

# **REGULATION 18 LOCAL PLAN CONSULTATION CANTERBURY CITY COUNCIL**

**REPRESENTATIONS MADE IN RESPECT OF LAND OFF THANET WAY, CHESTFIELD,  
WHITSTABLE, CT5 3DG, CRANOVER PROPERTIES – 1.39 HECTARES**

**CANTERBURY CITY COUNCIL**

**ON BEHALF OF RUBIX ESTATES LTD AND THE LANDOWNERS (CRANOVER  
PROPERTIES)**



**RUBIX ESTATES**

**RUBIX ESTATES REF: LTR/1031**

**JUNE 2024**



**RUBIX ESTATES**

LTR/1031THANETWAY/RD/GM

Canterbury City Council

**Correspondence by email:**

3 June 2024

## **REPRESENTATIONS TO CANTERBURY CITY COUNCIL LOCAL PLAN (REGULATION 18)**

### **LAND OFF THANET WAY, CHESTFIELD, WHITSTABLE, CT5 3DG CRANOVER PROPERTIES-1.39 HECTARES**

These representations have been prepared on behalf of Cranover Properties in response to Canterbury City Council's Local Plan (Regulation 18) Consultation and to promote the site known as Land off Thanet Way, Chestfield, Whitstable.

The Draft Local Plan allocates land for new homes, jobs, new schools, a new hospital and community uses as well as outlining policies designed to guide the quality and density of developments, boost biodiversity, protect valued open spaces over the long term and to ensure any new development minimises its contribution to climate change while also mitigating against its effects.

On behalf of Cranover Properties, this response provides commentary on the provisions of the Plan as drafted. It does not provide a detailed comment for all proposed draft policies, though reference is made to those considered most salient to the landowners, namely those relating to the (i) Vision and Objectives, (ii) Housing Delivery and Spatial Strategy, (iii) Policies W4-W6, and (iv) proposed development management policies.

In so doing, it identifies for consideration Land off Thanet Way, Chestfield, Whitstable as an available, achievable and deliverable site in the context of meeting district-wide housing need over the plan period. Crucially for CCC, the land is outside of the Stodmarsh Catchment Area.

A Red Line Plan, Vision Framework and Title Documents are provided as part of this representation.

Cranover Properties and Rubix Estates look forward to engaging with the Council in the refinement of the Draft Local Plan over the coming months and would be happy to discuss the contents of this correspondence should it be of assistance.

## **CANTERBURY CITY COUNCIL LOCAL PLAN 2040**

### **(i) Vision and Objectives**

The Canterbury District Local Plan (CDLP) was formally adopted in July 2017 and sets out the spatial strategy and vision for the district for the period between 2011 and 2031.

In addition, the Council developed the Herne Bay Area Action Plan which was adopted in 2010 and contained policies and proposals to achieve the regeneration of Herne Bay town centre.

*Rubix Estates – Inspiring Value*

The Council is in the process of developing a new Local Plan to run up to 2040, with early engagement commencing in 2020 through a public consultation focussing on the issues facing the district. The Council is requesting responses on the draft Local Plan, which now has a reduced plan period to 2040. The implications of this change are explored further on.

The Local Plan at this Regulation 18 Draft stage identifies a lesser vision for the district in promoting aspirations for residential growth (albeit contracted since the first iteration of the draft Local Plan). It provides the planning framework to support a strong and resilient economy, improved connectivity, healthy communities and a thriving natural environment.

As set out in the National Planning Policy Framework (NPPF) (2024), strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance (paragraph 61). The Council is seeking to deliver its standard methodology housing need figure in full over the plan period.

We consider that this is the minimum the Council should be planning to meet, and we note that several proposed changes have been made to the Council's spatial strategy since the previous consultation (e.g. reducing the plan period from 2044/45 to 2040/41 with the consequential reduction in planned new housing).

Draft Policy SS3 sets out a revised plan-period starting in 2020/21 and ending in 2040/41 (totalling 21-years). This compares to a 25-year plan period proposed in the October 2022 Reg.18 draft plan.

These changes which represent a reduction in ambition is disappointing as several social & economic benefits associated with the previous level of planned new housing will now not be realised. In addition no contingency has been allowed for as several allocations are large scale strategic developments which may encounter deliverability issues and delays.

