



Report to Dover District Council

by Sue Turner RIBA MRTPI IHBC

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning
Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 8000

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE DOVER CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

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Abbreviations used in the report

LDF	Local Development Framework
DPD	Development Plan Document
CS	Core Strategy
EB	Evidence Base
SA	Strategic Allocation
SEP	South East Plan Regional Spatial Strategy
SCI	Statement of Community Involvement
HRA	Habitat Regulations Assessment
SR	Sustainability Appraisal Report
RES	Regional Economic Strategy for the South East 2006 – 2016
ER	Dover District Economic Review
SHR	Settlement Hierarchy Review
SHLAA	Strategic Housing Land Availability Assessment
SAD	Site Allocations DPD
PDL	Previously Developed Land
ELR	Employment Land Review
ELS	Employment Land Study
UCS	Urban Capacity Study
SAC	Special Area of Conservation
SPD	Supplementary Planning Document
SCRE	Sustainable Construction and Renewable Energy
CSH	Code for Sustainable Homes
SHMA	Housing Market Assessment
EVA	Affordable Housing Economic Viability Assessment

1 INTRODUCTION AND OVERALL CONCLUSION

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
- (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Dover Core Strategy DPD in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act. The strategy does not deal with Minerals and Waste. These matters are being dealt with separately by Kent County Council through the preparation of a Minerals and Waste Core Strategy. The final version of a new PPS4 was published very near the end of the Examination process, well after the close of the hearing sessions, so its guidance has not been taken into account in my recommendations. However, it will now be for the Council to consider what action it needs to take in response to PPS4, including what should be included in its next Local Development Scheme (LDS).
- 1.3 I am satisfied that the DPD meets the requirements of the Act and Regulations. My role is also to consider the soundness of the submitted Core Strategy (CS). In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the legal requirements and/or the definition of soundness in PPS12. None of these changes will materially alter the substance of the overall plan and its policies, or undermine the Sustainability Appraisal and participatory processes that have been undertaken.

Post Publication Minor Changes

- 1.4 The submission CS was accompanied by a schedule of Proposed Changes (EB8/72) and an Appendix setting out changes proposed to diagrams and charts (EB8/73). These changes correct typographical errors, address points of clarification and deal with factual updates. They do not undermine the Sustainability Appraisal, the participatory process previously undertaken and they do not affect or change the overall strategy or any policies in the CS. For these reasons I endorse the changes in EB8/72 and EB8/73 and the starting point for the examination is the submitted CS as amended by the schedule and appendix.

Organisation of the report

1.5 Section 2 of this report considers the legal requirements and Section 3 gives an overview of the soundness of the CS. Sections 4 – 13 address the relevant matters and issues considered during the examination in terms of testing justification, effectiveness and consistency with national policy. The main issues are:

- The vision, overall strategy and the growth option (4)
- The level and distribution of development (5)
- Housing growth - Whitfield Strategic Allocation (6)
- Regeneration, housing and employment growth - Dover Waterfront, Mid Town and Connaught Barracks Strategic Allocations (7)
- Deal and Sandwich (8)
- Green infrastructure and the protection of the Natura 2000 network of internationally important wildlife sites (European sites) (9)
- Sustainable construction and renewable energy (10)
- Housing type and mix (11)
- Infrastructure, monitoring and delivery (12)
- Development management policies (13)

Recommended changes

1.6 Annex A sets out a list of all the changes proposed. It is based on the schedule of changes that was prepared by the Council during the examination and publicised on the Council's website as Document ED1, together with changes that I consider necessary. None of these changes, which are numbered PC01 – PC49 (changes suggested by the Council) and IC01 – IC07 (Inspector's changes), undermine the Sustainability Appraisal or the participatory process previously undertaken and I am satisfied that they do not affect or change the overall strategy or any policies in the CS.

1.7 Annex A highlights by shading the changes that are required to ensure that the CS is sound. They are all addressed in this report and the Annex provides cross reference to the relevant paragraphs.

1.8 The remaining changes listed in the Annex are not discussed in this report. However I endorse these minor editorial changes which, although not necessary to make the CS sound, add clarity and ensure consistency.

Overall conclusion

1.9 My overall conclusion is that the CS is sound, provided it is changed as set out in Annex A.

1.10 In summary, the main changes that need to be made are:

- Strategic Allocations (SAs): confirm that the SAs have defined boundaries that have been the subject of consultation;
- Employment development: include detailed explanations to clarify how Policy CP2 flows from the evidence base;
- Connaught Barracks SA: relax criteria in Policy CP10 to facilitate masterplanning;
- Protection of Natura 2000 sites: confirm commitment to the Green Infrastructure Framework and add detail of how it will be developed and used;
- Affordable housing: add flexibility to the method and level of contribution and to the approach to extensions and conversions;
- Key Diagram: revise the format and location;
- Glossary: amend the definition of Infrastructure to ensure consistency with the SEP.

2 LEGAL REQUIREMENTS

- 2.1 The CS DPD is in accordance with the Council's up to date Local Development Scheme (EB8/07), which was approved in April 2009. There, it is shown as having a submission date of July 2009.
- 2.2 The Council's Statement of Community Involvement (SCI) was found sound by the Secretary of State and was formally adopted by the Council in April 2006. The evidence base demonstrates that consultation has been undertaken in accordance with the SCI.
- 2.3 Alongside the preparation of the CS the Council has carried out a parallel process of Sustainability Appraisal and it has undertaken a Habitat Regulations Assessment (HRA). Detailed matters relating to the HRA are considered in section 9 of this report.
- 2.4 In March 2009 the South East Regional Assembly indicated that the CS was in general conformity with the RPG9 (and alterations) and commented on its relationship to the South East Plan (SEP), which was adopted during the examination. I am satisfied that the CS is in general conformity with the SEP. The CS reflects the eight general themes in Vision for Kent, the Community Strategy for Kent published in 2006 and is broadly consistent with the themes in the Dover District Community Strategy 2003 – 2010. Lighting the Way to Success, the East Kent Local Strategic Partnership Sustainable Community Strategy, was published in 2009 after the CS was submitted. However it is evident that the CS is consistent with the Vision and Themes set out in this strategy.

- 2.5 The CS complies with the specific requirements of the 2004 Regulations (as amended) including the requirements in relation to publication of the prescribed documents; their availability for inspection; local advertisement; notification of DPD bodies and provision of a list of superseded saved policies.
- 2.6 Accordingly, I consider that the legal requirements have all been satisfied.

3 OVERVIEW OF SOUNDNESS

Is the CS found on a robust and credible evidence base?

- 3.1 The CS is supported by a detailed and up to date evidence base (EB). Some EB documents, such as the Strategic Housing Land Availability Assessment Addendum (EB19/04) and the Employment Land Review (EB19/01) were published after the CS had been submitted. However it is clear that these reports represent the final version of research and data that was prepared during the preparation of the CS and which has informed the strategy. I am satisfied that the evidence base is thorough, robust and up to date.

Is the strategy the most appropriate when considered against the reasonable alternatives?

- 3.2 The strategy has evolved over several years from the first Issues and Options consultation in 2005. There is an audit trail of the way in which the strategy has evolved and the EB demonstrates that it is the most appropriate when considered against the alternatives.

