**Potential Main Modifications (1st September 2016)**

This document contains a set of potential Main Modifications, as at August 2016.

The Planning Inspector has asked us to prepare these following the close of the July 2016 Examination hearings and in advance of the September 2016 hearings.

The proposed changes have been made in order that the Plan reflects changes in national legislation and guidance, such as the National Planning Policy Framework; requirements set out by statutory bodies; and changes in circumstances since the Plan was submitted including new information provided with planning applications. These changes also respond to the Inspector points raised at the Stage 1 (July 2015) and Stage 2 (July 2016) hearings of the Examination. They are made in order to ensure that the Local Plan is sound and legally compliant.

All Policy/ Paragraph or Figure numbers are taken from the Publication Draft Local Plan (June 2014).

The potential Main Modifications are listed in the order they appear in the Plan.

Modifications are defined as “Main” where they usually involve a change to a policy or other text, which would impact upon the implementation of policy.

The modifications are expressed in the conventional form of ~~strikethrough~~ for deletions and underlining for additions.

Key:

……… means that further text sits before or after the proposed amendment

CCC stands for Canterbury City Council

Notes:

The Main Modifications document will be amended following the Examination sessions in September 2016 to reflect the comments made by the Inspector in document CDLP16.29.38

Minor changes that ensure the text in the Local Plan is as up to date as possible, for example updates to document names and publication dates etc are known as “Additional Modifications”. These are not presented within this document, as they do not relate to the soundness of the plan and are not subject to consideration by the Inspector. A schedule of “Additional Modifications” will be prepared separately following the close of the Examination hearings.

