

Planning Policy Department
Canterbury City Council
Council Offices
Military Road
Canterbury
CT1 1YW

Our ref: AL/17/04451

Date: 16 January 2023

Dear Sirs,

RE: REPRESENTATIONS FOR THE DRAFT CANTERBURY DISTRICT LOCAL PLAN TO 2045 CONSULTATION – LAND ADJACENT TO MILBOROUGHS - RESIDENTIAL ALLOCATION UNDER DRAFT POLICY R18 (LAND TO THE NORTH OF POPES LANE).

We act on behalf of Mr Paul Crayford and write in respect on the above consultation. The site is currently undeveloped land located adjacent to the settlement of Broad Oak and near to the larger village of Sturry.

Canterbury City Council have allocated residential development land under draft Policy R18 (Land to the North of Popes Lane), which is adjacent to our client's site. However, to unlock this future residential development site, the transport considerations that were raised by the Inspector in the dismissed appeal ref: APP/J2210/W/18/3216104 will need to be addressed. We believe that widening the residential allocation to incorporate our client's site, will address the transport matters, unlock the Draft Policy R18 site for residential development and provide an opportunity for additional housing on our client site. This approach will maximise the residential quantum, further contributing to meeting Canterbury City Council's housing need targets. The Green Gap will also still be retained. Therefore, the revision we propose within these representations to draft Policy R18 should be reflected across future policies prepared by the Local Authority.

SITE AND SURROUNDINGS

The site is currently undeveloped and measures 1 ha and is located adjacent/near to the villages of Broad Oak and Sturry, the latter being a settlement where development is driven under the rural settlement hierarchy.

To the north of the site is Milborough House, beyond which are three Grade II listed structures (Sweech Farmhouse and the associated barn and stable). To the east is a field in agricultural use, which has recently been subject to a refused planning appeal. To the south is a strip of undeveloped land, beyond which is the development boundary of Sturry and residential development. To the west – on the other side of Herne Bay Road, is a strategic allocation (Broad Oak Farm) for 1,000 dwellings (alongside business, retail, and community development). The settlement of Broad Oak begins to the north west of the site, on the other side of Herne Bay Road. This includes some housing in the Green Gap near Herne Bay Road Frontage.

The site is currently located outside the settlement boundary and within the Green Gap however, as discussed in more detail below, is in an area that is undergoing substantial redevelopment.

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Additionally, the site is located within the 7.2km area of the Thanet Coast and Sandwich Bay Special Area of Conservation (SAC). It is understood there are no other planning constraints which would prevent development from coming forward.

PLANNING HISTORY

A review of the Council's planning database suggests that there is no relevant planning history on the site. There is, however, relevant planning history on nearby sites:

- Broad Oak - The site is allocated within the Local Plan for 1,000 dwellings – with a live application to provide a total of 912 units along with retail and employment use.
- Popes Lane - The development proposed the erection of up to 140 Dwellings – appeal dismissed September 2019. The Inspector found that the Council were unable to demonstrate a five-year supply of deliverable sites. However, the sole reason for the appeal being dismissed appears to have been the anticipated impact on transport, which the Inspector regarded as significant and unacceptable.

LOCAL PLAN CONSULTATION HISTORY

Our client's site was previously put forward to the Canterbury City Council Call for Sites consultation under ref: SLAA091 (**see Appendix 1**), which closed in June 2020. The call for sites submission promoted the site for residential development to contribute to the Councils housing need. Development on this site was envisaged to accommodate circa 40 units – of which affordable housing would be provided in accordance with policy, subject to viability and further detailed design work being undertaken. The Council reviewed the site and concluded that the site was technically suitable but conflicts with existing policy.

The site allocated under draft Policy R18 was promoted through the same Call for Sites consultation under ref: SLAA126 (Commercial) and SLAA011 (Housing). Site SLAA011 is now allocated under draft Policy R18 for potential housing development. The Council identified that site ref: SLAA011 to be suitable, available, and achievable. However, the reason raised by the Inspector in the dismissed appeal related to the anticipated impact on transport, which will still need to be addressed to unlock (make it achievable) this site for future housing development.