Notwithstanding this, the emerging Local Plan proposes to make provision for 1,149 homes per year, creating a need for a total of 24,129 new homes over the Local Plan period of 2020-2041. As set out in the Development Topic Paper (DTP) (2024), "the standard methodology includes a cap, which this year would put the LHN at 1,146 homes per year, on the basis that the adopted Local Plan became over five years old after 17 July 2022. Therefore, for Canterbury district, the highest of the two options in the PPG is '40% above the projected household growth for the area over the 10-year period identified in step 1'3 . 2.15.

However, as there is a high need for affordable housing within the district and the difference is only 3 dwellings per year, the council is not proposing to include a cap".

These component parts of the vision are clearly aligned with the purposes of sustainable development, as set out in the National Planning Policy Framework. The Plan seeks the implementation of this vision over a period up to 2040, with growth focused at the urban cores of Canterbury, Whitstable, Herne Bay and proportionate growth across the villages.

To support the implementation of such, several strategic objectives are identified. These include:

- Providing high quality housing for everyone, including affordable housing, as part of mixed, sustainable communities;
- Ensuring housing is of high-quality design, is low carbon and energy and water efficient as part of healthy communities with access to community facilities and open space;
- Creating a thriving economy with a wide range of jobs;
- Supporting the sustainable growth of rural communities through the provision of affordable housing, community facilities and transport infrastructure while taking advantage of opportunities to grow the rural economy;
- Among other related objectives not repeated here.

These strategic objectives are considered at this stage to reflect the intent of the overall vision for the district over the plan period to 2040. The targeted delivery of these objectives is supported in broad terms, albeit subject to commentary on related planning policies as drafted. The scope of these objectives is deemed appropriate for the district, reflecting its diverse environments across urban, rural, coastal, and in-land resources, with a rich heritage across the district. However whilst we are supportive of this, we believe the housing requirements have been understated in this latest iteration of the draft Local Plan to 2040.

## **(ii) Housing Delivery and Spatial Strategy**

It is agreed that the Plan should be reasonably informed by an established evidence base. In respect of housing delivery and the overall development strategy for the district, the NPPF is clear that plans should provide for future development needs and further sets out the expectation that identified needs for housing, space for jobs and retail space should be planned for, in full, as part of local plans.

It is recognised that the draft Local Plan has been informed directly by an evidence base comprising the Housing Needs Assessment (2021); the Economic Development and Tourism Study (2020, 2022) and the Retail and Leisure Study (2020, 2022), and a litany of additional topic papers and resources including the Strategic Land Availability Assessment (SLAA) which provide an objective analysis of the district's development needs through to 2045 alongside an audit of available land interests.

The overall ambition of the Plan is supported, specifically with recognition of the aspirational level of growth in providing at least 1,141 dwellings per annum to meet housing needs as identified in the evidence base, with a total of circa 22,980 new homes over the plan period. To ensure the flexibility of the plan in its implementation, such figures should not be viewed as a 'cap' to sustainable development, but rather a minimum target for housing delivery.

The allocation of a number of Sites at various scales across the district is a sound approach in maximising the efficiencies of the Plan in achieving this level of growth in a sustainable manner across the length of the plan period some 20 years into the future. The allocation of sites is therefore fully supported by the landowners as an appropriate mechanism in securing sufficient land resources to maximise the prospects of housing delivery, alongside the delivery of supporting employment growth and infrastructure requirements.

It is recognised that paragraph 1.16 of the Plan as drafted confirms that: "*The majority of the strategic site allocations identified within the Canterbury District Local Plan (2017) now have planning consent and are under development, and these sites will continue to contribute to the district's development land supply, predominantly during the early years of this plan. Development allocations within this Local Plan are therefore in addition to those sites, and are intended to ensure that there is sufficient land available to meet development needs over the full period of the plan to 2040*".

In this regard the allocation of sufficient sites with reasonable prospect of timely delivery is fundamental in ensuring that the vision and objectives of the Plan – including those geared towards meeting identified housing needs – can be fully met during the period up to 2040.

Policy SS3 deals with the overall development strategy for the district, specifically the strategy for delivering these ambitions and positively prepared housing numbers. The overall approach to sustainable growth at settlements consistent with their range of services and facilities is supported, in line with the settlement hierarchy.

