA012) was considered unsuitable on several grounds in the HELAA assessment, including the capacity of the highway network and feasibility of the required highway mitigation, as set out in ED3.

Summary

134. The overall Local Plan Strategy has sought to direct development where it can utilise existing infrastructure. Where known infrastructure constraints were likely to be difficult to overcome, such as highways capacity, this has influenced the suitability of sites in some locations.

Q4 How did the Landscape Sensitivity Assessment¹ inform the site selection process, especially for sites within and/or adjacent to the AONB?

Q4 DDC Response:

135. DDC commissioned independent landscape sensitivity assessments of 33 generally larger, more strategic scale sites which were considered to be more sensitive in landscape terms following 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, which in turn fed into the site selection process.
136. The DDC response to Question 13 in the Inspectors' Initial Questions⁴⁰ ([ED5](#)) sets out in detail the site selection process for sites within or adjacent to the AONB so this is not repeated here.

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

⁴⁰ ED5 16/06/2023 [Council's Response to Inspectors' Initial Questions](#)



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Q5 DDC Response:

137. The process for site selection has been an iterative process, evolving through various stages of plan production and evidence base gathering. The process is set out in full in the following documents which support the Local Plan:
- GEB09 - Housing and Employment Land Availability Assessment (HELAA) and appendices
 - SD03 - Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) September 2022 (with appendices, addendum, and Erratum)⁴¹
 - HEB02 - Housing Topic Paper March 2023⁴²
 - ED3 - Selection of Site Allocations Housing Sites Addendum April 2023 ED3⁴³ (to specifically be read in conjunction with Appendix D of SD03a above)
138. Further details of the process itself is set out in response to Q2 above, the details of the selection of potential sites that were assessed, and the specific criteria used to undertake the assessments at each stage are set out in more detail below:

Housing and Employment Land Availability Assessment (HELAA)

139. The full methodology undertaken for the HELAA process is detailed within HEB02 and is in accordance with the PPG on Housing and economic land availability assessment⁴⁴ which outlines the process which should be undertaken to assess sites and inform plan preparation. The PPG directs that the primary role of the HELAA is to identify sites and broad locations with potential for development, assess their suitability for development and the likelihood of development coming forward.
140. An appropriate selection of sites was assessed. The HELAA (HEB02) at paragraph 1.9 sets out how sites were identified from a wide range of sources, which included two separate calls for sites exercises, and reviews of all existing databases and information held by the Council. This identified a broad range of sites across the District.
141. The first stage of the HELAA site assessment process was a desktop review undertaken by officers who eliminated sites that were: too small; covered by national designations; and/or contrary to the NPPF, which resulted in sites being removed. The remaining sites were then taken forward for more detailed assessment.

⁴¹ GEB09 and SD03 available here: [Submission Documents \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

⁴² [HEB02 Housing Topic Paper March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

⁴³ [ED3 Selection of Site Allocations Housing Sites Addendum April 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

⁴⁴ [Housing and economic land availability assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk)



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142. The first stage of the more detailed assessment involved a review using GIS mapping to identify any relevant on-site constraints. Following this, sites were then physically surveyed in person and assessed to determine their suitability and development potential (i.e., number of houses that could be delivered on the site) using the following criteria:
- site size, physical characteristics of the site and location.
 - land uses and character of surrounding area.
 - landscape impact, impacts on landscape views and screening of site.
 - potential impact on heritage assets relevant to the site.
 - access and highways; and
 - environmental constraints.
143. These assessments were informed by consultation with relevant stakeholders, including Kent County Council, the Council's Heritage Officer, Kent Downs AONB Unit. Sites were then Red/Amber/Green (RAG) rated. Sites that were 'red' were eliminated from further consideration through the HELAA are listed in Appendix 1 by Settlement. Further information on the reasons for elimination is explained in the HELAA Main Report September 2022 (GEB09a) at paragraphs 1.11 -1.12. Site specific reasons are set out in Appendices 2a (GEB09c) and 3e (GEB09d).
144. Sites rated 'Green' and 'Amber' after Stage 1 went on to Stage 2 assessment. As set out within GEB09a paragraphs 1.19-1.27, the Stage 2 methodology included an assessment of availability, where in November 2019 and January 2020 the site promoters were contacted in relation to their sites and asked for information relating to availability and detailing any progress towards applying for planning permission and any known constraints which may affect the timing of the site's delivery. A further availability survey was subsequently carried out in October and November of 2021. If it was not possible to determine availability within the plan period, the sites were classified as 'red'.
145. Green and Amber sites were then assessed for 'Achievability' for the next assessment at Stage 2. This was based around the viability of the site and likely costs of development by site size, existing land use and location, comparing it to market factors. It was predominantly based on the whole plan viability study (see response to Q2 above for more information). The RAG rating was applied in the same way as at other stages, removing 'red' sites that were considered to be unachievable.

