

PLANNING STATEMENT

**Incorporating Affordable Housing Statement and Utilities
Statement**

LAND OFF DOVER ROAD, WALMER, DEAL

APRIL 2017



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CONTENTS

EXECUTIVE SUMMARY	i
1 INTRODUCTION	1
1.1 Scope of the Planning Statement.....	1
1.2 Site Location	2
1.3 Suitable location and Sustainable Site.....	3
2 THE PLANNING APPLICATION	5
2.1 The Proposal	5
2.2 Scope of the Application	7
3 THE DEVELOPMENT PLAN	8
3.1 Introduction	8
3.2 The Development Plan: Weighting.....	8
3.3 Five-year Housing Land Supply.....	9
3.4 The Core Strategy 2010, and Land Allocations Local Plan 2015.....	10
3.5 The 2002 Dover Local Plan.....	12
3.6 The Emerging Development Plan.....	12
4 AFFORDABLE HOUSING STATEMENT	13
4.1 Policy Requirement	13
4.2 Proposed Affordable Housing Provision	13
5 SUSTAINABLE DEVELOPMENT: THE FRAMEWORK.....	14
5.1 The Presumption in Favour of Sustainable Development	14
5.2 Building a Strong and Competitive Economy	14
5.3 Promoting Sustainable Transport.....	15
5.4 Delivering a Wide Choice of High Quality Homes.....	16

5.5 Requiring Good Design	17
5.6 Conserving and Enhancing the Natural Environment.....	17
5.7 Conserving and Enhancing the Historic Environment	18
5.8 Meeting the Challenge of Climate Change	19
5.9 Summary	19
6 PLANNING BALANCE AND CONCLUSIONS	20
6.1 Summary of Case and Identified Benefits and Harm.....	20
6.2 Benefits	21
6.3 Harm	24
6.4 Planning Balance and Conclusions	24
Appendix 1: Draft List of Conditions	26
Appendix 2: S.106 Draft Heads of Terms	29
Appendix 3: Utilities Statement.....	31

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EXECUTIVE SUMMARY

- i. This planning statement supports an outline planning application made by Gladman Developments Limited for a site at land off Dover Road, Walmer (within Deal). The development will comprise up to 85 new homes, of which 30% will be affordable, along with new public open space and SuDS network.
- ii. The application is made in outline, with all matters reserved except for access. The access details provide certainty that the site can be accessed acceptably and safely by vehicles, cyclists and pedestrians.
- iii. The application site represents a suitable and sustainable location for housing, well located to the existing urban area. The proposal offers the opportunity to deliver:
 - local benefits, through investment in the local community;
 - district wide benefits, in terms of making a strategically important contribution to housing supply and economic objectives; and,
 - national objectives in boosting the supply of homes and delivering sustainable development.
- iv. The proposed development has been carefully considered to ensure that it will provide high quality sustainable development. The design-led approach, informed by consultation with the local planning authority, key stakeholders and the local community responds sensitively to the site setting, respecting the grain of the surrounding landscape, both built and undeveloped. The landscape proposals, including the retention and enhancement of the existing woodland along the southern and eastern boundaries of the site, have been designed to minimise visual impacts on views from the south-east. The development will be a positive addition to Walmer complementing the character of the surrounding area in terms of scale, density, character and quality.
- v. The development has been designed to a density and scale that is sympathetic to its surroundings. An extensive network of green infrastructure will provide for the amenity of future and existing residents, whilst acting to soften the edges of the development within its wider landscape setting.
- vi. While the proposal would conflict with the Development Plan in relation to policies concerning development in the open countryside, it is considered that such policies are not up-to-date in the context of the Framework as a result of their inconsistency with its policies and the absence of a deliverable 5 year supply of housing in the LPA. Consequently, the presumption in favour of sustainable development of paragraph 14 of the Framework applies. An assessment against the up to date provisions of the Development Plan and the Framework where relevant, demonstrates the scheme comprises sustainable development:
- vii. The proposals will comprise a range of benefits, including making a significant contribution towards meeting objectively assessed market and affordable housing needs of the District, in a situation

where they cannot demonstrate a deliverable five year housing land supply.

- viii. Reduced weight is given to the adopted countryside policy that would otherwise constrain the development of this application site and the concomitant harm identified is limited in scale and magnitude; it is no more than would be expected for changing a previously undeveloped site to one of built form.
- ix. There are no policies of the Framework which indicate permission should be restricted.
- x. In summary, the identified harm arising as a result of the development would not be considered sufficient, either in combination or by themselves, to outweigh the benefits of delivering housing as proposed. It is respectfully requested that planning permission is granted.



1 INTRODUCTION

1.1 Scope of the Planning Statement

1.1.1 This Planning Statement has been prepared in support of a planning application for the development of up to 85 dwellings at Land off Dover Road, Walmer (within Deal). The application is submitted by Gladman Developments Limited (Gladman).

1.1.2 The description of the development is as follows:

“Outline planning application for the demolition of existing outbuildings and the erection of up to 85 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Dover Road. All matters reserved except for means of access.”

1.1.3 The starting point for the determination of this application is the Development Plan, comprising the Dover Core Strategy (2010), the Land Allocations Local Plan (2015) and the saved policies of the Dover Local Plan (2002). As a matter of principle, the development, as proposed, is not in accordance with the policies of the Development Plan that control housing development in the Countryside due to its location outside the settlement limits of Deal. However, the application site is located adjacent to the second largest settlement in the district

(second tier in the settlement hierarchy), to where a significant proportion of housing development is directed by the adopted development plan. The application proposals are therefore in compliance with the broad spatial strategy for Dover.

1.1.4 In the absence of a deliverable five year supply of housing in the District, the policies of the Development Plan relevant to the supply of housing are out of date when considered against the test in paragraph 49 of the National planning Policy Framework (‘the Framework’). The development plan is predicated on a housing requirement that does not represent the full objective assessment of housing need (FOAN) in Dover and as such is does not plan for the current level of need.

1.1.5 The Framework sets out the requirement to boost significantly the supply of housing (Framework 47) and in the circumstances, the presumption in favour of sustainable development (Framework 14) applies.

