

planning
transport
design
environment
infrastructure
land

PLANNING STATEMENT (Amended Application)

**Land adjoining High Knocke Farm, 65 Seabourne
Way, Dymchurch, Romney Marsh, TN29 0PU**

CLIENT: Redbridge Estates Ltd

March 2024
DHA/33026



Planning. Inspiring. Delivering.

Maidstone
01622 776226

Gatwick
01293 221320

London
020 3005 9725

www.dhaplanning.co.uk

CONTENTS

1	INTRODUCTION	2
1.1	OVERVIEW	2
1.2	KEY ISSUES.....	2
1.3	DOCUMENT STRUCTURE	4
2	SITE CONTEXT.....	5
2.1	APPLICATION SITE AND SURROUNDINGS	5
2.2	PLANNING HISTORY.....	7
2.3	PREVIOUS PLANNING APPLICATION	7
3	THE PROPOSAL	9
3.1	OVERVIEW	9
3.2	PROPOSED DEVELOPMENT RATIONALE.....	9
3.3	DESIGN DETAILS.....	10
3.4	SPECIFIC DESIGN RESPONSE TO PREVIOUS REASON FOR REFUSAL	14
4	PLANNING POLICY FRAMEWORK.....	16
4.1	INTRODUCTION	16
4.2	THE DEVELOPMENT PLAN	16
4.3	MATERIAL CONSIDERATIONS	22
5	PLANNING CONSIDERATIONS	28
5.1	PRINCIPLE OF DEVELOPMENT	28
5.2	LANDSCAPE AND VISUAL IMPACT.....	30
5.3	MATTERS AGREED TO BE ACCEPTABLE.....	32
5.4	PLANNING BALANCE.....	40
6	CONCLUSION.....	43
6.1	SUMMARY	43
6.2	CONCLUSION.....	45

1 INTRODUCTION

1.1 OVERVIEW

- 1.1.1 This Planning Statement has been prepared by DHA Planning on behalf of Redbridge Estates Ltd ('the Applicant') in support of an amended outline planning application for the proposed development of up to 125 dwellings and associated infrastructure and landscaping on land adjoining High Knocke Farm, Dymchurch (hereafter referred to as 'Land at High Knocke' or 'the site').
- 1.1.2 This Statement forms part of the application submission pack and should be made available for inspection with the other application details.

1.2 KEY ISSUES

- 1.2.1 This planning application comprises an amended scheme for 125 dwellings and associated infrastructure and landscaping in Dymchurch prepared following the refusal of planning permission for a scheme of 132 dwellings (application ref: 21/25/25/FH').
- 1.2.2 In determining the original application, Folkestone and Hythe District Council ('FHDC') Officers accepted that the principle of development was in accordance with the Council's adopted strategic development policies and that the residential development of up to 132 dwellings would be proportionate in the context of the rural centre of Dymchurch, whilst maintaining an appropriate gap between settlements in the Romney Marsh Area.
- 1.2.3 The application was however refused planning permission by Members of FHDC's planning committee, contrary to the recommendation of Officers in June 2023. Members cited a single reason for refusal in relation to the scale and location of the proposal and the impact of the development on the character and openness of the countryside.
- 1.2.4 The decision has since been appealed to the Planning Inspectorate, however it is the Applicant's preference to further engage with the local planning authority and Members in order to secure a positive determination at a local level.
- 1.2.5 Accordingly, this amended scheme now seeks consent for an alternative scheme of reduced scale and reconfigured layout and landscaping which seeks to respond positively to the previous reason for refusal by:
- Opening up the scheme with large vista perforations further separating groups of dwellings and providing a central through view from the sea wall to open countryside;

- Re-locating frontage dwellings further back from Dymchurch Road to make way for a widened planting and screen belt fronting Clobsden Sewer;
 - Expanding further the scale and usability of the public open space in the centre of the site; and
 - Enhancing and reconfiguring the perimeter landscaping and tree screening to reduce the perception of the development when viewed from all sides and facilitating the creation of an organic perimeter and internal pathway network and nature trail with opportunities for further ecological enhancement.
- 1.2.6 Since the determination of the previous application, the Government's updated National Planning Policy Framework ('NPPF' or 'the Framework') was published in December 2023. The updated NPPF no longer requires Local Planning Authorities with adopted Plans that are less than five years old to identify and update annually a five-year housing land supply. However, the Framework continues to place emphasis on the Government's core policy objective to significantly boost the supply of new housing.
- 1.2.7 The Council's previously published housing land supply position prior to the update of the NPPF as of 1st April 2022 was 5.1 years (AMR, 2022). The Council's ability to demonstrate a five-year housing land supply has subsequently been supported in a recent appeal decision 'APP/L2250/W/23/3314153' published 17th January 2024.
- 1.2.8 The Council's housing delivery record however remains less than favourable. The Housing Delivery Test 'HDT' 2021 result published in January 2022 was 85%, requiring the Council to prepare an Action Plan identifying the reason for under-delivery and setting out a remedial strategy to boost delivery in the next HDT.
- 1.2.9 The Action Plan identified five main barriers to delivery in the District. These were identified to include significant physical constraints, particularly in the Romney Marsh area as well as a limited supply of small and medium sites and large-scale infrastructure requirements limiting the delivery of sites.
- 1.2.10 Whilst the Action Plan identifies key steps to remedy the under-delivery, including the adoption of the Core Strategy Review and the long-term delivery of Otterpool Park garden settlement within the Council's control. However, following a 12-month delay in its publication, the 2022 HDT published in December 2023 confirmed that the Council's delivery position has only marginally improved to 87%, equating to an increase of just 27 dwellings over a three-year rolling period and again requiring the publication of an Action Plan.
- 1.2.11 Whilst the Council's housing land supply position remains marginal and delivery continues to fall short with delays to Otterpool Park it is necessary to ensure a robust supply of new homes on a range of suitable sites are granted across the borough. This is especially critical if the Council are to avoid the presumption in

favour being engaged by virtue of poor delivery, and when the Plan becomes five years old, by virtue of inadequate supply.

- 1.2.12 In this context, Land at High Knocke represents a sustainably located edge-of-settlement development site, with clear defensible boundaries and no absolute constraints to development capable of coming forward. The site can be delivered consistent with the predominant development pattern and is exceptionally well-located in terms of public transport and active travel opportunities and will assist in diversifying the vitality and viability of Dymchurch as a predominantly tourism-orientated rural service centre.
- 1.2.13 Particular attention has been given to the application site's sensitive location within the Romney Marsh Local Landscape Area. This revised application goes further still and proposes a strongly landscape-led site layout that protects key views through the site to the wider marsh landscape and includes significant open space and green intravisibility. Measures to retain and strengthen existing wetland meadow and reed beds have been taken and expanded buffer mitigation further softens the transition from dwellings to countryside, whilst retaining key feature open views through the site and into the Marsh.
- 1.2.14 In summary, we acknowledge that there are sensitive matters to be balanced. However, the revised proposals are well informed, and we consider circumstances justify this sensitive and well-planned development. Furthermore, we consider that the public benefits of the scheme clearly outweigh any limited perceived harm.

1.3 DOCUMENT STRUCTURE

- 1.3.1 This Statement provides a detailed overview of the application site and the amended proposals. It assesses the planning merits of the scheme against the applicable planning policy framework. It concludes that the proposal is appropriate in planning terms and accordingly requests that planning permission be granted for this revised scheme,
- 1.3.2 Section 2 of this Statement sets out the context of the site and immediate surroundings, including the site history and previous planning application.
- 1.3.3 Section 3 and 4 set out the amended development proposals, including the specific design responses prepared following the previously refused scheme and establishes the planning policy context for the application.
- 1.3.4 Section 5 considers the principle of development and other relevant planning considerations and addresses matters of housing need and supply.
- 1.3.5 Section 6 draws conclusions to justify the suitability of the development.

2 SITE CONTEXT

2.1 APPLICATION SITE AND SURROUNDINGS

- 2.1.1 The application site is located immediately to the south of Dymchurch, west of Dymchurch Road/A259 and comprises *circa*. 6.3 hectares of predominantly undeveloped greenfield land in agricultural use.
- 2.1.2 The land is located outside of the Dymchurch settlement boundary, although abuts the built-up area and is understood within an edge-of-settlement context. The site is enclosed on three sides by residential development, road and rail infrastructure and thus represents a logical infill plot that would be consistent with the predominant historic development pattern of the Romney Marsh area.



FIGURE 2.1: AERIAL SITE OVERVIEW MAP

- 2.1.3 The site itself comprises a typical agricultural land parcel in grazing use, with drainage ditches and a small number of agricultural buildings to the southern corner. The site is bound by residential development at Marshlands and Seabourne Way to the north and High Knocke Estate to the southeast. The Romney Hythe & Dymchurch Light Railway runs to the west and the A259 and sea defence infrastructure lies to the east, separated by a drainage ditch and vegetation.
- 2.1.4 As is typical in this location, the site is set below the raised land level of the A259 and sea wall. This, coupled with the surrounding built form and infrastructure, has

the effect of containing the predominant development pattern from the wider landscape along much of the Romney Marsh coastline between Hythe, St Mary's Bay and New Romney. An isolated small scale B1 use site is located to the west of the site boundary adjacent to the railway line separated by a TPO and watercourse.

