

Land at Short Lane, Alkham

Planning Statement

On behalf of Messrs. Barnes

Full planning permission for the erection of 8 dwellings with associated access and landscaping

HPPC Ref: 31287

Date: April 2023



Contents

1. Introduction	3
2. Site & Location	3
3. Planning History	5
4. Planning Policy	5
5. The Proposed Development	9
6. Consultant's Reports	12
7. Conclusions	15

1 INTRODUCTION

1.1 This Planning Statement accompanies the full planning application for the erection of 8 dwellings and is accompanied by supporting consultant's reports.

1.2 This application comprises:

- The application form and fee
- Design and Access Statement
- Planning Statement
- Accompanying plans
 - 22_114_01A Site Plan as existing
 - 22_114_02A Site Plan
 - 22_114_03B Site Ground Floor Plan
 - 22_114_04A Parking Strategy
 - 22_114_05A Refuse Strategy
 - 22_114_06A Boundary Plan
 - 22_114_07A Biodiversity Enhancement Plan
 - 22_114_10 Plans and Elevations Units 1 – 2
 - 22_114_11 Plans and Elevations Units 3 – 7
 - 22_114_12 Plans and Elevations Units 3 – 7
 - 22_114_13 Plans and Elevations Units 8
 - 22_114_14 Street Elevations
 - 22_114_15A Proposed Cycle Store
- Accompanying Consultants reports
 - Flood Risk Assessment, February 2023 (Herrington Consulting Limited)
 - Preliminary Ecological Appraisal, April 2023 (David Archer Associates)
 - Landscape Strategy, April 2023 (Hill-Wood and Co.)
 - Minerals Resource Assessment, March 2021 (Hobbs Parker)

2 SITE AND LOCATION

2.1 The site comprises a broadly rectangular parcel of land to the east of Short Lane and to the south of numbers 1 to 8 which were developed in the mid-1990s. The land is currently grazed by horses. Existing residential development, Glebelands (numbers 11 to 27), is

located immediately west of the site (on the opposite side of Short Lane) and the remainder of the applicant's land holding to the south of the site. Beyond this land to the south is the property Halfacres.

2.2 There is established boundary planting to the properties to the north and a roadside hedgerow to Short Lane. The site is within a 30mph speed limit zone and there are occasional parked cars on Short Lane itself, likely to be visitors since many of the existing properties have on plot parking or park within Glebelands itself. Both Glebelands and the properties to the north have two points of access each of which terminate within their respective sites.

2.3 Like the whole village of Alkham, the site is within the Area of Outstanding Natural Beauty (AONB). However, due to the siting, topography and position of adjacent buildings, any development of the application site, incorporating soft landscaping, will be read alongside the existing backdrop of residential properties. The photograph below show the site (taken in early 2023).



Photo 1: View of the site from the south of the site itself looking towards Nos 1 to 8 Short Lane

3 PLANNING HISTORY

- 3.1 There is no recent planning history on site. However, as discussed elsewhere in this Statement the site has been identified in the emerging Dover Local Plan Review as suitable for 10 units under reference SAP43 (ALK003).
- 3.2 For completeness, in 2016 reference 16/01216, an outline application (with all matters reserved) for the erection of six dwellings was refused on the site. This was subsequently appealed and the appeal was dismissed (reference APP/X2220/W/17/3180321). The main issue is the effect of the development on the character and appearance of the Kent Downs AONB.

4 PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that a planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework

- 4.2 The National Planning Policy Framework (the Framework) was updated in July 2021 provides a national guidance for all development proposals and is a material consideration in decision making for all local planning authorities. At the heart of the Framework is a 'presumption in favour of sustainable development' and promotes 'approving development proposals that accord with the development plan without delay' (paragraphs 10 and 11).
- 4.3 Paragraph 11 addresses both decision making and decision taking; from allocating sites to granting planning permission for a scheme and requires consideration of three strands of sustainable development (economic, social and environmental and as set out in paragraph 8).
- 4.4 Where relevant policies are out of date, the Framework is clear that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole'.
- 4.5 The Framework requires effective use of land (paragraph 117). In paragraph 60 it is stated

that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The Framework stresses the importance of making the most effective use of land in Chapter 11, and states that substantial weight should be given to the use of suitable brownfield land within settlements (paragraph 120 part c).