1.1.6 The delivery focus of the Framework has been further endorsed by the recent Housing White Paper¹, which sets out the Government’s plan to fix our ‘broken’ housing market. The Secretary of State in his foreword to the white paper makes explicitly clear:

“ This country doesn’t have enough homes. That’s not a personal opinion or a political calculation. It’s a simple statement of fact. Soaring prices and rising rents caused

¹ Fixing our broken housing market, CLG, February 2017

by a shortage of the right homes in the right places has slammed the door of the housing market in the face of a whole generation. That has to change. We need radical, lasting reform that will get more homes built right now and for many years to come. But it also goes further, seeking to build consensus for a new, positive, mindset to house building. A can-do approach that simply does not tolerate failure.”

- 1.1.7 The development, as proposed, is sustainable and will help deliver the new homes needed to meet identified local housing need, helping address a key economic and social priority for the government and Dover District.
- 1.1.8 This Planning Statement explains why development is needed in this location and the significant social, environmental and economic benefits that the proposal will bring to the area. It also confirms, drawing on the supporting technical information, that no significant and demonstrable adverse impacts would arise as a consequence of the development, to outweigh these benefits.
- 1.1.9 The statement further explains the policy context and how the proposed development complies with the Framework and why it is appropriate to bring forward development now at this site.
- 1.1.10 This statement is one of a suite of documents submitted to support this application and comprehensively demonstrates the suitability and sustainability of the site for development, as proposed.

1.2 Site Location

- 1.2.1 The 4.06 ha site lies adjacent to the existing residential development on the edge of Walmer, within the parish of Ringwould with Kingsdown and directly adjacent to the parishes of Walmer and Ripple. For the purposes of the development plan, Walmer forms part of the wider urban area of Deal, which is ranked as the only settlement within the second tier of the settlement hierarchy.
- 1.2.2 Walmer is located approximately 3km to the south of Deal town centre, 10km north-east of Dover and 22km south of Ramsgate.
- 1.2.3 The site is shown outlined in red in Figure 1.

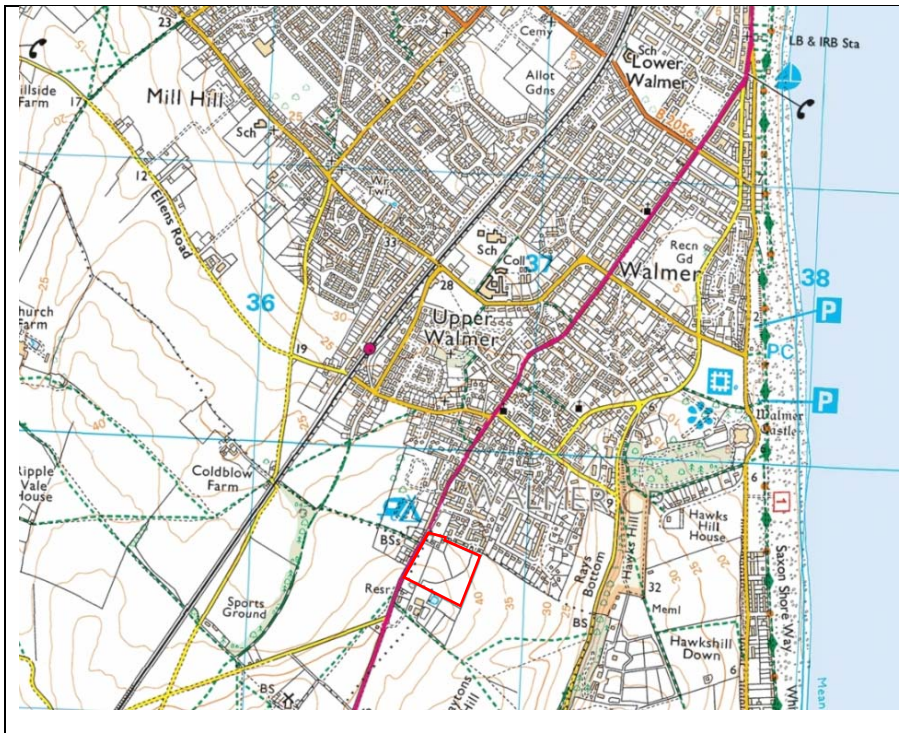


Figure 1: Location Plan

established in the Core Strategy, which places Deal (including Walmer) as the only settlement within the second tier, second only to Dover.

1.3 Suitable location and Sustainable Site

1.3.1 The application site comprises an agricultural field divided into a number of pony paddocks separated by post and wire fencing, along with an area of immature woodland. A number of existing outbuildings associated with the pony paddocks are located in the northern portion of the site. The site is well related to the settlement and it is contained by physical features at its urban edge. The development would represent a logical extension to Walmer, being bordered on three sides by existing development. It would not result in built form extending further south than the existing settlement edge.

1.3.2 The following is relevant in terms of the site's suitability and sustainability for development:

- The site is well contained within the landscape and the large area of woodland planting and other landscape features are retained.
- The local highway network has capacity to accommodate the additional traffic associated with the development, without adverse impact.
- Currently mostly used as pony paddocks, the site has a low ecological value and on the basis of the evidence submitted with the application (Ecological Impact Appraisal prepared by FPCR). The loss of habitat would therefore not be

1.2.4 The site is located close to existing shops, services and employment opportunities in Walmer and the wider area of Deal. The site's proximity to key services and facilities is shown in Figure 5 of the Design and Access Statement and details of facilities are shown within the Transport Statement.

1.2.5 The site is also acknowledged by the Council to be in an accessible location, as identified in the SHLAA and the Settlement Hierarchy

significant and mitigation and net biodiversity gains can be readily achieved.

- The application site falls within the EA Flood Risk Zone 1 (i.e. land assessed as having a less than 1 in 1,000 annual probability, or <0.1% chance of flooding).
- There are no designated heritage assets within or immediately adjacent to the site, and the development is not considered to affect the setting of any Listed Buildings.

1.3.3 The Design and Access Statement prepared by FPCR and submitted in support of the application sets out how the site can accommodate the quantum of development proposed in a manner which reflects the local landscape character and the edge of Walmer and Deal.

1.3.4 In summary the application site presents an opportunity for the sustainable growth of Walmer and Deal:

- The land to which the development proposals relate is not of high environmental value.
- The site is suitable for residential development in terms of its general location and characteristics.
- There are opportunities through development to improve the environmental conditions of the area.

