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# Canterbury City Council Local Plan Regulation 18 Consultation

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Church Commissioners for England

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# 1. Introduction

- 1.1. Savills has been instructed by the Church Commissioners for England (CCE) to submit representations to the Draft Canterbury City Council (CCC) Local Plan Regulation 18 Consultation (hereafter referred to as 'the draft Local Plan'). The consultation on the draft Local Plan commenced on 12<sup>th</sup> March 2024 and closes on 3<sup>rd</sup> June 2024. CCE welcomes the opportunity to respond.
- 1.2. CCE owns land in and around Adisham, an allocated site in Hersden, as well as smaller land holdings in Bekesbourne, Boyden Gate, Chislet, Ickham and Wickhambreaux which are considered to be suitable for residential development. These smaller landholdings are considered to be suitable for the conversion for residential use or for windfall housing. CCE is promoting these sites in line with the Government's agenda to deliver much needed new homes quickly and efficiently.
- 1.3. These representations focus on the Land at Hersden and the Land South of Adisham Station but also cover CCE's other landholdings in the district.
- 1.4. This representation supports the allocation of the Land at Hersden (Policy R6) and explains why the site is suitable for additional residential development.
- 1.5. CCE responded to the Council's Call for Sites consultation in June 2020, where CCE promoted a total of five sites which are available and suitable for new build residential development. Table 1.1 below sets out the sites which were promoted.

Site Number	Site Name
1	Land at Drill Lane, Ickham
2	Land at School Lane Paddock, Bekesbourne
3	Land at Bossington Road, Adisham
4	Adisham Court Farm, Adisham
5	Land at Hersden, Hersden

*Table 1.1 – Sites submitted to CCC's 2020 Call for Sites process*

- 1.6. CCE also responded to the Council's Regulation 18 consultation held between 24<sup>th</sup> October 2022 – 16<sup>th</sup> January 2023. CCE supported the draft allocation of the Land at Hersden (Policy R13) and the Land at Cooting Farm, Adisham (Policy R1).
- 1.7. The National Planning Policy Framework (NPPF) explains that the planning system should be plan-led. Paragraph 16 sets out the Plans should:
  - a) *be prepared with the objective of contributing to the achievement of sustainable development;*
  - b) *be prepared positively, in a way that is aspirational but deliverable;*

- c) *be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d) *contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- e) *be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- f) *serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*

1.8. At Examination, a Plan will be found 'sound' if it is considered to be positively prepared, justified, effective and consistent with national policy, as set out within paragraph 35 of the NPPF. As such, ensuring that the Local Plan meets the tests of soundness is important throughout the Local Plan process - including at Regulation 18 stage.

#### Structure of the Representation

1.9. The structure of this representation is as follows:

- Section 2: Summary of the Land at Hersden: Sets out a broad outline of the Land at Hersden, its surroundings and provides a brief description of the draft allocation.
- Section 3: Summary of the Land at Cooting Farm: Sets out the planning context of the site, its surroundings and its appropriateness for development.
- Section 4: Summary of CCE's smaller landholdings.
- Section 5: Representations on the Draft Local Plan: Provides observations on the Evidence Base Documents and comments and recommendations on key elements of the Draft Local Plan.
- Section 6: Conclusion: Summarises the observations within the representation and outlines the next steps in the draft Local Plan process.

#### Additional Documents

1.10. A number of documents have been submitted in conjunction with this representation. These are listed below:

#### Land South of Adisham Station

- Vison Document
- Concept masterplan – Drawing 02315\_SK-005
- Baseline Habitat Survey - Drawing edp8727\_d001
- Proposed Habitats – Drawing edp8727\_d002
- Preliminary Ecological Appraisal – Report edp8727\_r001
- Flood Risk and Drainage Statement – Report 109379-PEF-ZZ-XX-RP-CD-000001, S2-P01
- Existing Utilities and Constraints Technical Note - 109379-UTL-TN001, D02
- Transport and Access Feasibility Report - 109379-PEF-XX-XX-TRP-H-000001, F1-S3

Land at Hersden

- Location Plan - Drawing 1075-EA-A-S001
- Indicative Masterplan - Drawing 1075-EA-A-G001

## 2. General Policy Comments

2.1. This representation provides comments on the Regulation 18 Local Plan and includes observations regarding the supporting evidence base. Comments are provided on the published evidence base documents which are listed below.

- Sustainability Appraisal (2024)
- Strategic Land Availability Assessment (July 2022)
- Development Topic Paper (February 2024)

2.2. These representations set out CCE's comments in relation to the draft Local Plan, and the policies within it which they believe require further consideration to assure soundness ahead of submission and Examination in Public (EiP). In order for the draft plan to be found sound at EiP (and thus appropriate for adoption), it must have been prepared in accordance with the below tests as set out in paragraph 35 of the National Planning Policy Framework (NPPF):

*"a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

*c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

## **Observations on the Regulation 18 Draft Local Plan Policies**

### **Policy SS3 – Development Strategy for the District – COMMENTS (Not consistent with national policy, not positively prepared and not justified)**

- 2.3. CCE notes the change in plan period from 2044 in the previous consultation to 2040 in this consultation. Based on CCC's predicted adoption timeframe of August 2026, the plan period does cover the 15 year requirement in accordance with national policy. However, CCE is concerned that the timeframes for adoption are optimistic and likely to slip. CCE therefore recommend that CCC extend the plan period to ensure that the Local Plan is consistent with national policy (paragraph 22 of the NPPF).
- 2.4. Although CCC feel it can achieve the minimum number of homes to be delivered in line with the standard method, it is recommended that the number of allocated sites is increased in order to meet the affordable housing need identified in the Housing Needs Assessment (HNA) (2021). The HNA found a local housing need of 1,120 per year and Policy SS3 predicts the granting of planning permission and the allocation of sites for an average of 1,149 new dwellings per year. The Council's evidence indicates that there is a need for 464 new affordable homes each year. Based on CCC's proposed housing policy of 30% affordable homes, an average of 345 new affordable homes will be delivered a year which is substantially below the Council's locally assessed need. Based on CCC's viability work, CCE agrees that 30% affordable housing is an appropriate policy requirement and therefore, to meet the Council's affordable housing need, it is recommended that CCC increase the overall number of dwellings allocated in its Local Plan to enable the delivery of more affordable homes through funding provided by market housing.

**Recommendation 1 – Extend the Plan Period to ensure the Plan is in accordance with paragraph 22 of the NPPF.**

**Recommendation 2 - Increase the housing delivery requirement across the Plan period in order to meet the affordable housing need of the district.**

### **Policy DS2 – Housing Mix – COMMENTS (Not positively prepared or justified)**

- 2.5. Policy DS2 sets out the housing mix requirements for new developments. Very specific values are set out in criteria 2, with only a 5% buffer allowed for deviation from the required mix. It is recommended that greater flexibility is provided for the housing mix since the housing needs of an area can change over a plan period and will also be affected by what is provided through other development schemes.
- 2.6. Policy DS2 should allow decision makers to have regard to any updated or new evidence on local housing needs, monitoring data on the homes delivered or an identified need for homes within a specific settlement. This would ensure that the Local Plan is responsive to changes in need within local markets as well as the type of homes that have been delivered.

- 2.7. Policy DS2 should also have regard to Registered Providers and what they say in regard to the housing mix required in a specific area. The demand for different housing types changes over time so Policy DS2 should be amended to allow the affordable housing mix to be adapted from the Local Plan proposed mix to reflect the demand for affordable housing indicated by Registered Providers.

**Recommendation 3 - Policy DS2 should be amended to provide greater flexibility for the housing mix requirement and allow regard for new or updated evidence on local housing needs.**

Policy DS6 – Sustainable Design – **COMMENTS (Not justified)**

- 2.8. Policy DS6 states that:

*“New development shall be designed to achieve a recognised calculated Net Zero operational carbon emissions standard in line with the council’s Sustainable Design Guidance SPD and emissions must be verified and reported to the council at the completion stage;”*

- 2.9. The requirements of Policy DS6 go beyond existing building regulations. This is acceptable in principle but CCC must demonstrate that development can remain viable and that the impact on housing supply and affordability has been considered. CCC’s 2022 Viability Study did consider the cost of implementing this Net Zero policy but used assumptions relating to the increased costs above the 2013 Part L regulations not the 2021 update to Part L. Therefore, it is recommended that CCC update their viability assessment to ensure Policy DS6 can be delivered without compromising viability.

**Recommendation 4 - Provide up to date evidence for the requirement of energy standards higher than that required by current building regulations.**

Policy DS17 - Habitats of international importance – **COMMENTS (Not justified)**

- 2.10. Policy DS17 requires all new overnight accommodation to provide suitable mitigation to ensure that the new development would not have an adverse effect on the integrity of the Stodmarsh. To suitably justify the requirements of Policy DS17, the cost of providing nutrient mitigation must be considered against the other policy requirements of the emerging Local Plan. CCC’s 2022 Viability Study does not provide any evidence for the cost of delivering the required nutrient mitigation measures. It is recommended that CCC investigate the cost of these measures to ensure that development is still viable in the district. Some of the costs include: payments for the creation of new wetlands; the delivery of new physical infrastructure such as on-site waste water treatment works; sustainably urban drainage systems; and the loss of developable area within allocated sites to deliver suitable nutrient mitigation, biodiversity net gain and the provision of open space and sports grounds.



- 2.11. Policy DS17 makes no reference to the legal requirement of water companies to deliver suitable upgrades to their Waste Water Treatment Works (WWTWs) by 2030 in order to decrease nutrient pollution into protected waterways. The Stodmarsh is one of the catchments listed by DEFRA and requires the relevant water company to make the WWTWs improvements under the Levelling Up and Regeneration Act. CCC needs to give consideration as to the requirements of developers after 2030 and whether or not draft Policy DS17 still applies.

**Recommendation 5 – Provide evidence which assesses the viability implications of providing nutrient mitigation in line with the requirements of Policy DS17.**

**Recommendation 6 – Provide clarity on the requirements of Policy DS17 after 2030 once water companies have made the required upgrades to their WWTWs.**

Policy DS21 - Supporting Biodiversity Recovery – **COMMENTS (Not justified or consistent with national policy)**

- 2.12. Policy DS21 states that as a minimum, non-major development proposals must “*retain existing trees and hedgerows, and where possible increase tree cover and hedgerows*”. This sentiment is agreed with. However, the policy should take into consideration the ecological value of the existing trees, particularly on small sites where space is limited, it may prove more beneficial to the space efficiency of development and overall biodiversity levels to replace an existing tree with another species of tree. It is proposed that the policy is reworded to allow more flexibility for the removal of existing trees as long as replacement trees are planted, and no level of biodiversity is lost. The same principle should apply to criteria 4(b) of Policy DS21 which requires three new trees to be replaced for every one removed.
- 2.13. Policy DS21 requires development to deliver a minimum of 20% biodiversity net gain (BNG), provided ideally on-site. This exceeds the Government requirement of 10% BNG which, at the mandatory net gain consultation, was deemed to be the right balance between ambition and certainty in achieving environmental outcomes whilst also ensuring the deliverability of new development. If CCC do continue with this policy, evidence should be provided as to why CCC should require development to deliver beyond the legislative minimum.
- 2.14. CCC should recognise that the cost of delivering BNG will vary considerably between sites and the costs will not be known until the baseline level of biodiversity has been assessed. In some cases 20% may be relatively simple to achieve at minimal additional cost but on other sites it could have a significant impact on the viability of development. Therefore, any considerations on viability of BNG will need to ensure there is significant headroom to take account of the site-by-site uncertainties regarding the cost of delivering BNG.
- 2.15. Policy DS21 lists the following hierarchy for providing BNG:
- “(i) Avoid or minimise biodiversity impacts;*
  - (ii) On-site net gain provision;*
  - (iii) Off-site net gain provision, within the district;*
  - (iv) Purchased biodiversity credits for proposals within the district;*

*(v) In exceptional circumstances, complaint to national BNG policy, off-site provision or purchased biodiversity credits for outside of the district.”*

2.16. This hierarchy does not take National Character Areas into consideration. In accordance with the statutory biodiversity metric, criteria 3(b) of Policy DS21 should be amended to the following:

*“(i) Avoid or minimise biodiversity impacts;*

*(ii) On-site net gain provision;*

*(iii) Off-site net gain provision, within the district **or National Character Area;***

*(iv) Purchased biodiversity credits for proposals within the district **or National Character Area;***

*(v) In exceptional circumstances, complaint to national BNG policy, off-site provision or purchased biodiversity credits for outside of the district **or National Character Area.**”*

2.17. This hierarchy does not take into consideration credits which are bought outside of the district but that are the same national character area as the site. The purchase of credits within the same national character area should be included in the same hierarchy as off-site provision within the district in accordance with the statutory biodiversity metric.