HOUSING REQUIREMENT & DELIVERY

The Council adopted Local Plan (2017) set a requirement of 16,000 units over the period 2011 to 2031. This is stepped as follows:

- 2011/12 to 2015/16 500 dwellings per annum (dpa);
- 2016/17 to 2030/31 900 dpa.

The Draft Local Plan evidence document, Canterbury City Council Housing Needs Assessment (Sept 2021) Outcomes and Methodology sets a requirement of 1,120 units per year over the Plan period (2020 -2040).

The below extracts of the Authority Monitoring Report 2021-2022 and Appendix F: Housing Land Supply Statement identifies the latest housing land supply trajectory and housing completions.

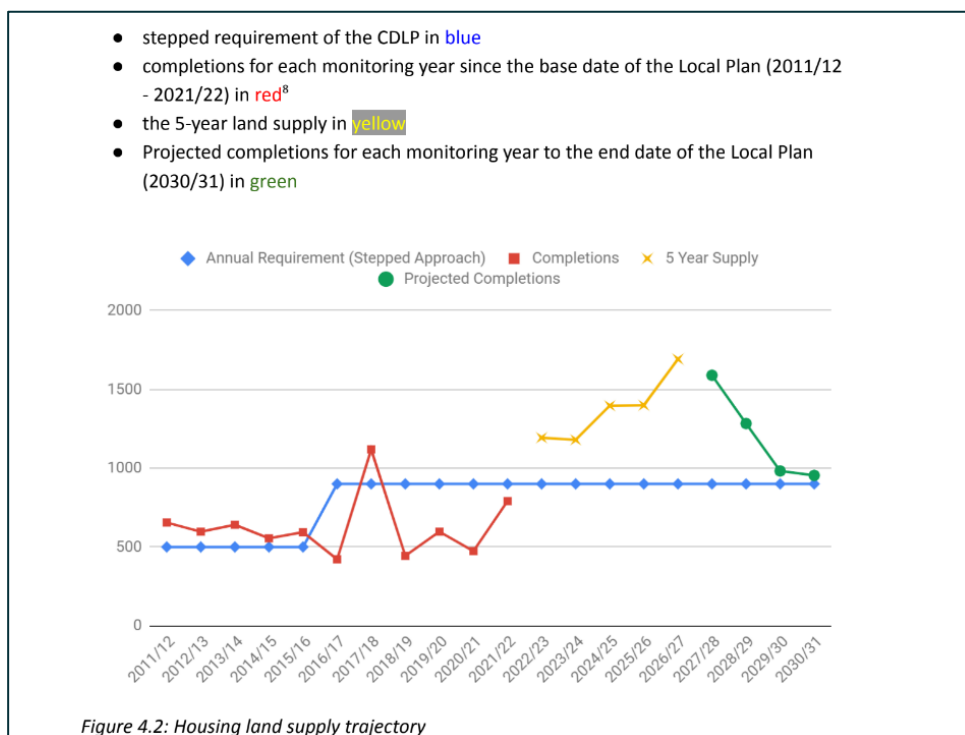


Table B.1 Net completions within Canterbury District

Monitoring Year	Residential Dwelling Completions	Student Accommodation Completions	Care home and other specialists Completions	Total Completions
2011/12	624	15	16	655
2012/13	524	105	-32	597
2013/14	475	156	10	641
2014/15	285	237	32	555
2015/16	296	275	23	594
2016/17	417	40	-35	422
2017/18	446	679	-6	1,119
2018/19	405	7	32	444
2019/20	528	22	47	597
2020/21	330	117	27	474
2021/22	553	248	-10	791

Figure 4.2 and Table B.1 identify that the Council have previously delivered above 500 units total completions in 2011/12 (655 units), 2012/13 (597 units), 2013/14 (641 units), 2014/15 (555 units) and

2015/16 (594 units), which is consistent with the stepped annual requirement established by the CDLP 2011.