- 2.1.5 In terms of landscape constraints, the site is not located within an Area of Outstanding Natural Beauty, although is located within the Romney Marsh District Character Area and Local Landscape Area which covers the majority of the Marsh outside of the larger settlements.
- 2.1.6 In terms of environmental constraints, the site whilst in agricultural use, is primarily classified as 'Urban' by the Agricultural Land Classification 'ALC' system (figures 2.2 & 2.3).



FIGURE 2.2: EXTRACT OF AGRICULTURAL LAND CLASSIFICATION SHOWING SITE CLASSIFIED PRIMARILY AS 'URBAN' (LONDON & SOUTH EAST REGION ALC, NATURAL ENGLAND).



FIGURE 2.3: GIS MAP OVERLAY SHOWING SITE LOCATION AND ALC (NATURAL ENGLAND OPEN DATA)

- 2.1.7 In terms of wider matters, the site is located entirely within Flood Zone 3a, defined as a zone with a high probability of flooding (1 in 100 or greater annual probability of river flooding or 1 in 200 or greater annual probability of sea flooding). With respect to ecology, the site is located in close proximity (<100m) to a Special Protection Area located along the Dymchurch shoreline. A Tree Preservation Order (TPO no.16/2004) is located to the west of the site but is outside of the red line boundary and will be unaffected by the proposed development.
- 2.1.8 Turning to heritage matters, the site is not located within or in close proximity to a Conservation Area, the nearest 'Dymchurch High Street' is spatially and visually well-separated from the site. In terms of heritage assets, there are no nearby Scheduled Ancient Monuments, however two Listed Buildings are within the vicinity, Martello Tower no.25 (Grade II - approx. 390m) and West End Village (Grade II - approx. 390m). The site is located within an Archaeological Notification Area.
- 2.1.9 With respect to accessibility, the site is well-located approximately 400m from the centre of Dymchurch where a number of day-to-day services and facilities are available including a supermarket, pre-school, primary school, medical centre, pharmacy and pubs and cafes. In terms of public transport, bus stops are located opposite the site (routes 102/103/104) with services approximately every 20 minutes between Dover and Rye via New Romney, Dymchurch, Hythe and Folkestone. The site is well-connected for active travel via a footpath adjacent to the A259 into Dymchurch or towards New Romney, or alternatively the England Coast Path which is easily accessible from the site and is part of the Sandwich to Rye promoted cycle route.

2.2 PLANNING HISTORY

- 2.2.1 For completeness, online records held by Folkestone and Hythe District Council confirm that aside from the previous planning application discussed below, no recent planning applications have been made on the site.

2.3 PREVIOUS PLANNING APPLICATION

- 2.3.1 Of primary relevance to this development proposal is previous planning application reference '21/2525/FH' to which this amended proposal follows.
- 2.3.2 For context, the application was refused planning permission by Members of FHDC's planning committee, contrary to the recommendation of Officers. The decision was subsequently issued on 13th June 2023, refusing the application.
- 2.3.3 The original application was refused by members citing a single reason for refusal:
- 1) *"The proposal would be contrary to policies SS1, SS3 and CSD4 of the Core Strategy Review (2022), policies HB1 and NE3 of the Places and Policies Local*

Plan 2020 and to central government guidance contained in the NPPF and would therefore be contrary to interests of acknowledged planning importance for the following reason:

a) The location of development proposed lying outside the established settlement edge together with its scale would have a significant adverse urbanising impact on the open countryside, out of character with, and eroding the sense of openness that characterises the area. The development would therefore be unacceptably harmful to the visual amenity of the area."

- 2.3.4 In determining the application, Officers accepted that the principle of development was in accordance with the Council's adopted strategic development policies and the residential development of up to 132 dwellings would be proportionate in the context of the rural centre of Dymchurch and would maintain an appropriate gap between settlements in the Romney Marsh Area.
- 2.3.5 Officers also assessed that the proposed development of the site would sit sympathetically within the wider landscape and would not harm landscape character or visual amenity. However, Members took a contrary view, considering that the location and scale of development would have a significant adverse impact on the open countryside and would be out of character with the area.
- 2.3.6 The decision has since been appealed to the Planning Inspectorate, however it is the Applicant's preference to further engage with the local planning authority and Members in order to secure a positive determination at a local level.
- 2.3.7 Accordingly, this amended scheme now seeks consent for an alternative scheme of reduced scale and reconfigured layout and landscaping which seeks to positively respond to the previous reason for refusal.
- 2.3.8 Full details of the latest design and the specific measures taken in response to the previous concerns are set out within the following section of this Statement and the accompanying supporting design documents.

3 THE PROPOSAL

3.1 OVERVIEW

- 3.1.1 Outline planning consent is sought for the proposed development of up to 125 dwellings with affordable housing, associated infrastructure and landscaping at Land at High Knocke Farm, Dymchurch.

3.2 PROPOSED DEVELOPMENT RATIONALE

- 3.2.1 This amended scheme follows the previously refused scheme for up to 132 dwellings. This application now seeks consent for an alternative scheme of reduced scale and reconfigured layout and landscaping which seeks to respond positively to the previous reason for refusal.



FIGURE 3.1: PROPOSED SITE LAYOUT PLAN [23.138.10]

- 3.2.2 The proposed development has been carefully and sensitively designed to deliver an even further landscape-led scheme which reflects the extensive feedback received from during determination of the previous application and responds to

site specific constraints in order to deliver genuine social, economic and environmental benefits to the local area.

- 3.2.3 The proposed residential development includes high-quality market and affordable housing at an appropriate density to the surrounding area, an associated road/access network that prioritises active travel as well as significant public open space provision which includes ecological, recreational and landscaped areas.
- 3.2.4 Full details of the masterplan development process and proposed design details are provided within the supporting Design and Access Statement included within the application submission pack.

3.3 DESIGN DETAILS

Scale and Layout

- 3.3.1 Following the refusal of the previous planning application for 132 dwellings where Members cited a single reason for refusal in relation to the scale and layout of the proposal and the associated impact on the character and openness of the countryside.
- 3.3.2 In response, this amended scheme now seeks consent for an alternative scheme of reduced scale and reconfigured layout and landscaping which seeks to respond positively to the previous reason for refusal.
- 3.3.3 The dwelling numbers have been reduced down from 132 down to 125. Although a modest number, the removal of those units has had maximum impact allowing the scheme to be 'opened-up' with large vista perforations further separating groups of dwellings. The reduction has also enabled an increase in the already significant public open space in the centre of the site, and afforded the perimeter significantly improved tree screening making it less impactful when viewed from all sides, but particularly at the front of the site where viewed from the Dymchurch Road.
- 3.3.4 Following these further changes, it is submitted that the proposed development represents a proportionate extension to the south of Dymchurch. The landscape led design approach which incorporates extensive boundary landscaping has the effect of reducing and minimising the scale and impact of the development, whilst providing spacious areas of ecological enhancement and recreational space.
- 3.3.5 The proposed scale of the dwelling units will aim to follow the prevailing scale and character within the local area and reflects the edge of settlement location.
- 3.3.6 The houses will be predominantly two storeys in height, comprising a mixture of detached, semi-detached and terraced properties with a small number of flats. Proposed buildings are set within a spacious landscape setting to conserve the

predominant local character and reflect the site's position on the edge of the settlement.

- 3.3.7 The indicative layout includes 2.8ha of public open space (approximately 40% of total site area). The layout is designed to give priority to pedestrians and cyclists with shared spaces and 'homezones' to limit the speed of traffic within the development to a maximum of 20mph. The access network is accessible by fire tenders and refuse freighters in accordance with the relevant standards and is designed with a hierarchy of varying street types.
- 3.3.8 Active travel permeability has been carefully considered in the layout of the development as well as to its connection with existing networks beyond the site for leisure and recreational use. There is an extensive path and cycleway network that promotes direct and prioritised active travel with extensive off-highway sections.



FIGURE 3.2: PROPOSED PEDESTRIAN NETWORK PLAN [23.138.12]

Design and Appearance

- 3.3.9 Details of design and appearance are to form part of the reserved matters and therefore at this stage the proposed layout is illustrative. The indicative layout has been split into a series of varied character areas related to their position, their aspects and their relationship to site features. Each area will respond to its position within the site and its surrounding context ensuring it is a fitting design.

- 3.3.10 The project team envisage a modern reflection on a strong Kentish vernacular using a pallet of materials including clay stock brickwork, render, weather boarding, clay tile hanging, slate and clay tiled roofs varied with the design over each character area. The aim is to provide a separate sense of place to each area but an overall coherence to the whole development that is woven together with the generous landscape design.

Accommodation Schedule

- 3.3.11 The proposed development is to comprise up to 125 dwellings equating to a density of 19 dwellings per hectare. All dwellings will be compliant with National Described Space Standards and provided sufficient private amenity space. The indicative dwellings mix is as follows:
- 2b4p apartment – 15no.
 - 2b4p house – 22no.
 - 3b5p house – 48no.
 - 4b7p house – 40no.
- 3.3.12 For clarity, this appeal seeks permission for a policy compliant quantum and tenure of affordable housing provision which for a 125-dwelling scheme, would amount to 28no. affordable dwellings. The percentage contribution and further details of the mix of affordable housing would be secured via a submitted S.106 agreement.

