



Historic England

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Date 31 May 2024

Dear Sir or Madam

Draft Canterbury Local Plan to 2040 Regulation 18 Consultation

Thank you for your email of 12 March 2024 inviting comments on the above consultation document.

General Comments

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages of the planning process. This includes formulation of local development policy and plans, supplementary planning documents, area and site proposals, and the on-going review of policies and plans.

There are many issues and matters in the consultation document that are beyond the remit and concern of Historic England and our comments are, as required, limited to matters relating to the historic environment and heritage assets that fall within its purview. Historic England is focused on the objective of the National Planning Policy Framework to set out a positive strategy for the conservation, enjoyment and enhancement of the historic environment (Paragraph 196, NPPF). Additionally, we comment on those policies, such as site allocations for development, that may impact on the significance of heritage assets such that the level of harm is likely to undermine the sustainability of the local plan.

Summary

Our comments on each of these matters are set out below. In summary, in our view, there are policies in relation to the promotion of development of a scale and form that is likely to cause harm to the historic environment, contrary to the objectives of the NPPF, and that consequently may affect the soundness of the Local Plan. The lack of a demonstrable evidence base may have an implication for the soundness of the Local Plan.



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Specific Policy Comments

Vision for the district to 2040 and strategic objectives for the district

We welcome reference to the historic environment in relation to its contribution to the visitor experience and the support of tourism, but we consider that the historic environment has far wider benefits and these should be referenced in the Vision. For example, many of the districts open spaces are also historic open spaces and it would be useful to highlight the role of the historic environment in enhancing open spaces.

Similarly, the historic environment can play a positive role in healthy communities, and be a key component of the regeneration of the district's town centres. We recommend that additional references to the role of the historic environment in the Vision and objectives should be included to reflect the significance of the historic environment to the character and distinctiveness of the district.

We welcome the positive reference to the World Heritage Site (WHS) in the Vision (and earlier in the introductory section of the draft Local Plan). We note reference to the WHS Management Plan which is generic (and helpfully so allowing that to be updated during the lifetime of the Local Plan).

Policy SS1 - Environmental strategy for the district

We welcome the references in bullet point 4 to the contribution made to the district by the historic environment, and the commitment to protecting the World Heritage Site (WHS). The positive references to the WHS in this section, recognising the open space in the WHS as a contributor, and with a focus on protecting the property and improving accessibility and connectivity, are noted.

Policy SS2 – Sustainable design strategy for the district

We welcome this policy. In section 2 it would be beneficial for new design to offer opportunity to enhance and better reveal heritage, particularly where development will form part of the setting to heritage assets. An emphasis on making design more active rather than responsive would be welcome. .

Policy SS3 – Development strategy for the district

We raise serious concerns about the new rural settlement north of Canterbury (bullet 2) – see comments on Policy C12 site allocation below.

Policy SS4 – Movement and transportation strategy for the district

We support the primary aim of this policy to facilitate a modal shift in movement across the district, and welcome the removal of the proposal for a new movement corridor to connect the A28 at Sturry with the A2 at Bridge included in the previous iteration of the draft Local Plan.





Policy SS5 – Infrastructure strategy for the district

The need for a new water reservoir at Broad Oak is justified both within the draft Local Plan and elsewhere (Water Resources South East draft Regional Plan) but will result in harm through the total loss of significance of a nationally designated heritage asset; mitigation of this is suggested but may be insufficient (see further comments below – Policy R17).

2. Canterbury

Policy C1 - Canterbury city centre strategy

The policy acknowledges the importance of enhancing established character (bullet 7), and at bullet point 8 focusses on heritage and includes reference to protecting, enhancing and capitalising on the WHS and connectivity between key heritage assets. We welcome this but are slightly confused by the final sentence: *“Proposals which seek to enhance heritage assets will be supported provided there is no substantial harm to any heritage assets or their settings.”*

We would suggest that this could be strengthened by adding reference to avoiding or minimising harm to heritage assets through redevelopment:

“Proposals which seek to enhance heritage assets will be supported. Development should seek to avoid or minimise harm but where there is unavoidable harm to any heritage assets or their settings mitigation should be sought. The impact of development proposals on the WHS should be tested additionally against the attributes of Outstanding Universal Value”.