2.18. It is recommended that criteria 3(h) of Policy DS21 is amended to allow the provision of SuDS, tree cover and semi-natural habitat to contribute to the provision of biodiversity gain generally and not just the provision over 10%. These policy requirements will also contribute to biodiversity net gain and should therefore be included in the overall biodiversity net gain calculations for a development site. Criteria 3(h) of Policy DS21 should therefore be amended to the following:

*“Where ecologically appropriate, the provision of SuDS, the tree cover requirements and semi-natural habitat required as part of the open space typology provision, can contribute to biodiversity net gain ~~above~~ 10%.”*

**Recommendation 7 - Increase the flexibility of retaining existing trees in Policy DS21 for smaller sites.**

**Recommendation 8 - Provide evidence for the increase in BNG from the national requirement of 10% to 20%.**

**Recommendation 9 - Provide flexibility for 20% BNG depending on viability, taking into account site specific circumstances.**

**Recommendation 10 – Include reference to National Character Areas in the mitigation hierarchy as per paragraph 2.15 of this representation.**

**Recommendation 11 – Amend Policy DS21 in accordance with paragraph 2.18 of this representation.**

Policy C12 – Land north of the University of Kent – **COMMENTS (Not justified)**

- 2.19. CCE has reservations about the allocation of the Land north of the University of Kent for 2,000 dwellings and CCC's reliance on the site for a significant proportion of its housing supply over the plan period.
- 2.20. The 'Addendum to the SLAA - Appendix A - Site Assessments New Submissions' document produced by CCC identifies a number of constraints affecting the Land north of University of Kent. These constraints relate to landscape (located within two Conservation Areas), heritage (scheduled monument and listed buildings on site and in close proximity), transport (access and capacity issues), ecology (presence of Ancient Woodland on site) and contaminated land. The combination of these constraints could negatively impact the deliverability of homes on site. CCE therefore has reservations about the suitability of the Land North of University of Kent for development, the ability of the site to deliver the number of homes outlined in Policy C12 and the timescales of delivery.
- 2.21. CCE notes that the Addendum to the Strategic Land Availability Assessment identifies the Land North of the University of Kent as suitable for 1,806 dwellings but the site is allocated for 2,000 dwellings under Policy C12. CCC should provide additional evidence to demonstrate that the site is suitable for the delivery of the allocated number of homes.
- 2.22. Due to the number of potential constraints on the Land North of the University of Kent, it is recommended that CCC allocate additional sites for residential development. This would reduce the reliance of the Plan on the Land North of the University of Kent should the delivery of the site become delayed or the development capacity reduced.

**Recommendation 12 – Allocate additional sites for residential development to mitigate the deliverability risks of the Land North of the University of Kent.**

**Recommendation 13 – Provide evidence which demonstrates the suitability of the Land North of the University of Kent to support 2,000 dwellings instead of the 1,806 dwellings concluded by the Strategic Land Availability Assessment.**

Sustainability Appraisal – **COMMENTS (Not justified)**

- 2.23. The Sustainability Appraisal (SA) is an important evidence-based document which is required to assess the extent to which the emerging Local Plan helps to achieve relevant environmental, economic and social objectives when assessed against reasonable alternatives. In accordance with Section 39 of the Planning and Compulsory Purchase Act 2004, a Plan must be prepared "*with the objective of contributing to the achievement of sustainable development*". As part of this, under Section 19(5) of the Planning and Compulsory Purchase Act 2004, the Council is required to carry out a SA of the Local Plan to help guide the selection and development of policies and proposals in terms of their potential social, environmental and economic effects.
- 2.24. WSP has prepared the Sustainability Appraisal Report of the Regulation 18 Local Plan Consultation to assess the sustainability effects of the proposed development options and policies. 14 objectives have been derived that reflect socio-economic and environmental issues.
- 2.25. The SA of the site allocations and alternatives has been completed by CCC themselves and is appended to WSPs report. It is stated that WSP acted as a 'Critical Friend' to review this section of the SA. It appears

that the objectives that the site allocations were assessed against differ from the SA objectives set out within WSP's SA. As such, the site allocations were not assessed for their effects on Climate Change or Waste. Table 3.1 of the 'Sustainability Appraisal of Strategic Land Availability Assessment' explains that climate change cannot be assessed for the following reason:

*"It has not been possible to identify specific site level criteria that could be applied for this SA objective given that energy use and carbon emissions relate to construction techniques / materials which rely on the building regulations, design and consent at planning application stage and subsequent occupation and use."*

2.26. It is considered that CCC should have been able to assess a site's effect on climate change as part of the SA. It is acknowledged that carbon reduction measures are required through building regulations. However, the SA can consider the location, design and adaptability of a site allocation.

2.27. In relation to waste, Table 3.1 sets out that this has not been assessed for the following reasons:

*All new development may offer opportunities for incorporating sustainable waste management practises. Consequently, this is not anticipated to be applicable at site level as it is not dependent on location but the design of the development.*

2.28. The sites should be assessed against Kent County Council's Waste and Minerals Assessment to ensure there are no environmental effects.

2.29. Given the above, it is considered that the SA should be updated to reflect all SA objectives to ensure that the Local Plan is appropriately evidence-based and justified.

**Recommendation 14 – CCC's SA should be updated to reflect all of the WSP SA objectives, including waste and climate change.**

**Recommendation 15 - Detailed written analysis of CCC's SA assessment is requested.**

### 3. Land South of Adisham Station

#### Site Background

- 3.1. The site was previously allocated in the Regulation 18 draft Local Plan (2022) as part of the wider strategic proposal for the Land at Cooting Farm (draft Policy R1). Draft Policy R1 (see Figure 3.1) also included the land of two other parties. As part of this representation, CCE is proposing the allocation of a smaller development parcel of a minimum of 525 dwellings on the land shown in Figure 3.2 which could come forward as a standalone parcel or first phase of a wider allocation depending on the scale of need identified by CCC. CCE therefore also continues to support the wider Land at Cooting Farm proposal and has been engaging with the other two landowners to provide a cohesive development proposal. The attached vision document provides detail of the development potential of CCE's land and is underpinned by an array of technical work.

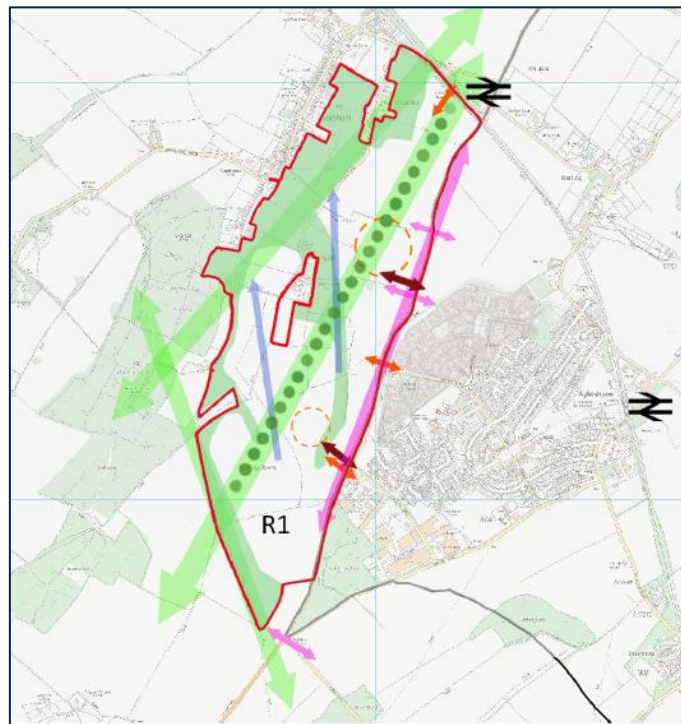
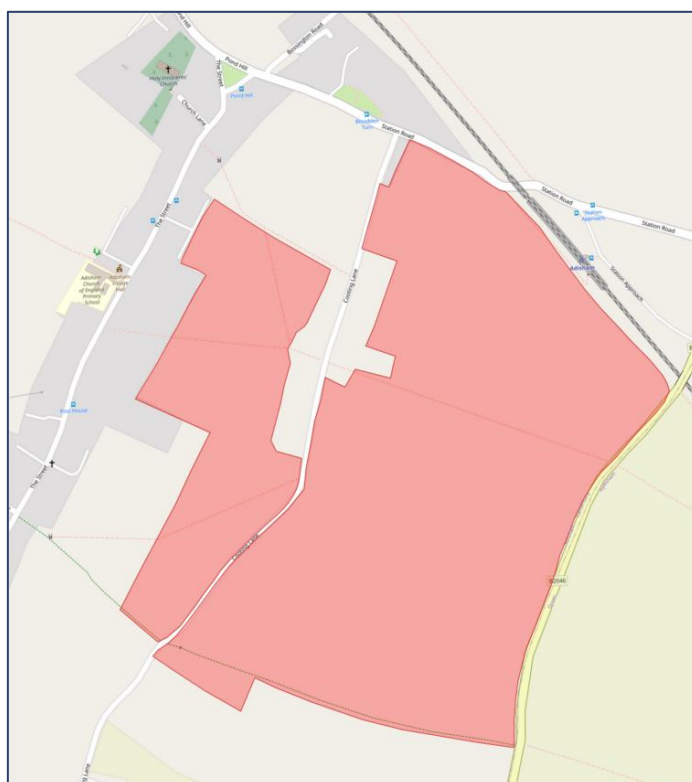


Figure 3.1 – Previous draft allocation R1, Land at Cooting Farm



*Figure 3.2 – CCE promotion land*

- 3.2. The site comprises approximately 41.1Ha of agricultural land to the east of Adisham. The three arable fields are bound by field margins and hedgerows. Station Road and Adisham train station and railway comprise the northern boundary of the site, Adisham Road forms the eastern boundary, hedgerows define the southern boundary and Adisham lies to the west of the site. The wider landscape comprises agricultural fields, with the village of Aylesham to the south-east and large woodland blocks to the south-west. Cooting Lane intersects of the site from north to south.

