

Friday 31st May 2024
649/A3/JJAPlanning Policy
Canterbury City Council
Military Road
Canterbury
CT1 1YW**By Email**

Dear Sirs

**Re: Regulation 18 Draft Canterbury District Local Plan (March 2024)
Representations on behalf of Redrow Homes South East**

I write with reference to the above. I act for Redrow Homes South East who have various interests within the district, including land at Cockerling Farm, Thannington, Hoplands Farm, Hersden and the former Herne Bay Golf Course. All are strategic allocations in the Adopted Development Plan that have been carried over as saved policies, Policy SP3 (4, 6 and 11) refer.

Having regard thereto, and further to our representations on the Regulation 18 Draft Canterbury District Local Plan (October 2022), and associated evidence base, especially the Sustainability Appraisal; we have the following comments on the amended Regulation 18 Draft Canterbury District Local Plan (March 2024), and associated evidence base.

1 The Housing Requirement, Supply and Trajectory and Policy SS3**1.1 Local Housing Need and the Minimum Housing Requirement and Plan Period.**

1.1.1 We note that policy SS3 as amended now looks to deliver 1,149 dpa and that the plan period is 2020/21 to 2040/41. Thus, over the 20 year plan period the plan looks to deliver some 22,980 dwellings. We further note that the figure of 1,149 dpa¹ reflects the Standard Method figure applicable at the time the revised Reg 18 Plan was published, and therefore accords with the advice set out in the PPG², albeit the figure may need to be recalculated when the plan is submitted as the ratio of median house price to median gross annual (where available) workplace-based earnings by local authority district, England and Wales, 1997 to 2023 were updated in March 2024 and the affordability ratio for Canterbury has increased, leading to a higher Local Housing Need (LHN) figure than set out in the draft plan. We also note that the LDS does not suggest receipt of the Inspector's Report, followed by Adoption of the Local Plan until February - March 2026, such that for the plan to run 15 years from adoption – as required by paragraph 22 of the NPPF, the plan period should be to 2041/42 to ensure it looks ahead for a minimum of 15 years from adoption. Both the above would require the plan to allocate land to accommodate at least 1,200 dwellings more than currently provided for.

1.1.2 It is also important to note that the LHN figure is a minimum starting point, and it does not produce the Housing Requirement³.

¹ See calculation in section 2 of the Development Topic Paper

² Housing and Economic Needs Assessment section of PPG - Paragraph: 008 Reference ID: 2a-008-20190220 Revision date: 20 02 2019

³ Housing and Economic Needs Assessment chapter of the PPG – Paragraph: 002 Reference ID: 2a-002-20190220 Revision date: 20 02 2019

1.1.3 The PPG⁴ goes on to consider the circumstances where it might be appropriate to plan for a higher housing need figure than the Standard Method indicates. Such circumstances can include:

- Instances where housing need is likely to exceed past trends; and
- Where the authority agrees to address unmet need arising from neighbouring authorities.

1.1.4 The PPG is not exhaustive in its examples as to what may be a sound reason for considering an uplift. Matters such as a high affordability ratio that is following a rising trend, along with significant affordable housing need, and of course the importance of ensuring an adequate buffer to cater for under supply, or instances where the Plan strategy fails to deliver as expected, are all sound reasons for considering an uplift.

1.1.5 In the context of the above we note that the SA in section 5.3 and appendix E has looked at three options for housing growth:

The Preferred Option - 1,149 dpa (24,129 dwellings over the LP period 2020/21-2040/41);

Alternative option 10% increase - 1,264 dpa (26,544 dwellings over the LP period 2020/21-2040/41); and

Alternative option 20% increase - 1,379 dpa (38,959 dwellings over the LP period 2020/21-2040/41).

1.1.6 Table 5.2 of the SA sets out a summary of the appraisal of the alternative housing growth options, with a more detailed matrix containing commentary of the scoring contained in Appendix E. It's clear from table 5.2 that the preferred option and one that is 10% above the standard method scored identically in all ways bar sustainability objective 8, para 5.3.9 of the SA suggesting that: *'Minor negative effects were assessed for waste (SA Objective 8) reflecting the scale of development envisaged under the preferred option figure. The reduced quantum aligned to the LHN and shorter plan period is likely to be accompanied by a substantially lower amount of waste generated and greater opportunities for effective waste management than the previously assessed figure in the SA Report (2022). However, there is some uncertainty over the exact waste generated and ability to reuse waste generated through the construction phase.'*

1.1.7 Having regard to the above there does not appear to be any real justification for not taking this option forward- para 5.3.22 merely suggesting that: *'There is currently no robust evidence to justify an alternative methodology and include a 10% or 20% uplift in the standard method figure as proposed under the alternative options.'*; and para 5.3.22 advising that: *'None of the alternative options were considered to perform any better in sustainability terms than the preferred option'*

1.1.8 The above belies the evidence base and the various reasons why an uplift to the LHN should be considered further, as summarised in the commentary below.

1.1.9 The reasons for uplifting the LHN should be set into two categories, firstly those that indicate an uplift is required for the District itself and secondly any uplift that might arise from meeting unmet need from neighbouring authorities.

Affordability

1.1.10 Canterbury is an inherently unaffordable place to live as acknowledged at para 6.1 of the Reg 18 Plan.

⁴ Housing and Economic Needs Assessment chapter of the PPG – Paragraph 010 Reference ID: 2a-010-20201216
Revision date: 16 12 2020

1.1.11 To this end, we note, when looking at the ONS 'House Price to Workplace-Based Earnings Ratio - March 2024' that the ratio of median house price to median gross annual workplace-based earnings by local authority district, England and Wales, 1997 to 2023 indicates that the ratio of median house price to median gross annual workplace-based earnings in CCC has increased significantly over the past 10 years from 8.1 to 10.96⁵.

1.1.12 The rapid increase in the affordability ratio is clear evidence of the lack of housing delivery that has taken place over the last 10-year period within the District. Simply providing for the LHN as calculated through the Standard Method will only slow the rate of decline in affordability. For an improvement in the affordability situation to occur, decisive action is required through the provision of more housing over and above the LHN.

1.1.13 The matter of affordability alone clearly indicates that the Council should be planning for more than the minimum LHN.

Affordable Housing Need

1.1.14 Linked to the issue of affordability is the significant need for affordable housing identified in the District. A symptom of a rising affordability ratio is the fact that more members of society are priced out of the open market and consequently require affordable housing in one form or another. Again, the Council acknowledges this in the Draft Plan and in the Housing Needs Assessment (SNA) September 2021 that accompanies the consultation pack.

1.1.15 The 2021 SHMA assessment shows an annual need for 308 rented affordable homes and 156 affordable home ownership homes in CCC, a combined average of 464 affordable dwellings per annum, (9,744 dwellings across the plan period⁶), which equates to 40% of the total LHN. Whilst we understand the Council are proposing an affordable housing policy requiring 30% onsite provision, this will only be triggered for those sites that meet the qualifying criteria. It is therefore highly unlikely that the affordable housing need will be met. Indeed table 8.13 of the Development Topic Paper indicates that even taking into account completions and secured⁷ units, as well as carried forward 2017 Local Plan Allocations and draft 2020-2040 Local Plan Allocations, there will be an outstanding affordable requirement of 3,264 dwellings. Given the decreasing trend in terms of affordability set out above, the gross affordable housing need of 464 dpa is highly likely to increase over the plan period, leading to an increase in the net shortfall and in turn a higher number of people in need and on the Council's housing waiting list.

1.1.16 In the context of the above we note that according to table 4.1 of CCC Authority Monitoring Report (AMR) for April 2022 to March 2023 (published Dec 2023) CCC have over the past 10 years, only delivered 806 affordable completions. An average of 81 (rounded up) affordable completions per annum. We also note that this figure, as set out below is just 18.43% of total completions. Even if one assumes an average of 20%, this suggests that the plan would need to deliver over 2,320⁸ dpa to meet the identified affordable housing needs of the District.

⁵ ONS House price to workplace-based earnings ratio – March 2024 – table 5c
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

⁶ See table 8.12 of the Development Topic Paper

⁷ Includes units secured through S106 agreement, granted planning permission and other agreements.

