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Canterbury City Council Regulation 18b Local Plan Representation

**Canterbury Christ Church University Sports
Pitches, Land North of Stodmarsh Road,
Canterbury CT3 4AR**

CLIENT: Canterbury Christ Church University

JUNE 2024
DHA/33766



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CONTENTS

1	INTRODUCTION.....	1
1.1	OVERVIEW	1
1.2	PLAN CONTEXT	1
1.3	PLANNING POLICY FRAMEWORK.....	2
	Plan-Making.....	2
	Delivering a Sufficient Supply of Homes	5
	Promoting Sustainable Transport.....	5
1.4	STRUCTURE OF THE REPRESENTATION	6
2	THE SITE AND SUSTAINABILITY CREDENTIALS.....	7
2.1	ALLOCATION OPPORTUNITY	7
	Highways and access.....	8
	Landscape and Visual	8
	Ecology.....	9
	Sustainability of the site.....	9
2.2	OTHER PLANNING CONSTRAINTS.....	10
	Deliverability.....	11
	Availability	11
	Suitability	11
	Achievability	11
3	RESPONSE TO THE DRAFT CONSULTATION.....	12
3.1	INTRODUCTION	12
3.2	CHAPTER 1 SPATIAL STRATEGY FOR THE DISTRICT	12
	Q1: Do you have any comments on the vision.....	12
	Q2: Do you have any comments on the strategic objectives.....	12
3.3	POLICY SS1: ENVIRONMENTAL STRATEGY FOR THE DISTRICT	13
	Q3: Do you have any comments on this policy?.....	13
3.4	POLICY SS2: SUSTAINABLE DESIGN STRATEGY FOR THE DISTRICT	14
	Q4: Do you have any comments on this policy?.....	14
3.5	POLICY SS3: DEVELOPMENT STRATEGY FOR THE DISTRICT.....	14
	Q5: Do you have any comments on this policy?.....	14
3.6	POLICY R19: COUNTRYSIDE.....	15
	Q19: Do you have any comments on this policy?	15
3.7	POLICY DS1: AFFORDABLE HOUSING	18
	Q1: Do you have any comments on this policy?	18
3.8	POLICY DS2 HOUSING MIX	18
	Q2: Do you have any comments on this policy?.....	18
3.9	POLICY DS9: EDUCATION AND ASSOCIATED DEVELOPMENT	19
	Q9: Do you have any comments on this policy?.....	19
3.10	POLICY DS16: AIR QUALITY	19
	Q16: Do you have any comments on this policy?.....	19
3.11	POLICY DS17: HABITATS OF INTERNATIONAL IMPORTANCE	20
	Q17: Do you have any comments on this policy?	20
3.12	POLICY DS18: HABITATS AND LANDSCAPES OF NATIONAL IMPORTANCE.....	21
	Q18: Do you have any comments on this policy?	21
3.13	POLICY DS21: SUPPORTING BIODIVERSITY RECOVERY.....	21
	Q21: Do you have any comments on this policy?	21
3.14	POLICY DS22: LANDSCAPE CHARACTER	21
	Q22: Do you have any comments on this policy?.....	21
3.15	POLICY DS24: PUBLICLY ACCESSIBLE OPEN SPACE AND SPORTS.....	22

Q24: Do you have any comments on this policy?.....22

4 CONCLUSIONS.....23

Appendix 1 – Redline Site Location Plan

1 INTRODUCTION

1.1 OVERVIEW

- 1.1.1 This representation has been prepared on behalf of Canterbury Christ Church University (hereafter referred to as CCCU) in response to the Canterbury City Council (CCC) District Local Plan 2040 Regulation 18 Consultation, which runs until Monday, 3 June 2024.
- 1.1.2 CCCU owns land north of Stodmarsh Road, Canterbury, CT3 4AR (hereafter referred to as the site). They are promoting the site for residential development to consolidate the University's sports provision at Polo Farm on Littlebourne Road.
- 1.1.3 The site has not previously been submitted as part of any previous Local Plan representations or calls for site exercises through CCC's emerging Local Plan process.

1.2 PLAN CONTEXT

- 1.2.1 Canterbury City Council ('CCC') is preparing a new Local Plan to set out a strategy for development across the district up to 2040. It is seeking views on the overall spatial strategy, the vision and objectives, individual site allocations, and any of the Plan's draft policies.
- 1.2.2 CCC have prepared the Draft Local Plan following feedback from the issues consultation (2020), options consultation in 2021 and previous consultation in October 2022 on the Draft Local Plan 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 2024), a decrease 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 and most noticeably the removal of Wedgewood site land West of Rattington Street (Policy R8) from the draft Local Plan).
- 1.2.3 The changes to the draft Local Plan were summarised as being due to:
 - (1) Changes in national policy relating to levels of housing growth the government expects within the district.

- (2) Structural changes in the retail and leisure sectors.
 - (3) The need to respond to the impact of climate change is becoming urgent internationally, nationally and locally.
- 1.2.4 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 can demonstrate a 4.48-year housing land supply, therefore exceeding the requirements of the NPPF.
- 1.2.5 The Council's Local Development Scheme (published October 2022) is outdated and refers to the previous consultation period. However, the Council anticipates publishing the Regulation 19 Draft Local Plan in early 2025 for comment.
- 1.2.6 We note that the current Regulation 18 consultation on the Draft Local Plan 2040 does not explicitly request the submission of new sites; however, it does not prevent the submission of new sites either. As such, we submit that the site is available, deliverable, and achievable given the current national and Local planning policy context and the proposed Local Plan Period.