#### Access

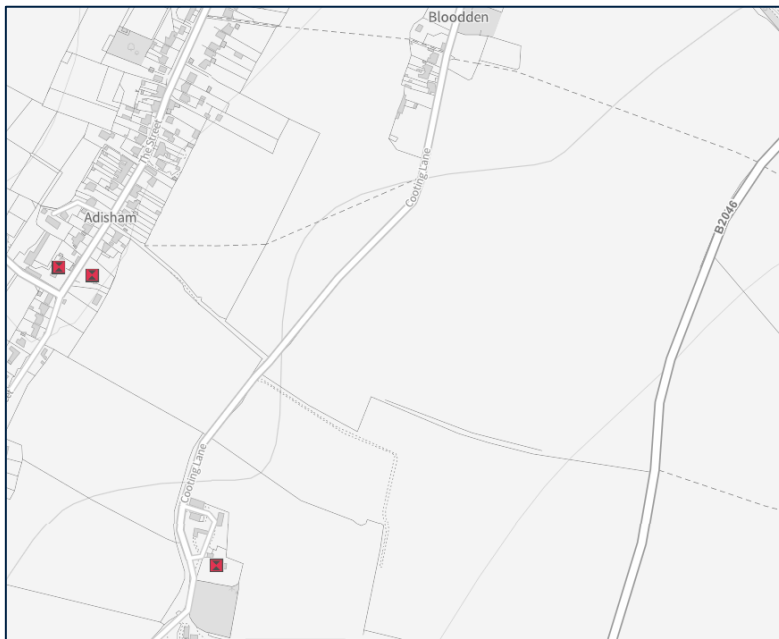
- 3.3. The main vehicle access is proposed to be from the east onto the B2046 Adisham Road, in the form of a priority junction with a right-turn bay (similar in form to the southerly junction into Aylesham). An additional access to the north onto Station Road is also proposed, which would form a priority junction with Station Road, with proposals to widen Station Road to facilities access into the site.
- 3.4. It is proposed to improve access to Adisham Station, with a new car park / drop-off area, pedestrian arrival square, and cycle hub. A number of new pedestrian and cycle routes are proposed across the site for connectivity within the site, to the station, as well as to Adisham village and for recreational amenity. Further detail can be seen in the submitted vision document.
- 3.5. There are a number of public rights of way (PRoW) which intersect the site (paths CB192, CB193, CB194, CB195). These PRoW will be protected and enhanced as part of any future development of the site. Further detail of the location of these PRoW can be seen in the Transport and Access Feasibility Report.

### Designations

- 3.6. The site is located within approximately 500m of Ileden and Oxenden Woods, which is a Site of Special Scientific Interest (SSSI).
- 3.7. The site is subject to nutrient neutrality. Appropriate mitigation measures will be incorporated as part of any future planning application in accordance with the requirements of the emerging Local Plan.
- 3.8. The site is located within the North Downs National Character Area.

### Heritage

- 3.9. There are three Grade II listed buildings located within 250m of the site. Their locations are illustrated in Figure 3.3 below.



*Figure 3.3 – Location of listed buildings*



### Drainage

- 3.10. The site is located wholly within Flood Zone 1, with a risk of flooding from rivers and seas as low. The site also has a low risk of flooding from surface water.
- 3.11. Pell Frischmann has produced a 'Flood Risk and Drainage Statement' which concludes that in accordance with the requirements of the NPPF and associated PPG, with suitable mitigation, the site can support the proposed development without being subject to significant flood risk. The proposed development would also not increase flood risk to third parties provided there is suitable management of surface water runoff. Further detail can be found in the attached 'Flood Risk and Drainage Statement'.

### Transport

- 3.12. A 'Transport and Access Feasibility Report' has been submitted as part of these representations and provides details relating to the transport and access opportunities for the site.
- 3.13. The main transport asset of the site is Adisham Railway Station, which provides access to Aylesham in three minutes, and Canterbury within 10 minutes. Adisham Station is on the direct line from Dover Priory to London, with a good service level of three trains to London and two to Dover in the AM peak, and one per hour in each direction outside of the AM peak. Trains continue to run into the evenings with last services around 22:00-23:00 and 21:00 on Sundays.
- 3.14. The site has direct access onto the B2046 Adisham Road (to the east) and Station Road (to the north). The B2046 Adisham road connects to the A2 at a junction four kilometres to the south which gives convenient access to the Strategic Road Network. Due to the concerns raised about the Wingham junction during the previous Regulation 18 consultation (2022), new transport surveys have been undertaken which found that the vehicles from the proposed development would constitute a moderate 6.8% average increase in traffic at Wingham, which Pell Frischmann did not consider to be a material impact.

### Ecology

- 3.15. A Preliminary Ecological Appraisal (PEA) was conducted in May 2024 by The Environmental Dimension Partnership Ltd for the Land South of Adisham Station. The Appraisal has concluded that the site supports habitats of low intrinsic ecological value and subject to appropriate nutrient neutrality being achieved, there are considered to be no in-principle ecological constraints to the proposed development that cannot be mitigated.
- 3.16. Key masterplanning principles designed to safeguard the offsite Ileden and Oxenden Woods SSSI, including the provision of a sizeable buffer to development supporting semi-natural habitats and the provision of attractive on-site recreational opportunities, have been proposed.
- 3.17. The PEA concludes that the proposed development has the potential to be delivered in accordance with current and emerging planning policy with regard to the natural environment. Based on the indicative proposals, it is anticipated that the scheme will be capable of delivering a significant net gain in biodiversity which exceeds any statutory or policy requirement.

### Planning History

- 3.18. No planning applications have been made previously on the Land South of Adisham Station.



### Previous and Proposed Allocation

- 3.19. The site was part of a wider allocation in the previous Regulation 18 Local Plan (Policy R1) for 3,200 dwellings and associated infrastructure. As part of this representation, CCE proposes the allocation of the Land South of Adisham Station (see red line in Figure 3.2) for a minimum of 525 dwellings, a new community hub, a new 1FE primary school and the provision of hop-growing land. A number of other benefits would be delivered as part of the scheme, including: improvements to Adisham station and a new bus stop. CCE welcomes the opportunity to further refine the proposals in consultation with CCC, the education authority and other key stakeholders to ensure that the site potential is optimised and associated benefits realised.
- 3.20. The other landholdings comprising the Land at Cooting Farm are being promoted under separate representations. If the wider strategic site of the Land at Cooting Farm was also allocated then additional community benefits could also be included, such as local centres, business space and more education facilities.
- 3.21. The Land South of Adisham Station is in a sustainable location due to its close proximity to Adisham Station, bus stops and Aylesham station. The enhancement and improvement of pedestrian and cycle routes would also be provided with the delivery of this site.
- 3.22. The site is suitable, available and deliverable and should therefore be allocated as part of CCC's emerging Local Plan.

### Representations

#### Sustainability Appraisal – COMMENTS (Not Justified)

- 3.23. The Land at Cooting Farm (SLAA267) has also been assessed against the 14 objectives in the Sustainability Appraisal. The results are set out in the 'Sustainability Appraisal of the Strategic Land Assessment Availability - Appendix C – Matrix of sites 2023'. An extract of the assessment is detailed in Table 3.1 below. Detailed written analysis of this assessment is not provided, therefore, it is not clear why certain assessments have been made.

**Table 3.1 SA assessment of Land at Cooting Farm**

1. Air Quality	3. Biodiversity	4. Geology	5. Landscape	6. Water	7. Flood Zone
0 Neutral	-- Significant Negative Effects	-- Significant Negative Effects	-- Significant Negative Effects	- Minor Negative Effects	++ Significant Positive Effects

9. Historic Environment	10. Dwellings	11. Land use	12. Employment	13. Transport	14. Sustainable Communities
-- Significant Negative Effects	++ Significant Positive Effects	-- Significant Negative Effects	++ Significant Positive Effects	++/- - Significant Positive Effects /	++ Significant Positive Effects

				Significant Negative	
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3.24. Table 3.2 compares the results of the Land at Cooting against the draft allocated site 'Land North of University of Kent'. Clarity is sought on the reasoning behind the Land North of University of Kent being allocated but the Land at Cooting Farm not being allocated despite having very similar results.

**Table 3.2 SA Comparison of Land at Cooting Farm and Land North of University of Kent**

SA Objective	Land at Cooting Farm	Land North of University of Kent
1	Neutral	Neutral
3	Significant Negative Effects	Significant Negative Effects
4	Significant Negative Effects	Significant Negative Effects
5	Significant Negative Effects	Significant Negative Effects
6	Minor Negative Effects	Significant Negative Effects
7	Significant Positive Effects	Significant Positive Effects
9	Significant Negative Effects	Significant Negative Effects
10	Significant Positive Effects	Significant Positive Effects
11	Significant Negative Effects	Significant Negative Effects/ Significant Positive Effects
12	Significant Positive Effects	Significant Positive Effects
13	Significant Positive Effects/ Significant Negative Effects	Significant Positive Effects/ Significant Negative Effects
14	Significant Positive Effects	Significant Positive Effects/ Significant Negative Effects/ Unknown

3.25. To assist the Council/WSP in their assessment of the site, the following comments are made on the objectives:

- **Air Quality:** The SA currently assesses air quality as neutral. The site is not within proximity of an Air Quality Management Area, thus will not impact an existing area of poor air quality. The proposal will ensure that air quality is fully assessed and appropriate mitigation will be provided, if required. It is necessary to acknowledge that the site is located adjacent to Adisham train station which provides sustainable access to employment opportunities and community infrastructure, limiting the need for private car trips. As such, it is considered that the allocation of this site should be amended to **minor positive effects**.
- **Climate Change:** The proposal will comply with the relevant Building Regulations and/or its amendments. The site is located adjacent to Adisham train station which provides sustainable access to existing services and facilities, reducing trip rates and traffic emissions. Furthermore, CCE is committed to incorporating environmental, social and governance issues into their approach to investment. For this reason, the site should be awarded a **minor positive effect**.

- **Biodiversity:** The SA assess this site as significant negative effects, explaining that the key reason for this is the site's location to International and National Designations and the lack of biodiversity evidence. It is acknowledged that the site is within 400m of Ileden and Oxenden Woods SSSI and Ancient Woodland. However, this does not automatically result in a significantly negative effect. A landscape buffer will be provided for the ancient woodland and the onsite biodiversity will be retained and enhanced in accordance with biodiversity net gain requirements. As such it is considered that the assessment should be **minor negative effects**.
- **Geology:** CCC/WSP has scored the site as having a significant negative effect on geology on the basis that part of the site is covered by Brickearth Mineral Safeguarding Area. This promotion site (Land South of Adisham Station) is not covered by any Mineral Safeguarding Area and the SA should be updated to reflect the neutral impact that any development would have. The site is also not a Regionally Important Geological Site, as listed by GeoConservation Kent. Given this, the site will not damage a geologically important site or a mineral safeguarding area and should be awarded a **neutral effect**.
- **Landscape:** The site has been given a significant negative effect on landscape in the SA. The reasoning provided in the SA includes the site being partially included within the Kent Downs AONB, its size and its isolated location from nearby settlements and existing views. As shown in the attached illustrative concept masterplan, a substantial landscape buffer is provided along the south and western boundaries of the site. The site can provide sufficient landscaping measures to ensure the impact on landscape setting is limited. As such, it is considered that the landscape effect should be **minor negative effects**.
- **Water:** The site has been allocated a minor negative effect on water. This conclusion has been reached by the site having a neutral effect on water bodies but a minor negative effect on groundwater due to the site being covered by a Source Protection Zone. Any potential negative impact on groundwater can be mitigated through appropriate foul and surface water drainage works. Therefore, it is considered that the impacts of the site on water should be **neutral**.
- **Flood Zone:** The assessment of this objective is agreed.
- **Waste:** The proposed development will ensure the management of construction and residential waste is consistent with the waste management hierarchy seeking to reduce the waste where possible. This would result in a **minor positive effect**.
- **Historic Environment:** The site has been assessed as having a significant negative impact on the historic environment. This conclusion has been reached due to the site's proximity to the grade II listed building Cooting Farmhouse and locally listed buildings Cooting Farm Cottages. Although the Land at Cooting Farm is partially within Cooting (Adisham) Conservation Area, the Land South of Adisham Station is not. Through appropriate landscaping buffers such as new planting and the provision of open space, the development of the Land South of Adisham Station would not have an adverse impact on the mentioned heritage assets or their setting. Further heritage work will also be undertaken to provide a more detailed assessment through future site promotion. The sustainability assessment should therefore be amended so that the site has a **minor negative effect** on the historic environment.
- **Dwellings:** The assessment of this objective is agreed.