- 4.6 High quality design in new development (paragraph 126) is promoted, and it is recognised that trees make an important contribution to the character and quality of urban environments whilst ensuring that "the right trees are planted in the right places" (paragraph 131).
- 4.7 It recognises that development should create distinctive places, with a consistent and high-quality standard of design being tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified (paragraph 130).
- 4.8 Development should be located on sites at lowest risk of flooding and that do not increase flood risk elsewhere (paragraphs 158 & 163). The Framework requires planning policies and decisions to protect and enhance valued landscapes and provide net gains for biodiversity, (paragraph 170).
- 4.9 The Framework provides guidance on proposal which affect heritage assets (paragraphs 189 to 202). There are no Listed Buildings, Conservation Areas or non-designated heritage assets in the immediate vicinity.

Dover District Local Plan

- 4.10 The Local Plan sets out how planning and development will be managed in the District over a twenty year period. The Local Plan comprises: The Core Strategy (CS) which was adopted in February 2010 and contains the Council's overall ambitions and priorities for the District: Annex 1 sets out the Development Management Policies which will be considered as part of the determination of planning applications and which is of most relevance to this application. The Land Allocations Local Plan was adopted in January 2015 and is used to identify site specific allocations and designations in the District that will be required to deliver the vision set out in the Core Strategy. The Dover District Local Plan (2002) has been superseded by the Core Strategy however some of the policies remain 'saved'.

- 4.11 The emerging Dover Local Plan Review, subject to Regulation 19 consultation in late 2022 this year allocates the site for residential development (for 10 units under reference SAP43) with reference to the requirement for a landscape buffer to mitigate any impact on the AONB. Dover's Plan was submitted to the Secretary of State on 31st March 2023 and the Examination in Public is anticipated to take place later in 2023. The following commentary relates to the policies contained within the adopted development plan:
- 4.12 The site is outside of any settlement confines and for the purposes of planning is considered to be within the countryside. Policy DM1 of the CS does not permit development on land outside the settlement boundaries unless it is justified by other development plan policies or it functionally requires such a location.
- 4.13 Policy DM1 places a blanket restriction on development outside of settlement confines, whereas the NPPF takes a more nuanced approach which focuses upon whether the development would cause harm to the character of the countryside, is reliant upon unsustainable means of transport, or is unsustainable for other reasons. As such, in the context of this application, there is a degree of tension between the NPPF and Policy DM1, which reduces the weight of the Policy. There have been numerous examples of applications in the recent past where Dover District Council (DDC) have granted development outside of the settlement confines including those which are draft allocations in the emerging Local Plan (such as land adjacent to 455 Folkestone Road, Dover).
- 4.14 As a matter of judgment, it has widely been considered by DDC's Officers that some policies in the Core Strategy are in tension with the NPPF, are out-of-date, and as a result should carry only limited weight: One such Policy is DM1. Furthermore, the Council has also widely accepted that the 'tilted balance' identified in paragraph 11 of the NPPF is engaged. An assessment as to whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the development therefore needs to be undertaken and whether there are any other material considerations that indicate permission should be approved. Given that the site has been allocated in the emerging Dover Local Plan Review, and that it is immediately adjacent to the village of Alkham, identified in Policy CP1 of the CS as a 'Village' it is considered that the site is sustainable in terms of transport and access to local services and facilities.
- 4.15 Policy DM11 of the CS aims to ensure that developments that generate significant movements should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The site is located on the immediate edge of Alkham. Short Lane has an existing footway facilitating safe walking to the services within the village, including the village hall, Church and currently very successful pub the

Marquis of Granby.

- 4.16 Policy DM13 relates to parking provision, and for village location, where there are no on-street parking controls, two car parking spaces are required for dwellings with three or more bedrooms. The proposal satisfies this Policy. For the remainder the requirement of 0.2 visitor spaces per unit equates to a total requirement of two visitor spaces: which are shown on the submitted Site Plan.
- 4.17 Policy DM15 relates to the protection of the countryside and states that development that would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted if it is in accordance with allocations made in Development Plan Documents or the development justifies a rural location. As discussed in Paragraph 4.20 the application site is allocated in Policy SAP43 of the Dover Local Plan Review, which has been submitted to the Secretary of State.
- 4.18 Policy DM16 relates to landscape character and states that development that would harm the character of the landscape, as identified through the process of landscape character assessment, will only be permitted if certain criteria are met. The accompanying Landscape Strategy produced by Hill-Wood and Co. addresses the site-specific policy requirement and it is anticipated that a condition requiring a detailed planting plan to be submitted would be attached to any planning consent.
- 4.19 In relation to the emerging development plan, the following policies (relevant to this application) which are being considered to carry weight by the Council, are:
- Policy PM1 – Achieving High Quality Design, Place Making and the provision of Design Codes
 - Policy SP13 – Protecting the District's Hierarchy of Designated Environmental Site and Biodiversity Assets
 - NE2 - Landscape Character and the Kent Downs AONB
- 4.20 In addition, the contents of Policy SAP43 which allocates the site for residential development is an important consideration in the determination of this application. This Policy requires retention and enhancement of trees and hedgerow, appropriate design to take account of the Kent Downs AONB, landscape buffer with structural tree planting, and Flood Risk Assessment incorporating SuDs. As we realise that the representations made to this emerging policy are important in considering the level of weight which can be given we have summarised these below:
- 1 objection from a neighbour

