

[REDACTED]

From: [REDACTED]
Sent: 25 April 2024 12:20
To: [REDACTED]
Subject: Re: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hi [REDACTED]

Thank you for your understanding throughout. I do have an update, and unfortunately following the meeting it was resolved to recommend refusal. I am therefore urgently writing my report to ensure this can be heard at May's committee to prevent any additional delays for your client.

I'm just finishing up two minor reports before my team leader finishes for the weekend, would it be okay to call you at 2pm? or after 3?

Sorry to be so specific,

thank you

From: [REDACTED]<[REDACTED]@rebusplanning.co.uk>
Sent: 24 April 2024 18:01
To: [REDACTED]<[REDACTED]@DOVER.GOV.UK>
Subject: FW: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello [REDACTED]
Do you have an update please?
Your 'treatment' of our application has been most appreciated, but I know that matters may be outside of your control.
My clients really do deserve to understand how the LPA is to consider this application and so we welcome an urgent update.

I would also welcome a conversation with you, should you wish to call – please do on the number below.
Kind regards

[REDACTED]

[REDACTED] [REDACTED]
Rebus Planning Solutions
Tel. 01304 697077
Rebus Planning Solutions Ltd. Studio 24, Honeywood Parkway, White Cliffs Business Park, Dover CT16 3QX
Co. Reg. No. 10406180. Registered in England & Wales at : Office 1 Upstairs, Yew Tree Farm, Stone Street, Stanford, Kent TN25 6DH

From: [REDACTED]
Sent: Tuesday, April 23, 2024 11:05 AM
To: [REDACTED]<[REDACTED]@DOVER.GOV.UK>; [REDACTED]<[REDACTED]@DOVER.GOV.UK>
Subject: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Dear [REDACTED] and [REDACTED]

I refer to the above and my telephone conversation with [REDACTED] of last Friday. [REDACTED] advised that you are due to discuss our application with senior officers given that it is a finely balanced case. I understand that you are minded to recommend approval albeit that other officers are minded to recommend refusal and given this, please accept this further information as forming part of our formal submission.

Access

I understand that, at least, one officer is of the view that although our site is served by a new 'Stagecoach Connect' bus service that this is insufficient, in itself, to render the site as sustainable in transportation terms. I was advised that the LPA has successfully defended one or two recent appeals for housing proposals on rural bus routes with an Inspector/Inspectors opining that an irregular bus service is not sustainable. Notwithstanding the fact that national planning policy promotes rural housing so that services and facilities can be better supported in order to sustain them, I cannot agree that a 'demand response' form of transportation is not sustainable. In this regard, I draw your attention to paragraph 3.241 of the emerging Local Plan. With the Plan promoting the demand-responsive transport bus service, and advising that it will be extended to rural areas beyond Aylesham if successful, then surely with the District's own Development Plan promoting such a service, this must be considered as a sustainable form of transportation!?

I would also like to draw your attention to the attachment to this email. This document is an extract from *The National Bus Strategy – Kent Bus Service Improvement Plan* prepared by Kent County Council wherein initiative: ADMI 5 advises that "KCC and Kent's bus operators will consider the role that DRT, feed services and other alternative modes can play in solving rural connectivity issues".

The initiative stems from experience already gained in Kent from the launch of the 'Go 2' DRT scheme in Sevenoaks and the actual replacement of some end-to-end bus services with feeder services which, KCC advise, supports their view that in some cases these alternatives provide better solutions than conventional bus services "*particularly in rural areas*".

I do encourage officers to consider the attached and the fact that Kent's own highway authority should be promoting 'Stagecoach Connect' as meeting the aims and aspirations of the County transportation programme.

Consistent Decision Making

It is, of course, recognised that each case must be considered on its own merits. We again make reference to the gypsy/traveller site on land north of Eastling Down Farm Cottages, east of Sandwich Road Waldershare (DOV/21/00731) wherein it was determined that the site was sustainable because "*the 88A Stagecoach bus passes the site between Dover and Sandwich and is understood to be a weekday, peak hour bus service*".

At paragraph 2.8 of the Officer's Report (attached) it is stated that "*Given the distance to the nearest settlement and proximity to local services and facilities, and the limited bus service to the site, there is no genuine, alternative choice as a means of transport (other than by private car) and the proposal is considered to be in conflict with ... Policy DM 7*". However, later in the report (paragraph 2.43) the Officer states "*This conflict with the Development Plan is tempered by a number of factors. The site is on a bus route, and it is not in a 'remote location'*".