- **Land Use** – The site has been given a significant negative effect on land use due to it being a greenfield site over 3ha. It should be taken into consideration that a significant amount of new public open space would be provided as part of any future development, as well as substantial community benefits like a new primary school and community shop. It should therefore be concluded that the proposed development would have a **minor positive effect** on the land use of the site.
- **Employment:** The assessment of this objective is agreed.
- **Transport:** It is unclear what result is allocated to the site’s effect on transport since the colour and symbols used are not defined on the Sustainability Appraisal’s key. The site is awarded a significant positive effect on access to public transport due to its location adjacent to Adisham train station. The Appraisal has allocated a significant negative effect on transport highway due to the proposed development being a ‘large-scale car dependent development’ and due to concerns relating to the A257 junction at Wingham and suitable access to the site. The site being promoted as part of this representation comprises an area substantially smaller than the Land at Cooting Farm and only proposes a minimum of 525 dwellings as opposed to the previous allocation of 3,200 dwellings. Therefore the Land South of Adisham Station could be delivered as the first phase of development without material impact on the road network whilst strategic improvements can be considered by CCC in order to deliver the remaining Land at Cooting Farm development. Therefore, the transport impact of the development on the Land South of Adisham Station should only be a **minor negative effect**.
- **Sustainable Communities:** The assessment of this objective is agreed.

3.26. The information above has been used to prepare a new assessment table for the Land South of Adisham Station which is detailed in Table 3.3 below.

**Table 3.3 – Savills SA assessment of Land South of Adisham Station**

1. Air Quality	2. Climate Change	3. Biodiversity	4. Geology	5. Landscape	6. Water	7. Flood Zone
+ Minor positive Effects	+ Minor positive Effects	- Minor Negative Effects	0 Neutral Effects	- Minor Negative Effects	+ Minor positive Effects	++ Significant Positive Effects

8. Waste	9. Historic Environment	10. Dwellings	11. Land use	12. Employment	13. Transport	14. Sustainable Communities
+ Minor positive Effects	- Minor Negative Effects	++ Significant Positive Effects	+ Minor positive Effects	++ Significant Positive Effects	- Minor Negative Effects	++ Significant Positive Effects

**Recommendation 16 - The SA should be updated to reflect the scores set out in Table 3.3 of this representation in respect of the Land South of Adisham Station.**

Strategic Land Availability Assessment – **SUPPORT**

- 3.27. The purpose of the Strategic Land Availability Assessment (SLAA) (July 2022) was to identify a supply of land which is suitable, available and achievable for future housing and economic development over the Plan period to 2045.
- 3.28. The assessment of the Land at Cooting Farm, site (SLAA267) found the site to be suitable, available and achievable. CCE supports this conclusion and can confirm that the Land South of Adisham Station remains suitable, available and achievable.

Development Topic Paper – **OBJECTION (Not justified)**

- 3.29. The Development Topic Paper sets out the background to CCC's approach to development in the draft Canterbury District Local Plan (2020/21 - 2040/41); drawing on key evidence such as the Housing Needs Assessment (2021, 2024), the Retail and Leisure Study (2020, 2022) and the Economic Development and Tourism Study (2020, 2022, 2024). The paper explains the justification for the spatial growth strategy selected for the draft Local Plan, as well as the sites selected for proposed allocations.
- 3.30. The Paper sets out that a number of site allocations have been removed since the previous 2022 Regulation 18 draft Local Plan consultation due to concerns around deliverability and/or unresolved fundamental technical constraints. The Land at Cooting Farm has been removed as an allocation due to 'transport and landscape constraints' despite the site being found as suitable, available and achievable in the sustainability appraisal.
- 3.31. Appendix C of the Development Topic Paper provides further explanation:
- "Following responses to the Regulation 18 draft Local Plan consultation (2022), significant concerns regarding the suitability of the site for allocation were raised by numerous local and national organisations and statutory bodies. Natural England and the Kent Downs AONB Unit objected to the site due to its proximity to designated sites including Kent Downs AONB, Ileden and Oxenden Woods SSSI and Ancient Woodland. Kent County Council also raised significant transport concerns, including impact on the highway network. Dover District Council also objected to the proposal, raising concerns about the impact on development on Aylesham. The site developer has been unable to sufficiently address the outlined concerns and therefore the site is no longer proposed for allocation."*
- 3.32. CCE would like to address these concerns and demonstrate that the Land South of Adisham Station can be delivered sustainably and should be allocated in the emerging Local Plan:
- Proximity to Designated Sites: Key masterplanning principles designed to safeguard the offsite Ileden and Oxenden Woods SSSI, including the provision of a sizeable buffer to development supporting semi-natural habitats and the provision of attractive on-site recreational opportunities, have been incorporated into the proposed development. Further information can be found in the submitted Vision Document and Preliminary Ecological Appraisal.

- Transport Impacts: A Transport and Access Feasibility Report has been produced and submitted as part of this representation. Through undertaking new transport surveys, the report concludes that the proposed development would not have a material impact on the highway network. Further detail can be found in the report.
- Impact on Aylesham: The Land South of Adisham Station includes a potential new primary school and community shop as part of its proposals. Therefore, the development would provide additional education and community facilities to help meet the local need rather than rely on existing facilities. The wider Land at Cooting Farm allocation included two community hubs comprising commercial, shopping and community use, business space and a mobility hub. The allocation also included two new 2FE primary schools, a secondary school and contributions towards SEND education, healthcare and other community infrastructure. Therefore, the Land at Cooting Farm (or Land South of Adisham Station) should not have any adverse impacts on Aylesham's community facilities and infrastructure and instead provides new facilities and helps to meet the District's future needs.

3.33. CCE notes that one of the main reasons for removal as an allocation is that the developer has not addressed identified landscape concerns. During previous engagement which has taken place between CCE and CCC it was agreed that further landscape work would be undertaken to test the deliverability of the Cooting Farm allocation. CCE offered to coordinate and fund the required landscape surveys in conjunction with the other landowners. However, CCC concluded that the landscape work would be led by the Council. On this basis, CCE did not instruct any landscape work for the wider strategic site. On review of the submitted evidence base for the Regulation 18 consultation, it does not appear that the agreed additional landscape work has been conducted by CCC. It is disingenuous to suggest in the Development Topic Paper that it was the developer's responsibility to address previous landscape concerns when the agreed strategy was for CCC to lead this further landscape assessment work.

3.34. CCE has undertaken landscape work on the Land South of Adisham Station which demonstrates that the majority of impacts on the landscape can be mitigated. Further detail of the landscape surveys and proposed mitigation is outlined in the Vision Document submitted as part of this representation.

3.35. CCE does not comment on the deliverability of the wider site (Land at Cooting Farm) in respect of landscape constraints since there is no specific evidence to assess. CCE can demonstrate that the Land South of Adisham Station is deliverable and suitable in relation to landscape and that its allocation would not prejudice further development being delivered to the south of the site in the future. Further information for the site can be found in the technical work and vision document submitted as part of this representation.

**Recommendation 17 – Amend the Development Topic Paper to acknowledge CCE's response to the outlined concerns.**

## 4. Land at Hersden (Policy R6)

### Site Background

- 4.1. The site is located in the village of Hersden, which is approximately 8km north-east of Canterbury. The allocated site comprises 1.24Ha of greenfield land (see Figure 4.1) and is currently used for agricultural purposes.

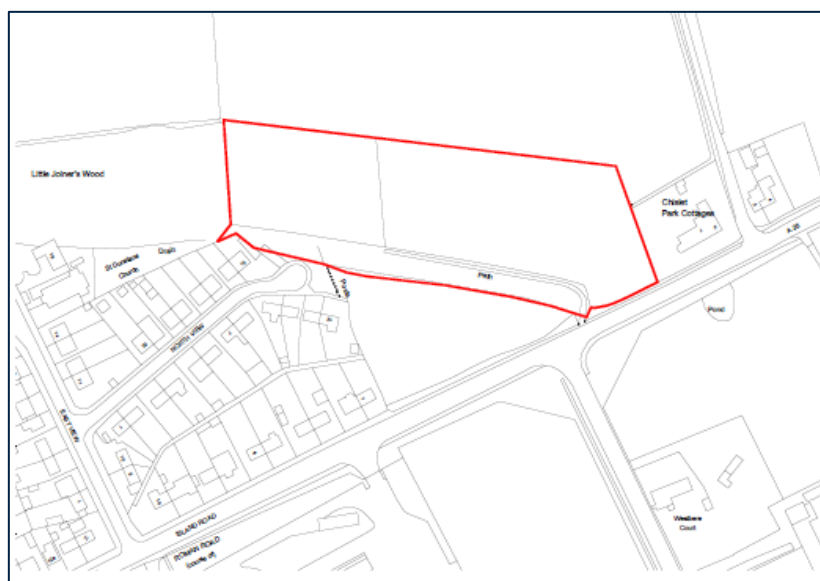


Figure 4.1 - Red Line Boundary of Allocated Site

- 4.2. The site is bounded by agricultural land to the north, residential development to the east, Island Road, woodland and residential development to the south and woodland to the west. The surrounding area is typified by semi-detached residential dwellings with a few detached and terraced dwellings. Further south of the site lies the Lakes View Business Park which contains a number of large warehouses.
- 4.3. A hybrid planning application (CA/22/01845) was validated on 22<sup>nd</sup> August 2022 on the land immediately adjacent to the draft allocation Land at Hersden's site boundary for:

*“Hybrid planning application comprising: Full planning application for development of 261 residential dwellings (including affordable housing); with vehicular, pedestrian and cycle access from A28 Island Road; open space; landscaping; internal roads and car parking; sustainable drainage system together with associated earthworks and infrastructure.*

*Outline application (with all matters reserved) for up to 539 dwellings (including affordable housing); 1 ha of land for employment floor space (accommodating a café, use class E-b; office floorspace, use class E-g; light industrial, use class E-g); 0.8 ha of primary school extension land; new community building (use class F2); new sports pavilion (use class F2); open space, including equipped play, playing pitches and landscaping; mobility hubs; sustainable drainage system; landscape bund together with associated earthworks and infrastructure.”*



- 4.4. Application ref: CA/22/01845 extends across the north of Hersden (see pink dotted outline in Figure 4.2). The site is allocated for 800 dwellings (Site 8) in the adopted Local Plan for CCC. This application is currently awaiting determination.

