



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

### Matter 3 – Housing Allocations

#### Issue 4 – Aylesham Housing Sites

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##### *Policy SAP24 – Land South of Aylesham*

**Q1 What is the justification for allocating site SAP24, when taking into account the other reasonable alternatives for delivering growth around Aylesham? Is the chosen strategy an appropriate one?**

#### **Q1 DDC Response:**

1. As set out in response to Matter 2 – Issue 3 – Question 5, the final scale of development proposed in Aylesham is based upon a number of factors, including in response to stakeholder consultation on the Regulation 18 Local Plan, which initially identified two strategic sites for allocation (AYL004 – North Aylesham for 500 homes, and AYL003 – South Aylesham for 640 homes (SAP24)). During the consultation, concerns were raised in relation to cumulative proposed scale of growth on the highway network in particular. This led to the council undertaking more detailed assessment of the two strategic sites during the preparation of the Regulation 19 stage of the HELAA, which took all new information into consideration, including information provided by site promoters, and resulted in the removal of the least reasonable alternative site (ALY004) which was reassessed and concluded as unsuitable.
2. As explained in ED3<sup>1</sup> (pages 57 -58), in terms of the Sustainability Appraisal the sites scored the same on most of the objectives. However, AYL003 was scored higher in terms of access to services and amenities and is in closer proximity to both Aylesham and Snowdown railway stations, making it a more sustainable location for growth out of the two sites.
3. The impact on the road network was one of the key concerns, and it was determined that AYL003 was likely to have a lesser impact on the A257/High Street junction located in Wingham. The Regulation 18 transport models highlighted that AYL003 generated fewer trips travelling towards this junction.
4. In addition, a more detailed analysis was undertaken with regards to the two sites in relation to the relationship with the existing built form of the settlement and impact on the existing residential properties. It was concluded that due to the separation created by Spinney Lane and an area of open space, the development of AYL003 would have a lesser impact on the existing properties. When taking account of the existing settlement form and the design and layout which is based on the circular Garden Village principles with a central village square, development of site AYL003

<sup>1</sup> [ED3 Selection of Site Allocations Housing Sites Addendum April 2023 \(doverdistrictlocalplan.co.uk\)](https://www.doverdistrictlocalplan.co.uk)



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is considered, at this time, to be a more appropriate extension to the settlement which is able to continue the Garden Village design principles already established and be in closer proximity to the central square.

5. With regards to landscape impact, it is important to note that the assessments for both sites relate to larger areas than those considered for allocation and therefore some of the outcomes do not apply to the site allocation area. Both assessments do identify significant impacts on the landscape in terms of localised impact. However, it is concluded that AYL003 is better screened by the existing landscape features, including the woodland and that mitigation in the form of a landscape buffer would be a more natural feature in AYL003 than AYL004.
6. Overall, on balance and based on the assessments, mitigation of the constraints of each of the two sites individually could be achieved through suitable policy criteria. However, due to the cumulative effect of the two allocations, particularly in respect of highways impact, it was considered that only one site could go forward. The site selected under SAP24 has been based on the conclusions of the more detailed assessment outlined above. The Council has concluded that AYL003 is the most suitable extension to the settlement at this time and is therefore considered to be the most appropriate strategy for the plan.



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- Q2 How does the site boundary relate to possible development proposals in the emerging Canterbury Local Plan? When viewed in isolation, does it adequately reflect the form of the existing settlement?**
- Q3 What is the justification for the suggested changes to Policy SAP24 in relation to the Canterbury Local Plan? Why are they necessary for soundness and will they be effective in achieving the expected outcomes?**