| **Reference** | **Page** | **Policy/**  **Paragraph** | **Main Modification** | **Why change is necessary?** | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Introduction** | | | | | | |
| MM0.1 | 10 | Key Diagram | Insert Key Diagram into Introduction section | National Planning Policy Framework  Examination | | |
| **Chapter 1: Strategy** | | | | | | |
| MM1.1 | 22 | SP1 | Delete paragraph 3  ~~Where the Council considers that a proposal would directly undermine the strategy for sustainable development set out in this plan, such proposals will not be approved.~~ | National Planning Policy Framework | | |
| MM1.2 | 24 | 1.56 | Delete text –  ~~Draft illustrative layout plans for each of the strategic sites (except sites 6,9 and 10, which are primarily housing sites) can be seen in Appendix 1~~ | Indicative / illustrative Layout Plans were just prepared for consultation stages to assist understanding. | | |
| MM1.3 | 24 | SP3,  Site 1, South Canterbury | Amend table – Other  Local community “hub”; ~~primary schools;~~ the necessary provision of and contributions to primary school education and the necessary provision and/or contributions to secondary school education; ~~doctor’s surgery~~; health care provision; extended park & ride at Dover Road; land reserved for potential relocation of Kent & Canterbury Hospital, if required; ~~30ha~~ provision of new public open space, including allotments~~; 20ha~~ and new woodland planting. | Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group  Open space and woodland planting amended to reflect that planning applications will need to refer to the latest Open Space Strategy | | |
| MM1.4 | 25 | SP3,  Site 2  Land at  Sturry/  Broad Oak | Amend table – Other  ~~Other~~ Community facilities to meet local need ~~to be determined in conjunction with parish council~~; the necessary provision of and contributions to primary school education and the necessary provision and/or contributions to secondary school education; health care provision; protection and management of all remaining ancient woodland; provision of new public open space, including public gardens, parkland and playing fields. | NPPF  Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group | | |
| MM1.5 | 25 | SP3,  Site 3  Hillborough site, Herne Bay | Amend table – Other  ~~doctor’s surgery;~~ Health care provision; community facilities to meet local need; the necessary provision of and contributions to primary school education and the necessary provision and/or contributions to secondary school education | NPPF  Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group | | |
| MM1.6 | 25 | SP3,  Site3  Hillborough site, Herne Bay | Amend table – Infrastructure  New link to Thanet Way via Altira Park and limited access to Sweechbridge Road; provision of new west-facing on-slip to Thanet Way at the Heart-in-Hand junction; measures to discourage additional traffic using Heart-in-Hand road; improvements to A291 corridor. ~~proportionate contribution (to be agreed) towards the provision of Herne Relief Road~~ ~~route and new Sturry crossing.~~ | To comply with CIL regulations | | |
| MM1.7 | 26 | SP3,  Site 4  Herne Bay Golf Course | Amend table – Other  8ha of sports & leisure facilities, including cricket, football, hockey, tennis and open space; ~~1.25ha set-aside for Herne Bay High School~~; ~~doctor’s surgery~~; health care provision; care home; provision and/or contributions to primary and secondary school education. | Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group | | |
| MM1.8 | 26 | SP3,  Site 4  Herne Bay Golf Course | Amend table – Infrastructure  Improvements to A291 corridor ~~Proportionate contribution (to be agreed) towards the provision of Herne Relief Road route and new Sturry Crossing~~; new footpath/cycle path to be provided in conjunction with site 5 (Strode Farm, Herne Bay) to link sites 4 and 5 | To comply with CIL regulations | | |
| MM1.9 | 26 | SP3,  Site 5  Strode Farm,  Herne Bay | Amend table - Other  Community facilities, including new parish hall and local needs housing; the necessary provision of and contributions to primary school education and the necessary provision and/or contributions to secondary school education; health care provision | NPPF  Kent County Council, Education    Canterbury and Coastal Clinical Commissioning Group | | |
| MM1.10 | 26 | SP3,  Site 5  Strode Farm,  Herne Bay | Amend table – Infrastructure  Provision of new highway through the site linking Thanet Way to Bullockstone Road and improvements to Bullockstone Road ~~Facilitate and contribute to the provision of the Herne Relief Road~~, as indicated on the proposals map ~~Provision of~~ *~~new relief route for Herne, as indicated on the proposals map;~~* ~~proportionate contribution (to be agreed) towards the provision of new Sturry Crossing~~; new footpath/cycle path to be provided in conjunction with site 4 (Herne Bay Golf Course) to link sites 4 and 5 | NPPF  To comply with CIL regulations  To provide clarity | | |
| MM1.11 | 26 | SP3,  Site 6,  Land at Greenhill, Herne Bay | Delete text in table – Infrastructure  ~~Proportionate contribution (to be agreed) towards the provision of new relief route for Herne Relief Road and new Sturry Crossing.~~ | To comply with CIL regulations | | |
| MM1.12 | 26 | SP3,  Site 6,  Land at Greenhill, Herne Bay | Amend table – Other  Community facilities to meet local need ~~be determined~~; recreation & leisure facilities; new allotment provision; provision and/or contributions to primary and secondary school education; the necessary provision of and contributions to primary school education and the necessary provision and/or contributions to secondary school education; ~~provision of 720sqm of land for the expansion of the existing primary school from 1 form entry to provide 2 form entry and contributions to primary and secondary school education;~~ health care provision | NPPF  Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group | | |
| MM1.13 | 27 | SP3,  Site 8,  Land North of Hersden | Amend table – Housing  ~~500~~ 800 dwellings | NPPF | | |
| MM1.14 | 27 | SP3,  Site 8,  Land North of Hersden | Amend text - Other  New community building; play areas and allotments; multi-use games area; the necessary provision of and contributions to primary school education and the necessary provision of and/or contributions to secondary school education ~~Provision of 0.6695ha of land for expansion of existing primary school from 1 form entry to provide a 2 form entry~~ and provision of the main school vehicular access through Site 8; ~~contributions to primary and secondary school education;~~ health care provision | Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group | | |
| MM1.15 | 27 | SP3,  Site 8,  Land North of Hersden | Amend text – Infrastructure  Proportionate contribution (to be agreed) towards the provision of new ~~Sturry Crossing~~ Sturry Relief Road; improved footpath/cyclepath links to existing network | To provide clarity | | |
| MM1.16 | 28 | SP3,  Site 10,  Land at ~~Kent & Canterbury Hospital~~, Ridlands Farm and Langton Field, Canterbury | Amend table – Housing  Remove Kent and Canterbury Hospital part of site  Amend as below | Examination  Proposed Amendments November 2015  Approved by CCC November 2015 | | |
| | **SP3,**  **Site 10,**  **Land at ~~Kent & Canterbury Hospital~~, Ridlands Farm and Langton Field, Canterbury** | **Housing** | **~~810~~ 310 dwellings** | | --- | --- | --- | | **Other** | **Provision of public open space within the site including play areas; multi-use games area; contributions to primary and secondary school education; community and local facilities to meet local need ~~to be determined~~; health care provision** | | **Infrastructure** | **Provision of fast bus link route from the South Canterbury site to South Canterbury Road**  **~~(and subject to acceptable proposals for the relocation of the existing Hospital to the South Canterbury site)~~** | | | | | | | |
| MM1.17 | 28 | SP3,  Site 11,  Land at and adjacent Cockering Farm, Thanington | Insert new proposed strategic site allocation site – see below | Examination  Proposed Amendments November 2015  Approved by CCC November 2015  Note: CCC have amended the Site 11 boundary slightly from that shown in Proposed Amendments November 2015 to remove the small part of garden area at Milton Manor Farm, which was included on the submitted plan by the site promoter in error.  Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group | | |
| | **SITE 11** | **DEVELOPMENT** | **AMOUNT/TYPE** | | --- | --- | --- | | **Land at and adjacent Cockering Farm, Thanington** | **Housing** | **1,150 dwellings** | | **Employment space** | **1.5ha** | | **Other** | **Provision of public open space within the site; Allotments; the necessary provision of and contributions to primary school education and the necessary provision of and/or contributions to secondary school education ~~land for Primary School (no less than 2.05ha) and contributions to primary and secondary school education~~; Community and local facilities to meet local need; Play areas; Multi-use games area; health care provision, new additional woodland planting to enhance the Larkey Valley Local Nature Reserve** | | **Infrastructure** | **Provision of, or funding new eastbound A2 off slip at Wincheap and associated highway improvements at the junction with Ten Perch Road and** **extended westbound slip road off the A2; Improved/ new road link to Cockering Road; Bus and footpath/cyclepath links; contributions to expansion of Wincheap Park and Ride; contributions towards the provision of A28 (Wincheap) Relief Road and highway improvements at Wincheap Green roundabout** | | | | | | | |
|  | | | | | | |
| MM1.18 | 28 | SP3,  Site 12,  Land South of Ridgeway (John Wilson Business Park), Whitstable | Insert new proposed strategic site allocation – see below | Examination  Proposed Amendments November 2015  Approved by CCC November 2015  Kent County Council, Education  Canterbury and Coastal Clinical Commissioning Group | | |
| | **SITE 12** | **DEVELOPMENT** | **AMOUNT/TYPE** | | --- | --- | --- | | **Land South of Ridgeway (John Wilson Business Park), Whitstable** | **Housing** | **300 dwellings** | | **Employment space** | **1ha** | | **Other** | **The necessary provision of and contributions to primary school education and the necessary provision of and/or contributions to secondary school education; ~~Land for Primary School (no less than 2.05ha) and contributions to primary and secondary school education; Local~~ Community facilities to meet local need; Improved public open space, including play area and multi-use games area; health care provision** | | **Infrastructure** | **Highway improvements, including roundabout at junction of A2990 Thanet Way and Reeves Way, Whitstable.** | | | | |  | | |
| MM1.19 | 28 | SP3 | Amend text  ~~Detailed development briefs shall be prepared for these sites prior to the granting of planning permission, setting out the detailed requirements for the site;~~ Planning applications for development of all, or part, of a Strategic Site Allocation, shall be accompanied by a comprehensive masterplan for the whole of the Strategic Site Allocation~~, having regard to the Statement of Community Involvement. for planning permission~~. The masterplan shall identify how the Strategic Site Allocation fits into the wider surroundings and shall include the detailed requirements for the site; the ~~anticipated~~ phasing of development, the ~~and~~ physical and social infrastructure ~~through the plan period~~; and detailed design proposals ~~and other planning requirements for the site,~~ incorporating “garden city” principles (Appendix ~~5~~2). Development proposals submitted for these sites shall be in accordance with the ~~total~~ requirements of this policy~~. and the development brief.~~  ~~Development proposals shall include a schedule for delivery of the total requirements for the site, and shall include an appropriate mechanism to ensure delivery in a timely and co-ordinated manner.~~ ~~Development should~~ ~~and also meet the requirements of other policies in this Local Plan; the provisions of any~~ ~~supplementary planning documents and any other relevant and any other relevant guidance prepared by the Council.~~  ~~Development proposals for these sites that do not meet these criteria shall will not be permitted.~~ | Examination  National Planning Policy Framework | | |
| MM1.20 | 30 | SP4 | Amend text  The urban areas of Canterbury, Herne Bay and Whitstable will continue to be the principal focus for development, with a particular focus at Canterbury, together with development at ~~some of~~ the rural service centre~~s~~ and local centres. Policy SP3 identifies the key sites for mixed-use development. ~~Development at these sites will be subject to development briefs or masterplans, setting out the amounts and types of development and their phasing, along with any infrastructure requirements.~~  In addition to the development allocations set out in this plan:  1. In the urban areas of Canterbury, Herne Bay and Whitstable, new housing development will be supported on suitable sites, where this would be acceptable in terms of environmental, transport and other planning factors, and would not result in the loss of sites identified for business and other specific uses;  2. ~~Small-scale p~~Provision of new housing that is of a size, design, scale, character and location appropriate to the character and built form of the rural service centre~~s~~ of Sturry and the local centres of Barham, Blean, Bridge, Chartham (including Shalmsford Street), Hersden and Littlebourne ~~and Sturry~~ will be supported provided that such proposals are not in conflict with other local plan policies relating to transport, environmental and flood zone protection and design, and those of the Kent Downs AONB Management Plan, where applicable;  3. In the ~~identified~~ villages of Adisham, Bekesbourne, Bossingham, Broad Oak, Hoath, Kingston, Petham, Rough Common, Tyler Hill, Upstreet, and Wickhambreaux, priority will be given to protecting the rural character of the district and ~~minor~~ infill development of an amount appropriate to the size of the settlement (or development to meet an identified local need for affordable housing), in a location appropriate to the form of the settlement and of a design and scale that respects and enhances the character of the village;  ~~will be restricted to minor development or infill, or that which is needed to meet an identified local need for affordable housing only~~;  4. ~~Development~~ At the ~~identified~~ hamlets of Chartham Hatch, Chislet, Bishopsbourne, Fordwich, Harbledown, Ickham, Lower Hardres, Patrixbourne, Stodmarsh, Upper Harbledown, Upper Hardres, Waltham, Westbere, Womenswold, Woolage Green, and Woolage Village development will be permitted ~~will be limited to only that~~ which specifically meets an identified local need; and  5. In the open countryside, development will be permitted ~~normally be limited to that~~ if required for agriculture and forestry purposes (see Policy EMP13). | Examination  National Planning Policy Framework | | |
| MM1.21 | 32 | 1.71 | Amend text  The City Council will expect all the allocated strategic sites to include reasonable and proportionate provision for new green infrastructure~~, and to meet the requirements of the Habitat Regulations for alternative open space to protect international wildlife sites.~~ to meet the recreational needs of the local residents, deliver sustainable development and support health and wellbeing. | Natural England  Habitats Regulations Assessment compliance | | |
| MM1.22 | 32 | SP5 | Amend text  …   1. Provide measures to protect and enhance landscape and biodiversity and ~~meet~~ ensure that the requirements of the habitats regulations are met, and 2. Create and or enhance linkages between natural areas and open spaces and areas of designated and undesignated countryside, as appropriate:   …….  5. Conserve and enhance the Kent Downs AONB, as guided by the Kent Downs Management Plan and its supporting guidance (as revised). | NPPF  Natural England  Examination  AONB | | |
| MM1.23 | 34-35 | Paragraphs  180-185 | ~~Habitat Regulations matters and mitigation measures.~~ Strategic Access Management and Monitoring (SAMM) Mitigation Measures to address in-combination recreational impacts on the coastal Special Protection Areas (SPA), and Ramsar sites  1.80  The City Council has taken into account the findings of its Sustainability Appraisal and Habitat Regulations Assessment work and the advice of Natural England, and has agreed ~~a~~ mitigation strateg~~y~~ies with Natural England to deal with any ~~potential~~ likely significant effect ~~of~~ resulting from new development in the District, from ~~in particular~~ recreational disturbance on the coastal Special Protection Areas (SPA~~’~~s) and Ramsar~~’~~s resulting from the strategic sites allocated under SP3. The City Council has ~~also begun~~ undertaken a series of visitor surveys to establish “zones of influence” for the sensitive coastal areas relative to the main areas of settlement, as outlined in the Strategic Access Management and Monitoring Strategies (SAMMs), to be reviewed if monitoring indicates a need.  1.81  ~~The~~ Mitigation strategies will be developed and implemented for the two coastal sites – Thanet Coast and Sandwich Bay SPA / Ramsar and the Swale SPA / Ramsar. ~~for the strategic sites in the draft Plan~~ They ~~are likely to~~ presently comprise~~s~~ the following measures:  (1) Wardening of the ~~sensitive international wildlife~~ sites, together with increased signage and education, to be funded by new development sites in perpetuity, in accordance with guidance to be prepared by the City Council;  (2) Ongoing monitoring and surveys ~~of sensitive sites across the District~~, particularly in relation to visitors and bird numbers, to be funded via the wardening programme (the results of the monitoring will be used to review the ongoing delivery of the mitigation);  (3) Consideration of any other measures shown to be ~~as~~ required or appropriate to mitigate recreational impacts of development, for example: provision of additional natural green space could form part of the mitigation measures on some strategic sites in addition to the access management measures identified.~~access management;~~  ~~4) The provision of open space on strategic development sites, as set out in the Council’s Development Contributions SPD, including new habitat areas, which contribute to habitat networks, provide alternative informal recreational opportunities (thereby contributing to quality of life, health benefits, potentially reducing pressure on the more sensitive designated sites and contributing to biodiversity gain), and to seek to create new links to the non-designated countryside. The Green Infrastructure Strategy will provide further guidance.~~  1.82  ~~A d~~Detailed strategies setting out necessary contributions to ~~an~~ in-perpetuity funds and required ~~detailed~~ mitigation measures ~~is~~ ~~are being prepared~~ will be available~~,~~ and contributions will need to be made ~~in accordance~~ having regard to ~~with that~~ those strategies. ~~As all~~ Housing sites and other new development proposals in the district within the ~~identified~~ Zones of Influence, as identified in the Strategic Access Management and Monitoring Strategies (SAMMs), that are likely to ~~have~~ result in significant recreational effects alone or in-combination on the international coastal wildlife sites, ~~it is anticipated that contributions will take the form of a flat-rate tariff to address all the measures across the district.~~ will be expected to contribute to a tariff to deliver the measures required to mitigate their effects.  1.83  The City Council will ~~also~~ continue to work with the other north Kent and east Kent authorities to ensure that there is a joint approach to the consideration of cross-boundary effects, implementation of mitigation and monitoring strategies, ~~and~~ to the long-term development and management of green infrastructure in the area to provide sustainable recreational areas for residents and, where shown to be appropriate, provision of additional natural green spaces.~~. Part of the contribution to wardening and other measures will be towards the funding of the North Kent marshes management arrangements~~  1.84  ~~On this basis, Natural England and the City Council are of the view that an Appropriate Assessment of the draft Canterbury District Local Plan under the Habitat Regulations is not required~~. Development that contributes to the appropriate SAMM or other approved strategic measures will mitigate its impact and will not require Appropriate Assessment for recreational effects on that SPA or Ramsar.  1.85  ~~However, there may be~~ Other development proposals may arise during the lifetime of the Plan, which ~~might~~ may have a likely significant effect on ~~the~~ international wildlife sites within or adjacent to the district and these~~y~~ proposals will also need to be assessed under the Habitats Regulations in line with Policy LB5 ~~subject to the same provisions~~. ~~The following Policy is therefore applicable to all the allocated sites (particularly the strategic sites) in the Plan.~~ It should be noted that the current mitigation measures outlined in the coastal SAMMs have been designed to mitigate recreational impacts from the housing numbers proposed in the Local Plan. Any significant changes in housing numbers would require the reassessment of these measures and their ability to mitigate further impacts and may require additional measures. Policy LB5 is also applicable to all new development proposals. | Updated text in light of Appropriate Assessment in accordance with the Habitat Regulations and to accord with the SAMMs in consultation with and agreed with Natural England. | | |
| MM1.24 | 36 | SP7 | Amend text  No development will be permitted, which may have an adverse effect on the integrity of a~~n~~ the coastal sites being the Thanet Coast and Sandwich Bay ~~SAC~~, SPA and Ramsar ~~Site~~ and Swale SPA and Ramsar, alone, or in combination with other plans or projects, through an increase in recreational disturbance on the over-wintering bird populations for which these sites are designated**~~.~~** ~~and where it cannot be demonstrated that there would be no adverse effect on the integrity of the sites~~**.** As such, the strategic development sites identified in the Plan and any other developments within the identified zone of influence, which would lead to an increase in recreational disturbance, are ~~would therefore be~~ required to fund, in-perpetuity, ~~the following mitigation measures~~ access management and monitoring measures to mitigate these impacts, including:  (1) Wardening of ~~sensitive international wildlife sites~~ the coastal SPA and Ramsar sites, signage and interpretation ~~,~~ and increased education, ~~to be funded by the development in perpetuity~~; and,  (2) Ongoing monitoring and surveys of the ~~sensitive~~ sites ~~in the district to~~, particularly with regard to visitors and bird numbers, which will be linked to ~~funded via~~ the wardening programmes; and,  (3) ~~Consideration o~~f Any other measures ~~as~~ shown to be required or appropriate to mitigate the effects of development; for example, provision of additional natural green space could form part of the mitigation, in addition to any contributions made. ~~access management;~~  ~~(4)~~ ~~The provision of open space on new sites, as set out in the Council’s Development Contributions SPD.~~  (4) Contributions will be made ~~in accordance~~ having regard to ~~with~~ the guidance prepared by the City Council. Any tariff will comprise a one off payment incorporating a levy for annual expenditure to operate the mitigation strategy and a portion for capital investment to fund wardening and mitigation measures in-perpetuity. | Updated text in light of Appropriate Assessment in accordance with the Habitat Regulations and to accord with the SAMMs in consultation with and agreed with Natural England. | | |