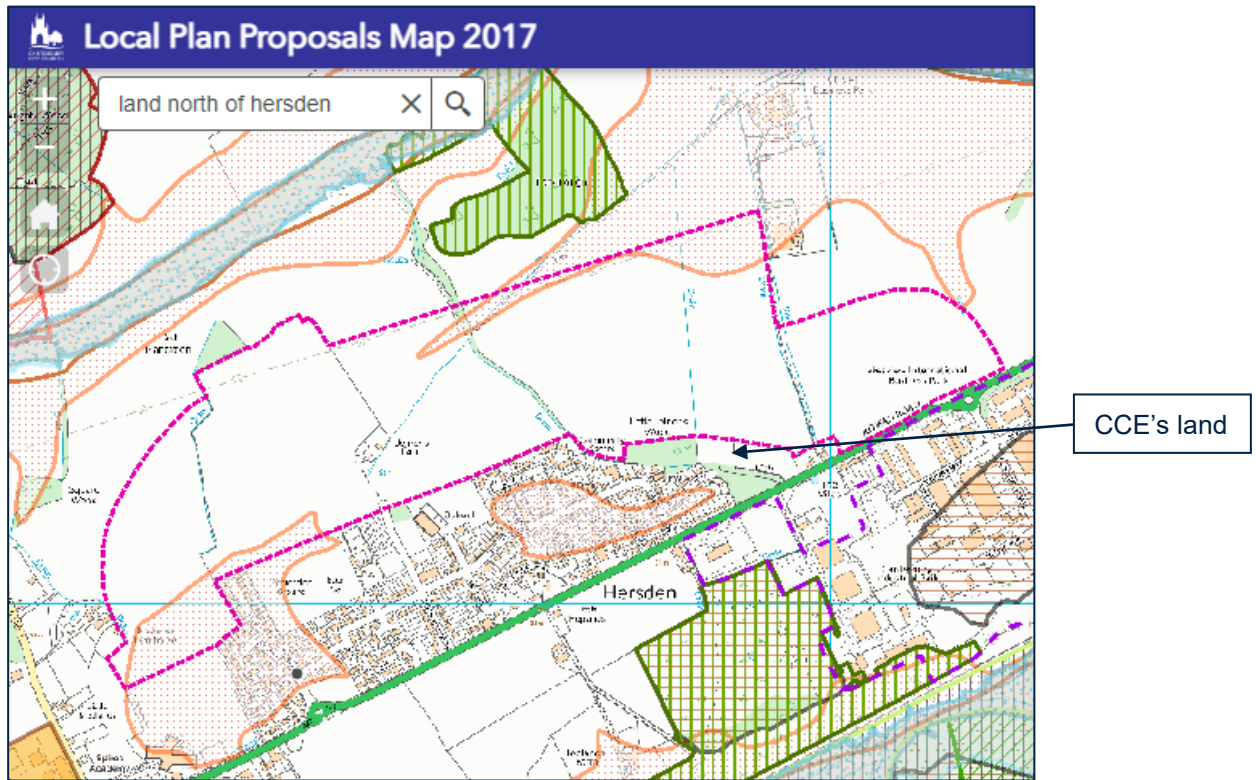


Figure 4.2 – Adopted Local Plan Proposals Map (2017)

#### Access

- 4.5. Access to the Land at Hersden is achievable through coordination with the development allocated to the north of the site (Land to the North of Hersden) as proposed through the draft allocation concept masterplan (Policy R6). Productive engagement has occurred between CCE and Persimmon (the Applicant of application ref: CA/22/01845) which has resulted in the submitted detailed layout providing the required future access to CCE's site. The detailed layout is shown in Figure 4.3 and the purple arrow illustrates the safeguarding of the future access to the Land at Hersden. Independent access off Island Road is also being explored.



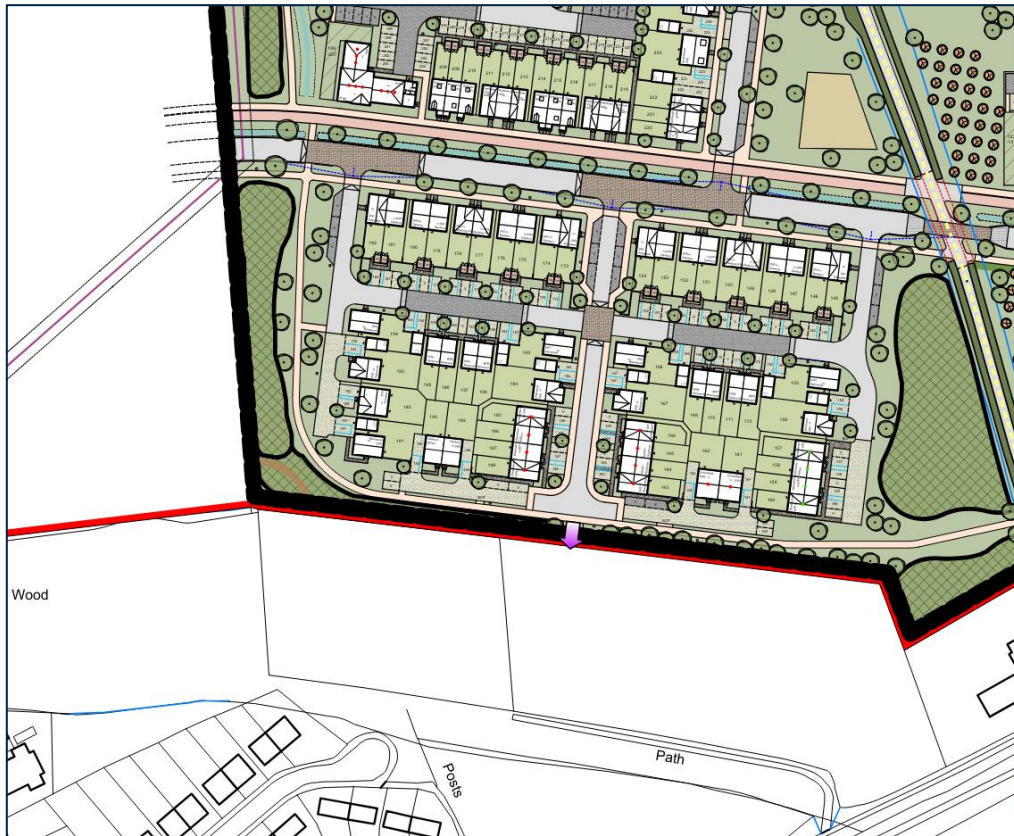


Figure 4.3 – Phase 1 Detailed Layout (Drawing Ref: 07426-FPCR-Z1-XX-DR-A-0007 P08) of Land to the North of Hersden

#### Designations

- 4.6. The site is located in a SSSI Impact Risk Zone. However, since the proposal is for less than 50 residential units, the designation is not relevant.
- 4.7. The Stodmarsh is located approximately 0.5km south of the site. The Stodmarsh contains numerous designations including being a: Ramsar Site; Site of Special Scientific Interest; Special Area of Conservation; and a Special Protection Area.
- 4.8. The site will therefore be subject to nutrient neutrality. Appropriate mitigation measures will be incorporated as part of any future planning application.

## Heritage

- 4.9. There is one Grade II Listed Building (Westbere Court) located approximately 110m to the south of the site (see Figure 4.4).

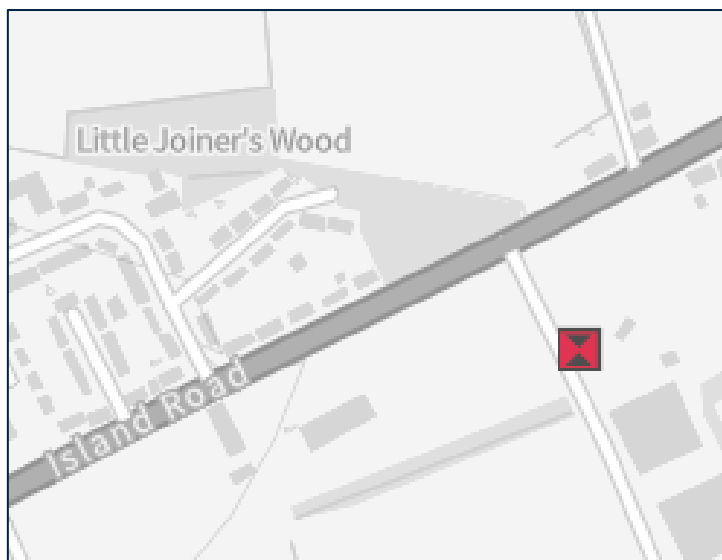


Figure 4.4 - Location of Listed Buildings

## Drainage

- 4.10. The site lies within Flood Zone 1 where there is a very low risk of flooding from rivers or the sea. The area has a chance of flooding of less than 0.1% each year. The site has a very low chance of flooding from surface water and the area has a chance of flooding of less than 0.1% each year.

## Accessibility

- 4.11. Hersden is a well-serviced village located approximately 8km north-east of Canterbury. Hersden contains the following services: a café, a restaurant, a primary school, a secondary school, a range of shops and a community centre. There is an organic food store approximately 0.8km to the east of the site. There is also a co-op food store located 3.5km to the west of the site in Sturry. Further facilities are available at Sturry and Canterbury. There is also a large business park to the south-east of the site, offering a variety of services and employment opportunities.
- 4.12. In CCC's adopted Local Plan (2017), Hersden is classified as a 'local centre' in the rural settlement hierarchy. Policy SP4 of the adopted Local Plan states that:

*"Provision of new housing that is of a size, design, scale, character and location appropriate to the character and built form of the rural service centres of Sturry and the local centres of Barham, Blean, Bridge, Chartham, Hersden and Littlebourne will be supported provided that such proposals are not in conflict with other local plan policies relating to transport, environmental and flood zone protection and design, and those of the Kent Downs AONB Management Plan, where applicable".*

4.13. CCC's draft Local Plan classifies Hersden as a 'rural service centre', second only to Canterbury, Whitstable and Herne Bay on the proposed settlement hierarchy. Draft policy SS3 states that:

*"Sturry, Blean, Bridge, Chartham, Hersden and Littlebourne are identified as rural service centres. Within the boundaries of these settlements new development will be supported on suitable sites and existing community facilities and services, including within the designated Village Centres, will be protected and enhanced to support the vitality of these important rural settlements. The provision of new community facilities and services, business space and tourism facilities outside of settlement boundaries will be supported provided such development is proportionate in scale to the relevant settlement and the need for the development outweighs any harm."*

4.14. The site is located approximately 10m from Canterbury Industrial bus stop, providing a regular service to Canterbury of four times an hour, with a journey time of around 20 minutes. The bus route 9X also runs through Hersden, starting at Canterbury, calling at: Vauxhall, Sturry, Westbere, Hersden, Monkton, Ramsgate, Dumpton, Broadstairs, Rumfields, Westwood and Northwood.

4.15. There are regular bus services from Hersden to Sturry train station and Canterbury train station. Sturry station provides an hourly service to Ramsgate and an hourly service to London Charing Cross via Tonbridge. In addition, Canterbury West provides an hourly service to Margate and an hourly service to London St Pancras, whilst Canterbury East provides an hourly service to Dover Priory and London Victoria. Therefore, the site is in a sustainable location due to its excellent public transport links.

4.16. Significant residential development is planned to come forward north of Hersden, see planning application reference: CA/22/01845. Therefore, CCC has planned for consequent transport infrastructure improvements to be made in the area, such as the Sturry Road Park and Ride. Draft Policy CF4 states that:

*"Land identified on the Policy Map adjacent to the existing Park and Ride site at Sturry Road is safeguarded for the expansion of that facility."*

4.17. Other transport infrastructure which will come forward under the application for the Land to the North of Hersden are likely to include: improvements to the new Sturry Relief Road; improvements to the A28 corridor; and improved footpaths and cycleways. The Land at Hersden site will subsequently also benefit from these transport improvements.

