

Land West of Whitstable Road, Canterbury

Regulation 18 Consultation - Representations

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1. Introduction

- 1.1 These representations are made to Canterbury City Council's ("the Council") Draft Local Plan (Regulation 18) Consultation ("the Consultation Plan") on behalf of Hallam Land Management ("HLM").
- 1.2 By way of background context to these representations, HLM is promoting the land west of Whitstable Road (SLAA ref: SLAA 00176 – Whitstable Road) ("the Site") which is located to the northwest of Canterbury, to the west of Whitstable Road and north of Moat Lane and currently forms part of surplus Kent College land.
- 1.3 The Site is already known to the Council as the development potential of the Site has previously been considered in the most recent SLAA under reference ref: SLAA 00176 – Whitstable Road. The Council will also know the Site through representations which were submitted to the previous Regulation 18 consultation in January 2023 in which the merits of the Site were highlighted to the Council.
- 1.4 A site layout plan including an indicative masterplan is provided at Appendix 1. Based on the indicative masterplan, HLM considers the Site would be a small to medium allocation that can deliver approximately 90 dwellings and substantial open space within the first five years of the Plan period. The number of dwellings on the Site has been reduced from the initial concepts in order to accommodate an enhanced landscaped area and to address the Council's concerns regarding the purported impact of the development on the Green Gap and coalescence. Furthermore, noting the plans for Blean Primary School to be relocated and expanded within the draft allocation on land north of the University of Kent (Policy C12), it is no longer proposed to provide additional parking to the front of the Site, limiting the hard landscaping changes to the vehicular access.
- 1.5 These representations are further supported by landscape specific representations (Appendix 2) and a landscape and visual appraisal by Hankinson Duckett Associates (HDA) (Appendix 3).
- 1.6 Further consideration of the merits of the Site are set out in Section 3 of these representations.

Approach to the Representations

- 1.7 The National Planning Policy Framework (NPPF) states, at paragraph 35, the tests of soundness that Local Plan and Spatial Development Strategies are examined against, as follows, with the Consultation Plan being considered in the light of these tests:

"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.”

1.8 These representations respond to key parts of the Consultation, highlighting the specific policy, paragraph, or supporting evidence document being addressed. They are structured as follows:

- Section 2 addresses the spatial strategy along with the housing provision and delivery of the Consultation Plan
- Section 3 assesses the soundness of emerging Policy DS19 in relation to Green Gaps
- Section 4 assesses the acceptability of allocating land west of Whitstable Road within the Consultation Plan
- Section 5 provides the summary and conclusions of the representations.

2. Policy SS3 – Development Strategy for the District

Housing Need

- 2.1 Policy SS3 sets out that across the plan period provision will be made for an average of 1,149 dwellings per year including specialist housing such as affordable homes and housing for older persons. Whilst the total need across the Local Plan period is not stated within Policy SS3 itself, the Development Topic Paper (February 2024) clarifies that there is a total need of 24,129 dwellings across 2020 – 2041, whereas the Plan period is proposed to 2040 only. As a point of detail, as previously raised in our last representations we suggest reference is made to the total housing requirement as a minimum, as required by paragraphs 35a and 67 of the Framework. It also is noted the plan period has been reduced from the previous regulation 18 consultation which ran until 2045.
- 2.2 In the first instance, whilst HLM notes that paragraph 22 of the Framework requires strategic policies to look ahead for a minimum of 15 years, it appears unlikely that as currently proposed, the draft plan would achieve this. The Council has confirmed that it anticipates submission occurring in May 2025 and adoption occurring only nine months later. In our experience the examination processes usually take significantly longer than the nine months anticipated by the Council and as such the Plan would not be sufficient in length to meet paragraph 22 of the Framework. The plan period should be extended by at least one/two years and additional small-medium sized allocations identified to meet this longer plan period.
- 2.3 The Topic Paper confirms that the LHN figure has been derived from the uncapped¹ Governments Standard Method figure as the Council cannot demonstrate exceptional circumstances to calculate housing need using an alternative methodology. Whilst HLM has noted this provision has reduced from 1,252 from the previous Regulation 18 Plan, it is recognised that this is primarily due to the most recent data on the local affordability ratio for Canterbury has reduced from 12.86 in 2021 when the LHN was undertaken to 10.46 most recently in the 2023 results², thereby lowering the affordability adjustment. As the Council is pursuing the uncapped Standard Method derived Local Housing Needs figure, HLM supports the housing provision proposed by the Consultation Plan in general terms.
- 2.4 As a point of detail HLM would highlight that the actual ONS figures for 2021 and 2023 are slightly higher than those referred to at paragraph 2.13 of the Development Topic Paper, at 12.97 and 10.96 respectively. To ensure consistency with national policy and the Standard Method, the Council should seek to use the affordability multiplier of 10.96 rather than 10.46 when calculating their Local Housing Need Figure. This would result in a higher uncapped requirement of 1,174 dwellings per year that needs to be accommodated by the plan.
- 2.5 HLM further notes that the Development Topic Paper identifies that the plan will only provide a buffer of 385 dwellings, equivalent to 1.6% of the Local Housing Needs figure. Without additional allocations to provide a robust

¹ It is noted there is only a three-dwelling difference between uncapped 1,149 and capped 1,446 standard method figures.