Landscaping and Ecological Enhancement

- 3.3.13 The landscape-led development will retain and strengthen the existing wetland meadow and reed beds within the site. Open views through the site to the north west and west will be retained, with mitigation designed to screen the proposals from the open space to the south east and east. Extensive planting of native trees is proposed to assimilate the proposal into its surroundings. Additionally, mixed native hedgerows will delineate the site boundaries from the open countryside and will also be incorporated within the site. The existing ponds have been retained and enhanced for biodiversity, with mitigation planting proposed to enhance wildlife habitat on the site.
- 3.3.14 Where existing boundary vegetation needs to be removed to provide access for vehicular users into the site, replacement mixed native hedge is proposed to run behind the visibility splays, with interspersed tree planting. Once this is established, the existing streetscape character of the A259 will be reinstated.
- 3.3.15 Final landscape details are anticipated to be secured via condition. Nonetheless, key elements of the landscape design are:

- A large public open space central to the site off the main approach.
- Open community meeting space.
- Children's play/activity areas.
- Edge of countryside landscape buffer and development screening providing enhanced ecological features in conjunction with existing ditches.
- 'Green fingers' linking the internal landscape areas to the wider landscape beyond the site.
- Landscaping reinforcement and ecological improvement to the existing ponds and ditches.
- A perimeter recreational path as part of an extensive path and cycleways network.

Pedestrian and Vehicular Site Access

- 3.3.16 Primary vehicular and pedestrian access is proposed via a new bridged access from Dymchurch Road and links to an internal circulatory loop road. An additional access to the northwest of the site layout via Marshlands, serves as an alternative emergency access route.



FIGURE 3.3: PROPOSED PEDESTRIAN NETWORK PLAN [23.138.12]

Parking and Cycle Storage

- 3.3.17 The proposed development includes policy compliant vehicle and cycle parking provision.
- 3.3.18 A total of 287no. car parking spaces are proposed within the site layout, equating to 2no. allocated spaces per dwelling plus 0.2 visitor parking spaces per dwelling. Additional visitor spaces associated with tandem parking is proposed at a ratio of 0.5 per tandem situation.
- 3.3.19 Secure and covered cycle parking is provided at ratio of 1 space per bedroom. For apartments this will be provided with a communal cycle store. For houses this will be provided either within a garage or within an ancillary store to the rear garden.

3.4 SPECIFIC DESIGN RESPONSE TO PREVIOUS REASON FOR REFUSAL

- 3.4.1 For ease of reference, the primary design responses having regard to the previously refused application comprise the following and have been carefully devised to address previous concerns over the scale, layout and landscaping in relation to the proposed development:
- Reduced the total number of dwellings by 7 dwellings from 132 dwellings to 125 dwellings.
 - Reduced the number and set back the dwellings to the front of site 10m further back from Dymchurch Road. Parking and driveways have been relocated to make way for a widened planting and screening belt in addition to the already provided landscaping margin to Clobdsen Sewer;
 - Increased the central vista to 30m wide running through the site from the access bridge permeating views from the sea wall and Dymchurch Road, through the site, to the countryside beyond.
 - Expanded the central public open space, bordering and providing buffering to Marshlands, by removing a group of 5 dwellings.
 - Enlarged central public gathering area with multi-use amphitheatre type space. This has increased openness and extended activity space for children with opportunities for public art and events;
 - Added natural surface water drainage solution of swales and rain gardens planted for additional varied and biodiverse habitats;
 - Widened the northeast to southwest vista with existing watercourse/drainage ditch to provide extended views of the countryside and increased habitats and BNG. This further increases the separation

between two groups of dwellings, reducing the impact of this edge of the development;

- Reconfigured the open space and pathways to the southwest perimeter to increase planting belt for screening and provide rain gardens for natural dispersion of the surface water with native plants to form new biodiverse habitats;
- Creation of a perimeter and internal pathway network, that weaves throughout the landscape and ecological features incorporating a nature trail with information boards explaining the site's ecological features, how they are protected and enhanced, and what residents can do to help ecology and biodiversity; and
- Dwellings designed to be net zero carbon ready.

4 PLANNING POLICY FRAMEWORK

4.1 INTRODUCTION

- 4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 4.1.2 For the purpose of this planning application, the development plan comprises the Core Strategy Review 'CSR' (2022) and the Place and Policies Local Plan 'PPLP' (2020).
- 4.1.3 The National Planning Policy Framework ('NPPF') 2023, must also be taken into account as a material consideration when determining planning applications.
- 4.1.4 This section of the statement therefore highlights the aspects of the NPPF and development plan that are relevant to this application, as a precursor to reviewing the CSR and PPLP policies.

4.2 THE DEVELOPMENT PLAN

Core Strategy Review (2022)

- 4.2.1 The Core Strategy Review (2022) was adopted on 30 March 2022. It sets out the spatial vision, objectives, development strategy and a series of over-arching strategic policies that will guide the scale, location and type of development in the district until 2037.
- 4.2.2 The following policies are considered relevant to the amended proposals:
- Policy SS1 – District Spatial Strategy
 - Policy SS2 – Housing and the Economy Growth Strategy
 - Policy SS3 – Place-Shaping and Sustainable Settlements Strategy
 - Policy SS5 – District Infrastructure Planning
 - Policy CSD1 – Balanced Neighbourhoods
 - Policy CSD2 – District Residential Needs
 - Policy CSD3 – Rural and Tourism Development
 - Policy CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation
 - Policy CSD5 – Water and Coastal Management Strategy
- 4.2.3 **Policy SS1 District Spatial Strategy** sets out the overarching development strategy for the Plan period. In the Romney Marsh Area - The future spatial priority for new development in the Romney Marsh Area is on accommodating development at the towns of New Romney and Lydd, and at sustainable villages; improving

communications; protecting and enhancing the coast and the many special habitats and landscapes, especially at Dungeness; and avoiding further co-joining of settlements and localities at the most acute risk to life and property from tidal flooding.

- 4.2.4 **Policy SS2 Housing and the Economy Growth Strategy** sets out that the core long-term requirement is to deliver 738 dwellings (Class C2/C3) a year on average from 2019/2020 to 2036/37, a total requirement of 13,284 new homes over the plan period. Pertinently, the Plan is predicated on the delivery of 5,593 dwellings from the allocated garden settlements over the Plan period from 2019/20 and additionally 1,235 dwellings to be delivered from windfall sites.
- 4.2.5 **Policy SS3 Place-Shaping and Sustainable Settlements Strategy** sets out key local principles for the location and design of proposed development, so that these strategic issues are considered collectively at an early stage. Development within the district is directed towards existing sustainable settlements and a new sustainable garden settlement south of the M20 near Westenhangar to protect the open countryside and the coastline, in accordance with policy SS1. Change in settlements will be managed to contribute to their role within the settlement hierarchy and local place-shaping objectives, to promote the creation of sustainable, vibrant and distinct communities.
- 4.2.6 All development is required to be of a size, scale and nature that is proportionate to the level of services which the settlement is capable of providing and should preserve the character of the settlement and maintain its status in the settlement hierarchy. For development located within zones identified by the Environment Agency (EA) as being at risk from flooding, or at risk of wave over-topping in immediate proximity to the coastline (within 30 metres of the crest of the sea wall or equivalent), site-specific evidence will be required in the form of a detailed flood risk assessment. A design-led and sustainable access approach should be taken to density and layout, ensuring development is suited to the locality and its needs, and transport infrastructure (particularly walking/cycling). Proposals should also be designed to contribute to local place-shaping and sustainable development.
- 4.2.7 **Policy SS5 District Infrastructure Planning** sets out the Core Strategy Review approach to overseeing the delivery of significant infrastructure. Development should provide, contribute to or otherwise address the district's current and future infrastructure needs. Infrastructure that is necessary to support development must exist already, or a reliable mechanism must be available to ensure that it will be provided at the time it is needed.
- 4.2.8 **Policy CSD1 Balanced Neighbourhoods** states that development resulting in new housing (class C3) will be allowed in line with policy SS3 (optimising distinctiveness, appeal, sustainability and accessibility of places) where it contributes to the creation of balanced neighbourhoods through high-quality design proposals which address identified affordable housing needs.

- 4.2.9 All housing development should include a broad range of tenures incorporating market housing for sale and affordable housing (affordable housing for rent, starter homes, discounted market sales housing and other affordable routes to home ownership including rent to buy and shared ownership), wherever practicable and subject to viability. Development proposing (or land of 0.5ha or more in size) 15 or more dwellings (net gain) at any location within the district should provide 22 per cent affordable dwellings on-site.
- 4.2.10 **Policy CSD2 District Residential Needs** confirms that residential development and new accommodation should be designed and located in line with the spatial strategy's approach to managing demographic and labour market changes and meeting the specific requirements of vulnerable or excluded groups. All development of 15 or more dwellings should provide for a range of housing sizes and tenures.
- 4.2.11 **Policy CSD3 Rural and Tourism Development** sets out as a starting point that Proposals for new development in locations outside the settlements identified in the settlement hierarchy may be allowed if a rural or coastal location is essential, or to protect or enhance green infrastructure assets in line with Policy CSD4.
- 4.2.12 **Policy CSD4 Green Infrastructure of Natural Networks, Open Spaces and Recreation** sets out that the council will require development proposals over their lifetime to provide net gains in biodiversity at least to comply with statutory and/or national policy requirements (assuming no residual loss). To demonstrate that they protect and enhance valued landscapes, sites of biodiversity or geological value and soils, commensurate to their status and quality. So far as possible, to deliver improvements in green infrastructure (GI) assets in the district and ensure positive management of areas of high landscape quality or high coastal/recreational potential identified in the Green Infrastructure Report (2011) (or any updates to this report).
- 4.2.13 **Policy CSD5 Water and Coastal Environment Management** requires that development should contribute to sustainable water resource management which maintains or improves the quality and quantity of surface and ground water bodies, and where applicable, the quality of the coastal environment and bathing waters. This will be achieved by protecting or enhancing natural water reserves through sustainable design and construction, managing development in relation to wastewater infrastructure, and promoting long-term resilience to climatic pressures on the coast and water systems. Proposals must be designed to contribute to the maintenance of a sustainable supply of water resources in the district; the achievement of water management plans for the district; and the maintenance of coastal ecological habitats (through seeking to avoid the inhibition of natural coastal processes).