4.18. The planned infrastructure improvements required to support the proposed 800 residential development to the north of Hersden, means that Hersden will also be able to support additional smaller developments in the village. Therefore, suitable transport infrastructure will be in place to support the proposed 24 new units on the Land at Hersden.

#### Planning History

4.19. The allocated site has been subject to previous planning applications, as part of wider scoping requests for the development of the Land North of Hersden:

- CA/16/02041 – An application for EIA Screening opinion request in relation to a proposed development of up to 800 new dwellings and a new football stadium was decided on 26<sup>th</sup> August 2016.

- CA/19/02152 – A request for EIA scoping opinion on mixed-use development, comprising up to 800 dwellings, 1 ha of business space, community building, allotments, multi-use games area, healthcare provision, demolition & engineering works, site access, landscaping, drainage, open space and associated infrastructure was decided on 9<sup>th</sup> December 2019.
- CA/21/02301 – A request for EIA scoping opinion on mixed-use development, comprising up to 800 dwellings, 1 hectare of business space, community building, healthcare provision, primary school, engineering and demolition, vehicular access, contributions to primary, secondary school education and to Sturry Relief Road and/or to the transportation improvements on the A28 corridor, Green and Blue Infrastructure, landscaping and wastewater treatment was decided on 8<sup>th</sup> November 2021.

4.20. No other planning applications have been made on the site.

#### Draft Allocation

- 4.21. CCC's Regulation 18 draft Local Plan proposes the development of 168 new residential units in Hersden. 150 of these units will come forward under Policy R5 and 18 under Policy R6.
- 4.22. The Land at Hersden site has been allocated under Policy R6 (Land at Hersden) for approximately 18 new dwellings across 0.51ha of the total site area of 1.24ha. Policy R6 proposes affordable housing and an appropriate housing mix, in line with draft Policies DS1 and DS2.
- 4.23. Policy R6 states that the development should have "*an average net density of around 35 dph*". The site has a developable area of 0.67ha and, subject to any site constraints, the site therefore has a maximum capacity of 24 new dwellings. The indicative masterplan submitted with these representations demonstrates that the site has the indicative capacity for up to 24 dwellings, subject to the housing mix selected, whilst also maintaining the appropriate levels of public open space. Greater flexibility should be given to the allocation in regards to housing capacity in order to meet the housing needs and mix of the local area.
- 4.24. CCE will deliver a landscape-led development that seeks to support, enhance, integrate with the surrounding community and landscape. The site is sustainably located in a Local Centre which has existing facilities and public transport links. The submitted illustrative masterplan sets out the vision and objectives of the proposal and provides further information concerning landscaping and design.

- 4.25. Overall, the site is suitable, available and achievable for residential development within the first five years of the Plan Period. As the sole landowner, CCE supports in principle the allocation of the Land at Hersden under Policy R6 of the Regulation 18 consultation document, subject to further consideration on development yield and policy details as set out in Section 5 of this representation.

### **Representations**

#### **Policy R6 – Land at Hersden – SUPPORT WITH COMMENTS**

- 4.26. Policy R6 is the housing allocation for the Land at Hersden. The policy is generally supported. However, there are aspects to the policy over which amendments are sought.
- 4.27. The policy allocates the site for approximately 18 new dwellings. However, there is capacity to increase the allocation for up to 24 dwellings, whilst still maintaining the desired development density of 35dph. The total site area is 1.24ha, of which 0.46ha is proposed (in CCC's concept masterplan) as a landscape buffer and amenity space, and 0.11ha consists of woodland area. This leaves a total developable area of 0.67ha, subject to any site constraints.
- 4.28. Increasing the number of units in the allocation creates a more efficient use of available land. This is supported by paragraph 128 of the NPPF:
- “Planning policies and decisions should support development that makes efficient use of land, taking into account:*
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
  - b) local market conditions and viability;*
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
  - d) the desirability of maintaining an area's prevailing character and setting 38 (including residential gardens), or of promoting regeneration and change; and*
  - e) the importance of securing well-designed and beautiful, attractive and healthy places.”*
- 4.29. Smaller sites make an important contribution to the deliverability of a Local Plan. Paragraph 70 of the NPPF states that:
- “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly”.*
- 4.30. The Land at Hersden can help deliver CCC's housing target in the earlier period of the Plan as the site is available, suitable and deliverable.
- 4.31. Policy R6 states that:
- “open space will be provided in line with Policy DS24”.*
- 4.32. Policy DS24 states that:

*“Developments of less than 3.4ha and flatted schemes will be expected to provide green corridors and, where appropriate, amenity green space within the site only.”*

4.33. Due to the Land at Hersden comprising less than 3.4ha, the development will only need to provide green corridors and amenity green space at a density of 2.25 hectares per 1,000 people. However, the concept masterplan produced by CCC in Policy R6 illustrates an area of ‘open space’ comprising 0.46ha which is in far excess and is not consistent with Policy DS24. Therefore, it is recommended that the key be changed on the map to remove the label of ‘open space’ and instead re-label it as a ‘landscape buffer’ only.

4.34. The requirements of Policy DS24 will be met on-site, with amenity green space and green corridors being defined in the policy as:

*“Opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas. Routes providing walking, cycling or horse riding, whether for leisure purposes or travel. May also offer opportunities for wildlife mitigation.”*

4.35. The submitted indicative masterplan illustrates the proposed location for pedestrian and cycle routes across the site.

4.36. There are several points within Policy R6 that duplicate policies stated within other parts of the Local Plan. Where a policy is clearly set out elsewhere in the plan, there is no need to repeat it in the specific allocation policy. This point is relevant in regards to the references to policy DS21 (20% BNG) and is recommended to be removed from the allocation to avoid confusion.

**Recommendation 18 - Increase the site allocation of Policy R6 to ‘up to 24 new dwellings’.**

**Recommendation 19 - Re-label the key in the concept masterplan in Policy R6 as ‘landscape buffer’, instead of ‘open space/landscape buffer’.**

**Recommendation 20 - Remove reference to policies in Policy R6 which are repeated elsewhere in the Local Plan.**

Sustainability Appraisal – **COMMENTS (Not justified)**

4.37. The Land at Hersden (Policy R6) has been assessed as part of the Site Allocation and Alternative assessment. An extract of the assessment is detailed in Table 4.1 below. Detailed written analysis of this assessment is not provided. It is therefore not clear why certain assessments have been made. For example, why does the allocation of the site only score a minor positive effect on housing? Further detail on this assessment is requested.

**Table 4.1 SA assessment of Land at Hersden**

1. Air Quality	3. Biodiversity	4. Geology	5. Landscape	6. Water	7. Flood Zone
0 Neutral	-- Significant Negative Effects	0 Neutral	--/? Uncertain Significant Negative Effects	-- Significant Negative Effects	++ Significant Positive Effects



9. Historic Environment	10. Dwellings	11. Land use	12. Employment	13. Transport	14. Sustainable Communities
0 Neutral	+	--/?	++	++/-/?	++
	Minor positive Effects	Uncertain Significant Negative Effects	Significant Positive Effects	Uncertain Significant Positive Effects / Minor Negative	Significant Positive Effects

4.38. To assist the Council/WSP in their assessment of the site, the following comments are made on the objectives:

- **Air Quality:** The assessment of this objective is agreed.
- **Climate Change:** The proposal will comply with the relevant Building Regulations and/or its amendments. The site is located near to existing services and facilities, reducing trip rates and traffic emissions. Furthermore, CCE is committed to incorporating environmental, social and governance issues into their approach to investment. For this reason, the site should be awarded a **minor positive effect**.
- **Biodiversity:** The SA assess this site as significant negative effects, explaining that the key reason for this is the site's location to International and National Designations. It is acknowledged that the site is approximately 0.5km from the Stodmarsh SPA, SAC, NNR and Ramsar Site and 1.5km from Blean Woods NNR and SAC. Additionally, the site is within 400m of an Ancient Woodland. However, this does not automatically result in a significantly negative effect. Given that Canterbury Industrial Park falls adjacent to the designations and opposite the site, it is considered that the development of the site will result in no further significant effects. A landscape buffer will be provided for the ancient woodland and the onsite biodiversity will be retained and enhanced in accordance with biodiversity net gain requirements. It is noted that CCC has assessed the site as being located within an orange area for Great Crested Newts according to available spatial data. However, the developable area of the site comprises agricultural land with no existing water bodies and the Land to the North of Hersden did not identify any Great Crested Newt constraints. Even if Great Crested Newts are identified on the Land at Hersden, any negative impacts can be suitably mitigated. As such it is considered that the assessment should be **minor negative effects**.
- **Geology:** CCC/WSP has scored the site a neutral effect on geology. The site does not fall within a mineral safeguarding area as defined on the Kent County Council Mineral Safeguarding Areas map. It also does not appear to be a Regionally Important Geological Site, as listed by GeoConservation Kent. Given this, the site will not damage a geologically important site or a mineral safeguarding area and should be awarded a **minor positive effect**.
- **Landscape:** The SA sets out the following:

*“Currently the proposal would have a significant negative impact as its a projection into the open countryside and rural character of the area. However the adjacent landscape is Strategic allocation*

*Site 8: Land North of Hersden and if considered in this context the site would have less negative impacts in the future”.*

It is agreed that the Strategic Allocation adjacent to the site would cause significant change on the landscape setting. However, independently, the site can provide sufficient landscaping measures to ensure the landscape setting is not affected. As such, it is considered that the landscape effect should be **uncertain neutral effects**.

- **Water:** A significant negative score has been awarded to the site for this objective. It is unclear why this is, however, it is assumed that it is due to the site’s location near to the Stodmarsh water body as the accompanying spreadsheet indicates a lower score under ‘water bodies’. This assessment is disputed. The development of the site will protect and enhance ground and surface water utilising SuDS. Moreover, it is not situated within a groundwater source protection zone. The development site is a sufficient distance from the Stodmarsh to avoid contamination. Finally, the development will comply with the required water efficiency measures. Thus, the site should be awarded a **Neutral effect** against water.
- **Flood Zone:** The assessment of this objective is agreed.
- **Waste:** The proposed development will ensure the management of construction and residential waste is consistent with the waste management hierarchy seeking to reduce the waste where possible. This would result in a **minor positive effect**.
- **Historic Environment:** The assessment of this objective is agreed.
- **Dwellings:** The SA has scored housing as a minor positive score. The proposal will deliver both market and affordable homes to assist in meeting CCC’s identified needs. The assessment should score the site a **significant positive effect** as any level of housing development assists in meeting the Council’s needs.
- **Land Use:** It is clear that the SA has scored this objective as an uncertain significant negative due to a lack of knowledge on the land classification. This is evidenced by the comments provided in the supporting SA spreadsheet that states *“based on spatial agricultural land data as site specific evidence not available”*. CCE can provide clarity on the land use of the Land at Hersden. The site has been tenanted for agricultural use until recently. Therefore the loss of agricultural land should be given a **minor negative effect**.
- **Employment:** The assessment of this objective is agreed.
- **Transport:** The assessment of this objective is agreed. The SA states that uncertainties exist relating to where access to the site can be achieved. CCE can confirm that engagement has been ongoing with the Land North of Hersden and the proposed masterplan enables access to the Land at Hersden. Therefore, access to the site can be achieved.
- **Sustainable Communities:** The assessment of this objective is agreed.



