

ALLIANCE OF CANTERBURY RESIDENTS ASSOCIATIONS

ACRA

Draft Revised Canterbury District Local Plan March 2024

City council consultation

ACRA SUBMISSION

3 June 2024

INTRODUCTION

Laudable aspirations

ACRA welcomes some changes in the tone and emphasis of the revised draft Plan, compared with the previous draft published by the city council in early 2022. In particular, we endorse the intentions behind:

- A Transport Strategy, which focuses on achievable modal shift through improved bus provision and more attractive routes for walking and cycling, and the repurposing of parts of the existing road network
- An Open Spaces Strategy, a Green Infrastructure Strategy, and a Tree and Woodland Strategy, which evince an intention to address climate change, protect and enhance the natural environment, create open spaces and foster biodiversity.

Risk of failure

We do harbour reservations about the extent to which improved access to, and broader use of, public transport envisaged in the potentially more sustainable Transport Strategy can be funded. In the absence of low emissions zone or congestion charges levied directly on motorists or workplace parking space levies on employers, it is hard to see how the county and city council will find the revenue required.

We also harbour reservations about the true determination of the city and county councils to extend measures to pursue carbon sequestration and enhance the natural environment within the urban and suburban fabric of the district's city and towns. Tree and hedge planting initiatives are not firmly indicated.

There is additionally a real danger that sustainability focused improvements will be undermined by an unrealistic and unnecessary emphasis on growing the housing supply and the amount of employment floorspace by new construction, leading the council to rely too much on greenfield development sites. Specific risks are:

- Increased pressure on the road network, leading to further congestion, extra pollution and a deterioration in the quality of life for citizens in and around Canterbury and Whitstable
- Increased pressure on other infrastructure, especially sewage and waste water disposal facilities and water supply (pending actual commissioning of a new reservoir)
- Further loss of biodiversity and destruction of the natural landscape, especially just beyond the current urban fringes of Canterbury and Whitstable and on land adjoining the Blean Woods AHLV

It is partly for these reasons that we urge that the city council to rethink its approach to housing supply numbers, so that some admirable positive aspirations evinced by the Local Plan might be more realistically pursued and potentially achieved.

STRATEGIC OBJECTIVES

Development per se should not be the goal of the Plan if the types of development and the areas to be developed involve environmental harm, additional greenhouse gas emissions and loss of biodiversity. This will inevitably be the case with all the greenfield sites allocated, whatever the good intentions declared may be. The Plan reads as though Canterbury needs economic development by way of more space for businesses, more private housing and more urbanization, in order to make life better for citizens. Excess construction will actually do the opposite, bringing more pressure on public services, more road congestion and more residents who travel outside the area to their jobs. On the business front, unemployment in the district is at a low level, while there is strong evidence in the property market that there is already excess floorspace permitted for industrial, commercial, office and retail use. It would be perfectly feasible, and more suited to the characteristics of a historic Cathedral city and a district boasting an AONB, ancient woodland, fine agricultural land and several SSSIs, to aim for additional investment in businesses and housing based on the existing urban and suburban footprints. That concentration would facilitate regeneration and allow greater attention to proper allocation of open space, tree and hedge planting and biodiversity enhancement on already developed land.

NEW HOUSING SUPPLY

Fundamental flaws in the Council's approach

ACRA strongly believes that officers and councillors have made a false assumption about the "right" housing supply numbers to be incorporated in a revised Local Plan. Their assumption since the summer of 2023 seems to have been that the council has no choice but to adopt a standard central government methodology to establish housing needs in the district. The focus has apparently been on the risks of the current Plan not being revised in time and of any revisions not meeting with approval by an Inspector.

Instead, as we have been urging for the past ten months, the Local Plan working group should have started with a fundamental re-evaluation of what would be the most appropriate and achievable annual housing supply figure from 2025 to 2040, in the light of unusual local circumstances, including latest demographic trends and an exceptionally high student to resident ratio, compared with almost all other cities and towns across the country .