² Paragraph 2.13 of the Development Topic Paper

buffer, the Consultation Plan is not positively prepared or effective as it is particularly vulnerable to failing to deliver the minimum figure set by the Government's standard method and accordingly would not comply with Paragraph 35 of the NPPF. This is because the Consultation Plan lacks resilience against potential non-delivery of sites in general, such as under-deliver against the allocated numbers or delivery trajectories slipping. The Framework is clear the strategic policies should, as a minimum, provide for objectively assessed needs (paragraph 11b).

- 2.6 Accordingly, it is not considered the Consultation Plan incorporates sufficient flexibility to ensure the minimum housing requirement can be met over the plan period, particularly in the early years of the plan which would be contrary to paragraph 60 of the NPPF which seeks to significantly boost the supply of homes. It is recommended the Council increase the number of site allocations to ensure sufficient flexibility exists.
- 2.7 Noting the above, there are insufficient small-medium sized sites for SME housebuilders to contribute to the housing of the local area. Paragraph 70 of the NPPF emphasises the importance of small and medium sized sites in contributing to meeting the housing requirements of an area, given they are often built-out quickly and generally lower in risk.
- 2.8 Given all of the above, HLM considers that a buffer of 10% should be applied, with a particular emphasis on allocating additional smaller sites to ensure needs are met in full, such as the Site at land west of Whitstable Road. Without additional allocations to provide such a buffer, the Consultation Plan is not positively prepared or effective and is particularly vulnerable to failing to deliver the minimum figure set by the Government's standard method and accordingly would not comply with Paragraph 35 of the NPPF.

Affordable Housing

- 2.9 It is also considered that the continual lack of affordable housing within the Canterbury presents further reason to increase the provision of dwellings over the plan period. Whilst HLM acknowledges the most recent ONS Affordability Ratio dataset showed a slight improvement in affordability since 2021, overall, when taking the historic data the ONS Affordability Ratio shows a substantially worsening picture for Canterbury, with a material worsening of affordability over the last decade. In this context, the Council should consider increasing the provision of dwellings over the plan period to address this underlying issue.
- 2.10 Indeed, the Council's Local Housing Needs Assessment, which was conducted in 2021, confirms that at the time there were 2,503 households on the housing register, with 1,469 of these households considered to be *'in need'*³.
- 2.11 The Government's standard methodology approach does include an affordability adjustment; however, the PPG is clear that the affordability adjustment applied to the standard methodology formula is not a solution to problems of affordability as outlined below.

³ Paragraphs 3.9 and 3.11 of the LHNA.

“The affordability adjustment is applied in order to ensure that the standard method for assessing local housing need responds to price signals and is consistent with the policy objective of significantly boosting the supply of homes. The specific adjustment in this guidance is set at a level to ensure that minimum annual housing need starts to address the affordability of homes.” (Paragraph: 006 Reference ID: 2a-006-20190220)

- 2.12 As such, if the Consultation Plan is to genuinely help address the underlying affordability crisis within the District, the Council should incorporate an upward adjustment factor of its own to address the specific problems of affordability and thus allocate additional sites that can be delivered quickly, such as land west of Whitstable Road.

Spatial Strategy

- 2.13 Whilst the proposed spatial growth strategy has been amended from the Canterbury Focus C to Canterbury Focus A, the now proposed iteration of the spatial strategy remains similar to the previously consulted version being the majority of growth is focused at Canterbury. In principle, HLM supports the Plan’s spatial and development strategy with Canterbury City, considering it is the most sustainable settlement in the District and therefore being the principal location for development growth. However as previously mentioned in our January 2023 representations it is clear from the Council’s SLAA that sufficient growth to meet local needs cannot be solely contained to the existing urban area of Canterbury. As such the spatial strategy also directs an apportionment of growth to other Urban Areas and to Rural Service Centres, such as Blean in which the Site is within close proximity to. HLM supports the need for growth to be distributed to other areas of the District, particularly given the Local Housing Needs Assessment (2021) and addendum (2024) confirms the need for 4-bedroom homes due to the growth in older age groups and decline in younger age groups and for affordable home ownership, larger 2-bedroom houses are needed. It is clear that greenfield sites tend to suffer from less ‘abnormals’ and can comfortably deliver high levels of affordable housing without the costs and risks associated with brownfield land.
- 2.14 The Council’s Rural Settlement Study (2020) identifies that Rough Common sits within the ‘Blean Cluster’ and defines this as a Local Service Centre that includes some facilities to meet day to day needs, with Blean providing further facilities. In this context, it is noted that the Site is only less than one mile away from the centre of Blean, which is easily accessible by walking, cycling or public transport (bus).
- 2.15 The Local Plan also confirms that Blean is well connected to Canterbury and has good access to key and strategic community facilities and services, a conclusion that HLM supports. However, in the preceding analysis HLM has identified a number of issues which the currently proposed spatial strategy does not address. HLM would emphasise that it is essential that additional small-medium sized sites are allocated at sustainable settlements such the land to the west of Whitstable Road at Blean to help meet the LHN in full.

