



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

Matter 3 – Housing Allocations

Issue 6 – Eythorne and Elvington and Wingham Housing Sites

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Policy SAP28 – Land between Eythorne and Elvington

Q1 How has the scale of development proposed been established? Is it commensurate with the role and function of Eythorne and Elvington as separate Local Centres?

Q1 DDC Response:

1. On this site specifically, the indicative capacity is informed by the location of the pylons and necessary buffer, surface water flooding issues and the impact on the rural road network, taking into account concerns KCC Highways had initially raised. The concept plan submitted by landowners¹ shows the area of developable land, taking these elements into account, which shows in total 10.04 ha developable land. This equates to 301 dwellings.
2. One of the promoters for the site advises that, in respect of the concept plan;
“At this stage it provides a good level of certainty to both landowners and the Council that the site can provide a net developable area of at least 10.4 ha, along with providing a good level of open space and biodiversity opportunities in line with the policy requirements, and adequate areas for surface water drainage. This would facilitate the delivery of between 300-350 dwellings, depending on the average density per hectare applied (30 dph and 35 dph respectively)².”
3. The policy allocated the site to deliver approximately 300 new homes over the Plan period, which is considered to be appropriate and has been informed by the above considerations during plan making.
4. In respect of how the development is commensurate with the role and function of Eythorne and Elvington as separate Local Centres, this has been addressed in the council's response to Matter 2 – Issue 3 – Question 6 in full.
5. In summary, Elvington and Eythorne are both listed as rural Local Centres in their own right, based on their individual score and both have a wide range of services, and due to their close proximity to each other they also have good access to the

¹ [SD04b Schedule of Representations pursuant to Regulation 20 \(Plan Order\)](#) p.1560 – A104a Attachment

² [SD04b Schedule of Representations pursuant to Regulation 20 \(Plan Order\)](#) p.1571



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services in their neighbouring settlement. Due to their new Local Centre categorisation, close proximity to each other and the number of shared services, the Local Plan (SD01) in paragraph 4.220 (with Proposed Additional Modification AM58³) sets out the intention of the Local Plan site allocations to strengthen their roles as local centres. The additional modification seeks to clarify that the settlements are not considered to be one local centre, but two separate local centres.

6. The scale of growth proposed, if considered as two separate settlements, does not greatly differ from other local centres.

Q2 How have the effects of the proposed development on existing infrastructure been considered, having particular regard to school place provision, highways capacity and wastewater been considered?

Q2 DDC Response:

7. All relevant infrastructure providers were consulted throughout Local Plan making. The specific requirements for additional infrastructure would be expected to be determined at the planning application stage through the application of Policy SP11. The requirements of Policy SP11 are not repeated in the site-specific policies unless specific requirements have been identified by the infrastructure providers for the site, as the Plan is expected to be read as a whole.
8. In the case of this site, due both to its scale and the responses from infrastructure providers, Policy SAP28 sets out various requirements for the delivery or / contributions towards specific infrastructure.
9. The Council considers that the Plan read as a whole, and also in respect of the requirements set out in Policy SAP28, is sufficiently clear with regard to what is expected of applications for planning permission of this site in relation to infrastructure provision. The Council's Infrastructure Delivery Plan (IDP) and Appendices set out the range of infrastructure projects that this site will need to contribute towards⁴.

³ [SD06 Schedule of Additional Modifications to the Regulation 19 Submission Plan March 2023 \(doverdistrictlocalplan.co.uk\)](#)

⁴ [IDP Appendices](#) – Table 6 (p38)



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10. The SoCG between the council, Dover District Council Estate (Landowner) and Catesby Estates (promoter for Ledger family as landowners) for Policy SAP28 sets out all parties agree that the provision of necessary infrastructure to support the development is justified and this objective is safeguarded by the policy wording.

School place provision

11. In relation to education, para 3.208 of the Plan states whilst there is a need identified for future school places for which financial contributions may be required, as education needs change over time, depending on local issues, catchment areas and change in birth rates, specific education contributions will be agreed at planning applications stage, following consultation with KCC.
12. Funding rates are contained within the KCC Developer Contributions Guide 2023 and relevant Technical Appendices. The IDP sets out the latest evidence from KCC education on need for schools.⁵ This sets out that the need in Eythorne and Shepherdsweil group is equivalent to around 0.5FE of additional primary school provision and that extension of primary provision would be required.
13. Policy SP11 – Infrastructure and Developer Contributions will be applied to ensure that the right education infrastructure is delivered, and Part (q) of Policy SAP28, which requires;

“financial contributions towards the delivery of required off-site infrastructure including, but not limited to, primary, secondary and SEN education provision...”

