

**AVISON
YOUNG**

**Representations to Draft Canterbury
Local Plan Regulation 18 Consultation**

Submitted on behalf of the University of Kent

June 2024

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For and on behalf of Avison Young (UK) Limited

1. Introduction

1.1 This document provides representations to Canterbury City Council (CCC) in response to the Regulation 18 consultation on the Draft Canterbury Local Plan (DCLP). The representations have been prepared by Avison Young, with input from WSP and PRP, on behalf of the University of Kent (UoK or the 'University').

1.2 The purpose of the representations is as follows:

(1) To confirm the University's support for Policy C12, and to provide:

- Updated details on the significant public benefits likely to be generated by the policy;
- Further evidence to support the conclusions of the Strategic Housing Land Availability Assessment (SHLAA) Update (December 2023) that Land to the North of the University of Kent (the 'Site'), as defined on the draft Policies Map, should be treated as suitable, available and achievable (i.e. 'developable' for the purposes of NPPF paragraph 69(b) and the definition at Annex 2); and
- Detailed comments on Policy C12, geared to ensuring that the policy is prepared as soundly as possible.

(2) To confirm the University's support for Policy SS3 (specifically with regards to its support for a new settlement at the Site).

(3) To express the University's support for Policy DS9.

(4) To provide comments on other policies, geared to ensuring that the DCLP is prepared as soundly as possible.

1.3 This document is structured as follows:

- **Section 2** provides updated evidence of the significant public benefits that it are expected to arise from the allocation of land to the north of the University (**Policy C12**). This should be read in conjunction with the following appendix:
 - o **Appendix A** – Updated Economic Impact Assessment (Initial Results).
- **Section 3** provides further evidence to demonstrate the suitability of land north of the UoK (the 'Site') for the development proposed by **Policy C12**. This should be read in conjunction with the following appendices:
 - o **Appendix B** – Transport Strategy Report
 - o **Appendix C** – Environmental Update Report
- **Section 4** provides updated evidence to demonstrate the availability of the Site for the development proposed by **Policy C12**. This should be read in conjunction with the following appendices:
 - o **Appendix D** – Site Delivery Report (specifically the Site Availability Note at Appendix I)
- **Section 5** provides updated evidence to demonstrate the achievability of the development proposed by **Policy C12**. This should be read in conjunction with the following appendices:
 - o **Appendix D** – Site Delivery Report, which includes the following appendices:
 - Soft Market Testing Report (Appendix II)
 - Indicative Delivery Programme (Appendix III)

- Updated Viability Assessment (Appendix IV)
 - Residential Market Report (Appendix V)
 - **Appendix E** – Updated Illustrative Masterplan Document
 - **Section 6** provides detailed comments on **Policy C12**
 - **Section 7** provides comments on **Policy DS9**
 - **Section 8** provides comments on **Policies DS1, DS2, and DS21**.
- 1.4 These representations should be read in conjunction with representations made on behalf of the University to previous consultations, including the following (enclosed at **Appendix F**):
- Regulation 18 (January 2023);
 - Call-for-sites (June 2020); and
 - Call-for-sites (July 2021).

2. The Unique Public Benefits of Policy C12

- 2.1 The development supported by Policy C12 will generate very significant economic, social and environmental public benefits and is firmly aligned with the purpose of the planning system which is to achieve sustainable development.
- 2.2 In many cases these benefits are unique and would not otherwise be achievable if the land to the north of the University was not brought forward for development. The purpose of this section is to explain these benefits and the associated context.

Context: The Economic Threat to the University of Kent

- 2.3 The following content draws upon information provided in the University's most recent annual financial statement (covering the period to July 2023).

Context – External Factors

- 2.4 The University, along with the wider UK Higher Education sector, has been experiencing a period of significant challenge, with strong global competition for students, exacerbated by UK Government policy which has affected overseas recruitment and particularly the demand for postgraduate study, and a general decline in demand in some subject areas, affecting its ability to recruit and grow its fee income.
- 2.5 The UK Undergraduate tuition fee, originally set in 2012 at £9,000, has also been largely frozen for over a decade. Save for a minor uplift to £9,250 in 2017, it is now worth less than £6,500 at today's values but is the main source of income for the University, as it is for many other Higher Education Institutions (HEIs).
- 2.6 This effective decline in the value of the fee, combined with unprecedented high inflation on running costs, has given rise to challenging operating conditions for many HEIs during 2022/23, UoK included. Furthermore, higher than normal student attrition rates, likely due to post-pandemic learning, face-to-face exams and the cost-of-living crisis led to a drop in fee income for many HEIs and made the financial environment over this last year extremely challenging; UoK was no exception. Issues also arose in the collection of student debt, which for the first time lagged normal profiles, putting pressure on cash reserves at peak times.
- 2.7 The risks outlined above are those most significant to UoK. There are of course, other risks and issues faced by the wider Higher Education sector that have persisted for some time and continue to be monitored and updated as further information becomes available. In particular, the increased compliance burdens that have been placed on the sector through the UK Visa and Immigration requirements, data reporting, Competition and Markets Authority guidance and requirements of the sector regulator, the Office for Students (OfS). This increased level of regulation adds an overall administrative burden, and operating cost, without leading to immediate tangible benefits to the student experience. At UoK these areas of regulation are monitored regularly. Our programme of risk management enhancement has identified areas in which further targeted investment may assist in demonstrating ongoing compliance and this work continues to be undertaken.

