



CCC Consultations <consultations@canterbury.gov.uk>

Consultation response: Canterbury District Draft Local Plan to 2045

1 message

Neil Baker 

16 January 2023 at 11:45

To: CCC Consultations <consultations@canterbury.gov.uk>

Good morning,

Please find my consultation response to the Canterbury District Local Plan to 2045.

Best wishes,

Neil

Neil Baker
Canterbury City Councillor
Tankerton Ward



**Canterbury District Local Plan to 2045
Consultation Response
Neil Baker
January 16 2023**

Introduction

No Draft Local Plan is ever going to be met with overwhelming support. In this country as a whole, the debate about the importance of building the right type of housing, in the right location, for the right reasons still needs to be had.

There are some positive aspects to this Draft Local Plan although given what I see as a number of fatal flaws, I fear at least some of these may be lost if a dramatic rewrite is needed – as I believe it is. I shall leave it to others to highlight positives as I consider a consultation response carries more weight if it focuses on the things that should not be progressed or, at least, altered.

A number of the issues are outside the areas I represent at Canterbury City Council (Tankerton Ward) and Kent County Council (Whitstable East and Herne Bay West Division, which includes Tankerton, Swalecliffe, West Bay, Greenhill and Eddington). But given the impact across a wide area, I feel it would be remiss of me not to offer some comments.

As I have previously outlined at meetings, my prime concern is that if the current Draft Local Plan were to be adopted, the district would be blighted with all of the negatives that can come with new housing but without the positives – all of the issues we have at the moment with straining or failing infrastructure would merely be exacerbated.

I am saddened to state that this Draft Local Plan is a missed opportunity. For all the controversial, headline grabbing projects, such as the Eastern Bypass and Canterbury Circulation Sectoring (or whatever it should be called), much is missing.

My concerns include, but are not limited to:

- Everything seemingly being included with the aim of enabling an Eastern Bypass, which may not even be deliverable at all, raising questions about the soundness of the entire Plan
- No real attempt to force the split of surface water and sewage by reducing/eliminating the use of existing combined sewers, therefore doing nothing to reduce the frequency of waste water treatment sites being over capacity and discharging into the sea
- No commitment, as far as I can see, to commissioning independent reports into sewage and surface water flow, with modelling about capacity, to show the real impact developments will have on the wider drainage network and environment
- Using the creation of “green corridors” and “open space” as a way of justifying huge areas of land which are currently undeveloped and provide a huge benefit in terms of biodiversity
- No attempt to tackle age-old traffic and parking issues in Whitstable, aside from a fanciful and impractical “Park and Bus” scheme
- Forcing the two distinct communities of Chestfield and South Tankerton together by allocating a development that is unlikely to do anything but stretch existing infrastructure and services (even further) beyond breaking point
- Persevering with the inclusion of Cooting Farm, when a main landowner has made clear they are against development, which risks sites already discounted being brought back by the Inspector and causing huge problems
- Dividing central Canterbury into sectors without full and specific explanation about any reasoning or how it may work, and allowing such a bizarre idea to distract attention from the rest of the Plan
- Overall, failing to allocate the right type and amount of housing, in the right location, for the right reasons

These comments are by no means exhaustive. I have avoided the temptation to write hundreds of pages, as my key message is largely strategic - and that is that this Plan is not good enough to ensure the best future for our district and, therefore, it needs radical changes.

The process to date

While it is all too easy to criticise the process, I have not felt I have had much ability to shape the Draft Local Plan as a councillor, on behalf of residents. While workshops have been held, I have felt a sense of disconnect between suggestions made within them and the outcomes from them.

I would like to use this consultation response to formally request that consideration is given to conducting a review of how Draft Local Plans are prepared, the level of democratic accountability and how genuine early engagement – which can shape ideas rather – can be conducted.

Whatever the constitutional rights and wrongs (and this should perhaps be revisited), if possible it should be codified that future Draft Local Plans should only be able to be sent out to consultation following a vote of Full Council, rather than just the six-member cabinet as happened this time.

Without wishing to get caught up in the detail, I would personally like to see a cross-party (all-party) Local Plan Working Group reinstated in the future, which is tasked with giving regular and meaningful reports to (probably) the Scrutiny Sub-Committee.

