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Canterbury City Council Local Plan Representation – Regulation 18 Land North of Court Hill, Littlebourne

CLIENT: H W TWYMAN

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1 INTRODUCTION

1.1 PURPOSE OF THIS REPRESENTATION

- 1.1.1 This representation has been prepared on behalf of H W Twyman ('Twyman') in response to the Canterbury City Council Draft Local Plan (Regulation 18) Consultation, which runs until 4th June 2024.
- 1.1.2 Canterbury City Council ('CCC') is in the process of preparing a new Local Plan to set out a strategy for development across the district for the period to 2040, and is seeking views on the overall spatial strategy, the vision and objectives, individual site allocations and any of the Plan's draft policies.
- 1.1.3 CCC have prepared the Draft Local Plan following feedback gained from the issues consultation in 2020, options consultation in 2021 and previous consultation in October 2022 on the Draft Local Plan to 2045. The Draft Local Plan (subject to this representation) has been revised following feedback from previous consultations alongside relevant updates that have been made to the National Planning Policy Framework ('NPPF'). The revisions include a reduction in the plan period (being to 2040, not 2044), reduction in the number of homes proposed across the plan period, removal of the new settlement at Cooting Farm, removal of the Eastern Movement Corridor, the proposed Canterbury Circulation Plan and a range of strategic sites to the east of Canterbury.
- 1.1.4 It is noted that the revised NPPF (December 2023) demonstrates that authorities with an up-to-date Local Plan will no longer be required to demonstrate a 5-year housing land supply, and those that have published a Regulation 18 or Regulation 19 Local Plan (alongside an up to date policies map and draft allocations) will now only need to demonstrate a 4-year housing land supply. The Council's updated AMR addendum (January 2024) demonstrates that CCC are able to demonstrate a 4.48 year housing land supply.
- 1.1.5 The Council's Local Development Scheme (published March 2024) sets out that following the consultation period for the Regulation 18 Local Plan, publication and consultation for the Regulation 19 Draft Local Plan will take place between July 2024 – May 2025. It is anticipated that the Draft Local Plan will be submitted to the Secretary of State and Independent Examination will take place between June 2025 – January 2026. Formal adoption of the new Local Plan will be between February and March 2026.
- 1.1.6 H W Twyman ('Twyman') own the site known as Land North of Court Hill and are promoting it for a residential-led mixed use allocation through the review of the existing Local Plan. The site was submitted as part of the Call for Sites exercise in June 2020 and a representation was submitted to the Council in response to the 2022 Regulation 18 document. The site is owned by Twyman and is immediately available. The site has been included as a draft allocation for residential-led mixed use development under Policy R8. Twyman wish to limit their comments at this

stage to the proposed development strategy for the district, the site allocation and pertinent development management policies.

- 1.1.7 This note has been uploaded to the online questionnaire to supplement the answers given to the questions as requested by Canterbury City Council ('CCC'). This letter is structured to aid cross reference to the questionnaire and the draft Local Plan itself, with subheadings provided to indicate where comments are made in respect of specific policies.

2 SITE AND DEVELOPMENT CONTEXT

2.1 SITE CONTEXT

- 2.1.1 The site is located north west of Court Hill, Littlebourne, and consists of two distinct land parcels, which are herein referred to as the 'developed' and 'undeveloped' parts of the site. The site area amounts to approximately 1.95 hectares. The site has been included as a draft allocation under Policy R8 (Land north of Court Hill) for a mixed use development. The boundary of the draft site allocation is shown below:

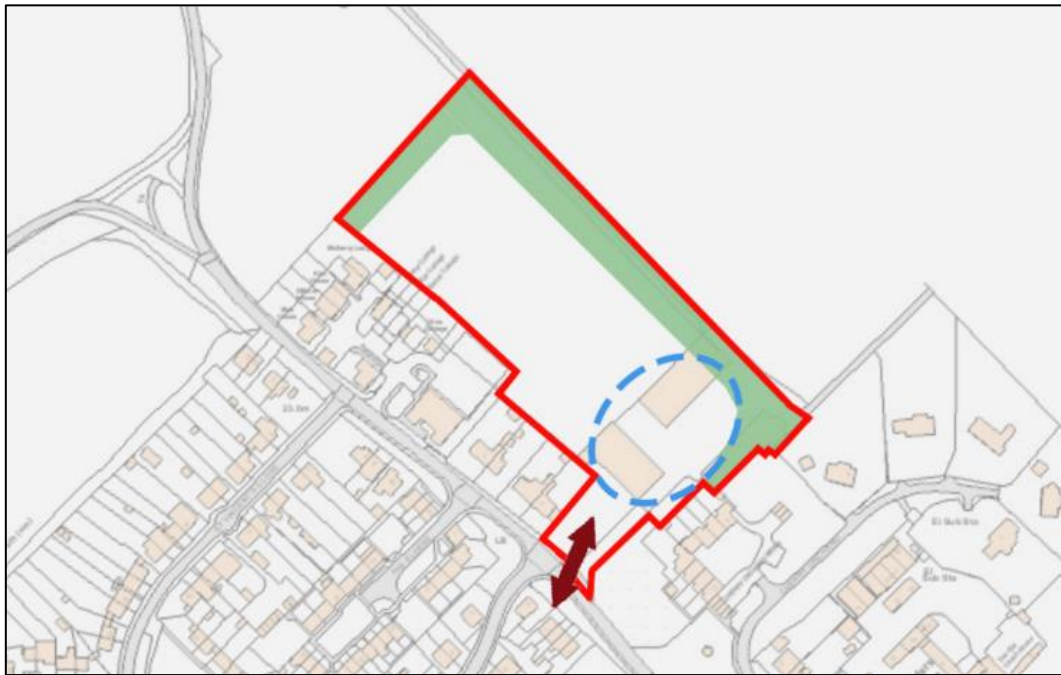


FIGURE 1: CANTERBURY CITY LOCAL PLAN – POLICIES MAP (REGULATION 18 VERSION)

- 2.1.2 The developed area amounts to 0.45 hectares and consists of three former agricultural buildings, which are in part occupied by a small engineering firm and vehicle repair centre, with the southernmost building currently in use as a farm shop. There is an existing vehicular access to these buildings from Court Hill and the site is enclosed by residential development along Cherry Orchard to the southeast and dwellings that front onto Court Hill to the south west.
- 2.1.3 The undeveloped part of the site is in agricultural use and has an area of approximately 1.5 hectares. It extends to the north west of the existing buildings and shares a boundary with the Doctors Surgery and residential development

along Court Hill. There is a hedgerow that runs along the shared boundary with Court Hill, and the northern boundary of the site.

- 2.1.4 The land in the undeveloped area is shown by the high-level Agricultural Land Grades Map (Defra) to be of Grade 1 (highest value). However, the land comprises stony ground that has historically been used for growing blackcurrants as they are the only fruit that can cope with poorer quality ground. Although it has been tried, it is not possible to grow cereals, potatoes or another variety of crop on the undeveloped land as they would not grow. As a result, the decision has been made to leave the land uncropped for food production as it currently constitutes an unproductive / negligible income for the farm.
- 2.1.5 Littlebourne is home to the 'Friends of Littlebourne Primary School', shops, restaurants/cafes and several local businesses. There are also good bus links to Canterbury and Sandwich from the High Street, with the Public Right of Way ('PROW') network providing excellent access to the countryside.

2.2 PLANNING CONSTRAINTS

- 2.2.1 The Council's adopted Policies Map includes the developed area of the site within the settlement confines of Littlebourne. The undeveloped area sits directly adjacent to it. The site forms part of a KCC Minerals Safeguarding Area; however, is otherwise unaffected by the current adopted Local Plan by policy specific allocations or designations.
- 2.2.2 The Draft Policies Map that has been prepared for the Local Plan Review shows the site to sit within the boundary of the Rural Service Centre in its entirety (including both the developed and undeveloped areas). The site is also shown to be located in two separate Landscape Character Areas (Wickhambreaux Horticultural Belt and Central Mixed Farmlands) and as the site allocation under Policy R8.
- 2.2.3 The site is shown in the Environment Agency Flood Risk Map to be located in an area of Flood Zone 1 (at the lowest risk of flooding). Land immediately to the east of Littlebourne is within Flood Zones 2 & 3.
- 2.2.4 There are no designated heritage assets within the proximity of the site whose setting would be adversely affected by development of the site. The Littlebourne Conservation Area extends south east of the site and covers a significant area of the settlement (although excluding the site itself).