| **Chapter 2: Housing Development** | | | | | | |
| MM2.1 | 43 | 2.23 | Delete text and table  *Table H1: Phased Housing Land Requirement – Delete Table & para 2.23* | Examination | | |
| MM2.2 | 43 | 2.24 / Table H2 | Delete text and table  *Table H2: Strategic Allocations – Delete table* | Examination | | |
| MM2.3 | 44 | 2.25 / Table H3 | Delete text and table  *Table H3: Other Housing Allocations – Delete table* | Examination | | |
| MM2.4 | 44 | 2.28 | Delete table and insert a new table H1 and amend text  The table below sets out the ~~residual requirement based on the sites included in the Housing Information Audit (HIA) 2013,~~ housing land supply over the plan period 2011-2031 and shows the City Council’s position in meeting the~~is~~e overall housing requirement. This updates the January 2016 Housing Land Supply Revised Position and April 2016 revision ~~This is drawn from the Housing Land Supply Revised Position report (January 2016)~~ providing a position based on information from the HIA 2015.   | **5 Year Supply Position 2015/16-2019/20** |  | | --- | --- | | **Requirement** |  | | Local Plan requirement 2011-2031 (800dpa) | 16,000 | | Completions 01/04/11 to 31/03/15 | 1,908 | | Residual requirement | 14,092 | | Number of units required 2015-2031 (remaining 16 years) p.a. | 881 | | Five Year requirement | 4,404 | | 5% buffer | 220 | | **5 Year requirement with 5% buffer** | **4,624** | | Annual requirement | 925 | | **Supply** |  | | Strategic and other new allocations | 3,281 | | Existing allocations | 298 | | Planning permissions (as at 31/03/15) | 1,126 | | Windfall Allowance | 276 | | **Total Supply** | **4,981** | | Total Five Year Housing Supply |  | | Surplus | 357 | | Years Supply | 5.39 | |  |  | | Examination  Amend text to provide current position | | |
| MM2.5 | 46 | HD1 | Amend policy  Policy HD1 Housing Allocations  In addition to Policy SP3, Development will be permitted at the housing allocations in the District as set out below:   | **Canterbury Sites** | | | --- | --- | | St Martins Hospital, Canterbury | 200 | | Kingsmead Field, Canterbury | 15 | | **Herne Bay Sites** | | | Land at Bullockstone Road, Herne Bay | 190 | | **Rural Sites** | | | Land at Spires, Bredlands Lane, Hersden | 80 | | Barhan Court Farm, Church Lane, Barham | 25 | | Land at Baker’s Lane, Chartham | 20 | | Brickfield Farm, Mill Lane, Bridge | 40 | | Land adjacent to Cranmer and Aspinall Close, Bekesbourne | 14 | | Land to rear of 51 Rough Common Road, Rough Common | 28 |   The City Council will safeguard ~~those sites identified~~ allocations carried forward from the 2006 Local Plan as indicated on the proposals map and listed in ~~table H2~~ Appendix 2 for housing ~~and~~ or for mixed use development where there is an element of residential development.  ~~Development on allocated housing sites for other non-residential uses including purpose-built student accommodation will not normally be permitted~~.  Land is also identified on the proposals map (Inset 1) at Chaucer Road, Canterbury as an opportunity site in the longer term for new housing during the Local Plan period. | National Planning Policy Framework | | |
| MM2.6 | 46 | 2.36 | Amend text  The mix of tenures, sizes and types of homes provided on any particular development will be required to reflect local needs. This should also encourage social cohesion and the creation of balanced and higher density communities. Different tenures and creative quality design are therefore necessary, in particular in areas of higher density such as town centres and around good public transport interchanges in the urban areas, to provide for the range of accommodation needed and to promote social mix. Home Ownership has become unaffordable to many people in the district and the City Council seeks to encourage the development and delivery of starter homes, as defined by the Housing and Planning Act 2016. Starter homes on mixed sites will be treated as any other form of affordable housing in that they should represent a mixture of types and sizes of property that is reflective of the overall development. Starter home exception sites are also encouraged where appropriate land is available but the development should reflect the housing needs of the district. In addition, on suitable sites, the City Council will be supportive of provision of self-build plots and custom build housing. | Examination  Housing and Planning Act 2016 – to ensure soundness of plan - conformity with new requirements in the Act. | | |
| MM2.7 | 47 | 2.40 | Amend text  In 2012 the City Council appointed Adams Integra to undertake an Economic Viability Assessment of the Future Development in the Canterbury District, in particular an assessment of affordable housing viability. This report recommended that given the current economic climate and to maintain the viability of sites, the City Council should consider a 30% affordable housing requirement on sites of 7 or more units across the District. This is a lower percentage than that recommended in the SHMA, however, it now applies a lower threshold of 7 or more units, and therefore recognises the current economic difficulties. The threshold for affordable housing has also been lowered in response to evidence suggesting that in the past the capacity of some sites has been artificially reduced to fall below the affordable housing threshold. The affordable housing requirement will apply to all types of housing developments including sheltered housing schemes. Where proposals are submitted below the 30% affordable requirement threshold, the City Council will require a viability assessment to provide justification. ~~It should be noted that the Government is currently consulting on a new national threshold and the City Council's approach may need to be reviewed in light of this. Canterbury City Council are aware that Government has previously sought to impose a threshold excluding developments of 10 units or fewer from a requirement to contribute to affordable housing provision, albeit this is not currently in place. Any national policy which supersedes the locally applied threshold will be used if, and when, it is implemented and applicable.~~ | Examination | | |
| MM2.8 | 47 | 2.41 | Amend text  The report also recommended that for sites below 7 units, development will be expected to make either on-site provision or a financial contribution in lieu of on-site provision where there is a viability issue. This will only apply to new additional units, including those in conversions of existing buildings and will not apply to replacements. The City Council’s preference is for on-site provision and a case needs to be made as to why this cannot be achieved. A viability statement may be required and may be assessed by an independent assessor of the Council's choice at the applicant's expense. A vacant building credit will be applied where it can be demonstrated that qualifying buildings are genuinely vacant. ~~Where a financial contribution is deemed more appropriate, the City Council will apply the formula set out in paragraph 2.49.~~  As this is a 20 year plan, the City Council will keep all viability issues and the affordable housing percentage under review. | Examination  Text updated to reflect emerging Government policy | | |
| MM2.9 | 48 | 2.42 | Amend text  The Adams Integra report suggests a target of affordable housing tenure of 70% rented and 30% suitable intermediate tenure. The City Council will negotiate the exact tenure and type of the units to reflect local needs and the requirements of the Canterbury District Housing Strategy, on each site through pre-application discussions. The addition of starter homes to the affordable housing portfolio and the likelihood of a government set target for Starter Homes, as well as changes to funding arrangements and finances of registered providers, means that in some circumstances, the City Council may have to prioritise delivering the overall target of affordable units, rather that the 70/30 split. | Examination  Text updated to reflect emerging Government policy | | |
| MM2.10 | 50 | 2.49 | Amend text  Calculating Commuted Sums for Affordable Housing  The City Council will prepare guidance or a supplementary planning document setting out how commuted sums will be arrived at.  ~~The City Council will apply the formula set out below for financial contributions.~~  ~~The financial contribution is arrived at by the following steps:~~   * ~~Step 1: Open Market Value (OMV) of the housing units on-site (A)~~ * ~~Step 2: Multiply (A) by the residual land value percentage of 20% (B)~~ * ~~Step 3: Add 15% of the result of (A) X (B) to reflect site acquisition and servicing costs. This gives the per unit sum.~~ * ~~Step 4: Apply to the relevant site number and proportion (in this case 30% affordable housing contribution)~~ | Examination | | |
| MM2.11 | 50 | HD2 | Amend text  Policy HD2 Affordable Housing  In order to address the need for affordable housing in the District, t~~T~~he City Council will ~~require all types of residential development to make provision for affordable housing.   A requirement of~~ seek provision of 30% ~~is to be provided on-site, for schemes of~~ affordable housing on all residential developments consisting of 7 or more units.  For schemes of 2 to 6 units either an on-site provision or a financial contribution will be sought ~~using the formula in paragraph 2.49~~.  The City Council's preferred option is for affordable housing to be provided on-site.  Where it can be demonstrated that on-site provision is not suitable, a financial contribution will be sought.  A vacant building credit will be applied where it can be demonstrated that qualifying buildings are genuinely vacant. Whether a qualifying building is genuinely vacant will be determined on a site by site basis, having regard to the vacant building credit policy intention to incentivise brownfield development. The vacant building credit applies where the building has not been abandoned, has not been made vacant for the sole purposes of re-development and is not covered by an extant or recently expired planning permission for the same or substantially the same development.  Where the proposed provision of affordable houses is below the requirements set out above, the City Council will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision.  ~~Permission will be refused where the size of the development is artificially reduced to fall below the threshold requiring provision of affordable housing and where the affordable housing element is not comparable in size and design with the rest of the development~~ | National Planning Policy Framework  Text updated to reflect emerging Government policy | | |
| MM2.12 | 51 | 2.56 | Amend text  The City Council will make any planning permission subject to a legal agreement to ensure that the affordable homes remain affordable in perpetuity. ~~Only~~ Non-standard shared ownership leases will be accepted that preferably limit ownership to 80% of the total value. Those people who are considered to be a priority for new local needs housing will be chosen in a sequential way. This will be done in conjunction with the Parish Council on the basis of the need within the parish, neighbouring parishes and the wider area. ~~The City Council will support the development of starter homes on rural exception sites where the applicant provides evidence to the satisfaction of the City Council of the localised need for starter homes. Where starter homes are provided on rural exception sites, the City Council will adhere to government guidance as to their status.~~ | Examination  Housing and Planning Act 2016 – to ensure soundness of plan - conformity with new requirements in the Act. | | |
| MM2.13 | 51 | 2.57 | Amend text  Assuming there are no other overriding planning objections, the City Council may reach agreement with an applicant and grant planning permission for the development on the basis that it is an exception to normal planning policy justified by an identified local need. The planning permission restricts the development of affordable housing, ~~including starter homes~~ where their localised need can be evidenced to the satisfaction of the City Council, which will always be below prevailing market value ~~(in the case of starter homes the City Council will adhere to government guidance on market values)~~ and available only to meet local needs. The provision of starter homes will not be permitted on rural exception sites in accordance with the powers established under the Housing and Planning Act 2016 Section 5(2). | Examination  Housing and Planning Act 2016 – to ensure soundness of plan - conformity with new requirements in the Act. | | |
| MM2.14 | 52 | 2.59 | Amend text  Low cost home ownership, i.e. where the home is sold but an equity share is retained by the developer, may be an alternative to shared ownership. In the case of low cost houses for sale it is important to ensure that the purpose of the scheme is maintained. ~~in perpetuity, and that the dwellings are not sold on by the first occupants at full market value. To do this the occupier should be prevented from being able to own the dwelling outright. This is achieved through shared equity and for this reason the scheme will normally be managed by a Registered Provider. If starter homes are delivered on rural exception sites the City Council will adhere to government guidance on the length of time whereby the home can be sold at full market value and when the occupant could own the dwelling outright.~~ | Examination  Housing and Planning Act 2016 – to ensure soundness of plan - conformity with new requirements in the Act. | | |
| MM2.15 | 53 | HD3 | Amend policy text  Policy HD3 Rural Exception Sites  The City Council will ~~only~~ permit ~~small scale~~ affordable housing to meet local needs on rural exception sites that is, unallocated land outside the boundary of the urban areas and/or built confines of villages, subject to the following criteria:  a. The applicant and the parish council or local community in conjunction with the City Council, must demonstrate the existence of a local need which cannot be accommodated in any other way, i.e. no other sites are available within the village;  b. The development must be of a scale not in excess of the identified local need;  c. The City Council must be satisfied that the long term occupancy of the dwellings can be controlled to ensure that the housing will continue to be available for a local need at an affordable price ~~in perpetuity~~ and this will be defined by a legal agreement. ~~In instances where starter homes are provided the City Council will adhere to government guidance.~~ Proposals to construct dwellings offering a discounted initial purchase price only will not be acceptable ~~unless they are delivered as a starter home in accordance with government guidance~~. The City Council will seek to control occupancy through agreements as appropriate to meet local needs;  d. The development must be capable of proper management by a registered provider, village trust, parish council or a similar organisation;  e. There is no conflict with environmental protection policies;  f. Any site must be well related to the village and existing facilities; and  g. Market housing will ~~only~~ be acceptable as an ~~minor~~ element of the scheme ~~in exceptional circumstances, for example,~~ to enable the financial viability of the scheme ~~and~~ or to meet an identified local market need. A financial viability statement will need to be submitted with any application and may be validated by an independent assessor at the expense of the applicant. The market housing element will amount to no more than 30% of the scheme. Any permitted market housing must be comparable in scale and design to the affordable housing element. Starter homes will not be permitted on rural exceptions sites. | Examination  Housing and Planning Act 2016 – to ensure soundness of plan - conformity with new requirements in the Act. | | |
| MM2.16 | 54 | HD4 | Insert headings and amend text  Policy HD4 New Dwellings in the Countryside  Planning permission for new dwellings in the countryside will be ~~only~~ be granted in the following circumstances:  Agricultural Workers Dwelling  a. Where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside, for example, to meet the needs of agriculture or forestry. In such circumstances the City Council will require the applicant to produce an independent report demonstrating the need for the dwelling and the financial viability of the business.  b. Where existing dwellings serving or closely connected with the holding do not provide sufficient accommodation for essential rural workers.  The re-use or enabling development of heritage assets  c. The proposed development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or  d. The development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.  e. The proposed development complements the existing historic character.  New dwellings in the countryside  ~~e~~f. The development is of exceptional quality or innovative ~~nature of the~~ design  Where a need is proven, the City Council will normally require the new agricultural dwelling to be sited in association with existing groups of farm buildings. | To provide clarity | | |
| MM2.17 | 56 | HD5 | Amend text  Policy HD5 Conversion of Rural Buildings  Where planning permission is required for the conversion of an existing agricultural or other rural building in the open countryside to a residential use, it will ~~only~~ be granted if the following criteria are satisfied:  a. It has been demonstrated by means of a supporting statement to the satisfaction of the City Council that the building has been continuously actively marketed for ~~2~~ a year~~s~~, for suitable preferred or alternative re-uses, such as business, tourism or community; or  b. The residential conversion is a subordinate part of a scheme for a business, tourism or community re-use, which will have a positive benefit on the local economy and community; or  c. The residential conversion meets an identified local housing need; and  d. The form bulk and design of the building is sympathetic to the rural surroundings and it respects local styles and materials; and  e. The building is capable of conversion without major reconstruction or extension and any alterations can be achieved without a detrimental impact on its character and appearance; and  f. The building is capable of conversion and reuse without requiring substantial additional outbuildings or a significant change in the setting of the building; ~~and~~  g. There is no overriding conflict with other policies in the Local Plan. | To provide clarity and consistency | | |
| MM2.18 | 57 | 2.75 | Amend text  ~~The wording “exceptionally high” is used in policy HD6 to allow for flexibility for particular local circumstances where the impact of additional HMOs would be particularly acute.~~ The Housing in Multiple Occupation (HMO) Article 4 Direction came into effect on the 25th of February 2016. This means that planning permission is required for changes of use from residential (C3) to small HMO (C4) uses, in the aforementioned wards. This covers the wards (or parts of wards) Barton; Blean Forest; Chartham and Stone Street; Northgate; St Stephens; Sturry; Westgate and Wincheap. A plan showing the area can be found in Appendix 4. The City Council will keep this issue under review to see if there are other areas which need to be subject to this policy and the Article 4 Direction. Any future changes will be subject to public consultation. ~~In order~~ To address ~~these three issues –~~ housing need; community cohesion and residential amenity – the Council considers that the proportion of HMOs ~~in any given area~~ in a 100m radius should comprise of no more than 10% of the total number of properties. The Council believes that Policy HD6 set out below is a reasonable response to the issues.  ~~For the purposes of policy HD6, the designated area includes the area within the urban boundary of Canterbury and the wards of Sturry North, Sturry South, Barton, Wincheap and Blean Forest. It alsoincludes the parish of Harbledown and that part of the Lower Hardres Parish north of the A2.~~  ~~A plan showing the area can be found in Appendix 3.~~ | To reflect updated position re- HMO Article 4 Direction | | |
| MM2.19 | 58 | HD6 | Amend text  Policy HD6 Housing in Multiple Occupation (HMO)  In order to maintain an appropriate housing mix ~~within the designated area,~~ and to safeguard the character of local communities, the proportion of HMOs within the areas subject to Article 4 Directions should not exceed 10% of the total number of dwellings within a 100m radius of any application property. The City Council will not permit changes of use to HMOs, or extensions to existing HMOs, where that proportion would be exceeded. However, in areas where there is already an exceptionally high proportion of HMOs, for example, in any particular block of properties, consideration will be given to permitting further conversions.  In all cases ~~where planning permission is sought for the conversion of residential (C3) to small HMO (C4) uses in the Housing in Multiple Occupation (HMO) Article 4 Direction area or where extensions to existing HMOs are proposed,~~ regard will also be had to the following factors:  a. whether the proposals would lead to a level of car-parking that would exceed the capacity of the street;  b. whether the proposals could provide acceptable arrangements for bin storage and other shared facilities; and  c. whether the design of any extension would be appropriate in terms of the property itself or the character of the area. | To reflect updated position re- HMO Article 4 Direction | | |
| MM2.20 | 60 | HD7 | Amend text  Policy HD7 Purpose Built Student Accommodation  All future increases in academic or administrative floorspace resulting in increased student numbers by the universities, ~~must be~~ matched by a corresponding increase in purpose-built student accommodation. Proposals for purpose-built managed student accommodation will ~~only~~ be granted if:   1. It is the acceptable redevelopment of a non-residential site, where there is no longer a proven need for the existing use; 2. The site is not already allocated for general housing; 3. The proposal would not lead to a concentration of students in an otherwise residential area and therefore conflict with the purpose of HMO policy HD6 ……………     The City Council will support proposals on campus, subject to other relevant plan policies. | NPPF | | |
| MM2.21 | 62 | 2.87 | Amend text  With an ageing population there is a need for flexibility in new residential accommodation and the Council is seeking to achieve 20% of housing to be built to Part M4(2) of the Building Regulations (see Policy DBE8). ~~to lifetimes homes standard (policy DBE7).~~  ……………… | Written Ministerial Statement | | |