Strategic Site: Land north of the University of Kent (Policy C12)

2.16 One key change to the Spatial Strategy is the deletion of the Cooting Farm allocation, which HLM had previously raised objection to, and the allocation of land north of the University of Kent for approximately 2,000 dwellings along with community hub, open space, office and business space, 3FE Primary School and the re-siting of a 2FE Primary School. HLM supports the removal of Cooting Farm from the Consultation Plan, and in principle, HLM supports the allocation of land north of the University of Kent. However, HLM does have a number of concerns over the quantum and spread of development proposed on the land to the north of the University of Kent in the concept masterplan.

2.17 In relation to the southern portion of the Site, HLM notes that the concept masterplan proposes development in an area that is designated in the current Local Plan as a Green Gap through Policy OS6 (Land Between Blean Rough Common). The Green Gap Topic Paper (2021) which accompanies the Consultation recommends that this gap is retained. The updated SLAA assessment states in relation to the green gap⁴:

“It is considered that it is likely that the site could be sympathetically designed to ensure that the Green Gap can be preserved.”

2.18 To the south of the Green Gap is one of two proposed indicative vehicular accesses, meaning that as currently designed a road would be required to run through the entire length of the Green Gap, which measures over 280m. We agree such infrastructure is capable of being accommodated within Green Gaps without undermining its purpose, but this approach is inconsistent with the Council’s assessment for Land west of Whitstable Road, which has been discounted due to the perceived negative landscape impact on the Green Gap, which in the case of this Site would only amount to a very short section of road of approximately 60m crossing the Green Gap and providing the access into the Site.

2.19 HLM is therefore concerned that an inconsistent approach has been taken and insufficient work and evidence has been provided to justify how access will be provided to this large strategic site without harming this Green Gap, noting that only very limited areas of the land north of the University of Kent are adjacent to the A290 and further noting that Tyler Hill Road to the north is only single carriage so is unsuitable for an access to this strategic site.

2.20 HLM also notes that the SLAA yield for the Site is 1,806 dwellings, however the draft allocation proposes a notably higher 2,000 dwellings. It is unclear why the allocation materially exceeds the SLAA yield as no information has been supplied to explain this.

2.21 HLM therefore consider that the overall quantum should be reduced. However, this does not have to materially alter the proposed Spatial Strategy, as less sensitive sites within close proximity of land north of the University of Kent, such as land west of Whitstable Road are able to comfortably accommodate this requirement (circa 90-100 dwellings)

⁴ SLAA ref. SLAA319

within the immediate locality. Importantly sites such as this would be in similar proximity to services and facilities provided on the University of Kent allocation as some parts of the housing proposed within the allocation itself, and could also be delivered earlier in the plan period as standalone early phases.

2.22 The Landscape Representations by HDA (Appendix 2), confirms that the allocation of the Site would complement the draft University of Kent allocation (Policy C12), allowing a more holistic and sensitive approach to the wider Blean Woods landscape. This is particularly noting that the University site has a rural context, whereas the HLM site is heavily influenced by the existing settlement, and the draft University of Kent allocation would materially change the landscape context for the Site.

3. Policy DS19 – Habitats, Landscapes and Sites of Local Importance

3.1 HLM considers that emerging Policy DS19 is overly restrictive in terms of what can be developed in the Green Gap – only proposals for sports and recreation will be permitted subject to the following criteria:

- Development is kept to the minimum necessary to support the use; and
- Development does not significantly affect the open character of the Green Gap, or affect the separating function leading to coalescence between existing settlements; and
- Development is sensitively designed; and
- Development is sensitively located and does not result in isolated and obtrusive development.

3.2 By restricting development in the Green Gap to only sports and recreation, emerging Policy DS19 is significantly more constrained than the adopted policy (OS6 – Green Gaps), which does allow for any form of development within Green Gaps providing it does not significantly affect its open character or lead to coalescence, or result in new isolated and obtrusive development within the Green Gap. There is no change in national policy to justify this more stringent approach.

3.3 In addition, the Green Gap is only a local designation, yet the policy is more restrictive than other spatial designations that are in national terms held in the highest regard, specifically the Green Belt and National Landscapes. Even in such areas, the Framework does allow for different forms of developments in the Green Belt and National Landscapes to a greater extent than what the Council is allowing in this local designation. Paragraph 35 of the Framework requires plans to be justified and consistent with national policy in order to be found ‘sound’.

3.4 To further undermine the wording of Policy DS19, the proposals under Policy C12 would conflict with its requirements, by virtue of the new site access (i.e. the same form of development proposed in the Green Gap on land west of Whitstable Road), demonstrating Policy DS19 is unduly restrictive and not justified. To overcome these concerns, it is recommended that Policy DS19 is amended to include other appropriate land uses such as road infrastructure, as well as public open space and recreational areas.