2.3 PLANNING HISTORY

- 2.3.1 With regard to planning history, the Council's online records indicate that there has only been one application on the site. The application (ref. CA/07/00461/LT) was submitted in March 2007 and sought permission for the demolition of the

existing buildings alongside the erection of a medical centre and 11 dwellings with associated parking and landscaping. The application was refused in July 2008.

2.3.2 The most notable applications that have been submitted for land within the direct vicinity of the site include:

- CA/09/00640 – Land Adjacent to 1 Court Hill - Erection of new medical centre with associated access, parking and external works. Approved February 2010.
- CA/14/02489 - Land Adjacent to 1 Court Hill - Erection of a new medical centre (revisions to extant planning permission CA/09/00640/FUL) and erection of 9 houses as enabling development. Approved November 2015.

2.3.3 Notwithstanding the refusal of planning application ref. CA/07/00461/LT, there are other developments that have been approved in Littlebourne in line with the current adopted Local Development Plan that are worth noting.

2.3.4 For example, in 2016 the Council granted outline permission for the erection of 87 dwellings at 'Land Off the Hill', Jubilee Road, Littlebourne (15/01711/OUT). The Reserved Matters were approved in March 2019 under application ref CA//18/02035. The site is under construction through a partnership between Leath Park Developments and Moat Homes.

2.3.5 The decision has been noted to be significant as it alters the settlement geography of Littlebourne and reduces the pool of sites where meaningful development could feasibly be delivered within the existing settlement boundary.

2.3.6 It is also noted that more recently an outline application has been submitted in relation to a site at Land off The Hill (located on the south western boundary of Littlebourne). The application is for up to 300 dwellings (including affordable housing and older persons accommodation), a new community hub landscaping, public open space and parking with all matters reserved (ref. CA/23/00484). It is noted that the site has also been included in the Draft Local Plan as a site allocation (under Policy R7) for a residential led mixed use development.

2.3.7 The development, if approved, will result in an extension of the settlement boundary to the south west and the Draft Local Plan notes the site to be of significance in providing a mixture of housing to meet local needs alongside providing much needed infrastructure updates and improvements to aid accessibility to local services.

2.4 OVERVIEW OF DEVELOPMENT SOUGHT

2.4.1 Detailed proposals have not yet been advanced for the site. However, an indicative proposal was provided in the Call for Sites exercise that included the demolition of the three existing buildings and the construction of commercial floorspace

alongside residential dwellings. It was anticipated that the non-residential floorspace would be situated close to the entrance of the site, with the office space designed flexibly to enable division of the space into 4no. start-up units. Access to the site would remain as existing, via Court Hill to the west.

- 2.4.2 In light of the draft site allocation, any future development proposal would be in broad conformity with the requirements of the draft policy, particularly with reference to the quantum and delivery of residential and non-residential uses.
- 2.4.3 Any future scheme would be subject to early and meaningful engagement with the local community and Council.

Availability

- 2.4.4 The site is owned by Twyman and is immediately available. Twyman are promoting the site for a mixed-use allocation through the review of the existing Local Plan. The site has also been subject to interest from local developers, confirming the deliverability of the site.

3 RESPONSE TO THE DRAFT LOCAL PLAN

3.1 POLICY SS1: ENVIRONMENTAL STRATEGY FOR THE DISTRICT

Q3: Do you have any comments on this policy?