4.39. The information above has been used to prepare a new assessment table which is detailed in Table 4.2 below.

**Table 4.2 – Savills SA assessment of Land at Hersden**

1. Air Quality	2. Climate Change	3. Biodiversity	4. Geology	5. Landscape	6. Water	7. Flood Zone
0 Neutral Effects	+ Minor positive Effects	- Minor Negative Effects	+ Minor positive Effects	0/? Uncertain Neutral Effects	0 Neutral Effects	++ Significant Positive Effects

8. Waste	9. Historic Environment	10. Dwellings	11. Land use	12. Employment	13. Transport	14. Sustainable Communities
+ Minor positive Effects	0 Neutral Effects	++ Significant Positive Effects	- Minor Negative Effects	++ Significant Positive Effects	++/-/? Uncertain Significant Positive Effects / Minor Negative	++ Significant Positive Effects

**Recommendation 21 - The SA should be updated to reflect the scores set out in Table 4.2 of this representation in respect of the Land at Hersden.**

Strategic Land Availability Assessment – COMMENTS (Not justified)

4.40. The purpose of the Strategic Land Availability Assessment (SLAA) (July 2022) was to identify a supply of land which is suitable, available and achievable for future housing and economic development over the Plan period to 2045.

4.41. The assessment of the Land at Hersden, site (SLAA146), makes the following comments in which Savills has provided a response to demonstrate to CCC that the site is suitable:

- *“The site is adjacent to an ancient woodland (Little Joiners Wood). There is also a non-protected wooded area to the south”*

Savills response: As indicated on the illustrative masterplan, both of these areas of woodland will remain and opportunities to enhance biodiversity will be explored.

- *“The developable area has been reduced to remove the wooded area on the western side of the site, and to enable a buffer to the ancient woodland and the tree belt to the south of the site. Of the remaining 0.65ha, it is anticipated that a developable area of 78% is appropriate. An average density across the site of 35dph is considered to be appropriate, resulting in a yield of approximately 18 dwellings. This initial assessment is subject to design and layout so there is a chance the yield could change.”*

Savills response: It is agreed that the wooded area on the western and southern side of the site should be retained, as well as the provision of a landscape buffer for the ancient woodland. The indicative masterplan prepared by Edward Architecture, indicates that there is a remaining 0.67ha of developable land. Of the remaining 0.67ha, there appears to be limited site constraints which would explain CCC's suggested yield of 18 units. The calculations completed to date by Edward Architecture indicate a capacity of up to 24 units. An 'up to' figure is suggested to provide flexibility. The additional dwellings will help CCC to meet their housing need in the area and will create the most efficient use of available and developable land. Maintaining the 35dph requirement, the site capacity should be increased to up to 24 dwellings, subject to detailed design.

**Recommendation 22 - Increase the capacity of site SLAA146 to approximately 24 dwellings.**

## 5. Other Rural Landholdings

### Background and Context

- 5.1. The following sites have been previously submitted by CCE for consideration in CCC's emerging Local Plan process and evidence base data gathering exercises.

#### Land at Drill Lane, Ickham (Site 1 in Table 1.1)

- 5.2. Site 1 is a greenfield site located to the rear of properties which front The Street (the main road through Ickham). It extends to 0.4ha and is accessed via Drill Lane to the north. To the south there is farmland and one residential property. Adjacent to Site 1, to the east and west, are residential properties. The land here is higher than The Street. The village of Ickham lies to the south and is within a short walking distance. A bus stop is located approximately 170m south of Site 1. The site has an estimated capacity of approximately 8 residential dwellings and a Site Location Plan can be found at Appendix 1.

#### Land at School Lane Paddock, Bekesbourne (Site 2 in Table 1.1)

- 5.3. Site 2 is located within Bekesbourne, a small settlement with no defined centre. It is a greenfield site, comprising of undeveloped land and is 0.33ha in area. School Lane forms the southern boundary and provides access. Site 2 forms part of a larger field which is currently used as a paddock. The western boundary abuts a row of 16 detached houses and a singular dwelling is located at the eastern boundary. The rest of the surrounding land is in agricultural use. It is within a short walking distance to Bekesbourne Train Station and local village amenities. The site has an estimated capacity of approximately 8 residential dwellings and a Site Location Plan can be found at Appendix 2.

#### Land at Bossington Road, Adisham (Site 3 in Table 1.1)

- 5.4. Site 3 is a greenfield site forming part of a larger field and measures 0.28ha. It is located to the north of the village of Adisham, at the junction of Pond Hill and Bossington Road which provides a strong boundary. To the east and south are residential properties and to the north is further fields. Site 3 is within a short walking distance to local village amenities. A bus stop is located directly opposite of Site 3 and Adisham Train Station is located approximately 575m to the south. The site has an estimated capacity of approximately 6 residential dwellings and a Site Location Plan can be found at Appendix 3.

#### Adisham Court Farm (Site 4 in Table 1.1)

- 5.5. Site 4 is a greenfield site and measures 0.16ha. It lies to the south of Pond Hall and Adisham Downs Road and lies to the north of the village of Adisham. One large agricultural building is situated on Site 4, which is suitable for conversion into residential units. Site 4 has a strong boundary to the north east which is defined by the local highway network. To the north and west are agricultural fields, and to the east are residential properties. Site 4 is within a short walking distance to local village amenities. A bus stop is located approximately 217m south and Adisham Train Station is located approximately 775m south. The site has an estimated capacity of approximately 4 residential dwellings and a Site Location Plan can be found at Appendix 4.

## Sites Summary

- 5.6. As the sole landowner of sites 1-4 in Table 1.1, CCE supports the future allocation of these sites in CCC's emerging Local Plan. The inclusion of these small sites can help CCC meet their housing need in the earlier part of the Local Plan Period.

## Representations

### Policy SS3 – Development Strategy for the District – **COMMENTS (Not positively prepared and not justified)**

- 5.7. CCE is supportive of the inclusion of Adisham, Bekesbourne, Boyden Gate, Chislet, Hersden, Ickham and Wickhambreaux in the settlement hierarchy. However, it is noted that criteria 6 states that any settlement which is not defined as “*any parts of the district outside of the settlement boundaries of the Urban Areas, New Rural Settlement, Rural Service Centres and Local Service Centres*”, will be classified as the countryside. The policy also states that new housing development in the countryside will only be supported in very limited circumstances. This means that any settlements that are defined as “villages” within the settlement hierarchy as set out under Policy SS2, would see development restricted.
- 5.8. By overly restricting a proportionate amount of windfall development within villages, such as Bekesbourne, Policy SS3 is not justified or positively prepared. Under Policy SS2 and SS3, the village of Bekesbourne is defined as the countryside, where development is strictly controlled. However, CCE consider that Bekesbourne could potentially accommodate some limited and proportionate growth on the basis that it benefits from a train station which connects the area to Dover and London, and also has a village hall. Given that Bekesbourne benefits from a train station, CCE considers that the Council have missed an opportunity to allow some level of growth in the village to sustain existing services whilst also encouraging sustainable development through increasing public transport use. As such, the addition of a new criteria is recommended and criteria 6 be amended to the following:

***“6. Within settlements defined as villages, proportionate development to a scale that is consistent with the relevant settlement’s accessibility, infrastructure provision and level of services available, will be permitted.*”**

*7. Within the countryside, which is defined as any part of the district outside of the settlement boundaries of the Urban Areas, New Rural Settlement, Rural Service Centres, **and** Local Service Centres **and** Villages, priority will be given to protecting the rural character of the district. In this context, appropriate agriculture and viticulture development will be supported while housing and other built development will only be supported in very limited circumstances where specified within this plan. Existing community facilities and services within the countryside will be protected.”*

**Recommendation 23 - Reword Policy SS3 as per paragraph 5.8 of these representations.**

Policy R11 – Local Service Centres – **COMMENTS (Not positively prepared and not consistent with national policy)**

- 5.9. Policy R11 supports windfall development within the defined settlement boundaries of Local Service Centres, provided that the proposal comprises the redevelopment of previously developed land or constitutes minor development, including infilling. Policy R11 is not considered to be positively prepared nor consistent with national policy and as such is not in accordance with Paragraphs 35a and 35d of the NPPF. Indeed, criteria 2 of Policy R11 aims to “*protect and enhance the sustainability of Local Service Centres*”. For instance, Adisham which is defined as a Local Service Centre, contains a number of services including a Primary School, a train station, a village hall and a church. An allowance for windfall housing adjacent to defined settlement boundaries would support and sustain these existing services.
- 5.10. Paragraph 70 of the NPPF also states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and local planning authorities should support the development of windfall sites through their policies and decisions. Therefore, it is considered that the current policy approach which seeks to direct development to within the defined settlement limits on previously developed land or infill minor development may limit opportunities to sustain and enhance the vitality of rural settlements. Furthermore, there could be concerns regarding the amount of developable land available within the defined limits to achieve the level of anticipated growth. It is therefore recommended that Policy R11 is amended to allow greater flexibility in housing delivery to avoid constricting supply in an instance where Local Plan allocations are failing to come forward.
- 5.11. Moreover, Policy R11 is supportive of new community facilities and services, business or employment space and tourism facilities outside of settlement boundaries. CCE therefore questions why residential development is not also included under criteria 2d. As such, it is recommended that criteria 2d be amended to the following:
- “d) Supporting proposal for new **residential development of proportionate scale**, community facilities and services, business or employment space and tourism facilities outside settlement boundaries, where:  
....”*
- 5.12. The inclusion of a windfall policy adjacent to defined settlement boundaries is not an uncommon approach. There are examples where such policies has been deemed Sound in the Local Plan Examinations across the country, including Durham County Council (Policy 6) and Hambleton Local Plan (Policy HG5), extracts of both policies are shown below for reference (Figures 5.1 and 5.2).
- 5.13. Furthermore, CCC failed the 2022 Housing Delivery Test (75%) and are currently only able to demonstrate a 4.48 year housing land supply<sup>1</sup>. The inclusion of a windfall policy supporting development adjacent to settlement boundaries would allow the Council to have more control over the location of development, as opposed to the presumption of sustainable development as set out in paragraph 11 of the NPPF, which is less restrictive on the location of development.

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<sup>1</sup> Canterbury City Council (2023) Authority Monitoring Report 2022 to 2023

## **Policy 6**

### **Development on Unallocated Sites**

The development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either (i) within the built-up area; or (ii) outside the built-up area (except where a settlement boundary has been defined in a neighbourhood plan) but well-related to a settlement, will be permitted provided the proposal accords with all relevant development plan policies and:

- a. is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
- b. does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;
- c. does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
- d. is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;
- e. will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
- f. has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
- g. does not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;
- h. minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
- i. where relevant, makes as much use as possible of previously developed (brownfield) land; and
- j. where appropriate, it reflects priorities for urban regeneration.

*Figure 5.1 – Extract Policy 6 (Source: Durham County Council)*

## HG5: Windfall Housing Development

### Within the built form of defined settlements

A proposal for housing development within the main built form (defined in policy S5: Development in the Countryside) of a defined settlement (see policy S3: Spatial Distribution) will be supported where the site is not protected for its environmental, historic, community or other value, or allocated, designated or otherwise safeguarded for another type of development.

### Adjacent to the built form of Service, Secondary and Small Villages

A proposal for housing development on a site adjacent to the built form of a defined village will be supported where the proposal demonstrates that:

- a. a sequential approach to site selection has been taken where it can be demonstrated that there is no suitable and viable previously developed land available within the built form of the village; and
- b. it will provide a housing mix in terms of size, type and tenure, in accordance with the Council's Housing and Economic Development Needs Assessment (HEDNA) and Strategic Housing Market Assessment (SHMA) or successor documents.