2 THE PLANNING APPLICATION

2.1 The Proposal

2.1.1 The application drawings submitted as part of this application for approval are:

- Site location plan (drawing number: 7573-L-01)
- Proposed site access layout (drawing number: 16-T129_03)

2.1.2 The application proposal includes the following:

- Up to 85 residential dwellings (including affordable housing delivered in accordance with planning policy);
- Structural landscape planting and the retention and positive management of key landscape features;
- 1.52 ha of formal and informal open space (over 37% of the gross site outline application area);
- Improved connectivity to the existing Public Right of Way located to the south of the site with the creation of a new permissive footpath across adjacent land (see Development Framework Plan) and public access to land previously not available;
- New access arrangements including an informal footpath/cycle link; and
- A comprehensive surface water drainage scheme.

2.1.3 It is proposed that the site will be accessed from Dover Road, via a simple priority junction with new right turning lane on Dover Road. Kent Highway Authority has confirmed in pre-application discussions that this form of access is considered acceptable in principle.

2.1.4 It has been confirmed that the required visibility splays can be achieved and that the site access junction will operate comfortably within capacity in both peak periods with the proposed development traffic.

2.1.5 A range of densities and house types are proposed to meet local need. 30% of the units would be affordable, in order to meet local planning policy requirements. The affordable housing provision will be secured by planning condition and details of the housing mix will be confirmed at Reserved Matters stage.

2.1.6 The illustrative Development Framework Plan (shown overleaf) demonstrates how the built development will be set within a framework of open space and green infrastructure. The green space will include a formal equipped children's play area, a play trail and informal open space incorporating much of the existing woodland area. The proposal seeks to retain existing landscape features and the illustrative Development Framework Plan incorporates these elements within a strategic landscape framework.



Figure 1: Illustrative Development Framework

2.2 Scope of the Application

2.2.1 The outline application is seeking approval in principle for the development proposals. Together, the description of development, Design and Access Statement (DAS) and other supporting documents describe the nature and content of the development proposed. Details of the parameters of the development for which outline development is sought are included within the DAS, ensuring that an appropriate level of information is provided on the scale, nature and general arrangement of the development proposed at the outset.

2.2.2 The following documents have been submitted in support of the planning application:

- Design and Access Statement
- Landscape and Visual Impact Assessment
- Transport Assessment and Framework Travel Plan
- Ecological Appraisal
- Arboricultural Assessment
- Phase 1 Preliminary Risk Assessment
- Bomb Risk Report
- Flood Risk Assessment and Foul Drainage Analysis Report
- Air Quality Screening Report
- Noise Assessment
- Built Heritage Statement
- Archaeological Desk Based Appraisal
- Soils and Agriculture Report

- Statement of Community Involvement
- Socio-Economic Report

2.2.3 The information contained within the application documents provide the framework for future detailed Reserved Matter submissions.

2.3 Utilities Statement

2.3.1 The Utilities Appraisal available at Appendix 3 of this planning statement details the utility infrastructure affecting the site and how new dwellings on the site can be connected into the utility networks.

2.3.2 It concludes that there are no concerns or engineering difficulties with servicing the proposed development with gas, water, electric or communication connections.

3 THE DEVELOPMENT PLAN

3.1 Introduction

3.1.1 At the time of writing, the adopted Development Plan applicable to the site comprises:

- Core Strategy, adopted February 2010;
- Land Allocations Local Plan, adopted January 2015; and
- The saved policies of the Dover Local Plan 2002.

3.1.2 By virtue of development being located in the open countryside beyond existing settlement limits, it is accepted that the proposed development is in conflict with certain policies of the adopted Development Plan. However, the site is located adjacent the single second tier settlement in the district, where the adopted development plan seeks to direct a significant proportion of growth. In this respect, the proposals are in accordance with the broad spatial strategy established in the Development Plan.

3.1.3 This section describes the adopted and emerging Development Plan for the site and considers the relevance and weight that should be attributed to the policies contained within it.

3.2 The Development Plan: Weighting

3.2.1 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the

development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

3.2.2 The Framework is a material planning consideration but does not change the statutory status of the development plan as the starting point for decision making. Paragraph 12 of the Framework confirms:

“Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place. The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.”

3.2.3 Further, in determining the weight to relevant policies the guidance at Paragraph 215 of the Framework confirms:

“...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

3.2.4 The application proposals should be considered in this context.

3.3 Five-year Housing Land Supply

3.3.1 The supply of available and deliverable sites for housing within the District is a material consideration in determining the weight to relevant policies for the supply of housing. Paragraph 49 of the Framework states:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.

3.3.2 The Framework requires local planning authorities ensure a continued supply of land to meet five years' worth of housing requirements, with a delivery buffer of either 5% or 20% (moved forward from later in the plan period) depending on past performance. Local Authorities should also make every efforts to redress previous underperformance within the immediate 5 year period (commonly referred to as the 'Sedgefield Approach') and the delivery buffer should be applied to both the requirement and the accrued backlog.

3.3.3 In respect of housing land supply in Dover, it is noted:

- The Council currently claims a supply of 6.02 years against a requirement of 529 dwellings per annum (dpa), derived from

the February 2017 SHMA. This requirement remains untested and should not be afforded full weight at this time.

- The Council's five-year land supply calculation relies on the application of a 5% buffer, the justification for which being that this was the approach preferred by the Site Allocations Local Plan examination inspector and that housing delivery since 2014 (start of the monitoring period) has improved.
- However, when taking a look further back in time, the approach established in the PPG, it is apparent that completions have met the relevant requirement in only one of the last ten years (the 2015/16 monitoring year). Notwithstanding delivery in excess of requirement in the last monitoring year (2015/16), this is clear evidence of the persistent under delivery of housing in the District and so a 20% buffer should be applied.
- Some of the assumptions made by the Council regarding the delivery of housing in the District are inaccurate and over-estimate the level of housing that can be delivered in the five year period. As such, it is considered that the overall supply of housing as stated by the Council cannot be delivered.

3.3.4 Consequently it is not considered the Council can presently demonstrate a deliverable 5 year supply of housing sites. Accordingly, relevant policies for the supply of housing are out of date in accordance with paragraph 49 of the Framework.

3.3.5 Both the new market and affordable homes proposed on the site could be brought forward within the next five years of the plan period, therefore helping to address the immediate lack of a five-year supply of deliverable housing sites.

3.3.6 Notwithstanding Gladman’s case set out above, the Council’s assertion that it can demonstrate a five-year supply of housing sites should not be used as justification to refuse permission for sustainable housing development. Moreover, the FOAN set out in the 2017 SHMA is the minimum target only, whilst a five-year supply should not be considered the maximum target for delivery.