As above, Canterbury, Whitstable, and Herne Bay remain the most sustainable locations for growth in the district, and this is supported.

Whitstable in particular benefits from a role as a secondary focus for development (alongside Herne Bay), where development will be supported in principle on suitable sites within the urban area. The town centres of both settlements will continue to be 'key district centres' and will continue to be a focus for commercial, leisure, and tourism activities in the district. Criterion 3 of draft Policy SS3 confirms that a new Strategic Development Area is to come forward at the edge of Whitstable for housing, employment, and community uses with a new park and ride proposed. Commentary is provided below on the specific nature of this policy instrument.

Several detailed policies are proposed, centred on matters of design, transport, amenity, biodiversity, landscape, and other such disciplines. Whilst detailed commentary is not provided at this stage on the Plan as a whole, it is evident that such policies are necessary to guide development over the plan period. The thrust of such policies in meeting the vision for the district is wholly supported, and the wording of such appears consistent with the objectives of the Plan in responding to local needs over the years up to 2040.

Whilst an interim evidence base has been prepared to support the proposed draft wording of such policies at this stage, commentary on such is reserved until the Regulation 19 consultation process.

At the current stage of preparation, it would be premature to consider whether the Draft Plan is legally compliant, is sound, and whether it has met the duty to cooperate. That said, the evidence base as prepared – alongside the reported direction of travel – appears to show positive progress towards planning for sustainable development in the District over the period to 2040, based on an expanding and robust evidence base.

We reserve detailed judgement on this until such a time that the Regulation 19 Submission Plan is available for consultation, alongside the Sustainability Appraisal and wider evidence base, later in 2024/2025.

### ***SITE LOCATION***

The land is owned by Cranover Properties Ltd and the previous riding stable use on the site ceased over 10 years ago. The current tenants of the site run a variety of small businesses from the site and a series of privately let homes and caravans. There is a small triangular wooded area adjoining the entrance with the rest is being open in character.



***Site Location Plan***

In both its current and emerging spatial planning context, the Site occupies a sustainable location within the district's hierarchy (and one which is reasonably expected to become further sustainable, pending progression of the South Whitstable Strategic Development Area through the examination process). The Site achieves access from Thanet Way, with onwards connectivity providing a range of facilities and services such as a primary school, GP surgery, and local shops. Again, this range of services would only improve with the delivery of the nearby Strategic Development Area.

The Site falls within Flood Zone 1, an area of low probability flood risk. The Site is not considered to be at risk of surface water flooding, per published environment agency mapping data.

The Site falls within the SAMMS Thames, Medway & Swale Estuaries 6 Km Zone of Influence, and the SAMMS Thanet Coast and Sandwich Bay 7.2 Km Zone of Influence. In landscape terms, it falls within the E3: Amery Court Farmland Landscape Character Area.

The Site is otherwise free of onerous planning constraints.

The Site is located in a triangle of land between the A2290 and A229, Thanet Way, where the two roads nearly meet and an on ramp to the A229 east bound (towards Margate/ Ramsgate/Herne Bay) is provided.

### ***PLANNING CONTEXT LOCALLY***

The site immediately to the east benefits from a resolution to grant planning permission for the erection of up to 220 dwellings, a 300-space park and bus facility, 400sqm local shopping/ community facility and associated

infrastructure under reference CA/23/00379. This land to the east is further identified as a provisional allocation in the emerging draft Local Plan under policy reference Policy W5 - Land south of Thanet Way.



*Extract from Canterbury City Council's Application Search (CA/23/00379)*

In addition to the above, land to the north of Thanet Way is being built out for 400 new homes. Hyde Housing Association is the lead developer on this land. Outline planning permission was obtained for this site in 2016.

To the east of this site, a string of planning permissions has been granted and are also being built out for new homes in a much denser environment than those already mentioned.

On land immediately to the west of this Site, full planning permission (CA/21/01696) was granted for 42 new homes of which 19 will be apartments and the balance (23) will range from two and two and a half storey homes. Orbit Group is developing this site out.

Planning permission (CA/16/01858) was also granted for a 65-bed care home in 2017. This site is also being built out.