1.3 PLANNING POLICY FRAMEWORK

Plan-Making

- 1.3.1 **Paragraph 11** of the NPPF emphasises that plans and decisions should apply a presumption in favour of sustainable development. For **plan-making** this means that: -
- (a) "plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change and adapt to its effects;
 - (b) *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless: -*
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type, or distribution of development in the plan area⁶; or

- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

1.3.2 **Paragraph 15** reminds us that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for each area’s future, a framework for meeting housing needs while balancing other economic, social, and environmental priorities, and a platform for local people to shape their surroundings.

1.3.3 **Paragraph 16** sets out that plans should: -

- (a) “be prepared with the objective of contributing to the achievement of
- (b) sustainable development;
- (c) be prepared positively in a way that is aspirational but deliverable;
- (d) be shaped by early, proportionate, and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- (e) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
- (f) be accessible through the use of digital tools to assist public involvement and policy presentation; and
- (g) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”

1.3.4 **Paragraph 17** sets out that development plans must include strategic policies to address each Local Planning Authority’s priorities for the development and use of land in its area.

1.3.5 **Paragraph 20** states that strategic policies should set out an overall strategy for the pattern, scale, and quality of places (to ensure outcome support beauty in place making), and make sufficient provision for: -

- (a) “housing (including affordable housing), employment, retail, leisure and
- (b) other commercial development;
- (c) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal

change management, and the provision of minerals and energy (including heat);

(d) community facilities (such as health, education and cultural infrastructure); and

(e) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”

1.3.6 **Paragraph 22** states that strategic policies should look ahead over a minimum 15-year period from adoption to anticipate and respond to long-term requirements and opportunities, such as those arising from major infrastructure improvements.

1.3.7 **Paragraph 23** states that broad locations for development should be indicated on a key diagram, and land use designations and allocations should be identified on a policies map. Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the Plan Period, in line with the presumption in favour of sustainable development.

1.3.8 **Paragraph 31** states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.

1.3.9 Policies in Local Plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and then updated as necessary. Reviews should be completed no later than five years from the plan's adoption date and should take into account changing circumstances affecting the area or any relevant changes in national policy.

1.3.10 The next pre-submission (Regulation 19) draft will be examined by an Inspector whose role is to assess whether it has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is 'sound'.

1.3.11 In line with **Paragraph 35** for Plans to be found 'sound' final draft plans must be:

Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective – deliverable over the Plan Period, and based on effective joint working on cross-boundary strategic matters that have been dealt with

*rather than deferred, as evidenced by the statement of common ground;
and*

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Delivering a Sufficient Supply of Homes

- 1.3.12 **Paragraph 60** states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including an appropriate mix of housing for the local community.
- 1.3.13 **Paragraph 61** states that strategic policies should be informed by a local housing need assessment conducted using the standard method in national planning guidance to determine the minimum number of homes needed. The outcome of the standard method is an advisory starting point for establishing a housing requirement for the area (see paragraph 67 below). There may be exceptional circumstances, including those relating to the particular demographic characteristics of an area²⁵ ²⁶, which justify an alternative approach to assessing housing need, in which case the alternative approach should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be considered in establishing the amount of housing to be planned for.
- 1.3.14 To this end, **Paragraph 69** states that strategic plan-making authorities should clearly understand the land available in their areas through the preparation of a Strategic Housing Land Availability Assessment. From this, planning policies should identify a sufficient supply and mix of sites, considering their availability, suitability, and likely economic viability. Planning policies should identify a supply of: -
- (a) specific, deliverable sites for five years following the intended date of adoption³⁵; and
 - (b) b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining Plan Period.

Promoting Sustainable Transport

- 1.3.15 **Paragraph 108** states that transport issues should be considered from the earliest stages of plan-making and development proposals so that:

- (a) the potential impacts of development on transport networks can be addressed;
- (b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- (c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- (d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects and for net environmental gains; and
- (e) Patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes and contribute to high-quality places.

1.3.16 **Paragraph 109** states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

1.3.17 **Paragraph 115** states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

1.4 STRUCTURE OF THE REPRESENTATION

- 1.4.1 **Section 2** introduces the site and its surroundings and explains the characteristics that make it a suitable location for future growth.
- 1.4.2 **Section 3** responds to the consultation questionnaire.
- 1.4.3 **Section 4** concludes why the site is suitable for allocation and should be included within the emerging Plan.

2 THE SITE AND SUSTAINABILITY CREDENTIALS

2.1 ALLOCATION OPPORTUNITY

- 2.1.1 CCCU is promoting the site for residential development to act as an enabling development for the consolidation of sporting facilities at the nearby Polo Farm Sports Ground and expansion of the number of pitches the university currently offers. The Land North of Stodmarsh Road is envisaged to provide housing and infrastructure, with the potential for the provision of public open space.
- 2.1.2 The site occupies 4.9ha of playing pitch provision on Land North of Stodmarsh Road. The site is considered to be within the rural settlement of Fordwich, which has no identified settlement boundaries in the adopted Local Plan (2017) or Draft Local Plan 2040. To the south of the site lie residential dwellings associated with the ribbon development along Stodmarsh Road. To the north, the site is well-screened by Ancient Woodland, known as Hospital Wood. The south east corner of the site is considered Previously Developed Land with areas of hard-standing and single-story buildings associated with changing facilities and vehicle parking access and storage facilities associated with the current use of the site.
- 2.1.3 Adjacent to the eastern boundary of the site is a tree belt that screens Trenley Park Liveries. Verdant screening delineates the southern and western boundaries. The site is shown in the local context below. A redline site location plan can be found at **Appendix 1** of this representation.