- 3.1.1 Policy SS1(5) states that development across the district will need to incorporate measures to deliver a minimum 20% biodiversity net gain in line with Policy DS21.
- 3.1.2 Twyman once more object to this section of the policy on the basis that there remains an absence of evidence in the Council's up to date evidence base to demonstrate why this level of net gain should be required on development sites of all sizes.
- 3.1.3 The latest evidence published to support the revised Draft Local Plan (published 2023 – 2024) includes a district wide Open Space Strategy (2023 – 2040), Riverside Strategy (2023-3028), Tree, Woodland and Hedgerow Strategy (2024) and Flood Risk Assessment (2024). The Tree, Woodland and Hedgerow Strategy provides a summary of ways in which the Council will seek to improve tree, woodland and hedgerow cover with the intention of enhancing biodiversity across the district. The Strategy makes reference to the Council's Draft Biodiversity Plan – Nature Recovery Strategy (2024) which is being prepared following the Council's declaration of a Biodiversity Emergency in October 2023. It is intended that this strategy will provide further evidence to support CCC's strategies and policies. However, in the absence of a published plan, it remains that no further evidence has been provided in the updated evidence base to support the Council's requirement for 20% and to demonstrate that this is viable on sites of different sizes.
- 3.1.4 It is noted that the Council did produce a Landscape Character Assessment and Biodiversity Appraisal in 2020. The appraisal provides a high level assessment of existing habitats and resources in the Council area and highlights key opportunities to enhance biodiversity. The assessment does not inform how to, or the level of, biodiversity improvements on a site by site basis.
- 3.1.5 The Environment Act brought in a statutory requirement of 10% on major application sites from February 2024 and minor sites from April 2024. If CCC wish to exceed the statutory requirement for 10% BNG, this should be tested and justified for viability purposes. Any requirement should be proportionate to the scale of the development proposed, to ensure that development can be viable and fundamentally delivered.

3.2 POLICY SS2: SUSTAINABLE DESIGN STRATEGY FOR THE DISTRICT

Q4: Do you have any comments on this policy?

- 3.2.1 Policy SS2(1) requires all new residential and commercial development to be designed to achieve net zero operational carbon emissions. In the previous representation it was noted that insufficient testing has taken place to ensure that new development can achieve net zero emissions whilst remaining viable.
- 3.2.2 A Climate Change Topic Paper (February 2024) has been added to the Council's evidence base following the 2022 consultation on the Draft Local Plan. The paper (Paragraph 4.8) confirms that an independent viability study for the Local Plan to 2040 (2022) has evaluated and factored in the costs of building new homes to net zero carbon and this has been shown to be viable and deliverable alongside other policy costs like affordable housing. The paper notes that the viability study was however conducted before the recent changes came into force relating to the requirements of new buildings – this includes the requirement gas boilers to no longer be the default source of heating and for air source heat pumps to be used from 2025.
- 3.2.3 The Future Homes Standard (FHS) is anticipated to launch in 2025. The technical consultation on the proposed specification of the FHS took place in Spring 2023, further consultation is to take place throughout 2024 followed by the adoption of the regulations in 2025. From 2025, compliance with the FHS will become mandatory and will ensure that new homes built from 2025 will produce 75-80% less carbon emissions than those constructed under current Building Regulations. In doing so, the FHS seeks to decarbonise new homes by improving heating, hot water systems and reducing heat waste.
- 3.2.4 Notwithstanding the above, it is noted that the FHS has yet to be adopted and significant concerns and risks were raised in the technical consultation relating to the impact of the increased costs of implementing the FHS on house prices and build costs. In turn, there is a chance that the full impact of achieving net zero could filter through into the viability and subsequent delivery of new schemes. It would therefore be prudent for the viability assessment to be re-run, including the scenario within which the FHS is implemented and taking into account any government funding to ensure that new development is able to achieve net carbon zero and remain viable.

3.3 POLICY SS3: DEVELOPMENT STRATEGY FOR THE DISTRICT

Q5: Do you have any comments on this policy?

- 3.3.1 Policy SS3(4) identifies Littlebourne as a Rural Service Centre. The draft policy highlights that new development will be supported on suitable sites and existing

community facilities and services will be protected and enhanced. The provision of new community facilities and services, business space and tourism facilities will be supported outside of the settlement boundaries provided that the need for development outweighs any harm.

- 3.3.2 Twyman support the overall objectives of the draft policy wording, recognising that the existing level of service provision within Littlebourne as a Rural Service Centre provides suitable opportunity for additional and proportionate development in a sustainable way. It remains considered that reference should be made to the development of additional housing and other forms of development on suitable and identified sites for completeness (such as the site in Policy R8).

3.4 POLICY DS6: SUSTAINABLE DESIGN

Q6: Do you have any comments on this policy?