Bullet point 9 could usefully make reference to (and provide a link to) the Canterbury Shopfront Design Guide SPD (adopted 2020) and advise developers to design new shopfronts in accordance with this guidance.

Policy C2 – 43-45 St George’s Place

The detailed policy focusses on mitigation to designated heritage assets (including the Conservation Area it is within and those it is within the setting of) and also refers to responding to local context (e.g. the City Walls, etc.). However, it sets no framework for what might represent an appropriate response which sustains or enhances the significance of the heritage assets – we suggest the policy requires a masterplan or development brief be prepared that addresses these issues and sets the parameters for the form, scale and height of any development on the site.

Policy C4 – Canterbury City Centre Regeneration Opportunity Areas

The identified regeneration sites focus on a strategy of redeveloping existing surface car parks. All of the proposed sites are within conservation areas and in many cases the setting of listed buildings and/or scheduled monuments or the wider setting of the WHS. The site at Quinengate Car Park, which lies in the immediate setting of the scheduled Canterbury City Walls, the North Lane Car Park, which lies adjacent to the river and close to the scheduled West Gate, and development on Burgate/Canterbury Lane are likely to be particularly sensitive in heritage terms.



There is one overarching policy covering the redevelopment of City centre sites but given the variety of sites, and the potential for complex heritage considerations on each many of the site are sensitive enough to warrant development briefs which set clear parameters, based on a more detailed analysis of the site, about quantum, form, scale, etc. We welcome the new requirement to produce these in Policy C4.

Policy C6 – Land at Merton Park

Land at Merton Park lies on the south side of Canterbury between the current urban edge and the A2. It is part of the wider rural setting to the Canterbury Cathedral, St Augustine's and St Martin's World Heritage Site (WHS) and is a site from where there are important views of the World Heritage Site from the city's rural hinterland.

The importance of Canterbury's rural hinterland for an appreciation of the City Conservation Area is also acknowledged in the Canterbury Conservation Area appraisal and a number of views within this document highlight this point. This includes a view from within the site (view 14, Fields North of Stuppington Lane). The accompanying text notes that "the foreground shows an open, agricultural landscape to the south-east of the city, which forms an important part of the setting of the conservation area and should be retained as farmland." The text goes on to note that Bell Harry Tower is particularly prominent in this view and that new development should not compete with the prominence.

We have concerns that the quantum of development shown on the concept masterplan could cause harm to the significance of the WHS and Canterbury City Conservation Area as the development would substantially alter the character of the site from one which is rural to one which is heavily urbanised.

We are also concerned that the proposed concept masterplan is not founded on a clear evidence base to ensure that decisions about scale and location of development avoid or minimise harm to significance and look for opportunities to enhance significance where possible. Without an evidence base it is not possible to conclude that these objectives would be met in the concept masterplan.

Our concerns extend to the detail of the proposed strategic allocation. For example, although narrow indicative viewing corridors are shown on the illustrative masterplan, we consider that the location of viewing corridors as shown on the concept masterplan should be based on a thorough views analysis. We suggest that the bullet point k, "*preserve and enhance views towards the City and World Heritage Site with provision of viewing corridors from open space and PROWs crossing the site*" should be amended to include reference to a requirement for a views analysis to inform the location of viewing corridors which preserve and enhance views.

There is also no information about the need for a heritage led scheme, based on an understanding of the site's contribution to the significance of heritage assets. We would expect a starting point to be a thorough heritage assessment to guide detailed proposals which actively seek to avoid and minimise harm to enhance heritage significance, ensuring





that heritage plays a central role in place making within the scheme (rather than an impact assessment which starts from the point of a draft scheme). We recommend a requirement for a heritage assessment is included in the draft policy and that decisions on the quantum of development and the location of any taller buildings, are only made once that assessment is complete.