In line with the stepped requirement from 2016 - 2031 the housing land supply trajectory increases to 900 dpa. Year 2016/17 the Council completion rates was 422 units which is 478 units below the annual requirement. In 2017/18 the Council reported completion of 1,119 units which is the first year in which the housing requirement has been above the 900 dpa target. In years 2018/19 (444 units), 2019/20 (597 units), 2020/21 (474 units) and 2021/22 (791 units), demonstrates that the Council have delivered well below the target of 900 dpa.

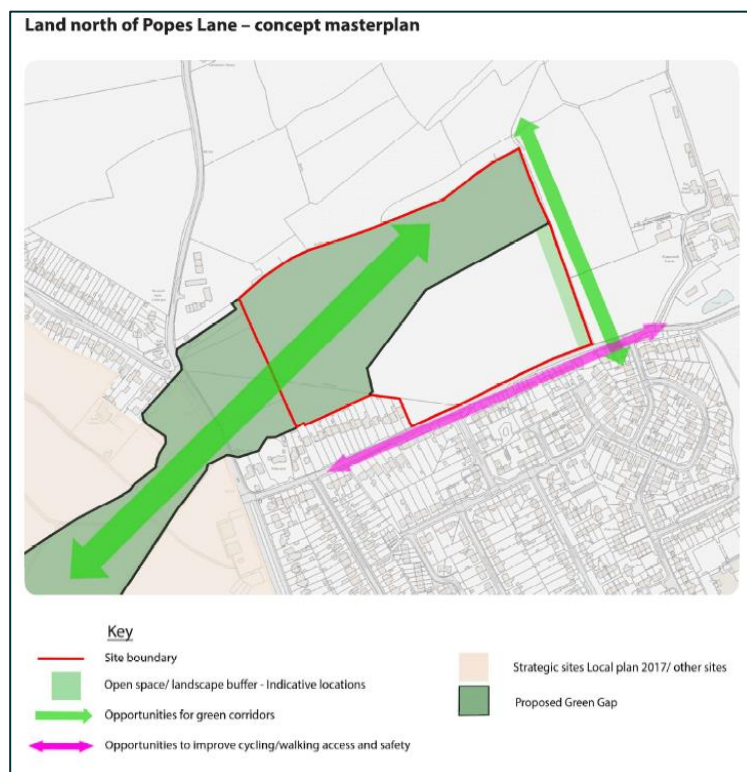
HOUSING SUPPLY

The housing trajectory has been changed from the projections that were published in the Local Plan. The monitoring report published in April 2021 to March 2022 suggests that the bulk of the housing will be delivered later in the Plan period peaking in 2027/28 (1,361 units). However, based on previous completion rates being below the stepped annual requirement of 900dpa, it is considered unrealistic that such a completion rate will be achieved.

The bulk of the housing is to be delivered through 12 strategic sites which were allocated in the 2006 Local Plan, and which have been carried through in the 2017 Plan. These sites will collectively provide around 16,000 units. In the 2017 Local Plan, delivery of these sites was expected to have started on all of them by 2018/19. The 2021/22 monitoring report outlines work has started on site at eight of the strategic sites, with four granted outline permissions. Based on these findings, the housing market appears to be significantly pressurised within the Local Authority area, with a history of sustained under-provision.

DRAFT CANTEBURY DISTRICT LOCAL PLAN TO 2045 SITE ALLOCATION

Draft Policy R18 (Land north of Popes Lane) within the Draft Canterbury District Local Plan to 2045 includes our client's site though wholly designated within the Green Gap element of this allocation.



