

Kenny Ingram

14 October 2023

Dear Sir/Madam,

Hearing Statement

Please accept this letter as our hearing statement in relation to the examination of the Dover local plan.

We consider the Local Plan Review to be unsound because of the inclusion of SAP50 land adjacent to Short Street Chillenden (GOO006). The reasons for our representation are set out below.

Soundness

The Plan is not justified because:

Findings from the Sustainability Appraisal in which Chillenden scores “significant negative effect” on the following, appear to have been disregarded:

- Sustainable Transport
- Resources,
- Flood risk
- Historic environment

1. Location

1.1 The site, SAP50 (GOO006), which is an irregular shaped plot of arable land, lies between Short Street and Station Road, and is proximately 1.02 hectares in size. It would appear from the Dover District Council Housing and Economic Land Availability Assessment that there could be potential for up to 5 executive homes to be delivered on the site.

1.2 SAP50 is one of only 3 sites identified by the plan as suitable for the development of residential dwellings executive style house. There does not appear to be any rationale as to why this type of dwelling is deemed suitable for the specified site nor does the plan identify how many executive homes are expected to be delivered overall by the plan.

1.3 The current number of dwellings in Chillenden is approximately 45 therefore it follows that if 5 further dwellings were built this would lead to an increase in homes of just over 11%.

- 1.4 There is an old cart track (The Lane) which runs from Short Street to Station Road through the proposed site. The Lane, which is understood to be “unadopted” land, joins the road adjacent to ‘The Glebe’ (Station Road) and cuts through to Short Street. Southern Water own a pumping station on the perimeter of the proposed site and have a right of access along The Lane to the pumping station. Research is currently ongoing to obtain a copy of the pipework and any relevant easements leading to and from the pumping station.
- 1.5 The Lane has been utilised as a safe passage for pedestrians for generations. The Goodnestone Parish Council Minutes often make comment about speeding in Chillenden and Station Road down from Knowlton to its junction with Goodnestone Road. The speed restriction on Station Road is 60 mph and there are no safety features for pedestrians, horse riders or cyclists (without climbing onto the bank or hedgerow), from passing cars or farm vehicles. Therefore, using The Lane provides a significant amount of safety to this group of road users.
- 1.6 Research has established that The Lane or Cart Track is clearly shown on all historic and current OS maps and on ‘Mudges’ map (which dates from the early 19th century). However, it is not shown as a ‘public right of way’ on the Definitive Map published by Kent County Council who, I understand, are the highway authority. There is little doubt that it is an historic public right of way. Research is currently underway to establish if there is a mechanism for petitions to be made to the KCC for The Lane to be included on the Definitive Map.
- 1.7 The proposed site SAP50 is shown on the DDC Local Plan as one area, but it should be shown as two distinct areas either side of The Lane. Additionally, one side of the potential site is within a Conservation Area whilst the other side is not. Local residents of Chillenden and the Parish, are concerned that The Lane would be “swallowed up” by any development.

2. Sustainable Transport

- 2.1 The Sustainability Assessment stated that SAP50 (GO006) generally had relatively poor performing site options in relation to poorer access to a good range of local services and facilities and the District’s sustainable transport network.
- 2.2 Since the Sustainability Assessment was published in 2022 the weekly bus service has now been withdrawn leaving no bus service to or from Chillenden. Therefore it is argued that the assessment should be updated from Minor Negative to Significant Negative.
- The site is not within 2,000m of a railway station.
 - The site is NOT within 300m of a bus stop.
 - The site is not within 1,200m of an NHS GP Surgery.

- The site is within 200m of a Public Right of Way/Cycle Path.
- The site is not within 1,200m of a primary or middle school.
- The site is not within 2,000m of a secondary school.
- The site is not within 2,000m of further/higher education facilities.
- The site is not within 2,000m of Strategic Employment Sites/Enterprise Zones.
- The site is not within 1,200m of a town centre.
- The site is within 300m of open space, sport, recreation facilities, open country or registered common land.

3. Resources

3.1 The key objective of the NPPF is a presumption in favour of sustainable development which is the fundamental basis for the assessment of applications. This involves economic, social, and environmental considerations. The main aim of Policy SP1 is: “to develop sustainable communities and seek to ensure that adequate community facilities are provided.” The commission for Rural Communities’ State of the Countryside document sets out key services which it perceives as being important to the sustainability of a rural community. These are:

- Banks
- Petrol Station/ car sales/repairs
- Shops
- Post Office
- GP surgeries
- Dentists

Sustainable communities are defined as those possessing a range of services and alternative modes of transport, in order to minimise the daily use of the car.

3.2 Chillenden does not comply with this definition by virtue of the lack of facilities in the village. There are no community facilities other than the pub, the local church and village hall.

3.3 There are poor transport links to and from Chillenden. The weekly bus service has now been withdrawn leaving no bus service to or from Chillenden. There is a school bus, which travels along Short Street, that services the village daily during school terms.

3.4 There is very little employment within Chillenden meaning residents travel out of the area for work, and as there is no public transport residents depend upon the use of a private vehicle which

contributes to the number of vehicles within Chillenden and travelling on the district's road network, with the resultant congestion and pollution.

3.5 To gain access to the nearest Rural service centre at Aylesham, which has a wider range of facilities and a better bus service, involves a 1 hour walk along roads without pavements or lighting. The nearest local train station is located at either Snowdown or Aylesham both are equidistant from Chillenden (2-3 miles), and both have limited parking.