In short, councillors and residents should never again be in a position where what seem like vague, theoretical, high-level ideas are bounced around and then, a year or so later, detailed proposals such as the “Canterbury Circulation Plan/Sectoring of Canterbury” suddenly appear. The gulf between “steps” within this Local Plan process is such that it is hard for me, as a councillor, to quite understand how we moved from A to B to C, when it appears we moved from A to M to Z and the other parts happened...somehow?

Perhaps it is due to how working habits have changed in a post-Covid lockdown world, the pressures on resources or something entirely different, compared to previous Local Plan processes, this one appears to have been incredibly disjointed.

Is this plan premature?

Various announcements and comments from Westminster and Whitehall have added to a sense of confusion to what level of empowerment Central Government is giving Local Government with regards to housing development.

I am usually the first person to complain about the sloth-like pace of councils, but if ever there was a time to hit the pause button and await greater clarity about how much scope the council has to actually deliver what residents have requested, it is surely now?

A viability void?

Since work began on the Draft Plan, we have experienced an economic downturn. Will the impact on land and property values mean that the already high number of houses proposed will no longer be able to fund the infrastructure and environmental benefits suggested?

A real risk with Local Plans is that they are restrained by the lack of deliverability of the previous one. Instead of using the funds associated with new housing developments to allow an area to continue to grow successfully, the funds are instead used to plug holes left in the previous plan.

This can lead to the lack of placemaking. There are already new developments across the district (which are no longer "new" in a strict sense) that have been seemingly bolted on to existing residential areas but with a lack of permeability, leaving no community growth but often a sense of resentment between existing residents and new arrivals, perhaps due to a perceived impact on existing services.

Sewage not being taken seriously enough?

There is rightly a lot of focus and anger among residents about the de facto default of discharging sewage into the sea when rainfall overpowers the inadequate infrastructure. And we know it doesn't take much rainfall at all for the system to be overpowered. While this may be permitted and legal, it is certainly not socially or morally acceptable, let alone "right" in a technologically advanced country in 2023.

While the council may be limited by national legislation in how far it can go within the Local Plan, I believe this has to be tested as far as possible through the Local Plan Inquiry, in front of the Planning Inspector.

For instance, Policy DM15 – Sustainable drainage on P. 255 is undermined by clause 1 (iv):

"Discharge to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewer undertaker."

The ability to discharge surface water into combined sewers should be entirely removed. If there are "absolutely no other options," then permission should not be granted for any development.

Realistically, this will be unlikely to apply to large sites – where it is far easier to completely split surface and foul water.

However, as we have seen over many, many years, our already built areas are full of combined sewers. When small development takes place, even as small as rear extensions, paved driveways or garden decking, the surface water invariably ends up in combined sewers, leading to the treatment works being overpowered more quickly and sewage ending up in the sea.

Simply, this needs to stop.

Clearly, a lot of the extra surface water ending in combined sewers is due to small work as referenced above – but it adds up. If there is scope to remove the ability to discharge ANY extra surface water into combined sewers (while reducing the amount that current enters them) it has to be taken.

Furthermore, given Southern Water are working on their Swalecliffe Pathfinder project to reduce the amount and speed of surface water entering the combined sewer system, it is disappointing that there is little evidence in this Draft Local Plan that consideration has been given to formalising this on a long-term basis, and one that ensures work will continue whatever company is responsible for sewage and whether the entire industry is taken back into public ownership or not.

If this Draft Local Plan has to be radically altered or, indeed, restarted from first principles, the removal of surface water from the combined sewer system has to be an absolute golden thread, a key aim with measurable metrics, rather than being too vague and restrictive to have any impact.

Improving the existing highways and public rights of way network

For all the talk of shiny new roads and pavements, there is a massive network of existing roads, pavements and public rights of way that need investment. Where appropriate – and there has to be a connection with the proposed development – Highways Improvement Plans to help determine where developer contributions are allocated.

Most parished areas already have Highways Improvement Plans and a recent Short Focus Inquiry at Kent County Council is likely going to lead to it being easier for such Plans to be created in non-parished areas.

This should be seen as an ongoing approach, so that whenever there is a chance to improve existing facilities by leveraging in developer funding, it should be straightforward to find out what that actual work could be.

No Eastern Bypass, no Plan?

The plan reads as though it was developed on the basis of building a new Eastern Bypass being the chief goal and almost everything else is included to meet that goal.