3.4 The Core Strategy 2010, and Land Allocations Local Plan 2015

3.4.1 The Core Strategy was adopted to guide development in the District until 2026. It also incorporates a number of development management policies designed to replace a number of the policies of the 2002 Local Plan. The policies of the Core Strategy give effect to the housing requirements of the revoked South East Plan and were prepared in the context of a different national planning context. The Land Allocations Local Plan (LALP) was later adopted to give effect to the Core Strategy, allocating sites to meet housing and employment requirements.

3.4.2 The application site is not an allocated site and it lies within the countryside, beyond defined settlement boundaries, as shown on the Proposals Map. Policy DM1 of the Core Strategy states that development will not be permitted on land outside the development

boundaries (as shown on the proposals map) unless specifically justified by other development plan policies.

3.4.3 Policy DM15 provides which forms of development might be justified in the countryside. As residential development, the application proposal does not fall within the description of any types of development listed by DM15. The application proposal, which is for a large scale residential development that would form an extension to the built up area beyond the defined settlement boundaries is therefore, in principle, contrary to policies DM1 and DM15.

3.4.4 However, the housing requirement set out at Policy CP2 of the Plan was not based on a FOAN as required by paragraph 47 of the Framework and it provides for housing needs from a previous era. This is inconsistent with paragraph 157 of the Framework which states:

“Crucially, local plans should...

- **plan positively for the development ... to meet the objectives, principles and policies of the Framework ...**
- **...and be kept up to date...”**

3.4.5 Settlement boundaries in the Plan were tightly drawn to accommodate the level of growth envisaged by the Core Strategy and its non-Framework compliant housing requirement only. They have not been drawn to meet the FOAN of Dover. The unintended consequence is

they are acting as a constraint to development that would otherwise be considered sustainable.

3.4.6 Settlement boundaries must inevitably change in order to accommodate objectively assessed needs and sustainable development. Indeed, the Council have accepted this in principle through a commitment to review the settlement boundaries as part of the emerging Local Plan. The site's location in the open countryside immediately adjacent to existing residential development cannot therefore be a reason in principle for resisting development.

3.4.7 Accordingly, whilst the general thrust of policies DM1 and DM15 and the Plan of recognising the intrinsic character and beauty of the countryside is consistent with the general approach of the Framework, it is out of date when considered against the requirements of the Framework (paragraphs 14, 47, 157 and 158).

3.4.8 Relevant policies for the supply of housing of the adopted Plan do not provide for the key Framework objectives of ensuring choice and competition in the market for land and boosting significantly the supply of housing over the next 5 and 15 year periods (Framework 47).

3.4.9 Consequently, it is clear the Framework's presumption in favour of sustainable development applies to the application proposal. This is irrespective of the housing land supply situation (Framework 49), which is a separate consideration.

3.4.10 Gladman considers the proposals to accord with the broad spatial strategy which seeks to direct housing development to Deal as the sole

District Centre (second only to Dover itself). It also accords with all other relevant development plan policies, including those that relate to; landscape character (DM16); affordable housing (DM5); design (CP4); transport (DM11); and access (DM12). Gladman considers these policies to be up-to-date in that they accord with the Framework.

3.4.11 Policy CP5 (Sustainable Construction Standards) provides that development should meet the relevant standards in sustainable construction methods set out in the Code for Sustainable Homes. However, the Code for Sustainable Homes has now been revoked by the Government, with some of its elements incorporated in to building regulations. The application proposal will meet at least the minimum relevant standards in sustainable construction. As such, it is considered that the proposals are in conformity with the broad purpose of Policy CP5.

Summary

3.4.12 In the light of the above, it is clear that the development proposal accords with all parts of the Development Plan that are up to date.

3.4.13 Where a conflict arises (i.e. relevant policies for the supply of housing), those policies are out of date and the conflict should be accorded corresponding limited weight. A determination other than in accordance with the development plan is therefore justified and other material considerations including the Framework and the presumption in favour of sustainable development are relevant. This is considered further in Chapter 4 of this Statement.

3.5 The 2002 Dover Local Plan

3.5.1 The policies of the 2002 Dover Local Plan have, on the most part, been superseded by the policies of the Core Strategy and the LALP. However, a number of its policies, mostly those relating to specific sites, have been saved and remain part of the development plan.

3.5.2 The saved policies of the 2002 Local Plan have been considered by Gladman in the preparation of this planning application. It is considered that the proposals do not give rise to conflict with any of the Local plan policies that remain relevant to the determination of planning applications in the District.

3.6 The Emerging Development Plan

3.6.1 Dover District Council is currently in the early stages of developing a new Local Plan. The Council is currently preparing the evidence base to support the emerging Local Plan, recently publishing a new SHMA. The Council's Local Development Scheme (LDS) dated March 2017 sets out the timescales for the adoption of the emerging Local Plan (eLP) and confirms that the Council anticipate submitting the Plan for examination towards the end of 2018, with adoption in summer 2019.

3.6.2 'Annex A: Implementation' of the Framework, provides guidance on the weight to be attributed to adopted and emerging plans following the publication of the Framework. It allows decision makers to give weight to existing and emerging development plan policies according to their degree of consistency with the framework and in regard to emerging

policies, the stage of preparation and the extent of unresolved objection to it.

3.6.3 The eLP is not considered to be at an advanced stage of preparation. In accordance with paragraph 216 of the Framework, because of the early stage of plan preparation, the eLP carries very little weight.

4 AFFORDABLE HOUSING STATEMENT

4.1 Policy Requirement

Dover Core Strategy (2010)

- 4.1.1 Policy DM5 of the Core Strategy concerns to provision of affordable housing in the District. It provides that on residential developments of 15 or more dwellings, the provision of 30% affordable housing should be provided onsite. The exact amount of affordable housing will be determined by economic viability having regards to individual site and market conditions.

Affordable Housing Supplementary Planning Document (2007)

- 4.1.2 The Council's Affordable Housing Supplementary Planning Document (adopted 2007) provides detail relating to how affordable housing should be secured and what type and form of affordable housing should be delivered in the District. It aligns with the Core Strategy position of seeking 30% affordable housing provision on developments of 15 or more dwellings.