Is the CS deliverable and able to be monitored?

- 3.3 Section 5 sets out the strategic delivery framework. It explains how the Council will use a Delivery Plan as a project management tool to support the framework and guide the delivery of proposals. The operational structure illustrates how an Implementation Group, working closely with the Dover Pride Partnership and infrastructure providers, will oversee and manage delivery of the CS. The strategy acknowledges complex interdependencies between the provision of infrastructure, regeneration and growth in jobs and housing. However the phasing strategy allows some flexibility for timings to vary due to market conditions.
- 3.4 The CS includes a list of strategic indicators which will be used by the Implementation Group to monitor progress and will feed into the Council's Annual Monitoring Review. I am satisfied that the CS sets out rigorous proposals for delivering and monitoring the CS.

Do the Development Management Policies support the overall strategy?

- 3.5 A suite of development management policies follows on from the strategy. The Schedule of Policies demonstrates that efforts have been made to distil a large number of saved Local Plan Policies into a more concise and focussed format. There is some reiteration of national policy and some negatively worded "control" policies. However the policies are sound and most are helpful in promoting the strategy and providing detailed criteria and guidance.

Is the CS flexible?

- 3.6 The strategy relies on growth to support regeneration and provides a clear strategic direction. Flexibility is provided through robust infrastructure and project management planning which has identified contingencies for areas of strategic risk and possible interventions for project risks. Testing during the examination has demonstrated that the CS is sufficiently flexible to deal with changing circumstances, including changes in the economy.

4 VISION, OVERALL STRATEGY AND THE GROWTH OPTION

- 4.1 The CS sets out a bold and ambitious vision. Its aim is to transform Dover into a leading town in the region and to regenerate the District so that economically and socially it equals or out performs the region. It is evident that these objectives flow from an analysis of the District and the identification of key elements which drive the need for change.
- 4.2 The starting point is the Current Picture of the District, which provides an overview of its environmental, social and economic characteristics. This is a succinct but balanced description of the area. It leads to the Diagnosis, a summary of the contrasts and imbalances that have been fundamental in shaping the strategy and the identification of the wider policy context to which it must respond. The Diagnosis draws from the sustainability issues facing Dover that are identified in the Sustainability Appraisal Report (SR) Volume 1 (EB8/59A) which accompanied the Preferred Options stage of the CS (EB8/54). It does not detail every single issue or concern, but it captures the "headlines" for the district and has clearly been informed by the wide range of background studies on individual matters, such transport, biodiversity and the water cycle.
- 4.3 The CS sets out a list of Objectives through which the strategy will be delivered. This list has been developed in parallel with sustainability appraisal and includes some measures which mitigate the impact of other objectives, such as fostering population growth. Thus the CS makes it clear at the outset that the objectives are interdependent and must be taken forward together.
- 4.4 The Strategy section of the CS explains how four options for growth were tested, based on differing levels of housing provision but with

implications for other areas such as the potential of the local labour force to support economic growth, transportation and the impact on the natural environment. The CS refers to the evidence base for detail to support the conclusion that the high growth option, proposing up to 14,000 new homes, aligns best with the CS aims and objectives, Growth Point ambitions and SEP requirements. In particular the SEP identifies the need for a new approach to regeneration and economic development.

- 4.5 The Strategy section also refers to the linkage between the high growth option and recommendations of the Dover Pride Regeneration Strategy and Action Plan (EB9/00). This was prepared in 2004 for the Dover Pride Board, a partnership of stakeholders from the public, private and voluntary sectors.

Is the selection of the high growth option, taking the number of new homes to be provided beyond the Growth Point status level, supported by robust evidence?

- 4.6 The high growth option exceeds the level of housing needed to meet the SEP minimum requirement of 10,100 homes. Paragraph 3.5 of the CS sets out a number of benefits this option provides. They include consistency with PPS12, looking to the long term to provide a clear indication of direction beyond the plan period, providing greater certainty and flexibility and reducing the likelihood of needing to update the plan. However the key reason, for selecting this option, and the one which relates to the particular circumstances at Dover, is that the higher level of housing is more capable of addressing the issues faced by the district, in particular supporting labour supply and economic growth.
- 4.7 The final report of the Dover District Business Development Strategy (EB20/00), completed in 2007, demonstrates that whilst Dover is currently under performing against RES target indicators when compared to the regional average, the prospects for growth over the plan period are high. It identifies the high growth option, with the construction of 14,000 new homes, as the only one which would deliver sustainable growth, with a net increase in the working age population up to and beyond 2026. This document also identifies the links between physical regeneration, focussed on key regeneration projects and economic regeneration.
- 4.8 Four options for growth, together with their infrastructure needs, are each explored in detail in the Core Strategy Preferred Options (EB8/54). An assessment of the ability of each to meet the Core Strategy objectives shows that the high growth option performs best. Sustainability appraisal at this stage examines the four growth options against the sustainability objectives for the district. Whilst recognising that the high growth option is broadly the best in terms of economic and some social factors, it notes that this option carries the risk that the provision of a large amount of housing might not be accompanied by a corresponding number of jobs in

the district. The CS addresses this matter by recognising that the high growth option may not be completed within the plan period, thus providing flexibility and avoiding the need for early review.

- 4.9 The Dover District Economic Review (ER) (EB24/00) was commissioned by Crest Nicholson and accepted by the Council to provide an updated assessment of the relationship between projected jobs and the projected supply of labour. It takes account of socio- economic data, econometrics forecasting and employment projections and an assessment of planned developments in Dover to identify an imbalance between labour supply and labour demand.
- 4.10 The ER also addresses concerns that the large number of new homes proposed would lead to out commuting. Based on the 2001 census it demonstrates that Dover has a high level of self containment and anticipates that this would be accentuated as planned developments in Dover are implemented.
- 4.11 I am satisfied that the Business Development Strategy is a robust assessment which takes a strategic, long term view. Its findings have clearly informed the preferred options stage of the CS, flowed through to the submission CS and been endorsed by the up to date findings of the ER.

Does the high growth option take adequate account of environmental considerations?

- 4.12 The Submission Document Sustainability Appraisal (EB8/70) identifies that the high growth option, whilst having the greatest economic and social benefits, will have the highest environmental impact. Higher growth will lead to greater use of resources, more pollution and more impacts on landscape and biodiversity. However balanced against this, as evidenced in the ER, is the risk that the SEP housing requirement of 10,100 would result in a shortfall of labour in the district, leading to an increase in in-commuting.
- 4.13 A defining characteristic of the high growth strategy is the need to develop greenfield land for housing in the form of the urban extension at Whitfield. This element of the strategy raises a number of sustainability issues which I consider in detail in section 6 of this report. However the Sustainability Appraisal notes that strong mitigation measures have been embedded into the CS and that the Delivery Framework (see section 12) places community and green infrastructure alongside traditional infrastructure. The evidence base demonstrates that consideration of the environmental impacts of the high growth option has taken place as part of the sustainability appraisal process in parallel with the development of the overall strategy.

Does the strategy include sufficient flexibility to enable a high level of growth to be delivered in the light of changing economic circumstances?

Can the balance between housing and employment growth be managed effectively?

