



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

Matter 3 – Housing Allocations

Issue 1 – Dover Housing Sites

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Policy SAP1 – Whitfield Urban Expansion

Q1 What is the latest position regarding planning permissions across the site? To assist the examination, it would be useful if the Council could provide a map showing progression across the various parcels to date and who is responsible for bringing forward the different components of the allocation.

Q1 DDC Response:

Planning Permissions

1. The following provides an update, and more detail, to the summary of planning permissions set out at paras 5.7 to 5.9 of the Housing Topic Paper¹.
2. There are three areas of land within the site which have planning permission and are at various stages of development. These are areas A, B and C on Figure 1.
3. In summary, planning permission has been granted for 1,483 dwellings across the site, of which 478 units are complete. In addition, permission has been granted for various supporting uses as detailed below, with the first 2FE primary school built and open.
4. A summary of permissions is provided in Table 1 with commentary below, and their locations identified on Figure 1 overleaf.

Table 1 – Summary of Planning Permissions and no. of dwellings at Whitfield Urban Expansion (WUE)

Phase/Area	Outline permission	Reserved Matters (RM)	Full permissions	Completions at 31st March 2023	Extant at 31st March 2023
Phase 1 Area A	10/010101 – 1250 dwellings	See Table 2 – 1023 dwellings	n/a	245	1005 (678 with RM)
Phase 1a Area B	10/01011 – 100 dwellings	13/00607 – 74 dwellings 17/00056 – 26 dwellings	n/a	100	0
Phase 4/ Area C	n/a	n/a	16/00136 – 133 homes	133	0
TOTAL	1350	1123	133	478	1005

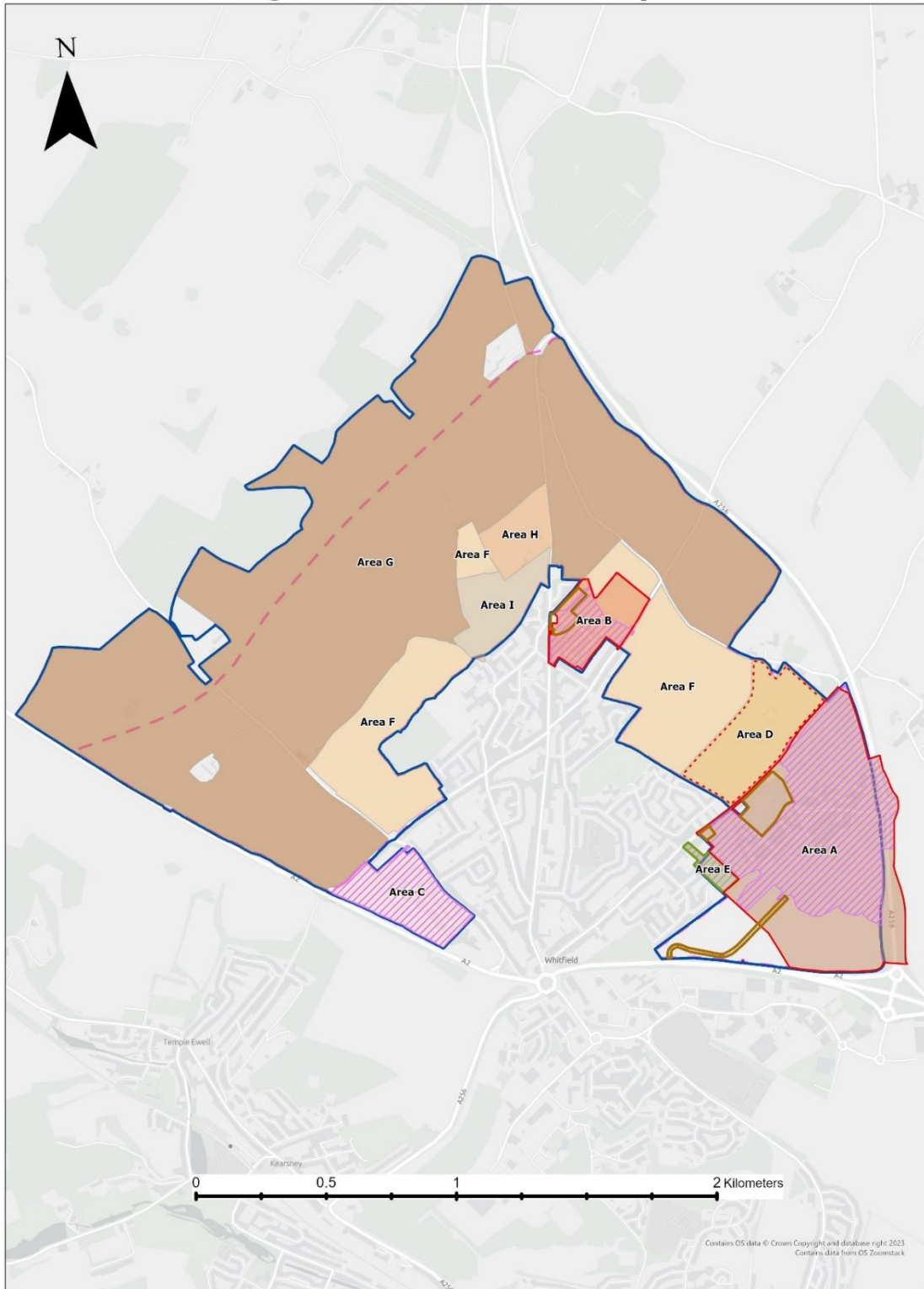
¹ HEB02

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Figure 1 – Whitfield Urban Expansion Site Map



Legend

- | | | | |
|------------------------------------|-----------------------------------|--------------------------------|---------------------|
| SAP1 Boundary | Outline Apps Granted | Whitfield RM/ Full Permissions | Infrastructure Apps |
| Whitfield Core Strategy Allocation | Outline App Pending Consideration | Refused App: 21/00075 | |



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Phase 1 (Halsbury Homes) (Area A on Figure 1)

Outline planning permission (10/01010) has been granted for, in summary:

- 1250 homes
- 66 bed care home
- New access off A256
- 2FE Primary School
- Local Centre (including up to 250 sqm retail floorspace)

The reserved matters approvals are set out in Table 2 below:

Table 2 – Phase 1 Reserved Matters

Application ref	Units granted	Sub – Phase/Developer	Status	Completions / annual delivery rate	Units Extant
15/00878	94 (0)*	1a/1 Halsbury Homes	Superseded by 16/01314	--	0
16/01314	90	1/1a Halsbury Homes	Complete	90 (16/17 - 17) (17/18 – 42) (18/19 – 30) (19/20 – 1)	0
17/01525	32	1/1b Halsbury	Complete	32 (19/20 – 5) (20/21 – 22) (21/22 – 2)	0
18/01238	248 (8)*	1c / Halsbury Homes	Most of this application has been superseded by subsequent applications – 8 units remain not started	--	8
18/01238/A	32	1c / BDW	Under Construction	26 (19/20 – 26)	6
20/00640	185 (180)*	1c / BDW	Under Construction (note 22/00211 removes 5 units)	100 (21/22 – 25) (22/23 – 75)	80
20/00718 & S73 22/01166	221	1d / Abbey Homes	Not Started		221
22/00029	249	1c / BDW	Not Started		249
22/00211	58	1c / BDW	Not Started		58
22/00219	22	1c / BDW	Not Started		22
22/00769	7	1c /BDW	Not Started		7
22/01608	27	1c / Abbey Homes	Not Started		27
TOTALS	1365 (1023)*			245	678

*Note that some units granted consent have been superseded by subsequent applications. The amount in brackets is the amount left with consent which has not been superseded, to avoid double counting of units.



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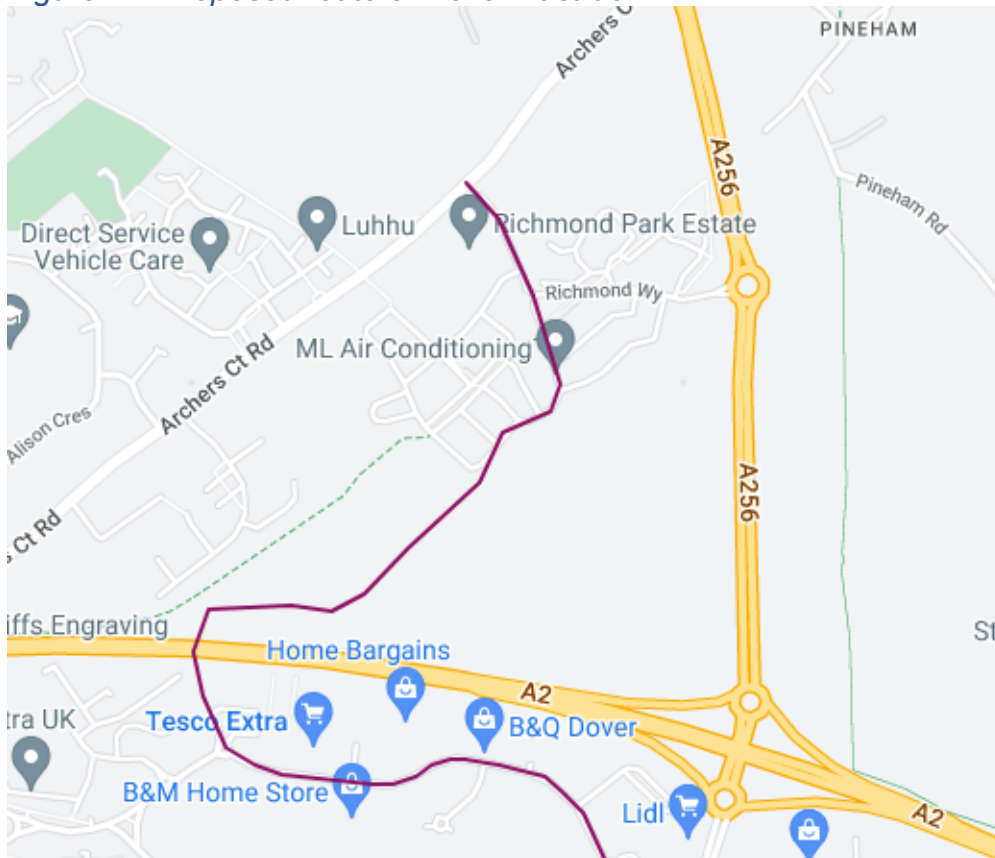
5. As of 31st March 2023, there have been 245 homes completed, with 1005 remaining extant (678 of which have reserved matters approval).
6. Halsbury Homes (HH) was the applicant for the outline consent and some RM permissions. It retains control over parts of the site, specifically parts of Area A and Area B indicated in the map above. HH has completed 90 units. HH has sold parcels to Barratts/Barratt David Wilson (BDW) Homes and Abbey Homes.
7. BDW has completed 126 units, with a further 86 under construction and 336 units not started.
8. Abbey Homes has RM consent for 248 dwellings, which are not yet started.
9. No affordable housing was secured through this outline consent. At the time of the application, this was due to the significant infrastructure costs associated with access to the site (new roundabout on A256), the upgrade to Whitfield Roundabout and wastewater infrastructure upgrades, amongst other things.
10. Kent Country Council granted planning permission for the 2FE school, which is built and open.
11. Full planning permission has been granted for a convenience store (20/00644) within the boundary of the outline consent, which has not been implemented.
12. The construction of Dover Fastrack is underway, with the service expected to open in early 2024. Dover Fastrack is a new bus rapid transit system connecting Whitfield to Dover town centre and Dover Priory Station. Planning permission was granted in March 2021. The project is being delivered by KCC working in partnership with DDC, with funding received from Homes England. The new infrastructure affecting the WUE site is a new bus, cycle and pedestrian only bridge which crosses the A2 and links Honeywood Parkway at the Tesco Roundabout with Phase 1 of WUE to the north of the A2. This link is currently under construction.
13. The Council understands Halsbury Homes remains the landowner for the parts of the outline consent without reserved matters consent. Halsbury Homes also retains control over the main access to the site. The main spine road (Richmond Way) provides vehicular access to the development from the adopted highway (A256) and is intended to be the start of the main spine road for the whole development. This road has not been put forward for adoption and remains within the control of Halsbury Homes. Part of Richmond Way, from the junction of Red Kite Road to Archers Court Road, has been acquired by Kent County Council through a Compulsory Purchase Order, to enable the delivery and operation of Dover Fastrack. This is indicated on Figure 2 below, which shows the route of Dover Fastrack as the purple line. Richmond Way between the A256 and the Dover Fastrack route is the section of road that has not been put forward for adoption.

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Figure 2 – Proposed route of Dover Fastrack



Phase 1a (Halsbury Homes) (Area B on Figure 1)

14. Outline Planning permission (10/01011) has been granted for, in summary:
 - 100 homes
 - Community/district centre – including public transport hub, health and social care centre, retail space
 - Learning and community campus – including 2FE primary school
15. Reserved Matters approval has been given for the 100 homes (13/00607 – Abbey Homes; 17/00056 – Dover District Council), which are all complete, and included securing 26% affordable housing through transfer of land to, and direct delivery of the affordable homes by, Dover District Council.
16. A separate full planning application has been submitted for a medical centre. The application was reported to planning committee in early 2023, where members resolved to grant planning permission subject to a legal agreement and conditions (the details of which were delegated to officers). DDC is awaiting the submission of the legal agreement.
17. Halsbury Homes is responsible for bringing forward the remainder of this part of Area B.



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18. Whilst Halsbury Homes indicates in its representation (SDLP1232²) that it controls a substantial landholding in the WUE area, this actually only relates to the two parcels (Area A and B) that already have planning permission. Halsbury Homes does not have any landholdings across the rest of the site.

Phase 4a (Abbey Homes) (Area C on Figure 1)

19. Full planning permission (16/00136) for 133 dwellings including 40 affordable homes (30% policy compliant) has been granted. This site is now fully built out with completions between 2019 and 2023.

Current planning applications

20. The following provides an update, and more detail to para 5.10 of the Housing Topic Paper³.
21. There are currently three planning applications under consideration for two other parts of the site:

Phase 2 (Pentland) (Area D on Figure 1)

22. 23/00830 - Outline application for housing with indicative capacity of 300 dwellings. This includes policy compliant provision of affordable housing at 30%.
23. 23/00831 - Associated full application for the access to the site, to be taken from Richmond Way in Phase 1 across Archers Court Road to provide access and open up Phase 2.
24. These applications were submitted in July 2023 and currently being considered by the Council.

Land off Archers Court Road (21/0075) (Area E on Figure 1)

25. 21/00075 - Outline application for 38 dwellings. This site is within the indicative area for Phase 1 identified in the SPD masterplan phasing, however it is in separate ownership and has come forward as a separate application. Planning Committee has resolved to refuse the application as the site is accessed directly from Archers Court Road, which is contrary to the SPD.

Parts of site without planning consent

26. The following provides an update to paras 17.7-17.9 of the Council's response to Inspectors' Initial Questions.

² [SD04b Schedule of Representations pursuant to Regulation 20 \(Plan Order\)](#)

³ HEB02



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27. Figure 1 also shows the remainder of the site where there are currently no planning applications submitted or approved. A significant proportion of the remainder of the site is being promoted/controlled by two main parties, Danescroft (Area F) and Persimmon Homes (Area G).
28. It is in the intention of these parties to work together to bring forward the revised masterplan for the site, in accordance with Policy SAP1, working with the Council as set out in the Statement of Common Ground with Persimmon, and Danescroft's Regulation 20 response⁴.
29. There are two parcels in other ownership with intentions to bring forward the sites:
 - Foster and Payne (Area H) control this site, and as set out at para 17.8 of the Council's response to the Inspectors' Initial Questions, this site is being brought forward for specialist housing for older people. The Council does not consider that the development of this small site independently of the wider masterplan will be detrimental to the delivery of the policy requirements of SAP1.
 - Area I is a parcel of land retained by an original landowner, who looks to bring it forward for development.

Q2 What is the justification for the extension to the site already allocated in the Core Strategy? How will it relate to the rest of the already permitted site(s)?

Q2 DDC Response:

30. The extension to the site was submitted to the Council for consideration through the Call for Sites process that took place at the start of the plan making process. The site was subsequently assessed through the HELAA as being 'a logical extension to the Whitfield Allocation', and no environmental or other constraints were identified at that stage which would deem the site unsuitable. The landscape and heritage assessments carried out as part of the HELAA assessment identified potential impacts, with the site being located adjacent to two areas of Ancient Woodland and in close proximity to a historic park and garden. It was concluded that any impacts could be mitigated.
31. The main constraint identified at the HELAA assessment stage was the capacity of the highway network. It has been demonstrated through the transport assessment work that has been carried out that that the proposed 600 additional dwellings can be accommodated within the strategic improvements to the highway network proposed.

⁴ SDLP900



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32. In relation to the site-specific sustainability assessment, as set out a para 5.50 of the Sustainability Appraisal,⁵ the site scores poorly in relation to other sites in Whitfield and Dover Town. This is mainly due to the site currently being remote and covering an expansive area of greenfield land. However, the SA assessment did not take account of the planned development of the WUE or the associated facilities and services that would be provided with it. This development would increase the sustainability credentials of the proposed extension. Other site-specific negative effects included the proximity to the A2 and A256 as a potential noise source, proximity to Ancient Woodland and the Lydden and Temple Ewell SAC, all of which can be appropriately mitigated through the development and are addressed in the policy requirements.
33. The Whitfield Urban Expansion has been identified as the most sustainable location for growth in the district and this proposed extension to the site will maximise the opportunities provided by committed infrastructure delivery, such as Fastrack. The extension will provide further flexibility for the delivery of the WUE as a whole and will enable the provision of strategic open space, SAC mitigation and Biodiversity Net Gain to be delivered on site.
34. As for its relationship to the already permitted sites shown on Figure 1, the proposed extension has a boundary with the western edge of the original allocation. It is removed from the areas which already have planning permission, so has no direct effect on the permitted parts of the site.