4.2 Proposed Affordable Housing Provision

- 4.2.1 In accordance with adopted Core Strategy policy and the adopted SPD, the application proposals make provision for 30% onsite affordable housing. The tenure split of the affordable dwellings will be agreed with the Council during the course of the application. The mix of affordable housing will be determined at Reserved Matters stage

reflective of the most up-to-date identified needs within the District. The affordable units will be designed and positioned in small clusters and be tenure blind.

- 4.2.2 The application proposals in respect of affordable housing provision comply with the relevant adopted policies and other material planning considerations. The provision of affordable housing is a clear benefit of the proposed development and should be afforded significant weight accordingly.

- 4.2.3 It is proposed that the on-site affordable housing provision can be secured by way of a suitably worded planning condition.

5 SUSTAINABLE DEVELOPMENT: THE FRAMEWORK

5.1 The Presumption in Favour of Sustainable Development

- 5.1.1 At the heart of the Framework is the *'presumption in favour of sustainable development'*, seen as the *'golden thread'* running through plan-making and decision-taking (§14). For decision-taking this means approving development where it accords with the development plan, or where the Plan is absent, silent or out-of-date, granting permission unless adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the Framework indicate development should be restricted.
- 5.1.2 The relevant technical reports that accompany this planning application demonstrate that there are no unacceptable adverse impacts that would significantly and demonstrably outweigh the benefits associated with the proposals. Further, the application site is not the subject of any of the designations cited within footnote 9 of the Framework and therefore policies do not apply which indicate the presumption should be disapplied.
- 5.1.3 This section describes how the development proposals meet the relevant objectives of the Framework.

5.2 Building a Strong and Competitive Economy

- 5.2.1 The Framework is clear that the government is committed to delivering sustainable economic growth and charges the planning system with the duty to “operate to encourage and not act as an impediment to sustainable growth” (paragraph 19). Housing development is a key component of economic growth and this is fully recognised in Government policy and Ministerial guidance.
- 5.2.2 Through the development of the site a significant amount of investment will be made to the area in terms of the construction value of the project and associated spend during the construction period. The construction industry and house building in particular make an important contribution to both the local and national economy in terms of job creation. The accompanying Socio-Economic Report estimates the following key benefits arising from the proposal:
- Construction spend - £9.3m
 - GVA over the build period - £3.1m
 - Resident annual expenditure - £2m
 - Council tax - £1.3m
 - New Homes Bonus - £700k
- 5.2.3 The provision of quality housing in Walmer and Deal is central to the achievement of sustainable economic growth in the wider Dover District and is fully supported by the requirements and advice of the Framework; indeed, paragraph 19 is clear that “significant weight”

should be placed on the need to support economic growth through the planning system.

5.3 Promoting Sustainable Transport

5.3.1 At paragraph 29, the Framework requires :

“...The transport system to be balanced in favour of sustainable transport modes, giving people a real choice about how to travel.”

5.3.2 At paragraph 30, it directs local planning authorities to:

“...support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.”

5.3.3 Walmer and Deal have a number of services and facilities which are within easy walking and cycling distance of the site, including: convenience stores, a pharmacy, hairdressers, public houses and a hot food takeaway.

5.3.4 The site is in close proximity to public transport links, connecting it with Deal town centre and other large employment centres such as Canterbury, Dover and Ramsgate. The closest bus stop to the development site lies adjacent to the site on Dover Road. In combination, the number 12 and 15 bus services travel along the edge of the site on routes from Deal to Canterbury and Dover Dover, offering frequent services to these destinations. The first bus bound for

Canterbury arrives at 06:10 in the morning. Whilst the final return bus bound for Walmer departs Canterbury at 18:20 in the evening. In combination, the number 12 and 15 services operate at a frequency of 2 buses per hour.

5.3.5 Walmer Railway Station is located approximately 1.2km from the site and can be reached by bus. Rail services from here operate to London, Ashford, Ramsgate and Dover throughout the day at a frequency of up to 2 trains per hour. The journey time to Dover is approximately 15 minutes, while the journey time to Ramsgate is approximately 25 minutes. London St. Pancras can be reached in approximately 1 hour 20 minutes.

5.3.6 In accordance with paragraph 32 of the Framework a Transport Assessment (TA) has been undertaken which confirms that the site is well located in relation to sustainable transport options and is well positioned in relation to the local and strategic highway network.

5.3.7 Access will be achieved via a simple priority junction off Dover Road with a new designated right hand turn into the site. The TA sets out proposals for off-site highway, including:

- the creation of a new pedestrian crossing point with refuge island as part of the right hand turn lane access junction; and
- the introduction of a new footpath connecting the site entrance with the existing footpath located further north along Dover Road.

5.3.8 A range of improvements are proposed to enhance pedestrian access to the wider footpath network, including the creation of a new permissive footpath to connect the site with the existing public right of way running to the south. Further details are contained in the Transport Assessment (TA). The TA confirms that the package of measures proposed offers accessibility enhancements to encourage more sustainable means of travel in the area and will mitigate any significant impacts on the highway.

5.4 Delivering a Wide Choice of High Quality Homes

The Need for Market and Affordable Housing

5.4.1 There is a wealth of evidence from figures at the highest levels of the Government, the Bank of England and internationally with the European Commission and International Monetary Fund which demonstrate that there is a consistent and pressing requirement to build more homes to meet the significant level of unmet need, particularly for homes that are affordable.

5.4.2 The then Chancellor of the Exchequer, George Osborne, commented in November 2015 that:

“One of this government’s key priorities is backing families who aspire to own their own home. We made a start tackling the home ownership crisis in the last Parliament, now we will do much more to turn Generation Rent into Generation Buy.”

5.4.3 To achieve this the Government has stated its ambition to deliver significantly more housing within this parliament, with The Housing and Planning Minister Brandon Lewis stating in February 2016:

“Housebuilding is at the heart of the government’s long-term economic plan with more than £20 billion committed over the next 5 years to help meet its ambition to deliver 1 million new homes.”

5.4.4 In addition to a pressing need for new market homes in Dover District, there is a significant need for affordable housing, as outlined within the Strategic Housing Market Assessment 2017.

5.4.5 The SHMA finds that there is a need for 167 new affordable dwellings each year in Dover, representing 34% of the projected household growth in the District. The SHMA notes that delivering this level of affordable housing appears difficult to deliver in Dover, suggesting that the Council might consider an uplift in the OAN to provide the required affordable housing. This evidence will be considered by the Council in the preparation of its forthcoming Local Plan review.

