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By email: consultations@canterbury.gov.uk

Dear Sir/Madam,

Draft Canterbury District Local Plan to 2040 (March 2024 Reg 18 Consultation)

I have reviewed and wish to respond to the latest Draft Canterbury District Local Plan to 2040. These representations are presented in my personal capacity rather than my role as a Chartham Parish Councillor.

Local Housing Need

The amended NPPF published in December 2023 revised the approach to assessing Local Housing Need (“LHN”). Previously the NPPF mandated the use of the so-called “*standard method*” in calculating the number of homes needed in an authority area. Importantly, paragraph 61 of the NPPF now acknowledges that:

“the outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area ... there may be exceptional circumstances, including relating to the particular demographic characteristics in an area which justify an alternative approach to assessing housing need”.

In the Development Topic Paper which supports the revised Reg. 18 Draft Plan, the Council states that it does not believe that exceptional circumstances can be demonstrated (paragraph 2.7).

On 5th December 2022, the then Secretary of State Michael Gove wrote to all MPs as a precursor to the following day’s written Ministerial Statement, itself a precursor to the revisions to the NPPF made almost exactly a year later.

In this letter he identified the sort of “*genuine constraints*” that might constitute the exceptional circumstances now contemplated in the NPPF, citing areas of landscape importance together with areas where heritage restrictions apply, along with flood risk.

Within Canterbury District, all three of these considerations are much to the fore. In particular:

- There is a large tract of land (27% of the district) where National Landscapes policy applies (the former Kent Downs AONB), together with 5 Local Landscape Designations.
- There are extensive areas at risk from river and tidal flooding.
- There are heritage considerations of the highest order including the UNESCO designated World Heritage Site at Canterbury, one of just 19 in England.

In addition to these well-established planning constraints, two other factors are worthy of consideration.

Firstly, there is the skewed demographic deriving from the fact that Canterbury is a town with a relatively modest population yet with a large university campus. This was one of the factors that the Government's consultation on NPPF revisions issued on 22nd December 2022 considered could justify the use of an alternative method.

Additionally, there is the constraint on housing delivery introduced by the Stodmarsh nutrient neutrality issue. This is widely referenced in the Development Topic Paper – in particular in connection with the assessment of past windfall rates. It is, however, a constraint which, while not unique to the District in terms of the effect of nutrients on sensitive marine environments, is nevertheless limited to a small number of geographies.

Given that the Canterbury Local Plan is still at Regulation 18 stage, I feel that the option of presenting an exceptional circumstances case has not been properly explored. As a result, it is premature simply to accept the derivation of the LHN on the basis of the standard method.

That said, I do support the authority in their choice of the Liverpool method as set out in paragraphs 8.1-8.6 of the Development Topic Paper. This allows accrued shortfalls to be spread across the Local Plan period rather than frontloading the process – a particular challenge where development involves large strategic sites, which may have long gestation periods.

Additionally, I support the increase in the windfall allowance from 49% in the 2017 Plan, to 63% in the current Plan, which reflects past trend analysis. Thus, making an allowance of 170 units per year coming forward on unidentified and unallocated sites is a credible contributor to housing supply, restricting the pressure on the allocation of greenfield sites.

Canterbury is a relatively large District but with few large, urban areas. The main population centres are at Canterbury, Whitstable and Herne Bay. However, we have notable heritage and landscape constraints at Canterbury, together with flood risk potential for the coastal communities. Therefore, while the Council have ruled out the disproportionately high student population as constituting exceptional circumstances in itself, this needs to be considered in combination with these other factors, which together would seem to support an exceptional circumstances case.

For these reasons, **objection is raised to Policy SS3 in terms of the quantum of housing development contemplated with the Plan period** pending a review of the potential to demonstrate exceptional circumstances.

Canterbury City

For similar reasons, the identification of the Canterbury urban area as a principal focus for development in the District is also considered problematic. The unique heritage context of Canterbury City does not sit well with continuous expansion at its fringes. This form of development introduces further pressure on the historic fabric of the settlement, but also the important strategic views from those peripheral areas to the Cathedral Bell Tower in the WHS.