Sustainability Appraisal

146. The SA Framework objectives were the starting point for site assessment criteria. These are:



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- Objective 1: Housing
- Objective 2: Services and Facilities
- Objective 3: Economy
- Objective 4: Sustainable Transport
- Objective 5: Minerals, Soil and Water
- Objective 6: Air Quality
- Objective 7: Climate Change Adaptation
- Objective 8: Climate Change Mitigation
- Objective 9: Biodiversity
- Objective 10: Historic Environment
- Objective 11: Landscape

147. This was adapted into specific criteria used to assess all residential and employment sites as part of the SA process and is set out in detail within Tables C.1 and C.2 of Appendix C of SD03a. It included an assessment of the following site-specific criteria (summarised):

- Access to local services and facilities such as schools, higher education, and GP surgeries
- Access to Open Space, Sport, recreation, open country, and registered common land
- Proximity to PRow and cycle paths
- Access to centres of employment and town centres
- Proximity to environs affecting health and wellbeing.
- Access to Rail and Bus routes
- Impact on district natural resources including minerals, soils, and waters.
- Proximity to flood zones
- Proximity to districts wildlife habitats and species
- Impacts on fabric setting and accessibility of districts historic environment.
- Impacts on qualities, character and distinctiveness of districts settlements, coastline, and countryside (landscape)

148. The resulting site specific proformas from each assessment can be seen within SD03b⁴⁵ Appendix F by settlement. It should be noted that where information was noted to be incorrect or out of date throughout the process, the SA results were updated, as can be seen from the Errata sheet where sites in Elvington were removed due a dataset error with the GP surgery.

Other Factors of site selection

149. As summarised within SD03a, following the SA and in determining the sites to be taken forward as housing allocations in the Local Plan, the Council has had regard

⁴⁵ [SD03b Sustainability Appraisal \(SA\) Appendix F Site Assessments Sept 22 \(doverdistrictlocalplan.co.uk\)](#)



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to:

- HELAA technical evidence and site assessments
- The overarching growth strategy set out in the Local Plan
- Site specific Sustainability Appraisal assessments carried out as part of the Sustainability Appraisal of the Local Plan
- Housing need and supply
- The revised settlement hierarchy
- The planning status of a site
- The availability of a site
- The Whole Plan Viability Study
- The Air Quality Study
- Sequential and Assessment Test of the proposed allocations
- The Local Plan Transport Modelling Work; and
- Representations made by key stakeholders, site promoters and the local community.

150. ED3 at pages 7 and 8, also sets out how other factors were taken into account in the site selection methodology including Mineral Safeguarding Zones (MSZ), Grade of Agricultural Land, Impact upon Kent Downs Area of Outstanding Natural Beauty, Impact upon the Highway Network and Flood Risk. Some of these matters have also been explained in detail in response to questions above.

Conclusion

151. In summary, all sites identified have been assessed through a consistent and robust process, including through the HELAA and Sustainability Appraisal, in consultation with key stakeholders and taking into consideration the outcomes of other background evidence which supports the Local Plan and following public and landowner engagement.
152. The full site selection process, as set out in more detail within SD03a and ED03 in particular, shows the process included an appropriate selection of all potential sites, for a range of uses, from all sources available and a range of criteria has been taken into account to undertake a full review of constraints and sustainability of those sites. The Council considers this iterative but comprehensive process has resulted in the allocation of the most appropriate and suitable locations for growth in the district.