⁸ $100/20 \times 464 = 2,320$

JAA table 1 – record of CCC affordable housing delivery 2013/14-2022/23 as set out in the Dec 2023 AMR

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	Total
Net additional dwellings ⁹	475	285	296	417	446	405	528	330	547	644	4,373
Total affordable dwellings	70	40	50	48	45	56	139	57	143	158	806 ¹⁰ ,
% of total											18.43%

1.1.17 Whilst we are not advocating this level of growth, the above demonstrates the need for an uplift to the LHN figure to boost the supply of open market and affordable homes and thus help address the affordable housing needs of the District. Said approach would also reflect strategic objective 1 of the Plan to ‘provide affordable high quality housing for people at every stage in their lives as part of mixed sustainable communities’, and SA objectives 10.1, 10.2 and 10.3:

‘10.1 Promote increased access to affordable housing.

10.2 Support the timely delivery of market and affordable housing.

10.3 Support the provision of homes which cater for existing and future residents’ needs and the needs of different groups within the community’.

1.1.18 The SA in reviewing the merits of the alternative growth options appears to have paid little regard to these fundamental points.

Past Under Delivery

1.1.19 Whilst we note the addendum to CCC AMR, published in March 2024 suggests that the Council is able to demonstrate a 4.48 year housing land supply for the period 01/04/23 to 31/03/28¹¹, and that the HDT results for 2022, as published in December 2023 was, as set out below, 75%; we also note that in previous years CCC have not performed so well, and that table 3.2 and para 3.5 of the Dec 2023 AMR both indicate that the next HDT test results will be 72%, such that the council will be subject to the application of the presumption in favour of sustainable development and the appropriate buffer will be 20%.

JAA table 2 - Result of 2022 Housing Delivery Test

Area	Number of homes required			Total number of homes required	Number of homes delivered			Total number of homes delivered	Housing Delivery Test: 2022 measurement	Housing Delivery Test: 2022 consequence
	2019-20	2020-21	2021-22		2019-20	2020-21	2021-22			
Canterbury	824	599	900	2,323	602	463	688	1,753	75%	Buffer

⁹ The completions table in appendix B of the AMR incorporates residential, student and care home provision. The figures used in JAA table 1 are the residential completions only to provide a fair comparison with affordable provision and reflect the figures in table B1 of the Housing Land Supply Statement found at appendix F of the AMR

¹⁰ We note these figures differ from those set out in DLUHC Affordable housing supply statistics 2020-21 – see table 1011C <https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply> which suggests affordable housing completions of 788 dwellings over the period 2013/14 – 2022/23.

¹¹ Given paras 77 and 266 of the NPPF 2023 and para of the housing supply and delivery PPG, and as the Reg 18 Plan of Oct 2022 sought to allocate sites, the council only need to provide a 4 year housing land supply against a 5 year housing land supply requirement.

1.1.20 We further note that CCC housing delivery has over the past few years been somewhat mixed, with the Council failing to meet their annual housing requirement in 6 out of the last twelve years, which has led to a deficit that suggests that there has been a record of under delivery that should be addressed by an uplift to the LHN figure.

JAA table 3 – History of housing delivery in CCC as set against the adopted LP requirement 2011/12 – 2022/23.

Year	Requirement ¹²	Delivery ¹³ (gross)	Shortfall	Cumulative shortfall
2011-12	500	655	+155	+155
2012-13	500	597	+97	+252
2013-14	500	641	+141	+393
2014-15	500	554	+54	+447
2015-16	500	594	+94	+541
2016-17	900	422	-478	+63
2017-18	900	1,119 ¹⁴	+219	+282
2018-19	900	444	-456	-174
2019-20	900	597	-303	-477
2020-21	900	474 ¹⁵	-426	-903
2021-22	900	785	-115	-1,018
2022-23	1,070 ¹⁶	693	-377	-1,395
Total	8,970	7,575	-1,395	
Annual average delivery rate		631dpa		

A Buffer

1.1.21 In considering the appropriate housing requirement for the Draft Plan it is necessary to ensure that the Plan remains sufficiently flexible to respond to changes in circumstance across the Plan period.

1.1.22 Whilst we note that the SA has assessed two alternative housing growth options to that advocated in the draft plan, we do not feel this adequately addresses the issues raised above or looks to address the issue of unmet needs from adjacent authorities – see below.

1.1.23 Given the issues identified above that are affecting the District, and have a material impact on housing need, we feel that at the very least a buffer should be built into the housing requirement

¹² Policy SP2 of the adopted development plan encompasses a stepped housing requirement of 500dpa between 2011 and 2016 and 900dpa thereafter.

¹³ The completions table in appendix B of the AMR incorporates residential, student and care home provision. The figures used in JAA table 3 are the sum of these figures using the appropriate ratios.

¹⁴ 679 of these were student accommodation.

¹⁵ We note that the HDT figure for 20-21 is 463, the AMR says 474 and the Development Topic Paper says 474 in table 8.6 so clarity is required.

¹⁶ See table 8.4 and footnote 24 of the Development Topic Paper which identifies a requirement of 1070dpa based on an appropriate split of the Local Plan need figure of 900 dwellings (adopted 17 July) and the LHN as calculated on 1st April 2022.

for the Plan. Introducing a buffer into the housing requirement would ensure that the Council plans positively for the future in a manner that at least meets the minimum LHN but also provides an uplift to reflect the acute affordability problem and in turn the rising affordable housing need. Given the time horizon of the plan (to 2040/41), the Council should also consider the need for flexibility to be built into the strategy so that it can be resilient to unforeseen changes that may occur during the latter years of the plan period.

1.1.24 Given the above we consider that at the very least a buffer of circa 10% (i.e. circa 2,300 additional dwellings over the plan period) should be added to the LHN to ensure the Plan proceeds on a robust footing.

Unmet Need

1.1.25 We note that paras 1.40 and 1.41 of the Reg 18 Plan indicate that:
'The council continues to work closely with its neighbouring authorities on a range of strategic planning matters and has established mechanisms in place to ensure effective and ongoing cooperation and joint working on cross boundary strategic matters. Statements of Common Ground have been prepared with all adjoining authorities, setting out the shared position that each authority intends to meet its development needs in full within its administrative area'.

1.1.26 We also note that para 1.7 of the HNA indicates Canterbury District is considered to be a self-contained housing market area, and that section 4 of the Duty to Cooperate Compliance Statement, in reviewing the engagement and outcomes of cooperation on strategic issues, in particular housing need, advises that having worked together with neighbouring LPAs at HMA level to plan strategically for housing provision, an agreement has been reached that each LPA plans to meet its own housing needs within its own administrative boundary. It goes on to advise that SOCGs have been agreed between the neighbouring LPAs on the matters of housing market areas and meeting housing needs; and that all Councils have agreed to prepare their own Strategic Housing Market Assessment (SHMA) and also to meet their housing needs in full within their own administrative area. Appendix A of the Duty to Cooperate Compliance Statement then provides Statements of Common Ground (SoCG) with Ashford, Dover, Folkstone and Hythe, and Swale; a standalone SoCG (of 2022) is also contained within the evidence library with Thanet. All the SoCG effectively say the same thing – that the parties agree that there is no material overlap between the HMA centred on Canterbury, and the HMA for the relevant authority, and as such the HMAs are fully contained within the relevant authority areas for the purposes of plan making, and that it is agreed that each party will meet its own housing needs. Whilst noting the content of these SoCG, and that they were, with the exception of the SoCG with Thanet, agreed in the Jan/ Feb 2024, in order to demonstrate that the consultation with adjacent authorities has been effective, continuous and ongoing, and the requirements of the Duty to Cooperate (DtC) or its potential successor have been addressed in terms of the overall housing requirement, these will need to be updated and reviewed regularly if they are to be relied upon. We also note that the Development Topic Paper acknowledges in para 2.3 that a Canterbury focused HMA covers parts of Thanet and parts of Dover (albeit not the district's main settlements).

1.1.27 Only through a rigorous approach to the issue of the DtC will the Council be able to demonstrate that its housing requirement is right, and that the spatial strategy is correct in its approach to growth, including the release of land within the AONB.

Conclusions on the Housing Requirement

1.1.28 Whilst recognising that the Council has worked from the correct starting point, which is the minimum annual LHN calculated by reference to the Standard Method i.e. 1,149 dpa, the PPG is clear in that the LHN is only the starting point.

1.1.29 There are a range of factors relevant to the calculation of the housing requirement for the Draft Plan that the Council needs to consider when arriving at its overall housing requirement. These include:

- The inherent lack of affordability and the increasing affordability ratios;
- The poor levels of affordable housing delivery, and attendant increasing need for affordable homes; and
- The importance of including a buffer above the LHN to ensure adequate housing delivery particularly given the Council's historically poor track record of delivery as set out above.