- 2 letters of support
- Comments received from the Kent Downs AONB unit, Alkham Valley Society and Parish Council. It is worth noting that the Kent Downs AONB unit has been supportive of the proposed allocation:
 - *“As recognised in the policy, the site lies within the Kent Downs AONB. The site is relatively well contained within the wider landscape and relates well to the existing settlement, where the settlement pattern includes development in depth south of the Alkham Valley Road. The proposed requirements included in site specific requirements to help manage impacts on the AONB are supported”.*
- Additional information provided by the applicant in support of the allocation

4.21 It is not considered that there are any comments, made as part of the plan-making process, which should call into question the validity of the draft allocation, and accordingly it is considered that the proposed allocation should be afforded significant weight in the determination of this application.

4.22 In response to the emerging policies within the Local plan Review, Policy PM1 has been taken into account. APX have produced the accompanying Design and Access Statement which ensures that the proposed design responds to the context of the site in order to create a design which creates a positive and coherent identity. The layout has made efficient use of the land whilst respecting the countryside/ location within the AONB.

4.23 The site is outside of the 9km zone of influence for the Thanet Coast and Sandwich Bay SPA mitigation contributions. The Preliminary Ecological Appraisal (PEA) which accompanies this application considers, in line with emerging Policy SP13, whether there would be any impact on statutory sites and concludes there is none. Emerging Policy NE2 relates to the Landscape Character and the Kent Downs AONB, both have which have been taken account of by Hill-Wood and Co. in formulating the Landscape Strategy which forms part of this submission.

Kent Downs AONB Management Plan

4.24 The Kent Downs Area of Outstanding Natural Beauty Management Plan 2014 – 2019 contains the following key policies;

- SD1 the need to conserve and enhance the natural beauty is recognised as the

primary purpose of the designation

- SD3 new development will be opposed where they disregard or run counter to the primary purpose
- LLC1 the protection, conservation and enhancement of special characteristics and qualities, natural beauty and landscape character of the Area of Outstanding Natural Beauty will be supported and pursued

- 4.25 To summarise, the principle of development on the site has been established through the emerging draft allocation (Policy SAP43) in the Dover Local Plan Review and the proposed development addresses the Development Management policies contained within Annex 1 of the adopted CS.

5.0 PROPOSED DEVELOPMENT

- 5.1 The proposal is fully detailed for eight units. A single point of access is taken off Short Lane with two blocks of development either side of the access. To the north are a pair of semi-detached units and to the south a detached unit. All three of these units have generous gardens and parking on plot. The access road provides a turning area in a T-shape with a row of units to the east. To enable views through to the landscape buffer these units comprise two pairs of semi-detached units and a single detached unit. These houses follow the line of the properties to the north. These smaller units are provided within the site and each have on-plot parking. Two visitor spaces are provided on the site's southern boundary. Whilst the emerging policy, SAP43, allows for 10 units on site it is considered that as a consequence of the edge of settlement location and the site's location within the AONB that the submitted scheme for eight units is a more appropriate quantum of development for the site.
- 5.2 The design approach, including proposed scale and massing, is contained in the accompanying Design and Access Statement. To summarise the units have been traditionally designed to take account of the local vernacular. In terms of materiality they comprise plain clay roof tiles, black weatherboarding, multi-stock red brickwork, knapped field flint, chimneys and grey windows. Unit 8 also incorporates the use of clay tile hanging.
- 5.3 In terms of size of units, three 4 bed units are proposed together with five 3 bed units. The three bed units are smaller units which would be suitable for both couples and small families, whilst the larger units are family sized units. This mix is considered appropriate for the local area.