Wastewater

14. Southern Water is the statutory sewerage undertaker providing wastewater services for the whole district. Water and sewerage companies have a statutory obligation to provide capacity for new development, and to comply with the environmental permits set by the Environment Agency.
15. District needs are addressed through IDP - but connection fees are collected outside the IDP/S106 process.
16. Southern Water provided advice at Regulation 18 stage, in respect of this site, advising that the existing sewage network has limited capacity to accommodate the proposed new development, therefore new wastewater infrastructure would be required, and that the occupation of the development should be phased to align with the delivery of new wastewater infrastructure. Southern Water also advised that

⁵ [ED7](#) and [ED7A](#) (appendices – Table 6, p38)



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existing infrastructure crosses the site underground, which would need to be factored into the design, and easements would be required (comment DLP1608, p 106).⁶

17. The Council therefore considers that part (o) of the Policy (below), which has been advised by Southern Water, sufficiently addresses the need for the site to ensure that the necessary wastewater provision is available.
 - a) *Necessary utilities, including integrated communications infrastructure to facilitate home-working. The developer should consult the relevant water authority at an early stage to ensure that there will be sufficient capacity in the wastewater system to accommodate the development and any upgrades are carried out where necessary. The occupation of the development should be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider. The site layout should be planned to ensure future access to existing water and wastewater infrastructure for maintenance and upsizing purposes;*

Highways capacity

18. 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 has 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.
19. As part of the plan preparation, the Council, through transport consultants WSP, 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. Land between Eythorne and Elvington was included in this. The strategic model predicts the impacts that the Local Plan sites will have on the highway network and identifies any issues which are being generated by the proposed development. The areas where the Local Plan impacts the highway network have been identified and where necessary mitigation developed. For those areas outside the strategic model simulation area 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.

⁶ [SD05b](#) – Regulation 22 Consultation Statement Part 1 – Regulation 18 Appendix E (October 2022)



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20. The Council also continued to liaise with KCC highways throughout plan preparation on the impacts on the rural road network and Wigmore Lane/ Shooters Hill / Shepherdswell Road and Church Hill. WSP junction modelling at the Wigmore Lane/Church Hill junction shows reserve capacity at the junction in 2040 DS scenario which was reviewed by KCC highways and considered no mitigation was necessary, as set out in the SOCG with KCC and NH and DDC (GEB06)⁷.
21. However, following this, KCC Highways has requested that the application considers the cumulative impact on the rural road network and an assessment of the need for traffic management improvements on Adelaide Road and has requested a further modification to the policy on this basis. This agreed modification is set out below for consideration:
22. Proposed Post Submission Modification:
 - Consideration of the need for traffic management improvements to Church Hill and Adelaide Road, including a review of parking restrictions;
 - A review of the impact on the surrounding rural road network, including cumulative impacts of other sites allocated in this plan on common road links and mitigation where necessary;

Q3 What is the justification for Policy SAP28(q)? What are the existing facilities that need upgrading and why?

Q3 DDC Response:

23. 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. This approach is justified by evidence and in accordance with the NPPF economic objective by identifying and coordinating infrastructure.

⁷ [GEB06 Statement of Common Ground with National Highways and KCC Update March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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24. The Council considers that some further post submission modifications to add some flexibility and clarity to the requirements of q could be made, as set out below, making reference to the overarching policies and the IDP.
- 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.

Q4 What is the justification for requiring proposals to investigate the opportunity to provide access from Wigmore Lane? Is this necessary and if so, how would it be achieved?