We would add that Stagecoach's 'conditions of carriage' advises that "*In certain areas there are no designated bus stops and, in those areas, buses will stop on request where it is safe to do so*". Whilst there may be no permanent bus stop at Eastling Down Farm, we can advise that for many years visitors to Eastling Down Farm (the campsite) have stopped on request at the entrance of Eastling Down Farm and when we consider both the DRT now in operation and the fact that Eastling Down Farm is on the same bus route as the gypsy/traveller site considered under DOV/21/00731, a refusal of this application and the grounds that it is located in an unsustainable location will appear as a striking inconsistency in the LPA's decision making process.

Allocation -v- Confines

Bearing in mind that the site lies within the defined urban confines in the adopted Plan, and within an allocation that will, subject to Main Modifications, be found sound in the emerging Plan, we continue to assert that the site lies within a sustainable location given the above.

We look forward to hearing from you once you and your colleagues have discussed our application.

Kind regards


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[REDACTED]

From: [REDACTED]@rebusplanning.co.uk>
Sent: 25 April 2024 12:48
To: [REDACTED]
Subject: RE: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello [REDACTED]
OK – thank you for the update.

Please call when you can. I shall be here today until 5
Thank you

[REDACTED]

[REDACTED]

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All GCSx (Government Connects Secure Extranet) traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

Dover District Council is a data controller under GDPR. Our privacy notice at www.dover.gov.uk/privacy explains how we use and share personal information and protect your privacy and rights.

[REDACTED]

From: [REDACTED]@rebusplanning.co.uk>
Sent: 03 May 2024 17:03
To: [REDACTED]
Cc: [REDACTED]
Subject: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello [REDACTED]

Further to the above -

A gentle reminder that you were going to ask for the appeal case or cases that you were referred to by your Team leader/colleague relating to unsustainable sites on existing bus routes.

We would be pleased to receive those at the earliest opportunity.

Thank you and all the best for the bank holiday weekend

[REDACTED]

[REDACTED] [REDACTED]

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[REDACTED]

From: [REDACTED]@kent.gov.uk
Sent: 07 May 2024 12:28
To: [REDACTED]; DDC SupportAssistants
Subject: Response To Application Number DOV/23/01441 at Eastling Down Farm, Sandwich Road, Waldershare, Dover
Attachments: Response_DOV-23-01441.pdf

Hello [REDACTED]

Please find attached my representation in relation to the above planning application.

Kind Regards,

[REDACTED]

Kent County Council



Dover District Council
White Cliffs Business Park
Dover
Kent
CT16 3PJ

Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 03000 418181
Date: 7 May 2024
Our Ref: ED

Application - DOV/23/01441

Location - Eastling Down Farm, Sandwich Road, Waldershare, Dover

Proposal - Outline application for the erection of four dwellings with associated parking and landscaping (all matters reserved apart from access)

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway

approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Yours Faithfully

Director of Highways & Transportation

*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Sent: 03 May 2024 17:03
To: [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@DOVER.GOV.UK>
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Hello [REDACTED]
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[REDACTED]

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 08 May 2024 20:32
To: [REDACTED]
Subject: Re: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hi [REDACTED]

Sorry I've been [REDACTED] and then working on an appeal this week.
I have the reference numbers so I'll forward them on in the morning when I'm at my desk.

The readvertisement was due to lack of response from statutory consultees. I assume there was an error when they were first sent so just making sure I've done everything I need to.
Highways have come back already saying they don't need to comment, so assume the others won't raise anything additional.

Thank you again for your patience,

Best wishes
[REDACTED]

Sent from [Outlook for iOS](#)

From: [REDACTED]@rebusplanning.co.uk>
Sent: Wednesday, May 8, 2024 5:06:13 PM
To: [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>
Subject: RE: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello again [REDACTED] / [REDACTED]
Another reminder that we have still not received any details of the comparable 'sustainable location' case/s that have assisted the LPA in determining that this application.
Given that the application will be considered by Members next week, could I please receive these details ASAP?

Also – can you please shed any light on why the LPA has carried out further consultation (24th April). Was there something missing from the first round of consultation?

Thank you, I look forward to hearing from you soon
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[REDACTED]

From: [REDACTED]@rebusplanning.co.uk>
Sent: 08 May 2024 21:14
To: [REDACTED]
Subject: RE: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello [REDACTED]
How lovely – I hope you had a good time!

Thank you – I look forward to receiving the details.