- 4.14 The CS makes it clear that it seeks to complete a minimum of 10,100 homes by the end of 2026, consistent with the SEP. However it aspires to higher growth and allocates land for 14,000 new homes with a programme that is for 20 years and beyond. This long term perspective will provide certainty for developers considering whether to invest in the district. It provides a flexible framework for the future which is capable of weathering fluctuations in the economy, including the current situation.
- 4.15 The success of the high growth option and of the strategy as a whole relies on an increase in employment through new developments and smart growth. The indicative phasing strategy, Figure 5.3, illustrates the relationship between housing and employment growth programmed for four 5 year periods of the strategy. It is based on achieving the SEP requirement of 10,100 homes and the CS potential of 6,500 jobs by 2026, with the remainder of new homes coming forward after 2026. However it allows for housing to develop at a faster rate, depending on market take up. In the absence of accurate forecasts for jobs growth after 2026 none is shown on the phasing strategy. I will consider the proposals for monitoring and managing the balance between growth in employment and housing in more detail in Section 12.

Is the proposed overall distribution of development and the focus on Dover justified?

- 4.16 Policies CP1 and CP3 together set out the hierarchy of settlements and the proposed distribution of development in the district. Development is directed first towards Dover, reflecting its role as a secondary regional centre, an International Gateway and a Regional Hub. The Settlement Hierarchy Review (SHR) (8/48 and 8/49) considered other options but found that focusing development at Dover would assist in the regeneration of the town and would make the best use of existing facilities and employment allocation at White Cliffs Business Park. This approach is also supported by the SR Main report (sections 5.1. and 5.2).
- 4.17 The high proportion of the district's new housing development planned to take place in Dover does not prevent development taking place on PDL in other parts of the district. The broad distribution set out in Policy CP1 will enable housing development on sustainable sites to come forward throughout the district. To gain a clear understanding of where development will be directed Policy CP1 relies on reading the settlement hierarchy table, which is part of the policy, as well as the supporting text in Paragraph 3.12. Change **PC06** is required to clarify the way in which the settlement hierarchy will be used to determine the location of development.

Is the district settlement hierarchy based on robust evidence?

- 4.18 The CS sets out a settlement hierarchy for informing the distribution of development in the strategy and for assessing individual development proposals. It is based on the SHR (EB8/48) which assesses the facilities, functions and accessibility of the district's settlements.
- 4.19 I have carefully considered concerns regarding the definition of Worth as a village and to gain a full understanding of these concerns and for comparison I have visited Worth and a number of settlements, some defined as villages and some as hamlets.
- 4.20 Worth has a church, a village hall, a school and a public house but no shop. The SHR examines provision under the headings of retail community and transport, but the reference to Worth having two shops is now incorrect. However the SHR explains in paragraph 3.47 that a deficiency in, for example, local shops would not necessarily discount a settlement for being suitable for development. It is evident that the methodology is based not on fixed thresholds but on balancing the provision to assess the overall sustainability of each settlement.
- 4.21 Taking the 142 homes within the village confines rather than the 250 in the Parish, Worth still has more homes than several of the other "villages" listed in Appendix 2 of the SHR and is a significantly larger grouping than all except two of the "hamlets." Furthermore it is close to Sandwich and has good public transport connections. In comparison Tilmanstone, defined as a Hamlet in the SHR, is similar in size but has no school or bus service and is situated in a more isolated location. I recognise that Worth is a very attractive village with a strong rural character and that both the village hall and school lie on constrained sites. Nevertheless I can find no inconsistency in the methodology or approach taken by the Council in defining Worth as a village in the settlement hierarchy.
- 4.22 I have also examined the way in which the SHR has dealt with Shepherdswell (a local centre) and Coldred (a hamlet). Whilst in the same Parish these settlements are separate and distinctive and I can see no justification for them to be combined. In conclusion I consider that the SHR is a robust and sound piece of evidence which supports the district settlement hierarchy set out in the CS.

Strategic allocations

- 4.23 The CS includes four strategic allocations which are central to the achievement of the strategy. They are underpinned by the complementary themes of growth and regeneration and will be taken forward through masterplans or development briefs.

- 4.24 Much of the focus falls on Whitfield SA as it involves a significant urban extension on greenfield land. In the overall strategy the Whitfield SA, and to a lesser extent Connaught Barracks SA, are proposed to enable Dover's population to increase to help support a better range of town centre services and maintain an adequate labour supply for employment growth. This will support the economic and physical regeneration of Dover town centre to take place through the Strategic Allocations at Dover Waterfront and Mid Town. These allocations will improve provision for shopping, leisure, community and educational provision and together will generate substantial new employment opportunities.

Does the CS include robust measures to ensure that it will deliver the regeneration needed and that the Strategic Allocation at Whitfield will support regeneration of the town centre rather than undermine it?

- 4.25 The SAs are intended to work together to achieve the regeneration objectives and the CS states that development at Whitfield should be complementary to the town centre rather than in competition. Risk management will be addressed through programme management as set out in the Delivery Framework of the CS. The Critical Path sets out the relationship between different types of development and the provision of infrastructure and includes a phasing strategy that sets milestones for monitoring progress. The main uplift in housing and population will occur in tandem with or after significant improvements in the centre, as demonstrated in the key milestones, which show town centre schemes taking priority in the early phases of the plan period up to 2016.
- 4.26 The delivery framework demonstrates that development at Whitfield will be managed and controlled as an integral part of the overall programme of CS proposals. The CS includes mechanisms to manage and control the rate of development at Whitfield to ensure that it supports but does not dominate the overall strategy.

Is the key diagram effective in illustrating the overall strategy?

- 4.27 The key diagram is located in the middle of the CS, after the Spatial Considerations. It draws together the Spatial Issues plans for Dover, Deal and Sandwich, indicates transport links and identifies the local centres and villages. It is difficult to find in this location and should be separated from the text so that it is accessible as a reference point and diagrammatic summary of the strategy (change **IC01**). A number of minor changes are needed, as set out in change **PC20**, to make the Key Diagram consistent with the strategy, but there is no need to consider these in detail. One further minor change is required to avoid misleading reference to a "broad location" for the Whitfield SA (change **IC02**).

Conclusions

- 4.28 The overall strategy sets out clearly how the Council will deal with the key issues that have been identified for the District. The background evidence demonstrates that the high growth option is capable of achieving its objective of economic growth and regeneration. Subject to changes **PC06**, **PC20**, **IC01** and **IC02**, which are necessary to ensure that it is sound, the CS presents a clear, robust and locally distinctive strategy which is sufficiently flexible to accommodate changing circumstances whilst providing an appropriate level of detail. In these respects I consider that it is justified and effective.

5 THE LEVEL AND DISTRIBUTION OF DEVELOPMENT

Has the CS approach to housing supply and distribution been informed by the Strategic Housing Land Availability Assessment (SHLAA)?