- 5.4 Each unit is provided with two on plot car parking spaces together with two visitor parking spaces within the site. Whilst it is acknowledged that tandem spaces are shown for plots 1, 2 and 4 to 7, which would increase the visitor parking requirement there are no on-street parking controls and further visitor parking could be accommodated without issue on Short Lane. Cycle storage is provided in a simple shed structure (see plan 22_114_15). The refuse strategy sets out the location for the presentation of refuse at the front of each plot, and the tracking of both a refuse collection vehicle and emergency vehicle is shown on these plans.
- 5.5 Aside from the necessary removal to facilitate the creation of an access to the site, the existing vegetation on all boundaries will be retained and enhanced with additional structural planting within a landscape buffer to the east as set out in Policy SAP43 to enhance the boundary features. Indicative planting is shown within the accompanying Landscape Strategy; specific details of both soft and hard landscaping proposals can be secured via condition. Post and rail/wire fencing, is proposed to divide individual gardens with provision for hedgehog access. In addition, biodiversity enhancement measures are incorporated throughout the scheme (see plan 22_114_07) with bat and bird boxes provided together with an owl box within the trees.
- 5.6 In conclusion, it is submitted that the development, as a whole, will meet with the relevant provisions of NPPF Section 12 and, in particular, Paragraph 130 in providing a development that: • Will function well, adding to the overall quality of the area for the lifetime of the development; • Will appear visually attractive as a result of high quality design, and layout that is appropriate for the area; • Will appear sympathetic to local character whilst providing larger unit types; • Maintaining the strong sense of place to create a high quality development • Optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development. Please refer to the accompanying Design and Access Statement for further consideration of scale, layout and appearance and supporting information to set out the rationale for the design of the proposal.

6.0 CONSULTANTS REPORTS/ TECHNICAL CONSIDERATIONS

6.1 The application is supported by the following supporting documentation:

- Flood Risk Assessment, February 2023 (Herrington Consulting Limited)
- Preliminary Ecological Appraisal, April 2023 (David Archer Associates)
- Landscape Strategy, April 2023 (Hill-Wood and Co.)
- Minerals Resource Assessment, March 2021 (Hobbs Parker)

Flood Risk Assessment

6.2 The report sets out that the Sequential test has been applied as part of the allocation process and as a consequence of the proposal for allocation under Policy SAP43 the sequential test is considered to be passed.

6.3 In terms of the Exceptions Test, the site is within Flood Zone 1. The site has been identified as being affected by flooding from water flowing overland based on the EA's 'Flood Risk from Surface Water' mapping. In the eastern corner of the site, where the land levels are lowest it results in a maximum predicted depth of up to 800mm. However, the proposed units are situated above a level of 52.9m AODN (which is over 300mm above the maximum predicted flood extent) and therefore would remain dry. In addition, all sleeping accommodation is proposed to be on the first floor. All dwellings have a minimum 150mm threshold to help prevent any ingress of water.

6.4 The development site is identified as being at 'low' risk from groundwater flooding.

6.5 The foul water sewer is located to the south of the site and the intention is to connect to this. For surface water the use of SuDS has been considered with the aim of minimizing the risk of flooding both on and off site. The report concludes that the residents of the development will be safe and the development will not increase the risk of flooding elsewhere.

Preliminary Ecology Assessment

6.2 A Preliminary Ecological Assessment (PEA) has been prepared by David Archer Associates. Following a site visit, the PEA provides the following advice and recommendations:

- There are no habitats or species within the site that serve as qualifying features of the nearby statutory sites.
- The development will be small enough and located far enough from any of the non-statutory and priority habitat sites for there to be any direct or indirect impacts on their habitats
- The neutral grassland lacks species diversity and structure and therefore of negligible importance
- An intact native hedgerow was recorded on the south-western boundary. The hedgerow is dense down to the base, so whilst actively managed, this management appears to be infrequent. The hedgerow is not considered to be important under the Hedgerow Regulations Act 1997 due to the lack of native species and associated features. The hedgerow connects habitats south of the site to a hedgerow at the northern boundary and is therefore of local importance

- 6.3 In terms of protected and notable species, habitats to be significantly impacted by the proposals (neutral grassland and a hedgerow) are unlikely to support rare or notable species and limited nectaring opportunities are available for butterflies.
- 6.4 The site therefore holds negligible potential for great crested newts and impacts to other amphibians are not expected. No further action is required.
- 6.5 Suitable habitat for foraging and commuting bats was recorded within the site in the form of a c. 45m stretch of boundary hedgerow. The hedgerow connects to a residential boundary hedgerow to the north and forms part of a hedgerow which continues for c. 30m to the south where further hedgerows and vegetation are present. The hedgerow lies along Short Lane where artificial lighting is likely to cause some disturbance. The site is therefore of moderate suitability for foraging and commuting bats.
- 6.6 Recommendations are provided for timings of works in order to avoid any potential impacts to reptiles or to nesting birds. For bats the measures in respect of lighting are recommended and have been included on the accompanying Biodiversity Enhancement Plan. Installation of bird and bat boxes are also recommended and shown on this Plan.