[REDACTED]

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[REDACTED]

From: [REDACTED]@rebusplanning.co.uk>
Sent: 09 May 2024 16:31
To: [REDACTED]
Subject: RE: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Thank you [REDACTED]

[REDACTED]
[REDACTED]
Rebus Planning Solutions

Tel. 01304 697077

Rebus Planning Solutions Ltd. Studio 24, Honeywood Parkway, White Cliffs Business Park, Dover CT16 3QX

Co. Reg. No. 10406180. Registered in England & Wales at : Office 1 Upstairs, Yew Tree Farm, Stone Street, Stanford, Kent TN25 6DH

From: [REDACTED]@DOVER.GOV.UK>
Sent: Thursday, May 9, 2024 2:06 PM
To: [REDACTED]@rebusplanning.co.uk>
Subject: Re: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hi [REDACTED]

The reference numbers are:

22/00967 - Little Shatterling Farm, Roman Road, Shatterling which has a recent appeal decision

21/01560 - The Frog and Orange, Roman Road, Shatterling - refused but no appeal

24/00106 - Shatterling Cottage, Roman Road, Shatterling - This has also been recently refused but has not yet had an appeal lodged etc. but helpful for context and decision making

Best wishes

[REDACTED]

From: [REDACTED]@rebusplanning.co.uk>
Sent: 08 May 2024 21:14
To: [REDACTED]@DOVER.GOV.UK>
Subject: RE: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello [REDACTED]

How lovely – I hope you had a good time!

Thank you – I look forward to receiving the details.

[REDACTED]
[REDACTED]
Rebus Planning Solutions

Tel. 01304 697077

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Co. Reg. No. 10406180. Registered in England & Wales at : Office 1 Upstairs, Yew Tree Farm, Stone Street, Stanford, Kent TN25 6DH

From: [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>
Sent: Wednesday, May 8, 2024 8:32 PM
To: [REDACTED] <[\[REDACTED\]@rebusplanning.co.uk](mailto:[REDACTED]@rebusplanning.co.uk)>
Subject: Re: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hi [REDACTED]

Sorry I've been [REDACTED] and then working on an appeal this week.
I have the reference numbers so I'll forward them on in the morning when I'm at my desk.

The readvertisement was due to lack of response from statutory consultees. I assume there was an error when they were first sent so just making sure I've done everything I need to.
Highways have come back already saying they don't need to comment, so assume the others won't raise anything additional.

Thank you again for your patience,

Best wishes
[REDACTED]

Sent from [Outlook for iOS](#)

From: [REDACTED] <[\[REDACTED\]@rebusplanning.co.uk](mailto:[REDACTED]@rebusplanning.co.uk)>
Sent: Wednesday, May 8, 2024 5:06:13 PM
To: [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>
Cc: [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>; [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>
Subject: RE: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello again [REDACTED] / [REDACTED]
Another reminder that we have still not received any details of the comparable 'sustainable location' case/s that have assisted the LPA in determining that this application.
Given that the application will be considered by Members next week, could I please receive these details ASAP?

Also – can you please shed any light on why the LPA has carried out further consultation (24th April). Was there something missing from the first round of consultation?

Thank you, I look forward to hearing from you soon
[REDACTED]

[REDACTED]
Rebus Planning Solutions

Tel. 01304 697077
Rebus Planning Solutions Ltd. Studio 24, Honeywood Parkway, White Cliffs Business Park, Dover CT16 3QX
Co. Reg. No. 10406180. Registered in England & Wales at : Office 1 Upstairs, Yew Tree Farm, Stone Street, Stanford, Kent TN25 6DH

From: [REDACTED]
Sent: 03 May 2024 17:03
To: [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>
Cc: [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>
Subject: DOV/23/01441 - land at Eastling Down Farm, Sandwich Road, Waldershare

Hello [REDACTED]
Further to the above -

A gentle reminder that you were going to ask for the appeal case or cases that you were referred to by your Team leader/colleague relating to unsustainable sites on existing bus routes.
We would be pleased to receive those at the earliest opportunity.

Thank you and all the best for the bank holiday weekend

██████████
██████████ ████████████████████
Rebus Planning Solutions

Tel. 01304 697077

Rebus Planning Solutions Ltd. Studio 24, Honeywood Parkway, White Cliffs Business Park, Dover CT16 3QX

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From: [REDACTED]@rebusplanning.co.uk>
Sent: 10 May 2024 12:29
To: [REDACTED]
Cc: [REDACTED]
Subject: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Importance: High

Dear [REDACTED] / [REDACTED]
On behalf of the Applicant [REDACTED] – I must request the postponement of the above-mentioned application form being placed before Members of the Planning Committee next Thursday, and for the following reasons.

Having now received the Committee Report, I am extremely concerned about the way in which the application is to be reported to Members.

Notwithstanding the contradictions that nestle within the report, and the way in which some policy provisions carry little weight but then provide the basis for refusing the application, we have not been provided with any opportunity, throughout the application process, to respond to the 'new' issue relating to landscape impact.