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**Q1 How were the list of settlements defined for the purposes of Policy SP4(1)¹?
It is justified?**

Q1 DDC Response:

153. The list of settlements included within Part 1 of Policy SP4 are settlements considered to be the most sustainable locations in the district based on the Settlement Hierarchy at Appendix E of SD01 and as established by the evidence within HEB03⁴⁶. The settlements listed in Part 1 are all settlements which fell into the settlement type (tiers) of:
- Regional Centres*
 - District Centres*
 - Rural Service Centres
 - Local Centres and
 - Larger Villages.
154. The selection of these settlements in each tier and details of how the services and facilities within them are considered to meet the daily needs of their residents, or those in nearby settlements, are set out in HEB03 paragraphs 5.4 – 5.6.
155. *As set out in footnotes 5,6,7 on page 39 of the Local Plan (SD01), in the case of Dover and Deal there are several smaller settlements which due to their close proximity and existing relationship with Dover or Deal are considered to form part of that settlement for the purposes of this policy, even though they have their own settlement confines boundary as shown on the Policies Map (SD02)⁴⁷.
156. Upon review of the policy and the settlements considered, it has come to attention that Burgoyne Heights, which has its own separate settlement confines but is in close proximity to, and forms part of Dover urban area, has been excluded from Policy SP4 in error.
157. The relationship between the confines boundaries of Dover and Burgoyne Heights is shown on Figure 2 below for information:

⁴⁶ [HEB03 Settlement Hierarchy and Confines Topic Paper \(2022\) \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

⁴⁷ [Dover District Local Plan - Policies Map \(arcgis.com\)](https://arcgis.com)

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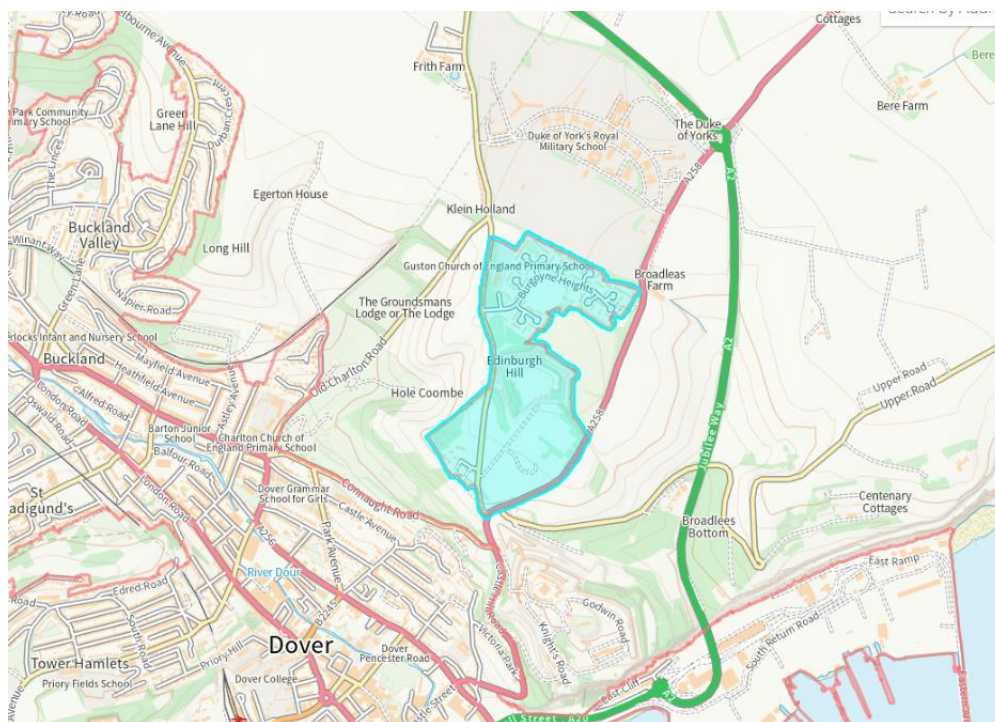


Figure 2 - Burgoyne Height Confines (Blue) - Extract from Policies Map SD02

158. The Council therefore proposes a further modification to footnotes 5 and 7 of Policy SP4 to include the settlement of Burgoyne Heights as being considered as part of Dover for the purposes of this policy to add clarity and make the policy effective in relation to development in this location.