1.1.30 When these factors are properly scrutinised, they demonstrate clear and rational reasons as to why there should be an uplift to the LHN. Having regard to the above Redrow believe that at the very least the plan should provide for the LHN + a **10% buffer** to ensure the Plan proceeds on a robust footing. This would lead to an annual housing requirement of **1,264dpa**. Setting the housing requirement at this level would significantly improve the affordability situation within the District and would deliver more affordable homes for those members of the community in the most need.

1.1.31 It is clear from section 5.3 and appendix E of the SA that the sustainability effects of this higher number are little different to those of the preferred option, and that there is nothing to demonstrate that this can't be delivered. Equally, if the higher-level scenario advocated above cannot be accommodated within the District, the Council could then explore through the DtC, or successor alignment policy, whether any of its neighbours could assist, which is of course another important area of work that the Council does not appear to have done.

1.2 Housing Supply

1.2.1 Nowhere in the Reg 18 Plan is there a trajectory setting out how the housing requirement will be met or a rolling five year housing land supply maintained. Furthermore, the Draft Local Plan housing land supply trajectory set out in Figure 8.2 of the Development Topic Paper is what can only be described as rudimentary. It is only by integration of tables 8.8 and 8.9 of the Development Topic Paper that we have been able to establish that the housing supply comprises the following:

Draft Local Plan Annual Requirement	1,149	
Draft Local Plan Requirement 2020/21-40/41	24,129	21 x 1,149
Total Completions from 2020/21 – 2022/23	1,952	
Residual Requirement	22,177	
Existing Planning Permissions ¹⁷	2,121	9.5% of the residual requirement
Saved Allocations from 2017 Local Plan	11,461	51.7% of the residual requirement
Draft Proposed Allocations ¹⁸	8,504	38.3% of the residual requirement
Windfall Allowance ¹⁹	2,429	11% of the residual requirement
Total Land Supply	24,514	
Surplus	2,337	10% of the residual requirement

¹⁷ This includes residential as well as older persons' (366) and student accommodation (594) appropriately ratioed.

¹⁸ This includes older persons' accommodation (431) precautionarily ratioed at 1.8.

¹⁹ 170 per year for years 2027/28- 2040/41, and 49 for 2026/2.

1.2.2 Whilst noting the above and having regard to CCC's current position on their 5-year Housing Land Supply (HLS), as set out in the AMR and table 8.9 of the Development Topic Paper, given the past record of under delivery it is important that the Council maintains a robust and rolling 5-year supply going forward. This will necessitate a front loading of delivery focussed on sites that are able to come forward early and deliver quickly, which in reality will be the small to medium sites of 10 – 250ish dwellings. To this end, whilst para 1.36 of the Reg 18 Plan infers that this will be facilitated through extant consents, this needs to be demonstrated more evidentially within the next iteration of the Plan. Equally the Council must ensure that it has the required clear evidence to demonstrate that completions will be delivered when expected. At present no detailed trajectory is provided within the evidence base, and as such there is nothing to demonstrate when the proposed allocations will deliver and how this integrates with existing commitments to provide for a rolling 5-year HLS going forward. This is particularly important given the delays that have been incurred in recent years to sites coming forward given the issues of nutrient neutrality and the Stodmarsh. Whilst we note that table 8.8 of the Development Topic Paper and appendices D, F and G (which relate to extant planning permissions, carried forward 2017 local plan allocations and new allocations respectively) provide some information there is no evidence behind this to justify the approach taken. Likewise, whilst appendix E of the AMR (The Housing Land Supply Statement) contains within its own appendices includes data on the phasing of the Strategic and Housing Allocations (appendix D), Extant Planning Permissions (appendix E), and Small Site Windfalls to 2031 (appendix C), it is not for consultees to piece this together to create a trajectory. The Council should.

1.2.3 In the context of the above, and whilst noting paras 8.27 – 8.31 of the Development Topic Paper, we would suggest that the Council consider further whether a buffer of say 10% should be applied to the existing commitments category to take into account any potential non-delivery/ delay in delivery of the dwellings contained within this category which is over 13,500 dwellings²⁰/ 55% of the projected supply. If this is not to be used, then the Council need to undertake a more detailed critique of the proposed commitments to ensure what is being put forward is truly deliverable within the plan period. Either way we believe this would generate the need to find land to accommodate circa 1,350 (+) dwellings. Furthermore, whilst noting the information on windfall data contained within paras 8.13 – 8.26 in the Development Topic Paper, the windfall rate now advocated (170dpa) is considerably higher than that agreed by the previous Local Plan Inspector (138dpa²¹). We would remind the Council of the need to provide compelling evidence that the windfall trajectory is a reliable source of supply, in accordance with para 72 of the NPPF. The information contained in the Development Topic Paper merely relies upon a headline review of past windfall delivery rates without any analysis of expected future trends so goes nowhere near to meeting the evidence test required by the NPPF.

1.2.4 We note that para 8.1 of the Development Topic Paper advises that '*The council proposes to continue to use the Liverpool method of spreading any shortfall that might arise over the plan period, because of the specific circumstances that occur due to the higher level of development needing to take account of major infrastructure requirements.*' The following paragraphs then identify a series of reasons why the Saved Allocations from 2017 Local Plan continue to take longer to deliver than was originally anticipated, yet at the same time the para 1.36 of the Reg 18 Plan says: *The majority of the strategic site allocations identified within the Canterbury District Local Plan (2017) now have planning consent and are under development and these sites will continue to contribute to the district's development land supply, predominantly during the early years of this plan.*' These two statements are contradictory and do not in our opinion support the use of the Liverpool method when calculating the rolling 5 year housing land supply. The plan should adopt the Sedgfield

²⁰ 2,121 + 11,461 = 13,582

²¹ See para 6.8, table 6.2 and para 6.21 of the Development Topics Paper

method as set out in PPG. If they did then the current 5 year HLS would be thus, and not the 4.4 yrs suggested in table 8.9 of the Development Topic Paper/ the AMR.

Local Plan requirement 2020/21 - 40/41	24,129	(1149dpa)
Total completions from 01/04/20 to 31/03/23	1,952	
Shortfall 01/04/20 to 31/03/23	1,495	1149 x 3 – 1,952
5 year requirement (5x PA requirement) 1/4/2023-31/3/2028	5,745	1149 x 5
Plus, shortfall from Shortfall 01/04/20 to 31/03/23	7,240	
20% buffer	1,448	7,240 x 20%
Overall 5 yr. requirement	8,688	
Annual requirement	1,738	8,688/5
Components of 5-year supply from 01/04/23 to 31/03/28		
Strategic and other new allocations	4,268	
New allocations in draft Local Plan	345	
Planning permissions	761	
Windfall allowance	219	
Students	594	
Care homes	322	
New care home allocations in draft Local Plan	0	
Total 5 year supply	6,508	
District-wide 5 year supply	3.74	
Surplus/ deficit	-2,180	

Conclusions on the Housing Supply

1.2.4 Having reviewed the component parts of the Housing Land Supply that is relied upon to meet the Councils minimum housing need, we consider that:

- 100% reliance on all current commitments (existing allocations and permissions) is not justified and a 10% buffer should be introduced to allow for non-delivery/ slower than expected delivery – especially of the larger sites and their planning history to date i.e. 1,350 dwellings.
- Whilst the proposed housing sites may deliver the quantum proposed within the plan period, this is subject to all of said sites being found acceptable by the Local Plan Inspector, such that a contingency may be sensible – see below.
- The proposed windfall allowance is not based on a credible evidence base and is not justified. At 11% of the residual requirement, it is a significant part of the overall supply and needs to be reviewed to ensure a realistic approach is adopted at Reg 19.
- There is no justification for the use of Liverpool in calculating the rolling 5 year HLS. Sedgfield should be used and on this basis the council only have 3.74 yrs. supply for the period 1/4/2023-31/3/2028.

1.2.5 As a result of the above, and we would submit that the ‘over supply’ of 2,337 dwellings currently proposed should at 10% of the residual requirement be the minimum the Plan should be looking to deliver to address our concerns about the commitments and windfalls, anything less would mean the plan would be incapable of accommodating any fluctuations in the market/ improving the prospect of delivering the minimum housing need.

2 The Spatial Strategy and Strategic Objectives of the Draft Plan

2.1 The Spatial Strategy

2.1.1 We note that the preferred spatial strategy comprises:

- Canterbury Urban Area which will be the principal focus for development in the district.
- A new rural settlement is planned for land north of the University of Kent campus north of Canterbury.
- Whitstable and Herne Bay Urban Areas which will be a secondary focus, where development will be principally driven by the need for new infrastructure especially new secondary schools and improved public transport connectivity.
- Proportionate development which will be allocated at all Rural Service Centres at a suitable scale which supports the function and character of the settlement.
- A limited amount of growth which will be allocated at Local Service Centres, where suitable sites are available, at a suitable scale which supports the function of the settlement.
- No residential development in the countryside.