Landscape Strategy

- 6.7 Hill-Wood and Co. have produced a Landscape Strategy which considers the requirement

in Policy SAP43 for a landscape buffer (to include trees) and also reviews the Local Character Assessment. Following on from this the Landscape Strategy details the approach to the planting of boundaries together with the incorporation within the Site Plan of lockable management access gates to allow for the management and maintenance of the landscape buffer area. The existing hedge (indicated in a dashed green line on the Plan) is retained on the western boundary with just a small section proposed for removal to enable access and construction on the site.

- 6.8 To enhance the planting on site rainwater gardens are proposed to Plots 1, 2 and 8. These utilise the water run off from these units. Further planting around the dwellings with shrubs create colour and enhance biodiversity interest for both bees and butterflies.
- 6.9 The Landscape Strategy provides details of proposed planting pallets for both trees and native hedges.

Minerals Resource Assessment

- 6.10 The site is located in an area which has been designated as a Mineral Safeguarding Area (MSA) for “Sub-Alluvial River Terrace Deposits” and, as a consequence, the Mineral Planning Authority requires a Mineral Resource Assessment to be submitted as part of the planning application process. This statement demonstrates that the mineral in the site is already indirectly sterilised by the presence of existing houses adjoining the site, so it has no economic value as a mineral resource and it therefore satisfies criterion 1 of the mineral safeguarding policy. The statement also shows that mineral extraction would not be viable or practicable because the site is too small to be a commercially viable mineral resource, the site is located in the AONB and has existing residential properties in the immediate vicinity. The site therefore satisfies criterion 2 of the mineral safeguarding policy.
- 6.11 Since the site satisfies the County Council’s safeguarding policies, there is no reason for any objection to this planning application.

7.0 CONCLUSIONS

- 7.1 This scheme will provide a valuable contribution to the District's housing land supply at a time of an acknowledged delivery shortage and offers the opportunity for larger family housing in Alkham. Whilst it is acknowledged that the application site is located within the AONB, due to its discrete setting and with appropriate landscaping, it is considered that the proposal does not adversely affect the character or appearance of the countryside or landscape and would be of a limited scale appropriate to the AONB.
- 7.2 This submission represents a low density scheme, designed in order to take account of the surrounding built form to produce a scheme of just eight units. Whilst the emerging policy, SAP43, allows for 10 units on site it is considered that as a consequence of the edge of settlement location and the site's location within the AONB that the submitted scheme for eight units is a more appropriate quantum of development for the site. This reflects the spatial pattern of neighbouring dwellings and the site's edge of village location. It is recognised that the proposal would conflict with adopted Core Strategy Policy DM1 however this can only be given limited weight given that the emerging Local Plan has been submitted to the Secretary of State and contained within this is Policy SAP43 which allocates the site for 10 units and has received limited comments as part of the consultation process.
- 7.4 In presenting this detailed scheme to the Local Planning Authority and interested parties, we are mindful of Paragraph 8 of The Framework: "Achieving sustainable development means that the planning system has three overarching objectives, which are inter-dependant and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)." Each will be set out in turn below.
- 7.5 The development will assist the Council in supporting local economic growth in the District, meeting the **economic objective** through the provision of housing to support local facilities and amenities. In bringing about employment opportunities; both directly through the construction of the development and indirectly by the support given to the local supply chain for building services, materials etc, the development will add to the local employment offer.
- 7.6 In relation to the **social role**, the development would provide eight additional dwellings, which would contribute towards the District's housing supply and would accord with the aim of boosting the supply of housing, and help support local services and facilities.
- 7.7 The dwellings will be designed and constructed using energy efficient construction techniques and methods, in line with the ever improving building regulations, which will

assist in meeting the **environmental objective**. A considered Landscape Strategy, with tree planting within the required landscape buffer, ensures that any potentially harmful effects on the adjoining countryside are suitably mitigated and the biodiversity enhancement scheme (see plan 22_114_07) takes account of the recommendations of the David Archer Associates PEA; bringing benefits to the biodiversity interests of the site and together with soft landscaping throughout the site will assist in the reduction of CO₂ emissions.

- 7.8 To summarise, the development accords with the overarching aims of the Core Strategy and the emerging Local Plan Review (and in particular the allocation within that plan at Policy SAP43) and accords with the NPPF being sustainable development and therefore is considered to be an acceptable form of development on this site. In these circumstances it is respectfully requested that planning permission be granted.