Q4 DDC Response:

25. An access from Wigmore Lane would provide a more direct route to the strategic road network and avoid the more constrained rural roads. However, suitable access to the site can be provided without this. The transport modelling supporting the Plan did not include an access from Wigmore Lane, and suitable access can be provided from Adelaide Road and Terrace Road. On further review of the requirement by site promotor the Council now understands that due to land ownership and other constraints the delivery of access from Wigmore Lane is not achievable.
26. The current requirement of the policy at criteria f is therefore not considered to be justified, and the Council proposes that a post submission modification is made to remove the final sentence as below:
- f) Suitable access arrangements will be provided from Adelaide Road and Terrace Road, with associated improvements and traffic calming measures to both Adelaide Road and Terrace Road where necessary. ~~Proposals should also investigate the opportunity to deliver a further site access from Wigmore Lane;~~
27. The SoCG between the Council, Dover District Council Estate (Landowner) and Catesby Estates (promoter for Ledger family as landowners) for Policy SAP28 sets out agreement that the reference to investigate the opportunity to provide access from Wigmore Lane, should be deleted from criterion f of Policy SAP28 to provide greater clarity.



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Q5 Is it necessary to place the existing power cables underground? What are the viability and feasibility of this requirement? If not, can a suitable layout be achieved on site as required by criterion (p)?

Q5 DDC Response:

28. Criterion (p) of the policy states the following;

In accordance with the relevant Local Plan policies, the masterplan and development of the site should provide...:

(p) If feasible the undergrounding of the power cables on site to replace the existing overhead pylons. Alternatively the layout should be designed to ensure necessary separation between residential properties and the over head pylons. This should be informed by consultation with The National Grid.

29. National Grid advice⁸ (DLP1688) sets out that;

“Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance...”

30. It provides links to its guidance notes, including statutory safety clearances, detailed in National Grid's 'Guidelines when working near National Grid Electricity Transmission assets'⁹, and 'Design guidelines for development near pylons and high voltage overhead power lines'¹⁰.

31. The landowner's response to the Regulation 19 consultation (SDLP1525) states that “the masterplan shows a generous 20m buffer on either side of the line of pylons”¹¹ and the Concept Plan submitted by promoters in response to the Reg 19 consultation demonstrates this further, showing show how the layout could be

⁸ [SD05b Regulation 22 Consultation Statement Part 1 Regulation 18 Appendix E](#), p318

⁹ [Development near overhead lines_0.pdf \(nationalgrid.com\)](#)

¹⁰

[Design guidelines for development near pylons and high voltage overhead power lines](#)

¹¹ [SD04b Schedule of Representations pursuant to Regulation 20 \(Plan Order\)](#) p.1573



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achieved whilst providing a buffer¹². This is considered to sufficiently indicate that a scheme can be designed at the capacity set out in the policy that will allow for the retention of the existing power cables.

32. The other landowner (SDLP536), under the Reg 18 consultation, similarly advises;

“The Policy also seeks consideration to be given to the undergrounding of power cables which cross the site in a south-west to north-east direction. Initial work separately by Catesby Estates and the Council’s Representatives has suggested this would most likely be unviable due to the extensive costs involved. However, the alternative suggested in part (p) of the Emerging Policy, to provide separation between residential properties and overhead pylons, does seem a reasonable option and would enable the provision of the required number of dwellings on the site. It is therefore suggested that reference to the undergrounding of power cables in part (p) of the Emerging Policy be removed.”¹³

33. On review of this matter based upon the above responses, the Council does not now consider it be justified to require undergrounding of the overhead pylons. The Council therefore requests this requirement be removed from the Policy, as set out the Post Submission Modification below:

~~(p) If feasible the undergrounding of the power cables on site to replace the existing overhead pylons. Alternatively~~ The layout should be designed to ensure necessary separation between residential properties and the overhead pylons. This should be informed by consultation with The National Grid.

34. The SoCG between the Council, Dover District Council Estate (Landowner) and Catesby Estates (promoter for Ledger family as landowners) for Policy SAP28 sets out agreement that referencing to the undergrounding of existing power cables should be deleted from the policy.

¹² [SD04b Schedule of Representations pursuant to Regulation 20 \(Plan Order\)](#) p.1560 – A104a Attachment

¹³ [SD04b Schedule of Representations pursuant to Regulation 20 \(Plan Order\)](#) p.1559



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Q6 What is the justification for the suggested changes to Policy SAP28? Why are they necessary for soundness?