All of this is important because the site is a reasonably steep sided valley, meaning that the topography will play a role when considering where taller, bulkier development could be located to ensure that the impacts to heritage are minimised.

We also recommend that the policy includes a requirement to submit a Heritage Impact Assessment in line with the UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context – <https://whc.unesco.org/en/guidance-toolkit-impact-assessments/>.

Policy C7 Land North of Hollow Lane

The Canterbury City Conservation Area Appraisal notes that view 12, from within this proposed allocation, “*perhaps best demonstrates the rural setting of the city of Canterbury. It shows the importance of the valley slopes in providing the backdrop of the city.*” It also highlights the prominence of the Cathedral in this view and notes the fore and middle ground of the view should be retained as open agricultural land.

We therefore have concerns that objectives outlined in the Council’s own adopted conservation area appraisal, for management of an important view to the conservation area and Cathedral as its focal point, would not be met by the proposed concept masterplan. For example, the concept masterplan includes development which would fall within the fore- and middle-ground of the view, thereby likely obscuring views of the city’s wider rural hinterland. This is a concern for Historic England, and we question whether the quantum of development should be reduced to incorporate greater areas of open green space. The viewing corridor shown on the indicative masterplan is also very narrow and its not clear if the view would capture the Cathedral. Further work to clarify this is needed and we recommend that viewing corridors from within the development are informed by further views analysis. We suggest reference to this be added to bullet point j.

As with other strategic allocations, there is no requirement for a heritage assessment, or an emphasis on heritage led development with an aim to avoid or minimise harm to heritage significance. We acknowledge the policy does refer to protect and enhance significance but without a heritage assessment and understanding of the site’s contribution to Canterbury’s outstanding heritage, it is unclear how the objective of protect or enhance would be achieved. We therefore recommend that a heritage assessment to inform heritage led development is a detailed requirement of the policy.

We also recommend that a Heritage Impact Assessment in line with UNESCO guidelines is added to the detailed requirements for the strategic allocation.





Policy C10 – Land North of Cockerling Road

Although this draft allocation for 36 dwellings is effectively landlocked by existing allocations, it is a very good vantage point, because of the topography, for views of the Cathedral. We therefore recommend that the detail of the policy should include reference to sustaining views of the Cathedral within any development proposals that come forward.

Policy C11 – South West Canterbury Link Road

Historic England acknowledges there has long been a desire to create a relief road for Canterbury which would be partly delivered by land safeguarded under Policy C11. However, we note that the safeguarded land passes through two key views identified in the Canterbury City Conservation Area, views in which the Cathedral is an acknowledged and important focal point in the view.

The safeguarded land would affect views 12 and 14 as described in the Conservation Area Appraisal. In view 14, it appears that the safeguarded land follows the valley bottom within proposed allocation C6, but the delivery of a road here would nevertheless need to take account of its potential impact on View 14 and any other view from within the proposed allocation.

View 12, an expansive view of the city (with Cathedral as a visible focal point) in its wider rural setting, could be impacted to a greater degree, depending on how a relief road is treated within policy C7 Land north of Hollow Lane. As it stands, the concept masterplan for this allocation appears to suggest that the viewing corridor aligns with the safeguarded land for a link road. Combined with the proposed development in Policy C7, the provision of a link road with street lighting, signage etc. could have a significant impact on this view of the City and the Cathedral as its focal point set in a wider rural setting.

We therefore recommend that an additional bullet point is added to this policy about ensuring that important views of the Cathedral are maintained by careful management of the alignment of a link road and any associated lighting, signage, etc.

Policy C12 – Land North of the University of Kent

We have serious concerns about the proposed strategic allocation for 2000 dwellings and associated infrastructure including a local centre and school for its potential harmful impacts on the scheduled monument and the listed building in particular.

This proposed allocation is sensitive in historic environment terms. Within the site or in its immediate setting are highly graded heritage assets, including the scheduled monument Dispersed Medieval Settlement Remains and a Roman building immediately south west of the Church of St Cosmos and St Damiens, and the latter Grade II* listed church lies within the immediate setting of the site boundary.

