

Canterbury District Local Plan 2040 Consultation

I am responding as a resident of Canterbury District.

1. General Comments

I note that in the introduction the document refers to a number of factors that have changed since the adoption of the 2017 Plan one of these being -

“national policies have increased the level of housing growth the government expects in our district” but the introduction makes no reference to the fact that Michael Gove, the Secretary of State for Levelling Up, Housing and Communities announced in December 2023 that the housing targets are advisory and no longer mandatory. This has been recognised by such as the chief executive officer of the National Housing Federation who was quoted as saying “these changes, which effectively relax local housing targets, will result in fewer homes...” Building.co.uk published an article on 19 December headlined “Gove officially waters down housing targets”. It does not recognise the changes to the National Planning Policy Framework published in December 2023, (I attach an article published in Local Government Lawyer setting out some of the key changes which are relevant to my response.)

Under paragraph 61, the revised NPPF states that the standard method for calculating housing need, to establish the number of homes required, is now considered as an “an advisory starting point”.

I therefore fail to understand why the council continues to insist that it must meet the housing targets. It can surely make the case that “building at the density required by the targets would significantly change the character of the area. This is particularly so in the case of the Brooklands Farm proposal which would significantly change the character of Chestfield and South Street and the same applies to the proposed university land development in respect of changing Tyler Hill and Blean.

New paragraph 130 of the revised NPPF provides that a significant increase in the average density of residential development in an existing urban area may be inappropriate if it will result in developments which are “wholly out of character with the existing area.”

The effect of this change is to enable authorities to describe “out of character” circumstances in the process of preparing design codes and plan-making.

Whilst the Draft Plan makes reference to “structural changes in the retail and leisure sectors have been accelerated through COVID-19 affecting our city and town centres” and includes brownfield development in Wincheap it does not in my view take sufficient account of the changes announced in February 2024 which extend permitted development rights so that commercial buildings of any size can be converted to new homes.

Given that this is a Plan to 2040 the Plan does not recognise sufficiently the potential changes which could arise from a Labour Government coming to power as their policy is to build a new generation of new towns, it also announced in April 2024 that it would reclassify low value parts of the green belt as grey belt and this land would be prioritised for new building with 50% of homes built there being affordable. The prime minister has now announced a general election so the council should review the plan again once a new government has been formed rather than continue with this version.

I do not see that the council has reconsidered the 2045 Plan proposals sufficiently to take account of the above points or the evidence of the impact of the last 10 years of development and of the council's performance against the current targets which now means the council is having to consider planning applications on the basis of a presumption in favour of sustainable development.

The draft plan is a continuation of previous policies which have exacerbated Canterbury's traffic problems which it is now seeking to address with a futile traffic strategy. In addition, the approach is now beginning to adversely impact Whitstable and Herne Bay.

The travel hierarchy is not based on reality. Bus services have been put at the top of the hierarchy but the recent changes to Herne Bay's bus services demonstrates the council has no control over how stagecoach chooses to run its buses. As councillor Ricketts acknowledged in the Gazette on 2 May the council has no sway over Stagecoach's commercial operations and if routes are not commercially viable "they will not run them if they lose money". In the case of the Brooklands Farm development I show below that there is likely to be a majority of 2+ car households and their lifestyles will not lead them to put bus travel first.

The past approach to the Local Plan development has led to the problems of sewage discharge, insufficient appropriate schools, lack of dentists and doctors for the expanded population in the area and inadequate transport infrastructure. Another 15 years of the same will only add to these problems.

The council needs to change the approach and recognise the need for a new town which is planned with appropriate roads, sewage treatment and disposal, doctors and urgent treatment centres, retail and commercial spaces and recreation, community and arts provision and that has rail links into Canterbury.

The population growth in the district over the last 10 years demonstrates that the housing provision is not for Canterbury district's existing population but for inward migration. The housing built does not help lots of Canterbury families to form new households because "Affordable" is unaffordable for most people.

There is no doubt that the addition of substantial housing estates in Beltinge/Hillborough, Thannington, Hersden etc has changed the character of those communities. Rather than perpetuate this throughout the district the council needs to look again at the need for a new town which can have proper facilities and transport and infrastructure links to Canterbury and elsewhere.