Q3 Is it clear to decision-makers, developers and local communities what will be provided and where across the site? Is it appropriate to defer details relating to the amount and distribution of development to a Supplementary Planning Document ('SPD')?

Q3 DDC Response:

35. The Council considers that sufficient detail is provided within Policy SAP1 to set the framework for the amount and distribution of development that is required to be provided across the site.
36. This is the approach that has been utilised previously for the site, with the existing Core Strategy Policy setting out in the policy the broad parameters of development, with the Supplementary Planning Document then providing further detail. The existing SPD for the site will remain in place until such time as it is replaced by the revised masterplan. The existing SPD and proposals secured through the permitted parts of the site will form the basis for the update to the SPD (or as set out in AM29 and AM30 a revised masterplan through an outline planning application).

⁵ SDO3a



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37. As set out in response to Q1, the majority of the remaining parts of the site are being brought forward by a major national housebuilder and land agent/developer who have agreed to work together, alongside the Council and other stakeholders, to bring forward the revised masterplan for the site.
38. The Council considers that there is need to update the masterplan because of the inclusion of additional land, which impacts upon the masterplan for the adjoining parts of the site. In addition, there is updated evidence and changing circumstances which mean the current SPD is in some respects considered to be out of date. These include:
- **Phasing and delivery strategy** - There is a need to update the phasing and delivery strategy to provide more flexibility in terms of the order in which the site can come forward. The current SPD sets out a phasing strategy that requires an east to west delivery (Figure 6.1 and para 6.8⁶). The Council wishes to maximise the potential delivery of the site over the Plan period, as it is the most sustainable location for growth. This is not possible with the current phasing strategy, given the delays with the implementation of Phase 1, and access arrangements to enter Phase 2. Amending the phasing and delivery strategy will allow much needed highway improvements to be delivered earlier than had originally been envisaged. It will allow a greater number of phases to be developed at any one time therefore boosting the delivery rates of homes and supporting social infrastructure on the site.
 - **Changes to the access strategy** - including delivery of Dover Fastrack and the provision of an additional access from the A256.
 - **SAC mitigation requirements** – following the completions of visitor surveys at the Lydden and Temple Ewell SAC, the zones of influence have been refined, and requirements for SANGS updated and agreed with Natural England, as set out in criteria I of the Policy. Also see response to Q6 below.
 - **Biodiversity Net Gain** - To meet the forthcoming requirements of the Environment Act and Policy NE1 of the Plan the master plan for the site will now need to take account of the need to deliver 10% biodiversity net gain through the development.

⁶ [GBD05](#)



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Q4 In answering Q3 above, what are the reasons for the suggested changes to Policy SAP1 and the supporting text in relation to the SPD? Why are they necessary for soundness?

Q4 DDC Response:

39. As set out in the Council's response to the Inspectors' Initial Questions, the changes set out in AM29 and AM30 are intended to provide clarity and flexibility in relation to the delivery mechanism for the revised masterplan.
40. AM30 proposes to amend the wording of the policy itself to set out exactly what will be required in that masterplan, and to state that this should be prepared by the main landowner and/or developers.
41. AM29 proposes modifications to the supporting text to SAP1 to add clarity to the master planning and how it will be taken into consideration alongside planning applications. The modifications also introduce an approach that would allow for the provision of a master planning process to support an outline planning application for the remaining land that is not subject to planning consents (as an alternative approach to updating the masterplan through an update to the existing SPD).
42. This is intended to provide flexibility, with the option of bringing it forward through a revised masterplan supporting an outline application which will save time compared to requiring it through an updated SPD.
43. The changes also clarify who will be responsible for bringing forward the revised masterplan and are necessary given the changing land ownership and developer involvement across the site. The Council's considers that AM29 and 30 are necessary for soundness.

Q5 DDC Response:

Q5 If a revised masterplan is required, does this relate to the extension or the entire allocation? What impact will this have on the delivery of development across the site?

44. The revised masterplan is intended to be required for the parts of the site which do not yet have planning permission. This is clarified in AM29 of SD06, which proposes amendments to para 4.55.
45. The Council has taken into account the timescales for preparing a revised masterplan in the assumptions made about timescales for the delivery of the site.



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46. Also set out in AM29, in the addition to para 4.79, it clarifies that planning applications for the start of Phase 2 will be submitted in advance of the updated masterplan being agreed and provides that these can be brought forward in line with the existing SPD. As set out in response to Q1, the first application for development of Phase 2 has been submitted (Area D), and a further application is expected before the end of the year for 455 units (part of Area F). The revised masterplan will need to take account of the planning permissions already granted and any emerging proposals from applications being submitted.
47. The Housing Trajectory at Appendix Dii of the Plan (updated at Appendix 1 of Matter 4) indicates that completions are expected to commence in 2025/26. The following table sets out how the trajectory relates to the land parcels up to 2029/30. Parts of Area F and Area D can come forward in advance of the revised masterplan as set out above. Area G and parts of F are reliant upon the revised masterplan being in place before they can come forward. The housing trajectory does not assume any delivery from those areas until 2028/29. As set out in the Statement of Common Ground with Persimmon, this aligns with the proposed timescales for the development of the revised masterplan and submission and determination of planning applications for the site.

Table 3 - Trajectory by Area for Whitfield Urban Expansion. Extract from Appendix D (Updated in Appendix 1 Matter 4)

Year	23/24	24/26	2025/26	2026/27	2027/28	2028/29	2029/30
Area D	0	0	50	50	50	50	50
Area F					50	50	50
Area G						50	50

Q6 Can the necessary measures be provided on site to mitigate potential impacts on the Lydden and Temple Ewell SAC?

Q6 DDC Response:

48. The HRA recommends that to mitigate potential impacts on the Lydden and Temple Ewell SAC, suitable alternative, natural greenspace (SANGs) must be provided at Whitfield Urban Expansion⁷.
49. The current Whitfield Urban Expansion Supplementary Planning Document (SPD)⁸ sets out a strategy for providing the necessary level as was required at the time of its adoption. The location and amount of SANGS required is set out in Table 5.5, totalling 47.14 hectares of the SPD. Figure 5.6 shows indicatively how this would be

⁷ Paragraph 5.92 [HRA March 2023](#)

⁸ [GEBD05](#)



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provided. The 4.28ha required for Phase 1 has been secured through the outline planning consent (10/01010).

- 50. The requirements of the SPD are based upon visitor survey data from 2010. These surveys were updated in 2021 and revised zones of influence and resulting provision for SANGS have been agreed through consultation with Natural England (Appendix 1) and are set out in criteria I) of Policy SAP1, which states:

In addition to requirements for open space set out in Policy PM3, SANGS must be provided to mitigate potential impacts upon the Lydden and Temple Ewell SAC. Within the 75% ZOI, the area shall be calculated at 3.6ha per 1000 population and within the 75-90% ZOI the area shall be calculated at 0.72ha per 1000 population. Provision must be phased alongside the phasing of housing delivery and designed to provide a similar visitor experience to the designated sites, in terms of habitats, view and openness, as far as possible.

- 51. The zones are identified on Figure 2 below (Plan 8 in NEEB05 Lydden Temple Ewell SAC and Dover to Kingsdown Cliffs SAC Visitor Survey). This shows that around 70% of the site is within the 75% Zone of Influence, and around 10% of the site now falls outside of the 90% Zone influence, where no mitigation is required. Based upon the refined zones of influence and estimated number of homes to come forward within the revised zones as part of Whitfield Urban Expansion, the development would need to deliver in the region of 27ha of SANGS. These are high level estimates based upon the assumptions in Table 4 and will need to be refined through the masterplanning process.

Table 4 Estimated Population at WUE within Zones of Influence and required SANGs

	Estimated number of homes	Population @ 2.4 p.p.d.	SANGs required (ha)
75% Zol	3045 dwellings	7304	26
75-90% Zol	530 dwellings	1272	0.92
TOTAL			26.92 ha

- 52. The revised requirements based upon the latest visitor survey data show that the amount of SANGs needed is significantly less than that which has been shown to be capable of being delivered through the current SPD, 47 ha compared to 27 ha. Table 5.5 sets out a requirement of 33.49 hectares for the phases (Napchester, Lenacre and Temple) that are now within the revised zones of influence. This does not take into account the provision of additional land to the west, which would provide further capacity to meet this provision.
- 53. The policy criterion requires the provision of SANGs to be in addition to the provision of accessible greenspace and play areas as required by Policy PM3. However, there is potential that the provision of SANGs may also serve some other functions, such as SuDS and provision of biodiversity net gain.

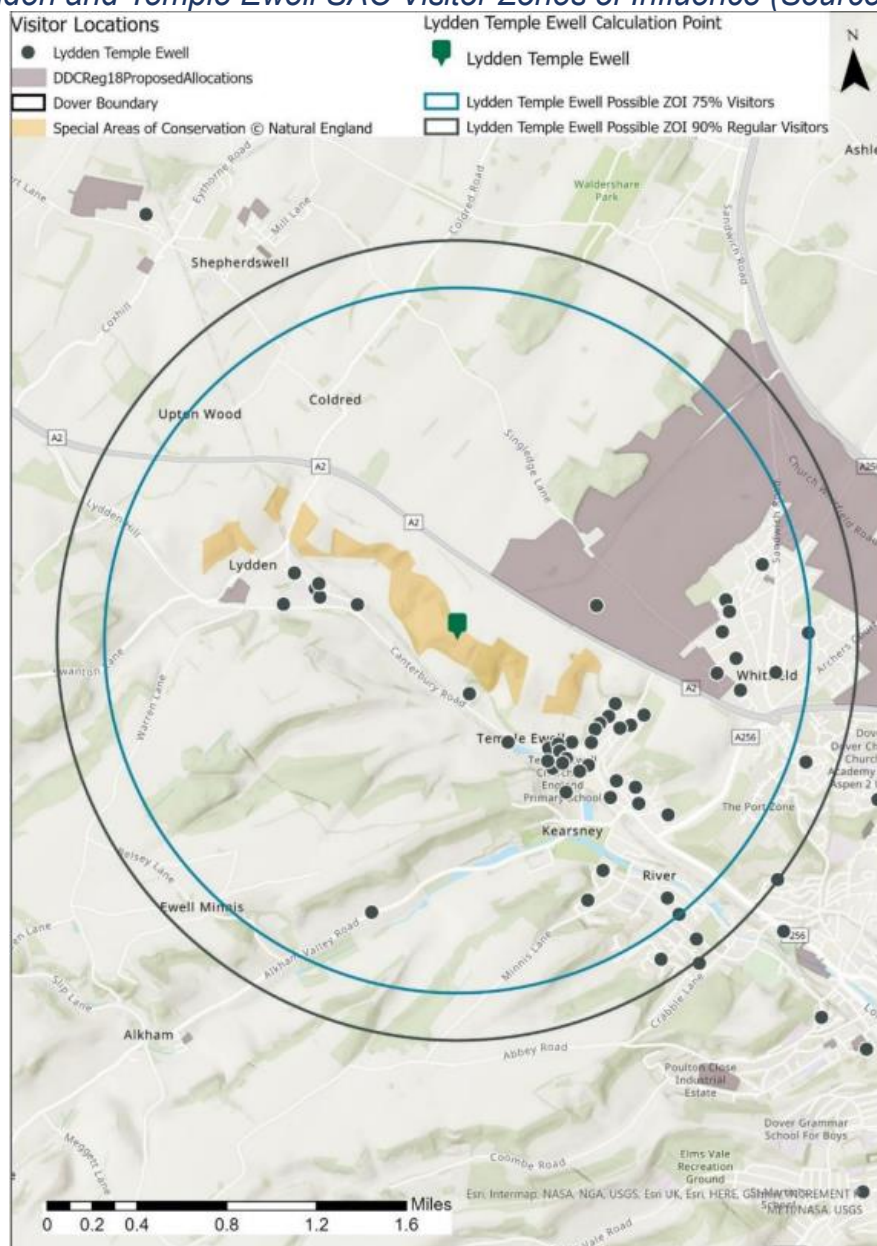
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- 54. The policy criterion also requires that the provision be phased alongside the phasing of housing delivery. This is to ensure that the alternative green space is available from occupation of the development, so that it has the immediate effect of deflecting recreational pressures away from the SAC. As required by the policy, the revised masterplan will need to show how this can be accommodated and delivered.
- 55. The above analysis provides evidence that the necessary measures to mitigate the potential impacts on Lydden and Temple Ewell SAC be provided on site at the Whitfield Urban Expansion.

Figure 3 – Lydden and Temple Ewell SAC Visitor Zones of Influence (Source: NEEB05)





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1. Policy SAP1(u) requires financial contributions towards improvements to the Whitfield roundabout and the Duke of York roundabout. For the Whitfield roundabout, the updated Infrastructure Delivery Plan ('IDP') states that the necessary mitigation involves a three-lane circulatory arrangement, with signalised arms and priority junctions, additional flare lanes and an extension of the existing underpass. For the Duke of York roundabout, the upgrades relate to the provision of additional lanes to approach roads, upgrades to the roundabout itself and provision of traffic lights.

Q7 In order to be effective, should the necessary upgrades be listed in Policy SAP1?

Q7 DDC Response:

56. Following production of the IDP in August 2023, the Council has refined its approach to securing financial contributions for the two roundabout upgrades to provide more certainty on delivery. This refined approach, including total costs and expected delivery timescales is set out in full in the Technical Note - Whitfield and Duke of York Roundabout Mitigation Contributions and Delivery – October 2023 (Appendix 2 to this statement)
57. The principle of the approach, already set out in the IDP, and which sets out zones in the district in which sites would be required to contribute, remains the same, and the total level of financial contributions from those sites remains broadly the same as previously set out. The refined position relates to the timings of the financial contributions in relation to delivery of the mitigation and adds a 'buffer' to the financial tariff.
58. In summary, this would require that Whitfield Urban Expansion (WUE) development alone funds the Whitfield Roundabout Mitigation and that the DoY roundabout is funded by the existing proportionate tariff requirements set out in the IDP. In order to secure these monies, the Council suggests that modifications will be required to the Plan, and these can be dealt with through the examination.
59. In response to the question in relation to whether SAP1 should specifically detail the design of the necessary upgrades, the Council does not consider it to be necessary for effectiveness for the precise detail of the highway schemes to be set out in Policy SAP1 criterion u.
60. Should the Inspectors consider that the design of the mitigation schemes needs to be identified in the Plan, the Council considers that a more appropriate place would be in SP12 – Strategic Transport Infrastructure, which identifies these strategic highway improvements, and is cross-referred to in the Policy SAP1.



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Q8 Has the scale of financial contribution required from the Whitfield Urban Expansion been established? Has it been tested to ensure that the allocation remains viable, and thus, deliverable and effective?

Q8 DDC Response:

61. The financial contribution required from the Whitfield Urban Expansion (WUE) towards the improvements to Whitfield and Duke of York roundabouts for the remaining parts of land without consent within SAP1 was established at £1,500 per dwelling, as set out in the Infrastructure Delivery Plan (IDP) (ED7)⁹.
62. The refined approach set out in answer to Q7 and at Appendix 2 requires the WUE unconsented parts and Phase 1/1a to fund the costs of Whitfield Roundabout. Taking account of the full 1,350 dwellings approved at Phase 1/1a, this works out at £1,040 a dwelling. Should no funding be secured from Phase 1/1a (which is currently a matter that is subject to an appeal, which is discussed more in response to q.9 below)¹⁰, this would leave it to be funded by the unconsented parts of WUE, at circa £1,400 a dwelling (based upon 4,687 dwellings remaining). In addition, a proportionate contribution to Duke of York roundabout is required at £510 a dwelling. The contribution from the unconsented part of the site is therefore expected to be between £1,500 and £2,000 a dwelling.
63. These costs have been tested to ensure that the allocation remains viable, and thus, deliverable and effective. Appendix 3 provides an updated site-specific viability assessment for the remaining unconsented parts of Whitfield Urban Expansion. This takes account of changing circumstances since the 2020 study, including the updated infrastructure costs and phasing, changes in sales values and build costs. All assumptions have been agreed with the main site promotor, Persimmon Homes, as set out in the Statement of Common Ground, in accordance with guidance set out in the PPG recommending engagement with site promotors.
64. It is important to draw attention to the fact that, in relation to the costs of upgrades to the Whitfield and Duke of York Roundabouts, the viability assessment (Appendix 3) includes a worst case scenario position whereby the sites covered under SAP1 unconsented development are required to fund the full costs of both schemes (total £12million, estimated cost per dwelling £2,560) and in early years of phasing to ensure funding is available in time to deliver the schemes. However, the refined approach set out Appendix 2 does not require the upgrades to be fully funded by unconsented parts of the WUE. This demonstrates that the revised approach is viable and has been agreed by the main party delivering the remaining parts of the site, as set out in the Statement of Common Ground with Persimmon.

⁹ [ED7 Infrastructure Delivery Plan - V3 July 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

¹⁰ ref. APP/X2220/W/23/3328672



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15. The Council's response to the Inspectors' Initial Questions highlights that the initially agreed mitigation solution for the Whitfield roundabout, which required the scheme to be funded and delivered prior to occupation of the 801st dwelling, is no longer an acceptable solution. However, that position is established by the approved outline planning permission and associated planning obligation for Phase 1.

Q9 Taking the above into account, how will the Council ensure that the requirements of the Plan are met? Will the Plan be effective in securing the necessary mitigation?