All proposals will individually or cumulatively;

- c. represent incremental growth of the village that is commensurate to its size, scale, role and function;
- d. not result in the loss of open space that is important to the historic form and layout of the village; and
- e. have no detrimental impact on the character and appearance of the village, surrounding area and countryside or result in the loss of countryside that makes a significant contribution to the character or setting of that part of the village.

Figure 5.2 - Extract from Policy HG5 (Source: North Yorkshire Council)

5.14. Policy R11 should be amended to read as follows:

*“(1) Within, or **immediately adjacent to**, the settlement boundaries of the designated local service centres of Adisham, Barham, Broad Oak, Harbledown, Hoath, Lower Hardres, Petham, Rough Common, Stuppington, Westbere and Wickhambreaux, new housing development will be supported where it is:*

*(c) **Development commensurate to the services of Local Service Centres** ~~minor development~~ including infilling on appropriate sites.”*

**Recommendation 24 – Amend Policy R11 in line with paragraph 5.11 and 5.14 of this representation.**



Policy DM1 – Conversion of Existing Rural Buildings – **COMMENTS (Not consistent with national policy)**

- 5.15. CCE is supportive of the inclusion of a policy for the conversion of existing rural buildings, however, CCE believe that Policy DM1 is not consistent with national policy. Policy DM1 criteria a states that proposals for the conversion of existing agricultural buildings will be supported where:

*'it has been demonstrated to the satisfaction of that Council that the building has been continuously actively marketed, for at least one year, for alternative uses such as business, tourism or community uses'.*

- 5.16. This policy is not in accordance with Paragraph 157 of the NPPF which states that the reuse of existing resources should be encouraged, including *'the conversion of existing buildings'*. Under paragraph 157, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria a should be omitted from Policy DM1.

**Recommendation 25 - Remove criteria a from Policy DM1.**



## 6. Conclusion

- 6.1. This representation to the Canterbury City Council (CCC) Regulation 18 Local Plan Consultation is written on behalf of the Church Commissioners for England (CCE) in relation to the Land South of Adisham Station, the Land at Hersden and a number of rural sites also in CCE's ownership.

### Land South of Adisham Station

- 6.2. The Land South of Adisham Station is available, developable and deliverable. CCE would like to promote the site for a minimum of 525 new dwellings as well as a number of community benefits. It is considered that suitable evidence has been submitted to address the concerns raised in relation to the previous allocation of the Land at Cooting Farm and demonstrate that the Land South of Adisham Station would provide a sustainable development and help meet the districts housing need.

### Land at Hersden

- 6.3. The allocation of the Land at Hersden is strongly supported as the site is available, developable and deliverable. The site is in a sustainable location and forms part of a logical residential extension of Hersden, in accordance with the approach to plan-making as set out in the NPPF. The development would make a valuable contribution to the future of the village and help CCC meet its housing need. This representation clearly demonstrates that there is scope to increase the dwelling capacity across the Land at Hersden and improve its contribution to the housing needs of the district. This is supported by national policy, specifically in its emphasis on the capacity for small to medium development sites to contribute to the housing requirement of the district in the earlier part of the Plan Period

### Rural Sites

- 6.4. CCE submitted the following sites to CCC in the 2020 Call for Sites process: Land at Drill Lane, Land at School Lane Paddock, Land at Bossington Road and Adisham Court Farm. As the sole landowner of these sites, CCE supports the future allocation of these sites in CCC's emerging Local Plan. The inclusion of these small sites can help CCC meet their housing need in the earlier part of the Local Plan Period.

### Summary

- 6.5. This document provides representations on the Regulation 18 Local Plan and includes observations on the supporting evidence base. A number of recommendations have been made throughout these representations which CCE would like CCC to consider.

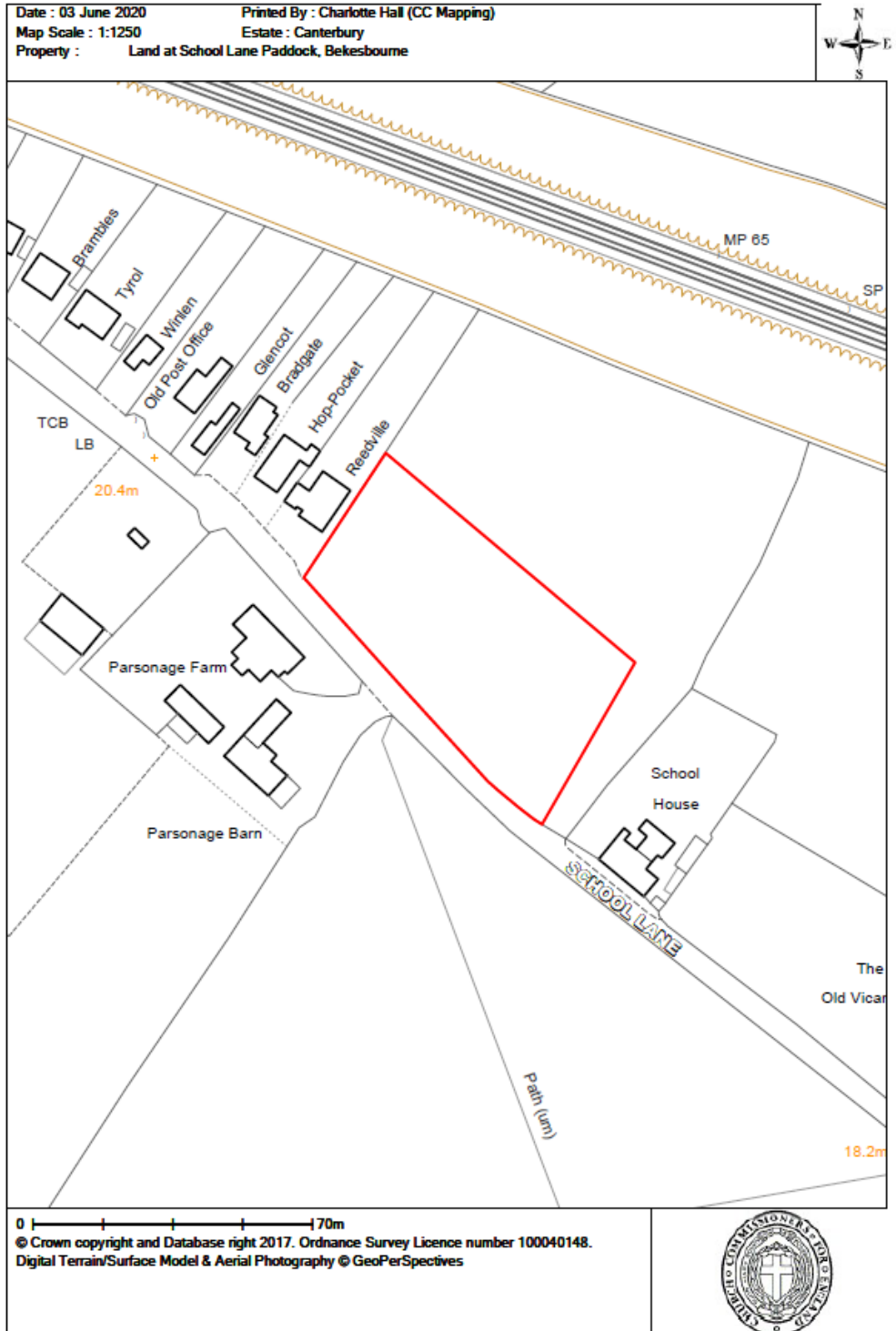
# Appendix 1

## Land at Drill Lane, Ickham



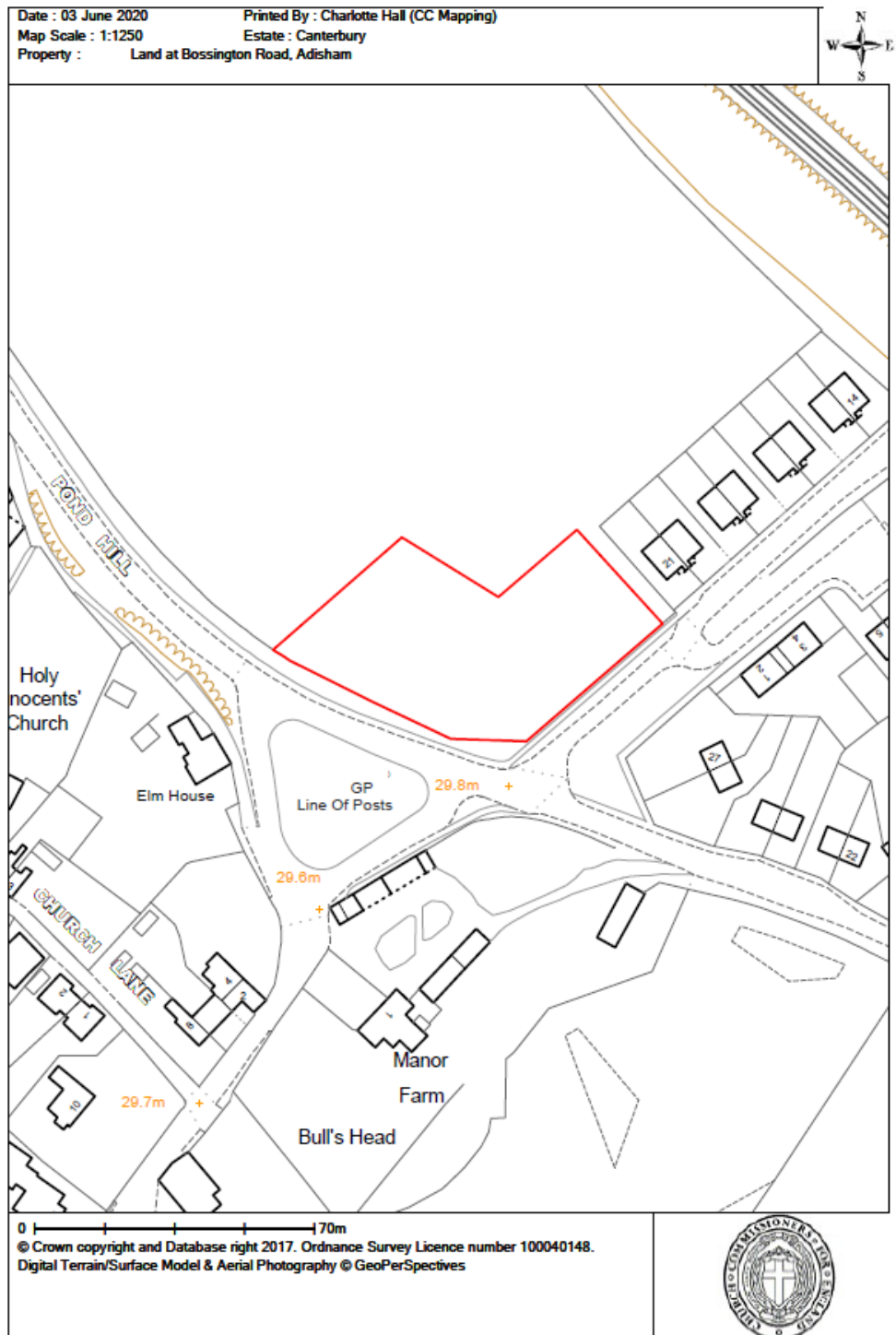
# Appendix 2

## Land at School Lane Paddock, Bekesbourne



# Appendix 3

## Land at Bossington Road, Adisham



# Appendix 4

## Adisham Court Farm, Adisham