- 3.4.1 Draft Policy DS6(1)(a) requires new development to be designed to achieve a recognised calculated Net Zero operational carbon emissions in line with the Council's Sustainable Design Guidance SPD.
- 3.4.2 DS6(1)(b) requires payment via S106 contributions where development does not achieve net zero operational emissions. It is considered that this requirement is overly onerous and increases cost implications for new development. As shown previously, whilst the updated evidence base includes a Climate Change Topic Paper (2024) that provides a viability assessment to support the Council's draft policies, it is acknowledged in the paper itself that the viability assessment was prepared prior to recent changes that came into force for Building Regulations in terms of gas boilers etc. It has therefore not been demonstrated that the Council's sustainable design requirements are viable for developments of all sizes.
- 3.4.3 With the above in mind, is not considered that this is fair or reasonable for smaller development that still meet the threshold for major applications. Therefore, the policy should be re-worded and a threshold approach applied for development of over 50 units to be more proportionate.
- 3.4.4 DS6(1)(c) requires proposals for major development to submit a whole-life carbon assessment. This is considered overly onerous for small to medium scale schemes that would still be classed as major development. It is recommended that the policy is re-worded and a threshold approach is considered to ensure that the assessment is required on development proposals of over 50 units where the carbon assessment would be more necessary and applicable.
- 3.4.5 There is a requirement under DS6(11) for proposals for residential and mixed-use development to deliver fibre to the premises (FTTP) and for all other development, they must achieve broadband connectivity in excess of 24Mbps. It is for the applicant to provide robust evidence to demonstrate if this is not feasible. There

are a number of areas in the Council boundary that will not be able to achieve the desired speeds, particularly in remote rural areas. An assessment of speeds and delivery potential should be prepared by the Council prior to submission of the new Draft Local Plan to ensure that the requirement is feasible. If not, the approach should be reviewed so that it is fair and reasonable on the basis of the location of the development.

- 3.4.6 The Draft Plan still blanketly places a number of onerous requirements upon 'major development', which by definition captures small to medium sized sites. These sites will be disproportionately burdened, which is likely to have a direct impact either in terms of deliverability, or in forcing smaller sites to pursue schemes that fall below the major development threshold, which in turn will have a direct impact on the delivery of affordable housing. A more proportionate approach to development management policy is therefore required.

3.5 POLICY DS16: AIR QUALITY

Q16: Do you have any comments on this policy?

- 3.5.1 Policy DS16(1) states that proposals for major development in the district will be required to undertake an emissions mitigation assessment and cost calculation in line with the Council's air quality guidance to demonstrate that the development will be air quality neutral and not lead to a net increase in emissions.
- 3.5.2 Once more, it is not considered that this requirement is fair or reasonable for medium sized sites. The approach should be proportionate, and not incur unnecessary additional costs to medium sites of up to 50 new homes that could render new development unviable. Other policies in the Local Plan (such as Policy DS6(5)) apply a threshold approach to the number of new homes. This approach should be consistent throughout the Local Plan to ensure that medium size sites do not have to undergo unreasonable additional costs with regards to the scale of development. A more proportionate approach to development management policy is therefore required.

3.6 POLICY DS21: SUPPORTING BIODIVERSITY RECOVERY

Q20: Do you have any comments on this policy?

- 3.6.1 Draft Policy DS21(1) requires all major development to be accompanied by a Green and Blue Infrastructure Strategy. It is not considered that this is reasonable or proportionate for small to medium schemes that would still constitute major development. Other policies in the Local Plan (such as parts of Policy DM6) apply a threshold approach. This approach should be consistent throughout the Local

Plan to ensure that small to medium sites do not have to undergo unreasonable additional costs with regards to the scale of development.