ACRA quite appreciates the consequences of the council's prospectively failing to adopt a revised Local Plan. If the annual housing supply dropped below the current rate as a result, it could lead in due course to a presumption in favour of development, even when not previously selected, unsuitable sites for housebuilding are submitted for planning approval. Yet there is no reason why the revision of the current Plan should not henceforth proceed on the basis of ***an alternative approach to calculating housing needs***. Indeed if an alternative calculation method results in a low annual target number, it will become easier for Canterbury to avoid going into presumption in the years after 2026.

In the next section we explore the choice which the council legally enjoys and the benefits which could flow from pursuing an alternative route.

NPPF DECEMBER 2023 and FLEXIBILITY FOR LOCAL AUTHORITIES

The choice which planning authorities now enjoy

There are several councils across the south-east of England and in the Midlands already resisting imposition of a housing supply number for their district based purely on the standard central government algorithm. The rollbacks aspired to by planning authorities in some cases exceed 500 dwellings per annum. These councils' resistance is on the understanding that it is now firm government policy to treat local housing targets as advisory rather than mandatory. That is notwithstanding a delay in updating the statistics utilised for the standard baseline figures per local authority area, and the postponement of a (levelling-up inspired) revision of the Treasury derived algorithm used.

The latest government guidance on Local Plans, issued in March 2024 following amendments to the NPPF in December 2023, affirms that new build numbers derived from standard national calculations are advisory rather than mandatory. A council may invoke exceptional circumstances to justify its own methodology for arriving at a housing needs assessment (HNA). The circumstances invoked may relate to the demography of the district or other special characteristics or both.

Exceptional circumstances specific to Canterbury

Demographic

The Edge Analytics HNA report to the council of 2021, included a detailed appendix analysing demographic trends in the district. It contained several interesting facts and projections, of which the council has apparently taken no account in coming to

its decision about an appropriate annual new housing supply number up to 2040. Edge Analytics found that:

- There was a marked drop off in population growth in the district from 2017 onwards; a 2018 projection made by the Office of National Statistics (ONS) estimated a cumulative 8% increase in the Canterbury district population up to 2040; that was **substantially lower** than the earlier 2014 population projection (ONS-14, containing the statistics underlying the government's standard methodology for reaching an HNA), which projected a cumulative 15% increase.
- Net population growth in the years 2017-20 was entirely attributable to net international inward migration to the district, chiefly from Romania and Bulgaria, some from other EU countries.
- It was possible that a fair proportion of the migrants from these EU countries would have returned home after Brexit took effect (though of course Edge could not have predicted a partially compensatory influx of a few hundred Afghani, Hong Kong and Ukrainian refugees in the meantime – see further below)
- Natural population growth and net national immigration to the district both turned negative after 2017 (i.e. detracted from the overall growth figure), signifying importantly that there have been more people leaving the district to live in other parts of the UK annually since 2017 than arriving to live here from other parts of the UK
- Accordingly, natural household formation in the district in the years after 2021 is expected to be as low as 500 per annum
- The population of the city of Canterbury itself is projected to fall significantly over the period 2020-40

The year after submission of the Edge Analytics report to the city council, the results of the national 2021 Census pertaining to Canterbury became available. These showed not only that a much lower trend rate of population growth was confirmed, but also that the total population for Canterbury district estimated by Edge Analytics to have been some 165,000 in 2018 (based on ONS projections from 2014) must have been a significant over-estimate. According to the Census, the actual figure in 2021 was some 156,000. Moreover, that figure was indeed some **1,000 less** than the ONS estimate from 2014, suggesting **a decline in the population of the district** rather than an increase over the intervening seven years.

Furthermore, Canterbury has one of the highest rates of students to permanent residents within the district at 16.4%. The national average is 6%. National statistical re-evaluations in 2018 significantly reduced the predictions of the number of students in the district likely to stay on to live here after graduation. Perhaps partly for that reason, ONS derived household projections from 2018 suggested a baseline need in Canterbury district of 10,917 new dwellings over the years 2023-43, giving an average of 546 per year. This figure more closely reflects actual delivery of new homes over the past ten to fifteen years. It is surely a more realistic indicator of

actual future need within the district, even if the recent decline in the indigenous population will be reversed.