| MM2.22 |  | HD10 | 1. Amend policy text 2. **I**n considering applications for seasonal, temporary or permanent use of land by Gypsies and Travellers, planning permission will ~~only~~ be permitted if the following criteria are met:   a. The Council is satisfied that there is a clearly established need for the site and the number of pitches involved cannot be met by an existing site;  b. The site should be well related to and within a reasonable distance of local services and facilities - shops, public transport, schools, medical and social services, and would not place undue pressure on these services; ~~particularly where it is outside an existing settlement;~~  c. The site is capable of being provided with on-site services such as water supply, sewage disposal and power supply;  d. ~~Where the site is on the outskirts of a built up area, care is taken to avoid encroachment on the open countryside.~~ The site is within the built up area of a settlement or on the outskirts of a settlement and is of a scale which respects, and does not dominate, the settled community;  e. ~~If location outside an existing settlement is unavoidable, t~~ The form and extent of the accommodation does not adversely affect the visual or other essential qualities of an AONB, SSSI, national or local nature reserve, or other area of landscape significance designated in the development plan, or conservation area.  f. The use of the site should not have an adverse impact on residential amenity or existing buildings or uses, either by the design, close proximity, activities or operations on the site which would be detrimental to the surrounding area;  g. Access to the site should not be detrimental to highway safety for vehicles and pedestrians, and should not conflict with other transportation policies or objectives.  h. Proposals should incorporate a landscape strategy and/or an environmental management plan where appropriate. | Soundness and compliance with DCLG Planning Policy for Traveller Sites (August 2016) – ensure compliance with para.25 which limits development in open countryside and para.26 design/amenity points. | | |
| **Chapter 3: Economic Development** | | | | | | |
| MM3.1 | 72 | EMP1 | *Amend table and text*  The following sites are identified and protected for business purposes, under use classes B1 and B8 (except where otherwise specified):   | Area | Site | Site Area | | --- | --- | --- | | Canterbury | Innovation Centre, University of Kent\* | 3.45ha | | Broad Oak Road/ Vauxhall Road | 1.4  ~~1.6~~ha | | Land at Sturry Road\*\* | 2.2ha | | Canterbury West Station\*\*\* | 0.4ha | | Office Connection site, St. Andrews Close | 0.1~~0~~  ~~0.2~~ha | | Herne Bay | Eddington Lane (3 sites) | 7.9ha | | Altira Park | 7  ~~10~~ha | | Metric Site | 0.2  ~~0.5~~ha | | Whitstable | Land at Wraik Hill | 3.4ha | | Land at Joseph Wilson Business Park | 2.5ha | | Rural areas | Canterbury Business Park (Highland Court) | 1~~3~~ha |   On these sites, a small proportion of non-Class B uses will be permitted, provided need is proven and the majority of the site is still utilised for Class B1 and B8 uses. ~~Not more than 10% of completed floorspace on each site. Business~~ Non Class B1 and B8 uses will be permitted if they are not ~~that are~~ provided for elsewhere in the P~~p~~lan ~~of~~ and will not ~~which could~~ compromise the primary business use of these sites ~~(e.g.: retail; residential homes)~~ ~~will not be permitted~~.  \*Class B1 only  \*\*Allocated for Use Classes B1 (business), B8 (storage & distribution), D1 (non-residential institutions) and D2 (assembly and leisure) and certain “sui generis” uses, such as car showrooms, where the anticipated nature and level of traffic generation would not undermine the wider transport objectives in this area. Subject to the same caveat, a mix of these uses or an element of A3/A4 uses might also be acceptable  \*\*\* Any development of the City Council’s site at Canterbury West shall incorporate replacement car parking. | | National Planning Policy Framework  Examination  To reflect current situation. | |
| MM3.2 | 75 | 3.46 | Amend text  Since May 2013, the conversion of office space to residential use has been “permitted development” and the conversion of storage or distribution centre to residential use is permitted development until 15th April 2018. The Council recognises that this limits ~~the effectiveness in the short-term of~~ Policy EMP4, which will ~~in relation~~ not apply to conversion to residential use in many instances. However, it remains the Council’s preferred approach, supported by the conclusions of the Development Requirements Study and the Employment Land Review, and will be applied to other proposals not covered by policies in the plan or the GDPO. This policy would also apply if an article 4 direction was to be applied to any of the employment areas within Canterbury District. If the ~~temporary~~ permitted development rights are discontinued, this Policy will be applied to all applications within the areas identified on the proposals maps. ~~residential uses as well~~. | | General Permitted Development Order | |
| MM3.3 | 76 | EMP4 | *Amend text in (a) and (c)*  ………  (a) will only ~~not~~ permit the loss of existing or allocated employment sites, as identified on the Proposals Map~~, except~~ where:  ...........  (c)  will ~~not normally~~ permit the ~~loss~~ change of use of office accommodation in the district to other uses, ~~except~~ in the following circumstances:  …………. | | National Planning Policy Framework  Positive wording | |
| MM3.4 | 81 | EMP9 | Amend text  The City Council will work with the Education Authority and other school and education providers to ensure that provision is made for educational needs, including those arising from new development, and that appropriate mechanisms are secured through legal agreements to deliver this provision. | | To provide further clarity and ensure all educational needs are provided for.  KCC and NPPF 72 | |
| MM3.5 | 82 | EMP11 | Amend text  Developments within the Whitstable Harbour area as shown on the proposals map ~~will be granted planning permission if they conform~~ should ~~to~~ take account of the Whitstable Harbour Strategic Plan, to sustain a working harbour with an appropriate balance of operational ~~uses~~ and non-operational uses that are compatible with the maintenance of the operational capability of the harbour, subject to appropriate design and access considerations. Proposals that ~~would undermine~~ support this broad strategy will ~~not~~ normally be permitted. Proposals will also need to be considered against ~~Policies SP7 and~~ Policy TCL10. | | Positive wording and conformity with NPPF | |
| MM3.6 | 82 | EMP12 | Amend text  ~~Subject~~ Excluding ~~to~~ the development allocations set out in this Plan, the City Council will seek to protect best and most versatile farmland for the longer term. Where development of non-allocated agricultural land is demonstrated to be necessary to meet a housing, business or community need, planning consent ~~will normally only~~ may be granted on best and most versatile land if a suitable site on poorer quality or previously developed land cannot be identified. | | Positive wording NPPF compliance | |
| MM3.7 | 85 | EMP14 | Amend text  The City Council will grant planning permission for the conversion of existing rural buildings, and well-designed new buildings and premises, that support the development and expansion of rural business in suitable locations in the rural areas, as follows:  …  c) Particular care should be exercised in the design of buildings and premises, where permitted within the ~~north~~ Kent D~~d~~owns ~~a~~Area of ~~o~~Outstanding ~~n~~Natural ~~b~~Beauty, or where it involves the conversion of an historic building;  …  The City Council will ~~not normally~~ support proposals that would not result in the loss of existing business premises that provide essential services to the rural areas. | | Positive wording | |
| **Chapter 4: Town Centres and Leisure** | | | | | | |
| MM4.1 | 90 | 4.6-4.11 | Amend text  Retail Hierarchy  4.6  Canterbury City ~~c~~Centre: Retail development should be focused in the city centre to support its ~~acts as a~~ sub-regional ~~centre for retail~~ role as a shopping, leisure, cultural and tourism destination. The Council believes that the changes in national trends are likely to result in a continued increase in the demand for the City ~~as a retail destination~~. Canterbury needs to make the most of this opportunity, encourage investment in the centre, attract more of the big retail names, support the independent sector and expand the centre to meet an identified retail need. It is essential that the Council seeks to safeguard its strong retail offer in the Primary Shopping Area and retain its position as an important sub-regional centre for retail and consumer services, providing for the needs of residents, students, workers, tourists and the visitor economy generally.  4.7  4.7 ~~The~~ Whitstable and Herne Bay ~~d~~District C~~c~~entres: ~~(Herne Bay and Whitstable)~~ Secondary retail centres that fulfil ~~have~~ a complementary role to Canterbury City Centre ~~as part of~~ in the established retail hierarchy~~,~~. They serve~~ing~~ the local population~~. They~~ and ensure a sustainable focus and pattern for development and their position within the retail hierarchy will continue to ensure they have opportunities to enhance and strengthen ~~their role~~ this function. The distinctive characteristics of each centre will be promoted in Policy TCL8, and there is ~~clearly~~ scope within both centres for making improvements to the public realm and shopping environment.  4.8  ~~Whitstable, an important district centre for retail, with an unusual and successful retail offer of an independent and eclectic range of shops, needs to be carefully supported in maintaining its retail character.~~  Edge of Centre: Whilst the NPPF advocates a town centre first approach, the historic nature of Canterbury City Centre means that it is more constrained than most centres with limited opportunities for growth. As a result, in order to meet the identified retail need and maintain Canterbury’s positon as a sub-regional centre, a comprehensive retail-led scheme will be supported on land at the Wincheap Industrial Park at the edge of centre, as shown on the Proposals Map (Policy TCL7). It will include a substantial element of new comparison retail floorspace that is well connected with the City Centre. Leisure, residential and office uses will also be permitted within the site, complimentary to its primary retail offer.  **4.8** 4.9  4.9 ~~The retail offer of Herne Bay, also dominated by independents, should benefit from regeneration efforts identified in the Herne Bay Area Action Plan, which seeks to improve the retail offer and increase the amount of consumer spending retained in the town.~~  Out of Centre Provision: There are two clusters of out of centre retailers a short distance to the east and west of Canterbury City Centre. To the east along Sturry Road is the Marshwood Industrial Estate and the Stour and Maybrook Retail Parks and to the west is the Riverside Retail Park, which also forms part of the wider Wincheap Retail Area proposals in Policy TCL7. Occupiers include mainly bulky goods / traditional out of town stores. The NPPF requires proposals for main town centre uses to be located in town centres, or if no suitable sites are available, then in edge of centre locations.  4.10  4.10 Local Neighbourhood Centres: contain a range of small shops of a local nature, such as a small supermarket, newsagent, sub-post office and pharmacy and potentially other services such a hot-food takeaway and launderette.  4.11  ~~The l~~Larger villages: perform the role of village centres, and may typically include a small convenience shop, newsagents and sub-post office | | National Planning Policy Framework | |
| MM4.2 | 90 | TCL (A) | Amend policy  Policy TCL(A) Retail Hierarchy  To ensure the long term viability and viability of the Districts town centres, the Council will apply a town centre first approach to proposals for retail, leisure and other town centre uses. Development should take place at a scale appropriate to the size and function of the centre within which it is to be located. The Districts retail is defined as follows:   | Retail Hierarchy | | | --- | --- | |  |  | | City / Sub-Regional Centre | Canterbury City Centre | | District Centres | Whitstable  Herne Bay | | Edge of Centre | Wincheap Industrial Estate (proposed Wincheap Retail Area (Policy TCL7)) | | Out of Centre | Riverside Retail Park (Wincheap)  Marshwood Industrial Estate  Stour and Maybrook Retail Parks (Sturry Road) | | Local Centres | Wincheap (A28) Canterbury\* St. Dunstan’s, Canterbury  Tankerton Road, Tankerton  Herne Bay Road / St Johns Road, Swalecliffe  Sea Street, Herne Bay  Canterbury Road, Herne Bay  Reculver Road, Beltinge  Faversham Road, Seasalter | | Larger Villages | Barham  Blean  Bridge  Chartham  Hersden  Sturry  Littlebourne |   \* The local Centre of Wincheap refers to the range of retail and other services located along the A28, it excludes the Wincheap Industrial Estate, which is subject to Policy TCL7 | | National Planning Policy Framework | |
| MM4.3 | 91 | TCL1 | Amend policy  Policy TCL1 Town Centres  Within the designated town centres, planning permission will be granted for development of a range of town centres uses where they respond to changing need and/or contribute ~~that add~~ to the vitality and viability of the town centre~~, including the experience economy, except where the proposed development is in conflict with other policies or other environmental objectives~~.  The Council will seek to enhance the established character and diversity of town centre uses, and avoid over-concentration of particular uses that would be detrimental to the character and function of an area or to the vitality or viability of a shopping frontage or locality.  Development proposals within town centres should be of an appropriate scale in accordance with its function and ~~that centre’s~~ position in the retail hierarchy. | | National Planning Policy Framework | |
| MM4.4 | 92 | 4.16 | Amend text  Primary Shopping ~~Areas~~ Frontages  **4.16** The Council has designated Primary Shopping Frontages in Canterbury City, Whitstable and Herne Bay. These areas are intended primarily for A1 (shops) use, to ensure a competitive retail offer and accessible shopping core, which will underpin healthy and thriving town centres. Alternative retail and non-retail uses can in most instances be located in the ~~Mixed~~ Secondary Shopping Frontages or wider town centre and still contribute to vitality and viability. The Council will continue to monitor town centre vacancies. This will be a relevant consideration in the application of Policy TCL2. | | National Planning Policy Framework | |
| MM4.5 | 93 | TCL2 | Amend policy  Policy TCL2 Primary Shopping Frontages  ~~Within the~~ Primary Shopping Frontages are designated at Canterbury, Herne Bay and Whitstable as shown on the Proposals Map.  The Council will strongly encourage proposals that promote A1 uses which strengthen the retail function as well as the appearance and character of the Primary Shopping Frontages.  ~~t~~The change of use of ground floor premises from Class A1 shops to other uses will ~~only~~ be permitted where:   1. It can be shown that the premises is no longer needed for A1 use and the retention of A1 use at the premises have been fully explored, without success, by way of active marketing at a reasonable rate for a period of at least 12 months in Canterbury or at least 6 months in Herne Bay and Whitstable; and   (b) The proposed change of use does not have an unacceptable impact on the retail function of the frontage, ~~on~~ the attractiveness, or on the vitality and viability of the primary shopping frontage, including ~~or on~~ pedestrian circulation ~~to nearby streets~~.  ~~Alternatively, a~~An exception may be made where the proposal would clearly be beneficial to the vitality and viability of the primary retail function of the frontage. | | National Planning Policy Framework | |
| MM4.6 | 93 -94 | 4.23 | Amend text  ~~Mixed~~ Secondary Shopping Frontages  4.23 Within the ~~Mixed~~ Secondary Shopping Frontages a mix of uses will be acceptable (including retail, professional and financial services, restaurants, cafes and bars), where this does not harm the vitality, attractiveness and viability of the shopping function of the area. Therefore, ~~W~~within these ~~Mixed~~ Secondary Shopping Frontages, ~~therefore,~~ the Council will encourage an active mix of uses, and resist the loss of retail (A1-A5) uses to residential or other non-retail uses. It is important that active frontages / shopfronts are maintained so that the ~~Mixed~~ Secondary Shopping Frontage remains active and no areas of dead frontage are created, thereby isolating units further away. Care will be taken to avoid excessive concentrations of single uses that could cause amenity issues and affect the main shopping focus. | | National Planning Policy Framework | |
| MM4.7 | 94 | 4.25 | Amend text  Planning proposals for a change of use from A1 (shops) to A2 (financial and professional services) excluding banks and building societies, A3 (restaurants and cafes), A4 (drinking establishments), or A5 (hot food takeaways) will need to be carefully considered against ~~p~~Policy TCL3. Particular attention should be given to avoiding the clustering of non-A1 uses where this is detrimental to the attractiveness of the centre in accordance with Policy TCL1. Within the ~~Mixed~~ Secondary shopping areas of Canterbury, Whitstable and Herne Bay, the City Council will support measures to protect and promote the charm and convenience of the independent retail sector. The Council will continue to monitor town centre vacancies. This will be a relevant consideration in the application of Policy TCL3. In the case of St Peters Street, additional flexibility is provided through Policy TCL4. | | National Planning Policy Framework | |
| MM4.8 | 94 | TCL3 | Amend policy  Policy TCL3 ~~Mixed~~ Secondary Shopping Frontages  ~~Mixed~~ Secondary Shopping Frontages are designated at Canterbury, Herne Bay and Whitstable as shown on the Proposals Map.  The Council will strongly encourage proposals that promote a mix of A1 to A5 uses and that maintain a Secondary Shopping Frontage.  Changes of use of ground floor premises in these areas between the A use class will be permitted where the proposed use:  (a) Retains an active shop front and maintains or enhances the vitality, attractiveness and viability of the shopping area;  (b) Is complementary to the shopping function of the area and provides a direct service to the public; and  (c) Does not result in an over concentration of ~~such~~like uses in the area and contributes to an appropriate mix and diverse retail offer.  Change of use to residential or other non-retail uses will not normally be permitted. | | National Planning Policy Framework | |
| MM4.9 | 95 | 4.28 | Delete text  ~~Any pedestrian enhancements and alterations to traffic flow in the Westgate Towers area should contribute to improving the pedestrian experience and increasing pedestrian footfall at St Peters Street and St Dunstans Street. Any future scheme should be fully evaluated prior to implementation.~~ | | National Planning Policy Framework | |
| MM4.10 | 96 | TCL5 | Amend text  Policy TLC5: Local Centres  The Council will protect and improve the provision of retail uses and other uses that meet local needs in the designated local centres and the Canterbury City areas of Wincheap, and St Dunstans. Planning permission will ~~only~~ be granted for a change of use from a retail shop or other community use if:   1. The proposed use does not threaten the vitality and viability of the local centre; 2. The proposed use is not detrimental to residential amenity; 3. The proposed use does not jeopardise the ~~balance and~~ variety of services available in the local centre to meet the needs of the local community; 4. There is evidence to demonstrate that there is no demand for the continued use of the premises for retail or community uses; and 5. The use is no longer viable and the property has been actively marketed at a reasonable rate for a period of at least 12 months.   Proposals for new shopping or community provision within or adjacent to local centres will be permitted where the proposals meet a local need, widen the choice, quality or range of shopping or community facilities, and are of a scale appropriate to the function of that particular centre. | | National Planning Policy Framework | |
| MM4.11 | 98 | 4.41 | 4.41  The Council will apply the sequential test to main town centre uses in the following order:   * ~~Primary Shopping Area (or designated retail frontages in coastal towns);~~ * Town Centre locations; * Edge of centre locations (within 300m of the town centre boundary); * ~~Retail Nodes (in Canterbury);~~ * Out of Centre locations.   4.42  Proposals at out of centre locations will only be permitted if suitable sites are not sequentially available in ~~Primary Shopping Areas~~, town centre~~,~~ or edge of centre locations ~~or designated retail nodes~~. Preference will be given to accessible sites that are well connected to the town centre. | | National Planning Policy Framework | |
| MM4.12 | 99 | 4.45 | Amend text  In the case of existing retail warehouses that are effectively limited to bulky goods, the Council will resist pressures to broaden out the range of goods permitted to be sold. This is to protect the vitality and viability of the City centre but it would also help retain the availability of units for bulky goods sales. If proposals come before the Council for relaxing the restrictions on the range of goods to be sold, then they should meet the requirements of policy TCL6 below. ~~929 sqm (10,000 sq ft) has commonly been used as part of conditions in the Canterbury District as the threshold below which bulky goods units units~~ ~~should not be subdivided or at which bulky goods conditions have been attached.~~ | |  | |
| MM4.13 | 99 | TCL6 | Amend text  Policy TCL6: Main Town Centre Uses  Planning permission for main town centre uses outside the defined town centre boundary, or Primary Shopping Area/Frontage in the case of retail uses, will ~~not~~ be granted ~~unless~~ where the applicant has successfully demonstrated:   1. That there are no other more suitably located and available sites nearer to the town centre or Primary Shopping Area for A1 retail uses, using a sequential approach to site identification; 2. Flexibility in terms of format and scale; 3. The site is accessible and convenient to a range of transport modes other than the car, including good local public transport services and walking and cycling; and 4. The proposed development does not have a significant detrimental effect on the highway network in terms of congestion, road safety and pollution.   When assessing applications for retail, leisure and office development outside town centres, and with a floorspace that meets or exceeds ~~920~~ 2,500m², the Council will also require an impact assessment which will include an assessment of:   1. The impact of the development on existing, committed and planned public and private investment (including regeneration schemes) in a centre or centres in the catchment area of the proposal; 2. The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area; and 3. Effect on the vitality and viability of other town centres and identified local centres within the catchment area of the proposal.   Development that gives rise to significant adverse impacts will be refused. | | National Planning Policy Framework | |