Q2 Policy SP4 permits new residential development within or immediately adjoining the boundary of defined settlements provided that, amongst other things, development is commensurate with the scale of the settlement it adjoins. Is this sufficiently clear enough to be effective?

Q2 DDC Response:

159. Access to a range of services is an important component of assessing whether a development proposal is considered sustainable in the terms set out in the NPPF. The Council therefore believes that the scale of both the new development proposed, and the range of local services are important factors when considering all windfall housing proposals.

160. Given the wide range in the scale of settlements listed in policy SP4 and the different levels of local services available to serve each of their communities, it is important when assessing the acceptability of development proposals to consider the nature,



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scale and capacity of existing services (provided in that settlement or nearby) and the ability of those services to either absorb the additional pressures created by new development or to expand to adequately cater for the additional demands arising. Criterion a) therefore requires that developments must be of an appropriate scale taking account of the ability of a settlement and its services to provide for the additional needs generated by the new residential development proposed. It is accepted that this assessment will be made on a case-by-case basis and will be based on both the facilities available at the time of application but also, as Criterion a) makes clear, on the nature and scale of any other planned growth in the form of allocations and permitted developments in or adjoining the settlement. For example, a larger settlement which is shown in the Hierarchy evidence to be better served by existing services and facilities will be more capable of absorbing a major development within or on the boundary of that settlement than a similar sized development on the edge of a smaller rural village, with fewer key day-to-day services.

161. As can be seen from HEB03⁴⁸ Page 12 some of the settlements included within the policy (in particular part 2) have very small populations when compared to the larger settlements and it would not be appropriate, or sustainable development, for major development proposals (or several smaller proposals) to all come forward in these locations in quick succession without an upgrade in facilities and services available for local residents.
162. Paragraph 3.74 Points 1 and 2 within the Implementation section set out how the scale of the development proposals will be assessed in the ways outlined above. Although this is based on a level of planning judgement at planning application stage depending on the proposals and which settlement they are within or adjoining, the Council considers that the policy wording and implementation paragraphs provides sufficient clarity to ensure that Policy SP4 will be effective in its aim to meet the NPPF requirements for sustainable development, and deliver the spatial strategy set out in Policy SP3.

⁴⁸ [HEB03 Settlement Hierarchy and Confines Topic Paper \(2022\) \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk/HEB03%20Settlement%20Hierarchy%20and%20Confines%20Topic%20Paper%20(2022))



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- Q3 What are the reasons for the two groups of settlements in Policy SP4? How have the settlements in Part 2 of the policy been defined?**
- Q4 What is the justification for restricting new residential development under part 2 of the policy to 'minor' development? How is this defined?**

DDC Response to Q3 and Q4:

163. As set out in response to Q1 above, the list of settlements included within Part 1 of Policy SP4 are the settlements in the top 4 tiers of the Settlement Hierarchy, and the settlements listed in Part 2 of the policy are all the settlements within the 'Smaller Villages and Hamlets' tier defined in Appendix E which was established by the evidence within HEB03⁴⁹. The reasons for the categorisation of these settlements into each tier together with details of the facilities and services available to their residents at the point of Plan submission are set out in HEB03 paragraphs 5.3 – 5.7.
164. It is considered that the division of settlements between each part of the policy is justified by the review of services undertaken in Settlement Hierarchy as set out in HEB03 and furthermore, that this is compliant with the requirements of paragraph 79 of the NPPF which states '*To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby*'.
165. The smaller villages and hamlets settlements included in Part 2 which allows only for minor development within the confines of these settlements have less day-to-day services and facilities available to their residents, and as set out in response to Q2 above, access to services is an important component of assessing whether a development proposal should be considered sustainable in the terms of the NPPF. The settlements are also generally smaller in population size than those within Part 1 of the policy. Therefore the 'scale' of the new development in comparison to the local services and current size of the settlement is an important factor in determining the levels of growth that would be suitable in these settlements. As can be seen from HEB03⁵⁰ Page 12 some of the settlements included within Part 2 of the policy have very small populations and it would not be appropriate for them to support major development proposals.