Also, in 2021 planning permission (CA/20/00925) was granted for the three-storey apartment block comprising 24 units and 4 semi-detached three-storey dwelling which is also currently being built out.

Therefore, contextually this land is well positioned for further sustainable and appropriate growth to meet local housing needs and is of a sufficient size and scale to come forward for new homes to assist Canterbury City Council with meeting their targets.

Furthermore, given the poor economic backdrop, the development activity referred to above demonstrates that this area of Kent will attract inward investment from developers if the subject Site obtains planning permission.

### ***SITE DELIVERY***

Crucially for Canterbury City Council, the Site lies outside the catchment of the Stour Vally River area, meaning that any proposal for development on the Site would not need to demonstrate any mitigation regarding Nutrient Neutrality. As such, development at the site is capable of being delivered within the first five years following adoption of the Plan.

### ***Commentary in support of local allocations in Whitstable***

The landowners lend full support to the proposed allocations set out locally and the ambition of the proposed Strategic Development Area at South Whitstable under Policy W4 and W5. This Site in Whitstable is an

available, achievable and deliverable resource that is well-placed to further complement the growth of the district's housing land supply in meeting its identified needs.

Its own allocation as part of a refined Regulation 19 Local Plan later in the year could clearly represent an opportunity to further secure the good and proper planning of South Whitstable, incorporating a reasonable level of growth in this location to mirror the provisions of W5, and specifically to complement the targeted growth options of Policy W5 - Land south of Thanet Way adjacent to this Site.

It is understood that the Site has not been assessed previously by the Council as part of the Strategic Land Availability Assessment. It is respectfully requested that an assessment of the Site – supported by the Applicant's identification of it and its overarching planning opportunities – is undertaken with a view to supporting the allocation of such in the Regulation 19 Local Plan.

Its overall position is such that the Site is located:

- directly adjacent to the Whitstable Urban Area, as designated in the adopted and emerging Local Plans;
- directly adjacent to the Policy W5 - Land south of Thanet Way which benefits from a resolution to grant outline planning permission for 220 new homes
- directly adjacent to existing and proposed residential dwellings to both the north, east and west and thus benefitting from nearby existing (and proposed) services and facilities;
- in a position wherein access can be readily achieved from Thanet Way, and where connectivity between the Site and the proposed Policy W5 - Land south of Thanet Way scheme could be reasonably achieved; and
- in a spatial planning context of limited constraint where development of reasonable scale could be readily achieved.

## **FUTURE CONSULTATION**

Cranover Properties and Rubix Estates further wish to confirm the following information to assist in the progression of the Plan towards the Regulation 19 stage, following this consultation period:

### **1. Current planning status**

It should be noted that the landowner has the capacity to prepare an Outline Planning Application, evidencing the overarching deliverability of the Site, subject to progression of discussion and assessment on the planning policy.

### **2. Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects:**

. The Site is held in single ownership and no third parties are required in the delivery of housing in this location and therefore is considered available, suitable and deliverable.

## **SUMMARY**

Overall, these representations conclude that the Site - Land off Thanet Way, Whitstable is available, achievable and deliverable for the purposes of residential development, and could be readily considered as part of Policy W4 Strategic Development Area – South Whitstable.

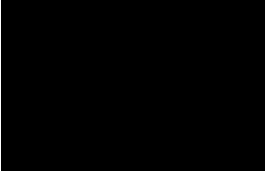
The Site is relatively free of planning constraint, and there exists clear opportunities for synergy with the proposed delivery of strategic development adjacent to the Site. The Site lies outside the catchment of the Stour Vally River area, meaning that any proposal for development on the Site would not need to demonstrate any mitigation regarding Nutrient Neutrality. As such, development at the site is capable of being delivered within the first five years following adoption of the Plan.

The overall vision and objectives of the Plan are supported, and the positive approach to planning in the district up to 2040 is wholly agreed by the landowners, however we believe the housing requirements will need to be enhanced given the complexity of large-scale deliverability the local housing needs referred to above.

We look forward to onwards participation in the Local Plan consultation, and to working with officers at the appropriate time in the preparation of a planning application.

**see overleaf**

Yours sincerely,



**Gurdev Moore**  
**Director**

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Red Line Plan  
Constraints and Opportunities Framework  
Title Register and Title Plan