| MM4.14 | 100 - 101 | 4.47 – 4.53 | Amend text  ~~Diversification of the Retail Offer and~~ The Wincheap Retail Area and Meeting the Retail Need  4.47  ~~The comparison (non-food) retail need identified for Canterbury City is significant. In order to maintain Canterbury’s current role and competitive position in the retail hierarchy it follows that the Council should seek to meet this need.~~  The NPPF states that Local Planning Authorities should: “allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, community services and residential development needed in town centres. It is important that retail and leisure needs are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites”.  4.48  ~~The NPPF states that Local Planning Authorities should: “allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, community services and residential development needed in town centres. It is important that retail and leisure needs are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites”.~~  4.47 The Canterbury Leisure and Retail Study (2015) undertook a quantitative retail capacity assessment which identified capacity across the Canterbury District for 33,800 sqm of net comparison floorspace by 2031. This is a reduction from the 50,000sqm advised by DTZ in 2011.  4  GL Hearn’s research also indicates that Canterbury’s catchment has been contracting since 2011, indicating a slight diminution in its regional performance. Therefore, the Council has opted to pursue a commercial and defensive approach to its retail strategy that seeks to protect and consolidate Canterbury’s position in the retail hierarchy as a sub-regional centre by meeting the identified need in full.  4.49  ~~Given the historic City is more constrained than most centres, the significant comparison retail capacity identified and the lack of suitable City centre sites to accommodate this need, the council needs to make a significant retail allocation in a suitable location.~~ The NPPF advocates priority for retail in town centres in the first instance. However, whilst the character and heritage aspects of the City are of major benefit to Canterbury’s economic success as a retail destination, they also act as a constraint on the future development potential of the Primary Shopping Area. Advice ~~received~~ from DTZ in the Retail and Leisure Strategy (2011) and supported by the updated guidance received by GL Hearn (2015) recommends that the Council should focus on ~~the higher quality and specialist retail and leisure operators within the city centre, providing an holistic offer for resident and visitor markets and~~ identifying opportunities for ~~a~~ satellite retail in an edge or out of centre location~~. This should be~~ that offers a genuinely complementary mix of uses to the City ~~c~~Centre. Whilst it is anticipated that this can be best achieved by catering more for bulky goods and large format~~/mass market~~ retailers and leisure operators ~~(conditioned appropriately), ensuring a focus on high quality and specialist retailers in the City centre. The NPPF clearly indicates a priority for retail in town centres in the first instance.~~, the gap analysis by GL Hearn identifies a number of town centre retailers that are present in comparable cathedral cities but not Canterbury. Therefore, in order to maintain its position within the retail hierarchy some additional town centre floorspace / uses may also need to form part of any future proposals as long as the requirements of Policy TCL6 can be satisfied.  4.50  ~~The Wincheap Retail Area (currently the Wincheap Industrial Estate and Riverside Retail Park) close to the Park and Ride, and within walking distance of the City centre, is well placed to act as a satellite retail area. It must, however, have a complementary retail function, catering for more mass market and large format retailers. There is already substantial retail floorspace on the estate and a target additional net retail floorspace of 50,000sqm should be provided. Any redevelopment should seek to provide alternative premises for existing occupiers of the estate where possible. Redevelopment should~~  4.50 GL Hearn’s Sequential Assessment and Wincheap Capacity Study (2016) demonstrate that potentially around 8,500 sqm net of the capacity identified could be accommodated through the overall existing approved and potentially sequential sites. This leaves approximately 25,000 sqm net of floorspace still to be found. In order to maintain Canterbury’s current role and competitive position in the retail hierarchy it follows that the Council should seek to meet this need through Policy TCL7. “The Wincheap Retail Area”. The NPPF states that it is important that needs for retail are met in full and are not compromised by limited site availability. Consequently, whilst the Sequential Assessment identified some capacity elsewhere there is no guarantee that these sites would be available, deliverable or that retail would be the sole use. Therefore, Policy TCL7 allows accommodation of up to 33,800 sqm net floorspace to inject a degree of flexibility and certainty in terms of meeting the retail needs of the District.  As well as being in an edge of centre location, redevelopment would make the best of the advantages of the current industrial estate, including its position on one of the main entrances into the City, the presence of Canterbury East train station, Park and Ride facilities and major bus routes, its proximity to the new Canterbury–Chartham riverside footpath / cycle path; and its close relationship to the historic City, as an important sub-regional retail centre.  4.51 It is anticipated that the planned redevelopment of the Wincheap Industrial Estate as an edge of centre retail area will be managed in a phased approach. This would aim to match the delivery of floorspace to the capacity forecasts for each of the five-yearly periods as set out in Policy SP2. The City Council will review the retail capacity of the District approximately every 5 years and any future studies will become a material consideration, ensuring that the scale of development is calibrated to any future update of the capacity assessment. This approach will safeguard against supplying over and above the assessed need at any given point over the plan period and will therefore avoid any adverse impact on Canterbury or other centres as stipulated by the NPPF.  It is envisaged that there will be preparation of an overarching masterplan for the Wincheap Retail Area with a separate Development Principles document preceding each phase. The Development Principles will consider the relevant policies, material considerations and design codes. The Development Principles document will also seek to identify potential alternative premises for existing occupiers not considered complementary to the new development proposals or who may not wish to remain within a new scheme prior to the commencement of each phase. Until the development proposals are known in detail, it is not possible to do this as it would be highly speculative and subject to change given the Local Plan period and the fact that the property market changes on a daily basis.    4.51  A planned redevelopment of the estate should incorporate a high quality design and enhanced environment, a traffic management scheme as detailed in Policy T11 that would ensure essential improvements to traffic flow on Wincheap; ~~(including a new off-slip from the A2, and a relief route for Wincheap itself)~~ and a mix of complementary retail, leisure, ~~and~~ business and possibly some residential uses. ~~The Council will encourage a residential element to the scheme where that helps deliver the Council’s priorities, and is located and designed in such a way that it is not incompatible with leisure uses.~~  4.52  ~~A master planning exercise will inform the preparation of a development brief for the Wincheap Retail Area.~~ Any development adjacent to the residential properties on Wincheap should pay regard to the scale of the residential context. Proposals adjacent to the open space on the Great Stour should also pay regard to its wildlife and landscape quality. This area of habitat is designated as a Local Wildlife Site and Area of High Landscape Value and will be safeguarded in any development proposals. The development ~~brief~~ proposals should also respond to flooding risks in the locality.  4.53  The Council will look to promote the improvement of Wincheap itself through the re-development of the existing estate, and highway improvements in particular. Part of the S.106 agreement for planning permission CA/15/01479/OUT includes, amongst other items, the provision of an east bound slip road off the A2. The east bound A2 slip being the major highways infrastructure requirement necessary to support the comprehensive redevelopment of the Wincheap Retail Area. The line of proposed new road infrastructure to relieve Wincheap of the in-bound traffic is safeguarded on the Proposals Map. | | National Planning Policy Framework | |
| MM4.15 | 101 | TCL7 | Amend policy text  Policy TCL7 Wincheap Retail Area  The Wincheap Retail Area, as shown on the proposals map, will be developed as an ~~satellite~~ retail edge of centre area of Canterbury City, focused on retail and leisure provision. The City Council will expect the preparation of an overarching masterplan for the Wincheap Retail Area with a separate Development Principles document preceding each phase ~~production of a Masterplan / Development Brief to be prepared~~ in accordance with the total requirements of this policy and other relevant Local Plan Policies. The Council will facilitate the implementation of a comprehensive mixed-use redevelopment. Any scheme will be required to:  (a) ~~substantially a~~Accommodate up to 33,800sqm (net) of ~~the~~ large format comparison retail and leisure floorspace identified by the ~~Wincheap Retail Development Brief during the plan~~ period Canterbury Sequential Assessment and Wincheap Capacity Study 2016 and phased in accordance with the development requirements in Policy SP2; and  (b) ~~f~~Form an effective, functional and complementary ~~satellite~~ edge of centre ~~of~~  to Canterbury City ~~c~~Centre that complies with the requirements of TCL6; and  (c) Identify potential relocation sites for existing businesses that cannot accommodated within the new development proposals;  ~~(c)~~ (d) ~~p~~Provide improved, attractive and convenient pedestrian links with Canterbury city centre: and  ~~(d)~~ (f) ~~c~~Contribute towards a package of transport improvements as set out in the Wincheap Traffic Management Scheme (Policy T11).  Redevelopment of any discrete part of the Wincheap Retail Area must not impede the successful implementation of ~~the~~ any wider-scale comprehensive retail and leisure-led redevelopment scheme and must also contribute financially to the overall delivery of ~~transport and pedestrian infrastructure as indicated in the Development Brief.~~ The Wincheap Traffic Management Scheme.  The location and design of new residential development identified as essential to viability of the scheme must be compatible with the primary retail, ~~and~~ leisure; and business **function of the site.** | | Examination  To reflect current situation and Duty to Cooperate | |
| MM4.16 | 103 | 4.60 | Amend text  An attractive and accessible public realm benefits visitor perceptions, assists the safe movement of pedestrians and improves town centre vitality. A strategy will be developed for appropriate schemes that builds on the Council’s document titled: “Streets as Destinations: Canterbury City of Imagination Public Realm Strategy” (2008). Options that may be explored include:   * Wincheap Roundabout and Castle Street to improve the connection between retail at Wincheap and the City Centre; * St Georges Roundabout to Canterbury East to ensure high quality development and pedestrian experience at this prominent ring-road location; * St Georges Roundabout and the quality of the pedestrian linkages between the three constituent parts of the World Heritage Site; * St Georges Street; * Riverside links from Northgate to the coach park; * St Dunstans Street, St Peter’s and the West Gate (including alterations to traffic flow in the Westgate Towers area); * Memorial Park, Herne Bay; * Central Development Area, Herne Bay (through the Area Action Plan 2010) * Whitstable Harbour. | | National Planning Policy Framework | |
| MM4.17 | 103 | TCL9 | Amend text  Policy TCL9: ~~Environment~~ Public Realm Improvement Areas  The Council will identify ~~Environmental~~ Public Realm Improvement Areas within the Canterbury District. Within these areas the Council will seek environmental improvements that benefit physical and visual connections and enhance the environment through the use of, landscape and surface treatments, street furniture and signage.  Opportunities for the integration of high quality public art should be pursued, and treatment of the public realm should be informed by the heritage values of the place, where appropriate. | | To provide clarity - acronym EIA is potentially confusing as EIA is used to refer to Environmental Impact Assessments | |
| MM4.18 | 105 | TCL10 | Amend text  Policy TCL10: Mixed Use Development  Within (and around) the town centre, new large developments and development within commercial frontages should incorporate a mix of uses (including residential and / or office uses on upper floors where practicable), which will make a more efficient use of land and add to the vitality of the area. Within the Primary Shopping Frontages, a mixed use retail development shall not result in the overall loss of A1 retail floorspace at ground floor level.  In addition to new sites coming forward in town centres, the following sites are allocated for mixed use development with an indication of the types of uses that would be appropriate as part of the development.  Canterbury   1. White Horse Lane: retail, residential, community uses; 2. Roger Britton Carpets, 190 Wincheap: retail and residential; 3. Kingsmead Depot: retail, leisure and business and residential; 4. Peugeot Garage: student housing, office/commercial, leisure and education.   Whitstable   1. The Warehouse, Sea Street: residential or offices or hotel, with public open space; 2. Whitstable Harbour: fishing, industrial, office / business, leisure and parking.   Development of those sites listed above ~~will need to conform to the associated adopted Development Briefs or agreed development principles.~~ shall take into account any relevant adopted masterplans, development briefs, principles or guidance. | |  | |
| **Chapter 5: Transport Infrastructure** | | | | | | |
| MM5.1 | 117 | 5.29 | Amend text  ……. Cycle parking will be provided in all new developments ~~as per~~ having regard to the local standards set out in Appendix 5 of the Canterbury District Local Plan ~~the Kent Medway Structure Plan Supplementary Planning Guidance 4 (SPG4) and Code for Sustainable Homes Technical Guide.~~ ………. | | Examination  Ministerial Statement 25.3.15 | |
| MM5.2 | 121 | T8 | Amend criteria text (d)  The Council will require any future proposals for a park and ride at Whitstable to meet the criteria as set out below :   1. Minimise the visual impact in respect of the location, layout and design of the development; 2. Ensure that the development will not have a significant adverse effect on the amenity of local residents; 3. Development which would materially harm scientific or nature conservation interests, either directly, indirectly or cumulatively is mitigated and any impacts can be adequately avoided, mitigated or compensated ; 4. Any proposals will be expected to meet the aims of design policies DBE3 and DBE13. | | Natural England  Habitat Regulations Compliance | |
| MM5.3 | 121 | 5.46 | Amend text  ~~Kent County Council will apply Kent County Council’s residential parking standard IGN3 or any subsequent guidance. For all other developments the City Council will apply SPG4 and the Code for Sustainable Homes Technical Guidance, convenient, secure, covered and where possible complemented by showering and changing facilities for cyclists.~~ Government Policy no longer requires local authorities to set maximum parking standards. Instead, local authorities are encouraged to develop locally appropriate standards taking into account factors such as the availability of public transport and local car ownership levels. The local parking standards are set out in Appendix 5 of this Local Plan. | | National Planning Policy Framework  Ministerial Statement 25.3.15  Examination | |
| MM5.4 | 121 | T9 | Amend text  ~~The City Council will apply Kent County Council’s residential parking standard IGN3 or any subsequent guidance. For all other developments~~  The City Council will apply the local parking standards as set out in Appendix 5 of this Local Plan ~~SPG4 or subsequent guidance~~. ~~Cycle parking,~~ Wwhere provided, ~~will also be as per the local standards~~ cycle parking should be convenient, secure, covered and where possible complemented by showering and changing facilities, as set out in Appendix 5 ~~SPG4 and the Code for Sustainable Homes Technical Guide convenient, secure, covered and where possible complemented by showering and changing facilities.~~ | | National Planning Policy Framework  Ministerial Statement 25.3.15  Examination | |
| MM5.5 | 124 | 5.54 | Amend text  ….. Any further significant development in this area will be required to improve and mitigate the effects of this additional traffic by providing ~~New development sites allocated in Herne Bay, Sturry, Broad Oak and Hersden will be required to fund~~ a Sturry Relief Road that avoids the level crossing ~~by providing~~ with a new road bridge, including a bus lane over the railway line or other associated improvements to the A28 corridor ………. | | To reflect current situation | |
| **Chapter 6: Tourism and Visitor Economy** | | | | | | |
| MM6.1 | 133 | TV1 | Amend 2nd paragraph of Policy  All large development proposals should seek to ~~promote~~ include public art as part of the overall design strategy. ~~directly in the design of new developments and through the payment of a financial contribution secured through a section 106 agreement or another suitable mechanism such as CIL.~~ | | National Planning Policy Framework | |
| MM6.2 | 138 | TV5 | Amend criteria and add in an additional paragraph  Any proposal for Marina provision and associated facilities will ~~only~~ be permitted if :  ~~a. The relevant design policies are adhered to ;~~  ……………………………………………………………………………….  The City Council will expect a Masterplan or Development Brief to be prepared in accordance with the relevant Local Plan Policies. | | Justified | |
| MM6.3 | 139 | TV6 | Amend 2nd paragraph  Any future development at Reculver will need to ~~meet~~ have regard to the aims of the Reculver masterplan. | | Positive wording | |
| **Chapter 7: Climate Change, Flooding, Coastal Change and Water Resources** | | | | | | |
| MM7.1 | 144 | box | *Amend and add bullet point:*  Action to reduce the Canterbury District’s impact on climate change will include:   * giving priority to development in urban or edge of urban locations that are well served by sustainable forms of transport; and * ensuring development  encourages and improves access to these sustainable forms of transport; and * encouraging walking, cycling and the use of public transport; and * promoting developments that generate renewable energy; and * encouraging ~~Combined Heat and Power~~ local renewable and low carbon energy schemes at strategic development sites; ~~and~~ * designing development to increase energy efficiency and reduce energy consumption and carbon emissions: and, * Undertaking an assessment of the District to ascertain and, where appropriate, allocate suitable sites for wind energy development and wind turbines in either a Development Plan Document or a review of the Local Plan. | | | Ministerial statements of 25.3.15 and 18.6.15 |
| MM7.2 | 145 | 7.8 | *Insert a new paragraph on wind energy.*  The Council ~~will~~ anticipates prepar~~e~~ing a Sustainable Construction and Renewable Energy ~~Supplementary Planning~~ Document, which will provide more information on the available opportunities and constraints relating to large scale renewable energy or low carbon energy installations.  Proposals for renewable and low carbon energy will be supported where they respond positively to the opportunities identified, especially small-scale community-led initiatives ~~for wind schemes~~, solar clubs and the use of biomass. Consideration of proposals will include assessment~~s~~ of public health and safety and impacts on landscape, air quality, biodiversity, historic environment and residential amenity.  The Council will also assess the suitability of areas within the district for wind energy development including single turbines and wind farms. The work done by Kent County Council in Renewable Energy for Kent (2012) will be used as a basis for the study. Where sites are considered suitable the local community will be consulted and where appropriate sites will be allocated, and relevant policies developed, in either: an early review of the Local Plan, or, a specific adopted Development Plan Document. Until that time any application for wind energy development will be assessed in accordance with the Written Ministerial Statement (HCWS42) and the briefing paper Planning for Onshore Wind (House of Commons, June 2015). Sites for wind energy development can also be allocated within neighbourhood plans. | | | Ministerial Statement of 18.6.15 |
| MM7.3 | 146 | CC1 | Amend policy textPolicy CC1 Renewable and Low Carbon Energy Production Development (apart from wind energy development). Proposals for the utilisation, distribution and development of renewable and low-carbon sources of energy, including freestanding installations, will be encouraged in appropriate locations.  In considering such proposals, the Council will give significant weight to their environmental, community and economic benefits, alongside consideration of public health and safety and impacts on biodiversity, air quality, landscape character, the historic environment, residential amenity of the surrounding area and the protection of the best and most versatile agricultural land. Specific considerations are outlined in Policy DBE2.  Permission will only be granted for large scale or commercial renewable and low carbon energy installations and associated equipment and buildings if there are commitments to ensure their removal after the use has ceased and land restored to its previous use and, where relevant, productive condition.  Until suitable sites are allocated for wind energy development any applications for wind farms or wind turbines will assessed in accordance with the Written Ministerial Statement (HCWS42) and the briefing paper Planning for Onshore Wind (House of Commons, June 2015). | | | National Planning Policy Framework  Clarity and accuracy  Ministerial statement of 18.6.15 |
| MM7.4 | 146 -  147 | 7.12  7.13 | *Amend text*  *7.12*  The final shape of the Government's Zero Carbon Homes Standard ~~will be~~ was due to be determined by the Government for implementation in 2016.  It ~~is likely~~ is anticipated to require all carbon dioxide emissions arising from energy use regulated under Building Regulations to be abated from 2016. Regulated energy may derive from sources such as fixed heating, hot water, ventilation and fixed lighting and other fixed building services (but does not include appliances such as white goods).  It is expected that to meet ~~the~~ a Zero Carbon Standard, each home will need~~s~~ to meet minimum standards for fabric performance (Fabric Energy Efficiency Standard), then on site carbon compliance ~~and then achieve zero carbon emissions from regulated energy use (0kg CO~~~~2~~~~per m~~~~2~~~~) which is expected to be achieved via the use of Allowable Solutions.~~ Irrespective of whether this zero carbon target is brought into force, the Council will expect all development to make carbon savings.  When seeking to reduce carbon emissions all development should take account of the following energy hierarchy:   * Fabric Energy Efficiency:  Achieving the minimum standard for fabric energy efficiency is a key first stage in meeting the Zero Carbon Standard.  The fabric energy efficiency of a home is determined by the annual space heating and cooling demand in KWh per m2, assessed using the Standard Assessment Procedure (SAP). * Carbon Compliance:   Beyond complying with minimum level of fabric energy efficiency, the Zero Carbon Standard requires a specific level of on-site CO2 emissions to be achieved.  This is termed carbon compliance and again calculated using SAP.  The Dwelling CO2 Emission Rate includes efficiency of energy supply and the type of fuel used as well as energy requirement in the calculation.  This second stage should demonstrate the use of on-site low and zero carbon energy technologies for heat and power.  This could include electric power generation from photovoltaics and wind generators, and heat from biomass and wind pumps.  It could include micro-generation on individual homes up to development-scale district heat or CHP systems. * ~~Allowable Solutions: Allowable Solutions is the overarching term for the carbon offsetting process and the various measures which house builders may support to achieve the zero carbon standard from 2016.  Where energy efficiency and carbon compliance are unable to achieve the required carbon savings through on-site measures, developers can meet their commitments off-site at a cost no higher than the government’s long-term value of carbon. This might include contribution to a carbon offsetting fund to enable investment in high quality low and zero carbon community projects.~~   *7.13*  ~~It may not be possible for new development to achieve zero carbon by energy efficiency measures and carbon compliance alone~~ ~~and the developer will need to look to Allowable Solutions~~.  ~~From 2016 (and specified further as part of the preparation of a Sustainable Construction and Renewable Energy SPD), the Council will accept contributions to a carbon offsetting fund to enable investment in high quality low and zero carbon community projects, which could include programmes to improve the energy efficiency of the existing housing stock.~~  The City Council will focus on Energy Efficiency and Carbon Compliance,  adopting ~~the~~ any Government~~'s agreed~~ national standards for Energy Efficiency,  ~~and~~ Carbon Compliance~~,~~ and if retained ~~and permitting~~ the use of Allowable Solutions ~~to meet the zero carbon target~~. | | | Up-date in line with current procedure and govt policy |