Current Operating Position

- 2.8 These external factors have a significant bearing on the University's financial operating position. In the year up to July 2023, the University operated at a deficit of -£12m. As demonstrated in Table 2.1 below, a similar operating deficit has occurred in four out of the past five financial years.

Table 2.1 UoK Underlying Financial Performance

Year Ending July	Underlying Financial Performance
2023	(£12m)
2022	(£15.3m)
2021	£2.4m
2020	(£12m)
2019	(£7.9m)

Source: UoK Financial Statements: <https://www.kent.ac.uk/finance/financial-statements>

2.9 The University cannot continue operating in a deficit position – it is simply not sustainable.

Responding to the Threat – the Transformation Plan

- 2.10 In response to this, the University recognised that a bold and radical transformation plan would be required and, over this past year, has been receiving professional advice and working with its stakeholders to develop plans to secure its longer-term financial sustainability. Throughout the final quarter of 2023 and into this current financial year, the University's lenders agreed a package of support measures to allow the University the time to develop an overarching transformation plan, which was first presented to them in June 2023 and again in September 2023 before being extensively reviewed, challenged and sensitised by the Lenders' advisors until it was adopted as the financing case for new arrangements with stakeholders in February 2024.
- 2.11 The University has therefore secured its financial position for the medium and longer term and taken a range of other measures, including releasing some assets, exploring partnership opportunities and agreeing all the elements of a transformation plan (Kent 2030) (the 'Transformation Plan') that focuses on the most appropriate size, shape, academic productivity, growth opportunities and operating model. It is through this plan that the University aims to achieve a trajectory to a financially sustainable platform, enabling it to successfully operate within this new, challenging, environment for Higher Education in the UK.
- 2.12 The Transformation Plan returns the University to a surplus performance by 2024/25 and to a sustainable operating position by 2027/28. It redevelops the University's academic strategy to focus on outstanding education and exceptional student experience, in areas that UoK is strong and can compete with peers and Russell Group institutions, alongside world-class research and innovation in strategic areas that drive global impact and reputation. It will improve the University's academic productivity and will modernise educational delivery as well as delivering further cost savings in its operations, through improving processes, technology and partnership working. Implementation of these changes, alongside a concentration on growth opportunities, both in the UK and overseas, will lead to a sustainable level of growth in student fee income, enable research and innovation income to increase to come into line with peers, and reduce staff costs as a percentage of income. Furthermore, the University will be seeking to crystallise value from its land holdings and wider asset base, as a means of funding future investment and reducing the level of debt that is outstanding with our lenders.
- 2.13 The University has also taken significant steps to strengthen its balance sheet, through a lease and leaseback of one of its student residences, together with a rescheduling of its existing debt repayment profile, with the next capital repayment falling due in March 2026. It has also arranged short-term working capital facilities which will be available in April-May 2024 and 2025 and August-October 2024 and 2025 respectively, helping to address the seasonal volatility in cashflows created by

the current profiling of the Student Loan Company receipts of UK Undergraduate tuition fees. Together, these arrangements provide the funding platform, investment resources, financial resilience and time required to deliver the Transformation Plan and importantly return the University to a financially sustainable position.

- 2.14 Consequently, the University has approved plans that see a deficit of c£31m in this coming year, as it starts to incur the costs and investment associated with the development and implementation of this transformation plan, followed by a turn-around into surplus as the plan takes effect. Underlying operating performance is expected to improve marginally as a result of improved retention of students, back towards levels seen more typically from year-to-year; however, lower than planned recruitment of overseas students, particularly at a postgraduate degree level, has offset some of this improvement and further in-year savings have needed to be made against pay and non-pay budgets to preserve the projected outturn. As at 31 January 2024 and as a result of high levels of savings being made early in the financial year, the University's performance is ahead of budget to date by £4.5m and its cash balances are £6.0m ahead of profiled projections.
- 2.15 With a renewed and strengthened financial platform now having been established and funding in place for the transformation, the pace of activity will ramp up over the coming months and expenditure in the second half of this year is expected to return to planned levels. Looking further ahead into 2024/25, the positive impact of this transformational change will start to be seen and it is projected that the University will, even by the second year of the plan, turn a small operating surplus.

The Need for Policy C12 (in Planning Terms)