This Policy provides a concept masterplan and allocates the site for the residential development, subject to meeting the following development mix criteria:

Across the site, which measures 9.31 ha the development mix will include:

- a) Approximately 110 new dwellings across circa 3.12 ha;
 - i. 30% affordable housing in line with Policy DS1
 - ii. 10% bungalows
 - iii. 15% of new homes to be built to M4 (2) standards, and 5% to be built to M4 (3) standards
 - iv. An appropriate housing mix, in line with Policy DS2; and
 - v. Self and custom-built plots in line with Policy DS2.

The residential allocation within draft Policy R18 is welcomed, however it is our view that the concept masterplan should be revised to ensure that the sites residential development potential is maximised for a sustainable development through allocating a proportion of housing on our client's land. The current proposed access along Popes Lane is inadequate and unsafe.

PROPOSED DEVELOPMENT MASTERPLAN REVISIONS

These representations seek amendments to the development masterplan under draft Policy R18 to incorporate our client's site. The revisions to the masterplan are as follows:

Transport & Highways

- New link access from the Broad Oak development proposed roundabout.

Housing Land

- Allocation of housing development land to the south of Milborough House.

Environmental

- Alteration and revision of the designated Green Gap.

PROPOSED REVISION TO MASTERPLAN ASSESSED AGAINST DRAFT POLICY R18

This approach is further examined in the following section and assesses how the revised masterplan can benefit draft Policy R18 and future housing development.

New link access from the proposed roundabout

New link access and improved access to future development site

A new link to the proposed roundabout on Herne Bay Road which will be implemented as part of redevelopment of the Broad Oak Farm site will facilitate a safe means of access to the site where vehicle speeds are controlled by the design of the roundabout which can also readily facilitate the small increase in traffic movements.

The proposed new link on the roundabout shown in drawing no. 31379/AC/002 complies with design standards in respect of the entry path curvature, the entry radius and entry angle, achieving

appropriate forward visibility on the approach to the give way line and visibility to the right on the circulatory carriageway.

The proposed new link to the roundabout on Herne Bay Road provides the opportunity to extend the new link further east to connect to the site referred to as Land North of Popes Lane under Draft Policy R18. This site was the subject of a planning application ref: CA/18/01305 for housing that was refused at committee and a subsequent appeal dismissed ref: APP/J2210/W/18/3216104. The reason for the dismissal was due to several reasons, including the unacceptably severe cumulative impact on traffic flows, at various junctions including the A291 / Popes Lane junction which would operate very close to capacity.

Although the new link to the roundabout would not address the wider transport reasons for the appeal scheme being dismissed, it would address the capacity issues related to the A291 / Popes Lane junction. All development trips would be able to safely access the highway network via the new roundabout rather than the priority junction which are typically more prone to accidents than roundabouts where vehicle speeds are controlled by the nature of the roundabout geometry. It is expected that wider capacity issues at existing nearby junctions such as where the A28 crosses the railway line at a level crossing will be addressed in the future by the implementation of the Sturry Relief Road.

Furthermore, there is an existing Public Right of Way (PRoW) ref: CB58, which runs across our client's site. It is proposed that the existing PRoW is retained but diverted around the proposed housing development of Circa 20 units before linking back into its existing route and continuing its route to Popes Lane.

A Transport Note has been prepared by TPP and further to the above, provides additional revisions including details of resiting the Bus Stop situated alongside the exit of the roundabout on Herne Bay Road, links to the Public Right of Way (PRoW) ref: CB58, and provision of footways to the newly proposed access road. The Transport Note is submitted in support of these local plan representations to justify the revisions of the concept masterplan under draft Policy R18.

Allocation of housing development land located to the south of Milborough House

Given that the site is currently undeveloped and vacant, it has development potential in principle. In terms of land use, given Canterbury's housing need (outlined in these representations) and the character of the surrounding area, residential development would be most appropriate.

The proposed new link off the roundabout provides an opportunity for circa 20 no. residential dwellings to be sited on land to the south of Milborough House. A sketch masterplan ref: Site Plan has been produced by McConkey Architects. This residential layout plan has taken design cues from the recently completed Sweech Farm development which is adjacent to Milborough House. The development pattern is of a courtyard arrangement with dwellings arranged in a barn cluster with a central courtyard and associated parking. This development pattern seeks to minimise the built footprint and maximise the green open spaces which will contribute to maintaining the Green Gap.