#### Q2 & Q3 DDC Response:

7. The site submitted for consideration was a larger area of land, which did fall partly inside the Canterbury district. It has been assessed throughout the site selection process on its own merits and in some matters, (including the landscape assessment) its relationship with land within the Canterbury District was factored into the assessment process. However, the final results of the Dover Plan assessments are based solely on the suitability of the site, regardless of what other potential sites may come forward outside of the district boundary. As set out in response to Question 1, the site is considered to be a suitable site which will create a natural extension to the current settlement, providing good connectivity with the central village square and services. It will be able to continue the built form of the existing settlement, and be designed based on the garden village principles, with streets designed around the topography with clearly defined roads and pedestrian links to the central area.
8. Consideration of the emerging Canterbury Plan has been factored into the site policy, following the Regulation 19 consultation on this Plan, and the initial Regulation 18 consultation on the Canterbury Plan in late 2022. As set out in the response to Inspectors' initial questions (ED5)<sup>2</sup> question 4, the plans for Aylesham/Adisham in the Canterbury Plan were only known shortly before publication of the Regulation 19 Plan. Both Councils made representation on the matter in Canterbury's Reg 18 consultation and Dover's Reg 19 consultation. The Councils have worked together through the Duty to Cooperate process to consider the implications. The Council is aware that both sites are within the same ownership.
9. The outcome of this collaboration is set out in the Statement of Common Ground between the Council and Canterbury City Council (GEB03)<sup>3</sup> where Additional Modifications have been agreed to address the potential of the sites coming forward

<sup>2</sup> [ED5 DDC response to Inspectors' initial questions \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)

<sup>3</sup> [GEB03 Statement of Common Ground with Canterbury City Council Update March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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simultaneously. The modifications are set out within the above document and within SD06<sup>4</sup> as AM51.

10. The proposed modifications firstly add clarity to the requirements of the master planning process required by the policy at paragraph 4.202. This is not considered necessary for soundness but adds to the effectiveness of the policy. The proposed changes to paragraphs 4.203 and 4.204 have been drafted to reflect the position in relation to the Canterbury Local Plan's emerging proposals and to address the potential of these progressing further, and the need for some of the policy requirements to provide flexibility in the creation of a landscape buffer, in order that good planning and placemaking would be achieved on the whole development, with connectivity and ecology for example. It is not considered necessary for soundness as the Canterbury Plan is not adopted, however it would be consistent with the NPPF's social objective to foster well-designed places by setting clear expectations for the master planning approach if both sites come forward and the NPPF requirement to establish coherent ecological networks.
11. These modifications have also been agreed in Statement of Common Ground between the Council and the site promoters, Axis Land Partnerships.

**Q4 What effect will the allocation have on the landscape character of the area, having particular regard to views to and from the AONB?**

#### Q4 DDC Response:

12. The site assessment undertaken as part of the HELAA process (as seen in GEB09d)<sup>5</sup> concluded that the site was exposed in the landscape with some long distance views across the site, however, this assessment was based on the larger area of land submitted, some of which fell outside the remit of the plan. With regards to the land in the Dover district, identified within Policy SAP24, whilst the assessment accepted that development of site would clearly urbanise this area of open countryside, it was considered that the site did provide a logical extension to the settlement and the impacts on the landscape, including views to and from the AONB could be mitigated through the Policy, including through landscape buffers.

<sup>4</sup> <https://www.doverdistrictlocalplan.co.uk/uploads/Submission-Documents/SD06-Schedule-of-Additional-Modifications-to-the-Regulation-19-Submission-Plan-March-2023.pdf>

<sup>5</sup> [GEB09d-HELAA-Appendix-3-a-to-g-HELAA-2020-Site-Assessments-October-2022.xlsx](https://www.doverdistrictlocalplan.co.uk/uploads/Submission-Documents/GEB09d-HELAA-Appendix-3-a-to-g-HELAA-2020-Site-Assessments-October-2022.xlsx) (live.com)



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13. As set out in the Statement of Common ground between the council and the Kent Downs AONB unit, it is agreed the site has the potential to impact on the setting of the Kent Downs AONB from long distance views. This should be assessed further through a Landscape and Visual Impact Assessment as set out in criteria (I) of Policy SAP24. It is agreed that any impact from mid-range and long views can be mitigated through the design and layout of the scheme, and provision of landscape buffers and structural and internal landscaping.