- 2.16 The planning system and the University are aligned in that they both operate in the public interest.
- 2.17 The objectives of the University are defined by Royal Charter (1965) which are to *advance education and disseminate knowledge by teaching, scholarship and research for the public benefit*. Furthermore, and on account of its exempt charitable status, it is required to comply with the legal provisions of the Charities Act (2011) which includes the requirement to carry out its activities for the public benefit.
- 2.18 The purpose of the planning system is to contribute to the achievement of sustainable development, the objective of which is to meet the needs of the present without compromising the ability of future generations to meet their own needs. In meeting this purpose, the planning system has economic, social and environmental objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).
- 2.19 The planning system and the University are also aligned in their commitment to pursuing the United Nations' Sustainable Development Goals. At a high level, these goals underpin the objective of the planning system – to contribute to the achievement of sustainable development. For the University, this means incorporating the goals into everything it does, from its leadership, operations, engagement, and curriculum to the way in which it manages its estate and landholdings.
- 2.20 From a planning perspective, the allocation of land to the north of the University for new homes is a clear and unique opportunity to secure the 'net gains' that the planning system is required to pursue, specifically the generation of unique economic benefits associated with the University that otherwise would not be achieved. It enables the University to crystallise value from its land holdings as a means of funding future investment and reducing the level of debt that is outstanding with its lenders. As such it is a key component of the Transformation Plan discussed above which will secure the long term financial sustainability of the University. This is alongside making its surplus land available to accommodate much needed new homes in an environmentally sustainable manner, delivering the social and environmental objectives of the planning system alongside economic objectives.

Public Benefits

2.21 We set out below the key economic, social and environmental benefits that we expect to be achieved as a consequence of Policy C12.

Economic Benefits

2.22 The University submitted a report as part of its representations to the call-for-sites exercise in June 2020 which assessed its economic impact (prepared by Viewforth Consulting, April 2018).

2.23 Viewforth have been commissioned to update this assessment, which is expected to be completed in Autumn 2024. However, initial results have been prepared for inclusion as part of these representations in order to provide an updated snapshot of the current economic impact of the University.

2.24 For the reasons set out above, the unique public benefit of Policy C12 is that it supports the continuation (and potential improvement) of these existing positive impacts over the long term, and protects against the substantial economic public harm that would undoubtedly arise if the University's Transformation Plan is not successful.

2.25 Headlines of key economic impacts that Policy C12 will support include the following:

- **Economic Output** – The impact on overall economic output:
 - o University's own direct output: £271.3m (£257.7m within Canterbury)
 - o Secondary output impact of University expenditure: £388.2m (£132.9m within Canterbury)
 - o Personal student off-campus expenditure: £313.5m (£119.9m within Canterbury)

Total economic output (per annum): £972.9m (£510.5m within Canterbury)

- **Gross Value Added (GVA)** – The regional measure of Gross Domestic Product (GDP):
 - o University's own direct output: £172.5m (£163.8m within Canterbury)
 - o Secondary impact of University expenditure: £190.3m (£65.8m within Canterbury)
 - o Personal student off-campus expenditure: £147m (£56.4m within Canterbury)

Total GVA (per annum): £509.8m (£286m within Canterbury)

- **Jobs:**
 - o Direct jobs within the University: 3,330 (3,164 within Canterbury)
 - o Jobs generated through the secondary impact of University expenditure: 5,666 (2,003 within Canterbury)
 - o Jobs generated by personal student off-campus expenditure: 3,978 (1,531 within Canterbury)

Total job generation: 12,974 (6,697 within Canterbury – **approximately 10% of all jobs within Canterbury.**

2.26 Policy C12 will also generate broader economic benefits, including:

- Construction stage expenditure, jobs and training opportunities.
- Future investment in the University's retained campus (in line with draft Policy DS9) to deliver education and complementary uses (for example hotel/conferencing facilities to support the wider economy).

Social Benefits

2.27 The key social benefits of Policy C12 include:

- Significant support for the continuation and ongoing improvement of the provision of higher education and research at the University (to include future investment in its estate in line with draft Policy DDS9).
- Provision of new more functional and cost/energy efficient accommodation and associated facilities for Blean Primary School.
- Provision of 2,000+ homes in a range of sizes, types and tenures (including affordable homes) to help meet current and future local housing needs.
- Provision of beautifully designed and well specified homes set within a masterplanned environment with generous amount of green open space that promotes healthy living.
- Provision of new social infrastructure necessary to provide for the needs of future residents, including a new local centre, primary school and other community facilities.

Environmental Benefits

2.28 Key environmental benefits of Policy C12 include:

- Provides for the development needs of the district in a manner that minimises the contribution that this would make to climate change and which is resilient to the effects of a changing climate, including:
 - o Provision of 2,000 homes planned, designed, and specified in a manner that will enable their occupants to live sustainable lifestyles, including in respect to carbon impacts associated with household energy consumption and transport (noting the unique opportunity to take advantage of the University's existing transport infrastructure to deliver an active travel based transport strategy for the Site).
 - o Support for the University's estate strategy to decarbonise its estate (in line with draft Policy DS9).
- Avoiding the need to develop land of higher landscape value to meet development needs.
- Heritage, including:
 - o Accommodating new development on land which is not visible from the World Heritage Site (and therefore does not affect its setting).
 - o Protection of the significance of other existing heritage assets including the Grade II* listed Church of St Cosmus and St Damian, Grade II listed Church Cottage, Scheduled Ancient Monuments and Conservation Areas.
- Minimum 20% biodiversity net gain compared to the existing position and opportunities to deliver strategic objectives including improved 'green' connectivity between existing green infrastructure.

3. Suitability (Policy C12)

3.1 We have reviewed the Addendum to the SHLAA (2023) and confirm that we agree with its conclusions that the Site is suitable for the development proposed by Policy C12.