2.2 The Strategic Objectives

2.2.1 We note that Policy SS1 includes in section 5 the desire for all development across the district to incorporate measures to deliver 20% Biodiversity Net Gains in line with Policy DS21. We comment upon Policy DS21 below and would ask that these comments are taken into account in considering the policy approach being promoted in Policy SS1 as well. Likewise, we note that section 6 of Policy SS1 requires development of 300 (+) dwellings to incorporate a minimum of 20% tree cover across the site. Again, we comment upon this when addressing Policy DS21 below and would ask that these comments are taken into account in considering the policy approach being promoted in Policy SS1 as well.

2.2.2 In addition to the above, we note that Policy SS2 indicates in section 1 that new residential and commercial development should be designed to achieve net zero operational carbon emissions. We comment upon this issue when addressing Policy DS21 as well and would ask that these comments are taken into account in considering the policy approach being promoted in Policy SS2 as well.

2.2.3 Furthermore, we note that Policy SS4 refers in section 2(2) (iii) to the '*new A2 access to the Kent and Canterbury Hospital and links to the A28 at Thanington*'. We comment upon this issue when addressing policies C5 and C10 of the Reg 18 Plan and would ask that our comments on policies C5 and C10 are taken into account in considering the policy approach being promoted in Policy SS4 as well.

2.2.4 Finally we note that Policy SS5 indicates that '*Where new or improved infrastructure is needed ahead of development taking place, the council will use appropriate mechanisms to actively manage the release of land for housing and other development.*'. This is we have to say somewhat vague and needs further clarity to be effective. To this end we note that Policy DS7 (Infrastructure delivery) suggests in criterion 7 that; '*Where critical infrastructure such as transport improvements, strategic environmental mitigation or utilities provision including sewage is required ahead of development reaching a specific level of occupation, either as a whole, or separate phases of development, the council will use planning conditions and / or S106 agreements to manage the release of land for development in line with the agreed infrastructure delivery programme. All types of infrastructure connections to existing footpaths and cycleways should be delivered prior to occupation.*' This is we believe a more precise approach, albeit we are concerned about the

infrastructure providers capacity to deliver when required of them and occupations potentially being stalled as a result. We say this as it is often the infrastructure providers who are the cause of delay. Contributions can in some cases be held or pooled by them for a considerable time whilst the associated project receives the necessary consents and is delivered. To actively tie the delivery of sites to the delivery of the required infrastructure improvements, or as is suggested to front load it could seriously delay the delivery of much needed housing and prejudice the Council's ability to maintain a rolling five year housing land supply.

2.2.5 Thus, whilst Redrow believe it is laudable of the Council to set clear requirements that necessary infrastructure must be provided at the right time to address the impacts of development, and note that each site allocation has within its policy approach a section on phasing and delivery which in effect clarifies what is required and when, they fear that anything linked to the provision of utilities would effectively require the development industry to be able to demonstrate that a third party (the infrastructure provider) will deliver when required of them – which we just can't do – all we can do is agree the timing of the infrastructure payments and then leave the matter with the infrastructure provider to deliver.

3 Site Specific representations on the proposed allocations in Canterbury – Policies C5 and C10 and the associated SA of their implications

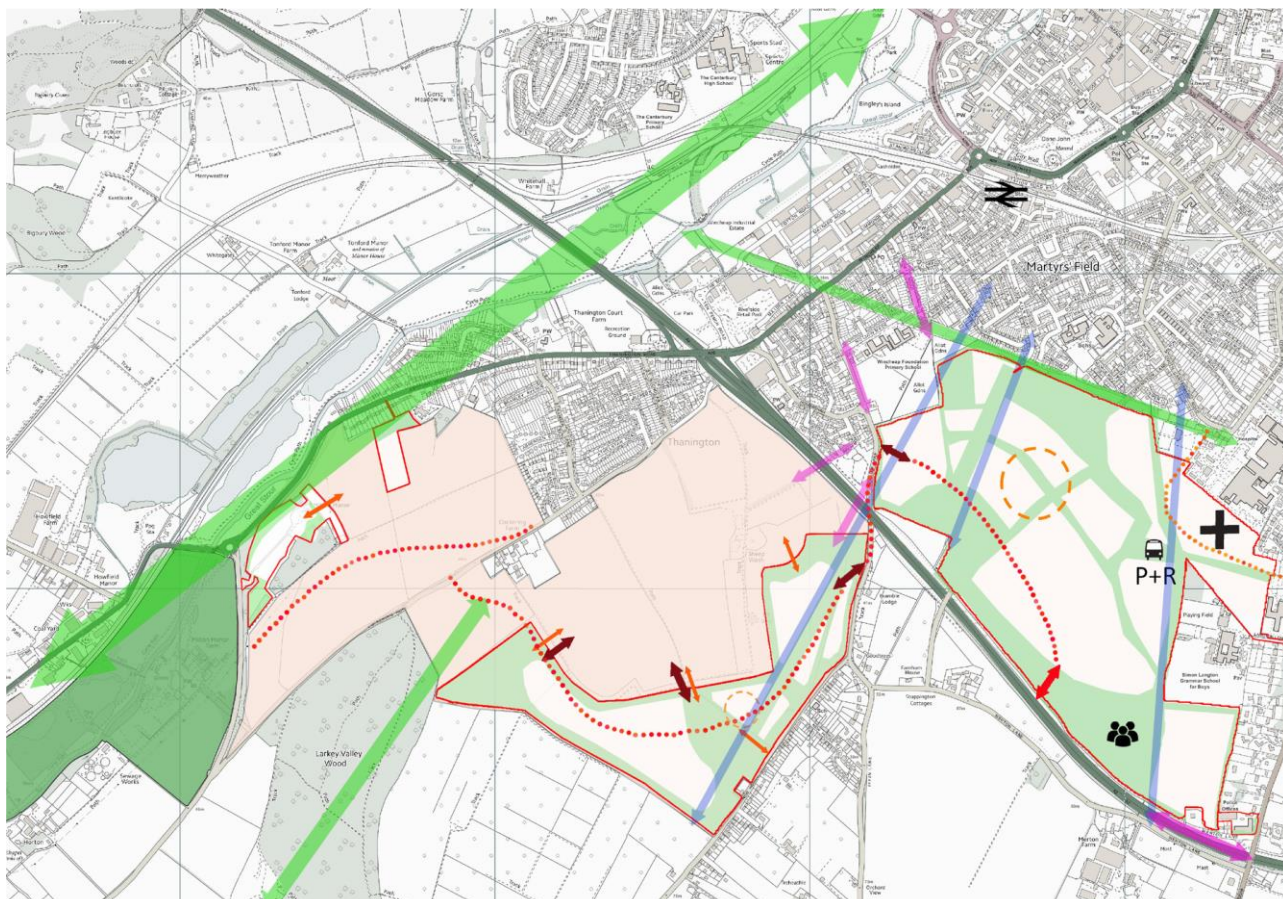
3.1 Para 2.8 – 2.14 set out the council's strategy for the expansion of South West Canterbury, with para 2.9 highlighting the fact that: *'The SDA presents important opportunities to deliver new and improved connectivity with the A2, together with a new Park and Ride site served by the Fast Bus Link to be delivered through the 2017 Local Plan. The South West Canterbury Link Road is needed to provide access to the A28 and to improve the functionality of the A2 junction at Wincheap'*; and para 2.14 that the four allocated sites (Policies C6 to C10) will amongst other things help to deliver *'the South West Canterbury Link Road with a new A2 junction and connections to A28 at Thanington'*. Policy C11 goes on to advise that not only will land be safeguarded for the provision of a new South West Canterbury Link Road, as identified on the policies map, but in part 2e that the connection between Hollow Lane and the A28 at Thanington, will be through proposed allocation Site C7 and Site 11 (as allocated under Policy SP3 of the Canterbury District Local Plan (2017)). Part 3 of Policy C11 then goes on to indicate that *'Land within Site 11 (SP3) will be required to facilitate the connectivity between Site C7 and the A28 at Thanington.'*

3.2 In addition to the above the sites identified within Policies C6, 7, 9 and 10 are all required in part 2 (a) to ensure their masterplans coordinate with proposals for neighbouring sites, where appropriate, including Site 11 (as allocated under Policy SP3 of the Canterbury District Local Plan (2017)), and that site C10 gains its primary access via Site 11 (as allocated under Policy SP3 of the Canterbury District Local Plan (2017)).