- 5.1 Preparation of the CS was informed by work dating from 2004 on urban capacity (EB1/00, 1/01, 1/03) and a greenfield land search. It continued through development of the options for both the CS and the Preferred Options of the Site Allocations DPD (SAD) (EB8/56) as set out in Section 13 of the Statement of Engagement and Consultation (EB8/19). Work on the SHLAA commenced in 2008 and was underway during the preparation of the submission CS. A SHLAA Interim Statement (19/03) was published in January 2009. This captures the information available at the time and provides an estimate of the District's housing land potential for defining the 5, 10 and 15 year supply.
- 5.2 Thus, whilst the SHLAA Final Report (EB 19/02) was not published until June 2009, I am satisfied that the CS approach to housing supply and distribution has been informed by a methodical and consultative process of which the final report and the SHLAA Addendum (19/04), are the end result. Furthermore although there is a significant difference between the estimates of unconstrained housing capacity in the Interim Statement and the Final Report of the SHLAA, it is clear that this is a result of the refining of site capacities. I note that the SHLAA unconstrained capacity of 31,405 units remains substantially higher than the CS requirements.

Is the development of greenfield sites justified?

- 5.3 The Annual Monitoring Report 2007/2008 (EB8/18) indicates that since 2002/03 the district has exceeded the national target of providing additional housing on previously developed land (PDL), with percentages exceeding 90% since 2004/5. However the SHLAA and preceding studies, such as the 2004 Urban Capacity Study (EB1/00) demonstrate that this level cannot be maintained. In contrast they indicate that to achieve the housing supply required in the high growth option the level of housing development

on previously developed land (PDL) will fall well below the national target of 60%.

- 5.4 The CS emphasises that work on site allocations will ensure that maximum use is made of PDL and reduce the use of greenfield land. However the evidence base demonstrates clearly that there will need to be a substantial use of greenfield land in order to achieve the high growth option and the benefits that go with it. The CS is focussed on delivering high growth and regeneration. In these circumstances I am satisfied that the approach taken to the use of greenfield land is appropriate.

Is the CS approach to the level and distribution of land for employment clear and supported by robust evidence?

- 5.5 Although commissioned in 2008 the Employment Land Review (ELR) (EB19/01) was published after the CS in April 2009. The CS approach to the level and distribution was informed by the 2007/8 Employment Land Study (ELS) (EB6/01). The ELR therefore provides an up to date cross check on earlier evidence.
- 5.6 The Current Picture of the District (Table 2.2 of the CS) draws from the evidence base to identify a forecast jobs growth of 6,560. The Council proposes a change to add detail to paragraph 2.47 to explain how this figure is broken down. However this change, put forward as PC03, is unnecessary as it would duplicate additional wording which is required to clarify Policy CP2. The suggested wording to CP2 is included in change **PC11**, which I have divided into four parts, **A – D**.
- 5.7 The additional wording set out in in **PC11B** should be introduced to explain how the increase in jobs forecast in the ELR translates into the need to identify 200,000 m² of employment land included in CP2. Change **PC11A** is also necessary, to introduce a table (Table 3.1) which illustrates how the existing employment land supply is made up. This table captures the background against which employment sites will be allocated in the SAD. Cross referencing to the new table and clarification as proposed in changes **PC08**, **PC09** and **PC10** should also be added.
- 5.8 The Preferred Options CS (8/54) sets out a schedule of sites for office and industrial development that are either allocated in saved Local Plan Policies or have planning permission. I consider that the Council was correct in its decision to omit from the CS such detailed, site specific information which should be dealt with in the SAD. However the ELR recommendation that the current level and pattern of employment land supply should be retained needs to be carried through into the CS. The wording in change **PC11C** should therefore be added to provide a clear steer for the SAD with regard to the level and distribution of employment land. I am satisfied that this does not conflict with the overall strategy for the location of development based on the settlement hierarchy.

- 5.9 Although the ELR identifies an oversupply of available and committed employment land it finds a significant mismatch between the type of land available and that which is demanded. Consequently it recommends retaining all employment land for the plan period to 2026 and prioritising investment in sites that have potential for B1 employment development. In order to reflect these findings and to provide a clear direction for the SAD, the additional text proposed in change **PC11D** should be added to the CS.
- 5.10 In conclusion I am satisfied that subject to changes **PC08**, **PC09**, **PC10** and **PC11A – D**, which are necessary to ensure that the CS is sound, the approach to the level and distribution of development is clear and justified by detailed, robust evidence.

6 WHITFIELD STRATEGIC ALLOCATION

Is the selection of Whitfield as an area for an urban extension supported by robust evidence?

- 6.1 The concept of an urban extension to Dover can be traced back through the Preferred Options and the Issues and Options of the CS. Furthermore it is recognised in the SEP that the level of growth planned for Dover cannot be accommodated within the existing built up area. Based on its allocation of 10,100 new homes for the district the SEP identifies the need for a sustainable urban extension at Dover.
- 6.2 In 2004 the Dover Pride Regeneration Strategy (EB9/00) listed the development of a major urban expansion in the Whitfield area, as part of an integrated regeneration strategy, as one of several “new ideas for Dover”. However this “idea” has not been translated directly into the CS. Having established through the Urban Capacity Study (UCS) (EB1/00) and other studies that there would be insufficient PDL to deliver the high growth options under consideration, the Council undertook a search of greenfield land.
- 6.3 The evidence base, from Section 13 of the Statement of Engagement and Consultation (EB8/19) through an assessment of Rejected Sites (EB8/63) and up to the recent SHLAA, indicates that a thorough search for sites has been undertaken and many alternative sites considered. These studies lead to the conclusion that the sites to the east and west of Whitfield are the only viable option for accommodating the scale of housing development required for the high growth option. I am satisfied that the allocation of Whitfield as an area for urban expansion has evolved through an extensive site search and a consultative process. The evidence base includes a range of studies which have been undertaken to assess the viability and impact of the Whitfield SA.

Have matters such as access and environmental impact been explored in sufficient detail to support the strategic allocation at Whitfield?

- 6.4 Dover Transport Strategy (EB13/08) models the effect of Whitfield on the urban area whilst the Whitfield Highways Access Optioneering Report (13/15) summarises further testing that has been carried out to refine the access options. The methodology and modelling for these transport studies was agreed by Kent County Council and the Highways Authority.
- 6.5 As a result of technical studies a range of options has been refined to identify three that are considered viable and suitable for further exploration. The impact on the wider area, including the rest of Dover, has been modelled and further work is proposed on sustainable transport to reduce the overall traffic impact of the proposal. There is no need for me to explore the details of the options in this report. I am satisfied that the technical studies in the evidence base go far enough to demonstrate that effective, sustainable access solutions are capable of being implemented. It is appropriate that these should be taken forward as part of the masterplanning process.
- 6.6 The environmental effects of an urban expansion at Whitfield have been assessed in parallel with that of the overall strategy. Its impact was assessed in the sustainability appraisal of the preferred options, in the Submission Document Sustainability Appraisal (EB8/70), in key studies examining the overall strategy, such as the Air Quality Assessment (EB13/11), the Water Cycle Study (EB22/00) and in the HRA. Detailed studies focused on Whitfield have been carried out to assess the potential environmental and visual impact of the urban extension on matters such as ecology, archaeology, landscape, flood risk and noise.
- 6.7 The exact size and boundaries of the urban extension have evolved as the overall strategy has been developed. In particular the area to the west of Whitfield was included at a later stage than the area to the east. However the studies fit together to provide an overall picture of the impact of the urban extension on the environment, both within the allocation site and in the wider surrounding area. They inform the criteria in Policy CP11 which require strategies for all forms of infrastructure, including green infrastructure, access and transport and energy and water to be developed as part of the masterplanning process.
- 6.8 The impact of the urban extension on the Lydden to Temple Ewell Downs SAC is considered in the HRA. An additional note, Natura 2000 Sites and the HRA of the Core Strategy (EB8/74) was prepared by the Council in June 2009. This note considers the SAC in finer detail and illustrates the relationship between the urban extension and the SAC. Mitigation measures embedded in the CS are capable of addressing much of the impact but it is clear that detailed issues, such as the adequacy of the buffer between the proposed housing and the SAC, remain to be resolved. However I am satisfied that these are matters which should be considered as

part of the masterplanning process, when detailed site specific environmental impact assessment is undertaken.