FIGURE 2.1: SITE LOCATION (COURTESY OF HAZLE MCCORMACK YOUNG LLP/)

- 2.1.4 CCCU has previously undertaken a feasibility exercise to determine whether residential development would be appropriate on the site.
- 2.1.5 The site is considered suitable for small to medium size residential development.
- 2.1.6 The main part of the settlement of Fordwich lies 750m to the north of the site. Here, 25 Listed Buildings are present (23 Grade II, II Grade II* and 1 Grade I). Given that the proposal site is well screened to the north by the area of Ancient Woodland (Hospital Wood) it is considered that any proposed redevelopment of the site would not likely cause any unacceptable impacts upon the heritage assets within that part of Fordwich. No other listed buildings or ancient monuments are considered to be within the site's setting.

Highways and access

- 2.1.7 Access to the site is off the northern side of Stodmarsh Road via the existing entrance to the university sports fields. Stodmarsh Road provides access to the southwest to Littlebourne Road (A257) to the Urban area of Canterbury, where there are services to meet the daily needs of local residents. The A257 provides ready access to various local and regional destinations via the primary route network.
- 2.1.8 Well Lane, to the west of the site, runs north/south and provides vehicular access to the main cluster of residential dwellings associated with the village of Fordwich, where there are a couple of public houses and a place of worship.
- 2.1.9 There are a number of existing passing bays on Stodmarsh Road. Given the nature of the proposed scheme, the proposed vehicle movements from the site are unlikely to have unacceptable highway safety impacts or severe residual operation impacts in accordance with paragraph 115 of the NPPF.

Landscape and Visual

- 2.1.10 The Site is enclosed to the north by the Ancient Woodland (Hospital Wood) and to the west by an existing Livery business and its verdant screening. Views to the south and east will be partly mitigated by the existing verdant boundary treatment. Whilst the site's Landscape and Visual impacts have not been fully assessed, the proposal may have some visual effects from Stodmarsh Road and views from the east. These effects can be mitigated through proposed landscaping mitigation measures, which involve creating new habitats with the potential to link existing ones.

Ecology

- 2.1.11 As set out above, the northern part of the site is bounded by Ancient Woodland. While the site layout for residential development is not currently known, a 15 m Ancient Woodland buffer, additional landscaped buffers, and other ecological mitigation that can provide net gains to biodiversity by creating new habitats are envisaged.

Sustainability of the site

- 2.1.12 The site lies outside of any defined settlement confines within the countryside for planning purposes as identified within the Draft Local Plan 2040 indicative planning policy maps. The site lies a 4-minute drive to a convenience store on Littlebourne Road. This site is approximately 3 km to Longport (within the urban confines of Canterbury), where there are several eateries and convenience stores, including Waitrose, Tesco Extra and a pharmacy. Canterbury's urban area has two train stations providing services into central London (High Speed from Canterbury West) and other destinations across the County and south east.
- 2.1.13 Sturry train station is the closest rail connection; it lies 1.5 km south of the site accessible via Sturry Hill. The station provides south-eastern services towards Ramsgate, London St Pancras International and London Cannon Street
- 2.1.14 The A257 connects Canterbury with other key services, such as primary and secondary schools, sixth-form colleges, supermarkets, and hospitals.
- 2.1.15 Canterbury provides most of the employment opportunities for residents of the Fordwich Area. Access to these services is available via short car journeys.
- 2.1.16 It is noted that there are no footpaths along Stodmarsh Road and that paragraph 108 of the NPPF sets out that sustainable transport should be considered from the earliest stages of a development proposal so that:
- (a) The potential impacts of development of transport networks can be addressed;
 - (b) Opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised;
 - (c) to promote walking, cycling and public transport use are identified and pursued;
 - (d) The environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account; and
 - (e) Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high-quality places.

2.1.17 Paragraph 109 of the NPPF states that the planning system should actively manage patterns of growth. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be considered in both plan-making and decision-making.

2.1.18 Paragraph 115 of the NPPF states that:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

2.1.19 Given the site's rural nature and the lack of footpath access, it is considered that the site's location accords with paragraph 109 of the NPPF, which states that the sustainability of sites will vary between rural and urban locations. As such, whilst the site is not near sustainable modes of transport, it is within close proximity to everyday services via short car journeys.

2.2 OTHER PLANNING CONSTRAINTS

- 2.2.1 The wooded area on the site's northern boundary is designated Ancient Woodland. Any scheme brought forward will include the necessary 15m Ancient Woodland buffer as part of its proposal.
- 2.2.2 Stodmarsh SPA, SSSI and Ramsar lies approximately 750m north of the site.
- 2.2.3 The site is located within Flood Zone One and is at the lowest risk of flooding.
- 2.2.4 Before the site's existing use as a sports pitches, it had historically been used as a landfill site. The nature of the contamination from its previous use is not yet known. However, this does not prevent the site from coming forward for development; it just means that in any submission of a planning application on the site requires the necessary phase 1 contamination surveys to be undertaken to understand the level of contamination at the site and future construction methods.
- 2.2.5 There are no Scheduled Monuments or World Heritage Sites located near the site where the proposed development could significantly affect their setting. Given the size of the site and the scale and scope of the development, there is limited scope for the development to harm heritage assets.
- 2.2.6 Whilst the site's archaeological resource is unknown, standard and proven mitigation exists as part of normal planning practice for all development where there is the potential for impact on non-designated archaeological remains. This ensures that the site's archaeological resource is evaluated prior to any below-ground impact from construction. This is usually achieved by way of a suitably worded planning condition.

Deliverability

- 2.2.7 Sites must be available, suitable, and achievable for them to be considered deliverable. These tests are reviewed below.

Availability

- 2.2.8 Availability is essentially about confirming that it is financially viable to develop, and viability remains a central consideration throughout plan-making. We can confirm that there would be no financial restrictions that would impact the viability of a housing scheme or that would prohibit development within the early stages of the Plan Period. The proposal is to act as an enabling development for CCCU to move its sports pitches to Polo Farm to consolidate its sports provision in one place.