To be frank, I was astounded at what I read in relation to landscape impacts and must ask whether the author of paragraphs 2.16 to 2.26 did actually visit the site and surrounding area!?

My astonishment in this regard pales into insignificance when considering paragraphs 2.30 to 2.34. Given everything that we discussed at the pre-app stage and during the application process, there is no mention whatsoever of (i) the fact that the site IS on a bus route with a request stop outside the site AND (ii) Stagecoach Connect. After everything that we have provided to the LPA that highlights how sustainable DRT is – it is at best disingenuous but actually untruthful to advise Members ...

2.34 Sustainable transport is further supported within the draft local plan, with draft policy T11. Most notably within this policy, development should "Be designed so that opportunities for sustainable transport modes are maximised and provided for and provide a variety of forms of transport as alternatives to travel by private motorised vehicle." The lack of public transport provision within the immediate area as explained above, would result in a reliance on private cars. The development would therefore be contrary to draft policy T11, however it is noted this is only given moderate weight at this time.

maintain the vitality of rural communities. The distance to nearest sustainable settlement at Whitfield is approximately 800m from the site (as the crow flies). Residents of the proposed properties would not benefit from a regular bus service (albeit the site does benefit from an bus request service), therefore in order to reach day to day facilities such as schools, doctors and shops, future occupants of the site would require the use of a private car to travel to the nearest sustainable

In addition, I was advised that the case was finely balanced and that the reason it was to be recommended for refusal was because of a comparable appeal case which supported the Council's view. This, as it turns out, relates to Little Shatterling Farm – a case dismissed for reasons that are really quite different to the reason that, were told, would provide for the LPAs principal reason for refusal.

I must insist that we are given time to address the inaccuracies and inconsistencies in the report which a 3 minute speech cannot do.

Could I please hear from the LPA by close of Business Monday to provide time for the Applicant to elevate his concerns to Executive Officers/Members if necessary.

Thank you

Rebus Planning Solutions

Tel. 01304 697077

Rebus Planning Solutions Ltd. Studio 24, Honeywood Parkway, White Cliffs Business Park, Dover CT16 3QX

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[REDACTED]

From: [REDACTED]
Sent: 10 May 2024 14:14
To: [REDACTED]
Cc: [REDACTED]
Subject: Fw: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Hi [REDACTED]

We've received the below from [REDACTED].

I had understood that we were taking this item to committee this month because we didn't want to unnecessarily delay the determination (in part due to pressure from [REDACTED]). However, it appears that the applicant/agent would prefer that the item is held back a month to allow further information to be submitted.

I don't think that there's anything fundamentally incorrect or misleading in the report and certainly nothing which cannot be clarified by a verbal update (e.g. the precise nature of bus provision in the locality). The pre-app which [REDACTED] provided was unambiguous in advising that, were an application made it would be refused on principle. However, I can understand [REDACTED] concern that she hasn't had an opportunity to discuss/respond to visual impacts.

The comment about comparative cases at Shatterling is a bit of a red herring, as we are assessing this case on its merits and the case cited was part of an informal discussion between officers rather than anything which carried weight in the assessment.

Notwithstanding the wishes of the agent, I am mindful that we are running a lengthy agenda and [REDACTED] has two other cases in addition to this one, so practically deferring this case may not be a bad thing for us either.

I am generally resistant to deferring cases on an already published agenda, but in this case it may allow some differences between the parties to be explored/narrowed (not to the effect that the recommendation would change but reduce the potential for conflict at committee/appeal) and so be in everyone's interests to in this instance. What do you think?

Thanks,

[REDACTED]



[REDACTED]
Development Management Team Leader (Strategic Sites and Place)
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]
Email: [REDACTED]@DOVER.gov.uk
Web: dover.gov.uk

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From: [REDACTED]@rebusplanning.co.uk>
Sent: Friday, May 10, 2024 12:28
To: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]

s@DOVER.GOV.UK>

Cc: [redacted]@ingrainarchitecture.co.uk>; [redacted]@ingrainarchitecture.co.uk>; [redacted]
[redacted]@DOVER.GOV.UK>

Subject: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Dear [redacted] / [redacted]

On behalf of the Applicant [redacted] – I must request the postponement of the above-mentioned application form being placed before Members of the Planning Committee next Thursday, and for the following reasons.

Having now received the Committee Report, I am extremely concerned about the way in which the application is to be reported to Members.

Notwithstanding the contradictions that nestle within the report, and the way in which some policy provisions carry little weight but then provide the basis for refusing the application, we have not been provided with any opportunity, throughout the application process, to respond to the ‘new’ issue relating to landscape impact.