Q9 DDC Response:

65. For the reasons set out above, the Council is confident that the Plan will secure the necessary mitigation measures at the appropriate time and the necessary funding to deliver those mitigation measures (shown in Appendix B and C of the Reg.19 Forecasting Report), required at the Whitfield and Duke of York roundabouts. As also explained above, funding is to be delivered from phase 1 and 1A and the remainder of the WUE yet to be consented in relation to the mitigation measures at the Whitfield roundabout and through the application of a tariff in relation to the mitigation measures at the Duke of York roundabout.
66. The Council agrees that condition 10, attached to the outline consent for phase 1 and 1A (10/01010) that requires a scheme to be put in place by occupation of the 801st dwelling on those phases, needs to be varied as it has been demonstrated that this scheme will have no effect in relieving congestion on the network. An application to vary that condition was made by Halsbury Homes. Whilst the Council was hoping to negotiate a variation of condition 10 at the application stage, the application has been appealed on the grounds of non-determination. An appeal will be scheduled for early next year.
67. Either, in negotiation if another application is submitted, or at appeal, the Council will be seeking a variation of condition 10 which retains a limitation on the number of houses that can be occupied on phases 1 and 1A until a proportionate contribution towards the mitigation measures contained in Appendix B has been made.
68. Even if this condition, either in its current or amended form, were to delay the delivery of phase 1 and 1A beyond the 800 houses limit in the condition (i.e. 550 additional units) it will not prevent delivery of the remainder of the site or the mitigation measures at the Whitfield roundabout as these will be forward funded by the promoters of the remainder of the site and this is supported by the viability evidence and those promoting that land.



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69. As has already been explained, the WUE site is sufficiently viable to accommodate funding for both the Whitfield and Duke of York mitigation measures. Therefore, forward funding can be provided from the remainder of the WUE site yet to be consented for the mitigation measures for the Whitfield roundabout and subsequently recouped from the phase 1 and 1A development through a variation of condition 10 should the build out of the remainder of that site beyond 800 dwellings be delayed for any reason.

Q10 In response to the Inspectors' Initial Questions, the Council also highlighted that the trigger points for providing the necessary mitigation can be pushed back. Does this need to be reflected in the Plan in order to be effective?

Q10 DDC Response:

70. As set out in Appendix 2 - Technical Note - Whitfield and Duke of York Roundabout Mitigation Contributions and Delivery - October 2023, there is some limited flexibility in the timing for the delivery of both roundabout upgrades.
71. For Whitfield Roundabout, the WUE trigger of 1,250 dwellings has been set out by National Highways. Whitfield Roundabout is already over capacity, and so National Highways is willing to tolerate a period of over-capacity on the network, provided it remains safe and where there are known and fully funded / governance / deliverable mitigation schemes to come forward (such as this Local Plan mitigation scheme).
72. Paragraph 45 of the Circular 01/2022, which states that where development proposals are in accordance with an up-to-date development plan, considerations at planning application stage in respect of impacts on the Strategic Road Network (SRN) will normally be limited to agreeing the final form and phasing of supporting infrastructure (where required), as well as measures to reduce the need to travel by private car and any relevant environmental impacts.
73. This 1250 dwelling trigger point is not currently set out in the Plan and the Council considers that clarity could be added to SAP1 to set out that the next phases of WUE will need to be planned to ensure the 1,250 homes trigger is complied with, and therefore delivery of each parcel up to 2028/29 will be limited by Grampian conditions to allow other parcels to progress to a certain level of completions in order that their requirements for financial contributions are triggered at the right time in the programme of works.
74. The Housing Trajectory¹¹ factors this in and anticipates delivery on a number of parcels coming forward at once, up to 250 units per annum, to account for multiple

¹¹ Appendix 1 to the Council's Matter 4 Hearing Statement



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developers to commence and complete units within their respective consents. Payment is expected in full by 2026-2027 to enable completion of the upgrade by 2028/29.

75. With regards to the trigger relating to the delivery of the DoY Roundabout Appendix 2 - Technical Note - Whitfield and Duke of York Roundabout Mitigation Contributions and Delivery - October 2023 paragraph 25-28 sets out that based on a new assessment within the Housing Trajectory, there may be some flexibility in the delivery timescales.
76. It is therefore considered appropriate by the Council and agreed with National Highways and KCC that the development proposals for the largest contributor to trips, WUE, review the current trigger points for both Whitfield and DoY roundabout upgrades, through the Transport Assessment supporting the outline consents for the site, in order to inform the timing of the payment of their contribution and the Grampian condition.
77. Based on the refined position set out in the Technical Note, the Council acknowledges that several significant modifications will be required to SAP1, SAP2, SP11 and SP12, in addition to the Infrastructure Delivery Plan to address the most up to date position in relation to delivery of the strategic highway mitigation. The Council proposes that this be considered further as part of the examination.

Q11 What is the latest position regarding the third-party land required to implement the upgrades to the Duke of York roundabout? What confidence can the Council provide that the necessary upgrades are deliverable?

Q11 DDC Response:

78. As set out in the Council's response to the Inspectors' Initial Questions¹² there are two small parcels of land potentially required to enable the delivery of the mitigation proposals at the Duke of York Roundabout.
79. The parcel on the west side of the roundabout is owned by the Secretary of State for Defence and forms part of the access to their assets. Initial discussions have taken place with the Defence Infrastructure Organisation who has advised that in principle it does not raise any concerns about the area of land required for the scheme, subject to ensuring the existing access to the communication towers is maintained through the roundabout update.
80. The piece of land required does not impact upon the access. The maintenance of the existing access is identified in the Road Safety Audit for the mitigation scheme, and

¹² ED5



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KCC has confirmed that given the limited usage of the access there is unlikely to be any concerns with incorporating the access into the design of the upgrade. The Council is therefore confident it can reach agreement with the Secretary of Defence on this matter.

81. The Council has written to the other landowner in relation to the parcel of land to which access may be required and/or a retaining wall adjacent to the land may be required due to the landform in that location. The Council has yet to receive a response but will continue to make contact with the landowner and is confident that this is a resolvable matter, and has considered all options available to ensure the scheme can be delivered.
82. However, if agreement in relation to this land cannot be secured then the Council will not hesitate to use its CPO powers to acquire the necessary land to ensure the timely delivery of the necessary infrastructure to support its housing delivery

16. As part of the suggested changes to the Plan, Core Document SD06 suggests that the Plan should be modified to require a travel plan to include targets and measures to achieve a modal shift of 20% from private car use to sustainable modes of transport, and, to require contributions towards the Dover Fastrack.

Q12 What is the justification for these suggested changes and why are they necessary for soundness? How will the outcomes of the travel plan be measured (both at application stage and going forward) and is it clear to decision-makers, developers and local communities what exactly is

Q12 DDC Response:

83. The target has been developed in consultation with KCC Highways and relates to the measures associated with the planned provision of Dover Fastrack. The target has been informed by KCC's experience of the success of other Fastrack schemes in Kent. The success of Fastrack in Ebbsfleet provides an indication of the effectiveness of BRT services, as a prime example, and supports the need and validity for an ambitious target for the Dover scheme.
84. The allocation at Whitfield Urban Expansion is reliant upon and benefits significantly from the planned delivery of the Dover Fastrack scheme which will connect the site to the Dover Town Centre and Dover Priory Railway Station. The development will therefore be expected to engage employees with the scheme, as well as facilitating the physical infrastructure both on and off-site. Measures will include community engagement with new residents for the Fastrack service, with service updates, opportunities for feedback and incentives for use. In line with the 'predict and



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provide' approach, it would be expected that Transport Assessments start with the 20% target and model plausible scenarios that make provision for sustainable and active modes, of sufficiently high quality to achieve the requisite modal shift. This would typically include measures such as free bus travel and cycle vouchers. The Travel Plan which would be secured by condition and/or S106 agreement can further address the monitoring of modal choice for the site over time.

Q13 The supporting text at paragraph 4.61 states that the masterplan should be informed by a Landscape and Visual Impact Assessment. Is this a policy requirement and how have possible landscape impacts been considered?

Q13 DDC Response:

85. Yes, a Landscape and Visual Impact Assessment is a policy requirement as set out at Criteria d) which states 'a landscape led approach to the layout and form of development, informed by a landscape and visual impact assessment.....'
86. A Landscape and Visual Appraisal Report was prepared as part of the evidence base for the existing SPD and informs the current adopted masterplan.
87. Landscape impacts were considered as part the HELAA site assessment (GEB09a Appendix 3a) for the additional land proposed to be included in the allocation. The assessment concluded that the additional land provided the potential to soften the northern edge of the proposed WUE, that landscape design would need to buffer the Ancient Woodland and provide a soft entrance to the WUE from views looking south. The assessment identifies that there will inevitably be some impact on the landscape, however that it can be suitability mitigated.

Policy SAP3 – Dover Waterfront

Q1 What scale of development is proposed at Dover Waterfront? To be effective, it is necessary to set this out in the Plan?

Q1 DDC Response:

88. The scale of residential development proposed at Dover Waterfront is currently set out in paragraph 4.100 of the Plan, and in relation to employment development, at Table 3.5 of the Plan (updated to 'up to 10,000sqm' in the Statement of Common Ground with Dover Harbour Board). In addition, planning permission has already been secured for a motel with 90 bedrooms (DOV/20/01236) and a mixed-use area



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including a swimming pool, food/beverage units and 412sqm of offices (DOV/20/01220).

89. The final scale of development on the unconsented parts of the site needs to be confirmed through the masterplanning process, which takes account of the constraints of the site, and policy criteria. It will also be influenced by market interest, in particular the commercial elements of the proposal.
90. The scale of potential development has been informed by Dover Harbour Board's current Western Dock Revival Project masterplan¹³. The number of dwellings that could be provided was estimated at 263 as set out in paragraph 4.100 of the Plan. The master plan currently envisages that the residential uses would be located over the commercial development that would replace the De Bradelei Wharf building and on two sites to the south-west of the Waterloo Crescent Conservation area. It should be noted that this estimated capacity does not include the area of the site outside of the ownership of Dover Harbour Board. The Camden Crescent Car Park is in the ownership of Dover District Council and identified as priority project to deliver new homes. The 263 is therefore considered to be an appropriate minimum.
91. Paragraph 4.100 currently refers to the type of residential development as "houses", but the term "dwellings" would be more appropriate as the site is likely to deliver flatted accommodation. The Council considers these changes to be a minor factual update and does not consider them to be main modifications or a change necessary for soundness.
92. The Council considers that the current inclusion of scale of development in the supporting text to be sufficient to make the plan effective, but if for clarity the Inspectors consider that the scale of development should be set out in Policy SAP3, the Council would raise no objection to this modification being made.

Q2 The site is located within Flood Zone 2 and 3 and the River Dour flows into the sea at the Wellington Dock via the Northampton Key outflow. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

Q2 DDC Response:

93. As set out in response to Matter 1, Issue 5, the site has been subject to the sequential test and exceptions test. Further detail is provided in CCEBO1c Level 2

¹³ SDLP563



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Strategic Flood Risk Assessment¹⁴ and CCEB02 Sequential and Exception Test Summary and Review Note¹⁵

94. Criterion I) of Policy SAP3 sets out how the development will need to mitigate against potential harm and risk, which will need to be informed by a site-specific flood risk assessment as part of the planning application for the development. The requirement of the policy has been informed by the site-specific assessment carried out in the Level 2 Strategic Flood Risk Assessment and consultation with the Environment Agency. The Environment Agency provided no comment about this site in response to the Regulation 19 consultation and no further changes have been requested to the policy to enable flood risk to be addressed (Statement of Common Ground with Environment Agency).
95. Initial flood risk assessment work undertaken by the Dover Harbour Board indicates that the fluvial and tidal flood risks can be mitigated through a combination of SuDS, increasing ground levels and the height of existing flood defences, together with placing higher risk uses such as residential and evening drinking establishments above ground floor level.
96. The Council considers that this demonstrates that the requirements of national planning policy in relation to flood risk can be met.

Q3 What is the justification for requiring occupation of the development to be phased to align with the delivery of sewerage infrastructure. When and how will the necessary improvements be delivered? Is the allocation deliverable, and thus, effective?

Q3 DDC Response:

97. This policy requirement has been requested by Southern Water to ensure that the occupation of the development does not take place before sufficient capacity has been provided in the wastewater network. Southern Water has not identified what specific upgrades are required in relation to the site but has not raised any fundamental constraints in relation to the ability for these to be delivered. It is expected that any necessary upgrades would be dealt with through the normal connections process and any upgrades delivered by Southern Water through their investment plans.
98. The process has already been initiated as part of discussions between the Harbour Board, as the developer seeking to bring forward the majority of the project, and Southern Water during the earlier phases of the Waterfront project.

¹⁴ [CCEB01c Level 2 Strategic Flood Risk Assessment](#) (December 2021)

¹⁵ [CCEB02 sequential and Exemption Test Summary and Review Note](#) (May 2022)



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99. As part of the determination process for the erection of three and four storey motel buildings with 90 bedrooms (DOV/20/01236) on the Marina Curve portion of the Waterfront site, Southern Water requested that a condition was attached to the planning permission, enabling the project to be brought forward on a phase-by-phase basis.
100. The condition required that construction of the development should not commence until details of the proposed means of foul and surface water sewerage disposal had been submitted to, and approved in writing, by the LPA in consultation with Southern Water.

Q4 The site was allocated in the 2010 Core Strategy. What are the reasons why it has not yet come forward for development? Is the allocation deliverable within the plan period?

Q4 DDC Response:

101. The delivery of the Dover Waterfront allocation forms part of Dover Harbour Board's wider Western Docks Revival Project. This is a phased development, requiring enabling works and some uses to be relocated from within and beyond the site before the next phase can be commenced. Significant progress has been made with the enabling works to allow for Waterfront development to come forward. The phases completed at the time of writing are as follows:
- Relocation of bulk cargo operations from the Eastern Docks to a new cargo and distribution centre at the Western Docks.
 - Extensions to the Prince of Wales pier to create the site for the permitted motel and mixed-use developments, referred to as Marina Curve, and the restoration and conversion of listed buildings to food and beverage units within a new public open space.
 - Formation of an alternative navigable channel passing through The Promenade to link the Wellington Dock to the sea, with a new bascule bridge and flood gates. The creation of a replacement marina, marina facilities and pier will facilitate the regeneration of the Wellington Dock and also the infilling of the Granville Dock that will create additional land for development within the operational area of the Western Docks.

The situation at the time of writing is as follows:



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- The demolition of the existing c.5000sqm De Bradelei Wharf retail development has begun (prior approval DOV/23/00595). The works will create another key redevelopment sites for the regeneration project.
- Most of the key enabling works are complete. The Harbour Board's masterplan is currently being updated with public and stakeholder consultation currently scheduled for next year.
- The remaining phases are deliverable within the plan period. The Statement of Common Ground with Dover Harbour Board sets out the expected timescale for delivery within the plan period.

Q5 How have the effects of development on the settings of heritage assets such as the Fairburn Crane Scheduled Monument, the Grade II listed Wellington Dock and other listed buildings and the Dover Waterloo Crescent Conservation Area been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of nearby heritage assets?

Q5 DDC Response:

102. The effects of development on the setting of heritage assets have been considered through the Council's site assessment process, through the HELAA and Sustainability Appraisal. This has been an iterative assessment through the plan making process, taking account of responses received through consultation and additional information submitted in relation to the site.
103. Through the HELAA, the site was subject to a heritage assessment through a site assessment carried out by the Council's Principal Heritage Officer. The original heritage assessment of the site is set out in Appendix 3C of the HELAA and states:
- The site is identified in the Dover District Heritage Strategy as highly vulnerable to change.
 - Any proposals for development would need to include an assessment of the implications on a wide variety of heritage assets (this includes those noted within the question and Dover Western Heights).
104. This assessment led to the conclusion that the site had the potential to impact on heritage assets and would require further assessment.
105. Development that makes appropriate consideration to the setting of the designated heritage assets will be achieved through the Policy. Criteria b), c), d) and e) require the creation of a high-quality public realm that would preserve and enhance the settings of the heritage assets. The form of development and any mitigation measures will be guided by a Heritage Assessment, required through criteria h) and



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Policy HE1. Preceding paragraph 4.98 advises that development could affect the settings of heritage assets on or adjacent to the developable areas but also those of assets in the wider area, such as Dover Castle and the Western Heights. Policy PM1 implementation paragraph 6.16 also refers to the expectation that SAP3 proposals will be subject to Design Review at the pre-application stage.

106. Additional modification AM32 (SD06) proposes that a reference be added to SAP3 criteria e). Development proposals should include “A consideration of the character and context of the area to ensure that the design is of high quality, and the scale (height and mass) and density of development proposed is well related to its surroundings.” Whilst the modification adds clarity and therefore contributes to the effectiveness of the Policy, the Council does not consider the change to be necessary for soundness.
107. Two suggested further Post Submission Modifications have been discussed with Historic England in response to their Reg. 19 submission and included in the Statement of Common Ground with them. The Council therefore proposes the following modifications: Policy SAP3 criterion be amended to require development proposals to include “A consideration of the character and context of the area, including important views”, and PM1, section 1, Context and Identity criteria a) be amended to require development to “Demonstrate an understanding of the context of the area (including existing important views, the potential for creating new views and historical and architectural character)”. Historic England are satisfied that impacts upon heritage assets can be addressed through the detailed design of the scheme.

Q6 What potential implications will the development of the site have on the adjacent Air Quality Management Area?

Q6 DDC Response:

108. Policy SAP3 criteria j) requires development proposals to include an air quality assessment prepared in accordance with Policy NE4. Policy NE4 states that development proposals which will result in a significant deterioration in air quality, or air quality objectives being exceeded, will not be permitted. The Air Quality Assessment should include any necessary mitigation measures. The regeneration project includes the removal of extensive areas of car parking before new development can be accommodated.
109. The Dover District Council Annual Status Report 2022¹⁶ prepared by Bureau Veritas made the following statement at Page v:

¹⁶ [Dover District Council Annual Status Report 2022](#)



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The AQAP based upon detailed modelling of the AQMAs and taking into consideration Defra's proposals for 'tackling roadside nitrogen dioxide concentrations' is currently being updated. This will be placed in the context of identified significant developments in Dover, including re-development of the Western Docks through the Dover Western Docks Revival Project and work on the Dover Waterfront area. The potential impact upon air quality from these developments will be appraised through the Strategic Environmental Assessment approach and through requests for air quality assessments under the planning and development regime".