Heritage and environment

Canterbury above all cities in south-east England is exceptional in so many ways: a huge proportion of student residents, most of whom leave the district after graduation to find employment elsewhere; a dearth of large private sector employers; the only cultural World Heritage Site in the region; and historic rural environs comprising villages of character, an Area of Outstanding Natural Beauty (AONB) to the south, protected woodland to the north and east, nature reserves, sites of special scientific interest (SSSIs), and, further north, a wonderful coastline.

Specifically falling to be considered are:

- The three parts of the city's World Heritage Sites (WHS), whose status must be protected in line with UNESCO criteria; protection being essential for heritage conservation, environmental, and tourism economy reasons; and noting UNESCO criteria apply to both the actual curtilages of the Site and to its overall setting within the city and its environs
- The Kent Downs AONB, covering some 27% of the district's land area, within which development is effectively ruled out on any scale
- Ancient woodland, covering nearly 16% of the land area
- Two national nature reserves
- 15 separate SSSI's
- Substantial areas of land of high agricultural value

Infrastructure and resource constraints

- A highly constrained road network, especially entry points to the south of the pedestrianised city centre onto the Canterbury inner ring road– which passes directly between two parts of the WHS – and entry points to the Whitstable urban area; the constraints being exacerbated by an insufficiently determined pursuit of sustainable means of transport and an excessively tolerant approach to highly polluting vehicles using roads in urban areas
- Inadequate water supply and sewage treatment provision, with capacity for additional foul drainage discharges inland constrained by existing nutrient overload in the Stour basin, and additional water supplies dependent on a new reservoir, the permitting, construction and commissioning of which are highly unlikely to be feasible within the Plan period
- A currently overloaded electricity distribution system, with no spare capacity in overhead transmission lines to serve significant new loads on the fringes of urban Canterbury nor substations in place to provide adequate voltage control

The way forward is to take account properly of exceptional circumstances

We are recently seeing other planning authorities recognising they should properly investigate and then evidence whether exceptional circumstances exist. In Kent, this

includes neighbouring Swale Borough Council, who have recently gone out to tender for a consultant specifically to consider this point. Nationally, we know that Wolverhampton District Council, South Staffordshire District Council, Epsom and Ewell Borough Council and Bournemouth, Christchurch and Poole Council are all advancing Local Plans which evidence that exceptional circumstances exist in their areas, entitling them to deviate from the standard method for calculating housing needs. We urge the city council to follow the examples set by these courageous authorities and invoke the wide range of exceptional circumstances, both demographic and non-demographic, applying in our district.

There is enough time and the changes entailed to the consultation draft of the Local Plan would be simple to implement.

SPATIAL STRATEGY: AN OPPORTUNITY FOR RE-EVALUATION

Site allocations, greenfield vs brownfield sites, and open space

It is disappointing that council officers, together with many councillors in the new administration, have ignored concerns previously raised by ACRA and several amenity groups about the spatial strategy for the district. In view of the environmental, heritage-related and infrastructure-related constraints mentioned above, it seems perverse effectively to prioritize allocation of greenfield sites for residential and commercial development ahead of brownfield sites.

Particularly disturbing are the proposals for allocation of sites on the rural fringes of Canterbury, which would lead to an unsustainable over-expansion of what has been historically a consistently small city. This strategy is not well conceived to deliver the imagined infrastructure reinforcement benefits, to which the council evidently aspires, according to experience with the permitting and slow burn construction of housing estates on the city's fringes in recent years. It is far more likely to deliver yet more homes unaffordable to current residents, to serve a market demand external to the district. Meanwhile, infrastructure funding undertakings by developers are repeatedly delayed or watered down.

Brownfield truly first

ACRA calls for a re-evaluation of opportunities throughout the district for re-development of brownfield land and for re-purposing of surplus commercial or public sector buildings for residential use. The council claims opportunities have been maximised. That is clearly not the case. The draft Plan relies for its brownfield component on those very few private brownfield sites identified in the council's prior "call for sites" exercise, its own land bank, and a few other sites already listed in the council's Brownfield Register. This approach is insufficiently proactive to be at all convincing.