Canterbury Cathedral has been a focus for pilgrimage throughout the ages. The Local Plan does not acknowledge or mention this fact, yet it is central to the historic role of the settlement and the reasons for its recognition by UNESCO. Your authority spent time and resources

preparing a detailed Heritage Strategy to support the Local Plan¹, which is further evidence to support the level of the heritage constraints. That there are planning challenges in cathedral cities such areas is well-recognised². Planning for further suburban growth around its periphery is short-sighted and risks damaging the special characteristics which have drawn people to the City for centuries. The cumulative impact on these heritage assets of successive local plans adding to sprawl should properly be considered, as more and more of the views towards the WHS are being lost.

One means of countering this trend is through densification. I note that Policy DS6 Sustainable Design requires development within and near town centres to achieve a minimum of 80dph, yet on only two proposed site allocations (HB8 and C15) are average densities of 80pdh specified. The density provisions for proposed allocations should therefore be revisited.

For these reasons, objection is raised to Part 2 of Policy SS3, which identifies Canterbury urban area as the principal focus for new development. However, all allocations in town centres should be revisited to establish if higher densities can be achieved.

It follows, therefore, that the site-specific proposals which seek to give effect to the focus on Canterbury City, as well as the approach to the South West Canterbury SDA as set out in paragraphs 2.8-2.14 and the accompanying Concept Masterplan) are also objectionable.

South West Canterbury Strategic Development Area

The draft Local Plan presents this as a “*consolidation*” of the planned growth established through the 2017 Plan, whereas in fact it is a significant extension and a near doubling of the proposed development area. It also suggests that it “*presents important opportunities to deliver new and improved connectivity*”. I would turn that around and say that improved connectivity is an essential precursor to any further growth, in an area where there is clear evidence of a failure to masterplan properly.

The prime example of this is the proposal for a “*South West Canterbury link road*”. Had the 2017 Local Plan allocations been properly masterplanned, an intervention of this kind would either not be needed or would be much more limited in scale and extent. In particular, the fact that Policy C7 is to accommodate a link road between Cockerling Road and the A2, through a landscape intended to support various mitigation functions when Pentland Homes secured planning permission for what became known as the Saxon Fields development, indicates that this road is an afterthought and not properly integrated with Site 11 (Policy CF1). The Policy C7 land is also established breeding habitat for red-listed bird species (skylark and linnet), with dormice presence established through survey.

There is no logical continuation of the link road through that part of the committed site north of Cockerling Road, and nor is there likely to be given that the spine road alignment through that site has been set and is under construction.

As the draft Plan now envisages new A2 on and off coastbound slip roads linked to the proposals for Site C6 and Site C7, the transport implications of the link road proposal for Cockerling Road and connections further to the west (including into Chartham) are a matter of real concern.

¹ A Heritage Strategy for Canterbury District, adopted in 2019

² Historic England’s Sustainable growth of Cathedral Cities and Historic Towns

The revised Local Plan proposals have moved away from the unpopular zonal traffic management scheme for the City that underpinned the previous Regulation 18 Consultation, but evidence which supports the role of the South West Canterbury link road is noticeably absent.

The long saga of the Wincheap relief road and slip road combination promulgated through the last Local Plan is yet to come to fruition. Indeed, as Table 16.2 of the District Transport Strategy notes, most of the major highways infrastructure projects anticipated in the 2017 Local Plan have yet to be delivered. It is against this backdrop of uncertainty that a new range of measures (including the relocated A2 on and off slips and park and ride proposals) are expected to take shape. Traffic modelling (even if it were presented) is no substitute for survey work once committed infrastructure is operational, and there is a very real risk here that the untested link road proposals and associated development commitments are emerging at a time when the effectiveness of programmed but incomplete highways infrastructure, are as yet unknown.

It is here that the Infrastructure Delivery Plan ought to perform a key role.

Draft Infrastructure Delivery Plan (IDP)

The draft IDP, published alongside the revised Regulation 18 Local Plan, details *inter alia* the main highways infrastructure projects required to support the South West Canterbury strategic development sites. This includes the obvious physical infrastructure such as the A2 on and off slips (project reference IA8), the South West Canterbury link road (IA9) as well as the park and ride at Merton Park (IA12).