4. Development on Land West of Whitstable Road (SLAA 176)

4.1 As referenced above, HLM are promoting the Land at Whitstable Road, Canterbury, to the southern end of Blean and located adjacent to the Rough Common settlement, near Canterbury. In summary, the Site is suitable, available and achievable as follows:

- **Suitable** – the Site represents a wholly suitable location for development in a highly sustainable location, which can be sensitively designed to respond to the landscape.
- **Available** – the Site is under the promotion of HLM, and it is available for development in the short term.
- **Achievable** – the Site is viable and can accommodate approximately 90 dwellings. These could be delivered, in full, within the first five years of the Plan period.

4.2 The Concept Masterplan (Appendix 1) shows a scheme for approximately 90 dwellings, comprising 27 x affordable dwellings (30%) and 63 x market houses, with a mix of one, two, three and four bed flats / houses. The development would be accessed from Whitstable Road; enhanced open space and new recreational routes and planting; new children's' play area; sustainable drainage basin; swales; spine streets; retention and enhancement of trees; and pedestrian access.

4.3 As detailed earlier, the District settlement hierarchy identifies Canterbury as an urban area at the top of the settlement hierarchy and Blean as a Rural Service Centre, which are the next most sustainable locations after urban areas. The Council's Rural Settlement Study (2020) identifies Rough Common sites within the 'Blean Cluster' and defines this as a Local Service Centre that includes some facilities to meet day to day needs, with Blean providing further facilities. In this context, it is noted that the Site is only located less than one mile away from the centre of Blean, which is easily accessible by walking, cycling or public transport (bus).

4.4 The Local Plan also confirms that Blean is well connected to Canterbury and has good access to key and strategic community facilities and services, a conclusion that HLM supports. The Site therefore has good access to both Canterbury and Blean and is therefore sustainable in location, meeting the three overarching objectives of the Framework to achieve sustainable development – economic, social and environmental, by ensuring development would be in the right place, is supported by the provision of infrastructure and has the opportunity to create a strong and vibrant development which can integrate into the community.

4.5 Paragraph 69 of the Framework states:

“Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period; and*

b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.”

4.6 Within the Annex 2: Glossary of the Framework, the government clearly defines ‘deliverable’ and ‘developable’ as follows:

Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans)*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

Developable: To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

4.7 The Site is medium sized and HLM confirm that the Site is available for development and can delivered, in full, within the first five years of the Plan, thus meeting the deliverable test set out in the Framework. This is owing to HLM’s control over the Site, suitability for development and absence of any material issues which would be detrimental to its viability. Furthermore, HLM has already commissioned the preparation of a masterplan (see Appendix 1) and other technical survey works, demonstrating HLM’s intention to progress the Site at the earliest opportunity.

4.8 The Framework promotes the use of small and medium sized sites making an important contribution to meeting housing requirements in an area due to the quick build out rate (paragraph 70) and the low-risk nature in respect of infrastructure and land ownership – factors which wholly apply to this Site.

Strategic Land Availability Assessment (“SLAA”)

4.9 The Site was assessed through the Council’s SLAA (July 2022) following the Call for Sites submission. The Site’s SLAA reference is SLAA 176.

4.10 The SLAA Addendum (December 2023) has undertaken a review following HLM’s previous representations and evidence provided but upholds its position insofar that the Site is unsuitable due to landscape concerns and the significant and minor negative impacts cannot be suitably addressed.

- 4.11 It appears that the Site was discounted due to the perceived negative landscape impacts in relation to the location within the Green Gap and purported coalescence of Blean and Rough Common. The revised masterplan prepared by HLM responds to these concerns, reducing the net developable area, accommodating an improved landscaped area and providing substantial screening to the road frontage, which ensures the Green Gap is not harmfully impacted and therefore overcomes the Council's concerns. Additionally, the area proposed for public open space could be added to the Green Gap designation in order to strengthen the gap and avoid coalescence. Further detail is provided below.
- 4.12 HLM support the methodology and criteria of the SLAA as it is in line with general good practice, however, we do disagree with some of the findings and conclusion on SLAA 176.
- 4.13 The SLAA considers the proposed use of the Site to be mixed, with market, affordable and older persons housing and community facilities. The submitted masterplan (Appendix 1) currently incorporates approximately 90 dwellings and substantial open space for the benefit of the community, although we would welcome the opportunity to discuss the components of the scheme in further detail with the Council. Nevertheless, this scheme will deliver significant benefits.
- 4.14 The SLAA states that a small area of the southern part of the Site is within the Natural England Priority Habitat Inventory. The map below, taken from the Council's interactive planning constraints maps, shows land to the west and south identified as good quality semi-improved grassland (non-priority) (pink), which would be protected through the redevelopment and could be retained as open space. HLM therefore do not believe this is a constraint to the development of the Site that should negatively impact upon its overall assessment.
- 4.15 The Blean Woods National Nature Reserve, Site of Special Scientific Interest, Special Area of Conservation, and Ancient Woodland is located outside the Site to the west (Green and hatched). The masterplan (Appendix 1) shows that a buffer would be retained between the development on Site and the designated protected areas, thus resulting in no physical impacts. Furthermore, due to limited connectivity and provision of open space on Site, in combination with the overall modest scale of development, there would be no material recreational impacts arising either.