3.6 Chillenden has been identified in the small villages and hamlets category in the settlement hierarchy where windfall infill development would be acceptable in principle. To ensure any windfall schemes are integrated properly within Chillenden, any development proposals would need to show how it can complement Chillenden's existing settlement character in terms of its layout, design, scale, and appearance.

3.7 It is believed that the development of the site would:

- Create a significant adverse impact on the amenity of the existing residents of both Short Street and Station Road. (14 households, approx. 33% of the total number of households).
- It would result in significant harm to the landscape and heritage assets.
- It is not capable of having safe lighting and pedestrian access provided without a significant impact on neighbours or on the integrity of the street scene.

3.8 It is therefore argued that windfall infill development of the site cannot be satisfactorily integrated into the existing settlement.

4. Highway Impact

4.1 Access and egress to this site would be via either Short Street or Station Road which are both single lane with no pedestrian provision with pinch points that could not be easily modified. Any road widening or highway improvements to facilitate access to housing on the site may require the purchase of land for such works.

4.2 Parts of Short Street are bordered by existing residential properties, which are situated directly adjacent to the highway, and the volume and nature of the increase in traffic would have a significant impact on their residential amenities.

4.3 A working farm, Yew Tree Farm, is situated at the junction of Short Street and the main road through Chillenden. Short Street is used daily by agricultural vehicles travelling to and from the farmyard and the fields.

Short Street towards Station Road.



Short Street towards the village.



Short Street towards junction with Station Road



Station Road junction with Short Street





5. Loss of potentially High-Grade Agricultural Land

5.1 The site is located within Source Protection zone 2 or 3. It is believed that over 25% of the site is classified as Grade 1/2 agricultural land. (SA Appendix F 2022). Paragraph 112 of the NPPF makes it clear that local planning authorities should consider economic and other benefits of retaining the best and most versatile agricultural land and should seek to use areas of poorer quality land in preference to that of a higher quality.

6. Flood risk

6.1 The Level 2 Strategic Flood Risk Assessment categorises Site SAP50, as being a site in Flood Zone 1 with >40% of the site at risk from surface water flooding. 62% of the site is considered developable.

6.2 The SAP50 Site Allocation entry in the Reg 19 Consultation, indicates that a site-specific Flood Risk Assessment is required to guide development to areas of low flood risk, in accordance with the Sequential and Exception Tests

6.3 A locally commissioned Surface Water Assessment and Flood Study (ANNEX A) reviewed the Chillenden catchment hydrology, local topography and observed, historical flood events and the study demonstrates that the SFRA flood mapping used by Dover District Council in Site Allocation assumptions, does not reflect the topography, or observed flood behaviour, at the site. Specifically, this Flood Study concludes that: ·

- Current EA/SFRA surface water flood mapping does not reflect specific topography at the site.
- 98% of the site is at a high risk of surface water flooding.
- Conventional or SuDS drainage of the development is precluded by topography (no outfall), hydrogeology (no infiltration) and statutory flood risk obligations (increased flood risk offsite).
- Measures required to pass the Exception Test would increase flood risk offsite.

6.4 Site SAP50 currently falls into the category 'Sites in Flood Zone 1 with a High Chance of Surface Water Flooding', which are listed in Table 2 of Dover District Council's Strategic Flood Risk Assessment Level 2, Sequential and Exception Test Summary and Review Note, May 2022.

6.5 Although site SAP50 is in Flood Zone 1 and would pass the Sequential test for residential land use, the known surface water flooding issues effectively put the flood risk into the categories of Flood Zone 2 and Flood Zone 3.

6.6 The Level 2 Strategic Flood Risk Assessment states that the developable area based on the surface water flooding is reduced from 1.02ha to .62ha, (developable area being reduced by 39.3%), however the DDC still appears to support the building of five executive homes. Will the DDC consider reducing the number of dwellings to be built on the site accordingly?

7. Historic Environment.

7.1 Part of the site is adjacent to the Conservation Area and part within. It is also adjacent to a Grade II listed building (The Grange) and is within an Area of Archaeological Protection.

7.2 Due to the lack of vegetation the site is visible from the Grade II listed windmill and forms an important transition area between the village and the rural landscape.

7.3 The Conservation Area is characterised by large open spaces and very loose development grain. Many of the historic buildings have an agricultural character.

7.4 Development of the site at the number of units indicated would result in dense development which would be contrary to the character of the Conservation Area causing harm. The site has been assessed as having a heritage impact that would cause significant detrimental harm to identified heritage assets.

7.5 The site has been judged by Council Officers to have the potential to significantly affect the District's historic environment (SA Appendix F published September 2022).

8. Conclusion

8.1 Whilst it is accepted that some growth is required in small hamlets such as Chillenden to ensure they grow and thrive (NPPF Para 79), this should be proportionate to the relatively limited size of the settlement. However, due to:

- The location of the Site
- The lack of facilities
- The adverse impact on existing residents of Short Street
- The adverse impact on the existing street scene
- The significant harm to the Landscape and Heritage assets
- The potential for loss of High-Grade agricultural Land
- The elevated risk of flooding

it is considered that the proposed site in Chillenden is not sustainable, nor can it be satisfactorily integrated into the existing settlement, nor does it offer the most appropriate strategy for delivering the required growth in housing.

Kind Regards

Kenny Ingram/Joanna Bird

ANNEX A



1025 Short Street,
Chillenden - QVA Te