In addition, the IDP identifies a range of rail infrastructure projects (IA25-IA30) at the two rail stations, noting that sites C6 (Merton Park) and C7 (land to the north of Hollow Lane) are considered dependent on these.

What is noteworthy is that just two specific infrastructure projects relating to sustainable travel - the mobility hubs at sites C6 and C7 (IA31 and IA32 respectively) - are regarded as necessary for the delivery of those sites.

This flags a major shortcoming with the South West Canterbury strategic development area: it has been conceived around the principal physical infrastructure requirements (the A2 on/off slips and the South West Canterbury link road), whereas the supporting Transport Strategy is very much focused on a suite of measures aimed at achieving modal shift away from private car use.

The Transport Strategy introduces the strategic development sites in section 10 by stating that they are “*expected to be exemplars of designing for and promoting sustainable transportation links*”. It goes on to refer to the need to improve bus and cycle links. The IDP (and, by association, the Draft Local Plan) will fail in delivering this aspiration if it does not establish clearer dependencies between necessary walking, cycling and bus infrastructure requirements and the individual sites which collectively form the strategic allocation.

That the information is there is not in doubt. The Council are to be applauded for producing a detailed Local Cycling and Walking Implementation Plan (LCWIP 2025-2040) and a Bus Strategy, which has the potential to make these modes more attractive options for many journeys. What CCC fails to do is “join the dots” in such a way as to commit the developers of individual sites to their provision through Section 106 or other mechanisms.

The experience with implementing Site 11 (CF1) should have flagged the problem, and CCC should learn from this. Delivering integrated and successful schemes for walking, cycling and bus transport is something that must be established at the plan-making stage and considered as critical infrastructure for the project rather than a “nice to have”. The South West Canterbury strategic sites cannot be considered acceptable without the guaranteed delivery of the A2 slips (and, of course, a proper and effective understanding of the implications of those slip roads, in combination with the South West Canterbury link road, on the connecting routes within the local highway network). However, pedestrian, cycle and public transport infrastructure are arguably more important policy requirements than principal highway works (which the developers will need to deliver in any case). The IDP should be the mechanism that identifies the critical infrastructure requirements for bus, cycling and walking and links these directly to the planning policy for the individual sites.

On the basis that the IDP and the emerging policies for the South West Canterbury strategic development area have not followed this important principle and prerequisite, **objection is therefore made to Policy C6 (land at Merton Park) and Policy C7 (land to the north of Hollow Lane).**

Given that the likely transport effects of the proposed South West Canterbury link road have yet to be fully explored, nor (according to the IDP) has the cost of delivering the link road been established (see Site Reference IA9), then **objection is also made to Policy C11 – South West Canterbury link road safeguarding.**

It is unclear what is meant in Section 3 of the Policy when it states, “*land within Site 11 in Policy CF1 will require to facilitate the connectivity between Site C7 and the A28 at Thanington*”. It is not clear whether this is a reference to that part of Site 11 to the south of Cockerling Road. I assume that it is, because the spine road that is being delivered between Cockerling Road and Milton Manor Road on the northern component of Site 11 is already committed and under construction. If this is a reference to the need for Site C7 to connect into the Saxon Fields development, then the policy should be more specific.

I have additional concerns about the implications of the South West Canterbury SDA proposal for the Larkey Valley Wood SSSI and habitat at the River Stour.

While paragraph 2.11 suggests that the SDA provides the opportunity for improved ecological connectivity to Larkey Valley Wood and the River Stour Corridor, there are real concerns that the integrity and stability of these important resource will inevitably be compromised by the scale of change contemplated, together with the “in combination” effects of the significant development commitments under the 2017 Local Plan. Connectivity with areas of enhanced habitat may be advantageous but needs to be very carefully managed lest it increase general accessibility. The latter may prove highly damaging.