Suitability

- 2.2.9 While the site is considered to be in a rural location by virtue of not being within any settlement confines for reasons set out above, it is considered suitable for development in accordance with paragraph 109 of the NPPF with all key services being within a short car journey of the principal urban area of the district (Canterbury).

Achievability

- 2.2.10 The site is under one ownership; it is a greenfield with limited constraints on the site other than those that cannot/ have not already been proposed to be mitigated against. The legal agreements and covenants would not prohibit the ability to bring forward the site for redevelopment.
- 2.2.11 Therefore, the site is a greenfield development in a sustainable location that can be delivered within the first 5 years of the plan period.

3 RESPONSE TO THE DRAFT CONSULTATION

3.1 INTRODUCTION

- 3.1.1 As set out in Section 1, CCCU is promoting the site for a small-to-medium-sized residential development that will act as an enabling development to consolidate their sports provision in one place at Polo Farm. The site has not been previously submitted at any stage of the Local Plan consultation process.
- 3.1.2 This section outlines the responses to the Regulation 18 questionnaires published by CCC on behalf of CCCU and their land interests at Land North of Stodmarsh Road and Polo Farm only. This section concludes that the site, Land to the north of Stodmarsh Road, should be allocated as part of the Regulation 19 Draft Local Plan.

3.2 CHAPTER 1 SPATIAL STRATEGY FOR THE DISTRICT

Q1: Do you have any comments on the vision

- 3.2.1 The vision for the Plan Period encompasses the broad policy principles covering the economy, the environment (climate change), transport, and healthy communities. It also highlights Canterbury District's need to become a sustainable and resilient place that can adapt to climate change and changes in the economy whilst improving the health of its communities. The vision also seeks the development of the universities and colleges. CCCU welcomes the Council's commitment to developing and enhancing the University and other education establishments within the district as part of its economic strategy for the Local Plan period up to 2040.
- 3.2.2 The vision describes development in general terms. However, it is not clear how much development will be provided. This part of the vision could be improved. We consider that the housing delivery figure across the Plan Period should be added to the vision as housing delivery is a crucial way in which CCC can ensure the development of healthy communities, the development of a stronger economy supporting community businesses, and opportunities for nature-based solutions and responses to climate change. It also helps to improve transport connectivity.

Q2: Do you have any comments on the strategic objectives

- 3.2.3 Much like the vision, the strategic objectives focus on supporting economic growth within Canterbury, resilience to climate change, protection of the natural environment and cultural heritage, and improving transport infrastructure.
- 3.2.4 Bullet point two of the strategic objectives supports the growth and development of Canterbury's universities and colleges as a centre of innovation and learning excellence, which stimulates business start-ups and generates skilled jobs. Whilst

CCCU welcomes this, this representation considers that the Council needs to acknowledge the role the University's sports provision and other services offered to the community play in the development of a healthy, vibrant community and economy and that the enhancement of existing sports and leisure facilities at the University should be encouraged through planning policies.

- 3.2.5 Bullet points 10 and 11 relate to housing, intertwining the need for housing with well-designed sustainable communities that tackle climate change. However, it is notable that no strategic priority deals expressly with the Council's housing requirements across the Plan Period up to 2040. We consider this should be changed to reflect the need for housing in the district.
- 3.2.6 Bullet point 12 supports the sustainable growth of rural communities through the provision of affordable housing, community facilities, and public transport infrastructure, taking advantage of opportunities to protect and grow the rural economy. CCCU welcomes the Council's acknowledgement of the need to develop existing rural communities' sustainability in accordance with paragraph 83 of the NPPF.

3.3 POLICY SS1: ENVIRONMENTAL STRATEGY FOR THE DISTRICT

Q3: Do you have any comments on this policy?

- 3.3.1 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.
- 3.3.2 Whilst CCCU supports the Council's ambition to enhance biodiversity, it objects to this section of the policy because there is an absence of evidence in the Council's most up-to-date evidence base to demonstrate why this level of net gain should be required on development sites of all sizes. 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.
- 3.3.3 The Council's evidence base has been expanded with a Natural Environment and Open Spaces Topic Paper (October 2022) and a Climate Change Topic Paper (February 2024) to support the new round of consultations on the revised Draft Local Plan. Neither document provides evidence to support the requirement for 20% BNG on all sites. Any requirement should be proportionate to the scale of the proposed development to ensure that it is viable and fundamentally delivered.
- 3.3.4 The Site Land North of Stodmarsh Road is also not identified as a safeguarded site for Open Space/ Sports Provision in the Natural Environment and Open Spaces Topic Paper so can be afforded the opportunity for redevelopment as long as the moving of the sports pitches is justified through any submitted planning application on the site.

3.4 POLICY SS2: SUSTAINABLE DESIGN STRATEGY FOR THE DISTRICT

Q4: Do you have any comments on this policy?

- 3.4.1 Policy SS2(1) requires all new residential and commercial development to be designed to achieve net zero operational carbon emissions. In the previous representation, insufficient testing has taken place to ensure that new development can achieve net zero emissions whilst remaining viable.
- 3.4.2 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 conducted before the recent changes came into force relating to the requirements of new buildings – this includes the requirement for gas boilers to no longer be the default heating source and for air source heat pumps to be used from 2025.
- 3.4.3 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 will occur throughout 2024, followed by the adoption of the regulations in 2025. From 2025, compliance with the FHS will become mandatory and ensure that new homes built from 2025 will produce 75-80% fewer carbon emissions than those constructed under current Building Regulations. In doing so, the FHS seeks to decarbonise new homes by improving heating and hot water systems and reducing heat waste.
- 3.4.4 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 building 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, taking into account any government funding to ensure that new development can achieve net carbon zero and remain viable.