3.3 Within the context of the above appendix 1 of the Reg 18 Plan acknowledges that Policy SP3 (site 11) is a saved policy, whilst appendix G of the SA (the Appraisal of Site Allocations and Alternatives) indicates within its appendix A (Sites not included) at Table A.2 that site SP3 11 of the 2017 Local Plan was not included within this SA as it has *'Planning permission and under construction'*.

3.4 Site 11 of policy SP3 of the 2017 Local Plan comprises two elements – that known as the Pentland site and that at Cockering Farm. The latter is controlled by Redrow, has outline planning permission for the development of up to 400 dwellings and associated facilities (CA/17/00519/OUT refers), an approved masterplan (CA/20/02130 and CA/22/02238 refer) and approved access, spine road and associated infrastructure (CA/22/02301 refers).

3.5 Having regard to the above we object to the traffic strategy being promoted in Policy C11 for the provision of the South West Canterbury Link Road as shown on the South West Canterbury Strategic Development Area Concept Masterplan south of Cockering Road. It has not been demonstrated that the link road shown south of Cockering Road is financially viable or justified in the supporting material.



3.6 Notwithstanding the above we note that the approved spine road and accessing arrangements at Cockering Farm are compatible with the aspirations shown indicatively on the South West Canterbury Strategic Development Area – Concept Masterplan for the new link road north of Cockering Road.

4 Other Proposed Housing Policies

4.1 In addition to our comments on policy C11 above, we would also like to comment upon policies, DS1 (Affordable Housing), DS2 (Housing Mix), DS6 (Sustainable Design), DS7 (Infrastructure Delivery), Policy DS17 (Habitats of International Importance), DS21 (Supporting Biodiversity Recovery), DS24 (Publicly Accessible Open Space and Sports), and DM11 (Residential Design). Taking each in turn:

DS1: Affordable Housing

4.2 We note that policy DS1 requires 'at least 30% affordable housing'. As the council will be aware policies must be clear to the decision maker and applicant as to what is required to ensure

there is no confusion as to what is expected. This does not prevent development from coming forward above this figure but there must be no suggestion that the Council may require development to go beyond this figure. As such the prefix 'at least should be deleted from policy DS1. We also note that part 2 of policy DS1 advises that development should accord with the requirements set out the most up to date housing strategy. As the council will be aware policy can only be set within the local plan. Therefore, any policy that seeks to give similar weight to policies set out elsewhere is unsound. The Council must amend part 2 to state that development should 'have regard to' the Housing Strategy. That aside, whilst having no objection in principle to the provision of 30% affordable housing or the associated tenure split of 66% affordable rent, 25% first homes and 9% affordable ownership, we are concerned about the proposed housing mix to be delivered within the first homes for the reasons set out below in our comments on policy DS2 and would ask that the Council review this in the light of our comments. In addition, we note that policy DS1 also looks to see the affordable units dispersed throughout the site, avoiding large clusters, and integrating with the market housing. Whilst we appreciate and support the need to ensure integration and to create more balanced communities, that has to be weighed against the management objectives of the affordable provider, who often find small clusters to be inefficient, such that this requirement needs to provide for those instances where the affordable provider feels a different approach is justified in that particular instance.

DS2: Housing Mix

4.3 In noting the unit mix proposed in policy DS2, we would in the first instance question the extent to which policy DS2 should look to be prescriptive on the market housing to be delivered in any one area. In our opinion the Council should recognise the need for flexibility, as per the NPPF and PPG, the fact that the needs of the area may well change over the lifetime of the plan, particularly given the current uncertainty in the housing market, that different areas will inevitably deliver different forms of housing i.e. apartments within city centre locations and family housing in suburban areas; and that it is the combination of the two that will ultimately address the overall need.

4.4 In the context of the above, Redrow Homes South East consider that the recommended market housing mix for the Canterbury City sub-district area in proposed Policy DS2 (Housing Mix) does not reflect the true need for the area. We agree that the mix should be more weighted to properties with 3 or more bedrooms than 1 and 2-bed, but we consider that the mix of 3-bed and 4+ bed should be more balanced than the current proposal for 46% 3-bed and only 26% for 4+ bed. This view is based on detailed demographic and market trend analysis undertaken by Marron's.

4.5 Marron's have undertaken detailed analysis of the demographic trends which have affected the sub-district Canterbury City area between the 2001, 2011 and 2021 Censuses. Despite Canterbury City Council (CCC) instructing consultants to prepare a 2024 Housing Need Assessment Addendum (HNAA), CCC did not instruct this type of demographic analysis as part of the 2024 HNAA and there is limited analysis of trends experienced across the district between the 2011 and 2021 Censuses and what this means for the size of housing needed.

4.6 This means that Marron's analysis is the only analysis which has considered the latest 2021 Census data and how the City area has developed over the 2001-2021 and 2011-2021 periods. This analysis indicates that the balance of 3 and 4+ bed housing should be much more closely aligned than the existing 46% to 3 bed and 26% to 4+ bed.

4.7 The reasons for this view are as follows:

- The number of students living in the City area has risen by 92% in 20 years;

- The number of students living out of home in the City area has risen by 94% over the same period;
- The 2021 Census recorded 13,338 students living out of home in the City area;
- The 2021 student population represented 23% of all people in the City area;
- 67% of all-student households live in properties of 4 bedrooms or more;
- Despite 13% growth in households of 4 bedrooms or more in the City area between 2011 and 2021, 4-bedroom or more households represent 9% less of the housing stock than 3-bedroom and 5% less than 2-bed in 2021;
- There are high levels of under-occupancy in properties where 2 or more bedrooms are unoccupied by over 55s, indicating a high number of larger family properties which are under-occupied and unlikely to come back onto the market any time soon;
- The majority of properties with 2 or more bedrooms unoccupied in the City area are detached;
- There are nearly 600 households in the City area which are overcrowded, the vast majority (81%) being households of 4 or more people living in 2-bed properties.

4.8 This combination of the student population's influence, high levels of under-occupancy in larger family sized properties, and an element of overcrowding in larger households leads us to recommend a higher proportion of 4+ bed housing than is recommended by the HNA for the City area.

4.9 Notwithstanding the lack of analysis of 2021 Census data, the 2024 HNAA does consider the change in households by bedrooms size between the 2011 and 2021 Censuses (Table 2, page 6, 2024 HNAA). This provides further weight to Marron's view that the proportion of 4+ bed market housing in the city area should be higher. This is because the data shows a clear contrast between the northern half of the District (incorporating the Rural North and Whitstable & Herne Bay Coastal areas) and the southern half (City and Rural South) in terms of the growth in 4+ bed households between 2011 and 2021.

4.10 Table 2 shows how the northern half of the District has experienced growth of 1,181 households with 4+ bedrooms between 2011 and 2021, compared with only 364 in the southern area. This means 76.4% of the increase in 4+ bed households across the District between 2011 and 2021 has been in the northern half of the District. Nearly half (45.4%) of this 4+ bed growth has been in just one of the sub-district areas, the Whitstable & Herne Bay Coastal area, suggesting there has been unbalanced provision towards the north of the District in terms of larger properties. The provision of 4+ bed housing in the City area and the Rural South has therefore been limited as confirmed by the 2024 HNAA.

4.11 The same Table 2 also clarifies how there has been higher growth in 1 and 2-bed households combined in Canterbury City (525 households) than 3 and 4+ bed households combined (393 households). The growth in 1 and 2-bed has therefore been 57.2% of all household growth in Canterbury City.

4.12 The lack of 4+ bed household growth in the City/Rural South, coupled with the significant increase in 1 and 2-bed in the City area only serves to emphasise Marrons view that there has been a lack of provision of family sized housing in this sub-district area of Canterbury District.

4.13 Further support for our view is provided by the results of the 2024 HNAA's housing mix model. At paragraph 2.23 and Table 4 (page 8) of the 2024 HNAA the results of the model based on the 2011 and 2021 Census data are presented for the District (i.e., not sub divided by the four sub-

district areas). Although we do not consider it to go far enough in increasing the proportion of 4+ bed housing, the revised model using 2021 Census data increases the proportion of 4+ bed homes by 2% to 28% from the modelling based on 2011 Census (26%).

4.14 Paragraphs 2.37 through to 2.44 of the 2024 HNAA then apply the same modelling process to the four sub-district areas for market mix only. For the Canterbury City area the updated housing mix model results in a requirement for 51% of housing in the Canterbury City area to be 4+ bed.