Chartham as a Rural Service Centre

The development strategy for the District is set out at paragraphs 1.33-1.47 of the Plan, and includes the District’s settlement hierarchy. In turn, that has been informed by the Canterbury District Rural Settlement Study (updated in 2023). This identifies five settlement tiers outside the principal urban areas (Canterbury, Whitstable, Herne Bay). However, only four of these are taken forward into the Settlement Hierarchy as set out on page 16 of the Plan. In the Rural Settlement Study, Sturry is identified as a Rural Hub, sitting above Rural Service Centres in the hierarchy, in recognition of its full range of services.

The difficulty I have with the Local Plan settlement hierarchy is the great leap in scale between the three urban areas at the top of the tree, and the Rural Service Centres as the next tier.

The effect of this in policy terms is manifest in Policy SS3, which identifies the Rural Service Centre settlements as appropriate for “*new development*”, rather than the “*limited development*” contemplated for those settlements within the tier below (the Local Service Centres). Additionally, the policy does not distinguish between villages and hamlets, meaning that outside the top three tiers, the priority is to be the protection of the rural character of the District.

The original version of the Rural Settlement Study introduced the concept of rural settlement “clusters” around the Rural Hubs and Rural Service Centres.

What is immediately noticeable is that all five of these are set in a ring, largely equidistant from Canterbury City but with no relationship with the coastal settlements. Arguably their role is primarily as Canterbury satellites, and this potentially reinforces the development focus and trend towards suburbanisation of the City. In fact, I suspect that this geography means that the settlements are themselves dependent on services located within the fringe areas of the City.

I continue to question whether Chartham is suitable for Rural Service Centre designation. It is not a single centre as such but more a loose amalgam of smaller settlements (Chartham, Shalmsford Street, Mystole, St Augustine’s). These are not particularly tightly grouped elements, with the result that services in one location are not necessarily easily accessible from another.

The Settlement Study adopts an empirical approach, based on data from The Land Use Gazetteer and relies on questionable bus service information. Most Chartham residents would challenge the statement that Chartham is a place where people “*can meet most of their day-to-day needs in the settlement*”. Chartham residents will frequently look to Wincheap to meet many of their regular needs.

That there is doubt over Chartham’s role in the settlement hierarchy is reinforced by the section of the Local Plan which deals with town centres and community facilities, including Policy DS10. This also includes a settlement ranking list.

This settlement analysis divides the designated centres into five tiers. Chartham is at the very bottom of the table and is designated as a Village Centre where the loss of shops or community facilities will be resisted. Indeed, all of the Rural Service Centres are within this lowest tier, together with each of the Local Service Centres.

The fact that the ranking of settlements in this respect differs from the approach in Policy SS3 is acknowledged at paragraph 6.30. Nevertheless, the Plan notes that “*outside of the City and town centres, and the urban commercial areas, local and village centres play a key role in providing community facilities and services for urban neighbourhoods and rural villages respectively*”,

The notable point here is the role that Wincheap performs relative to Chartham. Wincheap functions as a higher order settlement for service provision, yet it is not recognised in the hierarchy for Policy SS3 purposes.

I consider this list of villages to be more representative of the role of settlements in the settlement hierarchy. **Objection is therefore made to Policy SS3, Part 4 insofar as Rural Service Centres are distinguished from Local Service Centres. We consider this distinction to be unfounded. These settlement should be considered (as they are under Policy DS10) as villages, and considered suitable for limited development only.**

Additionally, I support the protection afforded to Wincheap under DS10.

Rural Protection Policies

As with the Heritage Strategy mentioned earlier, the Council expended a good deal of time and resource to the preparation of a Green Infrastructure Strategy to support the Local Plan³. The focus was about the delivery of “*an integrated and multifunctional green infrastructure network*”. It is surprising that this work has also not been directly acknowledged in the latest draft, given the potential cumulative impacts of the growth now contemplated.

Green gaps policy was one of the initiatives that the GI Strategy supported. I note that the “*green gaps*” policy has been retained from the earlier Regulation 18 version of the Plan. I would point out, however, that many of the green gaps proposed lie between Canterbury and settlements designated as Rural Service Centres and perhaps this in part reflects anticipated development pressures that might arise in such settlements from their designation as such. This is another reason why I do not believe that distinguishing rural service centres from local service centres is a particularly helpful approach.