5.4.6 The scale of affordable housing need in the District is leading to a chronic shortage of much needed new homes.

5.4.7 The UK has a secular problem with inadequate housing supply, which has led to low income and middle income families being priced out of the housing market. National Government recognise that house price inflation is getting to dangerous levels and that building new homes is

necessary in order to address this issue. The delivery of 30% affordable homes should be given significant weight.

Ensuring Choice in the Competition for Land

5.4.8 The Framework sets out the Government's key housing objective, which is; *"to boost significantly the supply of housing"*. Paragraph 47 sets out how LPAs should achieve this boost in the supply of housing, including a requirement to provide a delivery buffer of 5% or 20% to ensure choice and competition in the market for land.

5.4.9 The proposals entirely accord with this national policy objective in so far as the application will deliver new housing development which will assist Dover District Council contribute towards the central government objective of boosting significantly the supply of housing now.

5.5 Requiring Good Design

5.5.1 The Design and Access Statement (DAS) demonstrates how the scheme will deliver a high quality residential sustainable development. The proposals are based on sound design principles that have taken into account site constraints and opportunities presented by the site.

5.5.2 Whilst design is a matter reserved for future determination, the DAS demonstrates the site could accommodate a scheme that would be in scale and character with its surroundings and Walmer through delivering dwellings of a suitable size and through utilising materials that reflect the local vernacular. It is demonstrated through the DAS

and TA that the site would be accessible to people on foot, cycle and to those with disabilities. The illustrative master plan seeks to create an attractive place that responds to the attributes of the site and the local context.

5.5.3 The development has been designed taking into account the recommendations of the Landscape and Visual Appraisal (LVA). The green infrastructure within the built development will sit as an integral part of the framework and is key in creating an accessible, open and engaging place within which to live. The proposal provides a strong green framework comprising;

- The provision of 1.52 Ha of Green Infrastructure comprising a variety of potential habitats;
- Including the retention and enhancement of a large area of the existing woodland along the southern boundaries of the site with the creation of a new circular walking route and play trail;
- The creation of a central area of open space to include a new equipped children's play area; and
- Reinforcement of existing hedgerows around the site boundary to improve the quality and connectivity of habitat.

5.6 Conserving and Enhancing the Natural Environment

5.6.1 The site is not subject to any landscape quality designation and lies outside of the AONB. The site, nor the immediate landscape, contains

any rare or unusual landscape features and so the LVA prepared for the application concludes the site does not comprise a valued landscape.

5.6.2 Development will result in a permanent change to the character of the application site however the proposals will aim to retain and enhance notable existing landscape features where evident such as the existing area of woodland at the southern boundaries, boundary hedgerows, mature hedgerow trees and drainage ditches. The loss of tree cover along the western boundary of the site required to facilitate access will be mitigated against with new tree planting.

5.6.3 Therefore it is considered that the proposed development within the application site will result in an overall Moderate to Minor Adverse in terms of local landscape character. However, the proposals are well contained adjacent to the existing urban context and therefore the proposals would have a negligible effect on the wider landscape character.

5.6.4 The Ecological Appraisal (FPCR) confirms that the proposal is unlikely to have any significant effect on any statutory designated sites, subject to the provision of on-site green infrastructure incorporating play facilities and a circular walking route (as proposed) and a financial contribution towards the management strategy for the statutory sites.

5.6.5 The site currently comprises semi-improved grassland of negligible ecological value, hedgerow and a woodland plantation. Proposals for new habitat creation, including the introduction of SuDS and domestic gardens will increase the diversity of habitats present. Enhanced

habitat connectivity will be achieved through the planting of tree belts, hedgerows and scrub.

5.6.6 A Soils and Agricultural Quality report accompanies this planning application. The survey carried out in relation to the site at Dover Road found that the site comprises 43% agricultural quality Grade 2 (1.7 Ha), 20% agricultural quality Grade 3a (0.8 Ha) and a further 37% non-agricultural land (1.5 Ha). The site therefore comprises mostly of Best and Most Versatile (BMV) agricultural land.

5.6.7 However, given that the majority of the District constitutes high quality agricultural land and that there is an identified requirement to release further greenfield sites in order to meet housing requirements, its loss is inevitable almost wherever greenfield development occurs in this area. The loss of BMV land here does not preclude development at the application site and should be afforded only limited weight in the determination of the application.

5.7 Conserving and Enhancing the Historic Environment

5.7.1 Section 12 of the Framework provides policy guidance on the conservation and investigation of heritage assets. The archaeological assessment has identified that no designated assets of archaeological interest are present within the study site or its immediate vicinity.

5.7.2 The Heritage Statement considers the impact of the development on the Grade II listed Ripple Windmill and finds that the site lies within its

wider setting. However, as a result of the distances involved and the low level of indivisibility between the site and the asset, it is considered that it makes no material contribution to the windmill's setting or its significance. The Heritage Statement also finds that the site does not lie within the respective settings of either Walmer Conservation Area or Walmer Castle and makes no contribution to their significance. It is found that the development will not change this situation.

5.8 Meeting the Challenge of Climate Change

5.8.1 Paragraph 95 of the Framework seeks “new development in locations and ways which reduce greenhouse gas emissions”, and urges LPAs to adopt national standards in order to drive for the delivery of sustainable development. The application proposal meets these criteria as it will be delivered to the relevant Building Regulations or equivalent standard applicable at the time of permission.

5.9 Summary

5.9.1 From this, it is clear that the application proposal complies with relevant provisions of the Framework. Accordingly, it can reasonably be concluded that the proposal is also in compliance with the broad Core Planning Principles of the Framework, expressed at paragraph 17.

5.9.2 The assessment against the relevant policies does not indicate any circumstances under which permission should be restricted which might result in the disapplication of the Presumption in Favour of Sustainable Development.

6 PLANNING BALANCE AND CONCLUSIONS

6.1 Summary of Case and Identified Benefits and Harm

- 6.1.1 The outline planning application is made in the context of the government's requirement to boost housing land supply, the presumption in favour of sustainable development and the out of date Development Plan for Dover. Given that the Development Plan is out of date, the positive determination of the application in accordance with the Framework paragraph 14 is not reliant on the absence of a five year housing land supply. Nevertheless, the proposal does respond positively to the identified lack of a five-year housing land supply in Dover and the identified needs for both market and affordable housing in the District.
- 6.1.2 This proposal would be deliverable in the short term and increase the supply and choice of housing at one of the most sustainable settlement in the District, in compliance with spatial strategy established in the development plan. It would contribute towards economic growth and have wider social benefits to the local community, meeting a range of housing requirements, including affordable housing. The principles outlined within the design and access statement would secure a high quality scheme.