| MM7.5 | 147 | 7.15 | *Amend text*  An Energy Statement ~~should~~ may need to be submitted as part of the ‘Sustainability Statement’ required to accompany planning applications by policy DBE1 ~~DBE6~~ and supporting paragraphs~~.   As part of its Sustainable Construction and Renewable Energy SPD and Community Infrastructure Levy, the Council will establish a Community Renewable Energy Fund to administer and account for carbon credits and other funds generated through Allowable Solutions.~~ | | | 2010 to 2015 government policy: building regulation, Up-date in line with current procedure |
| MM7.6 | 148 | CC2 | *Amend policy text*  Development in the Canterbury District should include proportionate measures to reduce carbon ~~dioxide~~ and greenhouse gas emissions (as outlined table D1 and Policy DBE1).~~from energy use.~~ ~~in accordance with the following energy hierarchy:~~   1. ~~Fabric Energy efficiency;~~ 2. ~~Carbon Compliance: (a) Incorporating renewable energy; (b) Incorporating Low Carbon Sources;~~ 3. ~~Allowable Solutions~~   ~~Where available and feasible, new development will be expected to connect to existing Combined Heat and Power (CHP) distribution networks.  The use of on site CHP will be encouraged.~~  ~~Where it is not feasible or viable to achieve the goal of zero carbon from energy efficiency and carbon compliance measures, the council will coordinate and accept contributions towards Allowable Solutions to enable investment in carbon reduction elsewhere in the district - The Community Renewable Energy Fund.~~  ~~The Council's Sustainable Construction and Renewable Energy Supplementary Planning Document will provide further guidance.~~  As well as incorporating measures to reduce carbon emissions development proposals shall show how they have taken account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. | | | 2010 to 2015 government policy: building regulation  National Planning Policy Framework  and current government guidance |
| MM7.7 | 149 | CC3 | *Amend policy text*Policy CC3 Local/District Renewable and Low Carbon Energy Production Schemes ~~Combined Heat and Power~~ Within the Strategic Sites (as shown on the Proposals Map) and other development over 200 units, health facilities, education institutions and schools or substantial commercial developments, the development ~~will be required to~~ should provide site wide local renewable or low carbon energy generation schemes, such as Combined Heat and Power (CHP) ~~or connect to an existing CHP distribution network~~.  ~~An exception will only be made where it is~~ If a local renewable/low carbon scheme is not proposed it will need to be demonstrated that the provision would not be viable or feasible, or it can be demonstrated that an alternative carbon reduction strategy would be more appropriate. | | | National Planning Policy Framework  National Planning Practice Guidance |
| MM7.8 | 152 | CC4 | *Amend policy text*  ~~All d~~ Development proposals within Flood Zones 2 and 3 and sites larger than 1 ha in Flood Zone 1 ~~the areas at risk of flooding or increased surface water run-off~~ shall be subject to a Flood Risk Assessment and/or Drainage Impact Assessment, where relevant.  This assessment shall be in accordance with the Council’s Drainage Impact Guidance Note and Strategic Flood Risk Assessment, including the requirement for a contribution towards any necessary new flood defence or mitigation measures. This assessment should include the risk of flooding from surface water, groundwater and ordinary watercourses. Where there is evidence that water from these sources ponds or flows over the proposed site the assessment should state how this will be managed and what the impact on neighbouring sites will be.  Measures identified to mitigate effects shall be installed and maintained at the developers’ own expense or put into a management company to ensure their long term retention, maintenance and management.  Other flood resilient and/or resistant measures may also be required, and their provision will be informed by the findings of a submitted Flood Risk Assessment and/or Drainage Impact Assessment (where relevant). | | | Environment Agency  Kent County Council |
| MM7.9 | 154 | CC5 | *Amend policy text*  On sites that have not been previously developed within the Environment Agency’s Zones 2 and 3, ~~no~~ newdevelopment will only be permitted if it can be ~~unless an exceptional justification can be~~ demonstrated ~~through~~ that it satisfies the requirements of the Sequential Test and, where required, the Exception Test. Extensions to existing property and change of use must meet the requirements of flood risk assessments. | | | National Planning Policy Framework |
| MM7.10 | 154 | CC7 | *Amend policy text*  Overtopping Hazard Zone~~s~~  Within the Overtopping Hazard Zone~~s~~ as shown on the District Proposals Map and Inset Map 5 ~~(see also all Insets 6)~~, ~~no~~ development will not normally be permitted. | | | To reflect recent changes |
| MM7.11 | 157-158 | 7.55, 7.56 and Policy CC11 | *Amend paragraph 7.55*  The Flood and Water Management Act 2010 requires new developments and redevelopments to have drainage plans for surface runoff approved by the Lead Local Flood Authority which is Kent County Council. ~~The Local Flood Authority (Kent County Council) is responsible for adopting and maintaining new SuDS that serve more than one property and have been constructed as approved and function as designed.~~  “~~National Standards for sustainable drainage systems” (designing, construction, operating and maintaining drainage for surface runoff) were published  in 2011~~ The National  Planning Practice Guidance recommends that sustainable drainage systems should be provided unless demonstrated to be inappropriate.  The Non-statutory technical standards for sustainable drainage systems were produced in 2015 to provide guidance on the design, construction , operation and maintenance of sustainable drainage systems. .  ~~These National Standards set out what to design and construct in order to gain approval from the lead Local Flood Authority and for operating and maintaining SuDS~~ ~~which the Local Flood Authority adopts~~.  The documents set~~s~~ out a hierarchy of destinationsfor surface water runoff.~~:  discharge to the ground, followed by a surface water body, surface water sewer, followed by combined sewer~~.  ~~Most relevant to SuDS, surface water runoff must be discharged to the ground.~~  *Amend paragraph 7.56*  Kent County Council is the Lead Local Flood Authority within Kent and, as such, is the statutory consultee with respect to surface water on major developments. Development proposals must be accompanied by sufficient information to support the developers drainage strategy.  This information may include ground investigation, surveys and design calculations.  Kent County Council have produced a ‘Local flood risk management strategy’ in June 2013 in addition to this they have produced a Drainage and Planning Policy Statement in June 2015. These documents set out a countywide framework for managing the risk of local flooding and provide guidance on the requirements, design considerations and consulting on drainage and local flood risk. These should be referred to by developers prior to development proposals being drawn up. Pre-application advice prior to commencing design is encouraged. On major and strategic development sites consideration should be given to surface water strategically, as part of the scheme development and masterplanning process, which should detail how this infrastructure will be delivered over the life time of the development and different building phases to ensure that schemes are delivered as proposed and to manage ongoing and future flood risk. On-going maintenance of SuDs will need to be undertaken by either an adopting authority or by an appropriate management agent, this information should be included with any planning application.  ~~To ensure the potential for SuDS is maximised on site and any delays in approval are avoided, pre-application discussions between developers, planners, highways authorities and the SAB (SuDS Approval Body) should be arranged from the earliest stages of site design~~. ~~There will be two types of SuDS approval, a free standing application for permitted development and a combined application where planning permission is required. The detailed implementation of the Act, including phasing options, needs to be confirmed through secondary legislation, expected in 2014.~~  *Amend Policy CC11*  ~~Planning decisions~~ Proposed development should utilise Sustainable Drainage Systems (SuDs) unless there are practical reasons for not doing so. On all major developments Sustainable Drainage Systems shall be provided unless demonstrated to be inappropriate.  All developments should ~~aim to~~ achieve as close as possible to the City Council’s stipulated greenfield runoff rates, mimic natural flows and drainage pathways and ensure that surface water run-off is managed as close to its source as possible using the following hierarchy:   1. ~~a.~~ Discharge into the ground. 2. ~~b.~~ Discharge to a surface water body. 3. ~~c.~~ Discharge to a surface water sewer, highway drain, or another drainage system. 4. ~~d.~~ Discharge to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewage undertaker.   Any drainage scheme must manage all sources of surface water, including exceedance flows and surface flows from offsite, provide for emergency ingress and egress and ensure adequate drainage connectivity. It will not be acceptable for surface water runoff to enter the foul water system.  SuDs or other appropriate measures should:   1. Maintain public safety; 2. Provide sufficient attenuation to surface water flows as appropriate; 3. Ensure that there is adequate treatment of surface water flows, such that there is no diminution in quality of any receiving watercourse; 4. Ensure protection of groundwater; and 5. Provide or enhance wetland habitat and biodiversity where possible.   On major and strategic developments it should be shown how this infrastructure will be delivered over the different building phases to ensure that schemes are delivered as envisaged and that ongoing and future flood risk is managed.  Approval ~~for~~ of the design and long term management and maintenance of SuDs will be required prior to the development commencing. ~~being permitted~~. | | | Accuracy update from KCC in line with Drainage and Planning Policy Statement |
| MM7.12 | 159 | CC12 | *Amend policy text*  The City Council will require that new development incorporates well designed mitigation measures to ensure that the water environment does not deteriorate, both during construction and during the lifetime of the development.  Furthermore, the City Council will seek to ensure that every opportunity is taken to enhance existing aquatic environments and ecosystems. This will include the restoration of natural river features (including riverbanks) and removal of barriers to fish passage when appropriate opportunities arise.  Any new development should not ~~must not place further pressure on the environment and~~ compromise Water Framework Directive objectives. | | | Examination |
| MM7.13 | 160 | 7.63 | *Amend text*  New development in the Canterbury District must recognise the issue of water stress.  There is a need for ongoing liaison between planners, water companies and the Environment Agency ~~in order~~ to ensure that the scale and distribution of housing and future demand is understood, planned for~~,~~ and associated infrastructure is funded for ~~in~~ the long-term.  The City Council will seek to ensure that new development incorporates ~~meets a number of~~ design measures that will contribute to demand management ~~at new developments.~~  ~~The main water efficiency measures are as follows:~~   * ~~Water consumption within the home is one of the five compulsory aspects to address to achieve the Council’s minimum standard of Level 4 of the Code for Sustainable Homes (Policy DBE1).~~ * ~~Policy CC11 requires new development to utilise Sustainable Urban Drainage~~ | | | Update due to the Ministerial statement 25.3.15, National Planning Practice Guidance and changes to the building regulations and for clarity  2010 to 2015 government policy: building regulation, Appendix 5: technical housing standards review |
| MM7.14 | 161 | CC13 | *Amend policy text*  The City Council will ensure that development is phased using appropriate time scales for the construction of any necessary water and/or wastewater infrastructure associated with development proposals.  The City Council will consult in detail with water companies and the Environment Agency to ensure the need for new water services infrastructure is understood and planned for.  All new housing  or commercial  development will need to incorporate suitable arrangements for the disposal of foul water into a sewerage system at the nearest point of adequate capacity, in consultation with the service provider.    Development should minimise water use as far as practicable by incorporating appropriate water efficiency and water recycling measures. In new homes, the City Council will seek a required level of ~~105~~ 110 litres maximum daily allowable usage per person in accordance Regulation 36(2)(b) of the ~~with~~ Building Regulations 2010 (as amended)      ~~Level 4 of the Code for Sustainable Homes~~. | | | Update due to the Ministerial statement 25.3.15 and changes to the building regulations.  2010 to 2015 government policy: building regulation, Appendix 5: technical housing standards review  Duty to co-operate with service providers |
| **Chapter 8: Design and the Built Environment** | | | | | | |
| MM8.1 | 164  165 | 8.7  8.8  8.9 | *Amend text of paragraph 8.7*  Land is a finite resource, and it is an objective of the City Council to make more efficient use of previously developed, derelict or underused land. Developments should conserve natural resources, be energy efficient and minimise pollution. In 2010 energy use in domestic buildings (heating, air conditioning, ventilation, lighting, appliances etc) accounted for 27~~43~~% of the UK's total energy consumption. The City Council will encourage development~~s~~ that incorporates best practice initiatives ~~that aim~~ to reduce ~~this level of~~ energy consumption~~, such as: the Code for Sustainable Homes (2006) with the accompanying Technical Guidance (updated on a six monthly basis); Passivhaus; and the recommendations from the Building Research Establishment (BRE). The City Council will produce a Sustainable Construction and Renewable Energy Supplementary Planning Document that will provide further advice, in due course.~~  *Delete paragraph 8.8*  ~~The Code for Sustainable Homes (CSH) is a national standard designed to improve the sustainability of new homes. It is voluntary for private house builders but all publicly funded houses have had to be constructed to code Level 3 since 2008. The CSH measures the sustainability of a house against nine categories and a code level is awarded on the basis of how many mandatory minimum standards have been achieved. The code uses a star rating system to communicate the overall performance of the house (one star = Code Level One). The statutory means of achieving zero carbon homes is being progressed through the Building Regulations rather than through the CSH. By 2013 the Building Regulations will require an energy saving standard equivalent to CSH Code Level 4. In 2008, the Government published 'Lifetime Homes, Lifetime Neighbourhoods: A National Strategy for Housing in an Ageing Society'. This set out the need to build more flexible and inclusive housing in order to meet the future requirements of our ageing population. To encourage the development of more Lifetime Homes the Government incorporated the standard into the Code for Sustainable Homes, and all housing built to Level Six of the code must comply with the Lifetime Homes Standard. Homes built to lower levels of the code can also obtain an additional four credits if they satisfy the Lifetime Homes criteria.~~  *Amend text of Paragraph 8.9*  ~~Passivhaus standards focus on building fabric and performance with the aim of reducing energy consumption. Typically a Passivhaus should result in an energy rating equivalent to level 5 or 6 of the Code for Sustainable Homes. The Code for Sustainable Homes and the BRE Environmental Assessment Method (BREEAM) standards are overarching sustainability assessment ratings which address a large number of environmental issues.~~ The construction and occupation of buildings are major consumers of resources and can produce large quantities of waste and carbon emissions. In terms of embodied energy there is nothing more sustainable than an existing building and the possibilities of sensitively altering or retro-fitting buildings to bring them up to modern standards should always be considered before demolition and re-building is proposed. The City Council will generally encourage and support proposals to improve the energy efficiency ~~on~~of existing buildings. | | | 2010 to 2015 government policy: building regulations  National Planning Policy Framework  National Planning Practice Guidance UK greenhouse gas emissions statistics 2015 Ministerial statement 25.3.15 Removal of the Code for Sustainable Homes.Compliance with National Policy |
| MM8.2 | 166 | DBE1 | *Amend text*  All development should respond to the objectives of sustainable development and reflect the need to safeguard and improve the quality of life for residents, conserve resources such as energy, reduce/minimise waste and protect and enhance the environment.  The City Council will ~~therefore~~ require development schemes to incorporate sustainable design and construction measures ~~and must satisfy the criteria set out below~~:   1. ~~Schemes must take account of t~~The checklist in table D1 should be used to ~~and~~ demonstrate how sustainable construction and design principles have been ~~i~~ncorporated into development ~~into their~~ proposals~~;~~. 2. Sustainability statements will be required for all applications for major development[[1]](#footnote-0), and all the strategic sites identified in policy SP3. They should demonstrate how the proposal has responded to the objectives of sustainable development and taken into account the checklist in table D1. 3. Energy statements should be submitted for major development1 planning applications and for all strategic sites listed in policy SP3.   ~~b. New build housing should be constructed to meet the Code for Sustainable Homes level 4 and should be compliant with the current building regulation standards which currently aims to have zero-regulated CO~~~~²~~ ~~emissions from the regulated use of energy for all new build houses from 2016;~~  ~~c.~~ d. Non-residential developments should at least meet a ‘very good' BREEAM rating ~~from 2012~~ and provide evidence as to why an ‘excellent’ rating ~~from 2015~~can not be achieved;  ~~d.~~ e. New development~~s~~ will also need to be resilient to climate change. ~~through the inclusion of~~ ~~a~~ Appropriate climate change adaptation measures, ~~These could~~ include flood resilient measures, solar shading and drought resistant planting, limiting water runoff, reducing water consumption and reducing air pollution.  f. Development proposals should show how measures outlined in any sustainable design guidance or SPD adopted by the City Council have been incorporated.  Foot note: As defined in Article 2 of the Town and Country Planning (development Management Procedure) (England) Order 2015 (no.595) or any later amendment | | | 2010 to 2015 government policy: building regulation  National Planning Policy Framework  National Planning Practice Guidance  Town and Country Planning (development Management Procedure) (England) Order 2015  Compliance with National Policy and making the Policy effective and justified. |
| MM8.3 | 166/167 | 8.10 | *Amend text*  When justifying a proposed sustainable design ~~in a design and access statement~~, the following points in Table D1 concerning sustainability should be considered.  …   | **Energy** | * Renewable energy * Home user guide and energy monitoring * Reduce energy demand eg through high levels of insulation * Energy use and pollution – cooling, heat generation, pollution air noise and light * The source of energy used and metering * Preferential use of low carbon energy sources and evidence that onsite renewable energy generation has been explored. * Avoiding or minimising any emissions or discharges * Including energy reduction measures from the early design conception stage * Production of energy statements for strategic and major developments, which should include:  1. A description of the overall energy strategy for the site 2. A calculation of baseline energy demand and emissions 3. An assessment of the feasibility of the available renewable and low carbon technologies 4. A calculation of the potential contribution of each technology to site energy savings and emissions reductions 5. Approximate costs of each feasible technology, to inform discussion about viability 6. Other potential impacts of renewable and low carbon energy technologies selected 7. Long term management of energy supply on the site | | --- | --- |   Water   * Sustainable urban drainage * Efficient water use and re-use of water e.g ~~G~~ grey water recycling systems * Surface water * Permeable surfaces * Flooding and drainage – avoidance / reduction / mitigation  | **Ecology and Landscape** | * Biodiversity – protection creation and enhancement * Integrated landscape structure and open space system including shelter belts linked where possible to the surrounding landscape * Conservation and retention of high quality natural features (trees, hedgerows, watercourses, water bodies etc.) and the contribution made to increasing and enhancing biodiversity. * Biodiversity – impact loss of habitat, trees, features * Use of land form and landscaping to minimise energy consumption. | | --- | --- |   Transport   * Transport: Major developments - ~~T~~traffic ~~A~~assessment; Small developments – transport statement  | **Health and Wellbeing** | * Inclusive design and accessibility * Adaptable buildings * ~~Lifetime homes~~ * Provision of public and private outdoor space * Appropriate landscaping * Passive surveillance | | --- | --- | | | | National Planning Policy Framework and National Planning Practice Guidance Ministerial Statement 25.3.15 |