110. The draft Dover Council Air Quality Action Plan was subject to consultation in Summer 2023 (ended 27th July 2023). This document outlines the actions that Dover District Council will deliver between 2023 – 2028 to continue to reduce the concentrations of air pollutants and exposure to air pollution. DEFRA have seen the draft AQMP and have requested some amendments to the draft Action Plan, including updating in line with an emerging AQAP template.
111. The Local Plan evidence titled 'Local Plan Air Quality Inputs (Dispersion Modelling Assessment) (2021)¹⁷' prepared to support the local Plan states the following:
- "It should be noted that although there were significant increases at receptors associated with the above developments, only one exceedance of the NO₂ AQS objective was reported at the worst-case receptor location associated with the Dover Waterfront development (DR82). This exceedance was also reported in the 2040 DM modelling scenario, i.e. assuming that the Local Plan was not implemented, and the increase in NO₂ concentration attributed to the development at this location was only 0.5µg/m³. No exceedances of the AQS objective for PM₁₀ was reported for all receptor locations. Further consideration should be given to the planned use of the Dover Waterfront development to avoid introducing new receptors to an area of poor air quality. Therefore, provided the mitigation measures are followed, the impact on local air quality conditions arising from increased traffic flows, as a result of the implementation of the Local Development Plan can be described as not significant with regards to human receptors".*
112. The Council has 5 years of data showing no exceedances in the AQMA which may mean that the Council will be able to revoke the AQMA in 2024. Nevertheless, and importantly, the Council must ensure that development contributes to compliance with limit values and identify opportunities to improve air quality (NPPF para 186). This includes the Dover Waterfront area and other relevant sites in combination in accordance with Policy NE5. Clearly the location of any new receptors will be important in development layout and design and the master planning process will

¹⁷ NEEB06 Local Plan Air Quality Inputs



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113. consider these matters. Where relevant, decisions will be made in accordance with the emerging Air Quality Action Plan.

Q7 How has any potential disturbance for future occupiers associated with the adjacent A20 trunk road and Port operations been considered?

Q7 DDC Response:

114. This matter was identified through the original allocation of the site in the adopted Core Strategy, with Policy CP8 requiring it to be considered as part of the planning permission for the site. This requirement is continued within this Plan, with Policy SAP3 criteria k) requiring a noise, vibration and lighting survey to identify mitigation to protect the amenity of future residents from disturbance associated with the trunk road and Port operations. Dependent of the level of disturbance identified by the surveys, mitigation could include placing car parking and other uses such as retail adjacent the A20, noise attenuation measures and single aspect development or development with habitable rooms facing away from the sources of noise and light pollution.



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Policy SAP4 – Dover Western Heights

- Q1** What scale of development is proposed at the Dover Western Heights? To be effective, it is necessary to set this out in the Plan?
- Q2** The supporting text states that the cost of restoring the heritage assets will be significant. What evidence is there to suggest that the allocation is viable, deliverable and effective?
- Q3** Policy SP4 requires development that conserve and where possible enhances the significance of the heritage asset. However, the supporting text concedes that there will almost certainly be a degree of harmful change that will need to be outweighed by any benefits that proposals can provide for. What evidence is there to suggest that a scheme can be achieved on the site which satisfies the policy requirements, especially where heritage assets are concerned?

Q1, Q2 & Q3 DDC Response:

115. This answer provides a response to Q1, Q2 and Q3. The Council recognises that this is a highly challenging site, particularly with the need to ensure the exceptional heritage significance of the Western Heights is appropriately protected.
116. The Western Heights Fortifications Scheduled Monument was first identified in the Core Strategy as one of the District's key heritage assets that could make a major contribution to regeneration, yet it fails to fulfil its potential by a wide margin. Its poor state of repair and lack of any consistent and co-ordinated maintenance has led it to be included in Historic England's Heritage At Risk Register. The Dover Core Strategy sought to pave the way for exploring means to address this. The Dover District Land Allocations Local Plan further identified the Western Heights as an 'Area of Change', setting out a number of broad objectives. The Policy and supporting text recognised that any potential for development on this site needs to start from an appreciation of heritage significance, assessing potential harm to that significance, avoiding/minimising harm as much as possible, actively seeking public benefits, and putting conservation and sustainable use among the top-tier aims.
117. To further this work, English Heritage, Kent County Council and Medway Council offered to use remaining monies in an Interreg programme, known as AtFort, to fund the preparation of a masterplan, with a view to it being adopted by Dover District Council as a Supplementary Planning Document¹⁸. The objectives behind this were to provide a means to unite the interests of all the landowners, try to establish a common approach towards maintenance, management and access, identify any areas that might accommodate change of some sort, make proposals for improving

¹⁸ [Western Heights Masterplan SPD 2015](#)



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the Fortifications and increasing their appreciation, provide a very strong basis for funding bids and produce a plan that can be given formal planning status and used in decision taking.

118. The masterplan provides a holistic approach to the implementation of these objectives, which included landscape and ecology, development opportunities, regeneration context, access and movement, interpretation, views, and community involvement. Options were put forward in the masterplan that identified buildings and areas where conversion/ re-use or new development could be explored, potential types of development that could be introduced, initiating a vegetation clearance programme, improving existing circulation routes around the site and works that are needed to be undertaken to the buildings and structures. It provides an approach to management and restoration, examining resource issues, governance, and a suggested timetable for implementation.

119. The Policy approach set out in the Plan has been supported by Historic England. Historic England's Regulation 19 comments (SDLP1180) include:

"We also agree that solutions which provide for the long-term sustainable use of the site are likely to involve a degree of harm to the monument and we think it is right that this is acknowledged within the preamble, with the clear caveat that any harm would need to be outweighed by public benefits (which could be heritage benefits for the monument)."

We support the Council's aim for development proposals to deliver benefits to the Western Heights which combine conservation works with enhanced access and enjoyment of the site. We acknowledge and accept that delivery of meaningful change to the fortunes of the site is likely to be dependent and linked to the development of parts of the site for housing, and that 100 houses is outlined for the site as a whole (not just the Citadel as may be inferred from the title)".

120. The Council has indicated a figure of 100 dwellings to be delivered across this site (Appendix Dii – Local Plan Housing Supply Position and Trajectory) and it is estimated for delivery in years 10 and 11 of the Plan period.

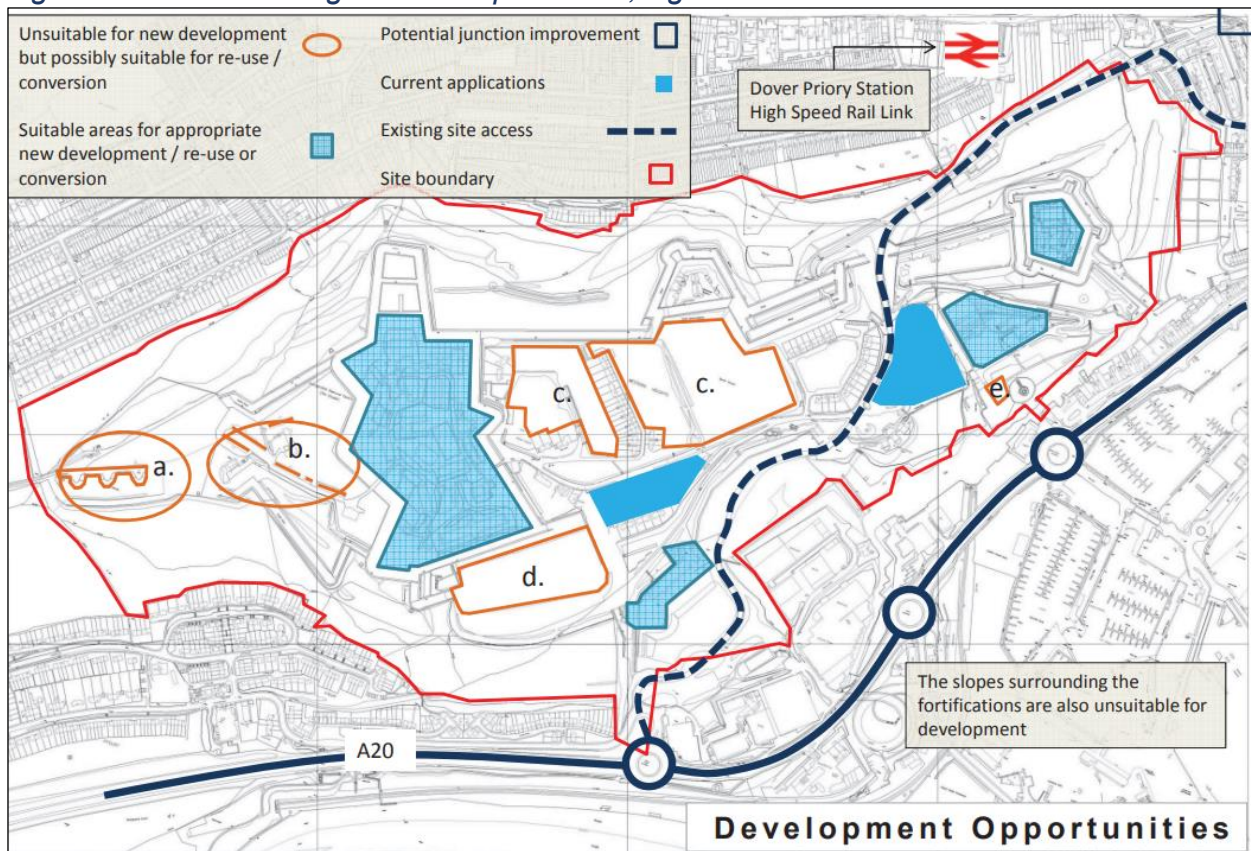
121. The Dover Western Heights Masterplan SPD acknowledges that there are significant parts of the site which are unacceptable for development and recognises that to avoid or limit harm to the heritage asset, each site indicated will need to be subject to fuller assessment/analysis of the heritage significance; the final scale of development will therefore be led by this further assessment. The trajectory allocation for 100 dwellings is considered a modest figure and, as a starting point, has been informed by the assessment of the available land area on the Western Heights that is considered appropriate for development, as identified in the Dover Western Heights Masterplan SPD (see map below – p 58 of SPD). The areas indicated on the map as suitable for development are considered to be capable of accommodating at least the 100 dwellings.

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Figure 4 - Western Heights Masterplan SPD, Pg 58



122. The Council considers that including this housing figure in the trajectory rather than in Policy SAP4 is the right approach and will not in any way hinder the effectiveness of the policy or delivery of development at the Western Heights. This approach is agreed by Historic England – please refer to the SOCG between DDC and Historic England.

123. Policy SAP4 has been drafted in accordance with paragraph 68 of the National Planning Policy Framework – in respect of the test for planning policies to, under part b);

‘Identify a supply of ‘specific, developable sites or broad locations for growth for years 6-10 and where possible, for years 11-15 of the plan’.

124. The Policy is framed in the context of constructive and collaborative working with Historic England and others, the submission of planning applications for The Citadel, pre-application enquiries for other sites within the Western Heights and the Council’s own consideration of the land within its ownership. The Council considers that the proposal for this site meets the Framework’s Glossary definition of ‘developable, which is;



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'to be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged'.

125. Advice from Historic England is for a Vision to be produced as a first step in considering the Western Heights. The Council has commenced work on the Vision document, with the support of Historic England, which will build upon work already undertaken (e.g., the Dover Western Heights Conservation Framework 2012, which summarised current understanding of the monument, the Western Heights Combined Heritage and Landscape Assessment 2017 and the Dover Western Heights Master Plan). The intention is to submit the Vision document to Historic England's Historic Environment Advisory Committee and then to DCMS. As such, the Council considers it important that this Vision document is produced to inform next steps that will inform an overall number of dwellings across the site. The final scale that the site can sustain will depend on this work, however at this stage, 100 units is considered a modest starting point.
126. In parallel with the on-going discussions relating to the Vision document and collaboratively working on progressing small-scale planning applications for change of use to employment of parts of the Citadel, Historic England has been actively working with DDC and others to put forward a new strategy which focusses on small step changes to deliver better access, enjoyment, and engagement with the Western Heights. The intention is for the project to be delivered with support from a Historic England capacity building grant and would be principally delivered by a Western Heights Project Officer who would work with all the landowners, volunteer groups and the wider community to deliver a programme of activities on the Western Heights which collectively would see enhanced management, access, interpretation, and engagement with the site.

Q4 Does any part of the site fall within the Kent Downs AONB? How have the effects of the proposed development on the setting of the AONB been considered?

Q4 DDC Response:

127. The site is not located within the AONB (although the westernmost part of the site is a very short distance from the designation). Landscape impacts have been considered as part of the HELAA assessment (with AONB consultation) and the Sustainability Appraisal (See response to Matter 1, Issue 3, Questions 6).
128. The original submission (DOV012) included a second parcel of land to the west and there was a strong objection received to the site from the Kent Downs AONB Unit. The Citadel site (TC4S083) was also submitted separately in response to the targeted call for sites carried out at the Regulation 18 stage.



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129. The AONB Unit was consulted at Regulation 19 and made the following comment, which is also confirmed through the Statement of Common Ground with the AONB Unit:

‘The south western edge of the site adjoins the boundary of the Kent Downs AONB and due to the site’s prominent position on top of a ridge of chalk, there is intervisibility between parts of the site and the adjacent AONB and the site is therefore considered to lie in the setting of the AONB. While there is no specific requirement proposed within the policy wording for mitigation of potential AONB impacts, it is considered that other criterion within the policy wording including that proposed within criterion (a) in combination with safeguards for AONB setting included within policy NE2, provide appropriate measures to address potential AONB impacts’.

Q5 What is the justification for the suggested changes to Policy SAP4? Why are they necessary for soundness?

Q5 DDC Response:

130. The justification for the proposed modifications (AM33) is set out in the Table below:

Amend Title on Page 115: SAP4 – Dover Western Heights (Citadel)	The title is amended to provide the necessary clarity – for clear focus of the policy on the Western Heights as a whole, in response to Historic England advice in its Reg 19 comments (SDLP1180).
Amend title in Policy: Dover Western Heights Fortifications Scheduled Monument and Conservation Area	This title is amended for clarity in line with the Historic England advice in respect of the above title.
<i>Amend criteria b, f, g, and h:</i>	
b Make a positive contribution to the character and distinctiveness of this significant heritage asset and capitalise on opportunities to reduce risk across the whole site and <u>opportunities to enhance the significance of the heritage asset:</u>	This modification proposed to address representations from Historic England as confirmed in the Statement of Common Ground
f Ensure appropriate species and habitat surveys are carried out prior to <u>application submission</u> determination	This modification seeks to ensure appropriate species and habitat surveys are carried out prior to application submission, rather than prior to determination. This is because the evidence is required by the decision maker in



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	<p>order to ensure that impacts have been assessed and have informed the design, layout and development capacity of the site, and to inform ecological mitigation and enhancement measures.</p> <p>The Council considers that this change is necessary for soundness, to ensure the policy is effective and consistent with national policy and applicants are clear in which information is required to be submitted alongside a planning application.</p>
<p>g Enhance awareness and accessibility <u>and understanding</u>-of this asset for residents and visitors</p>	<p>This modification proposed to address representations from Historic England as confirmed in the Statement of Common Ground</p>
<p>h Improve <u>pedestrian and cycling</u> connectivity between the fortifications and the town, including, where possible, the delivery of links with the town centre, Dover Priory railway station and the Dover waterfront. <u>This includes utilising the Grand Shaft as an important connector between the waterfront and Western Heights and improvements to the PRow network in addition to protection of the integrity and setting of the England Coast Path - South East National Trail;</u></p>	<p><u>This includes utilising the Grand Shaft as an important connector between the waterfront and Western Heights</u> - This modification proposed to address representations from Historic England as confirmed in the Statement of Common Ground</p> <p><u>The modification referring to the PRow network have been proposed</u> in response to KCC PRow comments to include reference to the PRow network and sustainable access improvements as outlined in ROWIP.</p>

Policy SAP6 – Dover Mid Town

Q1 How has the estimated scale of residential development for the site been established? What evidence can the Council point to which identifies that the proposed mix of uses will be achievable?

Q1 DDC Response:

131. The Dover Mid Town site is identified as a development opportunity area in Policy SP8 – Dover Town Centre. Policy SAP6 allocates Dover Mid Town for mixed use development including an estimated 100 dwellings. The mixed-use element is likely to be commercial development on the ground floor, the precise mix and amount of floor space will be developed through the master-planning process and influenced by



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the prevailing market conditions at the time the site comes forward. The mix set out in the policy is therefore purposefully flexible.

132. The site is a current allocation in the Core Strategy (under Policy CP9) although the boundary has been reduced south-eastwards to exclude properties along Ladywell, Park Place and Park Street, the Dover Health Centre and dwellings in The Paddock, as these parts of the site are not proposed for redevelopment. The part of the allocation that has been identified for development are surface car parking owned by Dover District Council. The other potential site is the telephone exchange which BT has advised is likely to become partially or fully redundant by 2035. Development will be focussed on the Maison Dieu Road car park and the BT site. The car park has been identified as an Opportunity Area (please refer to the Council's response to Matter 8, Issue 1, Question 1). The allocation is a complex brownfield site, in a key location which offers the potential for significant regeneration benefits for Dover Town Centre. The Council as the landowner of part of the site has undertaken initial feasibility studies for the sites but does not expect the sites to come forward until later in the plan period.
133. The current Core Strategy Policy CP9 identifies the site for 'at least 100 homes'. This capacity has been reviewed through site assessment process for the Plan, using the density standard (as set out in response to Matter 4 Issue 1 Q3). In this case 75dph was used as a starting point, with combined area of the land being available for development being approximately 1ha. Taking account of the height and scale of the BT telephone exchange and Dover Technical College buildings, this indicative capacity is considered to be reasonable and justified.
134. The Council considers the site to meet the definition of developable in accordance with the NPPF, and is therefore justified and effective.