⁴⁹ [HEB03 Settlement Hierarchy and Confines Topic Paper \(2022\) \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

⁵⁰ [HEB03 Settlement Hierarchy and Confines Topic Paper \(2022\) \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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166. The approach to the smaller villages and hamlets is therefore considered to appropriately protect the character of these settlements, and to reflect the less sustainable nature of the services available in these villages and hamlets, whilst allowing limited organic growth and is considered to be justified by the Local Plan evidence and to be in accordance with the NPPF in relation to paragraph 79.
167. 'Minor' development is deemed to be development which falls outside of the 'major' development definition as set out in Annex 2 of the NPPF⁵¹:
'For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. ... or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.'

Q5 Is Policy SP4 consistent with paragraphs 176 and 177 of the Framework, which require great weight to be given to conserving and enhancing the landscape and scenic beauty of AONBs and require the scale and extent of development within these areas to be limited?

Q5 DDC Response:

168. Footnote (60) of the NPPF states that *'For the purposes of paragraphs 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined'*.
169. The Council considers that Policy SP4 criterion c is consistent with the NPPF in relation to conserving and enhancing the AONB and limiting the extent of development in those areas but enabling application of footnote 60 above. Paragraph 3.74 point 3 explains SP4 position on development proposals in AONB's in more detail.
170. The specific wording of this criterion has been agreed with the Kent Downs AONB unit⁵², following comments received on the draft Policy during the Regulation 18 consultation.

⁵¹ [National Planning Policy Framework - Annex 2: Glossary - Guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

⁵² As set out in the Statement of Common Ground with them



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Q6 How would a decision-maker determine what constitutes an 'unacceptable intrusion' into the countryside for the purposes of Policy SP4(d)?

Q6 DDC Response:

171. One of the core principles of the NPPF is to recognise the different roles, intrinsic character, and beauty of the countryside. The concept of safeguarding the countryside from encroachment is long established in planning policy, including through the designation of Green Belt land. Although there is no green belt designation in this district, large areas of the countryside here are designated as an Area of Outstanding Natural Beauty and the district is also home to other protected landscapes including Heritage Coasts. The NPPF paragraphs 176 - 178 makes clear that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty and that such areas have the highest status of protection in relation to these issues. The protection of the countryside, particularly those areas that subject to environmental protection designations, is therefore one of the criteria that must be taken account when determining windfall applications in the rural areas of the district. This approach contributes to the delivery of one of the aims of the Overarching Vision of the Local Plan (page 20) that '*the District will be defined by its enviable countryside and coastal environments*'.
172. With regards to how this this policy requirement will be met, it will be achieved by assessments on a case-by-case basis of relevant factors including but not limited to the built footprint of a proposal relative to the existing built area at the time the application is submitted, the scale of the proposed development, and the surrounding countryside context and designations of the settlement in question, including views into and out of that settlement. Due to the requirements of policy SP4 that limit acceptable development to within or immediately adjoining the built confines of settlements, this criterion is likely to be mainly applied in the case of large scale greenfield proposals with a significant built footprint. As set out in criterion k, proposals will also need to be in accordance with all other policies within the plan, and therefore such proposals are likely to require a detailed assessment on landscape impacts through Policy NE3. Criterion (g) of Policy SP4 reinforces the requirement to protect countryside with a requirement for appropriately designed landscape buffers on sites where they adjoin open countryside.
173. The Council considers that further clarity could be added to the implementation section following the policy to make this more explicit. The Council does not consider this issue to be a matter of soundness, but if for clarity the Inspectors consider that additional explanation is required to assist decision-makers, the Council would raise no objection to this minor amendment being made and have suggested wording proposed below to be inserted to point 4:



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In assessing intrusion into the countryside and whether this is unacceptable, this will be reviewed on a case-by-case basis and is likely to predominantly apply to major developments on greenfield land. A review of the built footprint of the proposal alongside the current built area and surrounding countryside context of the settlement and any landscape designations will be factored into the assessment.