- 6.9 I consider that the technical evidence and studies support the criteria in Policy CP11 and provide sufficient direction for addressing access and environmental issues in a masterplan.

Has sufficient infrastructure planning taken place to enable the SA to come forward in accordance with the delivery programme (Figure 5.4)?

- 6.10 The SA is underpinned by a body of work that has been carried out to determine the infrastructure requirements, broad timing and funding mechanisms. The infrastructure needs for Whitfield are set out in Table 3.2 of the CS which sets out the strategy's high level infrastructure requirements and in Table 5.1, the Delivery Schedule, which also considers funding, risks and interventions that could be made if necessary.

- 6.11 Figure 5.1 of the CS identifies the "Delivery team" and illustrates the Council's proposal to continue a process of collaborative working with the County Council, voluntary and private sectors and with the East Kent Spatial Development Company which was set up to assist with forward planning of utility infrastructure. The critical path (Figure 5.2) and the Milestones illustrate the emphasis that has been placed on infrastructure planning, particularly for the Whitfield SA. In this context I am satisfied that rigorous preparations and planning for infrastructure have taken place to enable the Whitfield SA to be progressed in accordance with the delivery programme.

Does the CS set out clear proposals for taking the SA forward?

- 6.12 Policy CP11 proposes to take the SA forward as a masterplan. However other references throughout the CS are confused about who is responsible for preparing the masterplan and whether or not it will be a Supplementary Planning Document (SPD). Changes **PC32** and **PC37** are required to confirm the Council's intention to take it forward as a SPD and to clarify that it is not the Council's intention to prepare the masterplan itself.
- 6.13 All the landowners with an interest in the SA have signed a collaboration agreement and there is no evidence that ownership matters would delay delivery. Highway access studies and the preparedness of developers indicate that East Whitfield is likely to be developed first. However there is no need for this to be stated in the CS as it is a site specific matter that can be addressed as part of the masterplanning. The absence of a phasing strategy in the CS should not delay masterplanning or implementation.
- 6.14 The level and detail of work that has been carried out to inform the SA designation is consistent with advice in PPS12. Consequently I see no need for the masterplan to be a DPD. I am satisfied that the

consultation process has been rigorous and transparent and has included assembling comprehensive evidence and consultation events with Whitfield residents. However it is clear that not all local residents are aware of the numerous and detailed background studies that have been undertaken to support the allocation. There remains a high level of anxiety and concern about the allocation and how it will be taken forward. For this reason it will be essential that a robust and accessible process for engaging local residents, drawing on local knowledge and experience and providing up to date reports on progress is integral to the masterplanning process.

Is the status of the Whitfield SA clearly defined?

- 6.15 I am satisfied that the Whitfield SA is a defined area which has been the basis of public consultation, making the allocation consistent with advice in PPS12. However it is not consistently portrayed as such in the CS. Paragraph 4.47 should be amended to refer to "location" rather than "broad location" (change **IC03**).

Conclusion

- 6.16 In conclusion, I am satisfied that the designation of Whitfield as a SA, which is central to the delivery of the strategy, is in accordance with advice in PPS12. The background evidence demonstrates that the level and detail of work that has been carried out to assess environmental impacts, access and infrastructure requirements is appropriate to support the allocation. Subject to changes **PC32**, **PC37** and **IC03**, which are necessary to ensure that it is sound, the CS approach to the urban extension at Whitfield is justified, effective and consistent with advice in PPS12.

7 DOVER WATERFRONT, MID TOWN AND CONNAUGHT BARRACKS STRATEGIC ALLOCATIONS

- 7.1 Three other Strategic Allocations flow from exploration of early issues and options and all are central to the success of the overall strategy. The strategic sites at Dover Waterfront and Connaught Barracks are clearly defined by changes to the Proposals Map in Appendix 1 of the CS. Dover Mid Town is a "block" of the town centre, defined by the streets that surround it and illustrated on Figure 4.3 of the CS. I am satisfied that the location, boundaries and nature of all of these sites have been the subject of public consultation and it is therefore appropriate that they are allocated as strategic sites.
- 7.2 The background evidence examines the potential of each strategic site to deliver standards of sustainable construction that are higher than national standards and to provide renewable energy. The resulting criteria in Policies CP8, CP9 and CP10 are considered in Section 10 below. I have found no other matters relating to the Mid Town or Waterfront SA's that require detailed consideration in this

report. Other matters relating to the Connaught Barracks strategic site are considered here:

Connaught Barracks: Does Policy CP10 provide sufficient flexibility to allow a range of solutions for access and for mitigation of any potential effects on the Dover to Kingsdown Cliffs SAC to be explored?

7.3 Policy CP10 is emphatic in stating that access onto the Dover Road and the A258 should be restricted. However it is clear from exploratory studies that access from the A258 could provide urban design and public transport benefits. It could lead to reduced speed limits, improved pedestrian and cycle links and the creation of a safer environment and ensure that road safety and traffic flow are maintained, avoiding conflict with the objectives of Policy DM12: Road Hierarchy and Development. In this context I consider that paragraphs 4.36, 4.37 and Policy CP10 (ix) should be amended, as set out in **PC26**, **PC28** and **PC31**, to allow the potential advantages of alternative access arrangements to be fully explored in the masterplanning process.

7.4 The SA lies on the edge of the 500 metres buffer to the Kingsdown Cliffs SAC but it is clear that any impact of development at Connaught Barracks should be assessed in combination with other sites and proposals in the CS. I therefore agree that the impact of this SA on the SAC should be considered as part of the masterplanning process in conjunction with an Environmental Impact Assessment. To allow flexibility at this stage the changes to paragraph 4.43 and Policy CP10 (vi) should be made, as set out in **PC29** and **PC30**.

Connaught Barracks: Is the target of a minimum of 500 homes too prescriptive?

7.5 Background evidence in the Connaught Barracks: Site Capacity Assessment (EB8/32) concludes that the site has a capacity for approximately 500 dwellings. I note the Council's general approach of setting a minimum level of residential development for each of the SAs and recognise the importance of maximising the use of PDL at Connaught Barracks and establishing baseline figures for the housing numbers in Policy CP3. However this site has many constraints, including historic and environmental assets, both within and adjacent to the site. In particular the requirement for a minimum number of homes could conflict with the objectives of preserving the Scheduled Ancient Monument, Fort Burgoyne and its setting and with mitigating any impact on the SAC. In these particular circumstances I consider that a level of flexibility should be carried through to the masterplanning process by requiring approximately 500 homes rather than a minimum of 500 homes, as set out in change **IC04**.