The present approach has created the traffic problems that the traffic Plan seeks to address.

The new plan has a housing target of 1149 new dwellings each year and paragraph E9 of the Development Topic Paper of February 2024 states that the 9346 homes planned are additional to the allocations carried forward from the 2017 Local Plan. In total the draft plan includes 26466 dwellings. This number is 70% higher than the number of houses Whitstable had in 2011 (15483 per Census2011). Census data indicates residents per dwelling at 2.34 so these new dwellings will generate a population of around 62,000 well above Canterbury city's current population. Adding these numbers in big blocks of development-Mountfield, University land, Brooklands Farm with the number of vehicles they will have (87% of households have at least one car) is not sustainable.

The Plan states the council will provide 1149 dwellings per year. Canterbury's performance against the Housing Delivery Test in recent years is

Period	Target	Delivered
2016/17- 2018/19	2275	1983
2018/19 -2020/21	2323	1509

As a result of this performance the council is now subject to the "presumption in favour of sustainable development" so the council is vulnerable to having to approve developments in areas it does not consider appropriate. With a new target of 1149 dwellings per year against the current 780 it seems the council is setting itself up to fail and so will always have to consider applications on the presumption in favour basis.

Given that Canterbury's population density of 540 per km² is 106 people per km² higher than England's 434 people per km² the council would seem to be able to make the case to government that its housing target should be lower.

The council also needs to recognise construction cost inflation which has become apparent after the plan preparation work started and the skills and labour shortages in the construction industry. The current targets combined with these labour shortages have already made it difficult for residents to get tradespeople to maintain and improve existing properties and they have made work more expensive. Expansion on the scale proposed will exacerbate this without plans and actions to address the labour and skills shortages in advance of building yet more houses.

The council's own response to a parliamentary committee in July 2019 recognised these issues of affordable housing, infrastructure and pressures on GP services, building trades skills shortages (see <https://committees.parliament.uk/writtenevidence/103908/html/>).

The Financial Times reported on 22 July 2022 that electricity networks are near capacity (and 3 London councils had to hold up development plans) Demand for EV charging, heat pumps and data centres will place additional demands on local networks and this pressure does not take account of the near 50% increase in the target for new homes. The Environment Agency classes South East England as "water stressed" and the Broad Oak Reservoir proposal will not alter this until well into the life of the new plan. These further factors add to the case for lower housing targets. It is not axiomatic that continual growth in size is necessary to thrive. There are plenty of business examples that show this to be so.

2. Whitstable Proposals

In terms of particular areas and sites I confine my comments to Whitstable. As page 75 of the draft plan recognises traffic congestion and parking provision particularly in the summer months do detract from the character and environment of the town centre. There are concerns locally that the developments already approved and under consideration – 400 dwellings under construction at Whitstable Heights and 300 at Grasmere, another 42 near Harrier Lodge care home this year will begin to see Whitstable suffering the same traffic issues as Canterbury. To add a further 2,000 dwellings at Brooklands, Court Lees and Bodkin farm would bring Whitstable to a standstill and adversely impact its current attraction and success.

The Ancillary services proposed are rarely delivered, KCC generally takes contributions rather than build the new schools identified. The country has a shortage of GPs; Kent has the worst ratio of GP's to residents in the country and according to the Chair of the Royal College of GP's it takes ten years to train a GP so that is a problem that will not be resolved quickly.

The Plan seems to have been prepared regardless of these issues.

The proposed walking and cycling routes will do little to reduce car movements. The average property price in Chestfield at March 2021 was £579,000. Whoever develops Brooklands Farm will build dwellings at around this level. According to the 2011 Census 83% of Chestfield households had 2 or more cars so the 2000 dwellings could well have up to 4000 cars. It is likely there will be 2 earners in the properties and in their busy lives they are not going to walk and cycle for food shopping.

The plan says that bus routes will be proposed through these developments. Sadly, there is currently little evidence of Stagecoach or anyone else running regular buses through such estates but maybe re-routing the road would achieve this for part of the site though I doubt it. As I have already mentioned Councillor Ricketts recognises the reality that Stagecoach will not run buses on routes that are not viable.