4.16 HLM agrees with the SLAA in respect of the Agricultural Land Classification Grade and confirm that the Site is classified within Grade 3, as set out in the DEFRA Spatial Map. As considered within the HDA Landscape response to the SLAA176 assessment which can be found at Appendices 2 and 3, SA objective 11 identifies the development of the Site results in - the avoidance of the unnecessary loss of Best and Most Versatile (BMV) land. Potential indicators of BMV land in the Sustainability Appraisal are identified as loss of Grade 1 and 2 agricultural land. The development of the Site would not result in the loss of BMV land as identified in the Sustainability Appraisal objective.

4.17 The Council's Policy Map shows the Site to be partially within a KCC Mineral Safeguarding Area for River Terrace Deposits. The site does not include a geologically important Site such as a Regionally Important Geological site. The eastern portion of the Site lies on the western edge of the KCC Minerals Safeguarding area, for river terrace deposits, the main safeguarded area lies to the east of the Whitstable Road. The Site is in close proximity to existing residential areas, small in extent and would be unviable to extract, given the necessary standoffs for noise, residential amenity and access. Therefore, this does not represent a constraint in terms of overall site suitability and the desire or need for prior extraction would have to be balanced against its impacts and the need to deliver housing.

4.18 HLM confirm the Site has proposed access from Whitstable Road up to the public highway in the form of a priority junction. There are not considered to be any highways safety or capacity impacts of the proposed development.

- 4.19 The SLAA indicates that off-site transport mitigation is likely to be required, due to highway capacity constraints. However, this appears to be a generic comment as there is no evidence to outline the specific impacts that arise, the scale of such improvements and whether such impacts cannot be mitigated through off-site improvements. Given the scale of the proposed development at approximately 90 dwellings, HLM do not consider that insurmountable highway capacity constraints would exist and that any impacts could therefore be suitably mitigated.
- 4.20 A PRoW runs along the eastern and south-western sides of the Site; however, this does not intercept the proposed developable area of the Site and improved access could be reached to the areas of public open space proposed through the development. As such, no adverse impacts would rise to the use of this PRoW.
- 4.21 In respect of heritage, the Hothe Court Conservation Area is located to the east of the Site, however as shown in the illustrative masterplan, the area directly adjacent to the conservation area would be free from built form. Accordingly, HLM agree with the SLAA conclusions that the Site could be sympathetically designed to ensure the conservation area is preserved and thus no adverse impacts would arise.
- 4.22 One of the key concerns identified by the Council within the SLAA is related to the potential negative impact on the landscape and specifically to the reduction of the Green Gap between Blean and Canterbury, and the purported coalescence of Blean and Rough Common, by reason of development protruding into the countryside to the west.
- 4.23 The proposed Green Gap is shown within the proposals map for Blean and at its minimum is 30m in width and alternatively a 60m distance from the nearest residential dwelling at Rough Common and Blean. The proposed access would be through the northern most part of the Green Gap, with the rest of the Site predominantly located outside of this Green Gap. HLM have produced a revised masterplan / landscape plan (Appendix 1) reducing the net developable area and providing 0.54ha of additional land to the Green Gap, with open spacing retained to the front of the Site and also between the proposed development boundary and Moat Lane to the south. The parking area for Blean Primary School has also been removed from the Green Gap to respond to the University of Kent allocation. The masterplan also illustrates existing and further screening to the Whitstable Road boundary, thus screening the development from this area, and preserving the length of the Green Gap. HLM therefore consider the Council's concerns have been overcome through the revised masterplan.
- 4.24 Furthermore, HLM have commissioned a Landscape Visual Appraisal (Appendix 3) for the Site which is also supported by landscape specific representations (Appendix 2) by HDA. This concludes at 9.1 of the report that the design and layout has been derived from the assessment of local landscape character, settlement pattern and setting of the Conservation Area. The Landscape Appraisal confirms the existing landscape features would be retained and protected during the course of development, with informal open space, tree planting, hedgerows and scrub and wetland habitat creation, which would provide a soft landscape setting to the development. Consequently, the proposal is not considered to have significant adverse effects on the landscape character of the local landscape and

the separation between Blean and Rough Common would be maintained, as would the landscape setting to the conservation area.