Connaught Barracks: Is the CS clear in setting out the developable area in Figure 4.4 and the approach to protecting existing trees?

- 7.6 The “developable area” indicated on Figure 4.4 suggests a fixed distance between Fort Burgoyne and any new development. However I note that the Council considers the exact boundary to be a matter of detail for the masterplanning stage. To make this clear the word “indicative” should be added to the diagram, as set out in change **IC05**.
- 7.7 Existing trees are an important feature of the site but I consider that the requirement in paragraph 4.37 to retain all the trees is unnecessarily restrictive. The wording should be changed to that proposed in **PC27** in order to allow a discerning approach to retaining important trees.

Conclusion

- 7.8 Subject to my consideration of sustainable construction criteria later in this report and to proposed changes **PC26 – PC31, IC04** and **IC05**, which are necessary to make the CS sound, I conclude that the Strategic Allocations at Dover Waterfront, Mid Town and Connaught Barracks are justified, effective and consistent with advice in PPS12.

8 DEAL AND SANDWICH

- 8.1 The Spatial Considerations section of the CS adds detail to the context and spatial proposals for individual parts of the district. It contains no policies but draws together the effect of relevant policies on each area and translates the issues for Dover, Deal and Sandwich onto individual diagrams. Development in Dover will be led by the Strategic Allocations but in Deal and Sandwich the direction that development will take is referred to in the text. Taking it forward is delegated to the SAD or in the case of Middle and North Deal, through an AAP.

Are the spatial issues for Deal effective in absence of specific policies? Is the CS clear how the potential for development in mid/north Deal will be taken forward?

- 8.2 The CS identifies that the key issues facing Deal relate to social and community infrastructure rather than physical or environmental problems. It carries forward the need for improved community facilities as set out in the North Deal Regeneration Stage 1 Report (EB8/51). The CS spatial considerations for Deal link the need for regeneration with opportunities for brownfield development in North Deal and urban expansion areas which will be required to provide the 1600 new homes proposed in Deal.
- 8.3 This figure is based on the “Medium High Growth” option and the settlement hierarchy distribution of development. It is clear from the Preferred Option EB (8/54) and the Sustainability Appraisal Non

Technical Summary EB (8/70) that the number of new homes proposed for Deal has not increased as a result of the High Growth Option.

- 8.4 The CS identifies three broad locations for urban expansion on the Deal Spatial Issues plan (Figure 3.4). These areas have emerged through the Site Allocations Document Preferred Options (EB8/56). The CS makes it clear that they will be allocated through the SAD and draws attention to particular issues that it will need to address. I consider the SAD is the appropriate part of the LDF to assess these sites and to deal with site specific matters such as flooding and access.
- 8.5 The CS commits to a major investigation to determine whether there is scope to release further potential for development, particularly in Middle and North Deal areas. It makes it clear that if appropriate this will be taken forward through an Area Action Plan. This provides a clear direction for the study of Middle and North Deal to be taken forward and I note that any potential for additional homes on PDL in Deal could take the housing supply above the level anticipated, as referred to in CS paragraph 3.26.

Do the Spatial Considerations for Sandwich provide flexibility for considering the potential for development of PDL?

- 8.6 Spatial Issues for Sandwich refers to its juxtaposition with the major business area to the north and draws attention to constraints to urban brownfield development, such as access and flooding. However there is scope to explore the potential for an increase in residential capacity on PDL through the site allocations process, where site specific constraints can be considered. Change **PC17** should therefore be made to paragraph 3.71 to add flexibility so that opportunities to maximise the use of PDL can be explored through the SAD. This potential should be indicated on the accompanying diagrams as set out in changes **PC19** and **PC20**.

Conclusion

- 8.7 Subject to changes **PC17**, **PC19** and **PC20** which are necessary to make the CS sound, I am satisfied that the spatial issues for Deal and Sandwich are clear in setting out the broad areas to which development will be directed and providing a coherent picture of how potential development on PDL and urban expansions will be taken forward.

9 GREEN INFRASTRUCTURE AND THE PROTECTION OF THE NATURA 2000 NETWORK OF INTERNATIONALLY IMPORTANT WILDLIFE SITES (EUROPEAN SITES)

Does the CS provide a clear high level strategy for taking account of the potential effects of development on European sites?

- 9.1 The CS is supported by a Habitats Regulations Assessment (HRA) (EB8/69). This has guided the strategy in its approach to the green infrastructure network in Policy CP7 and in its proposal to develop a green infrastructure framework, which is identified as a high level infrastructure requirement in Table 3.2 of the CS. The HRA has also informed the approach to development at Whitfield, Deal and Connaught Barracks.
- 9.2 The HRA suggests that recreational impact on European sites is avoided by provision of alternative green space to draw visitors away and increased visitor management on the European sites themselves. The CS does not translate this recommendation into detailed proposals, but proposes that it is implemented through the green infrastructure framework.
- 9.3 It is clear that further research and evidence is needed in order to establish a detailed approach based on local studies into the nature and level of the use of the European sites in and around Dover. It would be helpful to have this document in place in advance of the adoption of the CS and the SAD. However the fact that the work has not yet been completed should not delay the adoption of the CS. The development of a green infrastructure framework in parallel with the CS is an acceptable alternative to the inclusion of a detailed mitigation strategy in the CS itself.
- 9.4 Whilst identified as a high level infrastructure requirement in Table 3.2 of the CS there is little to describe the purpose, content or timing of the green infrastructure framework. This is a significant shortcoming in the CS, which currently relies too heavily on cross reference to the HRA and cursory reference to the green infrastructure framework.
- 9.5 Additional wording to Policy CP7, as suggested in change **PC21**, is required to confirm the Council's intention to develop the green infrastructure framework. Additional text after the policy, set out in proposed change **PC22**, should also be introduced to detail how and by whom the framework will be developed, what it will include, how its timing will relate to that of the SAD and the masterplanning for the Strategic Allocations and how it will be applied.
- 9.6 I am satisfied that these changes will overcome the strategy's current weaknesses and introduce clear proposals, appropriate to the level of detail in the CS, for dealing with the effects of proposals on European sites.

Conclusion

- 9.7 Subject to changes **PC21** and **PC22**, which are necessary to make the CS sound, the CS provides a clear strategy for taking account of its effect on European sites.

10 SUSTAINABLE CONSTRUCTION AND RENEWABLE ENERGY

10.1 Dover's coastal location makes it particularly susceptible to sea level rises, storms and lower rainfall. It is classified as an area of serious water stress and the southern part has been designated as a water scarcity area. These matters, together with contextual issues such as the nature of the District's existing housing stock and its natural heritage and landscape, are considered in Sustainable Construction and Renewable Energy (SCRE) (EB8/50) which concludes that Dover District will be disproportionately affected by climate change. It identifies the key issues for the future as incorporating measures to reduce energy demand and produce energy from renewable sources, bringing forward schemes for renewable energy production and demand reduction in existing stock.

Does the evidence base justify the district wide construction standards set out in Policy CP5?