All that said, at the 2011 census Chestfield parish had 1346 dwellings of which 1112 were detached properties so a development of 1300 dwelling plus 250 at Bodkin farm would significantly change the character of the area and given the concession by government to reduce housing targets and in light of paragraphs 130 and 181 of the revised NPPF the Brooklands farm site should be excluded from the Local Plan.

Whilst I have focused on the Brooklands farm site I believe similar concerns arise in the case of the University land proposals.

Affordable Homes

In terms of the aim to provide high quality affordable homes for our communities I believe the council needs to look at increasing the number of socially rented homes that are provided within the "affordable homes" allocation and it needs to look at how it can protect these for Canterbury's current residents. This is a point recognised by the council in its written evidence to the parliamentary committee in July 2019.

3. Traffic and transport

The bus led strategy needs a serious rethink. The growth in population and car numbers over the last 20 years has left Canterbury with undoubted traffic problems but to believe that buses, cycling and walking routes are the solution is foolhardy. A new town is required.

Conclusion

The Adopted Plan's outcomes over the last 10 years give sufficient evidence that adding to existing communities in large numbers is not a sustainable approach and this has seriously exacerbated Canterbury's traffic problems. The former city councillor and now prospective Conservative party parliamentary candidate Louise Harvey-Quirke has now recognised this with her campaign leaflet saying " Building new houses isn't bad. Covering the countryside with bland concrete boxes while wrecking existing communities is."

Seeking continual growth in this way is not the way to improve the communities of Canterbury district. The council needs to look harder for a site for a new town if development has to be on the scale the draft plan indicates.

The draft plan looks as if it would create similar traffic problems in Whitstable which will detrimentally affect the viability and success of Whitstable.

The council should assess the electricity network and water resource capacity locally to determine the development constraints in the district.

The council should use the leeway given by the Government's new approach to housing targets to make the case for lower annual targets and should exclude the Brooklands farm site from its new Local Plan (together with other sites that would also substantially change the character of the area).

The council should be wary of accepting a housing target which it is unlikely to achieve and thereby make itself vulnerable to having to grant planning applications for sites it does not think appropriate.

The council should consider whether and how it can make its "Affordable homes" provision more securely geared towards social rented housing for current district residents.

J McDonald

Appendix

Report from Local Government Lawyer

The Government has updated the National Planning Policy Framework (NPPF), including changes primarily in relation to housing delivery and land supply. Matthew Tucker and Sofiya Yerokhina of Burges Salmon set out the key measures.

Shortly before Christmas, on 19 December 2023, the Government published its long-awaited revisions to the National Planning Policy Framework (“NPPF”), following a year-long process of consultation. The revised NPPF sets out the Government’s planning policies and how these will be applied.

The biggest change is that the revised NPPF introduces various reforms to housing delivery. The revised NPPF also includes new drafting on protection from “out of character” residential development, Green Belt alterations, energy efficient building improvements and allocation of agricultural land for development.

The key changes are set out below:

1. Reforms to housing delivery

The Government’s intention with these changes is to increase the delivery of new housing, by giving local planning authorities a strong incentive to update their Local Plans, amidst a supply shortage in many areas of the country.

Changes to the five-year housing land supply and delivery requirements

- Under the previous version of the NPPF, all local planning authorities in England were required to continually demonstrate a deliverable five-year housing land supply.

The updated NPPF states that local planning authorities will not need to meet this requirement as long as their adopted plan is less than five years old, and that it identified “at least a five year supply of specific, deliverable sites at the time that its examination concluded”.

- There is also a reduced requirement for some local authorities with an ‘in-progress’ Local Plan, i.e. where a Local Plan has been consulted on (under Regulation 18 or 19) or submitted for examination.

If the draft Local Plan includes a policies map and proposed housing allocations towards meeting housing need, those authorities will only have to demonstrate a four-year housing land supply.

This particular change only applies for two years from the publication date, until 19 December 2025.

As a result of these changes, it is estimated that 40% of local planning authorities will no longer be required to demonstrate a five-year housing land supply.

The reason that this is important is because if a local authority cannot demonstrate a five-year housing land supply, then in the process of decision-making, the presumption in favour of sustainable development applies.