- 6.1.3 The supporting material, assessments and reports demonstrate that there are no technical or environmental constraints that would preclude the development of this site, subject to planning conditions and/or obligations. Gladman is willing to enter into constructive dialogue with the Council to agree a list of conditions and s.106 Heads of Terms that are necessary to make the development acceptable in planning terms. In order to commence this process, a list of suggested conditions and Heads of Terms for a s.106 Agreement are enclosed in Appendices 1 and 2 respectively.
- 6.1.4 As with any greenfield site, the development will introduce changes to the area and some urbanising effects. Care has been taken to ensure that the perceived impact on Walmer and the wider Deal area is minimised and acceptable, through careful design and siting, the provision of extensive green infrastructure along the southern and eastern edges of the site and through taking an holistic approach to landscape provision at the site.
- 6.1.5 The development of the site, as proposed, would be both suitable and sustainable and there is justification to grant planning permission in accordance with the presumption in favour of sustainable development.
- 6.1.6 The development of the land in the open countryside outside of the current adopted settlement boundary would be contrary to the Development Plan. However, Section 38(6) of the 2004 Act provides for a determination other than in accordance with a development plan if material considerations indicate it is appropriate.

6.1.7 The relevant material considerations in this case are:

- The Development Plan is out-of-date and the policies of the Framework take precedence;
- Policies for housing in particular are out-of-date given the Council's failure to provide a robust deliverable five-year supply of housing land and its historic under performance in respect of the delivery of housing;
- Under the current development plan, the site lies in the open countryside adjoining the settlement boundary of Walmer (within Deal). If settlement boundary of Walmer and Deal were to remain intact, insufficient land would be available to meet the objectively assessed needs of Dover;
- The application is submitted in advance of the adoption of the Council's new Local Plan, but this is yet to be consulted upon or go through examination. Weight cannot therefore be attached to its emerging provisions;
- The site is suitable for residential development in terms of location and characteristics and is not of high environmental value;
- The landscape features of the site will be retained and reinforced to retain a suitable landscape edge and setting; and
- The provision of affordable housing, without subsidy, is a significant benefit in circumstances where the Council is not

delivering sufficient affordable homes to meet pressing needs.

6.2 Benefits

6.2.1 Table 1 overleaf highlights some of the key benefits arising in respect of the application proposal:

Table 1: Key Planning Benefits

Market Housing	<ul style="list-style-type: none"> It will help to deliver much needed new, quality, family homes, in a community where people wish to live, in a suitable and sustainable location close to existing public transport, shops, employment opportunities and community services.
Affordable Housing	<ul style="list-style-type: none"> It will provide a wide range of homes including a policy-compliant provision of affordable housing (30% or up to 26 units) in an area where there is an existing unmet need unlikely to be delivered through the development plan in its current form. The need for affordable housing is not generated as a direct result of the development and so its provision as part of this application must be a benefit.
Jobs and the Economy	<p>Immediate Impacts</p> <ul style="list-style-type: none"> The build cost for the development is expected to be around £9.3m. Calculations suggest that this construction expenditure would support around 96 Full Time Equivalent (FTE) construction jobs per annum over the period of the build. The development of new homes in the proposed development could help to address local unemployment in the industry, and provide apprenticeship and training opportunities for young unemployed people. Over the six years following the completion of the development, Dover Council will benefit from circa £700K via the New Homes Bonus. <p>Lasting Impacts</p> <ul style="list-style-type: none"> It is anticipated that 116 of residents from the new development will be of working age (those in work or actively seeking work). Household expenditure from the 85 new homes would be circa £2 million per year. The scheme will supply new affordable rented and intermediate housing, helping to address substantial local affordable housing needs by providing opportunities for lower income households to own their own home or to secure rented accommodation.
Protecting and enhancing Vitality and Viability	<ul style="list-style-type: none"> The new residents will increase demand for and use of local services and businesses and increased spending will help to protect, maintain and enhance the services available and accessible within the town and surrounding area.

Public Open Space and Recreation	<ul style="list-style-type: none">• It will provide formal and informal public open space and green infrastructure, including a new circular walking route with play trail set within a high quality landscape setting. Its long-term management for use by the new and existing community will be secured.• It will improve connectivity and access to public rights of way.
Environmental Benefits	<ul style="list-style-type: none">• Biodiversity of the site will be protected, diversified and improved through new hedgerow and tree planting and delivery of new garden spaces and formal and informal green spaces. Overall, the proposal will achieve a net gain in biodiversity.



6.3 Harm

6.3.1 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme.

6.3.2 As with any greenfield site, the development will introduce changes to the area and some urbanising effects and it will involve the loss of some agricultural land; however, this is to be expected and the LVA demonstrates the scheme can be delivered without unacceptable wider landscape and visual impacts.

6.3.3 Despite these changes, significant and demonstrable harm will not arise through development overall as proposed.

6.4 Planning Balance and Conclusions

6.4.1 The Framework policies on the delivery of sustainable housing development carry significant weight, and specific policies do not indicate that development should be restricted. Delivery of the proposed development would support housing and economic development objectives and meet the aims and objectives of sustainable development, securing net gains across all three strands of sustainable development (economic, social and environmental).

6.4.2 There are no technical or environmental impacts that would significantly or demonstrably outweigh the substantial benefits of the proposal. In accordance with paragraph 14 of the Framework, the development proposal clearly constitutes 'sustainable development'.

Accordingly, it is respectfully requested the application is approved without delay.



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APPENDIX 1: DRAFT LIST OF CONDITIONS

The following list of draft conditions are suggested:

APPROVAL OF DETAILS

1. Save for the details of vehicular access into the application site from Dover Road, details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.
2. The development hereby approved shall be for no more than 85 dwellings.
3. Access to and within the development shall be carried out in full accordance with the details shown on the Access Plan 16-T129_03 before the occupation of the first dwelling on the site.