Places and Policies Local Plan (2020)

- 4.2.14 The Places and Policies Local Plan sits below the adopted Core Strategy and has two functions:

- 1) To allocate enough land for future development to meet the requirements set out in the Core Strategy for residential, employment, community, and other needs; and
 - 2) To provide development management policies that will be used to assess planning applications and guide future development.
- 4.2.15 The following relevant development plan policies in the Place and Policies Local Plan (2020) are considered relevant to the amended proposals:
- Policy HB1 - Quality Places Through Design
 - Policy HB2 - Cohesive Design
 - Policy HB3 - Internal and External Space Standards
 - Policy C1 - Creating a Sense of Place
 - Policy C3 - Provision of Open Space
 - Policy T1 - Street Hierarchy and Site Layout
 - Policy T2 - Parking Standards
 - Policy T5 - Cycle Parking
 - Policy NE1 - Enhancing and Managing Access to the Natural Environment
 - Policy NE2 - Biodiversity
 - Policy NE3 - Protecting the District's Landscapes and Countryside
 - Policy NE5 - Light Pollution and External Illumination
 - Policy CC1 - Reducing Carbon Emissions
 - Policy CC2 - Sustainable Design and Construction
 - Policy CC3 - Sustainable Drainage Systems (SuDS)
 - Policy HW3 - Support Healthy, Fulfilling and Active Lifestyles
 - Policy HW4 - Promoting Active Travel
 - Policy HE2 - Archaeology
- 4.2.16 **Policy HB1 Quality Places Through Design** sets out the general design criteria to which proposals will be expected to satisfy including the role of a proposal in making a positive contribution to its location and surroundings, enhancing integration and respecting existing buildings and land uses, protecting neighbouring and future occupier amenity and creating and enhancing areas of open space, green infrastructure and biodiversity.
- 4.2.17 **Policy HB2 Cohesive Design** states that for major housing developments or complex proposals or on sensitive sites, a design statement should be prepared which demonstrates compliance with Building for Life 12, as far as is reasonably practicable. Development should integrate into the neighbourhood through new and existing connections and provide a mix of housing types and tenures located with good access to facilities and public transport. Further development should create a locally inspired, distinctive place that takes advantage of existing landscape features and creates streets with low vehicle speeds and clearly defined public and private space and external storage space.
- 4.2.18 **Policy HB3 Internal and External Space Standards** sets out that planning permission will be granted for new residential development that meets the

nationally described technical housing space standard and provides an area of private open space in accordance with specified criteria.

- 4.2.19 **Policy C1 Creating a Sense of Place** requires all new major development to demonstrate a deliverable and fully resourced project for fostering a sense of place. This will be achieved through methods such as landscaping, public art, water features, lighting and/or through the use of historic references. This programme should be fully outlined in the Design and Access Statement submitted as part of the application.
- 4.2.20 **Policy C3 Provision of Open Space** states that to meet the additional need in open space generated by new residential developments the Council will require proposals of 20 or more dwellings to provide for open space in accordance with the standards in Table 12.1 (Places and Policies Local Plan, 2020) equating to 2.89ha / 1000 head of population.
- 4.2.21 **Policy T1 Street Hierarchy and Site Layout** sets out that planning permission for major developments will be granted if the Design and Access Statement submitted as part of the application demonstrates attention has been paid to street design. In particular applications should show a street hierarchy that considers pedestrians first and provides permeability throughout and encourages walking, cycling and public transport.
- 4.2.22 **Policy T2 Parking Standards** makes clear that planning permission will be granted for schemes providing residential parking where the resident and visitor parking is sufficient and well integrated so that it does not dominate the street. The Council will use the standards in Table 13.1 (Places and Policies Local Plan, 2020) whilst also taking account of local context.
- 4.2.23 **Policy T5 Cycle Parking** sets out that provision of cycle parking at a ratio of 1 space per bedroom should be provided. Parking should be provided either within the curtilage of a residential dwelling or in a secure communal facility, where a suitable alternative is not available.
- 4.2.24 **Policy NE1 Enhancing and Managing Access to the Natural Environment** states that to enhance access to the natural environment the Council will target opportunities for improvements on routes and links from urban areas, improve access to key open areas and manage access to Special Areas of Conservation and Special Protection Areas.
- 4.2.25 **Policy NE2 Biodiversity** emphasises that development will safeguard and protect all sites of European and Global importance, designated as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites. Development must not result in significant adverse effects on these internationally important nature conservation sites, either alone or in combination with other projects and plans. The Council will expect development proposals to demonstrate and contribute to appropriate mitigation and management measures to maintain the ecological integrity of the relevant European site(s).

- 4.2.26 Furthermore, all new development will be required to conserve and enhance the natural environment, including all sites of biodiversity or geodiversity value and incorporates features that enhance biodiversity as part of good design and sustainable development.
- 4.2.27 **Policy NE3 Protecting the District's Landscapes and Countryside** states that Proposals should demonstrate that their siting and design are compatible with the pattern of natural and man-made features of the Landscape Character Areas, including their cultural and historical associations.
- 4.2.28 **Policy NE5 Light Pollution and External Illumination** sets out that applications for major development, and development including significant external lighting, will be approved if the proposal does not materially alter light levels outside the development site, adversely affect the use or enjoyment of nearby buildings or open space and is in accordance with the relevant best practice guidance.
- 4.2.29 **Policy CC1 Reducing Carbon Emissions** states that all major new building housing developments will be required to reduce carbon emissions by a minimum of 10% above the Target Emission Rate as defined in Building Regulations for England.
- 4.2.30 **Policy CC2 Sustainable Design and Construction** sets out the relevant sustainable design criteria for all new dwellings including targets for water and energy efficiency.
- 4.2.31 **Policy CC3 Sustainable Drainage Systems** sets out the required criteria for SuDS development including that surface water is managed close to its source and on the surface where reasonably practicable and all hard surface to be permeable where practical.
- 4.2.32 **Policy HW3 Development that Supports Healthy, Fulfilling and Active Lifestyles** seeks to increase, create and safeguard opportunities for healthy, fulfilling and active lifestyles and to reduce the environmental impact of importing food, development proposals should *inter alia* not result in the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) unless there is a compelling and overriding planning reason to do so and mitigation is provided through the provision of productive landscapes on-site or in the locality.
- 4.2.33 **Policy HW4 Promoting Active Travel** states that planning permission will be granted for development likely to give rise to increased travel demands, where the site has (or will attain) sufficient integration and accessibility by walking and cycling including connection to existing cycle and walking routes, the provision of safe and direct routes within permeable layouts that facilitate and encourage short distance trips by walking and cycling.
- 4.2.34 **Policy HE2 Archaeology** states that important archaeological sites, together with their settings, will be protected and, where possible, enhanced. Development which would adversely affect them will not be permitted. Proposals for new development must include an appropriate description of the significance of any heritage assets that may be affected, including the contribution of their setting.

The impact of the development proposals on the significance of the heritage assets should be sufficiently assessed using appropriate expertise where necessary. Desk-based assessment, archaeological field evaluation and/or historic building assessment may be required as appropriate to the case.

4.3 MATERIAL CONSIDERATIONS

- 4.3.1 The National Planning Policy Framework ('NPPF') was most recently updated in December 2023 and sets out the Government's planning policies for England and how they should be applied, providing a framework within which locally prepared plans for housing and other development can be produced. The National Planning Policy Framework must be considered in preparing the development plan and is a material consideration in planning decisions.
- 4.3.2 The entire Framework should be read (including its footnotes and annexes); however, the parts considered most relevant to the proposed development are outlined below.