4.15 Notwithstanding this conclusion the HNAA distances itself from its own housing mix model results by stating the following in paragraph 2.40, *“It is clear that this modelled housing mix profile for Canterbury City (which projects a negative need for 1-bedroom properties) cannot be directly translated into a policy recommendation. It is necessary to ensure that any policy is deliverable in real terms, including considering whether it is suitable and viable for the geography of Canterbury City. For example, it may be the case that in real terms there is still a need to deliver 1- and 2-bedroom properties in Canterbury City, taking into account circumstances such as affordability constraints (particularly upon younger households) and any demand for new models of delivery such as build-to-rent. More generally, the circumstances of flatted development are such that it is likely to include a high proportion of 1-bed and 2-bed properties.”*

4.16 This may be the case in terms of flatted development, but as the demographic analysis set out above illustrates, a significant proportion of family sized housing in Canterbury is currently utilised by students. The answer to this occupation by students would be to deliver more purpose built student accommodation. But in the interim and without doing so, students will continue residing in multi person households and therefore inhibiting a number of larger family sized properties from being available for families. This means there will be limited family sized housing of 3 and 4+ bed housing (in particular) for families who would like to live within a reasonable distance of Canterbury’s city centre.

4.17 Although Marron’s agree that a minus figure cannot be applied in policy for one bedroom market homes in the City area, the modelling results of the 2024 HNAA support Marron’s overall conclusion that the mix of 3 bed and 4+ bed should be more balanced and not as biased towards 3 bed housing.

4.18 In addition we would question the housing mix advocated for affordable home ownership, including first time homes. The housing mix requirements for new affordable housing as set out in policy DS2 is reproduced below.

	Social or Affordable Rent	Affordable Home Ownership (including First Homes)
1 bed	48%	16%
2 beds	28%	43%
3 beds	19%	37%
4+ bed	5%	4%

The suggestion, that so many affordable home ownership properties, including first time homes are 3 and 4 bed (+) properties is we feel likely to lead to issue of deliverability for First Homes.

4.19 Para 66 of the NPPF is clear in that *‘Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups’*. Whilst annex 2 of the NPPF defines *‘discounted market*

sales housing’ and *‘other affordable routes to home ownership*’ as being at least 20% below local market value.

4.20 Para 2 of the planning practice guidance on First Homes (Reference ID: 70-002-20210524) makes it clear that:

- a) a First Home must be discounted by a minimum of 30% against the market value.
- b) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

It goes on to explain that in Para 4 (ID: 70-004-20210524) that: *‘the First Homes Written Ministerial Statement does give local authorities and neighbourhood planning groups the discretion to require a higher minimum discount of either 40% or 50% **if they can demonstrate a need for this.**’* My emphasis.

4.21 Having regard to the above, the proposed unit mix advocated in policy DS2 will in our opinion be hard to deliver even at a 50% market value reduction given local values. Furthermore, the effects of delivering at this level of discount needs to be assessed in the viability appraisal to ensure it is achievable. Without any evidence to support the viability of this approach, said policy is totally unjustified.

4.22 In the context of the above we note that para 10.31 of the Viability Appraisal of May 2022 advises that:

*‘The analysis suggests that increasing the First Homes discount from 30% to 40% is likely to reduce the Residual Value by about £26,000/ha on greenfield sites and by about £70,000/ha on brownfield sites. Increasing the First Homes discount from 30% to 50% has a greater impact and is likely to reduce the Residual Value by about £52,000/ha on greenfield sites and by about £142,000/ha on brownfield sites. Whilst the Council does not currently plan to seek a greater discount than 30%, **if it does, it may be necessary to reconsider viability.**’* My emphasis

4.23 Unfortunately the Supplementary Annex to the Viability Appraisal (August 2023), produced to consider the effect of affordable housing tenure and to clarify the approach to zero carbon on development viability does not look to address the issue of First Homes we raised in our reps of Jan 2023 so this matter remains unresolved.

4.24 We also note that part 4 of policy DS2 requires proposals for more than 300 dwellings to consider whether there is an identified need that could be addressed proportionately on site for (a) Self and custom built housing; and (b) Build-to-rent housing; and suggests that any provision would form part of the market housing, not affordable housing. In noting the above we have to say it is in our opinion for the Council to quantify the self and custom built housing needs of the area, not developers to try and assess what they can deliver, and that before seeking to require large developments to provide a proportion of the homes delivered as self-build plots the Council will need to examine other opportunities for meeting the needs of those who want to self-build.

4.25 In the context of the above we note that according to para 4.30 of the AMR, as of March 2023, there were nine entries on Part 1 of the Council’s Self Build and Custom Housebuilding register and one entry on Part 2 the register, and para 4.31 indicates that from April 2022 to March 2023 the council granted 19 CIL self-build exceptions. Given the above the demand for self-build and custom housing would appear to be very limited. A position that is supported by the fact that the HNA (2021) which having considered the council’s self-build housing register determined that the need for self- and custom-build housing was negligible when considered against the overall housing need figure, such that no sites have been specifically allocated for self-build development.; and that the type and

size of housing requirement should be considered in the overall property mix. As such we do not believe the aims and objectives of policy DS2 in this regard to be justified.

4.26 Under the Self Build & Custom Housebuilding Act 2015, it is the Council's responsibility to ensure that sufficient permissions are given to meet demand. Further detail is provided in paragraph 57-014 of PPG with regard to the Council's duties and whilst this recognises that it should take account of self-build registers when preparing planning policies, it also outlines that consideration needs to be given by Councils to the disposal of their own assets in order to meet the need for self-build plots or whether self-build could support the regeneration of brownfield sites. A need for self-build plots should not automatically lead to a policy requiring their provision on larger sites. PPG also notes at paragraph 57-025 that local authorities should be encouraging developers and landowners to consider providing plots for self-build and custom house building but makes no reference to requiring their provision. The Government clearly sees the role of the local authority as working to identify opportunities with developers rather than placing responsibility on to the development industry.

4.27 The Council will also need to consider whether it is feasible that all large sites deliver self-build plots. Often there are multiple contractors and large machinery operating on-site, and the development of single plots by individuals operating alongside this construction activity raises both practical and health & safety concerns. Any differential between the lead-in times / build out rates of self & custom build plots and the wider site may lead to construction work outside of specified working hours, building materials stored outside of designated compound areas and unfinished plots next to completed and occupied dwellings, resulting in consumer dissatisfaction²². Whilst some sites may be able to locate self-build plots in a manner that reduces these potential risks, on others this will be impossible with developers unable to co-ordinate the provision of self & custom build plots with the development of the wider site. Such concerns must be given full consideration by the Council when preparing any policies on self-build to be included in the Local Plan.

4.28 Given the above we would suggest that the Council review their requirements and are more explicit as to what they want, where and why, as at present policy DS2 does not look to be properly justified or effective.

4.29 We also note that part 5 (b) of Policy DS2 requires developments of 100 dwellings (+) to deliver a minimum of 10% bungalows. Whilst we note that the HNA highlights the high number of bungalows that exist within the district at present and the continued demand for this type of accommodation, especially to meet the needs of the elderly, single storey accessible accommodation can be provided in other forms, such as flatted development; whilst the delivery of M4(2) units will allow homes to be adapted if the need arises. As such a blanket 10% policy is not in our opinion justified or properly evidenced. Indeed, given the housing needs of the district and the desire to make the most efficient use of those greenfield sites that are to be allocated, the delivery of bungalow at what are often very low densities is we believe an inefficient and unsustainable use of land that is counter intuitive given the aims and objectives of the plan. We also note that no consideration has been given to the implications of this policy in the Viability Assessment. As such there is no justification for this part of Policy DS2 and it should be deleted. The needs of older people can be met without requiring the delivery of bungalows.

²² The recent increases in build cost, which even for a large PLC have been significant, could also become a real issue for a self-build project. Indeed, this could result in those pursuing these projects running out of money and thus leaving half-finished dwellings sat within wider development sites and prejudicing the sale of properties located adjacent to them.

DS6: Sustainable Design

4.30 We note that policy DS6 (in part 1a) requires all new development to be designed to achieve a recognised calculated Net Zero operational carbon emissions standard; and in part 5b that proposals for 10 or more should be designed to achieve a per capita consumption of 90 litres per person per day.