While it's a positive that the proposed route will avoid the Site of Special Scientific Interest (SSSI), doubts must remain about how much of an impact it will have on the SSSI. There also appears to be evidence emerging relating to the archaeology of the site that means any attempt to use the currently proposed route is doomed to failure.

If the Eastern Bypass is never built, then the “Eastern Bypass focus” means it is all but inevitable the entire Plan falls. Whatever the rights and wrongs of creating an Eastern Bypass, given the importance that has been attached to it there is an argument that feasibility studies should have been conducted and a case made (if the studies showed one could be made) for it ahead of this consultation.

Dividing central Canterbury into sectors

It is not often elements of any Local Plan are heard being discussed in the coffee shops and playgrounds of the district, except perhaps in a very broad sense relating to the number of houses proposed to be built. However, the proposal to divide central Canterbury into sectors at some point towards the end of the new Local Plan period, has achieved an unprecedented level of infamy.

I know I am not the only councillor who has been asked whether those drawing up the Draft Local Plan have taken leave of their senses, purely on the basis of the “sectoring” proposals. I would go so far as to state the way this aspect of the Plan has been presented and communicated has negated any positive policies included elsewhere and damaged the reputation of the council.

While I don't expect this scheme, for various reasons, to ever actually happen, it was so obviously going to attract a huge amount of attention that those attempting to promote it as a serious idea should have allowed the opportunity for targeted, specific consultation/discussion/proof of concept.

Whitstable Park and Bus and a lack of Whitstable traffic and parking focus

This name has caused confusion and, when I've outlined to residents what the proposal actually is, many have expressed surprise that anyone would think it is a sensible plan.

To make clear, this will not be a Park and Ride in the traditional sense. Instead, people will be expected to pay to park on the site, walk to an existing bus stop and pay to use an existing Stagecoach bus service to travel a short distance into the town centre (and later return). For a family of five, the costs could quickly spiral.

And why would anyone choose this option? Human nature is to take the most convenient option. Which isn't this, by any stretch of the imagination.

If anything, this proposal highlights the lack of time spent on anything outside of Canterbury. The scheme cannot possibly work without other changes to traffic and parking infrastructure and options in the town. Yet the Draft Local Plan remains almost silent in this regard.

What is needed is a full, detailed proposal for how to improve traffic management and parking across the entire CT5 area. If large developments are to be constructed in South Tankerton and Chestfield, the residents who live there won't all be walking or cycling to the town centre, so let's take this opportunity to conduct a long-overdue study into Whitstable traffic and parking...based in reality rather than fantasy.

Nomenclature causing confusion – e.g. Whitstable Harbour not being Whitstable Harbour

On the Whitstable Town Centre Key Diagram (P. 800) an area is shown as the “Whitstable harbour mixed-use broad location”. This has led to some confusion as it is a larger area than the actual Harbour Estate. For instance, the Gorrell Tank car park, ten-pin bowling alley, swimming pool, swimming pool car park and areas on Beach Walk are included. None of these are within the Harbour Estate or within the remit of the Whitstable Harbour Board.

While there is always scope to look at what the Harbour Estate actually is – something I don't think has been done since the Whitstable Harbour Board was created in 2002/03 – including land that is already designated as residential has,

unexpectedly, caused concern.

A solution needs to be found to split the Harbour Estate and “near-harbour” land, but without losing sight of the fact any development on “near-harbour” land could have an impact on operations on the Harbour Estate, potentially undermining Policy W2 on P. 82, which includes:

“Any proposals for development will be informed by the Whitstable Harbour Strategic Plan and will ensure that development sustains a working harbour and is compatible with the maintenance and operational capability of the harbour.”

While boundaries have to be drawn somewhere, it remains unclear whether the intent is for the Whitstable Harbour Strategic Plan to be expanded to include all of the “Whitstable harbour mixed-use broad location” or whether parts of the broad location could potentially destroy the nature of the harbour. Clearly, the latter cannot be allowed to happen.

Across the town, the name “South Whitstable” appears to have been created via this Draft Local Plan. When I look at the graphic “South Whitstable strategic development area – concept masterplan” (P. 85) I see (with the exception of the Park and Bus area), South Tankerton and Chestfield. That the sites are to the east of the former Canterbury and Whitstable Railway Line only strengthens my view that “South Whitstable” is not only an artificial construct, it is an inaccurate one.