To be frank, I was astounded at what I read in relation to landscape impacts and must ask whether the author of paragraphs 2.16 to 2.26 did actually visit the site and surrounding area!?

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2.34 Sustainable transport is further supported within the draft local plan, with draft policy T11. Most notably within this policy, development should “Be designed so that opportunities for sustainable transport modes are maximised and provided for and provide a variety of forms of transport as alternatives to travel by private motorised vehicle.” The lack of public transport provision within the immediate area as explained above, would result in a reliance on private cars. The development would therefore be contrary to draft policy T11, however it is noted this is only given moderate weight at this time.

maintain the vitality of rural communities. The distance to nearest sustainable settlement at Whitfield is approximately 800m from the site (as the crow flies). Residents of the proposed properties would not benefit from a regular bus service (albeit the site does benefit from an bus request service), therefore in order to reach day to day facilities such as schools, doctors and shops, future occupants of the site would require the use of a private car to travel to the nearest sustainable

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I must insist that we are given time to address the inaccuracies and inconsistencies in the report which a 3 minute speech cannot do.

Could I please hear from the LPA by close of Business Monday to provide time for the Applicant to elevate his concerns to Executive Officers/Members if necessary.

Thank you

Rebus Planning Solutions

Tel. 01304 697077

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[REDACTED]

From: [REDACTED]
Sent: 10 May 2024 17:37
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Hi [REDACTED]

Thanks for the background info.

I'm not sure how it works here, but are we able to just 'remove' things from the agenda. At [REDACTED] it could only be done if there was a procedural reason. If you think this is the way forward, can you check with [REDACTED]

However, I think we need to be careful about doing this as it may set a bit of a precedent for the future unless you really feel we have done something that we shouldn't have.

Thanks

[REDACTED]



[REDACTED]
Planning & Development Manager
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Email: [REDACTED]@dover.gov.uk
Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]@DOVER.GOV.UK>
Sent: Friday, May 10, 2024 2:14 PM
To: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@DOVER.GOV.UK>
Subject: Fw: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Hi [REDACTED]

We've received the below from [REDACTED].

I had understood that we were taking this item to committee this month because we didn't want to unnecessarily delay the determination (in part due to pressure from [REDACTED]). However, it appears that the applicant/agent would prefer that the item is held back a month to allow further information to be submitted.

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Thanks,

[REDACTED]



[REDACTED]

Development Management Team Leader (Strategic Sites and Place)

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Tel: [REDACTED]

Email: [REDACTED]@DOVER.gov.uk

Web: dover.gov.uk



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From: [REDACTED]@rebusplanning.co.uk>

Sent: Friday, May 10, 2024 12:28

To: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>

Cc: [REDACTED]@ingrainarchitecture.co.uk>; [REDACTED]@ingrainarchitecture.co.uk>; [REDACTED]@DOVER.GOV.UK>

Subject: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Dear [REDACTED] / [REDACTED]

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2.34 Sustainable transport is further supported within the draft local plan, with draft policy TI1. Most notably within this policy, development should *"Be designed so that opportunities for sustainable transport modes are maximised and provided for and provide a variety of forms of transport as alternatives to travel by private motorised vehicle."* The lack of public transport provision within the immediate area as explained above, would result in a reliance on private cars. The development would therefore be contrary to draft policy TI1, however it is noted this is only given moderate weight at this time.

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Thank you

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Tel. 01304 697077

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[REDACTED]

From: [REDACTED]
Sent: 12 May 2024 10:58
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Hi [REDACTED]

We are able to remove items and have done this in the past, albeit we'd need to tell [REDACTED] and the support team asap so they can inform any interested parties. When we've done it in the past it's typically been due to the submission of material considerations which would make it unsafe to report to planning committee. In this instance, [REDACTED] has raised issues which haven't been explored as fully as they should have in the report, although I don't think the report is incorrect or inadequate to a significant extent.

Maybe catch up on this tomorrow and agree the best course.

Thanks,

[REDACTED]



[REDACTED]
Development Management Team Leader (Strategic Sites and Place)
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]
Email: [REDACTED]@DOVER.gov.uk
Web: dover.gov.uk



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From: [REDACTED]@dover.gov.uk>
Sent: Friday, May 10, 2024 17:36
To: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@DOVER.GOV.UK>
Subject: RE: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Hi [REDACTED]

Thanks for the background info.

I'm not sure how it works here, but are we able to just 'remove' things from the agenda. At [REDACTED] it could only be done if there was a procedural reason. If you think this is the way forward, can you check with [REDACTED]

However, I think we need to be careful about doing this as it may set a bit of a precedent for the future unless you really feel we have done something that we shouldn't have.

