

# **Bob Britnell – Planning Consultancy**

## **planning and conservation advice**

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### **REPRESENTATIONS IN RESPECT OF THE CANTERBURY DISTRICT DRAFT LOCAL PLAN TO 2040**

#### **DRAFT POLICY SS2 –Sustainable Design Strategy for the District**

This policy is principally targeted at new settlements or major new developments and specifically does not address more modest proposals. Furthermore it does not seem to have regard to the NPPF para 8 of which sets out that “sustainable developments” should have economic, social and environmental objectives. These objectives, which must be held in the round and balanced against each other do not seem to underpin the approach of the local planning authority, particularly to the development of smaller settlements and villages.

#### **DRAFT POLICY - SS3 Development Strategy for the District**

This policy responds to a set hierarchy of settlements, the rationale for which is not explained and which pays no heed to the NPPF para 8 concepts and objectives of “sustainable development” referred to above. Indeed many of the “local service centres” have no more ability to fulfil that role than do many of the villages. In fact the drawn boundaries of these “local service centres” (SS3.5) are drawn so tightly as to preclude virtually any new residential development. SS3.6 which covers all smaller settlements within the District indicates clearly that new housing will only be allowed in the most exceptional of circumstances.

Effectively this policy condemns most of the District to wither on the vine with an ageing population and an inability to build new to introduce newcomers to villages and settlements thus limiting the ability of settlements to be self supporting socially and economically, in direct contradiction of the sustainable objectives of the NPPF.

Para 70 d) of the NPPF indicates that great weight should be given to windfall sites in existing settlements and it does not qualify what it means by settlements; NPPF para 83 indicates that villages should have opportunities to grow and thrive, and without growth many villages cannot and will not thrive. Furthermore whilst para 84 NPPF indicates that “isolated homes” should not be allowed in the countryside it is not a blanket prohibition of all new homes in villages, hamlets and lesser settlements. The “Blackmore End” case in the Court of Appeal has clarified that “isolated” is to be given its ordinary meaning and that a new dwelling in the countryside, set with others is not to be treated as isolated.

This was a very significant ruling, Braintree DC v SoSCLG and other respondents 2018 and you should be aware of this, if not I will let you have a copy. You probably should also be aware of the Court of Appeal case of Julian Wood v SoSCLG and Gravesham BC which established that sites outside defined village boundaries can still be considered infill plots if physically within a settlement. Again I can let you have a copy if you need one.

Defining settlement boundaries was something that Canterbury CC consciously never did in previous Local Plans on the basis that it implied land within the boundary was developable and reduced the ability to be flexible for land on the outskirts of settlements where development thinned out and where new houses could be introduced without detriment to the character of the area

Of course none of the above should indicate that villages and the rural areas should be a free for all for development, only that there should not be an automatic refusal of permissions. Policy surely should allow for such new developments that would support rural communities and para 83 NPPF clarifies that development in some rural communities can support services in others, this will be particularly so when social and economic factors are taken into account. The test must surely be whether any interests of acknowledged importance are harmed, not whether there is any breach of an un-evidenced written diktat.

### **DRAFT POLICIES R1, R 11, R19 AND DS4 - Rural settlement policies**

All the above comments also impact on the above 3 policies which are drawn so tightly as to preclude almost all new housing development outside the major urban areas and all of which are in direct conflict with the quoted policies of the NPPF.

Nobody wants to see a free for all in the villages with housing estates, even quite modest ones, plonked on the outskirts of small scale settlements but communities should be able to grow organically as they have done historically, a few houses at a time; applying the "interests of acknowledged importance" test should suffice to ensure that small scale developments could happen, contributing to the social and economic life of settlements without undermining their characters or countryside interests.

### **GENERAL – housing dispersal**

What planning policy needs to recognise is that people do not necessarily work or socialise where they live, they may well use local shops and social facilities, public houses and so on whilst living much of their lives outside the immediate locality in which they live, in so doing supporting neighbouring communities.

Cramming people into housing estates on the outskirts of towns is not necessarily the answer, the theory may be that people will walk or cycle into town centres, the reality is that most won't, they'll use the car, perhaps it's raining, or there's shopping to carry or it's a linked journey, or perhaps a journey to work where a vehicle is required, maybe the children don't go to the local school?. All these and other reasons contribute to people living where it suits and where they can afford, one man lives in the countryside and works in town, on his journey he passes others doing the opposite. It is pointless putting too much emphasis on "local".

### **DRAFT POLICY C12 – Land north of the University of Kent**

This I am afraid should be a total non-starter, the development envelope fills the gap between Blean and Tyler Hill, sandwiched in between the Blean, the Hothe Court, the Amery Court, the Tyler Hill and the Canterbury and Whitstable Railway Line Conservation Areas; so those protected historic areas will have their settings ruined. In the case of the Blean and Hothe Court Areas they will have roads driven through them to access the new "community", one from the Rough Common junction, the other through the now Blean School site. These proposals simply cannot meet the

test of conserving or enhancing these designated heritage assets and must therefore be unacceptable.

The Plan is silent on how access will be provided to the development area north of Tyler Hill Road, it shows only two new access points on Whitstable Road. That must imply that Tyler Hill Road will be a principal means of access, particularly as the "hub" is located proximate to it. Tyler Hill Road is currently a pleasant rural lane from Tyler Hill to Blean which is narrow, with a double bend and totally unsuited to take more traffic; it also has a dangerous junction where it meets the main road at Tyler Hill. It is evidently inadequate to serve the proposed development and will need to be upgraded and modernised to modern highway standards, widened with kerbs and footways and a roundabout where the double bends are. The whole charm and rural character and ambience of the area will be lost.

The Blean Woods and Great and Little Stour Landscape Appraisal of 2001 states that, "The Blean Farmlands are a landscape that needs to be conserved and improved", its distinctiveness, the appraisal said, is being eroded by adjoining suburbanisation. I think we can take it that this new development proposed will extinguish this areas distinctive landscape character for once and all, no matter how much of the illustrative plan is shaded green.

The land north of Tyler Hill Road is designated as Grade 2 Agricultural land, that to the south Grade 3; Grade 2 and Grade 3a is classified as some of the best and most fertile agricultural land which should be safeguarded, not built on.

On the negative side therefore the proposal will trash the setting and the actuality of five conservation areas and will urbanise an area which the City Council's own appraisal said should be conserved and improved; it will lead to the irreplaceable loss of good quality farmland and is likely to diminish highway safety; there is no redeeming feature of this proposal.

The proposal is set forward as a "new community", largely self sufficient and following fifteen minute City principles of sustainable living. By definition, such a "new community" proposal can be inserted almost anywhere and does not need to be jammed into a sensitive area where it damages heritage assets and a sensitive landscape. The reality is that this site is selected on the basis that it is available and is being promoted by the University as landowner, this scheme could be located almost anywhere else and as a Town Planner of many years experience I have to say this is the wrong site for it.

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