3.5 POLICY SS3: DEVELOPMENT STRATEGY FOR THE DISTRICT

Q5: Do you have any comments on this policy?

- 3.5.1 Policy SS3 (1) sets CCC's housing need as 1,149 per annum across the Plan Period up to 2040 based on updated affordability ratios to the figures in the Housing Need

Assessment (2021). It is acknowledged that CCC is proposing to meet its full local housing need.

- 3.5.2 Historically, the Council has struggled with housing delivery. The HNA (2021) states that the Council completed an average of 572 dwellings per annum from 2001/02 to 2021. However, there are concerns regarding housing and how the Council will achieve the 1,149 dwellings per annum required, given that they have, on average, not previously delivered that number of dwellings.
- 3.5.3 The supporting text to Policy SS3 identifies Fordwich as a tier 3 settlement (village with no defined settlement boundary). Paragraph 1.47 of the Draft Local Plan 2040 states that areas outside of urban areas and rural settlement boundaries are designated as countryside where development will be generally restricted.
- 3.5.4 It is noted that Policy SS3(5) sets out that the provision of new community facilities and services, business space, and tourism facilities outside of settlement boundaries will be supported, provided such development is proportionate in scale to the relevant settlement and the need for the development outweighs any harm.
- 3.5.5 CCCU notes that Policy SS3(4&5) does not explicitly support providing new and/or enhanced sporting facilities. CCCU considers that the Council should clarify whether the provision of new community facilities outside settlement boundaries includes sports pitch provision. Consolidating the sports pitches can enhance Polo Farm's reach as an existing centre of sports excellence while enhancing existing sports facilities on existing bus routes and making the university's sports pitched more accessible via better road and public transport infrastructure.
- 3.5.6 Moreover, Policy SS3(6) states that within the countryside, which is defined as any part of the district outside of the settlement boundaries of the urban areas, priority will be given to protecting the rural character of the district.
- 3.5.7 Overall, the draft policy highlights that new development will be supported on suitable sites. As set out in Section 1, although in a rural location, the site is considered sustainable in accordance with Paragraph 109 of the NPPF and accessible to local services and amenities via short car journeys. As such, land North of Stodmarsh Road remains suitable for allocation for small-to-medium-sized residential development in the draft Local Plan, which would provide a proportionate contribution to the LHN for the rural area of the district.

3.6 POLICY R19: COUNTRYSIDE

Q19: Do you have any comments on this policy?

- 3.6.1 Tied in with Policy SS3(4), this policy sets out the approach to developing villages and hamlets identified in the Draft Local Plan and its evidence base that do not have a distinct settlement boundary, such as Fordwich, where the site is located.

- 3.6.2 Policy R19(1) sets out five exemptions for housing developments within the countryside. Due to the nature of the site, any proposal would not be infill development within a village or hamlet; the dwellings would not be for agricultural use or would meet the requirements for an affordable housing exception site in accordance with policy DS4. Therefore, these exemptions do not apply.
- 3.6.3 However, the south east corner of the site has existing buildings and hardstanding that are Previously Developed Land that would be redeveloped to make way for any proposed residential development. This works in the site's favour to help establish a principle for development in the south of the site.
- 3.6.4 In addition to the above, Policy R19(3) lists four exemptions to wear new community facilities in the countryside where:
- (a) there is an identified local need for the proposal which outweighs any harm;*
 - (b) the development protects the rural character of the area, including in terms of any cumulative impacts of similar developments, and any adverse impacts on the landscape and heritage are appropriately mitigated;*
 - (c) the development can be accommodated by the local highway network, has appropriate vehicular access is appropriately accessible by public transport and walking and cycling; and*
 - (d) the development would not undermine the viability of existing provision within the area.*
- 3.6.5 Moreover, Policy R19(5) sets out that the Council will protect the network of valued open spaces, green infrastructure and sports and recreation opportunities that exist in the countryside and will resist development which affects the openness of designated green caps, which would erode the separation between the character or setting of individual settlements. As set out in the Natural Environment and Open Space Topic Paper, the submitted site is not protected under this part of Policy R19.
- 3.6.6 CCCU has identified the need to consolidate its provision of sports facilities in one location. Any proposal to allocate this site for residential dwellings will enable CCCU to locate their sports facilities at Polo Farm, enhancing the existing facilities in this new location.
- 3.6.7 Polo Farm is situated off the northern side of Littlebourne Road. It is an existing sports facility providing a range of sports, such as cricket, hockey and tennis, for the university and local sports clubs that use facilities. This proposed relocation of the university's sports pitches is considered to be more accessible and sustainable given it is on a bus route and the A257(Littlebourne Road) is capable of taking the frequent higher traffic volume than Stodmarsh Road which is generally associated with recreational sports facilities at peak times. The existing bus stops outside Polo Farm provide regular services towards Canterbury city centre, including CCCU's North Holmes Road campus.