Q6 DDC Response:

AM58 SAP28 Supporting text 4.217, 4.220 and 4.222	
<i>Amend paragraph 4.217, 4.220 and 4.222:</i>	
<p>4.217 Eythorne has two parts, each with their own settlement confines, bisected by the East Kent Light Railway Line. This heritage railway line was originally built to serve the collieries <u>colliery</u> at Tilmanstone and link to the mainline, and now provides a two mile long tourist service to Shepherdswell which operates a few times a year. The larger part of the settlement contains a Conservation Area. This designation overlaps with the boundary of the Historic Park and Garden designation covering Waldershare Park, which is located immediately to the south of Eythorne.</p>	<p>The change is proposed for accuracy. Whilst the change adds clarity and therefore contributes to the effectiveness of the Policy, the Council does not consider the change to be necessary for soundness.</p>
<p>4.220 Eythorne and Elvington were previously identified as villages in Policy CP1 of the Core Strategy (2010). However, the Settlement Hierarchy study conducted by the Council shows that both these settlements score well in relation to the number of services and facilities provided. Given this, as part of the Council's strategy for the rural area it is proposed to grow the villages of Eythorne and Elvington to create a new local centre in the District. <u>strengthen the settlements' roles as local centres, with new services and facilities to be delivered alongside new homes.</u></p>	<p>In response to consultation comments (under SD05) –the strategic role of the villages of Elvington and Eythorne as Local Centres is clarified. The Council considers that this change is necessary for soundness, to ensure the policy is effective.</p>
<p>4.222 The site sits centrally between Eythorne and Elvington, adjacent to the</p>	<p>Changed for clarity.</p>



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<p>existing settlement boundary of <u>Elvington</u> and connects these two settlements that already share a number of services and facilities. The site is well connected, with Elvington to the north, Eythorne to the south and the Pike Road Industrial Estate to the east. Immediately adjacent to the site, to the south/ south-west, lies the Tilmanstone Colliery Welfare Sports Ground which is designated open space and comprises two full sized football pitches and a cricket pitch with associated parking; and Wigmore Lane Woods which is also designated open space. The site slopes from north to south, with strong lines of hedgerows to the boundary of the site. <u>It is located within 1km of known Turtle Dove territory, a priority species</u>. The area to the south east of the site has been identified as being at risk of surface water flooding and suitable investigation and mitigation will therefore be required.</p>	<p>Whilst the change adds clarity and therefore contributes to the effectiveness of the Policy, the Council does not consider the change to be necessary for soundness.</p> <p>Added in response to RSPB advice on Turtle Doves – that identified the updated data on turtle dove friendly zones¹⁴. The Council considers that this change is necessary for soundness, to ensure the policy is effective.</p>
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AM59 - SAP28 Policy	
<p><i>Amend third paragraph:</i> A masterplan is required for the site <u>which should set out the quantum and distribution of land uses, access, sustainable design and layout principles and a phasing and implementation strategy</u>. This should be prepared jointly by the landowners/developers working with key stakeholders. Any application for development should be preceded by, and consistent with, the agreed <u>masterplan</u>. The masterplan shall be subject to a design review in accordance with Policy PM1.</p>	<p>This amendment is sought in response to a promoter requesting requirements of the masterplan to ensure that, even if the site is bought forward separately by the two landowners, that the principles embodied by the masterplan framework, infrastructure requirements and the triggers and development contributions are delivered¹⁵.</p> <p>Whilst it adds clarity and therefore contributes to the effectiveness of the Policy, the Council does not</p>

¹⁴ [SD05d Regulation 22 Part 2 Appendix F -Summary of Representations March 2023 \(doverdistrictlocalplan.co.uk\)](#)

¹⁵ [SD04b Schedule of Representations pursuant to Regulation 20 \(Plan Order\)](#) p.1573 – comment SDLP1525



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	consider the change to be necessary for soundness.
c community facilities, employment opportunities <u>such as office/work hubs</u> , and a new small convenience shop in an accessible location to meet the day-to-day convenience shopping needs of new residents	Provided to clarify the requirements in relation to employment and retail on site, and is necessary for soundness to ensure the policy is effective.
d Formal and informal open spaces for leisure and recreation, including play areas, sports fields, allotments and community orchards, or enhancements to nearby facilities, 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, <u>including the nesting and foraging habitats of turtle doves</u> ;	Added in response to RSPB advice on Turtle Doves – that identified the updated data on turtle dove friendly zones ¹⁶ . The Council considers that this change is necessary for soundness, to ensure the policy is effective.
k <u>The layout of the development should be informed by a Landscape and Visual Impact Assessment, which should also inform the detailed provision of a</u> A generous landscape buffer to the north/north-west of the site, determined by a landscape Visual Impact Assessment , to minimise visual impact on the surrounding landscape. Existing landscape features such as hedgerows, trees and field boundaries shall be maintained and incorporated into the design and layout of the development, except <u>where necessary</u> to provide suitable access;	This is rewritten for clarity. Whilst it adds clarity and therefore contributes to the effectiveness of the Policy, the Council does not consider the change to be necessary for soundness.
replace criterion n: A wintering bird survey must be undertaken in advance of a	Modification to criteria n, is needed to ensure appropriate species and