| MM8.4 | 169 | DBE2 | *Amend text*  In determining applications for the development of renewable or micro-generation equipment (apart from wind energy development), the City Council will expect applicants to:   1. Avoid any significant adverse impacts (visual, ~~aural, olfactory~~noise, odour and amenity impacts) ~~or cumulative impact where appropriate~~; 2. Have given weight to the environmental, social and economic benefits; 3. Have minimised the visual impacts by providing the optimum ~~in respect of the~~ layout and design of the development including screening; 4. Ensure that the development will not have a significant adverse effect on the amenity of local residents; 5. Ensure that the installation would not have an adverse cumulative impact on the environment ~~by reason of proximity to other existing or proposed renewable energy developments~~. 6. Show there is no adverse impact on heritage assets (Policy HE1); 7. Demonstrate that there is no significant impact on the landscape setting, habitats, biodiversity, wildlife or designations such as the AONB, AHLV, Ramsar, SACs or SPAs as outlined in Chapter 10; 8. Ensure protection of the best and most versatile agricultural land unless it is demonstrated that it is necessary and no alternative poor quality land is available.   It should be noted that wind energy development will be assessed in accordance with the Written Ministerial Statement (HCWS42) and the briefing paper Planning for Onshore Wind (House of Commons, June 2015) until sites can be allocated and relevant policies developed in either an early review of the Local Plan or a specific Development Plan Document. | | | Natural England  National Planning Policy Framework and National Planning Policy Guidance  To provide clarity thus making the policy effective |
| MM8.5 | 170 | 8.17 | *Amend text*  The aim of the City Council is to ensure that all new development in the Canterbury District achieves the highest standards of design. The Strategic Site Allocations, in particular shall reflect “garden city” principles, as set out in Appendix 2 . Quality design has a key role to play in shaping and enhancing the District, as well as repairing the damage done by inappropriate development in the past. Developments should aim to create distinctive, linked, sustainable places that support community cohesion. The appearance of a proposed development and its relationship to its surroundings are material considerations in determining planning applications and appeals. Such considerations relate both to the design of buildings and to urban design. Successful streets, spaces, villages, towns and cities tend to have common characteristics which serve to remind us what should be sought to create a successful place. Those characteristics can be related to the following themes:   * Townscape and character: a place with its own identity. * Space and enclosure: a place where public and private space is clearly distinguished. * Quality of the public realm: a place with attractive, useful and successful outdoor areas. * Ease of movement: a place that is safe and easy to get to and move about in. * Legibility: a place that has a clear image and is easy to understand. * Adaptability and resilience: a place that can change easily. * Diversity: a place with variety and choice. * Heritage: history and the historic uses of a place. | | | Kent County Council  Consistency with strategic policies |
| MM8.6 | 172 / 173 | DBE3 | *Amend text*  The distinctive character, diversity and quality of the Canterbury District will be promoted, protected and enhanced through high quality, sustainable inclusive, design, which, reinforces and positively contributes to its local context creating attractive, inspiring and safe places.  Proposals for development, which are of a high quality design, will be granted planning permission having regard to the following considerations:   1. The character, setting and context of the site and the way the development is integrated into the landscape; 2. The conservation, integration, extension, connection and management of existing natural and historic features including trees ~~and~~ hedgerows, pathways and boundaries to strengthen local distinctiveness, character, habitats and biodiversity; 3. The visual impact including the impact on local townscape character and landscape and the skyline; 4. The form and density of the development including: the efficient use of land, layout, landscape, density and mix, building heights, scale, massing, materials, finishing and architectural details including proposed lighting schemes; 5. The provision of visually interesting frontages at street level; 6. The privacy and amenity of neighbouring buildings and future occupiers (including overshadowing, outlook and ~~sun~~light); 7. The provision of appropriate hard and soft landscaping; 8. The impact of polluting elements, such as noise, dust, odour, light, ~~and~~ vibration and air pollution from the development or neighbouring uses ~~including polluting elements~~; ~~such as noise, air, and light~~; 9. The provision of appropriate amenity and open space; 10. The safe movement of pedestrians, cyclists and cars within and around the proposed development; 11. The a~~A~~ccessibility of~~:~~ buildings and places should meet the highest standards of access and inclusion; 12. Parking arrangements conforming to the latest adopted vehicle parking standards; 13. That t~~T~~he proposed development does not have a detrimental effect on the highway network in terms of congestion, road safety and air quality; and 14. The compatibility of the proposed development with other adjacent uses. | | | National Planning Policy Framework and  National Planning Practice Guidance  Kent County Council  Southern Water  Natural England  Positive wording  Creating an effective policy |
| MM8.7 | 173 | DBE4 | *Amend text*  Proposals for new ~~modern design~~ development will ~~only~~ be granted where the building design is of high quality.  Any new proposals will be expected to demonstrate:  … | | | Positive wording  National Planning Policy Framework |
| MM8.8 | 174 | 8.28 | *Delete paragraph* | | | Town and Country Planning (Development Management Procedure (England)) Order 2015 |
| MM8.9 | 174 | 8.29 | *Delete paragraph* | | | Town and Country Planning (Development Management Procedure (England)) Order 2015 |
| MM8.10 | 175 | DBE5 | *Delete Policy DBE5* | | | Not consistent with National Policy  National Planning Policy Framework  Town and Country Planning (Development Management Procedure (England)) Order 2015  GDPO 2015  Ministerial Statement 25.3.15 |
| MM8.11 | 175 | 8.33 | *Delete paragraph* | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Plan effectiveness |
| MM8.12 | 175 | Table D2 | *Delete table and incorporate a summary of the information in table D1 as outlined above.* | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Plan effectiveness |
| MM8.13 | 176 | DBE6 | *Delete Policy and incorporate in Policy DBE1* | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Plan effectiveness |
| MM8.14 | 179 | 8.46 | *Amend text*  In order to address the concerns over inadequate dwelling size in new housing the Government’s space standards ~~have been prepared~~ will be used. … | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Technical housing standards – nationally described space standard |
| MM8.15 | 179 | DBE7 | *Amend policy text*  All new housing proposals should have an acceptable standard of accommodation in terms of internal layout, room sizes and amenity space. Residential accommodation ~~should~~ will be required to meet the minimum space standards set out in the Department for Communities and Local Government’s Technical housing standards – nationally described space standard.~~table D3~~.  In addition developments should provide:   1. Storage space and space for refuse and recycling 2. Facilities for covered cycle parking 3. Outdoor space for private and/or communal use   ~~The City Council will expect at least 20% of all residential developments to be built to Lifetime Home Standards spread equally between all tenure groups.~~ | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Technical housing standards – nationally described space standard |
| MM8.16 | 179 | 8.47 | *Amend text*  To achieve a good standard of homes that are flexible and adaptable they must be built to at least the Department for Communities and Local Government’s nationally described space standards ~~the minimum internal space standards set out in Table D3~~. These standards are considered to be the minimum acceptable ~~and the City Council would expect to see a range of homes in excess of these minimum sizes~~. The usability of a home is not solely dependent on its size but also on whether it can be organised to meet the needs of the residents. People appreciate larger living space ~~and the number of rooms provided~~. Providing a large internal floor area will, however, not compensate for a poorly designed internal layout, badly proportioned spaces and awkward door swings. Rooms should be of sufficient size to allow them to function in relation to their proposed use. ~~Where multi-functional rooms are proposed they should allow for future sub-division. Living rooms should have a width greater than 3.3 metres. Bedrooms should have a minimum floor area of 7m² for a single bedroom and 12m² for a double/twin bedroom (ensuite showers/bathrooms do not count towards this minimum). Single bedrooms should be at least 2m wide, double bedrooms at least 2.6m wide and all bedrooms should be at least 3m in length. Additional guidance concerning internal space standards is available from the Lifetimes Homes Standard.~~ | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Technical housing standards – nationally described space standard |
| MM8.17 | 180 | Table D3 | *Delete table D3* | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Technical housing standards – nationally described space standard |
| MM8.18 | 181 | 8.48 | *Delete paragraph 8.48 and incorporate some of the text in a new paragraph 8.50a* | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Building Regulations changes |
| MM8.19 | 181 | 8.49 | *Amend text*  The City Council instructed Adams Integra as part of their Economic Viability Assessment, to appraise the impact of ~~a 20% requirement for all housing developments to be built to lifetime homes standard~~ the space standards as part of their wider viability assessment.  They ~~concluded~~ advised that it would not have a significant negative impact on scheme viability ~~and therefore the City Council will expect 20% of all resdiental developments to be built to lifetime Home Standards, as set out in policy DBE7~~. | | | 2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Technical housing standards – nationally described space standard  Building Regulations changes |
| MM8.20 | 181 | 8.50 | *Amend text*  … An inclusive environment will be easily used by as many people as possible without separation, special treatment or undue effort and will be adaptable over time to meet changing needs. It is important to ensure that full access is integrated into all design features rather than being seen as an add-on or just for disabled people. …  Inclusive flexible design should future proof development to ensure that it is accessible to the widest sections of the population. The principles above provide an important starting point for addressing inclusive design in the built environment. They should be used in assessing planning applications and in drawing up any masterplans, development briefs and design codes ~~area planning frameworks~~, as well as in the scoping of highways and traffic management schemes. | | | National Planning Policy Framework |
| MM8.21 | 182/180 | 8.50a  8.48 | *Amend text*  ~~The lifetime Homes Standard was established in the 1990’s to incorporate a set of principles that should be implicit in good housing design. In this context~~ Good housing design should maximise utility, independence and quality of life without compromising on the aesthetics or cost effectiveness of design. It should seek to provide flexible accommodation that meets the changing needs of households over time. ~~It is therefore an expression of~~ Inclusive design ~~as it~~ is that which has the ability to meet the requirements of a wide range of households such as families with pushchairs, wheelchair users, the elderly and people with disabilities. | | | 2010 to 2015 government policy: building regulation including the Ministerial Statement 25.3.15  Building Regulations changes |
| MM8.22 | 182/181 | 8.50b  8.49 | *Insert a new paragraph*  The City Council instructed Adams Integra as part of their Economic Viability Assessment, to appraise the impact of a 20% requirement for all housing developments to be built to lifetime homes standards.  They concluded that it would not have a significant negative impact on scheme viability and therefore the City Council will expect 20% of all residential developments to be built to the Requirement M4(2) of the Building Regulations 2010 (as amended) accessible and adaptable dwellings, as set out in Policy DBE8. | | | National Planning Policy Framework  2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Building Regulations changes |
| MM8.23 | 182 | Policy DBE8 | *Amend text*  The City Council will require development~~s~~ to meet the highest standards of accessibility and inclusion. Developers should ensure that developments:   1. Can be used and accessed safely and easily by all; 2. Are convenient, welcoming and enjoyable to use independently without special treatment; 3. Are flexible and responsive so that people can use them in different ways; 4. Are realistic and recognise that one solution may not work for all. 5. Can be adapted to the changing needs of users and environmental conditions.   The City Council will expect 20% of homes on major developments and strategic sites to meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended). | | | National Planning Policy Framework  2010 to 2015 government policy: building regulation including the Ministerial statement 25.3.15  Building Regulations changes |
| MM8.24 | 183 | Policy DBE9 | *Delete* | | | Is dealt with in policy DBE3 in line with NPPF and NPPG |
| MM8.25 | 188 | DBE10 | *Amend text*  The City Council will permit alterations and extensions to buildings which:   1. Are compatible with the character of the original building in terms of design, layout, size, bulk, mass, height, choice of materials and position; 2. Will not result in unacceptable loss of privacy to neighbouring properties; 3. Will not create unacceptable overlooking or overshadowing to neighbouring properties; and 4. Are not detrimental to the amenity and character of the locality and streetscape.   Particular attention will be paid to ensuring that such new development or works to listed buildings and non-listed buildings in conservation areas do not damage their special architectural character. | | | Clarity  Effectiveness |
| MM8.26 | 191 | DBE12 | *Amend policy text*  In order to ensure that functional, visually successful public open space is created with a strong sense of place as part of new development, the City Council will expect developments to incorporate the following:-   1. The retention and incorporation of public rights of way and the creation of a connected open space and pedestrian/cyclist circulation system related, where appropriate, to a landscape framework having regard to safety and security; 2. The maximising of opportunities~~y~~ for all areas of the public realm to be subject to natural surveillance; 3. The incorporation of landscape design to the frontage of development sites, particularly where they border principal roads; 4. In order to improve the physical environment of the public realm the City Council will expect the promotion of public art, subject to appropriate consultative and planning considerations. Where new development changes or creates new public places, the City Council will ~~expect~~ encourage the provision of public art to be included as part of the proposal. 5. Create opportunities for wildlife habitats and corridors where appropriate. 6. Demonstrate how the management and maintenance of public open space will be continued long term. | | | CPRE  Natural England  Update with respect to current CCC procedures  NPPF compliance  Government regulations |
| **Chapter 9: Historic Environment** | | | | | | |
| MM9.1 | 200 | HE1 | Amend policy text  The City Council will support proposals which protect, conserve and, ~~where appropriate,~~ enhance the historic environment and the contribution it makes to local distinctiveness and sense of place. Proposals that make sensitive use of historic assets through regeneration and reuse, particularly where these bring redundant or under-used buildings and areas into an appropriate use, will be encouraged.  Development must conserve and ~~where appropriate~~ enhance, or reveal, the significance of heritage assets and their settings. Development will not be permitted where it is likely to cause substantial harm to the significance of heritage assets or their setting unless it is necessary to achieve substantial public benefit that would outweigh the harm or loss. If the proposal will result in less than substantial harm this will be considered against its public benefits.  Any development affecting directly, or the setting of, a listed or locally listed building, Conservation Area, Scheduled ~~Ancient~~ Monument, registered park or garden, historic landscape, or archaeological site will be required to submit a Heritage Statement with any Planning Application. The statement will need to outline and provide evidence as to the significance of the heritage asset including its setting, the likely impact of the development upon it and be proportional to the importance of the said heritage asset.  Should permission be granted for the removal of part or all of a heritage asset the City Council will not permit the removal or demolition of the heritage asset until it is proven that the approved replacement development will proceed. | | | National Planning Policy Guidance  Kent County Council |
| MM9.2 | 213 | 9.55 | *Amend text*  ~~The Council will resist the demolition of~~ Heritage assets which contribute to the character and appearance of conservation areas should be retained. When Planning Permission for demolition of a heritage asset is applied for ~~the Council will refuse consent unless it can be~~ applicants should demonstrate~~d~~ that:  … | | | National Planning Policy Framework |
| MM9.3 | 214 | HE8 | Amend policy text  The City Council has a presumption in favour of the conservation of heritage assets. The more significant the asset, the greater the presumption in favour of conservation and the greater the justification required for its alteration. Proposals involving substantial harm to heritage assets within a conservation area will normally be refused unless it can be shown that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. If the proposal will lead to less than substantial harm to the significance of a heritage asset, or the building, or the element affected does not contribute to the significance of the area, the harm will be weighed against the public benefits of the proposal. | | | National Planning Policy Framework |
| MM9.4 | 216 | HE9 | Amend policy text  In conservation areas and on, or affecting, listed buildings, advertisements will be kept to a minimum in order to maintain the character and appearance of conservation areas and to avoid harm to the fabric, character or setting of listed buildings. Their size, design, materials and colouring ~~must~~ should not detract from the character and appearance of the area.  Where a building is listed, locally listed or has a special character, the Council will grant advertisement consent or listed building consent for painted timber fascia advertisements and traditional hanging signs.  ~~Consent for~~ Internally illuminated box signs and plastic blinds ~~will be~~ are inappropriate in an historic context ~~and will be refused~~. Where illumination of a sign in a conservation area is acceptable it should be achieved by halo or other illumination to individual letters.  … | | | Positive wording |
| MM9.5 | 221 | HE12 | *Amend text*  Within the Canterbury Area of Archaeological Importance and areas of recognised archaeological potential elsewhere in the District the Council will ~~not~~ determine planning applications involving work below ground level ~~until~~ once the applicant has provided information in the form of an evaluation of the archaeological importance of the site, and, an assessment of the archaeological implications of the proposed development. | | | Positive wording |
| MM9.6 | 223 | HE13 | *Amend text*  …   1. Development that would not adversely affect their historic character and appearance ~~and~~ will ~~not~~ normally be permitted subject to compliance with other Local Plan policies;   …   1. Development that ~~would~~ does not detract from landscape and village settings ~~would~~ will normally ~~not~~ be supported, ~~permitted~~ subject to compliance with other Local Plan policies. | | | Positive wording, NPPF compliance |
| **Chapter 10: Landscape and Biodiversity** | | | | | | |
| MM10.1 | 227 | LB1 | *Amend text*  High priority will be given to conservation and enhancement of natural beauty in the Kent Downs Area of Outstanding Natural Beauty (AONB) and planning decisions should have regard to its setting. Major developments and p~~P~~roposals which conflict with the objective to conserve and enhance the AONB, or that endanger tranquillity, will not be permitted except in exceptional circumstances where it is demonstrated to be in the public interest, the need is shown and any detrimental effect is moderated or mitigated.  In considering proposals for development within the AONB, the emphasis should be on ~~small-scale~~ proposals that are sustainably and appropriately located and designed to enhance the character of the AONB. The City Council will grant proposals which support the economy and social well-being of the AONB and its communities, including affordable housing schemes, provided that they do not conflict with the aim of conserving and enhancing natural beauty by addressing location, scale, form, high quality design, materials and mitigation and ~~conform~~ ~~with~~ have regard to the advice set out in the Kent Downs AONB Management Plan, and its supporting guidance.  Proposals will be encouraged where they ~~serve to~~ facilitate the delivery of the statutory Kent Downs AONB Management Plan and are desirable for the understanding and enjoyment of the area. | | | National Planning Policy Framework and Guidance  NPPF para 115 and 116. NPPG landscape para4  AONB Unit |
| MM10.2 | 229 | LB2 para 2 | *Amend text*  …  Within these areas, development will be considered in relation to the extent to which its location, scale, design and materials would impact on or protect the local landscape character and enhance the future appearance of the designated landscape and its heritage and nature conservation interest. Development proposals that ~~which run contrary to~~ support the landscape character (including settlement character), ~~or~~ have no impact ~~directly~~ upon historic setting, archaeological or nature conservation interests, where relevant, will ~~not~~ be permitted.  … | | | National Planning Policy Framework  Inspector stage 1 - positive wording |
| MM10.3 | 229 | LB3 | Development that does not ~~will not be permitted if it~~ detract~~s~~ from the unspoilt scenic quality or scientific value of the undeveloped coast as shown on the Proposals Maps will be permitted. | | | National Planning Policy Framework  Inspector stage 1 - positive wording |