Q2 Have the South Kent College authorities confirmed that it is their intention to re-locate? Can the site come forward for a comprehensive new mixed-use development over the plan period?

Q2 DDC Response:

135. Dover Technical College is now part of the East Kent Colleges Group and it is not the intention of the College to re-locate from this site. The college has been investing in the existing site and was granted planning permission in 2022 for the first phase of a two-phase scheme of improvements works, including replacement teaching facilities (DOV/ 22/00265). As set out in response to Q1, the capacity and delivery of the site is not reliant on the college moving, and it is not the intention of the policy for the whole site to come forward as a comprehensive new mixed-use development.



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136. The college authorities now intend to focus on improvements within their existing sites. The Council therefore propose the following post submission modification to preceding paragraph 4.115: “The BT buildings are largely redundant, the surface car parks are not an efficient use of town centre space, and the College is of poor configuration for modern teaching purposes, which has led the College authorities to consider replacement/upgraded facilities on the site”.
137. The campus should be retained within the allocation boundary to ensure that issues of relevance to the college, such as safe pedestrian access and desire lines, vehicle access and parking and flood mitigation, are incorporated into the wider scheme of development and improvements.

Q3 How have the effects of development on the settings of heritage assets such as the Mason Dieu scheduled monument, the grade I listed Dover Town Hall building, and the nearby Dour Street, Dover College, Town Centre and Dover Castle conservation areas been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of these heritage assets?

Q3 DDC Response:

138. The effects of development on the setting of heritage assets have been considered through the Council's site assessment process, through the HELAA and Sustainability Appraisal. This has been an iterative assessment through the plan making process, taking account of responses received through consultation and additional information submitted in relation to the site.
139. Through the HELAA, the site was subject to a heritage assessment through a site assessment carried out by the Council's Principal Heritage Officer. The original heritage assessment of the site is set out in Appendix 3C of the HELAA and states:
- Site is adjacent to several heritage assets including the Maison Dieu/Dover Town Hall scheduled monument and grade I listed and Dour Street Conservation Area.
 - Development on the site has the potential to impact on heritage assets further afield, including the setting of Dover Castle.
 - The Dover District Heritage Strategy (2013) identified heritage assets as being highly vulnerable to impact from development on this site.
140. This assessment led to the conclusion that the site would require further assessment.
141. Development that makes appropriate consideration to the setting of the designated heritage assets will be achieved through the Policy. Criteria c) and d) require the creation of a high-quality public realm and criteria f) requires any proposed development ensures that the surrounding character of the site is taken into



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consideration in respect of design, scale and density. The form of development and any mitigation measures will be guided by a Heritage Assessment, required through criteria i) and Policy HE1. Policy PM1 implementation paragraph 6.16 also refers to the expectation that Dover Mid Town proposals will be subject to Design Review at the pre-application stage.

142. Additional Modification AM89 (SD06) proposes an addition to the PM1 implementation section at the end of para 6.17: “Where appropriate, development briefs will be prepared and adopted to help guide new development. These can have the advantage of ensuring that heritage context and distinctiveness is properly understood and embedded in the planning of a site”.
143. Two suggested Post Submission Modifications have been discussed with Historic England in response to their Reg. 19 submission and included in the Statement of Common Ground. The Council therefore proposes the following Post Submission Modification: Policy SAP6 criterion f to be amended to include “A consideration of the character and context of the area, including important views, to ensure that the design...”; paragraph 4.113 amended to include additional text: “The building is owned by Dover District Council and used as Dover Town Hall. Parts of the site are also within the Dover College and Dover Town Centre Conservation Areas and within the setting of the Dover Dour Street and Dover Castle Conservation Areas.”, and Policy PM1, section 1 Context and Identity criteria a) be amended to require development to “Demonstrate an understanding of the context of the area (including existing important views, the potential for creating new views and historical and architectural character).
144. The Council considers that a suitable scheme can be delivered on the site whilst maintaining the significance of the heritage assets. The site provides an opportunity to enhance the character and appearance of the area through redevelopment of surface car parking and the BT building, which currently negatively impact on the significance of the heritage assets.

Q4 The site is located within Flood Zone 2 and 3. How is development expected to mitigate against any potential harm or risk? Can the requirements of national planning policy in relation to flood risk be met?

Q4 DDC Response:

145. As set out in response to Matter 1, Issue 5, the site has been subject to the sequential test and exceptions test. Further detail is provided in CCEB01c Level 2 Strategic Flood Risk Assessment¹⁹ and CCEB02 Sequential and Exception Test

¹⁹ [CCEB01c Level 2 Strategic Flood Risk Assessment](#) (December 2021)



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Summary and Review Note²⁰. A site-specific study (CCEB06)²¹ has also be carried out considering how flood mitigation can be delivered on the site.

146. Paragraph 3 and criteria i-iii sets out how the development will need to mitigate against potential harm and risk, which will need to be informed by a site-specific flood risk assessment as part of the planning application for the development. The requirements of the policy have been informed by the site-specific assessment carried out and consultation with the Environment Agency. The Environment Agency provided no comment about this site in response to the Regulation 19 consultation.
147. The Council considers that this demonstrates that the requirements of national planning policy in relation to flood risk can be met.

Q5 What is the justification for the suggested changes to Policy SAP6? Why are they necessary for soundness?

Q5 DDC Response:

148. The proposed modification (AM36) within SD06 to the policy criteria m) seeks to ensure that contributions are made to sustainable transport initiatives on and off the site, including Dover Fastrack, (criteria m) in direct response to Kent County Council's representation.
149. The modification to criteria k) is to clarify that proposals that result in the loss of open space or leisure facilities would be assessed in accordance with the Plan (Policy PM5) and national policy. This responds to representations made by Sport England.
150. The Council considers that both changes add to the effectiveness of the policy, but are not essential for soundness.

²⁰ [CCEB02 sequential and Exemption Test Summary and Review Note](#) (May 2022)

²¹ doverdistrictlocalplan.co.uk/uploads/Submission-Documents/CCEB06-Dover-Mid-Town-Flood-Modelling.pdf

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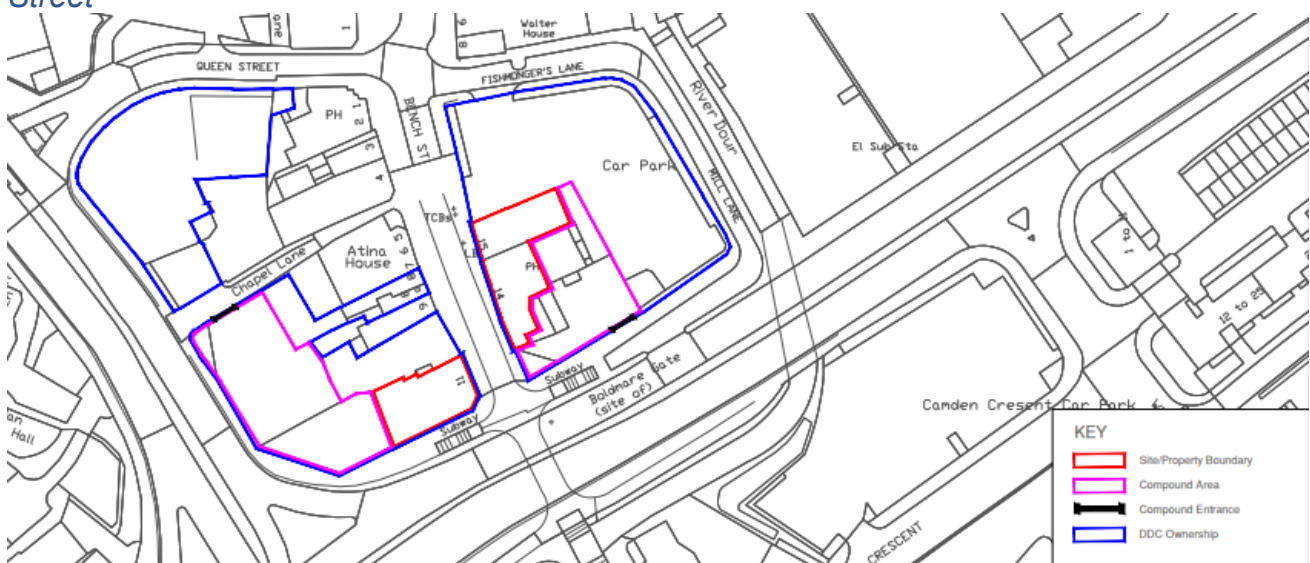
Policy SAP7 – Bench Street Dover

Q1 What scale of development is proposed at Bench Street Dover? To be effective, it is necessary to set this out in the Plan?

Q1 DDC Response:

- 151. Policy SAP7 allocates the site at Bench Street, Dover for mixed use development including residential, commercial, business and services uses (Class E), education, main town centre uses and community uses. The potential scale of residential development is set out in supporting text of the Policy and the housing trajectory in Appendix D of the Plan.
- 152. The site is a current allocation in the Core Strategy, included within the wider Dover Waterfront site (under Policy SP8). The majority of the site is now owned by Dover District Council following land assembly by the Council. The site is a complex brownfield site, in a key location which offers the potential for significant regeneration benefits for Dover Town. Given the complexities of the site the scale of development has not been specified within the Policy to ensure maximum flexibility in bringing the site forward.
- 153. Progress is now being made in bringing the site forward. Nos, 11, 14 and 15 Bench Street are currently being demolished, following the grant of prior approval for their demolition²², as shown on in the Plan Extract below.

Extract from Plan supporting application 23/00209 for demolition of 11, 14 and 15 Bench Street



²² 23/00209



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154. The land to the east of Bench Street (14 and 15 Bench Street and the car park) is currently being brought forward for mixed use development (education, offices, gallery, and café) known as Dover Beacon, utilising grant funding the Council has been successful in obtaining from the Future High Streets Fund and Levelling Up Fund. Pre-application advice is currently being sought with the intention for an application to be submitted in March 2023. Current proposals are for in the region of 3,500sqm of floorspace within a 4 storey building.
155. The Council intends to bring the remaining part of the site to the west of Bench Street forward for primarily residential development (with commercial on the ground floor). The estimated capacity of 100 dwellings set out in supporting text and the Housing Trajectory has been based upon an assessment of potential capacity of this part of the site, and initial master-planning that has been carried out by the Council.

Q2 How have the effects of development on the settings of heritage assets such as the Grade II Medieval Undercroft, any potential for archaeological remains of national importance, and the Conservation Areas outside of its boundary been considered? Can a suitable scheme be achieved on this site whilst maintaining the significance of these heritage assets?

Q2 DDC Response:

156. The effects of development on the setting of heritage assets have been considered through the Council's site assessment process, through the HELAA and Sustainability Appraisal. This has been an iterative assessment through the plan making process, taking account of responses received through consultation and additional information submitted in relation to the site.
157. Through the HELAA, the site was subject to a heritage assessment through a site assessment carried out by the Council's Principal Heritage Officer. The original heritage assessment of the site is set out in Appendix 3C of the HELAA and states:
- Any proposed development on the site would impact on a variety of heritage assets including the setting of Dover Castle and the Western Heights.
 - The site is indicated in the Dover District Heritage Strategy as being highly vulnerable to change in respect of archaeology and listed buildings.
158. This assessment led to the conclusion that the site had the potential to impact on the heritage assets that have been identified in paragraph 4.127 and that the site would require further assessment.
159. Development that makes appropriate consideration to the setting of the designated heritage assets will be achieved through the Policy. As set out in the supporting text and the policy itself the presence of the Grade II Medieval Undercroft and the



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potential for archaeological remains of national importance are recognised by the Council. These are matters which must be considered and addressed through any future development proposals for the site as required by criteria i) and j) of the Policy. In addition, criteria c) and d) require the creation of a high-quality public realm and criteria f) requires any proposed development ensures that the surrounding character of the site is taken into consideration in respect of design, scale and density.

160. In relation to Conservation Areas, while the site sits outside of any Conservation Area, development will have the potential to impact on their significance where the setting or views into or out of the particular conservation area contribute to their significance. Paragraph 4.127 of the Policy identifies the Waterloo Crescent Conservation Area as likely to be affected, consequently criteria i) requires the development and any mitigation to be informed by a Heritage Assessment in line with Policy HE1 to ensure the protection of the heritage asset. Policy PM1 implementation paragraph 6.16 also refers to the expectation that any development proposals within Policy SAP7 will be subject to Design Review at the pre-application stage.
161. Additional Modification AM89 (SD06) proposes an addition to the PM1 implementation section at the end of para 6.17: “Where appropriate, development briefs will be prepared and adopted to help guide new development. These can have the advantage of ensuring that heritage context and distinctiveness is properly understood and embedded in the planning of a site”.
162. Two suggested further Post Submission Modifications have been discussed with Historic England in response to their Reg. 19 submission and included in a draft Statement of Common Ground. The Council therefore proposes the following modifications: paragraph 4.124 to be amended to: “Although the historic street pattern has been partly retained and a number of buildings have some heritage value, past demolition has resulted in significant areas of open land which are unsightly and relate poorly to the wider area. In addition, poor quality redevelopment in the past means the site is considered to be of moderate to low architectural quality.”, and PM1, section 1, Context and Identity criteria a) be amended to require development to “Demonstrate an understanding of the context of the area (including existing important views, the potential for creating new views and historical and architectural character)”.
163. The Council considers that a suitable scheme can be delivered on the site whilst maintaining the significance of the heritage assets. The site provides an opportunity to enhance the character and appearance of the area through redevelopment of a site that has been a derelict for a number of years and currently contributes little to the significance of the heritage assets.



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Policy SAP8 – Land Adjacent to Gas Holder, Coombe Valley Road

Q1 Has any evidence been produced to determine whether or not the allocation is deliverable, when taking into account the costs associated with the de-commissioning of the gas holder and clearance of the site?

Q1 DDC Response:

164. BNP Paribas responded to the HELAA availability exercise in 2019 on behalf of National Grid property holdings who owned a proportion of the site. At that time they advised that National Grid Property (NGP) were in the process of acquiring the remainder of the site which had been owned by the independent distribution network, SGN, and had planned site investigation works, risk assessment and, where necessary, remediation works following this. It was advised that the site could come forward for redevelopment in 2024 but NGP were exploring ways to accelerate the delivery of the site.
165. BNP Paribas have updated the Council in October 2023 that the site has been undergoing remediation works as per National Grid policy and the site would be marketed for unconditional sale, most likely via auction, once sign off was received from National Grid, likely to be during Spring 2024. The remediation works would render the site suitable for an open storage use but during the marketing period environmental reports would be provided to prospective purchasers to enable them to assess what further works would be required for their intended use.
166. Subject to the appropriate remedial works, the Council considers the site a suitable residential site allocation as it is a brownfield site within the settlement boundaries of Dover, with good links to public transport via bus stops immediately adjacent to the site. While the redevelopment of urban brownfield land can present viability challenges, it should be acknowledged that the site is in close proximity to several other sites in the Coombe Valley area which have come forward for residential development on brownfield land, most notably the former Buckland Hospital site on which a residential scheme is under construction and completed development at Rosewood Heights and Rose Court among others.
167. The Council therefore considers that the site is an appropriate residential site allocation which meets the definition of 'developable' as required by the NPPF to come forward in the later stages of the plan period.

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Policy SAP9 – Barwick Road Industrial Estate

Q1 Does any part of the site fall within the Kent Downs AONB? How have the effects of the proposed development on the setting of the AONB been considered?

Q1 DDC Response:

168. Part of the SAP9 site falls within the Kent Downs AONB, with the remainder within its setting. In response to a comment from the AONB Unit, the Council has proposed a modification (AM39) to the policy's supporting text at paragraph 4.136 to correct a reference to the site's location partly within the AONB, not only within the setting of the AONB has was stated in the Plan. As it is supporting text, this change is not required for soundness but is needed to correct the inaccurate description of the site's relationship to the AONB. For clarity, an extract has been taken from the Policies Map and provided on Figure 1 below for reference, with the AONB boundary highlighted in the blue selection and the site allocation boundary in green.

Figure 5 - AONB boundary relationship to SAP9 site



169. The potential impacts of development on the character and appearance of the AONB were considered by the Council through its HELAA, SA and comments from the AONB Unit – see response to question 13 in ED5²³ for a detailed response on the assessment of sites in the AONB generally.

170. In relation to the SAP9 site specifically, the AONB Unit responded to the consultation on the draft Local Plan advising:

²³ [ED5 - DDC Response to Inspectors' Initial Questions](#)



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“The western part of this site lies in the AONB and the rest of the site lies in its immediate setting. While we have no objection in principle to residential development here in view of the nature of the site and current use, it is important that the AONB status is acknowledged in the policy. Only a small proportion of the site is occupied by buildings at present and extensive views are available through the site to the attractive steep sided valley side of Whinless Down to the south. A public right of way along this ridge and extensive areas of open access land provide views across to the site. We therefore have some concerns that the density and number of units proposed is inappropriate and may result in an excessively dense development and tall buildings that would potentially have more of a detrimental impact than currently exists, as well as obscuring the attractive open views from Barwick Road to the AONB landscape beyond.”

171. The AONB Unit recommendations and HELAA/SA assessments carried out have fed through into the policy criteria, where criterion a) requires development to be of an appropriate density for the urban area and make a positive contribution to the visual character of the area taking into consideration the range of neighbouring uses, and criterion b) requires development to be designed to avoid or minimise impacts on the Kent Downs AONB and its setting, including a sensitive landscape scheme. These criteria seek to protect the AONB and its immediate setting while enabling the sensitive redevelopment of what is brownfield land within the settlement boundaries.
172. The AONB Unit agree with the Council that a suitable scheme can come forward on the site whilst complying with national policy in relation to development within and adjoining the AONB.

Q2 What is the latest position regarding proposals for the site?