¹⁶ [SD05d Regulation 22 Part 2 Appendix F -Summary of Representations March 2023 \(doverdistrictlocalplan.co.uk\)](https://doverdistrictlocalplan.co.uk)



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<p><i>planning application on the site. If the bird survey identifies that the development will exceed the threshold of significance, mitigation will be required. A suitable scheme of mitigation will need to be submitted with the planning application for the site;</i> <u>n ensure appropriate species and habitat surveys are carried out prior to determination. Survey results will inform layout and design to avoid ecological impacts in accordance with the mitigation hierarchy and to inform on-site ecological mitigation, compensation and enhancement measures and proposals for effective implementation, management and monitoring of all such measures.</u></p>	<p>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 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>
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Also note proposed further modification proposed to criterion q set out above.

Policy SAP29 – Land on south-eastern side of Roman Way, Elvington

Q1 How will pedestrian and vehicular access to the site be achieved? Is it clear to users of the Plan what off-site highway improvements are required by Policy SAP29?

Q1 DDC Response:

- 35. KCC Highways has 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.
- 36. As set out in criterion b) of Policy SAP29, pedestrian and vehicular access to the site will be provided from Beech Drive. Beech Drive currently ends at the southern corner of the site, where it can be extended to provide both vehicular and pedestrian access



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to the site. KCC Highways has confirmed the acceptability of the access which meets the requirements of a Minor Access Road in accordance with Kent Design Guidance for an access serving no more than 50 dwellings.

37. Regarding off-site highway improvements, the known highway improvements are set out in criterion c) which requires a pedestrian crossing point along Sweetbriar Lane. This is to facilitate access to the wider footway network to link to existing services and facilities in the village. The transport modelling work for the Local Plan has not identified any other specific off-site highway improvements that are required to be delivered by the site.
38. It is therefore considered reasonable for a transport statement to be submitted with the application, as set out in Criterion d) and that this can inform other local improvements that may be required. This is considered a proportionate approach given the scale of development.

Q2 Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements including healthcare and education?

Q2 DDC Response:

39. The specific requirements for additional infrastructure would be expected to be determined at the planning application stage through the application of Policy SP11. The requirements of Policy SP11 are not repeated in the site-specific policies unless specific requirements have been identified by the infrastructure providers for the site, as the Plan is expected to be read as a whole. The introductory text to the Housing and Employment Allocations chapter of the Plan at para 4.40 onwards sets this out stating that '*the site policies do not repeat other policies in the plan unless site specific issues relating to how the policies should be addressed have been identified at this stage. The Local Plan should be read as a whole.....*'
40. As set out in supporting text to Policy SP11 at paragraph 3.200, the Council will assess the nature and scale of infrastructure provision on a case-by-case basis at the time of the application.
41. In relation to Education, para 3.208 in the Local Plan states whilst there is a need identified for future school places for which financial contributions may be required, as education needs change over time, depending on local issues, catchment areas



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and change in birth rates, specific education contributions will be agreed at planning applications stage, following consultation with KCC.

42. In relation to healthcare, at the present time, NHS Kent and Medway has not identified any specific requirements for this or any other site. Para 3.209 states that the NHS will advise on local requirements at the planning application stage.
43. The Council considers that the Plan read as a whole, is sufficiently clear with regard to what is expected of applications for planning permission of this site in relation to infrastructure provision.

Policy SAP30 – Chapel Hill, Eythorne

Q1 What is the existing use of the site? Is available for development?

Q1 DDC Response:

44. The site is currently occupied by storage sheds and garages which are currently subject to leases. The landowner has confirmed that all leases end by the latest of 30/12/2030. The site is therefore considered available for development within the plan period and has been phased in the year 2031/32 in the Housing Trajectory at Appendix Dii of the Plan (updated in response to Matter 4 Q1).