3.2 The following additional evidence is enclosed to further support this conclusion:

- **Appendix B** – Transport Strategy report
- **Appendix C** – Environmental Update Report

3.3 A summary of each is provided below:

Transport Strategy

3.4 The Transport Strategy report prepared by WSP follows previous submissions to Canterbury City Council throughout the progression of the Draft Local Plan with work being updated to reflect the latest Transport Strategy for the district.

Access

3.5 The only existing point of connection to the public highway is Tyler Hill Road, however in its current form it is not considered suitable to accommodate a significant increase in volumes of traffic. The proposed access strategy therefore recommends developing a new north-south route through the University Campus. In addition to this, it is recommended that Tyler Hill Road be downgraded where it passes through University owned land and incorporated into the masterplan so that design measures could be included to manage through traffic and limit access from the development onto the retained section of road.

3.6 The initial point of access would be delivered onto Whitstable Road in the far south of the University Campus with a second point of access delivered via Blean Primary School, which would be delivered at an appropriate point in the development's build out to provide additional permeability to the site.

3.7 The preferred alignment of the north-south route has been proposed with consideration of the constraints within the site, including the Crab and Winkle Way and Ancient Woodland to prevent harm and preserve the priority of the existing strategic pedestrian and cycle corridors.

3.8 It is evident that the Site benefits from access to a range of other modes of transport and the Site will be able to successfully connect to this existing network to ensure development aligns with the movement hierarchy as outlined in Policy DS13 of the Draft Local Plan. Further to this, a key principle of the transport strategy is the delivery of a transport hub on the development site to focus and provide access to a range of transport options, with the key aim to reduce the reliance on the private car.

Trip Generation and Wider Impact on the Highway Network

3.9 Original trip generation assessments were submitted to CCC and Kent County Council under the 2023 Transport Preliminary Assessment (PTA) that was submitted as part of the previous Regulation 18 consultation. Since this, CCC have released an updated Transport Strategy which seeks to reduce car dependency within Canterbury. It is considered that the traffic modelling undertaken and presented in the 2023 PTA is still considered to be a robust position to assess the impacts of the scheme.

- 3.10 Bespoke runs of the strategic model are still required in order to test the impact of the proposed development on the local and wider highway network. This will assist in understanding the relevant package of mitigation measures that will be required to support the proposal.
- 3.11 At this stage, it is concluded that the development as outlined under Policy C12 can be accommodated on the highway network and from a transport perspective, and that there are no transport reasons why this Site would not be suitable for development.

Environment Update

- 3.12 A summary report has been prepared which sets out the key findings of several environmental studies that relate to future development at this site to identify potential environmental constraints and how these have informed the proposed masterplan.

Agricultural Land Classification

- 3.13 Agricultural land in England and Wales is graded between 1 and 5, where Grade 1 is considered excellent quality agricultural land and Grade 5 is considered very poor-quality land.
- 3.14 The land identified in Policy C12 does not include any Grade 1 agricultural land and the majority (75%) is classified as Grade 3a or 3b. Therefore, whilst it is acknowledged that there will be some loss of productive agricultural land, the impact on the best and most versatile agricultural land is limited.

Air Quality

- 3.15 With the implementation of effective avoidance and mitigation measures through both construction and operational phases it is considered that the proposed development is not likely to cause significant effects on air quality. These measures will be considered at a later detailed stage as part of a future planning application as necessary.

Heritage

- 3.16 There are a number of designated heritage assets that affect parts of the Site including a Schedule Ancient Monument; several Conservation Areas abutting the Site; and several listed buildings that are in close proximity to the Site.
- 3.17 An initial Heritage Constraints Appraisal was undertaken to inform the Illustrative Masterplan. Whilst it is identified that the Site is at high risk in respect of potential impacts to the setting of nearby statutory and locally designated heritage assets, studies have identified that no works will physically impact these designated heritage assets albeit there is potential for impacts to occur on the setting / character of nearby heritage assets, however these could be successfully mitigated through careful design and master planning.
- 3.18 It is anticipated that the Site can be developed without harming the significance of the identified heritage assets through careful design informed by heritage advice, therefore the Site is considered suitable for development in heritage terms.
- 3.19 The development of the Site is not expected to be visible from the World Heritage Site and therefore will not affect its setting.

Minerals

- 3.20 Areas of the Site have been identified to lie within a Mineral Safeguarding Areas (MSA). A Mineral Resource Assessment (MRA) identified that the proposed development would sterilise the underlying

land in the context of mineral extraction, however, there are a number of reasons outlined within the Environmental Update Report that seek to justify this.

- 3.21 Overall, given the overriding need for residential development, the difficulties in extracting from immediately adjacent to existing residential areas and the lack of requirement for Brickearth now and in the future, it is considered that sterilisation of the mineral resource without prior extraction is acceptable and unlikely to constrain development of the Site.

Noise

- 3.22 It is considered that for the majority of the Site, there is unlikely to be any significant noise constraints for noise sensitive development (i.e., residential) although good acoustic design measures will need to be considered for the area of the site located nearest to the A290.
- 3.23 It is concluded that there is unlikely to be any significant adverse impacts due to noise as a result of the proposed development the site where good acoustic design principles are following during the master planning of the new development.