DELIVERABILITY

Excessive ambition and miscalculation

ACRA doubts that either the annual housing supply number envisaged, or the employment floorspace figure factored into new developments, is achievable. The draft Plan is based on erroneous data, which have led to unattainable and unnecessary construction targets. The construction targets would in turn, if met, result in the wrong type of housing being built, in the wrong quantities, in the wrong locations. These are indeed the very criticisms made by Labour Party councillors when in opposition, in their response to the previous council administration's consultation in 2022. Ironically, they apply in much the same way to the number of new dwellings, the types of new dwelling and the site allocations now proposed on behalf a Cabinet made up of many of the same persons.

Population growth has been consistently and grossly over-estimated. It is evident that not only was the 2014 baseline population estimate for Canterbury district from ONS wrong, but also that all subsequent growth figures are wrong. We understand that the standard government methodology for calculating housing needs does not countenance the insertion of reality into figures slavishly derived from the 2014 baseline estimate. But in closing its eyes to reality, the council has created for itself a dilemma from which there can only be one escape route: a fundamental reappraisal of true local need for new build housing.

The evidence of true demand for new build housing in Canterbury 2011 to 2023

The council wants to see an average of 1149 new dwellings per annum delivered over the Plan period. This compares with an annual average of just 430 completions, after adjustments for demolitions and repurposing of properties, over the ten years to 2021. Excluding the Covid lockdowns periods in 2020 and 2021, the mean completions come out at 441 per annum. In the years 2017 to 2021 commencement of some developments anticipated by the current Local Plan was halted by the interposition of objections to additional wastewater load, related to excess nutrient levels in watercourses across the River Stour basin, raised by Natural England. The objections were focused on the impact of effluent reaching the Stodmarsh SSSI and impacted the grant or timing of several residential development planning consents.

Subsequently, completions for the years 2021-22 and 2022-23 have been higher at 692 and 644 respectively. Nonetheless, seven major sites identified for new residential development in the extant Local Plan have between them so far yielded just 1299 homes from a total of 3328 anticipated – that is, just 39% of the number for which planning permissions was granted. On the eighth - Mountfield Park (the South Canterbury “urban extension”) not a single dwelling has yet been built, and none seems likely to be completed before 2028.

So, even from the baseline construction rate from 2021 to 2023, a more than 75% increase in completion of new dwellings would be required to achieve the target now set out in the draft revised Local Plan. Such an increase seems unreachable, given the probable true demand within the district for additional housing and various

binding infrastructure and resource constraints, as identified in the preceding section of this submission, identifying exceptional circumstances in Canterbury.

Undeliverable housebuilding targets

We conclude it is very likely that the homebuilding targets set out in the draft revised Local Plan are not deliverable. The council should have analysed the risk of this and considered whether to adjust the targets, or else adopt contingency measures to stimulate building. It has done neither.

An unachievable homes completion target creates two further risks: of falling into “presumption”, and of being unable to fund the planning gain (S.106 and CIL) benefits foreseen by the draft Plan, in particular the bus-led Transport Strategy. Without certainty about the deliverability of the number of new homes targeted, the entire Plan thus creates an unacceptable risk of significantly worsening quality of life for current residents and creating major negative environmental impacts across the district.

As for new employment floorspace envisaged as a component of allocations to greenfield sites, we simply do not see the property market displaying a need for such extra floorspace. On the contrary, there is a plethora of vacant industrial, commercial, retail and public sector buildings in the district currently.

Resource limitations and undeliverable infrastructure

The council’s draft Infrastructure Strategy provides little detail regarding the pipes, wires, cables, channels, culverts, roads, bridges and other physical installations which would be needed to deliver greenfield development on unconnected sites on the substantial scale being proposed. In particular, costings and specific expected sources of funding for investment in that infrastructure are omitted. It is quite unclear how much collaboration there has been so far between the city council and Kent County Council as the highways authority and a major drainage authority to agree a joint approach to infrastructure and help with funding. The same goes for the collaboration with the Environment Agency, UK Power Networks and Southern Water. The council declares in its Infrastructure Development Plan (IDP) that it has been in contact with all these agencies regarding the content of the draft Local Plan, but does not relate that contact to the actual investment needed to make development of strategic greenfield sites feasible. In addition, the timing of that investment is left very vague. It disingenuously states in the IDP:

“There are a number of potential major infrastructure schemes in the district which are at an early stage of development and/or are not included in an agreed plan or strategy, but which would, if delivered, have a significant impact on infrastructure capacity over the period of the new Local Plan and beyond.”