The proposed development will provide affordable housing in accordance with policy and subject to viability. The site is within a sustainable location as was previously outlined in the Call for Sites consultation representations (**see Appendix 1**)

Alteration and revision of the designated Green Gap

The site is in the designated Green Gap which exists between Sturry and Broad Oak. The Green Gap extends on both sides of Herne Bay Road. To the west on Herne Bay Road is the strategic housing allocation at Broad Oaks for 1,000 houses, which proposes an arm of development within

the Green Gap. The proposals include open space and landscape buffering to provide suitable separation. This representation proposes a similar approach on our client's land.

It is clear that the areas of Broad Oak and Sturry are going to change over the coming years to accommodate some of the district's housing requirement – this approach is supported; the settlements are sustainable locations for housing growth. On this basis, sensitive schemes which provide a degree of landscape buffering and open space should be supported to assist in much needed housing supply (discussed above).

Our client's site would retain and enhance landscaping around its perimeter which would assist in contributing to a rural design which respects the surrounding landscape. Notwithstanding this, our client's site is some 60m from Sturry to the south and as such, there is currently good separation.

This local plan representation is supported by the following documents:

- Completed Local Plan Consultation Online Questionnaire.
- Local Plan Representations Cover Letter (This document).
- Transport Note prepared by TPP.
- Architectural Drawings Prepared by McConkey Architects.
 - o Location Plan (Appendix 2)
 - o Site Plan (Appendix 3)
 - o Sweech Farm Design Precedent (Appendix 4)

SUMMARY AND CONCLUSION

The foregoing commentary confirms that the revisions to the masterplan for the residential allocation under draft Policy R18, will assist in unlocking the adjoining site by addressing the transport considerations that were raised by the Inspector in the dismissed appeal ref: APP/J2210/W/18/3216104. Widening the residential allocation to incorporate our client's site, will provide an opportunity to provide a further 20 no. units to the land to the south of Milborough House and increase the provision of residential quantum which will further contribute to meeting Canterbury City Council's housing need.

We would be happy to discuss the site in further detail if it would assist. In the meantime, we look forward to receiving written confirmation that these representations have been received and duly made as part of this Draft Canterbury District Local Plan 2020 to 2045 consultation exercise.

Yours faithfully,



Abraham Laker
BA (Hons) MA MRTPI FRSA
Senior Associate



APPENDIX 1: CALL FOR SITES REPRESENTATIONS



MJB/

29 June 2020

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Dear Sir/Madam,

Re: CALL FOR SITES CONSULTATION – CANTERBURY CITY COUNCIL - LAND ADJACENT TO MILBOROUGHS

We act on behalf of John and Paul Crayford and write in respect of the above consultation. The site (location plan attached) is currently undeveloped land located adjacent to the settlement of Broad Oak and near to the larger village of Sturry.

These representations confirm that the site is suitable, available and achievable. Therefore, the site should be confirmed as being deliverable within the emerging evidence base and capable of contributing to meeting Canterbury's need for housing. Beyond this, the site should be allocated for residential use in any future policies prepared by the Local Authority.

SITE AND SURROUNDINGS

The site is currently undeveloped and measures 1 ha and is located adjacent/near to to the villages of Broad Oak and Sturry, the latter being a settlement where development is driven under the rural settlement hierarchy.

To the north of the site is Milborough House, beyond which are three Grade II listed structures (Sweech Farmhouse and the associated barn and stable). To the east is a field in agricultural use, which has recently been subject to a refused planning appeal. To the south is a strip of undeveloped land, beyond which is the development boundary of Sturry and residential development. To the west – on the other side of Herne Bay Road, is a strategic allocation (Broad Oak Farm) for 1,000 dwellings (alongside business, retail, and community development). The settlement of Broad Oak begins to the north west of the site, on the other side of Herne Bay Road.