While this may not be the most pressing matter, it hands ammunition to those who perceive the council as being heavily Canterbury-centric, with little care for detail elsewhere.

Two new coastal secondary schools – but a lack of detail of (needed) highways and rail improvements

Plans for two new coastal secondary schools, one at Bodkin Farm, Chestfield, and the other at Greenhill, are in themselves a hugely positive step. However, while in the longer-term they will surely reduce the school-run congestion in and out of Canterbury, much work is needed to ensure massive congestion won't merely be shifted.

Given the two schools are close to each other, the impact on the A2990 Old Thanet Way is likely to be large, as well as the roads nearby – in Greenhill, Chestfield and Swalecliffe. This should be seen as an opportunity to improve pedestrian facilities in nearby roads, such as by installing additional crossings (formal and otherwise) and tactile dropped, accessible kerbs across a wide area.

I cannot stress enough that I do not mean simply sorting out two new A2990 junctions for the new schools. The walking and cycling routes need to be radically improved before the schools open or they probably never will be.

It is unfortunate that Chestfield & Swalecliffe railway station, near to the Bodkin Farm site, is not accessible and users have no option but to ascend and descend many steps to reach the platforms. There are physical constraints and radical improvements may not be possible, but this seems the perfect time to have a conversation with the railway authorities about improvements.

Missed opportunity to protect Church St playing fields in Whitstable with Village Green status

With two new secondary schools planned, it is a little frustrating that the County Council are holding on to Church St playing fields in Whitstable for educational use. Whatever its actual designation, it is a much-cherished field and it's all but impossible to see it being developed in any way other than enhancing its biodiversity. It would be great to see a “Friends of...” group established to work with both councils, with an aim to protecting this site for the enjoyment of the local community in perpetuity.

Uncertainty over Cooting Farm risking a nightmare north of Canterbury

Given the landowners of much of the Cooting Farm site have made it clear they have no intention of allowing the site to be developed, it seems unreasonable to assume this area will come forward for housing anywhere near the start of the Local Plan period, if at all.

Assuming the housing number requirement is left the same, it seems likely owners of land not included, for whatever reason, within the draft plan will make the case in front of the Planning Inspector to include their land instead. And it's hard to see an Inspector disagreeing with, for example, a suggestion to swap the Cooting Farm allocation for the land north of the University of Kent.

Given this land was not included in the draft and given the highways nightmare that would be caused to the north of urban Canterbury if it were, it would seem to be prudent to either a) reduce the housing numbers allocated overall or b) find an alternative site to Cooting Farm and land north of Canterbury.

In summary

I am certainly not against sustainable development, growth and an increase in the number of houses in the district. However, these need to be the right number, of the right type, in the right location and for the right reason. This Local Plan appears to move away from placemaking and homebuilding and instead towards "how can we use housing to fund these projects we haven't yet managed to justify to existing residents".

While Local Plans have to be rather high level, I am disappointed by the lack of detail with regards to splitting surface water and sewage, and therefore reducing the environmental impact of waste water, and think this is a major omission.

Three key features of this Plan have huge question marks hanging over them – the Eastern Bypass, the Canterbury Circulation (Sectoring) Plan and Cooting Farm. When combined with the global and national economy raising doubts about the financial viability of any modelling undertaken, as well as the uncertainty about just how much Central Government is actually empowering Local Government to shape local development, there appear to be too many unanswered questions to progress the Plan at this stage.

I do not like to suggest delay and, clearly, any delay cannot be indefinite as there are inherent dangers to operating with an ageing, existing Local Plan. But given the potential, net negative impact on this district if the Draft Local Plan were to be adopted, a major, inclusive, forward-thinking restart to the process would be my preferred option.

It would be easy for me to sit back and think "it's a long time until 2045 and most of this probably won't happen" but that would be a dereliction of duty. Especially as it is the very real fear that many things in the plan won't happen that cause me huge concerns – I do not want future generations to merely hear tales of a once-great district that collapsed under the weight of development that failed to also provide the much-needed infrastructure to go with it.

I have sympathy with those attempting to create a Local Plan. One has to be created and the reality is councils have limits with regards to how much control they have over their area. No Local Plan will ever please everybody and, in reality, every Local Plan will probably upset everybody in one way or another.

But this Local Plan is simply too important to get wrong and, if adopted in anything like its current form, a great mistake will have been made.