The proposed allocation is also partly within the Blean Conservation Area and the Hothe Court Conservation Area and is in the setting of the Tyler Hill Conservation Area.





Significance of the Scheduled Monument

The monument includes the remains of a dispersed medieval settlement and an earlier Roman building situated on the southern slope of a clay hill around 7km north west of Canterbury. The Roman remains are represented by below ground archaeology, and have been identified as a villa. The dispersed medieval settlement survives in the form of earthworks and associated buried remains.

Documentary evidence, including an entry in the Domesday Book, suggests that the settlement was in existence by the 11th century. Analysis of pottery fragments found within the settlement suggests that it had fallen into disuse by the early 15th century. Immediately beyond the monument to the north east is the associated parish church of St Cosmus and St Damian, Listed Grade II*, the standing fabric of which dates mainly to the 13th century.

Medieval dispersed settlements, comprising hamlets of up to five dwellings or isolated farmsteads, were scattered throughout the parish or township. Often occurring in the more densely wooded, less intensively farmed areas, the form and status of dispersed settlements varied enormously. When they survive as earthworks, their most easily distinguishable features include roads and tracks, platforms on which stood houses and other buildings such as barns, and the enclosed fields or irregular field systems with which the dwellings were associated.

In the western and south eastern provinces of England, dispersed settlements were the most distinctive aspect of medieval life, and their archaeological remains are one of the most important sources of understanding about rural life in the five or more centuries following the Norman conquest.

There is little in the scheduling description to say what the Roman building was – a scatter of pottery and building debris above the ploughsoil may indicate a settlement. However, the Roman building is a probable villa and the open space around it is therefore important because it would have been the centre of a rural estate.

Impacts on the Scheduled Monument

Because the medieval settlement was a rural hamlet when it was in use, understanding it in this context is important. It is positive therefore that the site is proposed to be surrounded by greenspace, however this is skewed heavily to the west and south of the monument. The proposed allocation encroaches closely towards the monument and church on the eastern side, and this would make it more difficult to understand the rural context within which medieval settlement was designed to be set. This is exacerbated because denser development is proposed here with the community hub.





Significance of the listed building

At the heart of the site lies the Grade II* Church of St Cosmos and St Damians adjacent to a contemporary deserted medieval settlement representing the buried and standing evidence for a medieval settlement. The church itself dates to the 13th century, with major 19th century phases of restoration and is principally significant as a modest rural parish church associated with now lost settlement to the south west. Its rural setting, including the site and the adjacent scheduled monument contribute to our understanding of its origins as a rural parish church.

Impacts on the listed building

Our concerns are great for the Grade II* listed church of St Cosmos and St Damians because the significance it derives from its rural setting would be harmed by the construction of up to 2000 dwellings. Our concerns are amplified by the concept masterplan which suggests that some of the development would lie to the immediate south east of the church. Harm would occur not only from new development which would alter the character of the church's setting from one which is rural, to heavily urban, but also from associated lighting and activity, etc.

We are also concerned that the detailed policy requirements do not place a strong enough emphasis on the positive role that heritage can and should play in good place making. Such a role should be informed by a detailed understanding of the heritage within and close to the site so that development is genuinely heritage led. We therefore recommend that an additional bullet point, requiring a heritage assessment to inform the masterplanning process, is included in the proposed policy.

Proposed policy changes:

The draft local plan policy says: *(f) Assess Areas of Archaeological Potential and mitigate any impacts on heritage assets such as the scheduled ancient monument adjacent to the St Cosmos and Damian church, the Grade II* listed church and other Grade 2 Listed Buildings adjacent to the site, and Conservation Areas within and adjacent to the site.*

Our concerns are magnified by reference in the draft policy to mitigating harm, rather than objectives which seek to avoid or minimise harm (and thus lead to better outcomes for heritage). We therefore recommend that bullet point f is amended to refer to taking steps to avoid or minimise harm to heritage assets and to celebrate heritage as part of good place making. In practice this could mean moving development parcels away from sensitive heritage assets and ensuring that any proposed green buffers are sufficiently generous as to meaningfully reduce heritage harm.