Achieving Sustainable Development

- 4.3.3 **Paragraph 7** states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.3.4 **Paragraph 8** is clear that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent 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 – economic, social and environmental).
- 4.3.5 **Paragraph 11** of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay. **Paragraph 11** of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- i. application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Delivering a Sufficient Supply of Homes

- 4.3.6 **Paragraph 60** states 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.
- 4.3.7 **Paragraph 61** sets out that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. There may be exceptional circumstances, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be considered in establishing the amount of housing to be planned for.
- 4.3.8 To this end, **paragraph 69** states that strategic plan-making authorities should have a clear understanding of the land available in their areas through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, considering their availability, suitability and likely economic viability. Planning policies should identify a supply of:
- a) Specific, deliverable housing sites for years one to five of the plan period; and*
 - b) Specific deliverable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15 of the plan.*
- 4.3.9 **Paragraph 74** states that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes).
- 4.3.10 With respect to rural housing, **paragraph 83** states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Promoting Sustainable Transport

- 4.3.11 **Paragraph 109** states the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused

on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

4.3.12 **Paragraph 114** states that when assessing applications for development it should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) Safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) Any significant impacts from the development on the transport network, or highway safety, can be cost effectively mitigated to an acceptable degree.*

4.3.13 **Paragraph 115** states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.3.14 **Paragraph 116** states that application for development should *inter alia* give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use and create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

Making Effective Use of Land

4.3.15 **Paragraph 123** confirms that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

4.3.16 **Paragraph 128** further emphasises that planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*

- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.*

Achieving Well-Designed Places

- 4.3.17 **Paragraph 131** relates to the creation of high quality, beautiful and sustainable buildings and places. Clear design expectations, criteria and effective engagement between applicants, communities, local planning authorities and other interests throughout the process help to attain high quality, beautiful and sustainable buildings and places.
- 4.3.18 **Paragraph 135** states planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Meeting the Challenge of Climate Change, Flooding and Coastal Change

- 4.3.19 **Paragraph 165** states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 4.3.20 **Paragraph 167** requires all plans to apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding.
- 4.3.21 Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding (**Paragraph 168**).
- 4.3.22 **Paragraph 169** states that if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3 (NPPF, 2023).
- 4.3.23 **Paragraph 170** outlines that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:
- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Conserving and Enhancing the Natural Environment

- 4.3.24 **Paragraph 180** sets out how planning policies and decisions should contribute to and enhance the natural and local environment.
- 4.3.25 **Paragraph 186** says that when determining applications, local planning authorities should apply the principles that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Equally proposals that conserve or enhance biodiversity to seeking net gains should be supported and encouraged.

4.3.26 The following should be given the same protection as habitats sites (**Paragraph 187**):

- a) potential Special Protection Areas and possible Special Areas of Conservation;*
- b) listed or proposed Ramsar sites; and*
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

Conserving and Enhancing the Historic Environment

4.3.27 **Paragraph 195** states that heritage assets are irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

4.3.28 **Paragraph 205** sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5 PLANNING CONSIDERATIONS

5.1 PRINCIPLE OF DEVELOPMENT

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 5.1.2 It is acknowledged that the site is situated outside of the defined settlement confines and therefore, for the purposes of planning is considered 'countryside' where policies of restraint generally apply. Nonetheless, the application site represents a logical, highly accessible southern extension to Dymchurch that is exceptionally well-related to the settlement centre and a range of day-to-day facilities and services.
- 5.1.3 The site is naturally enclosed by the distinguishing linear features of the A259/Dymchurch Road to the east and the RH&DR line to the west, which together contains the pattern of development between Hythe and St Mary's Bay. Moreover, the proposals will consolidate the isolated cluster of residential development at 'High Knocke Estate' to the south, to form a clearer delineation of the Dymchurch boundary and secure a perceptible transition between Dymchurch and St Mary's Bay.
- 5.1.4 We acknowledge the Flood Zone 3 designation of the site (albeit benefiting from recently upgraded flood defences); however, the whole of Dymchurch and the overwhelming majority of the wider Romney Marsh Area is affected by this constraint. It is therefore unrealistic to assume that the development needs of settlements within the Romney Marsh area can be met wholly on Flood Zone 1 or 2 land, particularly given the inherently rural nature of much of the land, otherwise impacted by wider ecological constraints.
- 5.1.5 It is confirmed with the updated supporting Sequential Site Assessment (DHA/33026) that much of the sequentially preferable land is located within the New Romney area. Whilst we acknowledge that this is consistent with the spatial strategy and Core Strategy Review policies SS1 and SS3, which identifies New Romney as the principal location within the Romney Marsh Character Area, we are of the view that a balanced approach to delivery in Romney Marsh needs to be struck, in order to achieve proportionate residential and economic growth for all settlements in the district settlement hierarchy. High-quality sustainable development is key in securing the vitality and viability of settlement centres. In this respect, the housing needs and future viability of local businesses in Dymchurch, particularly in the context of its otherwise heavily tourism-orientated role can only be suitably met by the delivery of proportionate, well-located growth in Dymchurch itself which will additionally provide further opportunities to support services in neighbouring St Mary's Bay, Burmarsh and Newchurch.

- 5.1.6 Paragraph 168 of the NPPF (2023) confirms that the role of the sequential test is to steer new development into areas with lower flood risk. Paragraph 169 states: *“if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives) the exception test may have to be applied.”* In this respect, it is demonstrated that it is not possible to locate development in an area of lower flood risk (to the contrary SFRA Mapping identifies the site as one of the least vulnerable areas of Dymchurch) and achieve the sustainable benefits set out above.
- 5.1.7 Moreover, a detailed and comprehensive FRA is submitted which demonstrates that the site’s overall flood risk can be considered ‘low’ and the proposed development will be safe for its lifetime without increasing flood risk elsewhere. The proposal is therefore confirmed to pass both the sequential test and exception test accordingly.
- 5.1.8 Given the above context, it is considered that the proposed development is in accordance with key objectives of policy CSD3 ‘Rural and Tourism Development of Shepway’ (FHDC Core Strategy Review 2020) which makes provision for development outside of defined settlements where development is proportionate in scale/impact and also accessible by a choice of means of transport including outside of Rural Centres where sites within settlement are not available.
- 5.1.9 Equally whilst we acknowledge the objectives of Core Strategy Review policy SS3 which predominantly directs new development within the Romney Marsh Area towards New Romney, we emphasise that it does not exclude development in Dymchurch. Merely the policy seeks to ensure change in settlements will be managed to occur in a form that contributes to their role within the settlement hierarchy. On this basis, given the highly accessible location of the site, we emphasise the associated benefits of the proposal in terms of location sustainability, contribution to the local Dymchurch economy and provision of affordable and market housing to complement the otherwise predominantly tourism and summertime role of the settlement. On the flood risk evidence provided, we submit that the site is one of the most suitable sites in Dymchurch for a proportionate residential development and an opportunity to deliver significant affordable and market housing contributions.
- 5.1.10 We additionally highlight paragraph 74 of the NPPF (2023) which states that the supply of larger numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Whilst we remain of the view that the proposals represent very much a proportionate extension that make effective use of the available ‘low’ flood risk land area, we nevertheless emphasise the sustainable and logical location, supported by active travel and public transport accessibility and the landscape-led design of the outline proposals.
- 5.1.11 Moreover, paragraph 82 emphasises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the

vitality of rural communities and goes on to identify the opportunity for development in one village to benefit and support services in a village nearby.

- 5.1.12 Regard must also be had to the Council's relatively poor recent housing delivery record and the content of the Council's Action Plan 2021 which identifies a lack of small and medium sites and insufficient spatial opportunities for sites with clear defensible boundaries coming forward within the Romney Marsh Area.
- 5.1.13 Whilst the Council's housing land supply position remains marginal and delivery continues to fall short with delays to Otterpool Park, if the Council are to avoid the presumption in favour being engaged by virtue of poor delivery, and when the Plan becomes five years old by virtue of inadequate supply, it is necessary to ensure a robust supply of new homes on a range of suitable sites are granted across the borough.
- 5.1.14 Given the above context and the inherent degree of uncertainty and fluctuation associated with housing supply and delivery, we submit that the proposed development will assist in providing further security to the Council's 5YHLS and delivery position and represents a significant opportunity to deliver logical and sustainably located new homes for permanent residents, capable of supporting the vitality and viability of an otherwise heavily tourism-reliant settlement. The submitted evidence confirms the location is identified as one of the least vulnerable for flooding in the locality and nevertheless includes comprehensive mitigation measures to ensure it will be safe for its lifetime. Moreover, the proposed development will be capable of providing a significant contribution to the supply of affordable homes and provide substantial financial contributions to further benefit the local community.
- 5.1.15 We further reiterate that the principle of development did not form a reason for refusal during determination of the previous application and to the contrary the proposals in the context of the settlement as a whole were considered proportionate, would not lead to co-joining of settlements and therefore the principle of development at the rural centre of Dymchurch was accepted to be in accordance with policies SS1 and SS3 of the Core Strategy.
- 5.1.16 Considering all of the above circumstances, we submit that the principle of development is acceptable.

5.2 LANDSCAPE AND VISUAL IMPACT

- 5.2.1 The previous application was refused planning permission by Members of FHDC's planning committee, contrary to the recommendation of Officers citing a single reason for refusal in relation to the scale and location of the proposal and the impact of the development on the character and openness of the countryside.
- 5.2.2 Such impacts were not identified as an area of concern by Planning Officer's prior to determination at Committee, however the design and layout has been revisited by the project team in direct response to the reason for refusal.