Thanks

[REDACTED]



[REDACTED]
Planning & Development Manager

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Email: [REDACTED]@dover.gov.uk

Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]@DOVER.GOV.UK>

Sent: Friday, May 10, 2024 2:14 PM

To: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>

Cc: [REDACTED]@DOVER.GOV.UK>

Subject: Fw: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Hi [REDACTED]

We've received the below from [REDACTED].

I had understood that we were taking this item to committee this month because we didn't want to unnecessarily delay the determination (in part due to pressure from [REDACTED]). However, it appears that the applicant/agent would prefer that the item is held back a month to allow further information to be submitted.

I don't think that there's anything fundamentally incorrect or misleading in the report and certainly nothing which cannot be clarified by a verbal update (e.g. the precise nature of bus provision in the locality). The pre-app which [REDACTED] provided was unambiguous in advising that, were an application made it would be refused on principle. However, I can understand Karen's concern that she hasn't had an opportunity to discuss/respond to visual impacts.

The comment about comparative cases at Shatterling is a bit of a red herring, as we are assessing this case on its merits and the case cited was part of an informal discussion between officers rather than anything which carried weight in the assessment.

Notwithstanding the wishes of the agent, I am mindful that we are running a lengthy agenda and [REDACTED] has two other cases in addition to this one, so practically deferring this case may not be a bad thing for us either.

I am generally resistant to deferring cases on an already published agenda, but in this case it may allow some differences between the parties to be explored/narrowed (not to the effect that the recommendation would change but reduce the potential for conflict at committee/appeal) and so be in everyone's interests to in this instance. What do you think?

Thanks,

[REDACTED]



[REDACTED]
Development Management Team Leader (Strategic Sites and Place)

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Tel: [REDACTED]

Email: [REDACTED]@DOVER.gov.uk

Web: dover.gov.uk

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From: [REDACTED] <[\[REDACTED\]@rebusplanning.co.uk](mailto:[REDACTED]@rebusplanning.co.uk)>

Sent: Friday, May 10, 2024 12:28

To: [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>; [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>; [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>

Cc: [REDACTED] <[\[REDACTED\]@ingrainarchitecture.co.uk](mailto:[REDACTED]@ingrainarchitecture.co.uk)>; [REDACTED] <[\[REDACTED\]@ingrainarchitecture.co.uk](mailto:[REDACTED]@ingrainarchitecture.co.uk)>; [REDACTED] <[\[REDACTED\]@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>

Subject: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Dear [REDACTED] / [REDACTED]

On behalf of the Applicant [REDACTED] – I must request the postponement of the above-mentioned application form being placed before Members of the Planning Committee next Thursday, and for the following reasons.

Having now received the Committee Report, I am extremely concerned about the way in which the application is to be reported to Members.

Notwithstanding the contradictions that nestle within the report, and the way in which some policy provisions carry little weight but then provide the basis for refusing the application, we have not been provided with any opportunity, throughout the application process, to respond to the ‘new’ issue relating to landscape impact.

To be frank, I was astounded at what I read in relation to landscape impacts and must ask whether the author of paragraphs 2.16 to 2.26 did actually visit the site and surrounding area!?

My astonishment in this regard pales into insignificance when considering paragraphs 2.30 to 2.34. Given everything that we discussed at the pre-app stage and during the application process, there is no mention whatsoever of (i) the fact that the site IS on a bus route with a request stop outside the site AND (ii) Stagecoach Connect. After everything that we have provided to the LPA that highlights how sustainable DRT is – it is at best disingenuous but actually untruthful to advise Members ...

2.34 Sustainable transport is further supported within the draft local plan, with draft policy T11. Most notably within this policy, development should “*Be designed so that opportunities for sustainable transport modes are maximised and provided for and provide a variety of forms of transport as alternatives to travel by private motorised vehicle.*” The lack of public transport provision within the immediate area as explained above, would result in a reliance on private cars. The development would therefore be contrary to draft policy T11, however it is noted this is only given moderate weight at this time.

maintain the vitality of rural communities. The distance to nearest sustainable settlement at Whitfield is approximately 300m from the site (as the crow flies). Residents of the proposed properties would not benefit from a regular bus service (albeit the site does benefit from an bus request service), therefore in order to reach day to day facilities such as schools, doctors and shops, future occupants of the site would require the use of a private car to travel to the nearest sustainable

In addition, I was advised that the case was finely balanced and that the reason it was to be recommended for refusal was because of a comparable appeal case which supported the Council’s view. This, as it turns out, relates to Little Shatterling Farm – a case dismissed for reasons that are really quite different to the reason that, were told, would provide for the LPAs principal reason for refusal.