Ecology & Biodiversity

- 3.24 Suitable habitats have been found within the Site for protected and notable species and it is outlined that further surveys will need to be carried out at an appropriate time to understand the extent of their presence on the Site and possible mitigation measures required as part of any future development.
- 3.25 Where important habitats are to be removed, compensatory habitat creation would be required to offset losses and achieve biodiversity net gain. Notwithstanding this, at this stage, it is anticipated that the majority of existing habitats can either be retained or re-provided on-site and that there is an opportunity for biodiversity net gain as part of future development.
- 3.26 On this basis, it is considered that with additional survey works, the Site is suitable for development in ecology terms.
- 3.27 The Environmental Summary Report identifies that ongoing development of the landscape masterplan should be undertaken in consultation with a BNG specialist in order to demonstrate the potential for the Site to achieve an overall net gain for biodiversity in line with the targets set by the Local Authority and national planning policy.

Flooding and Drainage

- 3.28 A high-level flood risk assessment from all sources of flooding has been carried out and identified that surface water flood risk is considered the main source of flood risk to the Site. A more detailed assessment and further consultation has been recommended to be carried out in the next design stages of the project.
- 3.29 Further conclusions regarding fluvial flooding, groundwater flooding, and underlying geology have also been assessed and are concluded to either be of no risk or between low to medium.
- 3.30 With suitable mitigation, any flood and drainage issues can be successfully addressed to comply with the appropriate standards through provision of appropriate flood risk management and sustainable drainage systems as per Local Plan policy.

Ground Conditions

- 3.31 Initial investigations indicate that there is little evidence of the potential for contamination or other ground related conditions to cause significant detrimental issues as a result of the development and should not inhibit future development of the Site.
- 3.32 More detailed survey work, analysis and assessment will be required as the proposal progresses through the planning process to minimise the environmental consequences however the initial conclusions indicate that there are no obstructions to the development of the site that could not be mitigated to allow development to be brought forward at this site.

Ancient Woodland

- 3.33 There is an area of Ancient Woodland that sits within the line of the proposed initial access, as outlined within the Transport Strategy Report at Appendix B. Other options have been considered that would avoid the Ancient Woodland however these have been proven unsuitable and therefore the only practical option available is through the Ancient Woodland.
- 3.34 Notwithstanding this, the proposed alignment of the north-south access has sought to minimise the impact upon the Ancient Woodland by routing the access through the thinnest part of the woodland and minimising fragmentation. In addition to this, a strategy has been prepared that outlines possible mitigation or compensation measures that will be carried through to implementation of development and beyond.
- 3.35 It is acknowledged that Ancient Woodland is considered an irreplaceable habitat and therefore a bespoke mitigation plan would need to be agreed with the local authority for its loss. Currently it is considered that compensation could be provided through new woodland establishment, alongside ancient woodland soil translocation with rigorous monitoring.
- 3.36 Any proposed mitigation requirements will need to be discussed and agreed with the local authority as a proposed scheme for development of this site progresses, however, is considered that any potential harm can be limited.
- 3.37 Any residual harm should be considered in the context of the significant public benefits that are likely to be generated by Policy C12, as discussed in the previous section of this report.

Nutrient Neutrality

- 3.38 The Site is located within the catchment of the River Stour and is therefore hydrologically connected with the Stodmarsh Lakes, which are internationally designated as Special Protection Areas (SPA), a Special Area of Conservation (SAC), and a Ramsar site.
- 3.39 The November 2018 European Court of Justice decision regarding the Habitats Directive has resulted in Natural England (NE) requiring all new developments containing overnight accommodation, and which are in catchments affecting SPAs and SACs that are deteriorating because of nutrients, to demonstrate nutrient neutrality.
- 3.40 It is noted within the Environmental Update Report that a range of avoidance, mitigation and offsetting options are available to demonstrate nutrient neutrality for this future development. These include:
- Purchase of Natural England Nutrient Mitigation Scheme credits;
 - Conversion of existing agricultural land to a low nutrient land use;

- Use of an off-site Waste Water Treatment Works;
- Diversion of surface water flows from the scheme to the Sarre Penn catchment; and
- Construction of a Waste Water Treatment Works on site.

3.41 Based upon these options, or a combination of the above, it is anticipated that the proposed development can achieve nutrient neutrality and so comply with local policy as well as meet the requirements set by Natural England.

Summary

3.42 The above should be read in conjunction with the evidence on suitability submitted as part of representations to previous consultations. Collectively, this robustly demonstrates that the Site is suitable for the development proposed by Policy C12.

4. Availability (Policy C12)

- 4.1 We have reviewed the Addendum to the SHLAA (December 2023) and confirm that we agree with its conclusions that the Site is available for the development proposed by Policy C12.
- 4.2 We have enclosed a Site Availability Note as an appendix to the Site Delivery Report enclosed at Appendix D to provide further evidence to underpin this.
- 4.3 The majority of the land that forms part of this allocation is owned by the University of Kent who have sought to promote this site for development and have confirmed that the land is available for development now.
- 4.4 Other parts of the site, namely the Blean Primary School site is owned by Kent County Council. As outlined within Chapter 2 of the Site Deliverability Report, Kent County Council have confirmed that they are agreeable in principle to the disposal of their land holdings to provide a supplementary access to the development.
- 4.5 Further to this, there are no restrictive covenants (or similar constraints) on the land that prevents it being brought forward for development.