4.31 With regard to the energy efficiency standards for new homes, Redrow supports the Government's approach set out in the Future Homes Standard. To this end we note that the Government have set out a clear roadmap as to how low carbon homes will, alongside the decarbonisation of the national grid, ensure that the Government can meet its commitments to net zero by 2050. The way forward being taken by the Government recognises that the improvements in energy efficiency of new homes should be a transition which ensures that new homes continue to come forward to meet housing needs whilst still being sufficiently challenging to significantly reduce the carbon emissions of new homes from 2025. As such, there is in our opinion no need for additional standards to be placed on the development through additional Local Plan policies that vary from that required in national government guidance. Indeed to do so would appear to conflict with the written ministerial statement (WMS) published on the 13th of December 2023, in which the housing minister notes that "*Compared to varied local standards nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes*" and that local standards can "*add further costs to building new homes by adding complexity and undermining economies of scale*". The 2023 WMS goes on to state that any standard that goes beyond building regulations should be rejected at examination if the LPA does not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the NPPF.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

4.32 Turning to the first bullet point, the Council will need to ensure the costs and deliverability of this policy are fully and robustly tested. Whilst the Council have undertaken some cost analysis in their Supplementary Annex to the Viability Appraisal (August 2023) reiterates the fact that if a Council wish to introduce higher standards than national policy, those must be justified, and that if this is something the Council wish to pursue further, then the authors recommend that, when procuring that evidence, the Council are particularly clear around the definitions and seek clear advice as to the costs of the different options (over and above current costs). To this end the Supplementary Annex to the Viability Appraisal indicates that there are numerous studies from other councils suggesting a broad range of costs for seemingly similar additional standards, so it may not be satisfactory to simply take assumptions from other authorities and assume that they will apply in CCC as objectors are likely to be able to point at other evidence that suggests a different approach. A point we would suggest the council consider further as we also note that the Supplementary Annex to the Viability Appraisal highlights the fact the 'zero carbon' and other requirements set out in the recommendations are based on the assumption of build costs being increased by 10%, and that this is based on the costs for zero regulated and unregulated CO₂; and that the Supplementary Annex to the Viability Appraisal acknowledges that a 5% fall in house prices or a 5% increase has a negative impact on viability and would result in a significant number of the strategic sites becoming unviable²³.

²³ We also note that the Climate Change Topic Paper acknowledged the WMS and recommends in section 7.1 that the local plan set net zero operational emissions standards for new development in the district in line with the WMS. And that said climate change topic paper also indicates at para 1.11 that whilst Table 8.9 of the 2022 Viability Study assessed the

4.33 Similarly, the desire to achieve a maximum water consumption standard of 90 litres per person per day (lppd) is in our opinion totally unjustified and unsupported by the evidence base. The technical standards that can be introduced within Local Plans are set out in PPG and include higher standards with regard to water use. Where there is evidence to support their introduction, the Government allow local planning authorities to require a higher standard of 110 lppd in their Local Plans. Therefore, the proposed policy is inconsistent with national policy with no justification as to why such a low standard is necessary in Canterbury.

4.34 In addition to the above we note that section 7 of policy DS6 indicates that: *'The council will prepare design codes and/or guides, as necessary, which reflect local character and design preferences and provide a local framework for creating distinctive places with a consistent and high quality standard of design.'*

4.35 Whilst Redrow support the aspirations of the National Design Code and agree that well designed places influence the experiences we have in the places where we live, work, and spend our leisure time, they also believe that you cannot be too prescriptive about the design approach that should be adopted to a site when it is allocated. We say this because all sites differ – so no one approach will fit all, and because it is only when one gets into the detailed design process associated with the preparation of a planning application that conflicting issues can arise and a pragmatic approach has to be adopted. Any aspiration for design codes/ guides thus needs to be taken forward in detailed discussions with site promoters to ensure the practicalities of the requirements do not prejudice deliverability.

4.36 Section 10 of policy D6 requires all developments of over 100 homes to submit a Health Impact Assessment and a Crime Impact Assessment. In our opinion HIA and CIA are an essential part of the plan making process so as to ensure the Council understand the health and crime impacts of its strategy and is thus able to ensure these are effectively addressed. If a site is designated through the local plan process it will be definition have addressed the plans health and crime impact outcomes such that there is no need for further assessment. All a further assessment will do is repeat the work the council has already undertaken. The only circumstance where a HIA or a CIA may be appropriate would be for a larger unallocated site where the impacts may not have been fully considered by the council as part of the plan wide HIA/ CIA.

DS7: Infrastructure Delivery

4.37 As set out in section 3 above, we note that Policy DS7 (part 7) sets out specific expectations where infrastructure is required in advance of development either in whole or part. As set out above we have serious concerns about the practicalities of this policy and thus its potential effectiveness when it comes to the upfront delivery of utilities / works required by statutory undertakers and would look to the Council to demonstrate that they have discussed this with the service providers and that the latter has the ability to deliver what is being suggested and when suggested.

4.38 We also note that para 6.19 of the Reg 18 Plan, in the preamble to Policy DS7 stated that: *'The Canterbury District Local Plan Viability Study (2022) has tested the viability of policies in this plan and has demonstrated that the plan as a whole is viable and deliverable. The council will*

costs of on-site reduction of carbon emissions for regulated and un-regulated carbon, these costs were calculated before recent changes to requirements of new buildings, which mean gas boilers are no longer the default source of heating and air source heat pumps should be used in the first instance from 2025. Such that the 2022 VS clearly needs updating to reflect current circumstances.

therefore not accept further viability evidence from developers at the planning application stage other than in extremely limited circumstances.'

4.39 This approach is in our opinion both unreasonable and inappropriate. Unexpected issues can arise whilst an application is being determined that can affect its viability and as such its important the Council continue to accept viability assessments as part of the determination of future planning applications. Indeed, to refuse to do so could actively prejudice the deliverability of sites and thus the Council's housing land supply.

Policy DS17: Habitats of International Importance

4.40 We note that part 8 (a) of Policy DS17 requires developments of 300 homes located within the Stour Catchment, or where sewage from said development will be treated at a Wastewater Treatment Works that discharges into the River Stour or its tributaries will be required to provide its own high quality on-site regulated wastewater treatment facilities with permit levels set at Technically Achievable Limits (TAL), together with an on-site SUDS design which removes a minimum of 50% of P and N from the surface water; and that developments of between 150 and 300 homes must examine all available opportunities for integrating high quality on-site regulated wastewater treatment facilities within the site to minimise the levels of P and N associated with foul water from the site; and integrate an onsite SUDS design which removes a minimum of 50% of P and N from the surface water. As this policy was, we assume, drafted before the latest guidance from NE and the government's proposals requiring water companies to upgrade existing waste water treatment works by 2030, both of which look to address this issue, we assume it will now be revisited, along with the VA which does not appear to test the potential costs and thus implications of this approach. We would also suggest that said policy is also caveated to allow for variations to the proposed approach when agreed with NE as it is they who have raised this issue and are responsible for agreeing to the NN strategy accordingly.

DS21: Supporting Biodiversity Recovery

4.41 We note that Policy DS21 (part 1 (a)) requires new developments of over 300 homes, to provide a minimum of 20% tree cover across the site, in line with the Council's Tree Strategy. This to us seems rather vague. In order to be effective policy DS21 needs to make it clear what this 20% relates to and how it is to be measured.

4.42 We also note that Policy DS21 (part 3) requires all proposals for development, other than those exempt through national legislation, to demonstrate and deliver a minimum of 20% biodiversity net gain calculated using the latest Natural England biodiversity metric (or an alternative metric set out in legislation) and taking consideration of any national or local guidance on what values should be used.

4.43 We do not believe the Council should be seeking to set out a higher BNG requirement for development in Canterbury than that set out in the Environment Act 2021 i.e. a minimum of 10%. To look to achieve 20% BNG does not in our opinion meet the tests set out in paragraph 35 of the NPPF as it is not necessary to make the development acceptable in planning terms. Planning Practice Guidance (ID: 74-006-20240214) is very clear in that: *'Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.'*

4.44 Whilst noting the content of para 9.14 of the Natural Environment and Open Space Topic Paper (Feb 24) we do not believe that the contribution that the natural environment makes to delivering nature's recovery and to health and well-being, and the council's declaration of a biodiversity emergency, amount to a sound justification for a BNG target of 20%. Nor is there anything in the Natural Environment and Open Space Topic Paper to demonstrate that this is both viable and deliverable.