Q7 Is it sufficiently clear how cumulative impacts will be considered under Policy SP4, not only in landscape terms but also having regard to the impact on matters such as infrastructure provision and highway capacity?

Q7 DDC Response:

174. Policy SP4 a. sets out a requirement that the following must be addressed in order for residential windfall developments to be acceptable: *It is of a scale that is appropriate to the size of the settlement and the range of services and community facilities that serve it, taking account of the cumulative impact of any allocated sites and committed development*.
175. With regards to an assessment of infrastructure provision, given the wide range of settlements listed in policy SP4 including many settlements where there is already high levels of growth planned through allocation or extant consents, it will be fundamental to consider the scope of available services and community facilities available in specific settlements or settlements in close proximity to the application site, and the ability of those services to either absorb the additional pressures created by new development or expand to adequately cater for the additional demands arising from all planned growth. Access to services to meet current and future needs is fundamental to the principles of sustainable development within the NPPF in relation to the social objective at paragraph 8 b).
176. In relation to how this will be considered through a planning application, the Council will assess each application on a case-by-case basis, using the most up to date evidence available in relation to services and facilities, recent and planned growth, including planned upgrades or new facilities planned which will be identified through the Infrastructure Delivery Plan, other strategies such as for sports and open spaces and/or funds allocated to projects within the Infrastructure Funding Statement.
177. Cumulative impacts on the highway network will be assessed through the requirements of Policy TI2 which requires Transport Statements and Transport Assessments to be undertaken to meet the requirements of the part of the policy



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which sets out that '*Applicants must demonstrate that traffic movements to and from the development can be accommodated, resolved, or mitigated to avoid severe cumulative residual impacts*'. This is set out clearly within criterion j of SP4.

178. Criteria j) within the policy itself is required to prevent unknown windfall site proposals using up capacity of strategic highway mitigation such as those at Whitfield and Duke of York roundabouts, where it is only designed to accommodate Local Plan growth and does not have spare capacity to mitigate for additional large scale windfall proposals.
179. Point 1 of paragraph 3.74 of the Implementation section of the policy also provides additional guidance in relation to how the assessment of cumulative impacts will be undertaken following the criteria set out within SP4.
180. Impacts on landscape will be assessed through several of the criteria in the policy, firstly through b. which requires consideration of whether proposals, taken in isolation or cumulatively alongside other planned growth, will result in or lead to the erosion of a countryside gap between settlements creating coalescence. In addition, although not explicit in relation to cumulative impacts, criteria c and d require the landscape to be conserved and enhanced in all proposals.

Q8 Is the restriction on preventing the use of best and most agricultural land, where it is currently used for agriculture, effective and consistent with national planning policy in footnote 58 of the Framework?

Q8 DDC Response:

181. The NPPF at paragraph 175 requires that '*Plans should: distinguish between the hierarchy of international, national, and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework (Footnote 58) Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*' (DDC underline for emphasis).
182. Footnote 58 is therefore considered to apply only to land allocations within the Local Plan, rather than for windfall development. However, paragraph 174 of the NPPF sets out that '*Planning policies and decisions should contribute to and enhance the natural and local environment by: b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land*' (DDC underline for emphasis), *and of trees and woodland;*



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Matter 2 – Housing Growth and Residential Windfall Development

Issue 5 – Residential Windfall Development – Policy SP4

183. The Council considers that the criterion f of SP4 which requires new windfall development to meet the following '*It would not result in the significant loss of best and most versatile agricultural land currently used for agriculture;*' is consistent with national policy by restricting the use of best and most versatile (BMV) agricultural land through planning policies and decisions.
184. The Plan identifies sufficient land to meet the housing requirement through allocations and a small windfall allowance. In order to do so, the Council has had to identify sites on BMV land, as explained in the ED3 paragraph 1.11 this has been unavoidable. The Council therefore considers further loss of BMV land not to be justified when balancing housing need against the economic and other benefits of BMV as set out in para 174 of the NPPF.