The site is currently located outside the settlement boundary and within the Green Gap however, as discussed in more detail below, is in an area that is undergoing substantial redevelopment. Additionally, the site is located within the 7.2km area of the Thanet Coast and Sandwich Bay Special Area of Conservation (SAC).

It is understood there are no other planning constraints which would prevent development from coming forward.

PLANNING HISTORY

A review of the council's planning database suggests that there is no relevant planning history on the site. There is, however, relevant planning history on nearby sites:

- Broad Oak - The site is allocated within the Local Plan for 1,000 dwellings – with a live application to provide a total of 912 units along with retail and employment use.
- Popes Lane - The development proposed the erection of up to 140 Dwellings – appeal dismissed September 2019. The Inspector found that the Council were unable to demonstrate a five-year supply of deliverable sites. However, the sole reason for the appeal being dismissed appears to have been the anticipated impact on transport, which the Inspector regarded as significant and unacceptable.

HOUSING REQUIREMENT

The Local Plan (2017) sets a requirement of 11,700 units over the Plan period (2011-2031). This is stepped:

- 2011-2016 - 500 dwellings per annum (dpa);
- 2016-2031 - 900 dpa.

HOUSING DELIVERY

The council delivered 500 units in 2011/12, 2012/13 and 2013/14. However, in 2014/15 the completion rate fell to 333, dropping further to 296 in 2015/16. In 2016/17 the council reported a net addition of 413 units (the first year in which the housing requirement rose to 900 dpa). Over the most recent two years the council delivered (1,119 & 444) an average of 782, well below the target of 900 dpa.

HOUSING SUPPLY

The housing trajectory has been changed from the projections that were published in the Local Plan. The monitoring report published in April 2018 suggests that the bulk of the housing will be delivered later in the Plan period (peaking in 2023/24 as opposed to 2019/20). The overall delivery over the period 2018/19 to 2030/31 has also been reduced from 14,403 to 14,012.

The bulk of the housing is to be delivered through 12 strategic sites which were allocated in the 2006 Local Plan, and which have been carried through in the 2017 Plan. These sites will collectively provide around 11,500 units. In the 2017 Local Plan, delivery of these sites was expected to have started on all of them by 2018/19. The 2017/18 monitoring report pushes many of these back to 2021. 2018/19 monitoring report outlines work has started on site at three and three more have been granted outline permissions.

Based on these findings, the housing market appears to be significantly pressurised within the Local Authority area, with a history of sustained under-provision.

SITE ASSESSMENT

National Planning Practice Guidance (NPPG) confirms that land availability assessments / call for sites should:

- Identify sites and broad locations with potential for development;
- Assess their development potential; and
- Assess their suitability for development and the likelihood of development coming forward (and therefore, in terms of the latter, a site's availability and achievability).

Identification and Development Potential

The site's location is outlined on the attached site location plan. The site is circa 1ha and located in a sustainable location near to the existing settlements of Broad Oak and Sturry.

Given that the site is currently undeveloped and vacant, the site evidently has development potential in principle. In terms of land use, given Canterbury's housing need (outlined above) and the character of the surrounding area, residential development would be most appropriate.

The site's development potential, in terms of quantum will be subject to further design work. However, it is envisaged that the site can accommodate circa 40 units – of which affordable housing would be provided in accordance with policy, subject to viability.

Availability

The site is currently a vacant greenfield and the landowners have agreed to promote the site for redevelopment. Subject to gaining planning permission there are no restrictions which would prevent development starting straight away. We are not aware of any covenants or legal restrictions which would prevent development. On this basis, the site is available.

Achievability

As previously indicated, the site is currently vacant and unoccupied. As such, the site is unencumbered by current uses that would need to be relocated. Further, the landowners are not aware of any issues that might affect the viability of the site and prevent it from being brought forward – it is, therefore "achievable".