**Q5 What effect will the allocation have on the safe and efficient operation of the highway network?**

#### Q5 DDC Response:

14. As part of the plan preparation, the Council (through transport consultants WSP) has developed a strategic traffic model which represents the impact in 2040 of the Local Plan sites in Dover and Deal, as reported on in Regulation 19 Transport Modelling Forecasting Report.
15. This report then undertakes detailed junction modelling at locations where Local Plan sites are impacting the performance of local junctions.
16. Of those areas outside the strategic model simulation area, like Land South of Aylesham, where Local Plan developments were proposed, more detailed static assessment was undertaken, as reported on in the Regulation 19 Transport Modelling Forecasting Report, Chapter 9. In Chapter 9, the report identified that the A257 junction with High Street in Wingham will experience increases in traffic as a result of the Local Plan development.
17. As set out in response to Matter 2 – Issue 4 – Question 3 constraint on the local highways network has been a factor influencing the selection of sites for allocation and has been informed through consultation with Kent County Council Highways (KCC) and the Transport Modelling that has been carried out. KCC have provided comments on all HELAA sites subject to the suitability assessment in relation to access requirements and potential impacts on the local highway network, with updates to their comments being provided following the Regulation 18 consultation, targeted call for sites, and in response to additional information submitted by site promoters, and post Regulation 19 stage.
18. As part of this consultation KCC raised concerns throughout the plan making process on cumulative impacts on the A257 Wingham junction. The Council sought to address this through the removal of the AYL004 site which reduced the overall amount of development which would impact on the junction.



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19. WSP has undertaken some detailed analysis of this junction, which highlights that in the 2040 Do Minimum scenario, (without the Local Plan) the junction is over capacity and therefore modal shift is encouraged for committed and Local Plan developments in the area to ensure the junction performance does not deteriorate any further. Recent traffic surveys carried out by the site promotor indicate that the baseline position on the local road network has improved. This combined with proposals for improved sustainable transport options for the site, it is the Council's view that the residual cumulative impact on the junction would not be severe.
20. The council are continuing to engage with both the developer and KCC Highways on these matters relating to this site, and some further modifications may be required to the policy in relation to cumulative impacts on the rural road network and sustainable transport requirements.
21. In relation to other local junctions it has been demonstrated through work carried out by the site promotor and agreed by KCC Highways that improvements to local junctions as set out in criteria g) i and ii) can be made to accommodate the development.

**Q6 What is the justification for Policy SAP24(q)? What are the existing facilities that need upgrading and why?**

#### Q6 DDC Response:

22. Criterion q is proposed to ensure clarity around the need for a strategic site of this size to plan for the infrastructure needs of the development in accordance with Policy SP11 of the plan and supporting Infrastructure Delivery Plan (IDP). The list within the criterion was not exhaustive and was drafted to guide plan users to the typical types of needs that would be required by Policy SP11.
23. The reference to existing facilities was made to reflect the nature of changing circumstances in the settlement as a result of the recent growth, which has been required to provide new or enhanced facilities as part of their consent. As set out in the most recent published Infrastructure Funding Statement at Appendix 1<sup>6</sup> - there are several projects which have funding held, or expected to be received by the Council which will deliver enhancements to local provision. The Infrastructure Delivery Schedule (appendix 1 of the IDP)<sup>7</sup> in Table 5 (page 33) lists all the known specific projects to upgrade local facilities in the settlement, which include the

<sup>6</sup> [Infrastructure-Funding-Statement-2021-2022.pdf \(dover.gov.uk\)](#)

<sup>7</sup> [ED7A Appendices to IDP V3 July 2023 \(doverdistrictlocalplan.co.uk\)](#)



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education requirements, and open space and sports projects identified through the Council's evidence base which may be considered as part of the application. It also references the potential need to continue funding the community development officer role, a need for a new community provision such as a village hall, and healthcare provision.