Given the scale of development contemplated at South West Canterbury, I very much welcome the green gap between Canterbury and Chartham. However, I consider that it would be more appropriate to formulate the green gaps policy as a standalone one, rather than including it within Policy DS19.

Policy DS19 is entitled “*Habitats, Landscapes and Sites of Local Importance*”. While I am pleased to see the protection afforded to habitats and landscapes under this policy, the green gap concept is distinguishable. It does not derive from the merits of the land so designated in any physical sense, but rather from its geography in preventing coalescence. In that way, it is similar as a concept to green belt. Including green gaps within DS19 tends to align the policy with areas identified for their landscape or biodiversity merit.

The purpose of the green gap policy (and arguably the weight attributable to it) would be made clearer were it drafted as a separate DS policy, and it would also be beneficial for the policy itself to list the gaps (at present this is set out in the supporting text only). **While I support the principle of green gap policy (and the inclusion of the Canterbury – Chartham green gap in particular), I consider that it should be removed from Policy DS9 and be formulated as a standalone policy, reflecting the distinct nature of the policy as targeting and preventing coalescence of settlements.**

That is not to say that the protections afforded by Policy DS19 are not welcome. In particular, I note the Local Landscape Designations (LLDs) listed, and welcome in particular the inclusion of the Stour Valley as an LLD. The criteria (a) to (c) are helpful in explaining how the LLD policy will be applied. **I therefore welcomes the inclusion of the Stour Valley as a Local Landscape Designation under Policy DS19, although I would propose its extension to include Landscape Character Area F7⁴.**

On the related issue, I support the policy commitment in Policy SS1 to explore the creation of a Stour Valley Regional Park as a means of habitat improvement.

I note that the preamble to Policy R19 establishes that all parts of the district outside of settlement boundaries are defined as countryside, where priority will be given to protecting the rural character of the district. **It is also encouraging to see the reference at paragraph 5.37**

³ Canterbury District Green Infrastructure Strategy 2018-2031

⁴ Canterbury Landscape Character Area Assessment and Biodiversity Appraisal (October 2020)

to the protection (and sensitive enhancement) of existing businesses to support the District's rural economy.

The policy protection at paragraph 4 of this policy is very much supported. The protection of existing community facilities, services and existing premises within the countryside is of key importance if a sustainable rural economy is to be maintained. Furthermore, **the provisions at paragraph 5 which provide additional protection for the openness of designated green gaps are also supported.**

For employment premises, the Plan should be clear that **the protection afforded to employment premises in the countryside is in addition to the provisions of Policy DS8.** Part 6 of that policy affords protection to existing employment floorspace within Classes E(g), B2 and B8 outside designated business and employment areas. However, there is a particular sustainability reason for layering the protection to be afforded to employment sites in the countryside which justifies additional protection under Policy R19.

Moreover, **I propose that part 6 of Policy DS8 is amended.** There are a range of employment-generating uses that might sit outside the use classes stated and which might nevertheless provide employment opportunities. Obvious examples are in the retail sector as well as education and healthcare. All uses capable of accommodating employment of this kind should be equally the subject of policy protection.

Environmental Protection

I note the amendments to Policy DM17 (Noise, Odour and Dust Pollution) since the previous Regulation 18 Draft. The retitling of this policy (removing the reference to tranquillity) and it redrafting so that it no longer advocates additional protection within countryside areas is regrettable. The importance of tranquillity (and indeed dark skies) is acknowledged in the preamble to Policy DS22, which deals with landscape character and this notes that "*tranquillity as an important component of the character and identity of our rural areas*". **Therefore, while I support the principle of Policy DM17, I prefer the approach in the previous Regulation 18 Draft in relation to tranquillity and rural areas.**

I note Policy DM18 dealing with light pollution and dark skies. This clarifies the areas considered as dark skies referencing the Landscape Character and Biodiversity Appraisal and this is welcomed. Therefore, **Policy DM18 is supported, subject to the proviso that lighting of appropriate temperature be used where lighting is essential, in areas where sky glow is considered problematic, and that the use of timing devices should also be considered.**

Yours faithfully,

Camilla Swire