- 3.6.2 Draft Policy DS21(3) states that development across the district will need to incorporate measures to deliver a minimum 20% biodiversity net gain.
- 3.6.3 Twyman object to this section of the policy. As shown in Section 3.1, there is currently an absence of evidence in the Council's evidence base to demonstrate why this level of net gain should be required in development sites of all sizes. The updated evidence base includes a range of documents relating to the Council's open space strategy, trees, woodland and hedgerows and flooding. It is understood that the Council are in the process of preparing a Biodiversity Plan (2024) which will support the Council's policies and strategies relating to biodiversity net gain. However, the plan has not been published and no evidence has been submitted to demonstrate that 20% is achievable or viable across sites of all sizes.
- 3.6.4 The Environment Act brought a statutory requirement of a 10% net gain for new development into legislation, for major development in February 2024 and minor development in April 2024. If CCC wish to exceed the Environment Act's requirement for 10% BNG, this would need to be tested and justified for viability. Any requirement should be proportionate to the scale of development proposed, to ensure that development can be viable and fundamentally delivered.

3.7 POLICY R8: LAND NORTH OF COURT HILL

Q8: Do you have any comments on this policy?

- 3.7.1 Twyman strongly support the proposed site allocation and the recognition that it is suitable for development. This reflects the previous Call for Sites representation made by Twyman alongside the previous Regulation 18 Draft Local Plan representation. The allocation of the site also supports our conclusions that the site presents an excellent opportunity to provide much needed housing within and adjacent to Littlebourne.
- 3.7.2 The concept masterplan for the draft policy has been provided in Figure 1, above. The red line boundary in the masterplan runs along the southern edge of the site access; however, it's now understood that the ownership boundary differs, and includes an area of land to the southeast of the site, adjacent to the entrance. The area in question is shown in yellow in Figure 2 below. The boundary of the site along the entrance should include this land - the use of which could be beneficial in achieving a high quality development on site - it is therefore requested that the masterplan is updated to be in accordance with the dashed red line boundary shown in Figure 2 and include the strip of land to the south east of the site access.

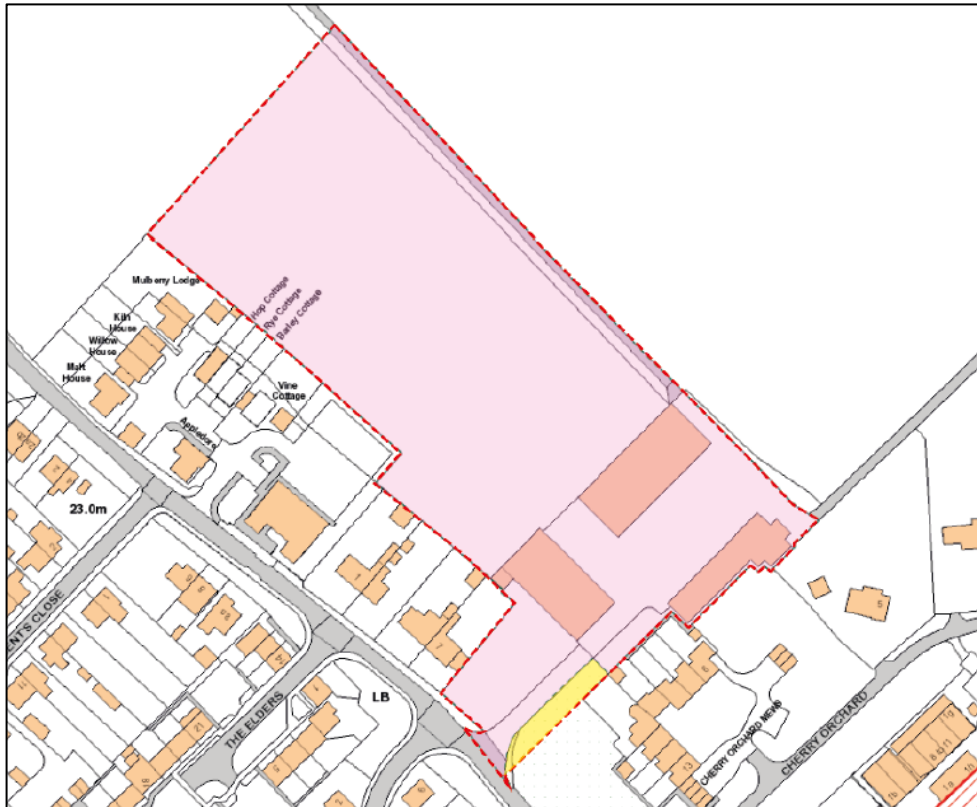


FIGURE 2: SITE ALLOCATION PLAN (CCC PROPOSALS MAP)