- 4.25 The Landscape Appraisal confirms, that on the eastern side of the development, dense and regularly maintained hedgerows are a feature and if continued to mature to 4-5m would provide significant and effective screening to the new development. Further planting would supplement and enhance all existing trees and hedgerows, thus softening the southern edges of Blean village and reinforce habitat connections to the Blean Woods and buffer the pastoral setting of Church Wood.
- 4.26 The Landscape Appraisal recognises the change of the Site from a field in pasture and paddocks to residential and therefore having an initial adverse effect on the character of the Site (noting the Council accept greenfield sites are required to meet development needs), but these would not have a significant effect on wider landscape character areas, and the adverse effect reducing as the proposed landscaping establishes to temporarily moderately adverse, then to minor adverse after 15 years. The layout ensures suitable buffers between the new development, the conservation area and allows for a sense of separation to Blean and Rough Common.
- 4.27 The HDA Representations (Appendix 2) confirm that the Site would enhance the character and appearance of the Gap through new semi-natural tree and woodland planting along with enhancing habitat connectivity along with enhance perceived separation by reducing the intervisibility between the two settlements.
- 4.28 Given the above, HLM does not consider that the allocation of the Site would diminish the effectiveness of the Green Gap, nor would there be a long-lasting adverse impact. Indeed, the proposal would in fact enhance the function of the Green Gap, visually, ecologically and arboriculturally. The proposals would seek to enhance the benefit of this Green Gap for the community by making it useable public open space.
- 4.29 The most up to date layout plan confirms development would not have an adverse effect on townscape character, would maintain separation between settlements and would avoid the sense of coalescence between Blean and Rough Common.
- 4.30 Furthermore, any impacts upon the landscape and Green Gap do of course in any event need to be considered in the context of the Council's acceptance that development in the countryside will be necessary to accommodate the requirements of the emerging Local Plan and that in relation to the University of Kent allocation, using land within the Green Gap is also necessary. Furthermore, the District contains a range of environmental constraints including some 27% designated at the Kent Downs National Landscape (formerly named Area of Outstanding Natural Beauty). Paragraph 182 of the Framework is clear that "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues" (emphasis added).

- 4.31 There are more local designations including Green Gaps and Areas of High Landscape Value. However, paragraph 181 of the Framework is clear that “Plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework”. In this context, local landscape designations would fall into a category of lower environmental or amenity value and must be balanced against other objectives of the Framework, for example “providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs” (paragraph 35a) and supporting the Government’s objectives of “significantly boosting the supply of homes” (paragraph 60). Accordingly, local landscape designations should not in principle be seen as a reason to prevent otherwise sustainable development.
- 4.32 Notwithstanding the above, HLM has also identified an inconsistency in the approach between the SLAA and draft Policy DS19. The draft Policy at (3) stipulates that within the local landscape designation areas (including Blean Woods), proposals for development will only be permitted where they conserve and where appropriate enhance the special qualities of the landscape. This does not prohibit development, providing it meets the tests of the policy. Whereas, the SLAA has directly rejected the Site due to its location within the local landscape designation. HLM support the wording of Policy DS19(3) in this respect, but recommend the Council revisit the SLAA assessment and consideration of the Site in this regard to ensure it is consistent.
- 4.33 As shown within these representations it is evident that the Land west of Whitstable Road is capable of complying with Policy DS19(3) insofar that it can be designed to ensure its scale, design and material would not impact on the local landscape character and its special qualities, and (a); it provides comprehensive landscaping to enhance the appearance of the designated landscape (b); and there would be no significant impacts on conservation interests.
- 4.34 Whilst the Site is in close proximity to Blean Pastures Wildlife Site and being within an orange area for Great Crested Newts, matters regarding protected species could be mitigated during the course of the planning process and are not therefore seen as ‘showstoppers’.
- 4.35 HLM agree with the SLAA that the design of the scheme could address residential amenities of neighbouring occupiers.
- 4.36 Based on the above, HLM consider the Site is technically suitable for development and landscape matters have been addressed through the revised landscape masterplan.
- 4.37 In light of the Council’s concerns regarding the impact on the landscape, the SLAA fails to take the Site beyond Stage 2 and therefore does not respond to other matters regarding suitability, availability, viability and achievable.
- 4.38 As outlined earlier, the Site is considered to be suitable in location for development having regard to relevant policy considerations: HLM are promoting the Site and it is therefore available with a realistic prospect that housing will be delivered on the Site within five years; and there are no known constraints or issues that would affect the viability and achievability of the scheme.

4.39 HLM consider that the scheme is acceptable in all these respects and would request that the Site is re-appraised in light of the additional evidence supplied and shortfall in allocations.

Sustainability Appraisal

4.40 Appendix G of the Sustainability Appraisal (“SA”) assesses the Site and provides the following summary:

“Site is identified as unsuitable in the SLAA. There are concerns regarding landscape impact. The SA has identified significant and minor negative impacts and when reviewed alongside the SLAA there are concerns that these impacts cannot be suitably addressed.”

4.41 The SA has not been updated following the previous consultation and HLM’s representations, which we considered improved the Council’s scoring. Appendix G of the SA (Appraisal of Site Allocations and Alternatives) at Appendix A provides the Council’s responses to the representations in respect of the areas of disagreement to the SA assessment.

4.42 Having regard to Table 2.3 (Call for Sites appraisal matrix) of the Sustainability Appraisal of Strategic Land Availability Assessment (2022), HLM make the following observations:

4.43 The SA identifies significant positive effects of the Site development on flooding, housing, employment and sustainable communities. HLM concur with these findings.