Q2 DDC Response:

173. Part of the site (the area location outside of the AONB boundary) is subject to application 22/01305: Erection of 81no. dwellings and 4no. 3/4 storey buildings containing 39no. flats, relocation of vehicle access, creation of vehicle access, parking, landscaping, and infrastructure (existing buildings demolished). The application is at the time of writing awaiting decision by the Council following the submission of amendments, most recently in September 2023.
174. The remainder of the site is under separate ownerships but was covered by now-lapsed outline applications for residential development which were granted permission by the Council in 2009 and 2014 for up to 220 dwellings.
175. The layout of the application currently under consideration provides access to the remaining part of site to enable it to come forward in the future.



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Policy SAP10 – Buckland Paper Mill

Q1 What is the latest position regarding proposals for the site?

Q1 DDC Response:

176. Homes England is engaged to enable delivery on the site, and the whole former Buckland Paper Mill site has permission under 06/01455 for: Mixed use development (new build and change of use) comprising detailed proposals (phase 1) for 141 residential units, retail (A1), offices (B1), cafe/restaurant bar (A4/A5), 'community hub' (D1/B1), open space, landscaping, parking and access and outline proposals (phases 1A, 2, 3 & 4) for up to 265 residential units, 80 bed nursing home and access - all other matters (layout, scale, appearance and landscaping) reserved.
177. The Phase 1 elements of that scheme including the residential units have now been completed including:
- Residential conversions of Clock Tower Lofts, Waterwheel House and Watermark House and the construction of Conqueror House delivering 115 dwellings in total
 - A gym and convenience store within the former Paper Mill building
 - The construction of the Discovery Nursery building along the frontage with Crabble Hill
178. Permission for the erection of a six storey 80-bed care home with associated facilities, access, external parking, and landscaping on land to the west of the Discovery Nursery building remains extant under reference 18/00079, with Homes England's latest update in May 2023 advising that a delivery partner for the care home has been appointed with a revised delivery program expected, providing an estimated completion year of 2026/27.
179. Outline planning application 20/01068 for 135 dwellings on phase 2 of the site is under consideration by the Council, with matters relating to the Section 106 agreement being negotiated prior to the issuing of a decision.



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Q2 Is it sufficiently clear to users of the Plan what noise and flood-risk mitigation is required?

Q2 DDC Response:

180. SAP10 criterion a) requires an applicant to submit a noise survey to identify mitigation that will be required to protect the amenity of future residents. As set out in the section titled “Requirements for planning applications” in the Plan’s introduction, the requirement for a noise survey and appropriate mitigation will be required where sites are in close proximity to noise generating sources like busy roads, railways or commercial uses, and has accordingly been included in allocation policies of sites with these characteristics. The SAP10 site closely adjoins the Dover to Ramsgate railway line to the west of the site and so the requirement at criterion a) is justified.
181. SAP10 criterion f) sets out the flood risk measures required of an applicant, namely: “A site-specific Flood Risk Assessment must be carried out in accordance with Policy CC5. This shall also inform the application of the Sequential Approach to the layout of the site by locating the most vulnerable elements in the lowest risk areas and avoiding development within the functional floodplain. The Sequential Approach should also be applied to the internal layout of buildings, in particular where floor levels cannot be raised;”
182. The response to Question 2, Issue 5 (Strategic Flood Risk Assessment) of Matter 1 sets out that previously developed urban sites within flood risk zones are carefully considered within the Plan-making process owing to their range of other sustainability benefits such as making effective use of land and being physically well-related to existing settlements. The same answer describes that the Buckland Mill site is only 7.5% within Flood Zone 3, while proposals for the SAP10 site are also required under criterion b) of to be designed to enhance the setting, role, biodiversity, accessibility and amenity of the River Dour which has to date been culverted underground as it crosses the site. These two requirements taken together should be mutually reinforcing in that a scheme which improves access to the river would also not locate the most vulnerable elements e.g. habitable rooms within the part of the site which is within Flood Zone 3 closest to the river.
183. The outline application, 20/01068, addresses these matters by providing a River Dour corridor and amenity space through the centre of the site. The illustrative masterplan proposes only a small number of units adjacent to the river in the area within the flood extent of a 1 in 100 year event plus climate change allowance, and these units are townhouses with car ports and therefore with no habitable rooms provided on the ground floor. The application also proposes noise mitigation in the form of enhanced glazing on facades of properties facing the railway line or A256, and barriers such as close double-boarded fences where screening isn’t provided to private amenity areas by intervening buildings.



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Policy SAP11 – Westmount College, Folkestone Road

Q1 What is the justification criterion a, b i) and ii)? What is the ownership of the public open space to the north and can the necessary links be achieved?

Q1 DDC Response:

183. Criterion a) seeks the provision of pedestrian linkages through the site to improve access to the existing public open space to the north. A Land Registry mapping search dated September 2023 shows that part of the wooded area to the site's north is under the same ownership title as the site (K917952) with the remainder under the same title as the Priory Court customs facility to the east of the site.
184. Under application 20/01355, the landowner was granted permission for the development of a ground mounted photovoltaic solar array on land at the north of the site, which has now been implemented. While this resulted in the loss of an area of informal Open Space, it was concluded in the Officer Report that the gradient on this part of the site would not be appropriate for play space, and the development of the solar array would not prevent access to the woodland to the rear if the site came forward for housing in the future. The site owner is therefore able to meet the requirements of criterion a) using land in their ownership.
185. Open Space evidence (PMEB01²⁴) following on from PMEB03b²⁵) identifies the Maxton area as an access gap for children and young people's provision, with limited suitable sites for this typology due to the area's topography. Linkages to Open Space from Folkestone Road via the Westmount College site provide the opportunity to address the identified access gap for children and young people's provision as well as providing further public benefit via access to existing green space from Folkestone Road through a site which has been locked to prevent public access for several years. Should this not be achievable on-site, criterion i) accepts that off-site contributions towards existing facilities that would adequately meet the needs of the development may be suitable if the applicant can demonstrate such.
186. Criterion b) requires a Landscape and Visual Impact Assessment to inform the provision of i) a landscape buffer between the site and the designated public open space to the north, and ii) structural planting to help mitigate the impact from long distant views from Western Heights. The LVIA requirement means that the applicant will have to demonstrate what the impact of their proposed development will be, how it can contribute to local amenity via the provision of a landscape buffer to the north of the housing site (and indeed what a suitable landscape buffer might consist of given the need to avoid blocking the solar array) and how it can soften impacts on

²⁴ [PMEB01 Open Space and Sport Topic Paper September 2022](#)

²⁵ [PMEB03b Open Space and Play Standards Paper December 2019](#)



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views from Western Heights using green infrastructure such as street trees and planting. The criteria are considered justified on that basis.

187. The Council proposed a modification to SAP11 to add a new criterion k) requiring “The provision of new, and/or improvements to existing, pedestrian routes and cycle connections including the PRow network, to improve connectivity within the site and wider area should be provided, where possible.” (AM42 in SD06²⁶). This modification is not necessary for soundness, but KCC has expressed its support for the proposed change and the Council considers it would make the site policy more effective.

Policy SAP12 – Charlton Shopping Centre

Q1 What is the justification for allocating the shopping centre for housing? What is the current use of the site and can it be developed for housing over the plan period?

Q1 DDC Response:

188. The Council was advised by the site's managing agent, Tersons, during the HELAA availability exercise in December 2019 that the site was available for development and that some residential conversions had already been completed on the first floor of the shopping centre. This resulted in the entire site boundary being included within the allocation boundary, however it is only considered that the multi-storey car park to the north of the shopping centre is suitable for redevelopment, and indeed Tersons were looking into options for redeveloping part of the car park alongside the landowners at that stage. The capacity of 100 dwellings was based on a scheme for the redevelopment of the car park which, given the town centre location and form of neighbouring development, could be of a flatted, high-density nature with primary pedestrian access taken from Crafford Street and access to the River Dour along this frontage improved as per the policy criteria within SAP12.
189. Tersons then provided the Council with an updated position in October 2023 advising that the landowner is not currently progressing with these plans, however would still support the car park site being allocated for residential development.
190. The site is extremely well-connected to public transport via both buses and trains from Dover Town Centre, as well as the range of services and opportunities that the town centre offers. The redevelopment of the car park could therefore provide new homes in a sustainable location, which would add welcome variety to Dover Town's existing older, mainly-terraced housing stock. Redevelopment would also provide the

²⁶ [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023](#)



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

Matter 3 – Housing Allocations

Issue 1 – Dover Housing Sites

opportunity to improve the public realm via a well-designed scheme which provided improved access to the River Dour.

191. The Council therefore considers that the car park is a suitable residential site allocation and could come forward within the second half of the plan period and meets the definition of deliverable.
192. To clarify the extent of the land that is to be allocated for housing, the Council would be minded to accept an amendment to the site boundary shown on the Policies Map and on page 94 of the Plan to remove the shopping centre from within the allocation boundary, should the Inspectors conclude that this amendment is necessary for soundness.



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

Matter 3 – Housing Allocations

Issue 1 – Dover Housing Sites

Policy SAP13 – Dover Small Housing Sites

Q1 What is the latest position regarding proposals for the Dover small housing sites?

Q1 DDC Response:

The table below sets out the latest position regarding proposals for the Dover small housing sites:

Table 5 – Latest Position on SAP13 Sites

Site	Estimated Dwelling Number	Notes on sites progress	App Reference (if relevant)
DOV006 – Land at Dunedin Drive (south), Dover	8	No housing application received to date	N/A
DOV008 – Land adjoining 455 Folkestone Road, Dover	5	Outline permission for 5 dwellings granted 18/11/2022	21/01710
DOV019 – Albany Place car park, Dover	15	No housing application received to date	N/A
DOV022C – Land to the north of Coombe Valley Road, Dover	20	Outline application for 10 flats, granted 24/08/2022 (36A Coombe Valley Road)	21/00935
		Outline application for 4 dwellings, granted 13/07/2020 & Reserved Matters for 4 dwellings, granted 24/05/2023 (14 Primrose Road)	20/00162 23/00154
		Part of the site remains without planning permission (Depot and 16a Primrose Road)	N/A
DOV030 – Land at Durham Hill, Dover	10	No housing application received to date	N/A
TC4S026 – Military Road, Dover	9	Full application for 8 flats granted 31/08/2023	23/00076
TC4S027 – Roosevelt Road, Dover	10	No housing application received to date	N/A
TC4S028 – Peverell Road, Dover	6	No housing application received to date	N/A
TC4S030 – Colton Crescent, Dover	10	No housing application received to date	N/A



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

Matter 3 – Housing Allocations

Issue 1 – Dover Housing Sites

Q2 How has the dwelling capacity been established for site DOV030? Is it justified?

Q2 DDC Response:

193. An initial site capacity was identified using the density standards for the location of the site. In this case 75dph (as set out in response to Matter 4 Issue 1 Q3). The capacity was refined/ to take account of the following site specific factors: constraints present in the form of heritage, an Open Space designation and the steep topography of the site and its access, in addition to a previous pre-application discussion carried out during the production of the Local Plan.

Q3 Are the Dover small housing sites justified, effective and consistent with national planning policy?

Q3 DDC Response:

194. The NPPF at paragraph 35 states that Plans are 'sound' if they are: ...

'b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant'.

195. Policy SAP13 allocates nine small sites for development, six of which are entirely within Dover's urban boundaries. One site is partly within the boundaries (DOV006) and the remaining two are immediately adjoining (DOV019 & DOV030).

196. In allocating the nine sites referred to, the Plan reflects its evidence base where each was found suitable and available for development. ED3²⁷ justifies the selection of the sites allocated over other options within Dover based on their ability to deliver new housing on sites that are well connected either by bus or by foot to Dover Town Centre. The site allocations are therefore justified.

²⁷ [ED3 Selection of Site Allocations – Housing Sites Addendum \(2023\)](#)



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

Matter 3 – Housing Allocations

Issue 1 – Dover Housing Sites

197. As set out in the table above, three of the sites have been subject to planning applications since the publication of the draft Plan, while five of the other small sites are DDC-owned sites which the Council is committed to bringing forward, following on from its recent successes in delivering housing schemes at Walter Hammond Close, Dover, Stockdale Gardens, Deal and Napchester Road, Whitfield. The remaining site, DOV030, has also been the subject of pre-application discussions during the production of the Local Plan.

198. The small sites allocations in Dover can, in total, deliver an estimated 93 dwellings on urban sites with excellent connections to the services and facilities within Dover Town, the highest tier settlement in the district, and are therefore consistent with the NPPF aim of achieving sustainable development.

Appendix 1 to Matter 3, Issue 1

Date: 01 July 2022
Our ref: 378466
Your ref: N/A



Tim Spicer
Director (Environment)
DHA Planning Consultants
Eclipse Park
Sittingbourne Road
Maidstone
ME14 3EN

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

0300 060 3900

BY EMAIL ONLY

Dear Tim Spicer,

Discretionary Advice Service (Charged Advice). Case Ref: 378466 Development proposal and location: Whitfield Urban Expansion

This advice is being provided as part of Natural England's Discretionary Advice Service. Danescroft Land Limited has asked Natural England to provide advice upon:

- The pre-application mitigation proposals for Whitfield Urban Expansion and advise on the appropriateness of the mitigation at this stage.

This advice is provided in accordance with the Quotation and Agreement dated 10 January 2022.

The following advice is based upon the information within:

- Whitfield Urban Extension Framework Plan – SPD Concept Framework Plan (Drawing No: DG120)
- 220324 – Whitfield Urban Extension Framework Plan Danescroft– Lenacre Whitfield (Drawing No: DG-122A)
- 220324 – Whitfield Urban Extension Framework Plan Danescroft – Parsonnage_Shepards Cross_Napchester (Drawing No: DG-122A)
- Whitfield Urban Expansion Supplementary Planning Document (SPD) Adopted Masterplan (April 2011)
- Whitfield Urban Expansion Habitat Regulation Assessment Consultation Draft Masterplan (October 2010)
- Lydden and Temple Ewell Dover Kingsdown SAC Visitor Surveys 2021 FINAL
- Lydden SAC_Issue Final

Background

Natural England agreed in January 2022 to provide advice through the Discretionary Advice Service (DAS) to yourselves regarding the proposed environmental mitigation measures associated with the Whitfield Urban Expansion proposal.

The Whitfield Urban Expansion proposal will provide approximately 6000 new dwellings over 20+ years and is located in close proximity to Lydden and Temple Ewell Downs Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI); these sites are sensitive to recreational disturbance.

I have reviewed the documents listed above and the details of your previous engagement with my

colleagues and understand from this information that the purpose of the proposed mitigation measures is to prevent further recreational disturbance to the Lydden and Temple Ewell Downs designated sites ('the designated sites') as a result of the Whitfield Urban Expansion.

As I understand it, the main mitigation measure proposed is the provision of a Suitable Alternative Natural Greenspace (SANG) to be used by residents of the proposed scheme in order to reduce recreational pressure on the designated sites. We welcome this commitment to mitigating impact from the development on the designated sites as a result of recreational disturbance. In order to ensure that the measures provide the best possible result, I have included some further comments on the proposed measures below.

Zone of Influence

The supporting information details that a Zone of Influence (ZOI) has guided the initial stages of planning the mitigation for the Whitfield Urban Expansion. This ZOI is an evidence-based solution utilising the data from the 2021 visitor surveys, 2010 Habitats Regulations Assessment and 2010 Whitfield Masterplan.

The three ZOI proposed have considered the percentage of the population increase they will contain, 0-75%, 75-90% and 90-100%. Each ZOI will contain mitigation which has been informed by the evidence-base. The inner ZOI which contains 75% of all visitors will contain Suitable Alternative Natural Greenspace (SANG), which will provide 3.6ha /1000 people. The 75-90% will provide 0.72Ha of SANG per 1000 people. In the 90% there will be no formal provision.

I advise that this scale of SANG provision is appropriate at this stage and I note that it is in accordance with the 2010 Habitats Regulations Assessment as it ensures that green space of at least 2ha in size will be within 300m of the new residential properties.

Design and Nature of the SANG

It is understood that the designs and masterplan at this stage are a framework and that further details will be secured at later planning stages; however, it is important that any proposed SANG provides a similar visitor experience to the designated site, in terms of habitats, views and openness, as far as possible, in order for it to be effective. As such, it is important that sufficient detail and evidence is available to provide certainty that this will be achieved. Without sufficient detail, it will be challenging to demonstrate the effectiveness of the mitigation measures.

At this stage it is envisaged that the SANG will contain species rich grassland and naturalised scrub which will recreate the habitat found at the designated sites. I note that these details regarding the qualities of the SANG will be subject to approval at the future planning applications stage. The Masterplan demonstrates that a variety of walking routes have been provided, the length of which has been informed by the evidence-base.

While this approach is encouraging, I remain concerned that the information given does not provide enough detail regarding the qualities of the SANG that will be created and how these will effectively replicate the features and character of the designated sites, and the experience of those using it. As discussed above, the design and nature of the SANG will be critical to its effectiveness.

I suggest that the design for mitigation for each parcel of the Whitfield Urban Expansion is accompanied with an explanation which details how the evidence-base informs the design. The explanation should also detail how the SANG recreates the experience of visiting the designated sites.

In particular I would welcome further detail regarding the proposed balance of habitats across the SANG (and within each parcel) as it will be important to ensure that the habitat balance reflects that of the designated sites. This is important both in terms of biodiversity creation and in terms of visitor experience as visitors go to the designated sites to seek the particular mix of grassland and woodland that characterises them.