4.45 As the Government note on page 9 of their response to the consultation on net gain, they considered 10% to deliver the right balance between "ambition, achieving environmental outcomes, and deliverability and cost to developers". Given Paragraph 180(d) of the NPPF states that planning policies should "minimise impacts on and provide net gains for biodiversity" if a development delivers the 10% minimum requirement by law it will ensure that paragraphs 180(d) of the NPPF is addressed as it will ensure a net gain. As such any level above this is not necessary to make a development acceptable in planning terms and cannot be made a requirement in the local plan²⁴.

4.46 In the context of the above we recognise that the 10% BNG requirement in the Act is a minimum but believe it should be for the developer to decide whether they go beyond this figure not the Council. This is a position the Government also supports stating on page 9 of their response to the consultation on net gain that the 10% should not be a cap on the aspirations of developers who want to go further "voluntarily". It is also important to remember that it is impossible to know what the cost of delivering net gain is until the base line biodiversity assessment of a site has been undertaken and what is required to achieve a 10% net gain calculated²⁵. If the base line is low then the ability to achieve 10 /20% will not be too onerous, but where, as often happens on greenfield sites the base line is high the ability to achieve 10/20% is harder and the costs significantly greater. Thus, on some sites delivering BNG may be achievable on site with no reduction in developable area. For others it may require a large proportion of it to be addressed offsite or a significant reduction in the developable area and thus possible unit numbers. This leads to the issues of housing land supply and offsetting. In the first instance are the council confident that all the allocations being put forward can deliver 20% BNG – have the site promoters been able to demonstrate this to the Council's satisfaction. If it can't be delivered on site have a network of sites for biodiversity enhancement been identified and a mechanism to contribute towards these established. Without a network of identified sites for biodiversity enhancement and a mechanism to contribute towards these, many sites that are not able to achieve the 20% BNG requirement would be undeliverable. The suggestion in Appendix J (p47) of the SA that Policy DS21 bares no relationship with SA Objective 10 (to ensure the supply of high quality homes, which cater for identified needs) is thus misplaced and needs to be reviewed as until a fully costed and implementable biodiversity net gain/local recovery strategy is in place, a policy requiring more than 10% BNG cannot in our opinion be said to be justified and consistent with national policy.

4.47 Turning to viability, the Viability Study (May 2022) is it has to be said somewhat dismissive and disingenuous in its comments on this matter. At para 8.48 it states: *'The costs of this type of intervention are modest and will be achieved through the use of more mixed planting plans, that use more locally appropriate native plants. To a large extent the costs of grass seeds and plantings will be unchanged. More thought and care will however go into the planning of the landscaping. There will be an additional cost of establishing the base line 'pre-development' situation, as a survey will*

²⁴ It is of note that in the December 2023 changes to the NPPF the Government did not look to specify a higher level of BNG than that advocated in the act.

²⁵ All sites need to be considered on an individual basis as some will have a low baseline from which a 10 / 20 % net gain will be readily achievable, and others will start with a high baseline from which even a 10% net gain will be difficult to achieve. Not only will this then impact on a sites viability and what it can effectively achieve in unit numbers and associated infrastructure, but, without any offsetting policy in place, it could impact upon deliverability per say.

need to be carried out. And in para 8.51 goes on to suggest that *'Much of the cost of implementing Biodiversity Net Gain is in the survey work and of the design, rather than the costs of the actual works. In achieving the 20% Biodiversity Net Gain the costs of the design and survey work will be as for 10%, having said this, it is assumed to be 50% more expensive than 10% Biodiversity Net Gain.'* The costs attributed to the delivery of BNG are then set out in table 8.6 based on 2017 based costs. Not only are these totally out of date so need to be revised, but the assertion as the cost of delivering 20% rather than 10% BNG so dismissive as to be offensive.

4.32 Whilst we agree with the statement at para 9.15 of the Natural Environment and Open Space Topic Paper that an uplift from 10% to 20% does not have to see a doubling in the size of the area to be set aside for BNG, or that the additional investment required to move from 10% to 20% BNG does not mean twice the expense, it does mean additional investment and potentially some additional land take, and this has to be properly factored into the VA and demonstrated to be deliverable if the council are to require the delivery of 20% BNG. Reliance on the Kent Nature Partnerships *'Justification for a Biodiversity Net Gain target of 20% in Kent'*, which itself was built upon Natural England's assessment (Vivid Economics, June 2018), is not a robust approach. Both reports are now outdated in terms of delivery costs and effects; and the SQW and Temple Group *'Viability Assessment of Biodiversity Net Gain (June 2022)'* produced on behalf of KCC, is as the authors of that report say in para 1 of the exec summary 'high-level' and is heavily caveated at para 2 thus: *'It is important to note that this report is purposefully strategic in nature. The purpose of this report is to provide an initial viability assessment to inform local planning authorities in Kent who may be considering a higher BNG target. This report does not constitute or replace any individual Local Planning Authorities (LPA) Local Plan evidence bases, nor remove the need for BNG to be tested at the local level.'* My emphasis.

4.48 Given the above and whilst we see no justification for anything more than the mandatory 10% BNG, we would suggest that if the Council want to try and deliver more it may be sensible to engage with the site promoters to ascertain what level of net gain is deliverable and draft site specific policies accordingly, whilst reverting to 10% in policy DS21.

DS24: Publicly Accessible Open Space and Sports

4.49 The publicly accessible open space and sports requirements of policy DS24 are in Redrow's opinion very ambitious and go way beyond that normally required, such that the financial implications of providing this level of publicly accessible open space and sports provision needs careful consideration in both the VA and assessment of a sites overall development potential as it could impact on the number of sites required to be developed to meet the Council's housing requirement.

4.50 In the context of the above, we note that section 2 of policy DS24 requires developments of 7.5ha or greater to provide all typologies in full within the site. It is not clear if this relates to the residential development area or the entire site area and is a point that needs clarity in order to make the policy effective. Either way 7.5ha is not that large a greenfield site and this approach could end up delivering a large number of disjointed sports facilities rather than what would be more effective and efficient sports hubs and takes no account of a site's topography or indeed the BNG implications of providing such facilities/ the implications this could have on a sites net to gross development area and thus housing delivery. As such whilst Redrow fully support sites providing appropriate levels of onsite open space there should be an option to provide for offsite facilities where it is shown that either the site is not suitable due to its specific characteristics or the quantum of open space such as sport facilities would render then ineffective.

DM11: Residential Design

4.51 Whilst having no objection in principle to Policy DM11, Redrow are slightly concerned about the detailed requirements of this policy, especially those associated with 2(b) and (d). The former requires minimum floor to ceiling heights of 2.4m for new build to allow for good internal daylighting, and the latter houses with more than one bedroom to be dual or triple aspect, to allow for good internal daylight levels and cross ventilation. In terms of the former we would seek clarification as to whether this applies to apartments; and in terms of the latter would ask that clarity is provided as to how this applies to terraced accommodation.

6 Conclusions on Reg 18 Plan

6.1 Whilst we recognise the fact that in calculating their housing requirement the Council has worked to the correct starting point which is a minimum annual LHN calculated by reference to the standard method of 1,149 dpa, we are concerned that the scale of growth proposed in Policy SS3 of the Reg 18 Plan is the minimum needed to meet the LHN. No regard seems to have been had to increasing this to address the affordability issues that prevail in the area, the affordable housing needs of the area. As the SA suggests that providing for 10% above the minimum LHN makes little difference when assessed against the sustainability objectives we would ask the Council to review their position in this regard.

6.2 Similarly we are concerned that no evidence has been provided to demonstrate how the housing requirement will be met or how a rolling five year housing land supply will be achieved. The deliverability of the existing commitments needs to be demonstrated more evidentially than it has to date. Likewise, the evidence needs to be provided to demonstrate that the proposed allocations will deliver the quantum of development suggested when expected; and the plan needs to encompass compelling evidence to support the windfall rates expected rather than rely on historic trends.

6.3 Turning to the spatial strategy, we object to the traffic strategy being promoted in Policies SS4(2(e)), and C11 for the provision of the South West Canterbury Link Road as shown on the South West Canterbury Strategic Development Area Concept Masterplan south of Cockerling Road, as it has not been demonstrated that the link road shown south of Cockerling Road is financially viable or justified in the supporting material.

6.4 We also have specific concerns about the strategic objectives of Policies SS1, SS2 and SS4, which interrelate to our concerns about policies DS1 (Affordable Housing), DS2 (Housing Mix), DS6 (Sustainable Design), DS7 (Infrastructure Delivery), Policy DS17 (Habitats of International Importance), DS21 (Supporting Biodiversity Recovery), DS24 (Publicly Accessible Open Space and Sports), and DM11 (Residential Design), all of which we do not believe to be properly justified or effective as drafted.

Yours sincerely


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