Summary

- 4.6 The above should be read in conjunction with the evidence on availability submitted as part of representations to previous consultations. Collectively, this robustly demonstrates that the Site is available for the development proposed by Policy C12.

5. Achievability (Policy C12)

- 5.1 We have reviewed the Addendum to the SHLAA (2023) and confirm that we agree with its conclusions that the development proposed by Policy C12 is achievable (i.e. it could be viably developed at the point envisaged).
- 5.2 The following additional evidence is enclosed to further support this conclusion:
- **Appendix D** – Site Deliverability Report, which includes the following additional evidence:
 - o Residential Market Report
 - o Updated Viability Assessment (including cost plan)
 - o Soft Market Testing Report
 - o Indicative Delivery Programme
 - **Appendix E** – Updated Illustrative Masterplan document.

Illustrative Masterplan

- 5.3 An updated illustrative masterplan is enclosed at Appendix E that responds to requirements outlined under draft Policy C12 and other policies within the draft Local Plan, including the updated constraints and opportunities as outlined within the document.
- 5.4 The updated illustrative masterplan clearly demonstrates that the development mix, including approximately 2,000 new dwellings, a community hub, required green infrastructure, and education facilities can all be achieved within the site.

Residential Market Report

- 5.5 The Residential Market Report at Appendix D provides an overview of the current economic factors that impact upon development, including commentary on both the national and local housing market.
- 5.6 This report demonstrates that nationally, the housing market appears to be in ‘recovery mode’ with pricing having remained relatively stable despite rising interest rates, the short-term shock of the mini-budget, and ongoing pressures on the cost of living.
- 5.7 At the more local level, it is considered that the Site benefits from a desirable semi-rural location with good transport links into central Canterbury and the surrounding area, as well as being closely located to national transport links. Further to this, Kent and the South-East suffer from a long running undersupply of housing which will structurally support house prices for the foreseeable future.
- 5.8 Currently, near-term lead indicators are showing an encouraging direction of travel and it is expected that activity will pick up over the remainder of the year, demonstrating a positive recovery for the residential market in the local and regional area.

Updated Viability Assessment

- 5.9 An updated Viability Assessment has been carried out based on the latest Illustrative Masterplan, which indicates that the land receipt of circa. £35m, which would provide a sufficient premium for the landowner to release the land, is likely to be achievable.

Soft Market Testing

- 5.10 A soft market testing exercise has been carried out to gauge initial interest from a range of developers, and feedback was received from 7 developers.

- 5.11 The feedback received is summarised within the Site Deliverability Report, however, indicates that the opportunity would be well received with all parties expressing an interest in delivering a residential-led scheme with various levels of interest at the different stages of the planning process.

Phasing and Delivery Strategy

- 5.12 We have enclosed a Delivery Strategy which outlines the potential delivery routes available to the landowner, which range from simple disposal for delivery by the private sector, through to participating in a development partnership to deliver the Site.
- 5.13 This document has analysed three different disposal options that the University are considering, including:
1. Disposal of the Site with the benefit of a site allocation within the new Local Plan.
 2. The University progress with the planning process through to an outline planning application and disposes of the Site with the benefit of outline planning consent.
 3. Procurement of a developer partner once the Site is allocated within the new Local Plan, whereby the university and developer partner will jointly progress through planning.
- 5.14 Whilst at this stage, the preferred delivery option is not yet determined, it is clear that the scheme is deliverable under any of the three options following discussions with the market.

Summary

- 5.15 The above should be read in conjunction with the evidence on availability submitted as part of representations to previous consultations. Collectively, this robustly demonstrates that the Site is available for the development proposed by Policy C12.

6. Policy C12 (General)

- 6.1 Policy C12 within the Draft Local Plan allocates land owned by the University of Kent for a comprehensive mixed-use development, known as Land North of the University of Kent. The principle of allocating the site for comprehensive redevelopment is firmly supported by the University to ensure that CCC is capable of delivering the levels of much needed housing.
- 6.2 Notwithstanding this, there are a number of amendments that are considered necessary to ensure that the allocation is positively prepared, justified, and effective.

Wastewater Treatment Works

- 6.3 Part 1 (iv) of Policy C12 states that the development mix will include *“provision of new high quality waste water treatment works at an appropriate location within the site”*.
- 6.4 As evidenced within the Nutrient Neutrality Note submitted alongside this report (Appendix C), there are several options available that would ensure that future development at this site achieves nutrient neutrality, which include options that do not require provision of an on-site waste water treatment works. It is therefore considered that additional flexibility should be introduced to the wording of this policy to ensure that the most appropriate form of development be brought forward.
- 6.5 This would align Policy C12 with Policy DS17 which states that new proposals for more than 300 homes must provide high quality on-site regulated wastewater treatment facilities, unless alternative, suitable mitigation can be clearly evidenced and approved the council.

Bio-diversity Gain

- 6.6 Part 3 (b) of Policy C12 states that the green and blue infrastructure strategy for the site should provide 20% biodiversity net gain, in line with Policy DS21.
- 6.7 Our comments in relation to Policy DS21 are included in Section 8 of this report and the wording of Policy C12 should be amended in line with our proposed amendments as currently this policy is not justified. Government guidance published in February 2014 states that policy makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain either on an area wide basis or for specific allocations unless justified.
- 6.8 Based on the evidence published to date, there appears to be no evidence that seeks to justify a requirement for 20% biodiversity net gain in Canterbury.