- 3.7.3 This issue has previously been raised with the Council in the last consultation, yet the boundary has not been amended.
- 3.7.4 The policy has been subdivided into five separate parts, including Development Mix, Design and Layout, Landscape and Green Infrastructure, Access and Transportation and Phasing and Delivery in line with the rest of the site allocations.
- 3.7.5 Draft Policy R8 identifies potential for approximately 50 new dwellings across circa 1.43 hectares on the site, including affordable housing, accessible housing and an appropriate housing mix in line with Policies DS1 and DS2. Non-residential development is also to include a minimum of 400sqm of commercial or business space. The design and layout of the development is to be of a high quality, at a maximum density of 35 dph. The character of the development should be reflective of the locality and the business / commercial development located adjacent to the entrance for a logical site layout.
- 3.7.6 Blue and green infrastructure should provide sustainable urban drainage measures, a 20% biodiversity net gain and appropriate opportunities for landscape and biodiversity enhancements in line with the characteristics of the Local Character Areas. Primary access is to be provided from Court Hill Road. With

regards to phasing, the business / commercial space should be provided as fully serviced land prior to the occupation of 50% of the total dwellings.

- 3.7.7 The revised policy wording adds in a requirement to re-provide the existing storage for the Scout Group on the site. Twyman support the re-provision of the storage on the site as a continued community benefit and any application coming forward will be reflective of this.
- 3.7.8 Whilst the broad location of the non-residential use has been indicated in the concept masterplan and wording of the policy, it is recommended that both the masterplan and policy wording are amended so that the location of the non-residential use is more specific. The wording of the policy, stating that the use should be 'adjacent to the entrance', does not align with the zone indicated on the concept masterplan. Further clarification in this regard will help in any emerging development plan with regards to masterplanning and general site concept. It is considered sufficient at this stage for the policy wording and plan to be amended and consistent in confirming the principle of the commercial development being delivered within the existing developed part of the site.
- 3.7.9 The landowners remain very keen to ensure that the design of any proposed development will be of a high quality and will respond to the setting of the local area. The site represents a logical edge of settlement location, combining both residential and commercial and / or business uses to ensure the development will positively contribute to Littlebourne as a Rural Service Centre. The inclusion of the entirety of the site within the settlement confines of Littlebourne in the draft Policies Map supports this view. Whilst the site is not located within, or in close proximity to the Littlebourne Conservation Area or any other listed buildings or heritage assets, an appropriate assessment of any emerging development proposal will be made in this regard, to ensure that the development would not result in any undue level of heritage harm.
- 3.7.10 The site is considered to be particularly well suited to local, smaller-scale developers and SMEs and interest received in the site to date reflects this. Opting for a local developer will help create a development proposal that will, on the basis of local knowledge, respect and respond to the existing setting of the site. The site has been identified as readily available and deliverable and therefore forms an important contribution toward the Council's 4-year housing land supply on a short to medium term basis. In being a site suitable for medium-scale development, it presents an opportunity to contribute toward the Council's housing need in a sensitive manner without posing any detriment to the local area. The provision of non-residential uses will also provide a benefit to the local rural economy, particularly in relation to the provision of jobs and employment in the local area. In this regard, this site has the potential to provide a significant benefit to the local area, and therefore presents a good opportunity as a site allocation for both residential and commercial uses in the new Local Plan.
- 3.7.11 It is recognised that the development would result in a loss of existing agricultural land; however, it is clear that this parcel of land is distinctively separate from the

arable land to the north and east which is noted to be more productive and contributes a far higher value to the farm. The loss of a small area of poor quality agricultural land (equating to approximately 1.43 hectares, excluding the developed area), would have a minimal impact on the productivity on the farm. The landowners have further noted that the land comprises stony ground on which very few crops can be grown, the most successful being blackcurrants. As a result, the land has not been farmed in the site's immediate history as it contributes negligible benefit to the farm in general. In this regard, the allocation of this site in comparison to other more productive land within the vicinity is logical as it will not result in the unnecessary loss of productive land, but will instead utilise underused land for development that will benefit the local area and district more generally.