24. This approach is justified by evidence and in accordance with the NPPF economic objective by identifying and coordinating infrastructure.
25. Following review of this matter, the Council requests that the following Post Submission Modifications are made to the Policy, to add some flexibility and clarity to the requirements of both criteria d and q as set out below, making reference to the overarching policies and the IDP:
  - d) Formal and informal open spaces for leisure and recreation, including play areas, sports fields, allotments, in accordance with Policies PM3 and PM4 and community orchards to meet the needs of the development. Where possible open spaces should be multi-functional contributing to wider ecological networks and the provision of sustainable drainage, and should be: accessible to new and existing communities; provide upgraded routes for walkers and cyclists; improve connections between and enhancements to existing habitats; provide safe routes for wildlife, protecting and enhancing wildlife assets;
  - q) Financial contributions towards the delivery of required off-site infrastructure including, but not limited to, strategic highways mitigation, ~~pre-school, primary, secondary and SEN~~ education provision, libraries, sports, social and community facilities, ~~youth services, social care, waste provision~~ and local bus services in accordance with Strategic Policy 8-11 and the Infrastructure Delivery Plan. Contributions will be directed towards the upgrade of existing facilities within Aylesham village where these are currently available.
26. These modifications have been agreed in Statement of Common Ground between the Council and the site promoters, Axis Land Partnerships on behalf of the landowner.





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**Q7 How have the effects of development on biodiversity, including the ancient woodland (Ackholt Wood) been considered? What is the justification for the suggested changes to the Plan which seek to increase the buffer?**

#### Q7 DDC Response:

27. As part of the site assessment process, impacts on biodiversity and the ancient woodland were considered.
28. The Sustainability Appraisal (SD03a) acknowledges at paragraphs 7.175 and 7.176 that a precautionary significant effect was recorded against the objective to conserve, connect and enhance the District's wildlife habitats and species. However, it concludes that;  
  
*'Inclusion and implementation of appropriate safeguards and mitigation in the Local Plan would provide certainty that there would be no adverse effect on the integrity of the Thanet Coast and Sandwich Bay SPA and Ramsar site. The effect against Site Allocation Policy 24 (AYL003r2) is mixed with a minor positive effect because the policy sets out requirements for notable enhancement to ecological assets and networks within and in the immediate vicinity of development'*
29. Policy criteria k requires at least a 15m buffer around the ancient woodland (Ackholt Wood), in accordance with guidance, which should include semi-natural habitat and contribute to wider ecological networks. Therefore the effects of the development on biodiversity and the ancient woodland are considered able to be mitigated, making the policy compliant with the NPPF and the level of protection afforded to ancient woodland, and mitigation measures set out in national guidance when making planning decisions<sup>8</sup>.
30. The proposed modification AM53 responds to a representation made on the plan at Regulation 19 consultation from the Woodland Trust in relation to the buffer size. The Council has agreed to propose a modification to extend the requirement to 20m in accordance with its advice, which is considered to be justified.
31. The site promoters have confirmed that the modification to 20m buffer can be achieved within the indicative masterplan.

<sup>8</sup> <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>





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##### *Policy SAP25 – Aylesham Development Area*

**Q1 Is the intention of this allocation to come forward separately, or as part of land south of Aylesham (SAP24)? Does the masterplan for site SAP24 need to account for this development too?**

##### **Q1 DDC Response:**

32. It is intended that the sites will come forward separately and it will not be required to masterplan the SAP25 allocation as part of the masterplan for SAP24. The SAP25 employment site was highlighted on Figure 4.6 for visual purposes only to draw attention to the proximity to SAP24. This was clarified by the proposed Additional Modification AM52 within SD06<sup>9</sup> to add 'for information only'. This is considered to be required for soundness purposes. Alternatively, the Council would not object to the removal of the SAP25 site from the diagram.
33. AM52 has been agreed in the Statement of Common Ground between the Council and the site promoters, Axis Land Partnerships on behalf of the landowner.