Harbledown Slips

- 6.9 Part 4 (f) states that the access and transport strategy is to provide an all-movement junction at A2 Harbledown through the provision of additional slip roads. As noted within the Transport Strategy Note (Appendix B), the landowners are supportive of the introduction of the A2 Harbledown slips, however it is noted that further assessment work needs to be undertaken to confirm if the Harbledown slips are necessary for the development to be acceptable. Until this assessment work has been completed, it is not possible for us to conclude whether this requirement is justified.
- 6.10 Part 5 of Policy C12 relates to phasing and delivery of the development under this site allocation. The current wording is highly prescriptive for when certain community uses, and infrastructure is to be delivered.

- 6.11 The UoK is understanding of the need to ensure that relevant infrastructure is provided in a timely manner to support the future residents. However, UoK consider that the policy could be worded more flexibly, to help ensure that the requirement will not result in viability challenges and/or undermine the delivery significant and much-needed new homes within Canterbury.

Proposed Amendments

- 6.12 The proposed amendments to the wording of Policy C12 are as follows:

"1. Development mix

Across the site the development mix will include:

*(iv) Provision of new high quality waste water treatment works at an appropriate location within the site, **unless alternative, suitable mitigation can be clearly evidenced in line with Policy DS17; and"***

3. Landscape and green infrastructure

The green and blue infrastructure strategy for the site should:

*(b) Provide **1020%** biodiversity net gain, in line with Policy DS21;"*

"4. Access and transportation

The access and transport strategy for the site should:

*(f) Provide an all-movement junction at A2 Harbledown through the provision of additional slip roads, **unless evidence is provided to demonstrate that this is not necessary"***

"5. Phasing and delivery

*(a) Waste water treatment works, **if required**, should be delivered at the earliest possible stage in the development.*

*(b) Secondary access should be delivered at an early stage of the development and, in any case, prior to occupation of 300 dwellings, **unless otherwise agreed with the Council.***

*(c) The Harbledown slip roads and Rough Common Road improvements should be delivered prior to occupation of 50% of the total dwellings, **unless otherwise agreed with the Council.***

*(d) The Local Centre, including commercial and community space, must be delivered prior to occupation of 25% of the total dwellings, **unless otherwise agreed with the Council.***

*(e) The business space should be provided as fully serviced land prior to the occupation of 50% of the total dwellings together with a robust Delivery Strategy, **unless otherwise agreed with the Council.***

*(f) The new primary school site must be transferred to KCC at 'nil consideration' and fulfil KCC's General Transfer Terms, prior to the occupation of 100 dwellings, **unless otherwise agreed with the Council.***

*(g) The new facility for Blean Primary School should be provided prior to the occupation of 25% of the total dwellings. The new facility must be operational prior to redevelopment of the existing school facilities, **unless otherwise agreed with the Council."***

- 6.13 As outlined previously, it is considered that the above amendments be included to ensure that Policy C12 be positively prepared, justified, effective, or consistent with national policy.

7. Policy DS9

- 7.1 Part 1 of Policy DS9 (Education and Associated Development) relates to the University of Kent campus, identifying the type of development that will be supported by the council, including educational buildings, high quality business and commercial accommodation, and student accommodation.
- 7.2 The University of Kent is supportive of the inclusion of this policy within the Local Plan and reference to the Canterbury Campus Framework Masterplan (2019) or any subsequent updates to be agreed with the council.
- 7.3 It is noted within paragraph 6.24 that the University of Kent is viewed as a catalyst for the creation of high skilled jobs in the area in addition to its academic offer. To maintain this status, and achieve the development as outlined within the University of Kent’s Canterbury Campus Framework Masterplan (2019) and within Part 1 of Policy DS9, it is required that the University’s Transformation Plan (as described in Section 2 of this Report) is successfully delivered.
- 7.4 It is clear from the current economic position of the University of Kent, that the delivery of the University’s Transformation Plan will be dependent on land to the north of the UoK being brought forward for development in accordance with Policy C12.

8. Other Policies

Policy DS1: Affordable Housing

- 8.1 Part 1 of Policy DS1 states that development proposals for 10 or more dwellings, or on sites of 0.5 hectares or greater, will provide at least 30% affordable housing.
- 8.2 The University supports the requirement to provide affordable housing within new major residential developments. However, Part 1 of Policy DS1 should make clear that this level of affordable housing will be required ‘unless lower provision is justified via viability evidence’.
- 8.3 Part 2 of Policy DS1 identifies that the following tenure mix should be provided for affordable housing:
- a) 66% for affordable or social rent;
 - b) 25% First Homes; and
 - c) 9% other affordable home ownership models.
- 8.4 Again, the University supports the broad policy aspiration to ensure that affordable housing (and its associated tenures) is delivered to address identified local housing needs. However, we again consider that the wording of Part 2 should be revised to include flexibility for alternative tenure splits/mixes to be accepted within new development schemes ‘if justified through viability evidence and/or if agreed with the Council’.
- 8.5 We strongly support the exclusion of the University of Kent from affordable housing contributions in instances where the University proposes student accommodation necessary for it to maintain its student numbers. However, this should extend to instances where the University is seeking to accommodate an increase in its student numbers, in line with its growth ambitions that will be achieved by the implementation of the University of Kent Masterplan. We suggest the following wording:

“Proposals for student accommodation by either University of Kent or Canterbury Christchurch University necessary for either university to maintain or support an increase in its student numbers will be expected from this requirement.”