- 3.6.8 The university sports pitches are regularly used on Wednesdays by CCCU students and every weekend throughout the year for football and rugby by the wider Canterbury community, along with ad hoc week events run by interested parties (such as police use programs, etc.) Given the intensity of the sports pitches' use, a net decrease in vehicle movements would be considered if the site Land North of Stodmarsh Road were to be put forward for residential development.
- 3.6.9 Consolidating CCCU's sports provision and the new location at Polo Farm would not undermine the viability of existing sports provision within the area. The existing provision will be located close to the university's site on Stodmarsh Road, enabling existing users within the local community to have access to the facilities. Therefore, the network of existing sports pitches will be retained within the local facility but moved to a more appropriate location to best serve the University and broader uses of said facilities.
- 3.6.10 The redevelopment of Land North of Stodmarsh Road is in a rural location. However, the site has been identified as sustainable according to paragraph 109 of the NPPF, and given its proximity to other settlements, it would not harm the neighbouring settlements.
- 3.6.11 In addition to the above, we do not agree with Policy R19(6), which states that the neighbourhood plan housing requirement figure for the Plan Period for Fordwich parish is zero dwellings. It is noted that this figure was taken from the Development Topic Paper (2024), in which Chapter 7 deals with neighbourhood plans. Whilst it is noted that the methodology for calculating the housing for the Fordwich Parish is calculated using average windfall completions per annum by neighbourhood area, it is considered that just because the average windfall completion is set at zero doesn't mean that there is a de facto stopping of any residential development in Fordwich.
- 3.6.12 It is considered that Chapter 7, paragraph 7.9, which summarises the housing allocations for the parishes, should be reworded in a negative phrasing rather than a positive phrasing to show that development within Fordwich parish cannot be fully considered due to the number being zero. This part of the topic paper does not consider that throughout the Plan Period, there needs to be appropriate sustainable development within all areas of the district, whether it be urban centres, Rural Service Centres, Local service centres or villages within the countryside. Therefore, we consider that the council should reconsider allocating a proportion of housing to smaller villages near sustainable centres to enable the vitality of the rural villages and hamlets.
- 3.6.13 In this vein, the site, Land north of Stodmarsh Road, is considered available for small to medium-sized residential development capable of delivering housing within the early years of the Plan Period. The Development Topic Paper (2024), paragraphs 8.13 to 8.26, discusses the windfall housing supply and how CCC has shown that 63% of total completions over the current adopted Plan Period for the Local Plan (2017) have been through windfall development. This shows that the Council have been over-reliant on windfall sites coming forward to help deliver the housing

supply. To avoid the above occurring in the Draft Local Plan's Plan Period, CCC should consider allocating additional small to medium-sized residential schemes as allocations within the Local Plan to reduce the reliance on windfall sites, of which this site would be one.

3.7 POLICY DS1: AFFORDABLE HOUSING

Q1: Do you have any comments on this policy?

- 3.7.1 The Housing Needs Assessment (2021) assessed affordable housing needs across the district (including social and affordable rent and affordable homeownership). The assessment concluded that the district needs an uplift of 308 net affordable social and affordable rent homes per annum and an additional 156 net affordable homeownership dwellings per annum. The site can deliver a proportion of the scheme as affordable housing. However, a similar policy should be akin to Policy DS1 (6), which sets the threshold for affordable housing in the Kent Down AONB in rural areas. The reason for this is that the threshold for affordable housing in rural areas will be different compared to that of sites within Rural Service Centres and urban areas, given the difference in demands for affordable housing.

3.8 POLICY DS2 HOUSING MIX

Q2: Do you have any comments on this policy?

- 3.8.1 CCCU does not object to the principle of residential development providing for particular needs, for example, affordable housing and adaptable homes built to M4(2) or M4(3) standards, where the evidence exists to justify this. Policy DS2(5a) requires specific percentages of M4(2) and M4(3) dwellings for proposals of 10 or more dwellings or on sites over 0.5ha. The policy also fixes the affordable housing mix. We wish to raise a genuine concern about setting these specific requirements for a Plan Period to 2040 based on evidence originally prepared in 2021. There seems to be very little ability to vary provision according to up-to-date evidence. Housing needs vary substantially over time based on market trends and demographic needs. The Local Plan must include appropriate flexibility to allow schemes to respond to the particular needs at the time applications are submitted.
- 3.8.2 Given the above, we respectfully suggest that policy DS2 should be revised by removing specific percentage targets for these housing types. Instead, the policy should require applications to deliver housing types, mixes and tenures based on up-to-date evidence of need in place at the time of the application.

3.9 POLICY DS9: EDUCATION AND ASSOCIATED DEVELOPMENT

Q9: Do you have any comments on this policy?

3.9.1 The supporting text to this policy in paragraph 6.23 sets out that:

The district's education sector forms a significant part of the local economy, including the three universities, and it is important that this plan supports their continued growth and development appropriately.

3.9.2 Paragraph 6.26 sets out that:

The Local Plan considers development across all levels of education and skills within the district and provides a positive policy framework to support growth and meet needs.

3.9.3 This policy, however, only supports the creation of student accommodation, education facilities or floorspace within existing urban areas and does not support other facilities that contribute to the university, such as sports provision needs/demands despite paragraph 6.26 setting out that the Local Plan seeks to provide a positive policy framework support growth and meet needs of the universities.

3.9.4 CCCU has identified a location to consolidate its existing sports pitch provision. Currently, Policy DS9 does not support this development, which is required to enable land north of Stodmarsh Road redevelopment.

3.9.5 The university has its main North Holmes Road Campus in Canterbury; however, its education facilities are currently spread across the city centre along with its accommodation and sports centre. As noted within this representation, there are also various locations for sports provision in the district that CCCU uses. We consider the Council needs to take a proactive approach in facilitating the development of CCCU, given its dispersed nature within the Canterbury area. Therefore, the Council should enhance Policy DS9 to allow the CCCU to invest in its existing and future facilities, not just within the urban area of Canterbury, given the dispersed nature of its facilities compared to other higher education establishments.

3.10 POLICY DS16: AIR QUALITY

Q16: Do you have any comments on this policy?

3.10.1 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.

3.10.2 Once more, It is not considered that this requirement is fair or reasonable for small and medium sized residential 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 regarding the scale of development. A more proportionate approach to development management policy is therefore required.