5.2.3 Accordingly, this amended scheme now seeks consent for an alternative scheme of reduced scale with 7 dwellings removed and reconfigured layout and landscaping which seeks to respond positively to Member's concerns. The measures taken in detail are as follows:

- The front of site dwellings have been moved 10m further back from Dymchurch Road and their parking and drives relocated to make way for a significant planting and screening belt in addition to the already provided landscaping margin to Clobdsen Sewer. This reduces the developments impact when seen from the sea wall and Dymchurch Road which is the key view by which most people would perceive the development. The number of dwellings has been reduced along the road, also helping to reduce impact.
- The central vista has been increased to 30m wide. It runs through the site from the access bridge. This allows views from the sea wall and Dymchurch Road, through the site, to the countryside beyond. It also provides views from within the sites central open public space out of the site in both directions.
- The central public open space, bordering and providing buffering to Marshlands, has been expanded by removing a group of 5 dwellings. A central public gathering area is proposed and an amphitheatre type space is shown. This could also be the position of a public art installation. The extra area increases the feeling of openness and at the same time provides the opportunity for the inclusion of an extended activity space for children and the more natural surface water drainage solution of swales and rain gardens. These can be planted up with a meadow mix to provide additional varied and biodiverse habitats.
- The North East to South West vista, containing an existing watercourse/drainage ditch and emanating from the central public open space, has also been widened to provide extended views of the countryside from within the site. It will also provide increased habitats and further opportunity to increase BNG. This vista gap, by making an increased and significant separation between the two groups of dwellings, further reduces the impact of this edge of the development on the countryside.
- The open space and pathways to the southwest perimeter have been reconfigured to provide more generous planting belt for screening, along with rain gardens to assist in the natural dispersion of the surface water. The rain gardens would be landscaped with native plants to form new biodiverse habitats.
- It is proposed that the perimeter and internal pathway network that weaves throughout the landscape and ecological features, could become a nature trail with information boards around the site that also explain its ecological features, how they are protected and enhanced, and what residents can

do to help ecology and biodiversity in the shared spaces and at home promoting community engagement.

- 5.2.4 The impact of the amended design is assessed within the updated full Landscape Visual Assessment ('LVA') and Landscape Masterplan prepared by HW&Co (January 2024), the full details of which are included within the application submission pack.
- 5.2.5 In summary, the assessment concludes the open views along the north western and eastern boundaries allow clear open views and protect the sense of place in the Landscape Assessment for this area. These open views have been retained from the access road into the site from the south, all the way through the circulation road around the site to the west and north.
- 5.2.6 The layout has been designed with the open views to the surrounding landscape to the north and west of the site being retained through the incorporation of a circular walkway around the perimeter of the site. This walkway has been designed with a strong vegetation boundary on the internal aspect of the site. This landscape buffer is key to retaining views from the perimeter footway out into the open countryside whilst obscuring the built form within the internal make up of the subject site.
- 5.2.7 The water network and ditches have been retained and enhanced with a pedestrian route around the site, enhancing the sites biodiversity and enjoyment of the views out of the site by all users of it. The south eastern entire frontage vegetation is to be retained and enhanced through management of the Clobdsen Sewer.
- 5.2.8 In summary, for these reasons outlined, and in recognition that further detailed design will be carefully considered as part of a subsequent reserved matters application, the amended proposals are considered to fully address the previous reason for refusal and are both appropriate in landscape terms and consistent with strategic policies SS1 and SS3 of the Core Strategy Review (2022) and the landscape requirements of policies NE3 and HB1 of the Places and Policies Local Plan (2020) and policy CSD4 of the Core Strategy Review (2022).

5.3 MATTERS AGREED TO BE ACCEPTABLE

- 5.3.1 Following the determination of the previous planning application, the below matters are considered to have been agreed as acceptable.

Ecology

- 5.3.2 The amended application is supported by an updated pack of supporting ecology reports prepared by Native Ecology including an Ecological Impact Assessment Report, Protected Species Survey Report and Biodiversity Net Gain Design Stage Report.

- 5.3.3 The documents suggest the presence or activity of a number of protected species including bats, water voles, and Great Crested Newts and suitable habitats for invertebrates. The reports set out detailed mitigation measures and recommendations for ecological enhancements which can be secured by way of a suitably worded condition.
- 5.3.4 In terms of biodiversity net gain, the biodiversity net gain assessment shows that current development proposals result in a -21.30% loss in the biodiversity value of habitats units, a 552.28% gain in the value of hedgerows and a 40.74% gain in the value of watercourse units. The trading summary results show that there is 17.32 deficit in other neutral grassland.
- 5.3.5 17.32 units of other neutral grassland will be purchased from a 3rd party supplier. This will satisfy the habitat trading rules and achieve a substantial net gain in habitat units (approximately 44% depending on the location of off-site land). A Biodiversity Gain Plan will be produced on receipt of planning permission to detail the specifics of the off-site unit purchase.
- 5.3.6 Subject to the above mitigation measures and enhancement, there are not considered to be any ecological-based reasons to resist the amended proposals.

Flood Risk and Drainage

- 5.3.7 This outline application is supported by an updated Flood Risk Assessment and Drainage Strategy (January 2024) prepared by Herrington Consulting Ltd which considers flood risk to the site, flood risk mitigation measures and Surface Water and Foul Water Management Strategy.
- 5.3.8 With respect to flood risk, the risk of flood has been considered across a wide range of sources and it has been identified that the risk of flooding is low. The development site currently benefits from existing defence infrastructure, which provides a 1 in 200 year standard of protection over the next 100 years and therefore, it is only in the unlikely event that the defences were to fail that the development site could be affected by flooding.
- 5.3.9 On this basis, the following flood mitigation measures have therefore been recommended to ensure that the risk of flooding to the proposed development under this extreme scenario is appropriately managed, and to ensure that the development does not increase the risk of flooding offsite:
- The sequential approach should be applied by avoiding development in the areas of site with the greatest hazard classification, where possible.
 - The ground floor should be raised 300mm above the design flood level of 2.72m AODN. Sleeping accommodation should be 600mm above the flood level.

- The ground floor of the dwellings should be constructed using flood resilient design techniques.
 - The residents of the dwellings should sign up to the EA's Flood Warning Service.
 - Surface water runoff from the proposed development should be managed using SuDS.
 - Foul effluent from the development should be managed using the public sewer system.
- 5.3.10 With the above mitigation measures in place, the proposals will meet the requirements of the NPPF and can pass Part B of the Exception Test. The development will therefore be acceptable and sustainable in terms of flood risk.
- 5.3.11 In terms of the Sequential Test and consideration of Part A of the Exception Test, an updated Sequential Test Assessment prepared by DHA Planning is submitted in support of the amended application. The assessment demonstrates that we have considered in detail whether there are any other reasonably available sites that are in an area of lower flood risk that are capable of accommodating the proposed development.
- 5.3.12 By taking a comprehensive approach to the assessment of sites, it is concluded that there are no suitable sites within the Romney Marsh Character Area that are available or capable of delivering a similar scale of development to that proposed at land at High Knock Farm, Dymchurch within five years. The sequential test has therefore been passed.
- 5.3.13 In determining the outcome of the exception test, it is demonstrated that the proposal delivers significant planning benefits which cannot be replicated elsewhere and will support the role of Dymchurch as a rural centre in accordance with the first criterion of the exception test.
- 5.3.14 The accompanying Flood Risk Assessment demonstrate that a safe environment will be created for residents and the development will not increase the risk of flooding elsewhere in accordance with policy set out in the NPPF (which acknowledges that where it is necessary to develop in areas of highest flood risk 'the development should be made safe for its lifetime without increasing flood risk elsewhere'). This therefore satisfies the second criterion of the exception test. The exception test has therefore been met.

Highways, Access and Parking

- 5.3.15 The application is supported by a Transport Assessment (October 2021) prepared by Considine Ltd. For the avoidance of doubt, this assessment was prepared in relation to the previous up to 132 dwellings scheme, however on the basis that the 132 dwelling scheme was considered acceptable by KCC Highways and in the

absence of an outstanding highways concern, the revised proposals which reduce the number of dwellings to 125, the conclusions contained within the 2021 report are considered to remain relevant.

- 5.3.16 The assessment provides guidance on the parking and servicing requirements for the proposed development; the overall sustainability of the additional dwellings in transport terms; and any highway related issues related to the proposal.
- 5.3.17 For clarity, it is confirmed that the application remains outline with all matters reserved including access details. On this basis, a Road Safety Audit is not required as confirmed by Tony Jenson (KCC Highways) by email on the 25th January 2024. Details of relevant correspondence may be provided on the Council's request.

Accessibility

- 5.3.18 The local area is readily accessible by footway on both sides of A259 Dymchurch Road. This means Dymchurch Village centre some 5 minute walk distance, can readily be reached on foot. Hythe is some 20 minute cycle distance. Public Right of Way (PROW) 'HM139' is the nearest public footpath to the site and runs in a north to south direction parallel with the coastline and beach. There are other PROWs with easy reach of site that offer opportunities for leisure activity which would be beneficial to public health.
- 5.3.19 In terms of public transport, the nearest bus stops are on A259 Dymchurch Road, close to the site. Services every 20 minutes are provided to towns and villages including Dover, Folkestone and Dungeness. There is also a route that serves Harvey Grammar School in Folkestone. Folkestone West, Folkestone Central and Sandling are the nearest National Rail stations to the site. They are on the South Eastern Main line from London Charing Cross and London St Pancras with frequent services connecting Kent towns including Tonbridge, Ashford International, Folkestone Central and Ramsgate.

Access Arrangements

- 5.3.20 Access details remain reserved, however the indicative proposed access comprises a T-junction off A259 Dymchurch Road. The access will bridge the watercourse running parallel with the A259. Vehicle swept path drawings in Appendix B of the submitted Transport Assessment show refuse vehicle and HGV movements can be accommodated through the site access. A signalised pedestrian crossing of the A259 is proposed which is to be located between the existing bus stop lay-bys north of the proposed access and is subject to detailed design. This will be provided to ensure that safe access to sustainable transport is possible and has been requested by Kent Highways during pre-app discussions. Emergency access is proposed from the existing site access off Marshlands, a street within the residential area to the north of the site. Swept path analysis of a fire tender through the development are also demonstrated.

