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From: [REDACTED]
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To: Consultations
Subject: Representations on the CCC draft Local Plan 2040
Categories: Green category

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Dear Sir or Madam,

I have today submitted our representations on the draft Local Plan (2040) via the questionnaire on the council' website and I have received a notification that our response has been submitted successfully.

For the sake of completeness, I attach within the body of this email a copy of the various representations we made.

Kind regards.

Julie Creed
PA to Mike Goddard
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CHAPTER 1 (Policy SS1)

Comment in relation to sub-paragraph 8 of Policy SS1

This sub-paragraph does not reflect the content of the National Planning Policy Framework (NPPF) in paragraphs 165 to 175. I suggest the replacement of the first sentence of that sub-paragraph with the following:

“Proposals that increase the risk of flooding should be avoided where possible.”

CHAPTER 2 (Policy C4)

Policy C4 identifies 12 city centre regeneration opportunity areas which the council will proactively explore. This list should be expanded to include the undeveloped land to the south-west of Sergeants Parade currently shown in green on the draft Proposals Map and subject to draft Policy SS3 and draft Policy DD24 .

This land has remained undeveloped and inaccessible to the public for more than 20 years. It has been sterilised by its allocation as protected open space on previous Local Plans.

It is adjacent to the Riverside Walk and adjoins extensive areas of purpose-built student accommodation and family housing recently acquired by the city council.

The site is an important opportunity to deliver much needed high-quality public open space which will include equipped play areas and attractive areas of seating next to the Riverside Walk.

The economic reality is that this will not occur without enabling development on the remainder of the site. And that enabling development could be for specialist housing to meet specific needs.

The combination of specialist housing and high-quality public open space would deliver significant environmental, social and economic benefits.

The owners would like to prepare a detailed development brief in consultation with the council and to work proactively to quantify the development potential, the content of the scheme and to ensure attractive and sustainable design in line with other policies in this plan.

I therefore suggest that this site be included within the sites identified under policy C4 .

CHAPTER 5 (Policy R19)

The Local Plan should support the rural economy, allowing appropriate businesses to locate, grow and expand whilst at the same time protecting the countryside.

Policy R19 fails to take into account the diversification of the rural economy away from traditional rural activities. This has taken place in large part through the re-use of farm and other buildings for commercial non-agricultural purposes. This has helped to retain, support and facilitate the expansion of economic activity within the rural areas and also enabled a number of farms to remain operational.

The policy should include support for new employment development in the countryside in the following circumstances:

- a) Within or adjoining existing rural employment sites or premises.
- b) The conversion or where the building is not capable of conversion, the rebuilding of existing rural buildings.
- c) The bringing back into use of previously developed land.

Policy R19 , paragraph 3, as written is unduly restrictive and does not reflect the NPPF.

Paragraph 5.37 of the draft Local Plan should also be amended to support community facilities and the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings to support the District's rural economy.

CHAPTER 6 (Policies DS5, DS8, DS12 and DS24)

Policy DS5

This policy in respect of proposals for specialist older persons housing does not take into account key market factors which might make it impossible for a nursing and residential care home for older persons to compete with market housing for the limited available suitable sites within a settlement boundary.

I therefore suggest that paragraph 1b be altered to state the following:

“The proposal is sustainably located within or adjacent to a settlement boundary and with easy access to public transport.”

Policy DS5, sub-paragraph 3 does not reflect the fact that several schemes of purpose-built student accommodation are occupied by students from several of the higher further education campuses within the city of Canterbury. I therefore suggest a modification to Policy DS5 (3.) as follows:

“Proposals for purpose-built student accommodation within higher and further education campuses will be supported. Where this is not achievable, proposals must be located on highly accessible sites, well served by pedestrian and cycle routes and public transport and with easy access to local shops and community facilities.”

Alternatively, paragraph 3 of Policy DS5 could be modified to the following, as most of the points in the latter part of the draft paragraph 3 are covered in paragraph 4:

“Proposals for purpose-built student accommodation within higher and further education campuses will be supported.”

Policy DS8

This draft Policy does not reflect paragraph 88(a) of the NPPF which states that planning policies should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings.

It also fails to reflect paragraph 89 of the NPPF which recognises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport.

Consequently, Policy DS8 should be expanded by the inclusion of an additional paragraph 6 under draft paragraph 5 as follows:

“6 . Proposals for new business and employment premises on land outside of the designated business and employment areas, allocated sites, urban areas and settlement boundaries will be supported where they involve the conversion of existing buildings and well-designed new buildings and where they align with other policies in this Plan.”

Policy DS12

Paragraph 6.34 preceding Policy DS12 does not reflect the wording in paragraph 88(a) of the NPPF and is unduly restrictive. I suggest this paragraph should be modified to state:

“Within the countryside, the emphasis of this plan is to protect the rural character of the district whilst enabling the sustainable growth and expansion of all types of business in the rural area.”

Paragraph 1 of Policy DS12 should be expanded to the following:

“The council will take a positive approach to the growth and diversification of the District’s rural economy, enabling the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. It will support the development and diversification of agricultural and other land-based rural businesses, including agriculture etc.....of the Plan. It will also support sustainable rural tourism and leisure developments which respect the character of the countryside.”

Policy DS12 should also be expanded to include a category of development which reflects paragraph 88(a) of the NPPF. I suggest that paragraph 3 becomes paragraph 4 and a new paragraph 3 is inserted as follows:

“3. Proposals for the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings, will be supported.”

Policy DS24

Paragraph 6.76 of the draft Local Plan recognises the importance of access to a variety of high quality open spaces and the benefits of publicly accessible open spaces.

Land adjacent to the south western end of Sargeants Parade, Canterbury is shaded green on the draft Proposals Map and subject to Policy SS3 and Policy DS24. However, Policy DS24(9) restricts the loss of publicly accessible open space. This land is not publicly accessible open space. It is private and has been enclosed and inaccessible to the public for in excess of 20 years. Policy DS24 therefore does not apply to this site. The Proposals Map should be suitably amended to delete reference to this policy.

The site has considerable potential to deliver much needed specialist housing with an area of public open space. Both would deliver substantial economic social and environmental benefits. It should be considered as a potential regeneration opportunity site and included under Policy C4.

APPENDICES : APPENDIX 1: GLOSSARY (definition of rural business and rural diversification)

Page 251 : definition of rural business

The definition of rural business does not reflect the NPPF's support for a prosperous rural economy. Paragraph 88 a, b and c of the NPPF requires planning policies to enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings. It also encourages the development and diversification of agriculture and other land-based rural businesses and sustainable rural tourism and leisure developments. The definition is therefore inconsistent with the NPPF by only focussing on one of these three classifications in the NPPF. And even then, it limits it to agriculture, agri-environmental schemes, equestrian, horticulture or viticulture businesses.

The definition also does not reflect the preference for the conversion of existing buildings to business, tourism or community use found within Policy DM1(a).

A rural business is something which is difficult to define and far wider than this draft restrictive definition. I have looked at several recently adopted Local Plans, but have been unable to find any definition of a rural business within them. This reflects the difficulty of defining precisely what is meant by a rural business and also the fact that it is something which is continuously evolving. I therefore suggest that the term 'rural business' and the associated definition are both deleted from the glossary.

Page 251 : rural diversification

I make similar points in relation to the term 'rural diversification' found on page 251.

The definition in the draft glossary is unduly restrictive, limiting it to the narrow field of agricultural and other land-based rural businesses. If the definition were to be retained, then it should be widened to reflect the NPPF and to include business use.

My strong preference however, would be for the deletion of this term 'rural diversification'.