| MM10.4 | 231 | LB4 | *Amend text*  Proposals for development, and associated land use change or land management, ~~must~~ should demonstrate that they are informed by, and are sympathetic to, the landscape character of the locality. In considering development proposals, the City Council will take every opportunity to reinforce, restore, conserve or improve, as appropriate, the landscape character of the area in which development is proposed.  Development will ~~only~~ be permitted if the following criteria ~~can be~~are satisfied:   1. Development would be appropriate to the economic and social wellbeing of the area; 2. The site selection can be adequately justified, with the siting of development minimising the impact; 3. Development would safeguard or strengthen tranquillity, features and patterns that contribute to the landscape character and local distinctiveness of the area; 4. The scale, design, materials and landscaping measures are appropriate and would lead to an enhancement of the character of the landscape; and 5. Development will promote maintenance, enhancement~~,~~ and restoration of biodiversity as appropriate in accordance with policy LB9.   All development ~~must~~ should take into account the sensitivity of the particular landscape to accommodate change. Development, or associated land use change or land management, which does not ~~would~~ significantly adversely affect the landscape character of an area, will ~~not~~ normally be allowed. The development should have regard to ~~appropriately address~~ ~~the findings of~~ the Canterbury Landscape Character and Biodiversity Appraisal ~~condition and sensitivity guidelines of~~ ~~the particular landscape policy~~ to identify the character areas and features affected. | | | National Planning Policy Framework  Inspector stage 1 - positive wording |
| MM10.5 | 232 | 10.22 | *Amend text*  … Sites designated in the District for their international, national and local importance, however, form a critical part of the District’s strategy for habitat and species protection and as such, wherever possible, should be protected, buffered and linked to form a network of habitats. | | | Natural England |
| MM10.6 | 233 | LB5 | *Amend text*  Sites of international nature conservation importance must receive the highest levels of protection. No development will be permitted which may have an adverse effect i~~mpact~~ on the integrity of an SAC, SPA or Ramsar site, alone or in combination with other plans or projects, as it would not be in accordance with the Habitat Regulations 2010 (as amended) and the aims and objectives of this Local Plan. Where a ~~likely significant effect of a~~ plan orproject’s effects on ~~European sites~~ a SAC, SPA or Ramsar site, alone or in-combination, cannot be ~~excluded~~ screened out during Habitat Regulations Assessment as not likely to be significant ~~Screening~~, an Appropriate Assessment in line with the Habitats Regulations ~~Directive and associated regulations~~ will be required.  Any development (plan or project) considered likely to have a significant effect on a SAC, SPA or Ramsar site will need early consultation with Canterbury City Council and any other appropriate Statutory Consultee or authority as to the likely impacts and to identify appropriate mitigation as necessary. Where mitigation measures are agreed by the City Council, the development will be required to fund and/or implement such mitigation measures ~~as agreed~~. Any residual impacts may still require in-combination assessment.  In the event that the City Council is unable to conclude that there will be no adverse effect on the integrity of any ~~European~~ internationally designated site, the plan, or project will be refused unless the tests of no alternative sites and the imperative reasons of overriding public interest in accordance with Regulation 62 of the Habitats Regulations 2010 (as amended) are proven. | | | Natural England  Habitat Regulations  National Planning Policy Guidance |
| MM10.7 | 234 | 10.35 | *Amend text*  ~~To date,~~ Advice from Natural England is that the planned quantum of housing in the Canterbury and Thanet Districts is likely to result in a~~n~~ significant effect on the bird interest (over-wintering Turnstones) of the Thanet Coast and Sandwich Bay SPA and Ramsar site from increased recreational disturbance associated with new housing. ~~They have advised that~~ A~~a~~ ‘zone of influence’ ~~is~~ has been identified to establish which future housing sites are ~~most~~ likely to contribute to this recreational impact. Access management, awareness raising and education delivered through a wardening scheme have been identified as appropriate mitigation to reduce impacts on Turnstones during their over wintering period (1 October to 31 March)~~8 months)~~ with further monitoring to ensure that these measures are effective. Given the level of housing coming forward these measures are ~~may be~~ required in-perpetuity, unless further evidence ~~suggests~~ proves otherwise ~~or other mitigation can be shown to reduce the impact on the site from future housing~~. ~~For example the provision of green infrastructure may well have a role in reducing the pressure on sensitive coastal sites, and if this can be evidenced such an approach could be used to mitigate for this recreational pressure.~~ | | | Natural England  To bring in line with HRA appropriate assessment study in topic paper (CDLP 10.4) |
| MM10.8 | 235 | 10.37 | *Amend text*  The Blean Complex Special Area of Conservation (SAC) **-** The main interest feature of this site is the Oak Hornbeam forest. Lack of coppice management and deterioration in air quality are considered to be the main vulnerabilities for this important woodland. ~~The Council is currently considering (as part of its Habitat Regulations Screening) whether the local plan proposals are likely to have a significant negative effect on the Blean SAC.~~ Proximity of roads to sensitive habitats and any physical barriers between the road and the habitat that filter air pollution are key issues. The probable impact of predicted Annual Average Daily Traffic (AADT) along the Blean Road (A290) (which is within 200m of the SAC) resulting from housing allocations in the Local Plan has been calculated using the approach set out in the Design Manual for Road and Bridges. This result concluded that there was unlikely to be a significant impact on the Blean SAC resulting from air pollution from increased housing, in particular nitrogen deposition. ~~In particular~~ However, it is important that there are no further decreases in air quality or other impacts to the detriment of sensitive parts of the site. ~~Proximity to roads of sensitive habitat, and any barriers to air pollution are key issues under consideration.~~ Recreation levels at the Blean SAC will need to be monitored, but it is not currently a particular concern, due to the current access management and educational programme on this site. The City Council will work with the managers (Royal Society for the Protection of Birds and Kent Wildlife Trust ~~RSPB KWT~~) of the site to understand any potential impacts from future developments. | | | Natural England  To bring in line with HRA appropriate assessment study in topic paper (CDLP 10.4) |
| MM10.9 | 236 | LB6 | *Amend text*  Planning permission will not normally be granted for development which would materially harm the scientific or nature conservation interest, either directly, indirectly or cumulatively, of sites designated as a ~~s~~Site of Special Scientific Interest (SSSI), ~~or~~ National Nature Reserve (NNR) and Marine Conservation Zones (MCZ) for their nature conservation, geological, or geomorphological value. Support will be given for enhancement. | | | Natural England  NPPF compliance 118 |
| MM 10.10 | 238 | LB7 | *Amend text*  …  will ~~only~~ be permitted if the justification for the proposals clearly outweighs any harm to the intrinsic nature conservation and/or scientific value of the site. Where negative impact is unavoidable, measures ~~must~~ should be taken to ensure that the impacts of the development on valued natural features and wildlife have been mitigated to their fullest practical extent. … | | | National Planning Policy Framework  Inspector stage 1 - positive wording |
| MM10.11 | 239 | LB8 | *Amend policy text*  New development will need to show how it will:   1. avoid the fragmentation of existing habitats and support the creation of coherent ecological networks through both urban and rural areas; and 2. retain, protect and enhance notable ecological features of conservation value such as ancient woodland, neutral grassland, hedgerows, trees, wetlands, river corridors and other water bodies, and habitats that offer breeding or feeding sites of local importance to populations of protected or targeted species.  ~~Only l~~ Lighting that has been sensitively designed to minimise disturbance to protected species and their food sources (e.g. low level, directed, warm, tinted lighting) will be permitted. 3. protect opportunities for improving connectivity of habitats in strategically important Biodiversity Opportunity Areas.   Strategic opportunities for biodiversity improvement will be actively pursued within the Biodiversity Opportunity Areas. ~~Development which significantly damages opportunities for improving connectivity of habitats in these strategically important areas will be refused.~~ | | | National Planning Policy Guidance  Inspector stage 1 – positive wording |
| MM10.12 | 244 | Policy LB9 | *Amend text*  All development should avoid a net loss of biodiversity/nature conservation value and actively pursue opportunities to achieve a net gain, particularly where:   1. There are wildlife habitats/species identified as Species or Habitats of Principal Importance; 2. There are habitats/species that are protected under wildlife legislation; 3. The site forms a link between or buffer to designated wildlife sites.   This will be secured by:   1. Ensuring that development site evaluation is undertaken to establish the nature conservation value of the proposed development sites. Developers will be expected to carry out appropriate ecological survey/s and present outline proposals for mitigation and enhancement prior to the determination of a planning application. Planning permission will ~~only~~ be granted where the City Council is satisfied that the avoidance and mitigation measures proposed can give an effective means to conserve and enhance the habitat or species and represent an appropriate response tothe habitat or species interest of the site. Where on-site mitigation is not possible, as a last resort, compensatory ~~adequate compensatory~~  habitat enhancement, creation schemes or other measures will be required to ensure that the impacts of the development on valued natural features and wildlife have been offset to their fullest practical extent. 2. In some cases, where wildlife impacts are significant, it may be necessary to find an alternative location for the development. ~~if~~ If a suitable alternative location cannot be found the application may be refused. For European protected species, planning permission will only be granted where the three tests set out in the Habitats Regulations are satisfied. 3. ~~b.~~ Delivering positive opportunities for habitat restoration and creation through the development process: identifying, safeguarding and managing existing and potential land (or landscape features of major importance for wild flora and fauna) for nature conservation as part of development proposals, particularly where a connected series of sites can be achieved.   Development which may harm (either directly or indirectly) Habitats or Species of Principal Importance will ~~only~~ be permitted if:   * ~~c.~~ There are no reasonable alternatives and there are clear demonstrable social or economic benefits of the development which clearly outweigh the need to safeguard the site or species; and, * ~~d.~~ Adequate mitigation, ~~and~~ compensation and enhancement measures are provided when damage to biodiversity interests are unavoidable; and, * Any identified mitigation, enhancement or compensatory area is secured in the long term, to ensure that it is protected from future development; and, * Management, implementation and funding for mitigation or enhancement measures or compensatory area are provided by the applicant to ensure the habitats or populations of species are conserved and enhanced in the long term.   Any mitigation measures must be within the control of the developer. The developer must take responsibility for ensuring mitigation measures are fully implemented. | | | Natural England  Compliance with national legislation and guidance |
| MM10.13 | 246 | Policy LB10 | *Amend policy text*  New development should incorporate trees~~,~~ in areas of appropriate landscape character~~,~~ to, help restore…  … , an area’s amenity or the movement of wildlife, unless:   * The need for, and benefits of, the development in that location clearly out-weigh the loss; and, * Adequate mitigation and compensation measures can be agreed with the City Council and are fully implemented by the developer. | | | National Planning Policy Framework 118 |
| MM10.14 | 247 | LB11 | *Amend policy text*  The City Council will refuse proposals for development that would result in the loss, deterioration or damage the character ~~or integrity~~ of the Blean Complex. Development should provide ~~or which would will prevent important~~ opportunities for biodiversity improvement within the identified Biodiversity Improvement Areas. | | | National Planning Policy Framework 118 |
| MM10.15 | 249 | LB13 | *Amend policy text*  Development shall show how t~~T~~he environment within river corridors and river catchments, including the landscape, water environment and wildlife habitats, will be conserved and enhanced.  Supply of water, treatment and disposal of waste water and flood risk management should be shown to be sustainable and deliver environmental benefits, within the water environment. | | | National Planning Policy Framework |
| **Chapter 11: Open Space** | | | | | | |
| MM11.1 | 255 | Policy OS1 | Amend 1st paragraph  ~~Only p~~ Proposals that protect or enhance these Local Green Spaces will be permitted and development proposals that would impact upon or change the character of the Local Green Space will ~~only~~ be permitted under very special circumstances, such as: | National Planning Policy Framework | | |
| MM11.2 | 260 | Policy OS2 | Amend 1st paragraph  Proposal for development, which would result in the loss, in whole or in part, of playing fields will ~~only~~ be permitted if : | National Planning Policy Framework | | |
| MM11.3 | 262 | Policy OS6 | Amend 1st paragraph  Within the Green Gaps identified on the Proposals Map(see also Insets 1 ,3 and 5) development will ~~only~~ be permitted where it does not : | National Planning Policy Framework | | |
| MM11.4 | 263 | Policy OS7 | Amend 1st paragraph  Within the Herne Bay and Whitstable Green Gap identified on the Proposals Map (Insets 3 and 5), development will ~~only~~ be permitted where it does not : | National Planning Policy Framework | | |
| MM11.5 | 265 | Policy OS8 | Amend 1st paragraph  Proposals for sports and recreation facilities in the countryside will ~~only~~ be permitted where : | National Planning Policy Framework | | |
| MM11.6 | 266 | Policy OS9 | Amend 1st paragraph, criteria d and delete last paragraph  Proposals which would result in the loss of protected existing open space as shown on the Proposals Map (all insets) will ~~only~~ be permitted if :  ……………………………..   1. The open space has been assessed by the City Council as making no positive contribution to its overall strategy on open space.   ~~Development which would involve the loss of open spaces and play areas provided as part of new residential developments which contribute to the visual or recreational amenity of the area will be refused.~~ | National Planning Policy Framework | | |
| MM11.7 | 266 | Policy OS10 | Delete Policy text  ~~Development which would involve the loss of open spaces and play areas provided as part of new residential developments which contribute to the visual or recreational amenity of the area will be refused.~~ | National Planning Policy Framework | | |
| MM11.8 | 269 | Policy OS11 | Amend policy text  ……….. New open space and play areas that ~~is~~ are created through new developments will automatically be protected and Policy OS9 will apply. | National Planning Policy Framework | | |
| MM11.9 | 270 | Policy OS12 | Amend policy criteria (b)  Existing open space is ~~protected and improved~~ conserved and enhanced as part of these networks, which where possible, should extend through major new development sites and connect directly with community facilities, employment areas and transport hubs in order to deliver sustainable development and support the health and well being of residents. | Natural England  AONB  National Planning Policy Framework | | |
| MM11.10 | 271 | Policy OS13 | Amend policy text  Land identified on the Proposals Map (Inset 1 and 2), along the River Stour corridors in Canterbury City will be protected from development to enable its future use and contribution towards the riverside corridor, land is allocated as open space as part of the ~~existing~~ Riverside Strategy as revised. | National Planning Policy Framework | | |
| MM11.11 | 272 | Policy OS15 | Amend policy text  Permission will ~~only~~ be granted for development proposals that involve the loss of existing allotment land and/or community garden land if both the following criteria are met : | National Planning Policy Framework | | |
| **Chapter 12: Quality of Life** | | | | | | |
| MM12.1 | 276 | Policy QL3 | The City will ~~not~~ permit the loss of village and community facilities in the parishes, such as village halls, public houses, shops and post offices to other uses ~~unless~~ if it can be demonstrated : | National Planning Policy Framework | | |
| MM12.2 | 278 | Policy QL5 | Provision ~~will~~ should be made to accommodate local community services within new residential development and mixed use developments.  New community services ~~will~~ should be located where they are accessible by walking or cycling and by public transport from the area they serve. ……….  ~~Residential development will not be permitted until t~~ The required funding for the community services and facilities ~~it requires has been~~ shall be identified and agreed prior to grant of planning permission. | National Planning Policy Framework | | |
| MM12.3 | 278 | Policy QL6 | Planning permission will ~~not~~ be granted for development involving the loss of public or privately operated community buildings or sites, or uses for community purposes, ~~unless~~ if there is no demonstrable need for the use of the facilities within the locality ………………. | National Planning Policy Framework | | |
| MM12.4 | 281 | Paragraph 12.41 | Amend Text  ….. Policy QL9 promotes and safeguards an area adjacent to the Kent & Canterbury Hospital~~’s~~ for future health care development ~~strategic role for the district and wider area and Policy SP3 is proposing to relocate the hospital to a new site as part of the strategic site at South Canterbury.~~ Policy SP3 reserves land at Site 1 for the potential relocation of the Kent & Canterbury Hospital, if required in the future. | National Planning Policy Framework  reflects the current situation | | |
| MM12.5 | 281 | Policy QL9 | Amend policy text  Land is allocated ~~at~~ adjacent to the Kent & Canterbury Hospital as shown on the Proposals Map (Inset 1) for health–related development. ~~until such a time that the hospital relocation has taken place.~~ | National Planning Policy Framework  reflects the current situation | | |
| MM12.6 | 283 | Policy QL11 | Update text  Development that could directly or indirectly result in material additional air pollutants and worsening levels of air quality within the area surrounding the development site will not be permitted unless acceptable measures have been taken as part of the proposal. An air quality assessment will be required if the proposal is likely to have a significant impact on air quality.  Sensitive development (such as housing) will ~~not~~ normally be permitted in Air Quality Management Areas ~~unless~~ if appropriate mitigation measures are incorporated. | National Planning Policy Framework  reflects the current situation | | |
| MM12.7 | 285 | Policy QL13 | Delete Policy  ~~Policy QL13 Waste Management and Recycling~~  ~~Any major proposals for waste disposal, waste incineration, energy generation from waste or other waste – related proposals, will need to address the following issues:~~   1. ~~The need for proposal;~~ 2. ~~Consideration of alternative sites;~~ 3. ~~Air quality and impact on public health ;~~ 4. ~~Impact on the landscape and visual amenity;~~ 5. ~~Geology, hydrology and ground conditions;~~ 6. ~~Ecology and nature conservation interests;~~ 7. ~~Noise impact;~~ 8. ~~Archaeology;~~ 9. ~~Traffic generation and alternative methods of transportation of waste by means other than by road;~~ 10. ~~Impact on residential amenity;~~   ~~Lifetime of the scheme and any subsequent restoration of the site.~~ | policy no longer required due to the adoption of the Kent Minerals and Waste Local Plan on 14 July 2016 | | |
| **Appendices** | | | | | | |
| **Appendix 1 ~~Indicative layouts for Strategic Development Sites~~ Strategic Site Allocations Location Map** | | | | | | |
| MM App1.1 | App 1 | Strategic Site Allocations Location Map | New District Map showing the location of all Strategic Site Allocations | For clarity | | |
| **Appendix 2** **Garden City Principles** | | | | | | |
| MM App2.1 | App 2 | Garden City Principles | Insert a new appendix 2 and re number all following appendices  Garden City Principles | Examination | | |
| **Appendix 3** **Schedule of Housing Allocations and Permissions** | | | | | | |
| MM App3.1 | App ~~2~~ 3 | Schedule of Housing Allocations and Permissions | Delete the whole appendix and replace with new appendix,  rename as Appendix 3 | Provide update | | |
| MM App3.2 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of Housing Allocation at 181 Sea Street, Herne Bay (14 Dwellings) | Provide update | | |
| MM App3.3 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of part of Housing Allocation at Land adjacent to Canterbury West Station (20 Dwellings) | Provide update | | |
| MM App3.4 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of Housing Allocation at Corner of Canterbury Rd/Victoria Rd, Herne Bay (5 Dwellings) | Provide update | | |
| MM App3.5 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of Housing Allocation at Builders Yard r/o 3 Belmont Rd, Whitstable (23 Dwellings) | Provide update | | |
| MM App3.6 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of Housing Allocation at Beresford Rd North and South, Whitstable (20 Dwellings) | Provide update | | |
| MM App3.7 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of Housing Allocation at Land adjacent 15 Hamilton Rd, Whitstable (10 Dwellings) | Provide update | | |
| MM App3.8 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of Housing Allocation at 37 Essex Street, Whitstable (7 Dwellings) | Provide update | | |
| MM App3.9 | App ~~2~~ 3 | Delete from previous Appendix 2 -  Schedule of Housing Allocations and Permissions | Proposed deletion of Housing Allocation at land adjacent to 100 Albert Street, Whitstable (11 Dwellings) | Provide update | | |
| **Appendix 4 Housing in Multiple Occupation - Article 4 Direction Area** | | | | | | |
| **~~Appendix 4~~****~~Schedule of Employment Sites Appendix~~** | | | | | | |
| MM App4.1 | ~~App 4~~ |  | Delete the whole appendix | Duplication/The table in App 4 is at EMP1, page 72 (with some proposed modifications) | | |
| MM App4.2 | App ~~3~~ 4 | Housing in Multiple Occupation | Amend map title and rename as Appendix 4  Housing in Multiple Occupation -~~Possible~~ Article 4 Direction Area | To reflect current position – Article 4 Direction Area which came into force on 25 February 2016 | | |
| **Appendix 5 Canterbury City Council Local Parking Standards** | | | | | | |
| MM App5.1 | App 5 | Canterbury City Council Local Parking Standards | Insert a new appendix  Canterbury City Council Local Parking Standards | Examination | | |

1. As defined in Article 2 of the Town and Country Planning (development Management Procedure) (England) Order 2015 (no.595) or any later amendment. [↑](#footnote-ref-0)