Vehicle and Cycle Parking

- 5.3.21 Parking provision is in accordance with standards set out in KCC's Interim Guidance Note (IGN) 3 which requires minimum standards for a 'suburban edge/village/rural' location. The proposed car parking provision includes 250 allocated spaces, 25 visitor spaces and 12 additional tandem visitor spaces.
- 5.3.22 The proposed development layout shows that the overall proposed parking provision comfortably exceeds the required minimum standard provision.
- 5.3.23 In the absence of more current cycle parking standards, those in the Kent and Medway Parking Guide (SPG4) have been used. The standard for individual house units is one space per bedroom and one space per unit for flats. Based on these standards a total of 378 cycle parking spaces are required for the development.
- 5.3.24 Cycle parking provision would be provided within the curtilage of the residential dwelling. Where a garage is provided, it would be of a suitable size to accommodate the required cycle parking provision. For the flats, there will be communal cycle stores.

Vehicle Trips and Highways Safety

- 5.3.25 The personal injury accident records for the highways surrounding the site for a recent 5 year period have been examined. There were no accidents on the highways immediately adjacent to the Site and an isolated accident along the A259 away from existing side road junctions. There is no reason to suppose that the proposed development will compromise the level of safety on the highway.
- 5.3.26 The proposed site (on the maximal basis of an up to 132 dwelling scheme) is predicted to generate just over 60 No 2-way vehicle movements in both weekday AM and PM peak hours which equates on average to about one additional vehicle movement every minute during the peak hours. It can be reasonably assumed that the reduction in the site capacity to a maximum of 125 dwellings would result in a minor reduction to the predicted vehicle trip generation figures.
- 5.3.27 Junction capacity assessments carried out for the 2031 'with development' scenario indicate that the junctions in the study area can accommodate the predicted number of vehicular trips generated by the development without the need for off-site highway junction improvements.
- 5.3.28 In accordance with the NPPF requirements, on balance, the impact on highway safety, or the residual cumulative impacts cannot justifiably be considered severe, and accordingly the development proposals are acceptable in highway terms.

Structural Assessment (Access Bridge)

- 5.3.29 A Structural Assessment (March 2021) prepared by Considine Ltd is submitted in support of the application to assess a structural solution for the new access road over the watercourse 'Clobsden Sewer' fronting the site.

5.3.30 The full details are included within the submitted report, however for ease of reference, the core conclusions of the Structural Assessment are set out below.

- The existing structural solutions in close proximity would not be likely to be accepted today by either the County Council or the Environment Agency due to general suitability or environmental impact of the construction.
- There are typically two precast forms available – an arch and a square portal and an example of each has been shown in the report.
- A precast clear spanning solution will leave the main channel of the watercourse undamaged and will provide for a simple structure to maintain in perpetuity which should be acceptable to both the Environment Agency and Kent County Council.
- A minimum soffit level of 2.3m AOD is recommended to ensure consistency with the structures upstream and downstream of the proposed crossing point.

Residential Amenity

- 5.3.31 With regards to residential amenity, the dwellings have been positioned within the site to retain adequate separation with neighbouring properties and orientated to avoid any direct overlooking. Moreover, future residents would benefit from an excellent standard of internal accommodation and large private gardens.
- 5.3.32 By virtue of the separation distances and degree of boundary screening, appropriate residential amenity is considered to be secured between the proposed dwellings and existing development.
- 5.3.33 Furthermore, the proposal would achieve high-quality design consistent with the surrounding area and architecture. It would also secure adequate amenities for existing and future occupiers of land and buildings in the vicinity, through the siting, orientation and design of the dwellings proposed.
- 5.3.34 Moreover, the proposed site layout is of a highly permeable design that includes a high-quality cycle/circulation path throughout the site that provides direct, attractive and off-street movement throughout the site, connecting to off-site pedestrian and cycle networks in accordance with the objectives of policy HW4 which seeks to promote and encourage active travel.
- 5.3.35 It is therefore established that the proposals would provide an excellent standard of accommodation for future residents and would not result in detrimental impacts to neighbouring amenity in accordance with policy HB1 of the Places and Policies Local Plan.

Agricultural Land

- 5.3.36 Following the determination of the previous planning application, it agreed that the majority of the site is classified as 'urban' by the Agricultural Land Classification with only a narrow section to the west within Grade 3.
- 5.3.37 Overall, it is not considered that the development would result in the loss of a significant amount of good quality agricultural land in accordance with paragraph 180 of the NPPF.

Trees

- 5.3.38 In terms of arboricultural impacts, an appropriate buffer and protection measures in relation to the trees along the south-western boundary could be addressed within the reserved matters and secured via condition.

Contamination

- 5.3.39 The application is supported by a Phase 1 Ground Conditions Desk Study Report (October 2021) which identifies that there is a risk of groundwater flooding on the site. Given the geology, it is advised that soakaways are unlikely to be suitable for surface water management and it is assumed that surface water will be positively discharged to the existing sewer network.
- 5.3.40 In terms of contamination risk, based on the previous usage of the site for agricultural purposes and grazing, there could potentially be metals, fertiliser and pesticides remaining within the near surface soils.
- 5.3.41 It is advised that representative samples of the soils that are to remain on site be sampled and tested during the geotechnical investigation to ensure they are suitable for retention on site in gardens and landscaped areas.
- 5.3.42 The British Geological Survey have assessed that no radon protection measures are required.
- 5.3.43 It is reasonable to assume negligible amounts of Made Ground will be encountered on site. If Made Ground is encountered or if any contamination is identified it is suggested that testing is carried out for a range of contaminants including asbestos, heavy metals, PAH and TPH.

Archaeology

- 5.3.44 The outline application is supported by an updated Archaeological Assessment V2 (January 2024) undertaken by Canterbury Archaeological Trust in order to assess the extent and nature of any extant heritage assets and archaeological evidence within and near the Proposed Development Area.

- 5.3.45 The assessment identifies that there is potential that extant archaeological features, artefacts or ecofacts may be disturbed or destroyed by groundworks within the PDA. The destruction of preserved archaeology without proper record risks a negative impact on the historic environment.
- 5.3.46 Accordingly, a programme of archaeological evaluation is to be carried out in liaison with the Local Authority Archaeologist, so as to establish the presence or absence of buried archaeological remains. Depending on the formation depth of planned groundworks, a geoarchaeological component to the evaluation may be required, in order to understand potential impacts on significant Pleistocene sediments and their relationship to the palaeogeography of the area.

Sustainability

- 5.3.47 At the heart of the NPPF is the presumption in favour of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 5.3.48 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent 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). These being 'economic, social and environmental objectives'.
- 5.3.49 An economic role includes contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation. In this respect, the site is suitable, sustainable, available and deliverable for development, and would help contribute to the area's immediate housing need.
- 5.3.50 Household expenditure generated by future residents will help to support economic activity locally and help to sustain the jobs and services within the local area which is otherwise highly reliant on the local tourism industry. The new dwellings will also contribute to the public purse in respect of Council Tax and the New Homes Bonus.
- 5.3.51 A social objective includes supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 5.3.52 The proposed development seeks to provide for a high quality residential development to meet the needs of the local population. The proposed development would provide 125 sustainably located additional market and affordable homes to meet this demand and therefore can positively contribute towards the social role identified in the NPPF.

- 5.3.53 From an environmental perspective, development here would result in new built form in existing countryside. However, this would be true of any greenfield development in the Dymchurch area which is highly constrained by high flood hazard ratings (SFRA Maps 2015). This site to the southwest of the Dymchurch settlement boundary is of significantly lesser vulnerability and is submitted as one of the most suitable locations for new residential development. The proposals are well-located in order to promote the use of active travel and public transport and feature a strongly landscape-led design incorporating significant ecological enhancement.
- 5.3.54 In summary, we consider that the application represents a sustainable form of development.

5.4 PLANNING BALANCE

- 5.4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 5.4.2 For the reasons set out within this Statement, the revised proposals are demonstrated to be in accordance with the strategic objectives and overarching spatial priorities of development plan policies SS1 and SS3 of the Core Strategy Review (2022) and in accordance with relevant development plan policies SS5, CSD1, CSD2, CSD3, CSD4 and CSD5 of the Core Strategy Review (2022) and policies HB1, HB3, HB4, C1, C3, C4, NE2, NE3, NE5, NE7, T2, T4, CC3, HE2 and HW3 of the Places and Policies Local Plan (2020) and are consistent with the relevant sections of the National Planning Policy Framework (2023).
- 5.4.3 The amended proposals have also been carefully prepared in response to the feedback received during the determination of the previous application and directly address the single reason for refusal by way of a reduction in scale and alterations to the layout and landscaping to increase openness and further reduce the impact of the development on the character of the area.
- 5.4.4 It is acknowledged that the site is located outside of the defined settlement boundaries of Dymchurch. Nonetheless, the application site represents a logical, highly accessible southern extension to the settlement that is exceptionally well-related to the rural centre and a range of day-to-day facilities and services to which the proposals would both help sustain and contribute to their enhancement, a matter that was fully endorsed by the Council's officers in their previous recommendation for approval.
- 5.4.5 We acknowledge the Flood Zone 3 designation of the site (albeit benefiting from recently upgraded flood defences); however, the whole of Dymchurch and the overwhelming majority of the wider Romney Marsh Area is affected by this constraint and it has been demonstrated through the submission of a Flood Risk Assessment and Sequential Test Assessment that the application site is suitable

for development and one of the least vulnerable sites where new development could reasonably be located.