In order to do this, it would be beneficial to understand the features that characterise the designated sites. The designated sites include some of the richest chalk grassland in Kent and support an outstanding assemblage of plants and invertebrates. The Joint Nature Conservation Committee (JNCC) website sets out that Lydden and Temple Ewell Downs SAC is made up of:

- Heath, Scrub, Maquis and Garrigue, Phygrana (10%)
- Dry grassland, Steppes (75%); and
- Broad-leaved deciduous woodland (15%)¹

In particular the SAC is designated for its semi-natural dry grasslands and scrubland facies lying on calcareous substates (*Festuco-Brometalia*) and consists largely of CG4 *Brachypodium pinnatum* and CG5 *Bromus erectus* – *Brachypodium*. Further to this, its grassland formation includes “Orchid rich sites” which are a priority habitat type. ‘Important orchid sites’ are defined in the *Interpretation Manual of European Union Habitats* as localities which meet one or more of the following criteria:

- a. the site hosts a rich suite of orchid species;
- b. the site hosts an important population of at least one orchid species considered not very common on the national territory;
- c. the site hosts one or several orchid species considered to be rare, very rare or exceptional on the national territory.

Rare species found on the SAC include the early spider orchid *Ophrys sphegodes*, burnt orchid *Orchis ustulata*, musk orchid *Herminium monorchis*, and slender bedstraw *Galium pumilum*. It also hosts an outstanding invertebrate fauna includes typical downland butterflies such as the marbled white *Melanargia galathea*, adonis blue *Lysandra bellargus*, chalkhill blue *L. coridon*, and the rare silver-spotted skipper *Hesperia comma*. Two rare moths, the dew *Setina irrorella* and the straw belle *Aspitates gilvaria* are present, as is the rare carthusian snail *Monacha cartusiana*.

The *Whitfield Urban Expansion Habitat Regulation Assessment Consultation Draft Masterplan (October 2010)* sets out that the total area of available greenspace and open space at Whitfield will be 75.63ha of which approximately 8.6ha would comprise blocks of woodland, 17.8ha of structural tree belts, 26.8ha of green corridors and approximately 22.4ha of larger areas of predominantly grassland open space. It is unclear how this habitat balance translates onto the most recent Framework Plan (Drawing No: DG120) which shows the SAC Mitigation Area as a single block of 51.97ha with no clarity regarding the variety of habitats which will be included within it.

The Habitats Directive applies the precautionary principle to protected areas; plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. A high degree of certainty that the SANG can be delivered and is effective in ensuring no increase in recreational impacts to the SAC is thus necessary before a conclusion of no adverse effect on the integrity of the SAC can be reached, reflecting the requirement of the Habitats Regulations. I recommend therefore that further work is undertaken to understand how this mix of habitats (heathland, grassland and woodland) could be reflected in the SANG and, importantly, how an appropriate level of certainty can be assured at this stage that this habitat balance will be delivered through the next stages of design development.

Please do get in touch with me if you require any further information or would like a further meeting via my email, Eleanor.vanderklugt@naturalengland.org.uk. I look forward to hearing from you soon.

The advice provided in this letter has been through Natural England’s Quality Assurance process

The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information

¹ [Lydden and Temple Ewell Downs - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk)

provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

Yours Sincerely,

Eleanor van der Klugt,
Senior Advisor
Sussex and Kent Sustainable Development Team

Cc commercialservices@naturalengland.org.uk



Technical Note - Whitfield and Duke of York Roundabout Mitigation Contributions and Delivery - October 2023

Introduction

1. This Technical Note has been prepared to support the Dover Local Plan to 2040 (SD01)¹, and the supporting evidence base documents in relation to the funding and delivery timescales of two Critical Strategic Transport Mitigation Schemes identified on the A2; Whitfield Roundabout and Duke of York (DoY) Roundabout.
2. The approach currently set out in the submitted Plan and supporting Infrastructure Delivery Plan (IDP) (ED7) to the funding and delivery of these two roundabouts proposes a proportionate financial contribution approach. This is based on the percentage of total trips on each of the roundabouts, factored against the total costs of the mitigation proposals, and proportioned out across the expected dwellings from site allocations and their indicative capacities. This resulted in a zonal, per dwelling contribution approach to be collected across and beyond the plan period as allocated and windfall residential sites were delivered. In addition, there are some site-specific requirements and other developments such as employment uses making financial contributions, to be confirmed when planning applications for such proposals came forward. This approach would need forward funding to meet the delivery timescales for the mitigation proposals.
3. Given the reliance on forward funding the Council has further refined the approach to securing development contributions towards both roundabout upgrades to provide more certainty on delivery.
4. The principle of the approach already set out in the IDP, zones in the district in which sites would be required to contribute remains the same, and total level of financial contributions from those sites, remains broadly the same as previously set out. This refined position relates to the timings of the financial contributions in relation to delivery of the mitigation and adds a 'buffer' to the financial tariff.
5. For clarity, this Technical Note supersedes the information related to the proportionate contributions approach and delivery timescales set out within the following documents:
 - Local Plan Submission Version (SD01)

¹ [SD01 Dover District Local Plan to 2040 - Regulation 19 Submission Document Oct 22](#)



- Statement of Common Ground Between DDC, National Highways and Kent County Council March 2023 (GEB06)²
- Council's Response to Inspectors Initial Questions (ED5)³
- Infrastructure Delivery Plan (IDP) 2023 (ED7)⁴
- Infrastructure Delivery Schedule (appendix 1 of IDP) (ED7a)⁵
- Appendix 3 of IDP - Proportionate Contributions Tariff for Whitfield and Duke of York Roundabout Mitigation Explanatory Note (ED7a)

Design and Costs

6. The design associated with the upgrades to both Whitfield roundabout and the Duke of York roundabout are set out within the Regulation 19 Transport Modelling Report and IDP 2023 (ED7) [ED7 Infrastructure Delivery Plan - V3 July 2023 \(doverdistrictlocalplan.co.uk\)](#) and appendices (ED7a): [ED7A Appendices to IDP V3 July 2023 \(doverdistrictlocalplan.co.uk\)](#).
7. The schemes have been costed by Kent County Council's independent cost consultants informed by a schedule of quantities. The costs, as of October 2022, are:
 - Whitfield Roundabout £6.3 Million
 - Duke of York Roundabout £5.7 Million

Refined Funding and Delivery Approach

8. The refined approach is that Whitfield Urban Expansion (WUE) development alone funds the Whitfield Roundabout Mitigation and DoY roundabout is funded by the proportionate tariff requirements, as set out within the IDP, and referenced again below.

Whitfield Roundabout Funding and Delivery Timescales

9. The approach for Whitfield Roundabout funding is that the Whitfield Urban Expansion (WUE) development (existing Phase 1/1a consent⁶ and future phases associated with Policy SAP1) will fund the entire scheme (£6.3m) by a set time to factor in the expected 26-month delivery programme of works.

² [GEB06 Statement of Common Ground with National Highways and KCC Update March 2023 \(doverdistrictlocalplan.co.uk\)](#)

³ [ED5 DDC response to Inspectors' initial questions \(doverdistrictlocalplan.co.uk\)](#)

⁴ [ED7 Infrastructure Delivery Plan - V3 July 2023 \(doverdistrictlocalplan.co.uk\)](#)

⁵ [ED7A Appendices to IDP V3 July 2023 \(doverdistrictlocalplan.co.uk\)](#)

⁶ Consent for 1,350 homes through outline applications DOV/10/01010 and DOV/10/01011



10. As set out in the IDP, following testing carried out by National Highways, 1,250 homes at Whitfield Urban Expansion (WUE) can come forward in advance of the Whitfield roundabout mitigation being in place⁷. Based upon the Housing Trajectory for WUE, factoring in already completed homes, the extant consent and homes on the remaining phases, this is estimated to be required to be operational by the monitoring year 2028/29.
11. The next phases of WUE will need to be planned to ensure the 1,250 homes trigger is complied with, and therefore delivery of each parcel up to 2028/29 will be limited by Grampian conditions to allow other parcels to progress to a certain level of completions in order that their requirements for financial contributions is triggered at the right time in the programme of works. The Housing Trajectory factors this into account and anticipates delivery on a number of parcels coming forward at once, up to 250 units per annum, to account for multiple developers to commence and complete units within their respective consents.
12. Payment is expected in full by 2026-2027 to enable completion of the upgrade by 2028/29.

Securing the Phase 1/1a Contribution

13. The Phase 1/1a at WUE has in place a condition⁸ to provide an upgrade to Whitfield Roundabout to be delivered prior to the occupation of the 801st dwelling. Given the amount of time that has passed since the mitigation was agreed, National Highways has concluded that the agreed scheme from this condition does not create any meaningful capacity at the junction to mitigate the impacts generated by the consented schemes. It has therefore been necessary through the Local Plan to identify an alternative scheme that could mitigate the Phase 1/1a WUE development as required by the condition and Local Plan growth combined. This combined mitigation approach is referred to as 'Local Plan mitigation'.
14. It is expected that in lieu of the Phase 1/1a condition, a proportionate financial contribution towards the Local Plan Whitfield Roundabout Scheme will be provided by the Phase 1/1a development. The remaining costs will be met by the developers of the remaining phases within WUE (SAP1). The specific amounts remain to be determined.

⁷ This trigger point does not indicate operational capacity at Whitfield roundabout up to 1250 units, but is a pragmatic approach being taken by the highways authorities to enable funding to be brought forward in time to deliver the scheme. It is also reliant upon NH bringing forward a 'signing and lining' scheme to improve the current safety and operation of the roundabout (but does not increase capacity).

⁸ Condition 10 of Outline Planning Permission 10/01010



Duke of York Roundabout Funding

15. The approach to fund DoY Roundabout mitigation will remain as the same proportionate zonal approach already set out in the IDP, and the amount of expected dwellings in those zones. A 5% contingency 'buffer' has also been added to the estimated costs of the scheme and the proposed rate per dwelling to allow for some flexibility in site delivery issues, or lesser amounts of delivery resulting in less financial contributions being received, as well as increases in build costs which have occurred since the costing was done (that are likely to be greater than if just BCIS indexation is applied). With a 5% buffer applied to this scheme, the resulting cost is £5.7 million + £285,000 = £5,985,000.
16. A contribution of £100,000 has already been secured towards the delivery of DoY roundabout mitigation from Phase 1/1A of WUE. The units without consent at WUE (remaining SAP1) will still be required to contribute to DoY roundabout upgrade through the proportionate zonal approach, but on a reduced rate of £510 per dwelling⁹ to factor in the contribution made to fund Whitfield Roundabout in full, as set out above¹⁰.

Proportionate zonal contributions approach

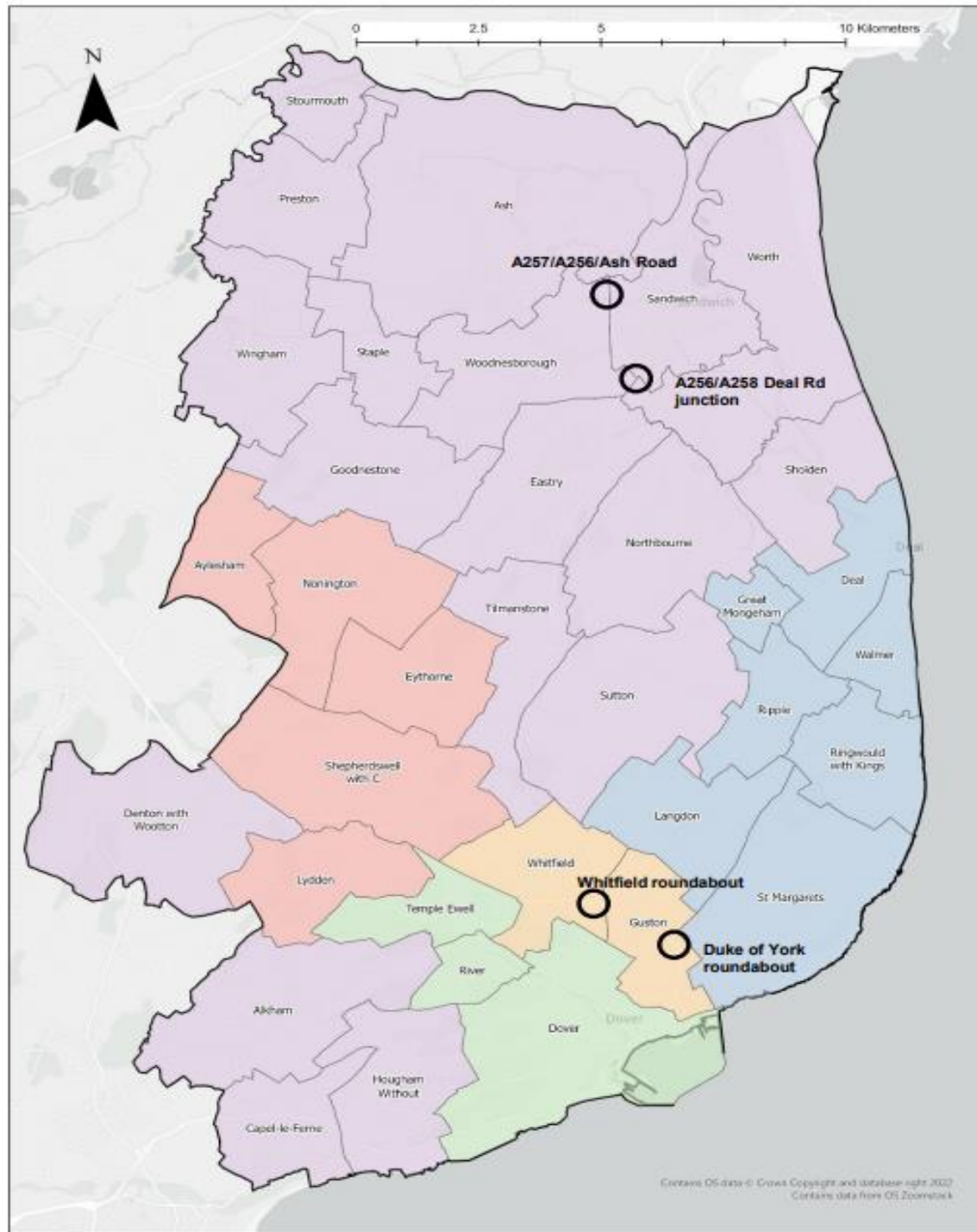
17. The map on the next page sets out the four zones within the district where the contribution rates will be applied as set out in the IDP, and the following Table 1 provides a list of those parish/settlement areas, and the per dwelling rate which will be applied to each of the four zones.
18. All residential development within the zones are required to contribute to the funding of this upgrade through this zonal contributions approach, including windfall development (sites not allocated within the Local Plan). Development sites for other uses, including employment, will be assessed on a case-by-case basis, taking into account results of site-specific Transport Assessments at the time of planning application and the identified impacts on the DoY roundabout. The principle of this approach remains the same as previously set out within the IDP.

⁹ Original Tariff for Whitfield Zone for both Roundabouts was £1500 per dwelling

¹⁰ The total costs that WUE (SAP1) would be required to contribute to both roundabouts, in the worst case scenario of no funding being secured from Phase 1/1a for Whitfield roundabout, would be less than £2000 per dwelling.



Proportionate Contributions for Whitfield and Duke of York roundabout Local Plan Mitigation schemes by parish



Tariff Zone	Aylesham area	Dover Urban area	Outside tariff zones
	Deal area	Whitfield (incl Whitfield Urban Expansion)	Strategic junction improvements

Table 1 - Proportionate Contributions to DoY Upgrade - Zones and Rates

Zone	Location/Site (Includes whole parished area)	Total Dwellings LP allocations	Per Dwelling rate
1 (Yellow)	Whitfield including the Whitfield Urban Expansion (WUE) and Guston	Remaining SAP1 WUE site*	£510
2 (Green)	Dover Urban Area (including Temple Ewell and River)	1,181	£1,050
3 (Blue)	Deal/Walmer/Sholden/ Kingsdown/Great Mongeham/ St.Margarets-at Cliffe/Langdon/ Ripple	414	£2,100
4 (Red)	Aylesham/ Nonington / Chillenden/ Lydden/ Eythorne/Elvington/ Shepherdsweil/Coldred	1,144	£1,260

*Note - £100,000 is already secured through Phase 1/1A WUE consent.

Collection and operation of the DoY per dwelling contribution approach

19. All payments made will be index linked (BCIS) from October 2022 (Date of roundabout costings). The per dwelling rates above include a 5% buffer to allow for non-delivery of sites and other factors in relation to non-payment.
20. Applications for other types of development such as Employment uses, will be required to undertake Transport Assessments and modelling to refine the site-specific financial contributions required towards either or both of the mitigation schemes as part of the Section 106 process.
21. All windfall sites within the tariff zones will be expected to contribute. Significant windfall development outside of the zones listed above will also be considered on a case-by-case basis, if it is considered they impact on the junctions.
22. Based on the Housing Trajectory, it is anticipated that over £5 Million will be secured from the above approach by 2031, when delivery of the upgrade is required. Collection of the per dwelling rate will continue from all developments throughout the plan period, which may be beyond the completion of the DoY upgrade. Some forward funding of the remaining costs (indicative £500k) may be required at time of delivery (if the gap is not already met through points iii and iv above), which will require payback through this continued collection.
23. In the event that the collected contributions from this approach result in a surplus in funds to deliver the required upgrade, the per dwelling rates will be reviewed through an update to the IDP, and if it is accepted that 'overpayments' have occurred from already consented/built schemes, the proportionate costs will be reviewed and may result in a payback mechanism of the contribution to those schemes.



24. It also may be the case that a revised mitigation scheme has been secured by the date of expected delivery (Such as RIS- A2 Access Project). In this case, the funds secured through the above methods will be transferred to that mitigation project.