Q2 What evidence is available to demonstrate that the site can achieve the 5 dwellings proposed having particular regard to access arrangements, separation distances to existing properties and the need to retain existing trees?

Q2 DDC Response:

45. An initial site capacity was identified using the density standards for the location of the site. In this case 30 dph (as set out in response to Matter 4 Issue 1 Q3) would equate to 6 dwellings. The capacity was reduced to take account of site specific factors including the access, separation to existing properties and the need to retain trees. In addition the following site appraisal (Figure 1) has also been carried out by the landowner, with a potential layout identified (Figure 2). This shows how 5 dwellings could be achieved on the site considering the constraints of the site.

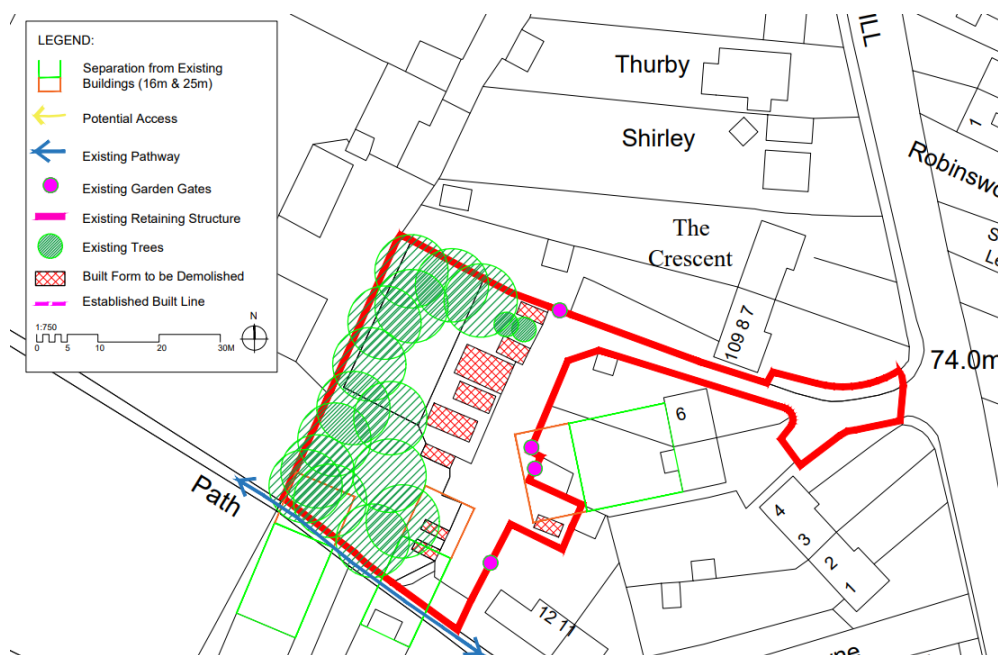
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46. Site capacities referred to in the Plan's site policies are indicative and it remains the responsibility of the applicant in bringing forward a planning application to demonstrate how their proposed scheme, including its quantum of development, are in conformity with the Plan taken as a whole.
47. The policy currently requires that existing trees and hedgerow along the boundary of the site should be retained and enhanced to provide an appropriate landscape buffer. The Council considers that a modification is required to this part of the policy to make it clear that the requirements for the retention and enhancement of the trees relate to the western boundary of the site only.

Figure 1 – Site constraints (SAP30, Chapel Hill)



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Figure 2 – Potential layout accommodating 5 dwellings (SAP30, Chapel Hill)



Policy SAP41 – Staple Road, Wingham

Q1 How has the scale of development proposed been established? Is it commensurate with the role and function of Wingham as a Local Centre?

Q1 DDC Response:

48. An initial site capacity was identified using the density standards for the location of the site (as set out in response to Matter 4 Issue 1 Q3). In this case 30 dph was used as a starting point to create an initial capacity of 108 dwellings.
49. The capacity was then reduced to take account of the context of the site, in terms of its landscape sensitivity and edge of village location with the need for relatively low density housing and a significant landscape buffer. Consideration was also given to the net to gross developable area and the need to provide on-site open space. At the regulation 18 draft Local Plan stage the site was provided an indicative capacity of 50 dwellings. Following a review of the site and details submitted by the landowner, it



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was considered that the capacity could be increased to 75 whilst still achieving the above objectives for the site.