Q9 Is Policy SP4 consistent with paragraph 80 of the Framework insofar as the development of isolated homes in the countryside is concerned?

Q9 DDC Response:

185. Part 3 of Policy SP4 is entirely consistent with paragraph 80 of the NPPF. Criteria i) to v) replicate criteria a) to e) of paragraph 80 in full in order to ensure that isolated homes in the countryside are permitted only in the same exceptional circumstances as national requirements dictate.
186. Part 3 of SP4 will also apply these national requirements to non-isolated dwellings, which for the purposes of this policy are those which are located outside of the confines of settlements listed within part 2 of SP4, but which might not necessarily be 'isolated' in terms of the NPPF definition, as explained in paragraph 3.73 of the Local Plan. In this way the policy is consistent with the NPPF and effective in that it has full district wide coverage for residential windfall applications, whether they are considered isolated locations in NPPF terms or not.



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**Q10 What is the justification for the proposed changes to the supporting text?
Why are they necessary for soundness?**

Q10 DDC Response:

187. The proposed changes to the supporting text, set out within SD06⁵³ listed as reference AM11 in the table, have been proposed to add clarity to a number of factors in the application of the policy, including to the settlement confines boundaries and information about how they will be considered in the event of changing circumstances over the plan period, and how the term 'immediately adjoining' will be assessed.
188. Whilst the proposed modification adds clarity for users of the plan and therefore contributes to the effectiveness of the Policy, the Council does not consider the change to be necessary for soundness.

⁵³ [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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Matter 2 – Housing Growth and Residential Windfall Development

Issue 6 – Garden Village Principles and Requirements for Planning Applications

Issue 6 – Garden Village Principles and Requirements for Planning Applications

Q1 Is the highlighted text on page 93 of the Plan a policy? Is it clear what is required of decision-makers, developers and local communities?

Q1 DDC Response:

189. The Garden Village Principles are highlighted in a yellow-coloured box, which is distinguished from the green-coloured policies within the Plan and has not been provided with a policy reference. It is not intended as a policy, and the highlight colour was intended to visually show the Garden Villages Principles as summarised from the 'TCPA Understanding Garden Villages: An Introductory Guide (2018)'.
190. Paragraph 4.10 makes clear that the strategic allocations are expected to follow the principles and it is referenced in relevant site policies, but it is not a formal policy requirement on all sites due to the nature of placemaking and as Policies SP2 and PM1 set out the specific policy requirements for all schemes.
191. The Council has proposed additional wording in AM27⁵⁴ to add further clarity to the sentences above the highlighted 4.9 and 4.10 text as follows:

The Council does not consider this issue to be a matter of soundness, but if for clarity the Inspectors consider the wording be changed further or the highlight should be amended/removed, the Council would raise no objection to these minor amendments being made.

The council would also like to draw attention to the Statement of Common ground between the council and KCC in relation to a request for amendment to this section of the plan.

⁵⁴ [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



Council's Response to Inspectors' Matters, Issues, Questions

Matter 2 – Housing Growth and Residential Windfall Development

Issue 6 – Garden Village Principles and Requirements for Planning Applications

Q2 Is the inclusion of Appendix F of the Plan, which essentially provides a Local Validation Checklist, justified?

Q2 DDC Response:

192. Paragraph 44 of the NPPF states that local planning authorities should '*publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary, and material to the application in question*'.
193. Appendix F of the Local Plan is a summary list of all the supporting documents which might be required to be submitted alongside planning applications as required by the different policies of the Submission Local Plan. As set out in paragraph 4.11 and F.2 of the plan, it is not a Local Validation Checklist at this time and is intended to be a useful guide to assist all users of the Local Plan; applicants and decision makers, upon adoption and until such time a formal Local Validation checklist review can be undertaken.
194. The Local Validation checklist will be produced in accordance with Planning Practice Guidance and the National Planning Policy Framework (NPPF) in due course.
195. The Council does not consider this issue to be a matter of soundness, but if for clarity the Inspectors consider the appendix should be removed, the Council would raise no objection to this minor amendment being made.