Policy DS2: Housing Mix

- 8.6 Part 1 of Policy DS2 identifies that *“development proposals which include new housing will provide sustainable mixed communities including a mix of housing types and sizes to meet the needs of the community”*.
- 8.7 UoK supports CCC’s aspirations to deliver communities which are sustainable and mixed-use within Canterbury.
- 8.8 Parts 2 and 3 of Policy DS2 set out a series of prescriptive housing mix requirements for new market and affordable housing respectively within Canterbury and the Coastal Towns, Rural North, and Rural South areas. Specifically, the draft policy states that proposals for *“more than 50 dwellings must include a housing mix which is closely aligned with the council’s [market/affordable] housing mix requirements, subject to a 5% buffer for each dwelling size”*.
- 8.9 In response, whilst UoK supports the aspirations to secure an appropriate mix of market and affordable housing throughout Canterbury, it is considered that greater flexibility should be included within the policy. For example, currently the policy wording requires a ‘one size fits all’ approach to housing mix

for large residential schemes over 50 dwellings within Canterbury. UoK recommends that additional wording be added to help ensure that ‘site-specific considerations’ may also result in alternative/variations to the prescribed housing mix being acceptable.

- 8.10 Part 4 of Policy DS2 requires that development proposals for more than 300 dwellings consider whether there is an identified need for ‘self and custom-built housing’ and ‘build-to-rent’ housing.
- 8.11 UoK broadly support the aspiration to ensure that a variety of different housing typologies and products be delivered within Canterbury to meet its housing needs. However, considers that these requirements should be on a scheme-by-scheme bases, taking account of scheme viability, site characteristics and constraints and other key development considerations.
- 8.12 Part 5 of Policy DS2 notably requires that proposals for 300 or more homes *“will provide a minimum of 10% of homes as older persons housing”*.
- 8.13 UoK broadly supports the aspiration to ensure that older persons housing be delivered to meet local need and to ensure the creation of mixed, sustainable communities. However, considers that the policy needs to be worded more flexibly, to help ensure that the requirement will not result in viability challenges and/or undermine the wider Local Plan’s aspiration to deliver significant and much-needed new homes within Canterbury.

Policy DS21: Supporting Biodiversity Recovery

- 8.14 Part 1 (a) of Policy DS21 states that new development of over 300 homes, a minimum of 20% tree cover (existing and new) across the site is required to be demonstrated.
- 8.15 The University is supportive of development coming forward that seeks to deliver additional trees in accordance with national policy that notes the important contribution trees make to the character and quality of urban environments. Paragraph 136 of the NPPF states that planning policies and decisions should ensure that new streets are tree-lined, however footnote 53 states *“unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate”*. It is therefore suggested that similar wording be included in Policy DS21 in relation to tree cover to align with national planning policy.
- 8.16 Further to this, amendments could be introduced to allow for ‘alternative provision of tree cover to be acceptable, subject to consideration of site constraints and other key development considerations’. This would ensure that this policy requirement does not restrict deliver of much needed housing within Canterbury.
- 8.17 Part 3 of Policy DS21 (Supporting Biodiversity Recovery) currently seeks to ensure the following:
- “All proposals for development other than those exempt through national legislation, will be required to demonstrate and deliver a minimum of 20% biodiversity net gain calculated using the latest Natural England biodiversity metric (or an alternative metric set out in legislation), and taking consideration of any national or local guidance on what values / multipliers should be used.*
- A biodiversity net gain plan, demonstrating how 20% ecologically functioning net gain will be achieved, will be required to be submitted to the council for approval...”*
- 8.18 The latest guidance published by the Government on 14th February advises that:

“...plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies, they will need to be evidenced including as to local need for a higher percentage, local opportunities

for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”

- 8.19 It is clear from the above that local plan policies should not seek a higher requirement than the objective of 10% without sufficient evidence as to local need for a higher percentage.
- 8.20 From a review of evidence published to date, there appears to be no evidence that seeks to justify a requirement for 20% biodiversity net gain. For the requirement to deliver above 10% BNG, it will be necessary that the Council show why 20% is required in Canterbury and why biodiversity is more under threat in Canterbury as a result of development than elsewhere in the country, and therefore why it requires a higher level than 10%. As such, it is not considered that this policy is justified and therefore is not considered sound. It is our view that with appropriate amendments, this policy can be made sound by amending the wording of the condition to require proposals for development other than those exempt through national legislation, to be required to demonstrate and deliver a minimum of 10% biodiversity net gain.

Appendix A – Updated Economic Impact Assessment (Initial Results).

Appendix B – Transport Strategy Report

Appendix C – Environmental Update Report

Appendix D – Site Delivery Report

Appendix E – Updated Illustrative Masterplan Document

Appendix F – Previous Representations

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