4.44 HLM has considered the overall scoring for the Site and whilst full regard is had to Appendix M – Definitions of Significance, it is considered that it should be scored more favourably. HLM agree with the scores for SAO 1 (Air Quality), SAO 6 (Water), SAO 7 (Flood Zone), SAO 9 (Heritage), SAO10 (Dwellings), SAO 12 (Employment) and SAO14 (Sustainable Communities). Where we disagree, this is outlined below:

SAO 3: Biodiversity

4.45 The Site is within 400m of Ancient Woodland (an internationally / designated site), as well as Blean Pastures Wildlife Site, Blean Woods National Nature Reserve, SSSI, SAC, and priority habitat site.

4.46 Noting that the methodology does not account for mitigation or policy requirements, and it is purely based on proximity to designated areas, then it is factual therefore that the Site scores a significant negative in this regard. For the overall objective score, if any score a significant negative effect it scores significant negative effect overall. HLM therefore accept the SA scoring on this basis.

4.47 As part of the masterplan proposals the public footpath and its immediate habitat would be retained in-situ, and separation can be achieved from the Blean Pastures Wildlife Site, Blean Woods National Nature Reserve, Site of Special Scientific Interest, Special Area of Conservation, and Ancient Woodland, ensuring no physical impacts and due to limited connectivity and provision of open space on Site, there would be no material recreational impacts arising. HLM present that matters regarding protected species could be mitigated during the course of the planning process, while Policies SS1 and DS21 of the draft Local Plan requires a 20% net gain in biodiversity across the Site.

4.48 As such, the development is unlikely to result in significant negative effects as a whole.

SAO 4: Geology

- 4.49 The eastern portion of the Site lies on the western edge of the KCC Minerals Safeguarding area, for river terrace deposits, the main safeguarded area lies to the east of the Whitstable Road. In accordance with the SA methodology, the Site would result in significant effects.
- 4.50 However, the HDA Landscape Response outlines that the Site does not include a geologically important site such as a RIG. The Site is in close proximity to existing residential areas, small in extent and would be unviable to extract, given the necessary standoffs for noise, residential amenity and access. This does not represent a constraint in terms of site suitability and the desire or need for prior extraction would have to be balanced against its impacts and the need to deliver housing. Therefore, in practice, the effect is likely to be limited.

SAO 5: Landscape

- 4.51 The SA sets out significant negative effects on landscape. The Council's Appendix G Site Assessment document sets out that "The SA of the SLAA does not take into account mitigation or site design / layout. It is considered that anything outside of the settlement boundaries / built confines of settlements is within the 'open' countryside. The site is within a green gap. Therefore, it is considered the score of significant effects is still appropriate."
- 4.52 The Site sits within the Blean AHLV and the policy supporting text identifies the following:
- "The Blean Woods AHLV identifies landscapes important to the character and setting of the Blean Wood Complex. It is an important objective of the Council and other agencies to preserve and enhance this landscape, with long term objectives to meet habitat network potential for woodland and heathland, particularly where it improves habitat connectivity of the Blean woodlands."*
- 4.53 The HDA Landscape Response details that the proposals would not affect the Blean Woods Complex directly or the Blean Pastures which lie adjacent to Church Wood, which form the immediate setting to the woods. The existing oak and hornbeam tree belt which lies between the site and Blean Pastures would be retained and enhanced, to provide a visual buffer and enhance the habitat connectivity required of the policy. It should also be noted that the Site lies within, and is characteristic of, the Landscape Character Area F2 The Stour Valley Slopes, and is not reflective of the more rural landscape characteristics associated with Blean Wood AHLV.
- 4.54 The SLAA refers to the site being surrounded by 'open countryside'. Aerial photography clearly illustrates that the site is surrounded by Kent College's playing fields to the east and south of the site and residential development to the south-east, east and north. In a wider context the site is contained to the south and west by the Blean Woods. The woodland visually contains the site limiting the potential landscape and visual effects to the immediate environs of the site.

- 4.55 The SLAA townscape assessment identifies the north-eastern part of the site, fronting Whitstable Road, as part of the 'Green Gap' between Blean and Canterbury. The gap is not easily seen from the road (as confirmed by the 2015 Local Plan Inspector), however no housing development is proposed on the Whitstable Road frontage, or within the wider green gap policy area to the south-east.
- 4.56 The SLAA landscape assessment concludes that the development of the site would contribute to the coalescence of Blean and Rough Common. However, to maintain the undeveloped character of the 'Green Gap' and avoid the sense of coalescence, HLM have prepared a revised Masterplan / Landscape Plan (Appendix 1) showing improved relationships and enhancement to the Green Gap, and new planting and screening to the eastern boundary to Whitstable Road. The outline masterplan has been revised to maintain an appreciable gap, between the two settlements, noting that the existing gap between settlements on the Whitstable Road is less than 60m between the built settlement edges.
- 4.57 An area of open grassland, similar in extent to the field in pasture south of the Site would be laid out as a common or green. To reinforce the sense of openness and separation between the settlements the existing hedge to the east of the proposed open space would be reduced in height to afford views, from the adjacent public footpath, of the open space and landscape to the south and west of Rough Common as well as the green gap to the east of the site.
- 4.58 The additional open space would also provide the opportunity to improve the grassland at the southern end of the site and potentially extend the Blean Meadows grassland habitat and provide greater habitat connectivity, in line with AHLV policy objectives. The effects on the local landscape would be negative, an effect consistent with most green field sites assessed in the SLAA and SA (see Appendix B of the SA), however the effects would be limited to the immediate environs of the site. The development would not have a noticeable effect on the Blean Wood complex or the wider AHLV beyond the woodland.
- 4.59 In respect of SAO 5, in relation to settlement pattern, the revised outline masterplan would maintain separation between settlements and avoid the sense of coalescence and therefore the proposals would not have an adverse effect on townscape character. The effects on land / townscape as set out in the SA would therefore be neutral in line with the SA methodology.
- 4.60 This neutral score in fact is better than many of the significant negative scores given to existing allocations, such as Land adjacent to Valley Road Barham (Policy R13).