- 5.4.6 The Council's Housing Delivery Action Plan (2021) further identifies the limited opportunities for well-contained development within the Romney Marsh area and a lack of small and medium sites in the district as key limiting factors to the delivery of new homes in Folkestone & Hythe.
- 5.4.7 On this basis, the proposed development's location outside of (albeit immediately adjacent to) the existing settlement boundaries and logically located within the defensible boundaries of the A259, RH&DR railway line and residential development to the north (Marshlands) and south (High Knocke Estate) is considered suitable given the need for new housing and decreasing supply of otherwise suitable sites. Moreover, the opportunity to deliver highly sustainably located major new residential development in the Romney Marsh Area where there are significant available active travel and public transport opportunities further weigh in favour of the grant of consent.
- 5.4.8 Since the determination of the previous application, the Government's updated NPPF was published in December 2023. The updated NPPF no longer requires Local Planning Authorities with adopted Plans that are less than five years old to identify and update annually a five-year housing land supply. However, the Framework continues to place emphasis on the Government's core policy objective to significantly boost the supply of new housing.
- 5.4.9 The Council's previously published housing land supply position prior to the update of the NPPF as of 1st April 2022 was 5.1 years (AMR, 2022). The Council's ability to demonstrate a five-year housing land supply has subsequently been supported in a recent appeal decision 'APP/L2250/W/23/3314153' published 17th January 2024.
- 5.4.10 The Council's housing delivery record however remains less than favourable. The HDT 2021 result published in January 2022 was 85%, requiring the Council to prepare an Action Plan identifying the reason for under-delivery and setting out a remedial strategy to boost delivery in the next HDT.
- 5.4.11 The Action Plan identified five main barriers to delivery in the District. These were identified to include significant physical constraints, particular in the Romney Marsh area as well as a limited supply of small and medium sites and large-scale infrastructure requirements limiting the delivery of sites.
- 5.4.12 Whilst the Action Plan identifies key steps to remedy the under-delivery, including the adoption of the Core Strategy Review and the long-term delivery of Otterpool Park garden settlement within the Council's control. However, following a 12-month delay in its publication, the 2022 HDT published in December 2023 confirmed that the Council's delivery position has only marginally improved to 87%, equating to an increase of just 27 dwellings over a three-year rolling period and again requiring the publication of an Action Plan.

- 5.4.13 Whilst the Council's housing land supply position remains marginal and delivery continues to fall short with delays to Otterpool Park, it is necessary to ensure a robust supply of new homes on a range of suitable sites are granted across the borough. This is critical if the Council are to avoid the presumption in favour being engaged by virtue of poor delivery, and when the Plan becomes five years old by virtue of inadequate supply
- 5.4.14 In this context, Land at High Knocke represents a sustainably located edge-of-settlement development site, with clear defensible boundaries and no absolute constraints to development capable of coming forward. The site can be delivered consistent with the predominant development pattern and is exceptionally well-located in terms of public transport and active travel opportunities.
- 5.4.15 The further benefits of the scheme include the delivery of up to 125 new dwellings of which 22% would be affordable in a highly sustainable location. Additional benefits include securing substantial ecological enhancements across the site and the associated economic and social benefits the provision of new homes and residents will afford to the community vitality of Dymchurch and to the economic prosperity of local businesses in the local area, which is otherwise heavily reliant on the seasonal tourism industry.
- 5.4.16 In respect of wider matters, the site layout has been carefully designed to respond positively to the surrounding environment in terms of scale, siting and landscape integration. Safe and suitable access to the site can be achieved and no adverse ecological or heritage impacts are anticipated.
- 5.4.17 It is also important to stress that the previous planning application was recommended for approval on a flat planning balance. On the basis that the amended design addresses the previous reason for refusal and the benefits of the scheme outweigh any harm and justify the grant of consent, we therefore respectfully request that the application be approved.

6 CONCLUSION

6.1 SUMMARY

- 6.1.1 This Planning Statement has been prepared by DHA Planning on behalf of Redbridge Estates Ltd in support of an amended outline planning application for the proposed development of up to 125 dwellings and associated infrastructure and landscaping on land adjoining High Knocke Farm.
- 6.1.2 This planning application comprises an amended and reduced scheme of 125 dwellings, prepared following the refusal of planning permission for a scheme of 132 dwellings (application ref: 21/25/25/FH’).
- 6.1.3 The site is located outside of the defined settlement boundary of Dymchurch and therefore for the purposes of planning is considered ‘countryside’ where policies of restraint generally apply. Nonetheless, the application site represents a logical, highly accessible southern extension to Dymchurch that is exceptionally well related to the settlement centre and a range of day-to-day facilities and services.
- 6.1.4 We acknowledge the Flood Zone 3 designation of the site (albeit benefiting from recently upgraded flood defences); however, the whole of Dymchurch and the overwhelming majority of the wider Romney Marsh Area is affected by this constraint. It is therefore unrealistic to assume that the development needs of settlements within the Romney Marsh area can be met wholly on Flood Zone 1 or 2 land, particularly given the inherently rural nature of much of the land, otherwise impacted by wider ecological constraints.
- 6.1.5 This being the case, it is demonstrated through the submission of the supporting Flood Risk Assessment and Sequential Test Assessment with the inclusion of detailed SFRA mapping, that the application site is suitable for development and one of the least vulnerable sites where new development could reasonably be located. Detailed modelling beyond the scope of the Environment Agency strategic level ‘flood map for planning’ confirms that the overall risk of flooding is ‘low’ and the proposed development can nonetheless be made safe throughout its lifetime through the use of comprehensive mitigation measures.
- 6.1.6 The previous application was refused planning permission by Members of FHDC’s planning committee, contrary to the recommendation of Officers citing a single reason for refusal in relation to the scale and location of the proposal and the impact of the development on the character and openness of the countryside.
- 6.1.7 Accordingly, this amended scheme now seeks consent for an alternative scheme of reduced scale and reconfigured layout and landscaping which seeks to respond positively to the previous reason for refusal by:

- Opening up the scheme with large vista perforations further separating groups of dwellings and providing a central through view from the sea wall to open countryside;
- Re-locating frontage dwellings further back from Dymchurch Road to make way for a widened planting and screen belt fronting Clobdsen Sewer;
- Expanding further the scale and usability of the public open space in the centre of the site; and
- Enhancing and reconfiguring the perimeter landscaping and tree screening to reduce the perception of the development when viewed from all sides and facilitating the creation of an organic perimeter and internal pathway network and nature trail with opportunities for further ecological enhancement.

6.1.8 Whilst the Council are understood to be able to demonstrate a five-year housing land supply, the Council's housing delivery record however remains less than favourable and has improved just 2% following the publication of the Action Plan.

6.1.9 Whilst the Council's housing land supply position remains marginal and delivery continues to fall short it is necessary to ensure a robust supply of new homes on a range of suitable sites are granted across the borough. This is critical if the Council are to avoid the presumption in favour being engaged by virtue of poor delivery, and when the Plan becomes five years old by virtue of inadequate supply,

6.1.10 In this regard, Land at High Knocke represents a sustainably located edge-of-settlement development site, with clear defensible boundaries and no absolute constraints to development capable of coming forward. The site can be delivered consistent with the predominant development pattern and is exceptionally well-located in terms of public transport and active travel opportunities and will assist in diversifying the vitality and viability of Dymchurch as a predominantly tourism-orientated rural service centre.

6.1.11 For the avoidance of doubt, the clear public benefits include the following:

- The delivering of up to 125 new homes, including a policy compliant quantum of affordable housing.
- The provision of up to 125 dwellings on an unconstrained site will make a valuable contribution to the Council's marginal five-year housing land supply position and assist in improving the present under-delivery. There is clear evidence that a robust supply of windfall development sites such as that of the Applicant's is necessary in order for the Council's housing position to be maintained and/or recovered.
- The revised proposals will deliver new residential development in a highly sustainable location adjacent to the rural centre of Dymchurch, capable of

both sustaining and enhancing the provision of services and facilities and supporting the vitality of the rural community.

- The application site is located adjacent to high-quality pedestrian and cycle infrastructure and in close proximity to bus stops frequently served by routes between New Romney and Folkestone. The proposals therefore increase opportunities for people to travel via sustainable and active modes.
- The application site comprises a relatively rare opportunity in Dymchurch capable of development in an area at low risk of flooding.
- The amended proposals provide greater opportunities for a strongly landscape-led scheme appropriate within the Romney Marsh coast local landscape character subarea and will retain key views, introduce and reinforce internal and boundary landscaping and increase opportunities for significant ecological enhancement.
- There are otherwise no environmental, heritage or highways reasons to resist development and the proposals can be delivered without detrimental impact upon neighbouring residential amenity.
- The amended proposals will continue to make a significant contribution to local facilities and services in the form of CIL and S106 payments, local employment, Council Tax and the New Homes bonus.

6.2 CONCLUSION

- 6.2.1 The proposed development comprises a landscape-led 125 dwelling scheme with policy compliant affordable housing and includes the provision of significant ecological and landscape enhancements and public open space. For the reasons set out within this Statement, the proposals are considered to be in accordance with the objectives of the key local and national policies.
- 6.2.2 In summary, we acknowledge that there are sensitive matters to be balanced. However, the revised proposals are well-informed and we firmly consider that the numerous identified public benefits of the latest proposals outweigh any limited perceived degree of harm.
- 6.2.3 Consequently, we consider that the circumstances justify this sensitive and well-planned development.