TIMESCALES

4. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission and the development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

AFFORDABLE HOUSING

5. With the exception of any site clearance, development shall not commence until a scheme for the provision of 30% affordable housing (up to 26 dwellings) as part of the development on the site, has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme which shall include:
 - a. The numbers, type, tenure and location on the site of the affordable housing provision to be made;
 - b. The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing, if no Registered Social Landlord is involved;
 - c. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - d. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

SUSTAINABLE DRAINAGE

6. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The details of the scheme shall include:
 - a. a timetable for its implementation;
 - b. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and
 - c. measures to protect any features of archaeological interest in accordance with condition 27.

GROUND CONTAMINATION

7. No part of the development shall be commenced on site unless and until:
 - a. a site investigation has been designed for the site using the information obtained from the desktop investigation (Phase 1 Desk Study) 28927-01~Decebmer 2016. This shall be submitted to and approved in writing by the Local Planning Authority prior to the investigation being carried out on site;
 - b. the site investigation and associated risk assessment have been undertaken in accordance with details submitted to and approved in writing by the Local Planning Authority; and
 - c. a method statement and remediation strategy, based on the information obtained from (b) above, including a programme of works, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation strategy.

ECOLOGY

8. No development shall take place until such time as details of all mitigation measures as recommended within Section 4 of the submitted Preliminary Ecological Assessment have been submitted to and agreed in writing by the Local Planning Authority. The details of mitigation measures shall include:
 - a. timetables for their implementation;
 - b. details of ongoing maintenance and management; and
 - c. a programme for the undertaking of updated surveys in relation to commencement of development on site (or relevant phase)

The programme for surveys shall include the specification of maximum periods between undertaking of surveys and commencement development on site (or relevant phase).

9. No development shall take place until such time as a biodiversity management plan for all created and retained habitats (and including a timetable for its implementation) has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented and maintained in accordance with the agreed management plan.
10. No work shall commence on site in respect of the retail unit until such time as a deliveries and management plan has been submitted to and agreed in writing by the Local Planning Authority. The use of the retail unit hereby approved shall not be open to the public outside of the hours of 0700 and 2300 daily.

HIGHWAYS AND TRANSPORTATION

11. No development shall take place until such time as a scheme of off-site highway works, together with a timetable for its implementation, has been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall include:
 - a. A right hand turn lane on Dover Road serving the new access point to the site with pedestrian crossing point with refuge island;
 - b. New footway on the eastern side of Dover Road connecting the site entrance with the existing provision.

No development shall take place at any time, nor shall any proposed dwelling be occupied unless the relevant works have been implemented in full in accordance with the agreed scheme and timetable.

12. The first reserved matters application submitted in respect of layout shall include details to demonstrate the suitability of the development to enable bus services to route into and through the site.

13. No dwelling shall be occupied until a Full Travel Plan, broadly in accordance with the Framework Travel Plan dated March 2017, has been submitted to and agreed in writing by the Local Planning Authority. The Travel Plan shall include a programme for implementation, monitoring, regular review and improvement and shall subsequently be implemented, maintained and developed as approved.

CONSTRUCTION METHOD STATEMENT

14. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority; and the approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- a. the hours of work;
 - b. the parking of vehicles of site operatives and visitors;
 - c. loading and unloading of plant and materials;
 - d. storage of plant and materials used in constructing the development;
 - e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f. wheel washing facilities;
 - g. measures to control the emission of dust and dirt during construction;
 - h. a scheme for recycling/disposing of waste resulting from construction works;
 - i. means of protection of trees and hedgerows during site preparation and construction; and
 - j. access arrangements for emergency vehicles during the construction phase.

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APPENDIX 2: S.106 DRAFT HEADS OF TERMS

The following S.106 Heads of Terms are proposed as those obligations which, in accordance with the CIL Regulations (2010) are necessary, directly related to the development and fairly related in scale and kind to the development (please note, affordable housing is proposed to be dealt with by the proposed planning condition):

OPEN SPACE

- i. The Agreement will require the Developer to provide onsite informal open space and an equipped children's play area.
- ii. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long term maintenance and management of these areas, including any off-site commuted sums as applicable.

OTHER

- i. Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.

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APPENDIX 3: UTILITIES STATEMENT

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Gladman Developments Ltd.

Land off Dover Road Deal

Utilities Statement

April 2017

Utilities Appraisal – Deal 1

Electricity

The plans supplied by UK Power Networks (UKPN) indicate there are no mains within the site boundary. There are underground low voltage (LV) cables running along Dover Road but these will be unaffected by the development.

It is anticipated that the new development could be supplied by the existing network within the vicinity of the site boundary; the point of connection off the existing network would need to be confirmed once the detailed design was completed but is anticipated to be off the existing LV cable in Dover Road. New LV mains and service connections will be laid on site to serve the new development.

Gas

Plans supplied by Scotia Gas Networks (SGN) indicate there are no existing mains within the site boundary. There is an existing 4" low pressure (LP) main within Dover Road; this will not be affected by the proposed development.

It is anticipated this existing gas network could be extended to feed the proposed development; a new mains low pressure gas infrastructure would be laid on site with associated service connections.

Water

This site is on the boundary between Affinity Water supplied area and Southern Water supplied area. The plans supplied by Affinity Water indicate there are no mains within the site boundary. There is a 3" cast iron main running within Dover Road; this will not be affected by the proposed development. The plans supplied by Southern Water indicate there are no mains within the site boundary. There is a 6" main running along Dover Road; minor diversion may be required to accommodate the new site entrance.

It is anticipated the new development will be able to be fed from the existing mains within Dover Road; a new mains infrastructure would be laid on site to serve the new domestic properties.

Telecoms

BT records indicate there is an existing overhead line crossing the south western corner of the site; this will not be affected by the proposed development. There is existing overhead plant running along Dover Road; minor diversion may be required to accommodate the proposed site entrance.

The proposed new site could be fed by extending this existing infrastructure. Broadband connections are available within this area though fibre connections are yet to be installed.

Summary

Initial investigations have not highlighted any concerns or engineering difficulties with servicing the proposed development with new gas, water, electric or telecommunication connections.

New infrastructure and service connection costs are anticipated to be in line with those expected for a standard development of this scale.

It should be noted that all Utility Providers have a licence obligation to ensure that any connections to the system comply with all relevant regulations, legislation and Engineering Recommendations so therefore do not have an adverse effect to the supply and quantity of supply to existing customers.