I must insist that we are given time to address the inaccuracies and inconsistencies in the report which a 3 minute speech cannot do.

Could I please hear from the LPA by close of Business Monday to provide time for the Applicant to elevate his concerns to Executive Officers/Members if necessary.

Thank you

[Redacted]

Rebus Planning Solutions

Tel. 01304 697077

Rebus Planning Solutions Ltd. Studio 24, Honeywood Parkway, White Cliffs Business Park, Dover CT16 3QX

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[REDACTED]

From: [REDACTED]
Sent: 13 May 2024 13:01
To: Cllr-Michael Nee; [REDACTED]
Cc: [REDACTED]
Subject: Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Dear Cllr Nee and [REDACTED]

The agent for the above application has written to officers to request that this application be deferred. The basis for this is that it is alleged that report contains inaccuracies, and that the agent has not been provided with an opportunity to respond to concerns which have been raised. I have discussed this with [REDACTED] and we have agreed that it would be appropriate to accede to the request and defer this item. Whilst it is not considered that the report is wrong to any significant degree, it is considered that it doesn't fully take account of some of the applicant's arguments. It is considered that allowing the applicant to provide clarification on issues outside of a committee forum will allow the report to be updated to fully respond to the applicant's case, whilst also allowing the applicant to a fair opportunity to respond to some of the issues. We did consider whether these issues could be adequately dealt with by a verbal update on the night, but consider that this would be difficult, in part due to the complexity of the issues and in part due to the busy schedule of the agenda.

Unless there is any strong objection to this, please could the application be removed from the agenda and interested parties be notified.

Kind regards,

[REDACTED]



[REDACTED]
Development Management Team Leader (Strategic Sites and Place)
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]
Email: [REDACTED]@DOVER.gov.uk
Web: dover.gov.uk



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[REDACTED]

From: [REDACTED]
Sent: 13 May 2024 16:09
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Thanks [REDACTED]

[REDACTED] team can contact the interested parties to advise them that the application has been withdrawn from the agenda.



[REDACTED]
Development Management Team Leader (Strategic Sites and Place)

Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Tel: [REDACTED]
Email: [REDACTED]@DOVER.gov.uk
Web: dover.gov.uk

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From: [REDACTED]@DOVER.GOV.UK>
Sent: Monday, May 13, 2024 15:30
To: [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@dover.gov.uk>
Subject: RE: Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Hi [REDACTED]

I've put a note on the committee agenda page on the website advising of its withdrawal. Nobody's registered to speak on it yet so there are no third parties to notify on my side.

[REDACTED]



[REDACTED]
Democratic Services Officer

Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Tel: [REDACTED]
Fax: 01304 872452
Email: [REDACTED]@dover.gov.uk
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From: [REDACTED]@DOVER.GOV.UK>
Sent: Monday, May 13, 2024 1:01 PM
To: Cllr-Michael Nee <Cllr-Michael.Nee@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>
Subject: Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Dear Cllr Nee and [REDACTED]

The agent for the above application has written to officers to request that this application be deferred. The basis for this is that it is alleged that report contains inaccuracies, and that the agent has not been provided with an opportunity to respond to concerns which have been raised. I have discussed this with Sarah and we have agreed that it would be appropriate to accede to the request and defer this item. Whilst it is not considered that the report is wrong to any significant degree, it is considered that it doesn't fully take account of some of the applicant's arguments. It is considered that allowing the applicant to provide clarification on issues outside of a committee forum will allow the report to be updated to fully respond to the applicant's case, whilst also allowing the applicant to a fair opportunity to respond to some of the issues. We did consider whether these issues could be adequately dealt with by a verbal update on the night, but consider that this would be difficult, in part due to the complexity of the issues and in part due to the busy schedule of the agenda.

Unless there is any strong objection to this, please could the application be removed from the agenda and interested parties be notified.

Kind regards,
[REDACTED]



[REDACTED]
Development Management Team Leader (Strategic Sites and Place)

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Tel: [REDACTED]

Email: [REDACTED]@DOVER.gov.uk

Web: dover.gov.uk



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[REDACTED]

From: [REDACTED]
Sent: 13 May 2024 16:10
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Dear [REDACTED]

Thank you for your e-mail.

I have reviewed the committee report in the context of your concerns and discussed the matter internally.

It is considered that the weighting applied to policies is consistent throughout the report and consistent with other applications being considered. Whilst the weighting of some policies is reduced due their degree of conflict with the NPPF or as a result of not being adopted, the policies cited remain material and are capable of lending support to the recommendation to refuse permission.