10.2 SCRE is a detailed and comprehensive assessment of the policy background, local circumstances and viability of the CS approach to addressing climate change. It recognises the significant cost of achieving the Code for Sustainable Homes (CSH) and BREEAM standards set out in Policy CP5. However it notes that these costs will effectively reduce as changes to the Building Regulations in the early part of the plan period require improvements in carbon emissions and water efficiency. The Water Cycle Study (EB22/00) advises that in order to incorporate water efficient design, the CS should require new homes to meet standards that are higher than the current building regulations. The CS takes a long term view by proposing construction standards which, whilst in advance of the proposed national programme in its early years, will undoubtedly be overtaken by national standards during the life of the strategy.

10.3 In recognition of the difficulties of development on smaller sites in meeting CSH and BREEAM requirements, SCRE identifies a need to allow for funding for off site improvements in carbon emissions and water efficiency. This is carried through into Policy CP5. Proposed change **PC14** is necessary to clarify the policy approach to off site contributions. **PC14** also includes a change that would amend the policy approach to extensions and conversions.

10.4 SCRE identifies that most of the district's existing building stock will still be in use in 2050. It states that transformation of this stock will be required in order for the district to achieve significant reductions in carbon emissions and water. Policy CP5 seeks to address this matter by requiring extensions and conversions to incorporate energy and water efficiency measures to achieve no net increase in energy or water demand from the whole building. This requirement is consistent with SCRE and with Policy NRM11 of the SEP. However due to the large number and typically small scale of extensions, both implementation and monitoring would be

disproportionately demanding of the Council's resources. In any case this would be best dealt with by the stepped raising of standards in the building regulations that are proposed. Policy CP5 should therefore be amended, as included in **PC14**, to remove this requirement.

Whitfield SA: Are there local circumstances to justify the sustainable construction standards set out in Policy CP11?

- 10.5 The CS states that the development at Whitfield is of such a scale that it should seek to achieve standards of sustainable construction in excess of national requirements. Policy CP11 delegates the development of an energy and water strategy to deliver such standards to the Whitfield masterplan.
- 10.6 The justification for this approach is contained in the Water Cycle Study and in SCRE which examined a number of variables which will inform the masterplanning process. These include balancing market drivers against higher densities, which increase the economic viability of district heat and power options and the impact of various low or zero carbon (LZC) technologies on the masterplan. SCRE demonstrates that the masterplanning process will enable exemplary carbon reduction targets and water management to be "built in" to the overall design.
- 10.7 Policy CP11 requires residential buildings to meet CSH level 4, non residential buildings to achieve BREEAM excellent standard and schools to achieve zero carbon rating. As with the baseline sustainable construction standards in Policy CP5 the CS takes a long view and national standards are likely to catch up with these standards in the early part of the plan period. I consider that the evidence in SCRE and the Water Cycle Study together with the scale of the SA justify these requirements.

Dover Waterfront: Is there a sound evidential case for the requirements for a district heating system and for non residential buildings to meet BREEAM excellent standard?

- 10.8 The Dover Waterfront is a complex project being taken forward by a partnership, which includes Dover Harbour Board and the Council, as a comprehensive development. Like the Whitfield SA it will be preceded by a masterplan. It will comprise a high density mixed development with a hotel and a substantial amount of office, retail and leisure uses.
- 10.9 SCRE recognises that the commercial development, which represents a significant proportion of the proposal, will be a key driver in dictating the proposed energy strategy. It suggests that a district energy solution would capitalise on the diversity of energy loads and ensure longer run times. I note that the financial viability of achieving the BREEAM excellent standard for non residential buildings has not been tested. Nevertheless SCRE indicates that

the benefits of a site wide district heating network and sustainable measures introduced through the overall masterplan should make achieving the BREEAM excellent standard viable.

10.10 Figure 5.4 of the CS shows that development of the Waterfront SA has a long programme with construction phases extending until 2021. Requiring the masterplan to address energy supply through a district heating system provides "future proofing" for the scheme to meet potential national higher standards that are likely to apply to the later phases.

10.11 I conclude that the requirements in Policy CP8 for district heating and for non residential buildings to meet BREEAM excellent standard are justified by evidence in SCRE, consistent with national guidance and necessary to provide a clear direction for the masterplanning process.

Mid Town SA: Are the requirement for district heating and BREEAM excellent standards for non residential buildings justified?

10.12 Development in the Mid Town SA, like that at Dover Waterfront, will be mixed use and high density. This scheme also has an extended programme, with a long lead in time and construction phases extending through to the final years of the plan period. For the reasons given above I consider that the requirements in Policy CP9 for a district heating scheme and BREEAM excellent standard for non residential buildings are justified and necessary to inform the masterplanning process and to prepare the scheme for meeting higher national standards towards the end of the plan period.

Connaught Barracks SA: is the requirement for a district heating system justified?

10.13 Connaught Barracks is allocated for residential development in conjunction with the restoration and re use of Fort Burgoyne. It will be led by a masterplan and like the other SA's it has an extended programme running through to the penultimate year of the plan period. This provides clear justification for the Policy CP10 requirement for an energy and water strategy to enable the development to meet stepped national requirements for sustainable construction.

10.14 However the site is extremely constrained by physical, historic and environmental features. SCRE identifies that the physical constraints in particular may restrict the option for a district heating system and recommends that this should be investigated in detail and included if feasible. In the absence of any further investigation I consider that a requirement for district heating at this stage is not justified and would restrict the masterplanning process. For this reason I consider the reference to district heating in Policy CP10 and in paragraph 4.45 should be removed, as set out in **IC06**.

Conclusion

- 10.15 Changes **PC14** and **IC06** are necessary to make the CS sound. Subject to these changes the sustainable construction standards for all new development, set out in Policy CP5 and those for the strategic sites, set out in Policies CP08, CP09 and CP10 are justified by evidence in SCRE and the Water Cycle Study. The CS requirements for sustainable construction and renewable energy, as amended, are sound, based on robust evidence and consistent with national and regional policies.

11 HOUSING TYPE AND MIX

Does Policy CP4 provide robust guidance on housing mix for development proposals and masterplanning?

- 11.1 Paragraph 3.40 of the CS sets out the broad split of demand for market housing identified in the Strategic Housing Market Assessment (SHMA) (EB21/01). These percentages are in fact inaccurate and need to be corrected to reflect the SHMA figures, as set out in change **IC07**. The subsequent text box states that these proportions should be used to inform the housing mix for development proposals and in masterplanning work. I am satisfied that the demand split does not introduce an inflexible requirement into the CS. Whilst the percentages in paragraph 3.40 capture demand as assessed in 2009, the accompanying text makes it clear that they are a starting point and will need to be adjusted to reflect market information, housing need and how the mix on each site will contribute to the overall CS housing objectives.
- 11.2 Policy CP4 also refers to the SHMA. When the policy is read with the preceding paragraphs the CS provides sufficient guidance on housing mix to achieve its goals of regeneration, meeting existing need and attracting new residents to the district. I have considered whether the policy should also refer to the need for affordable and low cost housing. However the level of affordable housing required is already set out in the footnotes to Policy CP2. The SHMA takes account of market entry level housing and I am satisfied that the cross reference to the SHMA in CP04 provides sufficient guidance for account to be taken of the need for low cost market housing.

Conclusion

- 11.3 Subject to change **IC07**, required to make the CS sound, the guidance on housing mix and density is robust and supported by evidence in the SHMA.