And what if these “potential” infrastructure schemes are not delivered?

Where some detail of additional infrastructure or services capacity expected to be delivered is given, significant unknown costs come to light. These include the cost of a South-West Canterbury Link Road, of measures to facilitate active travel (cycling and walking), of improvements at Canterbury Bus Station, of improvements to

Whitstable railway station, of the extension and or improvement of primary school sites within Canterbury, of new and/or improved GP surgeries across the district, of measures to improve police capacity, of new wastewater treatment works discharging into Stour catchment area, of all the open space designations or improvements or of sports facilities improvements.

The unknown costs come on top of the many tens of millions of known costs to make the greenfield sites allocated merely accessible (especially by means of new slip roads) and to underpin a more sustainable transport system (especially improved bus services, changes road layouts and extra cycle lanes), set out in section 9 of the IDP. These known costs are meant to be funded mostly by CIL contributions (or contributions through a future equivalent infrastructure levy on housing developers, or "IL) and S.106 contributions from developers of the various sites to be allocated according to the draft Local Plan.

We note that just three months after the council wrote down in Table 9.1 of the IDP a highly optimistic table of road infrastructure improvements supposed to be funded by developers of sites under the 2017 Local Plan, it has become clear that several of them will not be commissioned by the dates indicated, or indeed in some cases anywhere near the dates. Most remarkable are the almost laughable hopes that a Wincheap gyratory system will be completed this year, a Sturry link road next year and a new A2 junction near Bridge by 2030.

With respect to future drinking water supplies, in relation to policy R17, we are far from convinced that a new reservoir could be delivered at Broad Oak by the target date of 2033 or even within the decade after that. Our doubt flows from the simple facts that no new reservoir has been built anywhere in England for the past 50 years and that the capacity of aquifers in the chalk uplands of east Kent to sustain flows into an additional reservoir is unproven. This then raises a water scarcity issue, which would stand in the way of continuing with major new housing sites, just as currently turns out to be the case in Cambridgeshire.

Thus, in our view the draft Local Plan in its current form fails properly to account for all the infrastructure and resources realistically required to support envisaged housing developments. The reality is, indeed, that infrastructure projects, which are not properly costed and do not enjoy clear funding sources in advance, are likely to go to the bottom of the pile when S.106 or CIL funding from developers is negotiated. Once viability arguments are played out, these projects are quite likely to remain unfunded and not delivered. This means that infrastructure that is known to be needed to support the growth ambitions of the draft Plan would not materialise. Both the timetable for delivery of new homes and the quality of life of current and future residents would accordingly be compromised for years to come.

OVERALL CONCLUSION

If the City Council does not question now the annual housing supply number for Canterbury District in the period 2025 to 2040, which officers surmise an Inspector is likely to insist on, the opportunity to ratchet down the permanent loss of greenfield

land around Canterbury may be foregone forever. That would be a tragedy for the long-surviving rural surrounds of this great city, a burden on the fine setting of our World Heritage Site, and a recipe for exacerbated road congestion around and across the urban area in perpetuity (presuming no construction of any eastern or northern by-passes, and given only modest modal shift – as per recent experience).

We urge the Cabinet to task officers with preparing arguments, to be used in discussions with an Inspector, as to why the city of Canterbury, taken together with its surrounding district, is a special case.

Arguments can readily be constructed, by reference to the city's rural hinterland, the setting of its WHS and its inadequate infrastructure. We also urge the Cabinet to move away from the use of 2014 demographic statistics in its HNA, since they are not fit for purpose as a baseline for calculating true local housing need in our district.

Finally, we call for a re-appraisal of the scope for designating more brownfield land for residential development and redundant commercial buildings on already developed sites for residential use.

03/06/2024