Given the heritage sensitivities of the site, we also recommend that the policy includes reference to delivering a package of heritage benefits as part of any development proposal. The benefits could range from heritage interpretation, to improved management of heritage assets within the site boundary. We recommend the package of benefits should be informed by future work.





C19 Wincheap Commercial Area

The current industrial estate to the north of Wincheap is a proposed mixed use allocation of up to 1000 dwellings on land to the north of Wincheap (itself a historic route into the City with many listed buildings and designated as a conservation area).

We welcome reference to enhancing nearby heritage assets including the World Heritage Site, listed buildings and the Canterbury City Conservation Area (bullet point d). However, an allocation of this quantum on a site of this size could lead to taller development and we consider that the massing and form of development within the site should be informed by a heritage assessment in order that the development avoids or minimises harm to heritage significance (in addition to taking opportunities to enhance heritage significance). We recommend reference is added to the need for a heritage assessment to inform the masterplanning process and ensure delivery of good place making practice.

We also recommend that an additional bullet point, outlining the need to avoid or minimise harm is added to the draft policy.

R17 - Broad Oak Reservoir and Country Park

This proposal for a new reservoir includes the demolition and reconstruction of a grade II listed building, Vale Farm (ID 1336586). This raises concerns for Historic England as it involves the total demolition of a listed building, which even if reconstructed (as suggested in the policy wording) would still likely be very harmed by its demolition and reconstruction because evidence of craftsmanship (i.e. how it was constructed and the patina it has acquired over the years, which both contribute to its significance), its historic landscape setting and relationship to surrounding farmstead buildings would all be entirely lost or very seriously compromised.

In order to demonstrate the harm to heritage significance has been minimised as far as possible, we suggest the policy should include specific references to:

a need for a detailed farmstead and wider landscape survey;

the requirement for a level 4 recording exercise to inform proposals for reconstruction (as per Historic England guidance, A Guide to Good Recording);

a detailed measured survey; and

for a concurrent proposal to reconstruct the listed building.

Suggested wording:

(b) Carry out a detailed farmstead and wider landscape survey to inform development that is sensitively designed to reflect the rural character and ensure design, scale and materials reflect the location;





(d) Following detailed building recording conforming to “A Guide to Good Recording” (Historic England), the appropriate relocation, reconstruction and enhancement of the Grade II listed building, Vale Farmhouse, Barnetts Lane within the site, in consultation with relevant specialists including the County Archaeologist and Historic England.

Open space, natural and historic environment

Policy DS26 – Historic environment and archaeology

We welcome the inclusion of policies for the historic environment in the local plan that meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

We suggest the following amendments to improve the scope of the policy to make it more reflective of national guidance in respect of the application of policy and guidance for the World Heritage Site elements:

It is very positive to see specific reference to HIA in the policy for WHS. This directly addresses the requirement under paragraph 110 of the Operational Guidelines “*Impact assessments for proposed interventions are essential for all World Heritage properties.*” and paragraph 118bis “... States Parties shall ensure that Environmental Impact Assessments, Heritage Impact Assessments, and/or Strategic Environmental Assessments be carried out as a pre-requisite for development projects and activities that are planned for implementation within or around a World Heritage property.” Guidance and Toolkit Principle 2: *Impact assessment can be used to evaluate the need for a proposed action, and its consequences, so that environmental, social and economic outcomes can be achieved without damaging Outstanding Universal Value.*

The policy as drafted should be clearer, however, in what is requested for an HIA (as opposed to and in relation to the level of detail expressed about the purpose of the Heritage Statement). HIA could be integrated in the heritage statement. The key is that HIA identifies the effect of the proposals on the attributes of OUV of the property, its integrity, its authenticity and overall.