- 3.7.12 The wording of the draft policy clearly refers to the need for the consideration of the opportunity for landscape benefits with regards to the Local Character Area. The site has been identified to be situated within the Local Character Area in the draft Policies Map. This offers the Council a level of control over the emerging design, to ensure that it both responds to and respects the landscape within the vicinity of the site. Any forthcoming proposal will respond to the landscape setting of the site, with reference to the character areas, and therefore Twyman raise no objections in this regard.
- 3.7.13 With regards to landscape and green infrastructure, Twyman object to the requirement for 20% biodiversity net gain in the absence of evidence to demonstrate why this level of net gain is required with regards to achievability and viability. The Environment Act brought in a statutory requirement for a 10% net gain into law for major development sites in February 2024. However, there is currently insufficient justification for 20% net gain, particularly at a site-specific level. If CCC wish to exceed the Environment Act's requirement for 10% BNG, this would need to be justified and tested for viability. The percentage of net gain should be proportionate and achievable for the scale of the site.
- 3.7.14 Any forthcoming application will be supported by an Access and Transport Strategy that will demonstrate that the primary vehicle access will be via Court Hill Road, as the draft policy requires. Work undertaken to date and submitted with the Call for Sites submission has already established that the existing access is technically suitable to accommodate the level of development proposed. The Strategy will also demonstrate how the development will be acceptable in highways terms, so as to not result in a significant detrimental impact on the local highway network, or in regard to local pedestrian, cycle or vehicle safety. The Transport Modelling Assessment prepared by Jacobs on behalf of Kent County Council (July 2022), identifies relevant recommendations with regards to junction improvements and other infrastructure contributions that would be required to cater for the anticipated growth contained in the revised Local Plan (2045). Whilst on a strategic level, no high level concerns were raised with regards to the impact of development growth on the local highway network.

- 3.7.15 The site is located in Flood Zone 1 and an appropriate drainage strategy will support any application for the site to ensure that development would not result in increased flood risk either within or outside of the site boundary. The landowners have the ability to connect into existing drainage infrastructure on land within their control, ensuring that a suitable SUDS strategy is capable of being developed and delivered. Required development contributions have been included in the draft policy and can be secured by way of a S106 Agreement to ensure that any forthcoming development contributes toward local infrastructure. Any contributions will be subject to a review of the relevant evidence at the time and the relevant tests.
- 3.7.16 With the above in mind, Whilst the principle of the proposed allocation is firmly supported, it is requested that the wording of the draft policy is amended to provide more clarity and consistency regarding the location of the non-residential development, and to also reduce the requirement for Biodiversity Net Gain to a reasonable level in line with the scale of the development and the requirements of the Environment Act.

3.8 CONCLUSIONS

- 3.8.1 This representation has been prepared on behalf of H W Twyman in relation to Land North of Court Hill, Littlebourne.
- 3.8.2 The representation shows that Twyman support the general direction of the Local Plan and welcome CCC's decision to allocate the site for residential and commercial / employment development under Draft Policy R8. It is considered that the site is suitable for providing a good level of sustainable development without causing any significant harm to the character and appearance of the locality. The proposed development of the site would provide an opportunity to provide a mixed-use development that can enhance local business provision alongside housing on a logical edge of settlement site that can contribute toward the Council's housing needs. This is particularly prevalent that the Council's updated housing land supply position stands at 4.48 years which only just exceeds the supply required by the new provisions of the revised NPPF.
- 3.8.3 Notwithstanding the above, it is considered that a number of the district-wide policies and strategic policies are overly onerous for medium sized sites. The onus of the draft policies is not proportionate depending on the number of dwellings proposed and could risk the viability and deliverability of new development and / or the delivery of affordable housing. Additional evidence is required to support key policies, including those relating to biodiversity net gain and reduction of carbon emissions. Without the additional evidence, some of the key draft policies are unsubstantiated and unjustified. A plan-wide threshold approach should be applied to draft policies to ensure that requirements are reasonable and proportionate to the scale of development.

- 3.8.4 Twyman will be committed to working with CCC to ensure that the ultimate allocation within the submission version of the Local Plan is deliverable and represents the optimum development solution for the site.