SAO 11: Land Use

- 4.61 The SA sets out significant negative effects on land use. In regard to land use, HLM accept the scheme would result in the loss of a greenfield of more than 3ha and Grade 3 level agricultural land.
- 4.62 On the basis of the methodology, the Site would score a significant negative effect for the purposes of the SA.

4.63 However, SAO 11 identifies the avoidance of the unnecessary loss of Best and Most Versatile (BMV) land. Potential indicators of BMV land in the SA are identified as loss of Grade 1 and 2 agricultural lands. The development of the Site would not result in the loss of BMV land as identified in the SA.

SAO 13: Transport

4.64 The SA scores mixed impacts on transport (significant positive effects on access to public transport; and minor negative effects on transport highways).

4.65 The Council's Appendix G Site Assessment document responds and indicates that the objective that assesses the impact on the highway network does not use significant positive or minor positive effects, and a neutral score identifies no impact on the highway network, with minor negative effects identified if there are potential adverse impacts on the highway network. The assessment identifies that due to the size of the scheme, there is potential for some adverse impacts on the highways network.

4.66 The proposal would increase the number of vehicles using the Site; however, the Site is located within a sustainable location, therefore it is contested the impact on transport highways would not be adverse, but there would be some impact. In light of this and the methodology, it is accepted that some impact on the highway network would occur and this being greater than none, results in a minor negative effect, in line with the Council's scoring.

Summary

4.67 It should be noted that the land associated with the University (ref. SLAA319) also scores significantly adverse effects in regard to landscape, and this has been included as a draft allocation, despite having similar, if not greater impacts on the Green Gap. Therefore, there is no legitimate reason to discount HLM's Site and should have been taken forward.

4.68 Land west of Whitstable Road scores significantly better than the University allocation (ref. SLAA319) on the following objectives – water, heritage, transport and sustainable communities. This indicates that there are merits in revisiting the land within HLM's control further.

4.69 In light of this revised scoring, particularly in regard to landscaping, HLM request the Council review the scoring and reconsider land west of Whitstable Road as a draft allocation given it was discounted solely on landscaping and coalescence grounds, and the highlighted shortcomings of the proposed housing provision and issues with key strategic allocations.

5. Conclusion

5.1 These representations respond to the Consultation Plan specifically in regard to the provision of housing and general spatial strategy contained within the Plan. In this regard it is considered that:

- Insufficient housing sites have been allocated within the Consultation Plan to address the worsening affordability of the District and to provide a sufficient buffer and to ensure robustness to non-implementation of sites or slower delivery on large strategic sites that the Plan relies on.
- Insufficient provisions have been made in order to establish the unmet need contained in the wider region, and if the Council is justified in fulfilling its legal Duty to Cooperate with other Authorities in providing no additional houses to meet any wider unmet need.
- Additional appropriate land uses need to be incorporated into draft Policy DS19 in relation to Green Gaps to ensure that the Policy is sound.
- Land West of Whitstable Road is a sustainable site located within a sustainable settlement. Given the current overdevelopment of land to the north of the University of Kent, a proportion of development should instead be accommodated at the Site which would ensure the identified landscape harms to the northern parcel do not occur.

5.2 Land at Whitstable Road, Canterbury (SLAA ref: SLAA 176), which is being promoted by HLM, is suitable, available and achievable for approximately 90 dwellings. The Site would be a medium sized development, within a highly sustainable location, on the wider the edge of Canterbury and close to facilities and services. This is a general location the Council is seeking to focus growth in the District, as confirmed by the draft Plan, Sustainability Appraisal and other evidence based documents.

5.3 The Site received a relatively positive assessment within the SLAA, and further work has been undertaken by HLM to ensure the perceived landscape concerns can be overcome, through changes to the indicative masterplan, such as reduced net developable area and retention and strengthening of Site screening to preserve and enhance the Green Gap. To this end, HLM do not consider the development of the Site would result in unacceptable landscape issues, nor a diminishing of the Green Gap, resulting in a neutral landscape impact overall. In fact, HLM consider that through the application of the SA process, the Site scores better than existing allocations, notwithstanding the need for additional allocations.

5.4 Hallam Land Management is supportive of collaboratively working with Council in helping to meet its housing requirements for the plan period and would welcome the opportunity to discuss the Land West of Whitstable Road with the Council, which should be allocated for housing within the Consultation Plan.



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