With regard to the issue of visual impact, I have reviewed the pre-application advice and note that it is ambiguous as to the level of visual harm the pre-app scheme would have caused. As such, whilst the recommendations within the pre-application advice have not been taken up in the submitted scheme, I concur that it would be reasonable to allow you to provide a considered response to the issues raised in the committee report.

Turning to the sustainability of the site in terms of travel, the report does reference the Stagecoach Connect (at paragraph 2.31, "bus request service"); however, I agree that the report should provide more detail regarding the scheduled services in the area. Whilst I do not consider that this is determinative, it is essential that members are provided with a full and accurate understanding.

This case has been recommended for refusal based on the merits of this case alone. The application is contrary to both the adopted and emerging development plans. That said, the report confirms that the 'tilted balance' is engaged and the development would provide significant benefits, most notably through the provision of additional dwellings. However, the officer considers that the harms significantly and demonstrably outweigh the benefits.

Whilst I am of the view, at this stage, that the report and, in particular, the conclusions are not fundamentally flawed, I agree that it would be in everyone's interests to withdraw the report from this months agenda to allow for discussion on, and proper consideration of, the points you have raised. I have considered whether a verbal update to members at planning committee would be sufficient, but in the interests of fairness and to allow all parties the ability to consider and discuss the report, I agree that this would not be appropriate in this instance. I have communicated this to the planning support team and democratic services.

If [REDACTED] or I can be of assistance, please do not hesitate to contact us.






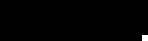


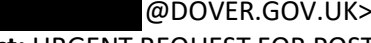
Kind regards,
[REDACTED]







Development Management Team Leader (Strategic Sites and Place)
 Dover District Council
 Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
 Tel: 
 Email: @DOVER.gov.uk
 Web: dover.gov.uk

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From: @rebusplanning.co.uk>
Sent: Friday, May 10, 2024 12:28
To: @DOVER.GOV.UK>; @DOVER.GOV.UK>; 
@DOVER.GOV.UK>
Cc: @ingrainarchitecture.co.uk>; @ingrainarchitecture.co.uk>; 
@DOVER.GOV.UK>
Subject: URGENT REQUEST FOR POSTPONEMENT OF COMMITTEE CONSIDERATION - Agenda Item 10 - Planning Committee 16 May - Application 23/01441 -Eastling Down Farm

Dear  / 

On behalf of the Applicant  – I must request the postponement of the above-mentioned application form being placed before Members of the Planning Committee next Thursday, and for the following reasons.

Having now received the Committee Report, I am extremely concerned about the way in which the application is to be reported to Members.

Notwithstanding the contradictions that nestle within the report, and the way in which some policy provisions carry little weight but then provide the basis for refusing the application, we have not been provided with any opportunity, throughout the application process, to respond to the ‘new’ issue relating to landscape impact.

To be frank, I was astounded at what I read in relation to landscape impacts and must ask whether the author of paragraphs 2.16 to 2.26 did actually visit the site and surrounding area!?

My astonishment in this regard pales into insignificance when considering paragraphs 2.30 to 2.34. Given everything that we discussed at the pre-app stage and during the application process, there is no mention whatsoever of (i) the fact that the site IS on a bus route with a request stop outside the site AND (ii) Stagecoach Connect. After everything that we have provided to the LPA that highlights how sustainable DRT is – it is at best disingenuous but actually untruthful to advise Members ...

2.34 Sustainable transport is further supported within the draft local plan, with draft policy TI1. Most notably within this policy, development should *“Be designed so that opportunities for sustainable transport modes are maximised and provided for and provide a variety of forms of transport as alternatives to travel by private motorised vehicle.”* The lack of public transport provision within the immediate area as explained above, would result in a reliance on private cars. The development would therefore be contrary to draft policy TI1, however it is noted this is only given moderate weight at this time.

maintain the vitality of rural communities. The distance to nearest sustainable settlement at Whitfield is approximately 300m from the site (as the crow flies). Residents of the proposed properties would not benefit from a regular bus service (albeit the site does benefit from an bus request service), therefore in order to reach day to day facilities such as schools, doctors and shops, future occupants of the site would require the use of a private car to travel to the nearest sustainable

In addition, I was advised that the case was finely balanced and that the reason it was to be recommended for refusal was because of a comparable appeal case which supported the Council's view. This, as it turns out, relates to Little Shatterling Farm – a case dismissed for reasons that are really quite different to the reason that, were told, would provide for the LPAs principal reason for refusal.

I must insist that we are given time to address the inaccuracies and inconsistencies in the report which a 3 minute speech cannot do.

Could I please hear from the LPA by close of Business Monday to provide time for the Applicant to elevate his concerns to Executive Officers/Members if necessary.

Thank you

[Redacted]

Rebus Planning Solutions

Tel. 01304 697077

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