That presumption means that planning permission should be granted for sustainable development (unless the application of NPPF policies to protect assets or areas of particular importance provide a clear reason for refusal, or the adverse impacts significantly and demonstrably outweigh the benefits). This presumption (also known in shorthand as the “tilted balance”) changes the exercise of assessment that the decision-maker must carry out, and in general terms increases the prospect of planning permission being granted.

This means that those authorities who are no longer required to demonstrate a five-year housing land supply will be better protected against unplanned or speculative development, because the “tilted balance” will not apply.

Practically, the changes provide an incentive to local planning authorities to keep their Local Plans up to date so that they do not continually need to demonstrate a five year land supply.

Changes to the assessment of housing supply

Under the previous version of the NPPF, all local planning authorities were required to build a buffer of 5% (by default), 10% or 20% into their calculations on five-year housing land supply. In the updated NPPF, the 5% and 10% buffers have been removed but the 20% buffer has been retained, where delivery falls below 85% of the requirement over the previous three years.

In addition, historic oversupply can be accounted for in the five-year housing land supply calculation and further guidance on this will follow. The expectation is that the removal of 5% and 10% will simplify the five-year land supply calculations for local authorities. There is a concern, however, that their removal will reduce a key incentive for local authorities to keep delivering housing supply and maintain accountability where delivery exceeds the 85% threshold.

Greater flexibility for local authorities in assessing local housing need

New text has been added to the NPPF at paragraph 60, clarifying that the overall aim of local authorities, in the context of delivering homes, should be to “meet as much of an area’s identified housing need as possible”.

Under paragraph 61, the revised NPPF also states that the standard method for calculating housing need, to establish the number of homes required, is now considered as an “an advisory

starting point”. Under the previous NPPF, the standard method was not classified in this way and there was no similar explanatory text.

As a result of these changes, local authorities have greater flexibility to plan for fewer or higher number of homes than the standard method indicates, and where there are specific local circumstances that justify an alternative approach to assessing housing need, that is now explicitly supported.

Alteration of Green Belt boundaries

New paragraph 145 of the revised NPPF provides that local authorities may choose to (but are not required to) review and alter Green Belt boundaries (in the event that they consider that they cannot meet housing need) during the plan-making process, where exceptional circumstances are fully evidenced and justified.

The changes do not explicitly describe how Green Belt boundaries are expected to interface with housing supply and do not represent a substantive change to the policy position.

Support for specific categories of housing

- **Retirement housing need assessment** – new paragraph 63 has been added into the revised NPPF which requires local authorities to assess a local need for retirement and care housing provision. Local authorities are then required to reflect this need in their policies. These changes reflect a specific concern identified by the Government; the consultation paper makes clear that they are prioritising sufficient housing supply for an ageing population, and in this context drafting has been included to explicitly and specifically support the provision of that housing.
- **Support for small sites** – at paragraph 70(b), the revised NPPF requires local authorities to support (through policies and in their decision making) small sites to come forward for community-led development for housing and self-build and custom-build housing. This reflects an objective of the Government to give greater confidence and certainty to small and medium sized builders, with a view to diversifying the housing market.
- **Support for community-led development** – the revised NPPF provides that local authorities should support the development of exception sites for “community-led development” on sites that would not otherwise be suitable as rural exception

sites. This reflects the Government's ambition to emphasise the role of community-led development, with a view to supporting locally-led housing.

The inclusion of express support for these categories of development should, in time, filter down into increased support for each category in Local Plan policies and local planning authority decision-making.

Protection against out of character residential developments

New paragraph 130 of the revised NPPF provides that a significant increase in the average density of residential development in an existing urban area may be inappropriate if it will result in developments which are "wholly out of character with the existing area."

The effect of this change is to enable authorities to describe "out of character" circumstances in the process of preparing design codes and plan-making.

3. Allocation of agricultural land for development

At paragraph 181, the revised NPPF requires local authorities to consider the availability of agricultural land used for food production when allocating sites for development. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

It is important that developers take an evidence-based approach towards determining the condition of agricultural land, before a development scheme is proposed. This amendment means that the availability of land used for food production is now explicitly a part of that exercise.