You may want to review the guidance in the PPG: “***What approach can be taken to assessing the impact of development on World Heritage Sites? Applicants proposing change that might affect the Outstanding Universal Value, integrity and, where applicable, authenticity of a World Heritage Site through development within the Site or affecting its setting (including any buffer zone or equivalent) need to submit sufficient information with their applications to enable assessment of the potential impact on Outstanding Universal Value.***”

We support reference to cumulative impact as this is an element of assessment commonly highlighted by ICOMOS International in its comments on individual proposals.





To avoid confusion, it may be better to refer to the 'setting' rather than the 'wider setting' so that this is not read as everything outside of the buffer zone.

We would recommend considering clarification of the language 'the significance of the Outstanding Universal Value of the UNESCO Canterbury World Heritage Site and its buffer zone setting'. OUV is a part of significance – see NPPF Glossary: “**Significance (for heritage policy)** The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance”.

You may wish to ensure that 'buffer zone setting' would not be misinterpreted to suggest that the setting of the property is defined only by its buffer zone.

Reference to views into, out of and across the three parts of the WHS in paragraph 2 is positive but not carried through into paragraph 3. Are significant views referred to in paragraph 3 identified anywhere, e.g. in relation to the site allocations of the draft Local Plan? Paragraph 4(c) talks helpfully about views that contribute to significance or a building’s setting – you could consider a similar approach to whether views contribute to attributes of OUV or the experience of them.

As drafted the policy requires proposals for development to sustain and enhance (or conserve and enhance) the OUV of the WHS if they are to be permitted. This demonstrates commitment to conservation of the property and could be considered to be in line with UNESCO’s position, but that in NPPF sets a high bar that may block development (we suggest you seek guidance from the Planning Inspectorate on this point as there have been varied interpretations).

Appendix 1: Glossary

World Heritage Site A cultural or natural site of outstanding universal value designated by the International Council on Monuments and Sites (ICOMOS). Canterbury Cathedral and Precinct, St Augustine's Abbey and St Martin's Church was designated as a World Heritage Site in 1988 because of its visual record of the introduction of Christianity to Britain.

There are factual inaccuracies that need correcting:

Sites are designated by UNESCO’s World Heritage Committee not by ICOMOS. ICOMOS assists the World Heritage Committee, alongside the two other Advisory Bodies, in evaluating proposed sites for inscription, but the decision does not rest with them; and

The reasons for designation also need amendment - the inscription reflects the reintroduction of Christianity to Britain, but this is only one reason. The Council may benefit from reading the Statement of OUV on the UNESCO World Heritage List to draft their summary:

<https://whc.unesco.org/en/list/496>.





Evidence Base

It is not clear what evidence was prepared or drawn upon in relation to the historic environment in preparing the draft Local Plan. We are aware that the Council has prepared a Heritage Strategy, for instance, and recent work has been undertaken on review of the WHS Management Plan and on Conservation Area appraisals, but there is no reference to these either within the draft plan itself or in the supporting evidence pages of the website. It should be clear that all policies in the local plan, including those for the historic environment, are appropriately evidenced as required by NPPF paragraph 31.

Conclusion

In the view of Historic England, the draft Canterbury Local Plan to 2040 does not fully meet the objective in NPPF paragraph 8 to achieve sustainable development because of the risk of significant harm to the historic environment arising from a number of policies relating to the allocation of sites, as noted above. While the policy (DS26) for the protection and enhancement of the historic environment maybe found to be sound, this is undermined by the force given by other policies to forms of development and in locations that are likely to cause harm to numerous heritage assets if implemented as currently proposed. The draft Local Plan needs to seek a better balance, in our view, between the needs of the historic environment and that of development to achieve the goal of sustainability required of it.

Historic England would strongly advise that the Canterbury City Council's own heritage / conservation advisers are closely involved throughout the preparation of the draft Local Plan, as they are often best placed to advise on local historic environment issues and priorities, sources of data, and consideration of the options relating to the local historic environment. The Council should also seek advice (if you have not already done so) from the Kent County Council Heritage Team in relation to archaeological matters.

We should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals which may subsequently arise where we consider that these would have an adverse effect upon the historic environment. We hope that these comments are useful.

Yours sincerely

Alan Byrne

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