12 INFRASTRUCTURE, MONITORING AND DELIVERY

Does the CS include robust planning for infrastructure to support the strategy?

12.1 Table 3.2 of the CS identifies the high level infrastructure that is required to support the strategy. It is clear that the strategy as a whole and the SAs in particular are informed by a number of studies into infrastructure requirements. In particular the Programme of Development Submission (EB8/80) includes a detailed examination of the capacity of the district's infrastructure to facilitate growth and sets out details of advanced work on infrastructure provision required to delivering key sites. Figure 5.2 of the CS illustrates the uplift in infrastructure that is required in the second five year period of the plan to support the major growth planned in the later years of the plan.

12.2 Partnership working has been an underlying theme in developing the strategy and the Council has been successful in engaging with a wide range of infrastructure providers. The Delivery Schedule (Table 5.1) includes identification of the lead agencies responsible for delivering key infrastructure. At individual site level the CS proposes to set out its detailed approach to development contributions in a SPD. I see no justification for this document to be a DPD and I am satisfied that paragraphs 3.83 – 3.85 provide a clear direction for the way in which this will be taken forward.

Does the CS give a clear commitment to providing the social infrastructure needed to support new development?

12.3 The CS refers throughout, but particularly in Policy CP6, to the infrastructure requirements to support development. However the definition of infrastructure in the CS Glossary does not include reference to social infrastructure, such as the emergency services. For clarity and to be consistent with the SEP the glossary definition of infrastructure should be amended as set out in change **PC49**.

Does the CS include a robust approach to delivery and monitoring?

12.4 The Business Development Strategy (EB20/00) 2007 final report emphasises that the LDF should have a focus on deliverability, combining spatial planning with regeneration. The CS makes it clear that if the strategic allocations fail to deliver then the strategy will fail. To address this key issue the Council has developed a robust delivery framework in Section 5 of the CS. It explains how project management tools and processes will be used to manage, monitor and review the delivery of the strategy. It also sets out the objectives for a detailed delivery plan which will support the delivery framework.

12.5 Figure 5.1, the Operational Structure, shows how the Council will lead an implementation group comprising public, private and

voluntary sectors, working alongside the Dover Pride Partnership. This group will manage delivery of the strategy by implementation providers from all sectors. The Critical Path (Figure 5.2), Strategy Planning (Figure 5.3) and Delivery Programme (Figure 5.4) give an overview of timing and of the relationship between the strategy's major component parts. Strategic areas of risk and contingency measures are identified in Figure 5.7, whilst Table 5.1 identifies the lead agencies, actions and timescales, funding, risks and possible interventions for each of the key development proposals.

- 12.6 The proposals for monitoring the strategy are set out in Table 5.2 which provides clear objectives, indicators and targets for the plan period. The strategy is most vulnerable to the risk that the anticipated level of new employment does not come forward at the same rate as the large number of new homes proposed. However the Delivery Schedule recognises this risk and sets out possible interventions. Monitoring is implicit in the project management that will be carried out by the Implementation Group.
- 12.7 The current uncertain economic climate raises the question of whether the strategy can be initiated with sufficient impetus to enable it to achieve its ambitious objectives within the plan period. However the CS makes it clear that the phasing and timings for the strategy are a set of interdependent relationships which will remain broadly consistent, even if the overall programme has to be lengthened. A slower start would result in the uplift in growth taking place later in the plan period, but would not prevent the key projects from being delivered, particularly as the strategy allows for housing and employment growth to continue beyond 2026.
- 12.8 By programming lead in times for research, masterplanning and securing funding and by emphasising the relationship between infrastructure provision and growth, the CS sets out a robust framework for delivery. In addition the capability of the strategy to accommodate a higher level of housing provides a flexible framework to manage faster growth should conditions allow.

Conclusion

- 12.9 I am satisfied that the CS is supported by detailed studies and partnership working to plan for the infrastructure that is needed to deliver the strategy. It includes a robust methodology for project management, monitoring and delivery of the strategy and, subject to change **PC49**, includes a clear commitment to the provision of community infrastructure.

13 DEVELOPMENT MANAGEMENT (DM) POLICIES

Affordable Housing: Does the background evidence demonstrate that the targets and thresholds for affordable housing set out in Policy DM5 are viable?

- 13.1 The Council's Affordable Housing Economic Viability Assessment (EVA) (EB8/79) demonstrates that in the present market the 30% affordable housing requirement for housing development of 15 or more dwellings, as set out in Policy DM5, should be deliverable in the higher value areas of the district, such as Sandwich and East Kent. It also finds that in these areas developments of between 5 and 15 units should be able to make a financial contribution, depending on the level sought. However it does not provide justification for affordable housing provision or financial contributions in schemes below 5 dwellings. Furthermore it concludes that in the current market the lower value areas of the district, such as Dover Town Centre, would not be capable of meeting either the 30% requirement or the financial contribution.
- 13.2 In the light of the EVA findings it is clear that Policy DM5 is not justified in its requirements for developments below 5 dwellings. It also lacks flexibility in its requirement for financial contributions from developments of 5 - 14 dwellings. The Council has suggested a series of changes to address these shortcomings and to build into the CS sufficient flexibility to take account of varying economic conditions and individual site circumstances.
- 13.3 Changes are proposed to paragraphs 1.20, 1.23 and Policy DM5 to remove the requirement for developments of 1 – 4 dwellings to contribute to the provision of affordable housing and to introduce flexibility for schemes of 5 – 14 units to provide affordable housing on the site or make a financial contribution. Proposed changes to paragraph 1.21 emphasise that the Council will have regard to economic viability when seeking affordable housing on all sites. Changes to paragraph 1.22 confirm the Council's intention to prepare SPD to guide the operation of Policy DM5 for developments of 5 – 14 dwellings.
- 13.4 These changes, set out in **PC42, PC43, PC44, PC45** and **PC46**, will ensure that the CS strikes a balance between maximising the amount of affordable housing and avoiding the imposition of onerous requirements which risk preventing new housing development from coming forward, particularly on small sites and in the lower value areas of the district. Assessing the viability of schemes on an individual basis, especially those of 5 – 14 units, will provide flexibility to accommodate site specific constraints and fluctuations in the property market over the plan period. Given that percentages of below 30% will be balanced by schemes which are 100% affordable I am satisfied that Policy DM5 provides a robust and flexible framework for delivering an overall level of affordable housing consistent with the 30% indicative target for East Kent, as set out in Policy EKA3 of the SEP.

Does the CS provide adequate guidance for tourism development?

- 13.5 The CS does not contain a development management policy for tourism and any proposals for tourism development in the rural

areas would need to be dealt with by Policies DM3: Commercial Buildings in the Rural Area, DM15: Protection of the Countryside and DM16: Landscape Character. It is clear that all of these policies set out criteria against which all types of rural development will be assessed. I see no need to single out tourism in particular and I am satisfied that the CS provides an effective framework for considering proposals for tourism development in the rural area, consistent with guidance in PPS7 and with the objectives of the SEP.

14 OVERALL CONCLUSIONS

14.1 I conclude that, with the amendments I recommend, the Dover Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and meets the tests of soundness in PPS12.

Sue Turner

INSPECTOR

Attachment:

Annex A: Schedule of changes.