3.11 POLICY DS17: HABITATS OF INTERNATIONAL IMPORTANCE

Q17: Do you have any comments on this policy?

- 3.11.1 Regarding this policy, Policy C20 is allocated as a Stodmarsh strategic nutrient mitigation site. With regards to Policy DS17, There is no in-principle objection to the policy. However, DS17(8) still references specific guidance in respect of nutrient neutrality, requiring all developments to remove at least 50% of phosphates and nitrates from surface water. This is a fast-moving area, and guidance is continuing to change and evolve. This policy is, therefore, likely to become out-of-date quickly.
- 3.11.2 Given the length of the plan period, the policy does not allow for the condition of the Stodmarsh site to have improved and, therefore, the requirements for mitigation to be relaxed. The 50% removal rate appears overly restrictive and does not allow for changing circumstances.
- 3.11.3 Ultimately, the policy as drafted remains excessively prescriptive and relates to matters already addressed through primary legislation and the NPPF, which will likely be updated prior to the end of the Plan period. We suggest this element is removed and refers to higher order national policy, however, if the policy is to remain it must provide flexibility to recognise more up-to-date guidance/advice to ensure the policy is "effective" and does not place unnecessary burdens or restrictions on development.
- 3.11.4 We strongly suggest the policy be amended to the following or similar "*criterion a, b and c will be applied unless superseded by more up to date guidance issued by Natural England*".
- 3.11.5 The policy further refers to the Canterbury District Nutrient Mitigation Strategy which is to be provided through strategic wetlands. Further details of this are, however, not available in the plan for comment, and it is not clear whether this would remove the need for individual sites to provide on-site mitigation. We are, however, concerned that at this stage, only one site (C20 – Land to the south of Sturry Road) has been identified as an allocation for wetland mitigation. It is not clear how many mitigation credits may be provided by C20 or how they will be

distributed. It is also not clear when safeguarded land for wetlands may be brought forward to provide additional credits.

- 3.11.6 To ensure that the delivery of new homes is not delayed by the availability of credits, we suggest that mechanisms for the provision of mitigation credits be constantly reviewed and request the publication of details relating to the Canterbury District Nutrient Mitigation Strategy as soon as possible.

3.12 POLICY DS18: HABITATS AND LANDSCAPES OF NATIONAL IMPORTANCE

Q18: Do you have any comments on this policy?

- 3.12.1 It is noted that the site abuts ancient woodland to its northern boundary and is within the Stodmarsh SPA catchment. The appropriate mitigation measures will be complied with as part of any submitted planning application at the site. As such, CCCU generally supports this policy.

3.13 POLICY DS21: SUPPORTING BIODIVERSITY RECOVERY

Q21: Do you have any comments on this policy?

- 3.13.1 Draft Policy DS21(3) states that development across the district will need to incorporate measures to deliver a minimum 20% biodiversity net gain.
- 3.13.2 CCCU objects to this section of the policy. 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 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 proposed scale of development to ensure that development can be viable and fundamentally delivered.

3.14 POLICY DS22: LANDSCAPE CHARACTER

Q22: Do you have any comments on this policy?

- 3.14.1 CCCU acknowledges that the site is within an identified landscape character area. Policy DS22(1) states that development proposals should demonstrate that they are informed by and sympathetic to the landscape character of the locality and that proposals will be expected to take every opportunity to reinforce, restore, conserve

or improve, as appropriate, the landscape character of the proposed development area. Whilst the proposed landscape impact of any proposed development on the site has not been fully considered to date, nor has a detailed design of the proposal been carried out, the university acknowledges such a policy and aims to conform to it as part of any future planning application on the site.

3.15 POLICY DS24: PUBLICLY ACCESSIBLE OPEN SPACE AND SPORTS

Q24: Do you have any comments on this policy?

- 3.15.1 This policy is acknowledged. However, as set out in the Natural Environment and Open Space Topic Paper, the submitted site is not protected under this policy of the Draft Local Plan's evidence base.
- 3.15.2 CCCU has identified the need to consolidate its provision of sports facilities in one location. Any proposal to allocate this site for residential dwellings will enable development to locate the sports facilities at Polo Farm, enhancing the existing facilities in this new location.
- 3.15.3 At any future planning application stage, discussions will be had with Sport England with regards to relocating the sports provision at Land North of Stodmarsh Road to Polo Farm, ensuring there is no loss to the provision.

4 CONCLUSIONS

- 4.1.1 This representation is prepared on behalf of Canterbury Christ Church University concerning Land North of Stodmarsh Road to redevelop the site from sports pitches to small to medium-sized residential development. This redevelopment would be enabling development to allow CCCU to consolidate its sports pitch provision at Polo Farm, where CCCU has land interests and existing sports facilities.
- 4.1.2 This representation sets out that CCCU would like to see CCC less reliant on windfall development across the Plan Period within rural areas and look to allocate additional small-to-medium-sized sites within the village area, such as Fordwich, which is not currently forwarded any residential development across the Plan Period according to the Development Topic Paper (2024) and policy C19 of the Draft Local Plan 2040.
- 4.1.3 Moving CCCU's sports provision will not remove any of the existing provision but rather leave it in a more appropriate location within close proximity to its existing local. The relocation would enable the university facilities to be accessible via public transport (bus). Polo Farm is located off the northern side of the A257 (Littlebourne Road) and has access that can account for a higher of trips generated from the use of the facilities by vehicles compared to the existing situation on Stodmarsh Road.
- 4.1.4 CCCU submits that the Council should reword Policy DS9 to allow the university to invest in its existing and future facilities outside of Canterbury's urban area (not just teaching facilities and student accommodation within the urban area of Canterbury), given the dispersed nature of its facilities, to benefit the district communities and economic activities associated with the use of sports and leisure facilities.
- 4.1.5 Notwithstanding the above, it is considered that several of the district-wide policies and strategic policies are overly demanding. The onus of the draft policies are not proportionate depending on the number of dwellings proposed and could risk the viability and deliverability of new development and the delivery of small to medium residential sites. 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 critical 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.
- 4.1.6 The site is in a sustainable location (in accordance with paragraph 109 of the NPPF), is available and can start delivering homes within the first five years of the Plan Period and has the potential to deliver affordable housing to meet local needs within the rural area of the district. Given the nature of the development at Land North of Stodmarsh Road as enabling development for the consolidation of the sports provision for CCCU at Polo Farm, the allocation of Land North of Stodmarsh