50. A full planning application for the erection of 71 dwellings including affordable housing, with associated access, infrastructure, drainage, public open space and landscaping and associated infrastructure was validated on 4th August 2023 (DOV/23/00976).
51. Matter 2, Issue 3 (Housing Distribution), Question 1 sets out the process the Council followed to enable the distribution of new development and the reasonable judgements made. As set out in paragraph 1.7 of the Selection of Site Allocations (Housing Sites) Addendum[1], the *'Council did not identify a specific number or range of number of homes that should be allocated within each rural settlement, as there were other factors that have influenced the suitability of individual settlements to accommodate a certain level of growth, including for example constraints such as the Area of Outstanding Natural Beauty, and the suitability and availability of sites'*.
52. Wingham is a Local Centre with bus services, 7 village shops, two public houses, restaurant, Post Office two mornings a week, fortnightly mobile bank, village hall, pre-school, church, play area, recreation round with MUGA, and outdoor Gym, WCs, allotments, primary school, dental surgery and a GP surgery. The 3.6ha site forms a logical extension to the existing built form of the village and is well connected to the services and facilities in the Local Centre.
53. Wingham has been allocated 1.78% of the Local Plan site allocations which is the third highest percentage of new dwellings amongst the Local Centres but below the average of 2.39%. It is the Council's view that the development is commensurate with the size, role and function of this Local centre.



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Q2 What is the justification for the suggested changes to Policy SAP41? Why are they necessary for soundness?

Q2 DDC Response:

54. As set out in proposed additional modifications (SD06)¹⁷ under **AM68**, the suggested changes would remove the '=' signs placed in error after all paragraph numbers. The amendments to paragraph 4.257 are suggested to improve the description of dwellings near the site and to highlight the relationship with the SAP42 (WIN003) allocation on the opposite side of Staple Road. Through **AM69**, amendments have been suggested to criterion f of the Policy to provide additional clarity regarding the PRow following representations from KCC. The Council considers these to be minor factual updates and does therefore not consider **AM68** to be a main modification or a change necessary for soundness, but it does add to the clarity and effectiveness of the policy.
55. The deletion of criterion g has been suggested following the recommendations of the updated HRA March 2023 as set out in the Council's response to Matter 1 Issue 7 Question 2. The Council considers this modification necessary for soundness to ensure the Plan is justified and reflects the evidence base.

Policy SAP42 – Wingham Small Housing Sites

Q1 What is the justification for requiring speed surveys for sites WIN003 and WIN004? Is it clear to users of the Plan what is required from development proposals?

Q1 DDC Response:

56. Initial consultation with KCC Highways on the sites carried out as part of the HELAA assessment as set out in GEB09d¹⁸ concluded that access was achievable on both sites, but in relation to WIN003 a Speed Survey was required to ensure visibility could be achieved as the site is just outside the 30mph speed limit. In relation to

¹⁷

¹⁸ [GEB09d-HELAA-Appendix-3-a-to-g-HELAA-2020-Site-Assessments-October-2022.xlsx \(live.com\)](#)



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WIN004, the speed survey is required, again to ensure that a suitable access can be achieved on the derestricted section of road. It was considered that the criteria is justified on this basis, and that the requirement within the policy is clear to users of the plan.

Q2 DDC Response:

Q2 Are the Wingham small housing sites justified, effective and consistent with national planning policy?

57. 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'.*

58. Policy SAP42 allocates two sites for development. Site WIN003 is immediately adjacent to the defined settlement confines with existing development on three sides. Site SAP41 is located on the opposite side of Staple Road. Site WIN004 is located just to the north of the defined settlement confines but with existing development on three sides. The two allocations would create logical infill developments in the village.

59. In allocating the two sites, the plan reflects its evidence base where each was found suitable and available for development. ED3 Selection of Site Allocations – Housing Sites Addendum (2023) justifies the selection of the sites allocated over other options within Wingham based on their ability to deliver new housing on sites that are well connected by foot to the village centre. The site allocations are therefore justified.



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60. The allocations in Wingham could deliver an indicative 28 dwellings on sites with excellent connections to the services and facilities within the Local Centre. The sites are therefore consistent with the NPPF aim of achieving sustainable development.