**Q2 What scale of development is proposed at the Aylesham Development Area? To be effective, it is necessary to set this out in the Plan?**

##### **Q2 DDC Response:**

34. Up to 8,500sqm of employment space could be accommodated on the remaining land, as set out in Table 3.5 in the Plan.
35. The Council considers this 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 SAP25, the Council would raise no objection to this modification being made.

<sup>9</sup> [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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**Q3 What is the justification for a Landscape and Visual Impact Assessment and screening along the southern and western boundaries when taking into account the size of the site and its relationship with SAP24?**

#### Q3 DDC Response:

36. The degree of impact will be dependent on the height and scale of forthcoming development proposals. The site currently has a robust landscape buffer along the southern boundary, adjoining the land allocated for residential development (SAP24), that could be reinforced with additional trees. The existing landscaping along the eastern boundary is weaker with some gaps and would be less effective in screening or softening any visual impact. Any negative impacts could be resolved through the design of future buildings and an effective planting scheme. These matters are set out preceding paragraph 4.204 and in criteria a) and b) of the Policy.
37. Upon reflection of the justification for the criteria, the Council now considers that a Landscape and Visual Impact assessment is not necessary, and therefore would not object to the removal of this requirement from b criterion of Policy SAP25.

**Q4 What are the existing uses on the site and how do they form part of the plans for its redevelopment?**

#### Q4 DDC Response:

38. The site comprises the remainder of a Dover District Local Plan 2002 allocation (Policy LE2 and Fig. 3.5) for 2.15ha of B1 floorspace (5,500 sqm) and 2.15ha of B2 floorspace (4,900 sqm) on a 4.3ha site. Approximately 4,000 sqm of employment floorspace has been delivered in the form of two rows of modern business units on the northern portion of the site, known as Miners Way Business Park. A coach garage, replacing an existing building, was granted planning permission on the wider site in 1998, and comprises a 300sqm building on a 0.2ha site. These buildings and uses will remain. Up to 8,500sqm of employment space could be accommodated on the remaining land, as set out in Table 3.5 of the Plan.



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**Q1 What evidence is available to demonstrate that the site can achieve the 9 dwellings proposed, having particular regard to access arrangements, separation distances to existing properties, the requirement for tree surveys and root protection zones and the need to retain access to wastewater infrastructure? Is the allocation justified?**

#### *Policy SAP27 – Land at Dorman Avenue*

#### **Q1 DDC Response:**

39. An initial site capacity was identified using the density standards for the location of the site. In this case 45dph (as set out in response to Matter 4 Issue 1 Q3). The capacity was reduced to take account of the following site specific factors. Based on this, the starting point for site capacity is around 15 units.
40. The capacity was reduced to take account of site-specific factors such as the need for access, which can be taken from the boundary with Dorman Avenue, with the potential of utilising a rear access road behind the existing properties which currently provides access to the rear of the site. The grain of the area – which consists of semi-detached/terraced properties, the trees within the rear part of the site and potential root protection zones, and the shape of the site were all also site-specific factors taken into account. The delivery of several homes on the frontage of the site adjacent to Dorman Avenue is considered to be achievable in a way that can be designed to reflect the surrounding residential properties, and there is further potential in the rear part of the site to provide a well-designed scheme of several homes. It is also considered that there is potential for consideration of a small flatted development to be constructed, as there are residential properties in the immediate vicinity which are 3-storey.
41. The location of the access to wastewater infrastructure is not known at this time but is based on comments from Southern Water and the criteria enables this to be considered as part of the site design.
42. It is acknowledged that subsequent to the initial assessment of the site, the tree and shrub coverage on the rear part of the site has grown substantially. However, it is not clear at this time how many of the trees within the site require any level of retention or protection. Site capacities referred to in the Plan's site policies are indicative and it remains the responsibility of the applicant in bringing forward a planning application to demonstrate how their proposed scheme (including its quantum of development) is in conformity with the Plan taken as a whole. At this time, it is considered that 9 units is a justified starting point for the allocation, taking into account these factors.