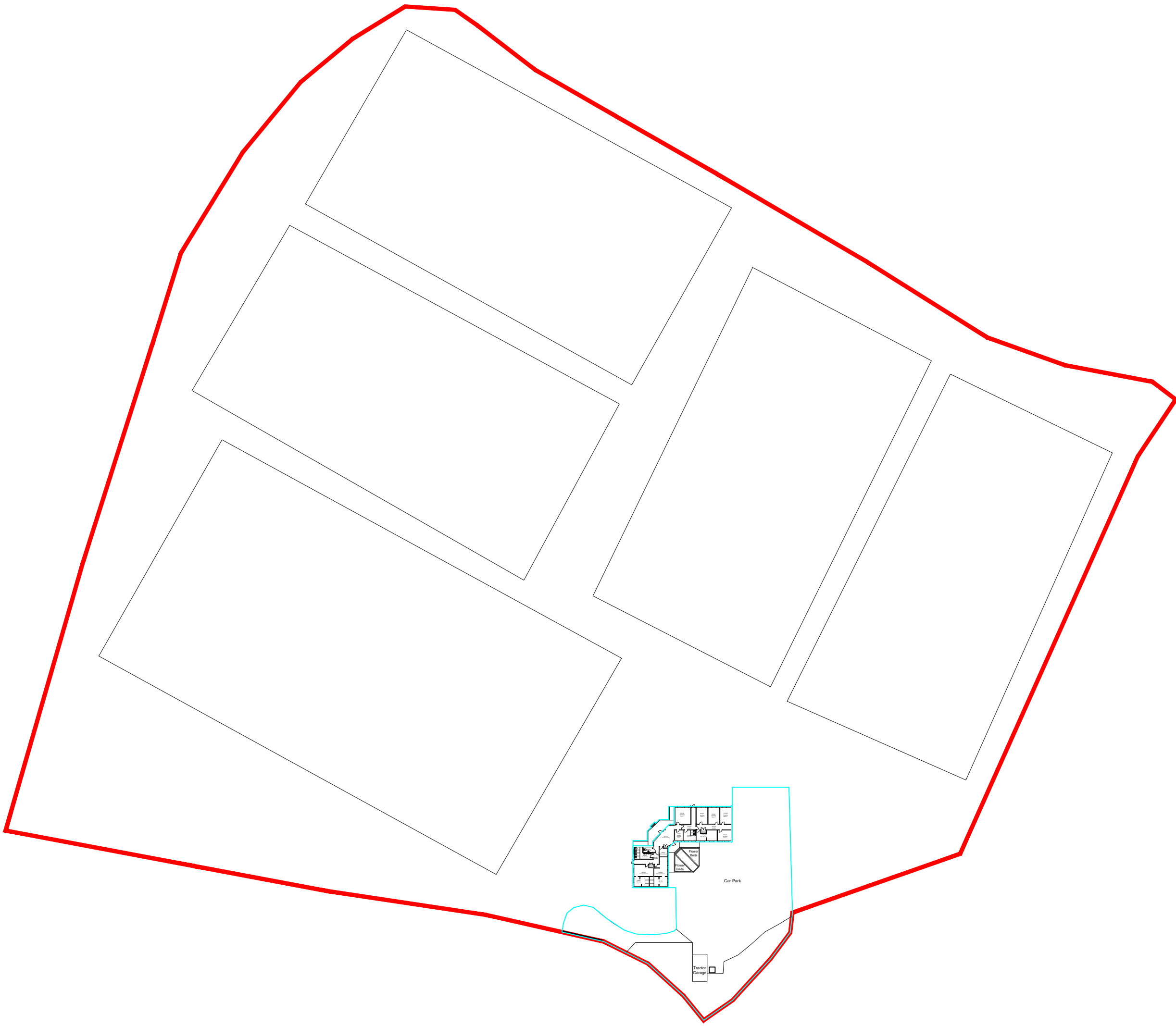
Road provides opportunities for the Council to expand and enhance the existing sports facilities in an already identified sustainable location for sports provision.

- 4.1.7 CCCU remain committed to working positively with CCC to ensure the site is allocated within the submission version of the Local Plan. We would welcome the opportunity to discuss the site with CCC's policy officers prior to the publication of the regulation 19 submission version of the Local Plan.

Appendix 1- Red Line Site Location Plan

GENERAL NOTES

Site Area = 49000m²



FACILITIES SERVICES

PROJECT	Site & Buildings Plan Book		
DRAWING	Site Plan Stodmarsh Sports Ground Canterbury		
DWG. No.	IP/S19-SGP/L01		
PLOT SCALE	1:1000		
PAPER SIZE	A3	PAGE No.	01 of 01
DRAWN BY	H.L.D.	REVISION	A
CHECKED BY	S.R.E.	DATE	10 Apr 12

CONTRACTORS TO CHECK ALL DIMENSIONS. DO NOT SCALE

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