Trigger Points for delivery of upgrades

Whitfield Roundabout

25. The 1,250 WUE trigger has been set out by National Highways. Considering that Whitfield roundabout is already over capacity, National Highways' analysis focused on the most effective way to reduce the length of time that the junction would be exposed to over-capacity operation. National Highways is willing to tolerate a period of over capacity on the network, provided it remains safe and where there are known and fully funded / governance / deliverable mitigation schemes to come forward (such as this Local Plan mitigation scheme). Paragraph 45 of the Circular 01/2022 which states that where development proposals are in accordance with an up-to-date development plan, considerations at planning application stage in respect of impacts on the SRN will normally be limited to agreeing the final form and phasing of supporting infrastructure (where required), as well as measures to reduce the need to travel by private car and any relevant environmental impacts.
26. It should be noted that the trigger points set out above may also be pushed back for the following reasons; firstly, the transport modelling supporting the Local Plan is based on pre-covid data, with more recent post covid traffic surveys showing a reduction in baseline traffic levels. Secondly, as a result of potential modal shift from the implementation of Dover Fastrack (bus service and improved cycling and walking routes), which has not been factored into the transport modelling used to determine the current trigger points.
27. It is therefore considered appropriate that the WUE, through the Transport Assessment supporting the outline consent for the site, could review the trigger point, in order to determine if the timing of the payment of their contribution and/or delivery of the upgrade should be altered from the current agreed position.

Duke of York Roundabout



28. The current trigger point assessment for DoY roundabout is set out within Appendix N of [TIEB02b Regulation 19 Transport Modelling Forecasting – Appendices October 2022 \(doverdistrictlocalplan.co.uk\)](#).

29. Table 7, within this document, sets out that from a base date of 2017, the delivery of expected 10,446 homes creates a need for delivery of the upgrade by 2030.

Updated Housing Trajectory Position

30. Based on housing completions since 2017, extant consent data and new information about site allocation delivery, the Local Plan Housing Trajectory has been updated in 2023¹¹. This has enabled a review of the trigger point analysis above to be undertaken to ensure that the assumed total dwellings of 10,446 still require the delivery of the mitigation scheme by 2030.

31. Based on current data and this updated evidence, the Housing Trajectory indicates that 10,872 dwellings will be reached by monitoring year 2031/32.

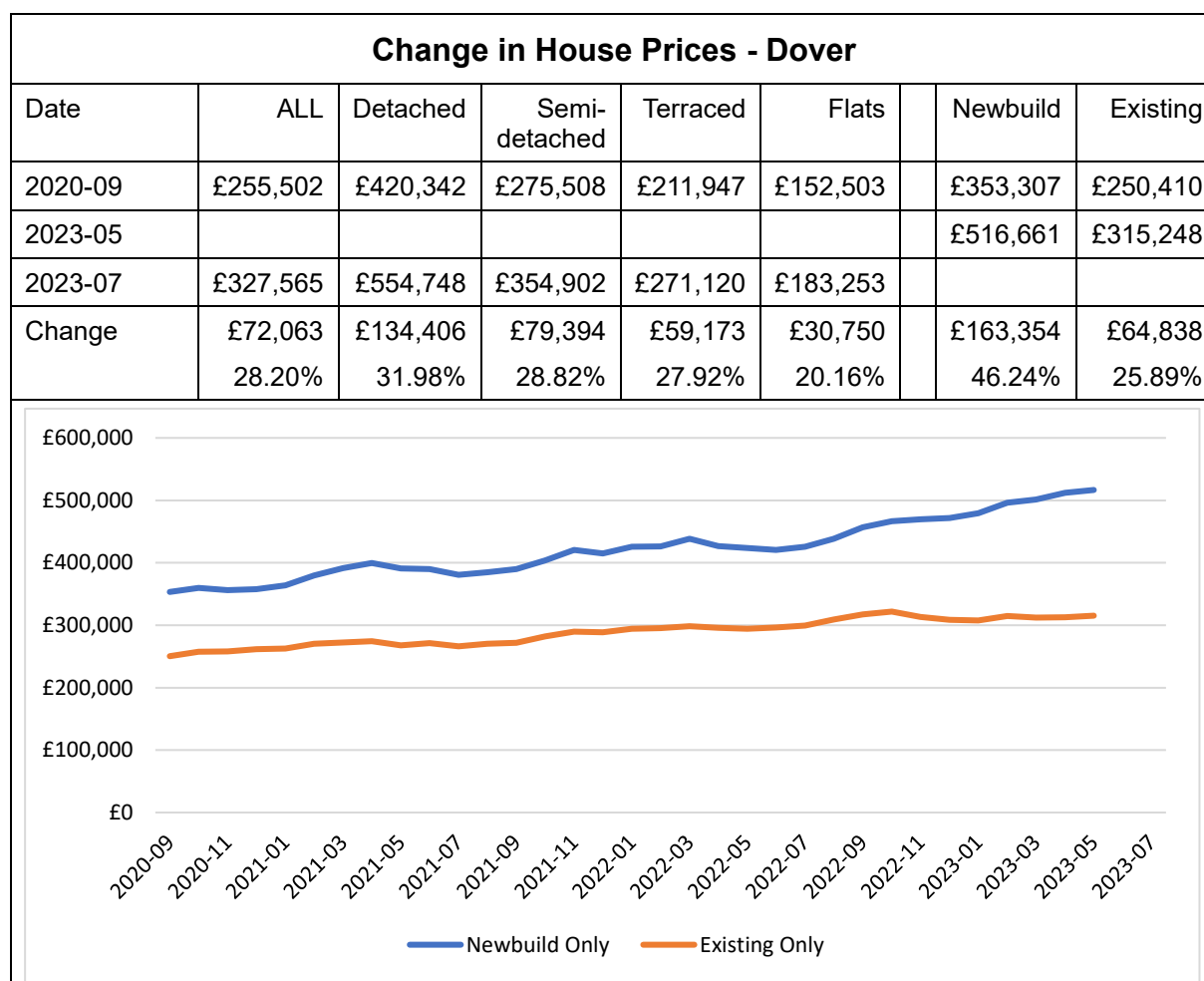
32. It is therefore considered appropriate by DDC and KCC that the development proposals for the largest contributor to trips, WUE, review the trigger point required for DoY roundabout upgrade, through the Transport Assessment supporting the outline consent for the site, in order to inform the timing of the payment of their contribution.

¹¹ Appendix 1 to the Council's Matter 4 Hearing Statement

Whitfield Urban Expansion

Viability Update – October 2023

1. In September 2023 Persimmon Homes became the controlling site promoter and developer of the majority of this site. The Council and Persimmon have prepared this note together, in part to respond to Matter 3, Issue 1 Question 8 of the Inspector’s MIQs. HDH Planning (the authors of the DDC Whole Plan Viability Study (WPVS) – November 2022) have assisted the Council.
2. In essence this question concerns the ability of the site to bear the strategic infrastructure and mitigation costs. This note further considers the viability of delivery of the Whitfield Urban Extension.
3. Values and costs have clearly moved on since 2020. The costs were based in August 2020 (see Table 7.1), and the values were based in September 2020 (see Table 4.9).



Source: Land Registry (September 2023)

Change in BCIS Costs – Rebased for Kent	
Estate Housing Generally - Median	
Date	Rate per m ² gross internal floor area for the building Cost including prelims.
29-Aug-20	£1,358
23-Sep-23	£1,621
Change	£263 19.37%

Source: BCIS (September 2023)

4. Since the 2020 Whole Plan Viability Study (WPVS) was prepared, the Land Registry reports that newbuild house prices have increased by about 45% and the BCIS reports construction costs have increased by about 20%. In the period from 2020 to 2023 selling prices have increased more than build costs indicating that viability has improved somewhat since 2020 and that the findings set out in the 2020 WPVS can still be relied on. Having said this, the housing market has been impacted by increased interest rates that have had a consequential effect on house prices and sales rates.
5. In September 2023 the Council updated the strategic infrastructure and mitigation costs for the Whitfield Urban Extension. As this site is a strategic site, it is appropriate to consider this fresh information in the context of the local newbuild house prices. The newbuild house prices have been reviewed using the same data sources as in the 2020 WPVS.
6. The Price Paid Data from Land Registry reports 126 newbuild sales since the start of 2021 in and around Whitfield. There is currently a significant lag in the data and no newbuild sales are reported in 2023.

Prices Paid – Newbuild Homes			
2021	Count	Average £	Average £ per sqm
Detached	46	£452,348	£3,191
Flats	0		
Semi-detached	22	£309,203	£3,625
Terraced	17	£304,878	£4,010
ALL	85	£385,804	£3,467
2022	Count	Average £	Average £ per sqm
Detached	20	£411,499	£3,628
Flats	1	£274,995	£4,583
Semi-detached	8	£328,496	£4,036
Terraced	12	£322,828	£4,245
All	41	£366,021	£3,911

Source: Land Registry and EPC Register (September 2023) Contains HM Land Registry data © Crown copyright and database 2023. This data is licensed under the Open Government Licence v3.0.

7. The data in the above table above is directly comparable to Table 4.6 of the 2020 WPVS. This suggests average prices in this area have increased by about 20% from £3,124 per sqm to £3,911 per sqm.
8. A further set of appraisals have been run using this updated revenue assumption (£3,911 per sqm) and, in line with the above, the BCIS costs have been updated to the September 2023 figures. With regard to the BCIS cost, the lower quartile cost is now used, as this agreed to be the appropriate benchmark for a site of this scale.
9. In the 2020 WPVS the Whitfield site was tested under two options – both being based on a density of 32 units per ha and a net developable area of 60%:

	Units	Gross Area (ha)	Net Area (ha)
Whitfield	4,017	209.22	125.53
Whitfield Plus	4,617	240.47	144.28

10. Under both these scenarios, the costs of strategic infrastructure and mitigation (ie s106 costs) was assumed to be £20,000 per unit, and it was assumed that the infrastructure would be provided through the life of the project, pro-rata to the delivery of the units.
11. In relation to the strategic sites the 2020 WPVS advised (paragraph 10.15(e)) as follows:

For the Strategic Sites, an allowance of £20,000 per unit is made for strategic infrastructure costs. At the time of this report the Council has not completed its assessment of the infrastructure requirements, so this is a figure that is used for illustrative purposes. On these sites, viability is constrained. To a large extent these findings are to be expected at this stage

of the plan-making process as the delivery of any large site is challenging, so, rather than draw firm conclusions at this stage, it is recommended that the Council engages with the owners in line with the advice set out in the Harman Guidance (page 23): ... In this context we particularly highlight paragraph 10-006 of the PPG: ...

12. Whilst HDH stand by this advice, the delivery of this site is now considered further, with Persimmon Homes, the site promoter and developer, to take into account the fact that the Council has refined the parameters of this potential allocation, undertaken further work to understand the costs of strategic infrastructure and mitigation and developed a trajectory for the site's delivery. The revised cost, as at September 2023, of strategic infrastructure and mitigation across the unconsented elements of this site is now estimated to be £82,140,000 or £16,877 per dwelling.
13. The Core Strategy 2010 originally allocated this site for 5,750 homes (on a site area of 310ha). The Local Plan SAP1 reallocates the site, increasing the total capacity to 6,350 homes (on a site area of 380ha). Of this, 1483 units has been consented, and has been, or is being, delivered. The new Local Plan will carry forward the allocation, now allocating the remaining land of 308ha for 4,867 dwellings. The consented elements are subject to an overarching masterplan and a detailed s106 agreement setting out the provision of infrastructure and affordable housing (parts of the site have delivered policy compliant affordable housing).
14. Further appraisals have now been run based on a site area of 308ha (the remaining land within SAP1 policy boundary) and a capacity of 4,867 dwellings. This is based on the same assumptions used in the 2020 WPVS, the updated s106 costs and the Council's housing trajectory.

Whitfield – Updated Trajectory			
	Units	S106	S106/infrastructure phasing assumptions
Year 1	50	£0	
Year 2	50	£2,000,000	Whitfield roundabout
Year 3	100	£4,800,000	Whitfield roundabout, Secondary School
Year 4	150	£2,500,000	Whitfield roundabout, Duke of York roundabout, Secondary school
Year 5	150	£5,000,000	Duke of York roundabout, A256 junction, Secondary school
Year 6	150	£4,700,000	Duke of York roundabout, A256 junction
Year 7	150	£400,000	KCC community contributions
Year 8	150	£1,500,000	Secondary School
Year 9	150	£1,500,000	Secondary school
Year 10	150	£8,000,000	Primary school and community campus
Year 11	150	£8,000,000	Primary school and community campus
Year 12	200	£400,000	KCC community contributions
Year 13	200	£3,000,000	A2 Junction
Year 14	200	£3,000,000	A2 Junction
Year 15	200	£250,000	Sustainable Travel
Year 16	200	£430,000	Off-site sports
Year 17	200	£400,000	KCC community contributions
Year 18	200	£6,000,000	Primary school
Year 19	200	£6,000,000	Primary school
Year 20	200	£6,000,000	Primary school
Year 21	200	£250,000	Sustainable Travel
Year 22	200	£250,000	Community campus
Year 23	200	£430,000	Off-site sports
Year 24	200	£8,000,000	Secondary Education
Year 25	200	£8,250,000	Secondary Education, Community campus
Year 26	200	£400,000	KCC community contributions
Year 27	200	£250,000	Sustainable Travel
Year 28	200	£430,000	Off-site sports
Year 29	67	£0	
TOTAL:	4,867	£82,140,000	

Source: DDC (September 2023)

15. In the 2020 WPVS the Whitfield site was modelled assuming 32 dwellings per ha and that the net developable area of the site was 60% (these assumptions are repeated in Site 1 and Site 2 below. The initial base appraisal (Site 3 below) is based on the revised site area whilst the subsequent appraisals are based

on a development areas based on 32dph and 60% net developable (as in the 2020 WPVS). The following table shows the appraisal results based on the cost and value assumptions and the new site parameters.

Whitfield Strategic Site – Base Modelling				
		Existing Use Value	Benchmark Land Value	Residual Value
Site 1	2020 Whitfield	22,500	422,500	362,364
Site 2	2020 Whitfield PLUS	22,500	422,500	342,958
Site 3	4,867 Base 308ha	22,500	422,500	289,075
Site 4	4,867 Base 32dph/60%net	22,500	422,500	351,238

16. The Residual Value exceeds the EUV, but not the BLV. This is due to a number of assumptions (set out below) that artificially reduce the apparent deliverability of the site.
17. The precise details of the housing mix, the open space requirements and sustainability measures (including BNG and environmental mitigation) are not yet known. These will emerge from the detailed design process, however it is important to note that the 2020 modelling was based on an assumption of 2,914 sqm per net ha at 32 units per ha. It is likely that Persimmon would bring forward a scheme at a higher net density of about 15,000 sqft per net acre which equates to about 3,440 sqm per net ha, but perhaps a net developable area closer to 50%. The Council and Persimmon believe that the viability testing understates the development per ha, so the Residual Value depressed. Without more detailed plans, it would be premature to adjust the modelling at this stage.
18. As is conventional in whole plan viability testing, the base appraisals assume all the land is purchased on day one. This does not reflect the reality, particularly on a large scale site in multiple ownerships and one that will be delivered over multiple phases and outlets.
19. Further a set of appraisals has been run testing the impact of purchasing the site in two, three and four tranches. Having discussed the matter with Persimmon Homes it is agreed that the likelihood is that this site will come forward in at least 4 tranches.

Whitfield Strategic Site – Impact of Site Acquisition in Tranches				
32 Dwellings Per ha, 60% Net Developable.				
30% Affordable Housing (65%/35%), S106 £82,140,000 as per Trajectory				
		Existing Use Value	Benchmark Land Value	Residual Value
Site 5	4,867 Base 1 tranche	22,500	422,500	351,238
Site 6	4,867 Base 2 tranches	22,500	422,500	449,946
Site 7	4,867 Base 3 tranches	22,500	422,500	503,833
Site 8	4,867 Base 4 tranches	22,500	422,500	563,737

20. Paying for the site in tranches has a notable impact on the residual value. In the remainder of this note it is assumed that the site is acquired in 4 tranches.

21. Further appraisals have been run at varied levels of affordable housing. In addition, varied levels of developer contributions are tested. The £82,140,000 or £16,877 per unit is considered a worst-case scenario so this cost is also subject to sensitivity testing.

Whitfield Strategic Site – Impact of Varied Affordable Housing				
32 Dwellings Per ha, 60% Net Developable.				
S106 £82,140,000 as per Trajectory				
		Existing Use Value	Benchmark Land Value	Residual Value
Site 9	4,867 Base 0% Aff	22,500	422,500	1,072,794
Site 10	4,867 Base 5% Aff	22,500	422,500	988,247
Site 11	4,867 Base 10% Aff	22,500	422,500	903,389
Site 12	4,867 Base 15% Aff	22,500	422,500	818,531
Site 13	4,867 Base 20% Aff	22,500	422,500	733,674
Site 14	4,867 Base 25% Aff	22,500	422,500	648,816
Site 15	4,867 Base 30% Aff	22,500	422,500	563,737

22. This analysis suggests that the site will be able to bear 30% affordable housing, in addition to the identified strategic infrastructure and mitigation costs – although it is important to note that the £82,140,000 figure used here is the Council's worst case scenario.

23. A similar exercise has been undertaken varying the level of developer contributions.

Whitfield Strategic Site – Impact of Varied Developer Contributions 32 Dwellings Per ha, 60% Net Developable. 30% Affordable Housing (65%/35%), S106 paid pro-rata				
		Existing Use Value	Benchmark Land Value	Residual Value
Site 16	4,867, 30% Aff, £0 s106	22,500	422,500	853,367
Site 17	4,867, 30% Aff, £10,000 s106	22,500	422,500	700,296
Site 18	4,867, 30% Aff, £15,000 s106	22,500	422,500	622,945
Site 19	4,867, 30% Aff, £20,000 s106	22,500	422,500	545,429
Site 20	4,867, 30% Aff, £25,000 s106	22,500	422,500	467,913

24. With 30% affordable housing, the site is likely to be able to bear at least the £82,140,000 estimated by the Council.

25. In the 2020 WPVS the challenges in delivering this (and any other) strategic site were identified. Based on this updated information the Council can have confidence that the Whitfield Urban Expansion will be able to deliver a broadly policy compliant scheme. The Council acknowledges that it may be necessary to consider viability through the development management process, as and when a detailed scheme is worked up.