Suitability

Principle

Within the four-tier settlement hierarchy, Sturry is designated a rural service centre (the highest tier, and the only settlement within the category). Broad Oak classified is a village (the third in the hierarchy).

Planning policy notes, the provision of new housing that is of a size, design, scale, character and location appropriate to the character and built form of the rural service centres (Sturry) will be supported provided that such proposals are not in conflict with other Local Plan policies. In villages (e.g. Broad Oak) priority will be given to protecting the rural character of the district and infill development of an amount appropriate to the size of the

settlement (or development to meet an identified local need for affordable housing), in a location appropriate to the form of the settlement and of a design and scale that respects and enhances the character of the village.

Considering the above, the site is located in a sustainable location near to the settlement of Sturry, a category 1 rural settlement. The site is located circa 10 minutes' walk from Sturry train station which provides direct access to London St Pancras. Further, there are substantial services and facilities located within Broad Oak and Sturry (including schools, retail and leisure) which are all located within 1km – the majority of which are a lot closer. Additionally, Canterbury City Centre is accessible in circa 15/20min using regular public transport which provides a greater variety of services for residents.

While currently outside the settlement boundaries, this sustainable site should be included in the settlement, in future iterations of the Local Plan, to help delivery housing within the district. The site is of a suitable size and complies with the Council's preference of an increase in small size sites of less than 1ha. This allocation will help alleviate pressure for development on less sustainable sites which aren't located in close proximity to services and facilities.

Green Gap

The site is located in the designated Green Gap which exists between Sturry and Broad Oak. The Green Gap extends on both sides of Herne Bay Road. To the west on Herne Bay Road is the strategic housing allocation at Broad Oaks for 1,000 houses, which proposes an arm of development within the Green Gap. The proposals include open space and landscape buffering to provide suitable separation.

It is clear that the areas of Broad Oak and Sturry are going to change over the coming years to accommodate some of the district's housing requirement – this approach is supported; the settlements are sustainable locations for housing growth. On this basis, sensitive schemes which provide a degree of landscape buffering and open space should be supported to assist in much needed housing supply (discussed above). Our client's site would retain and enhance landscaping around its perimeter which would assist in contributing to a rural design which respects the surrounding landscape. Notwithstanding this, our client's site is some 60m from Sturry to the south and as such, there is currently good separation.

7.2km Thanet Coast and Sandwich Bay area

It is understood that any development proposals could mitigate such impacts through the financial contributions. The recent planning appeal at Popes Lane agreed S106 contributions to mitigate against such effects and as such, it is understood a similar approach could be adopted here.

Other matters

In terms of other matters relating to suitability, the following matters are relevant:

- The site is not subject to any ecological/environmental constraints by way of policy or other designation;
- The owner is not aware of any contamination on the site that might hinder development;
- It lies in Flood Risk Zone 1, and is therefore the preferred location for development in flood risk terms;
- The proposals will incorporate landscape buffering which will protect the listed buildings at Sweech Farm – located circa 75m from the boundary.
- Although matters of transport will be considered at a later date, the site can be accessed directly from Herne Bay Road unlike the Popes Lane proposals which were recently dismissed at appeal.

- The site is ideally located near to existing services and facilities which promote sustainable living activities such as, reducing the need to use a private car.

SUMMARY

The foregoing commentary confirms that the site is suitable, immediately available and achievable in terms of bringing forward residential development. The site is therefore deliverable and should be confirmed as part of the Local Authority's housing allocations in future iterations of the Local Plan.

We would be happy to discuss the site in further detail if it would assist. The client is progressing landscape and transport studies which will be completed and available for submission at the next consultation. In the meantime, we look forward to receiving written confirmation that these representations have been received and duly made as part this 'Call for Sites' consultation exercise.

Yours sincerely,

Michael Birch
BSc (Hons) MSc
Planner



APPENDIX 2: LOCATION PLAN



PROJECT / DRAWING TITLE	
Land adjacent to Milborough House, Herne Bay Road Sturry	
DRAWING TITLE	
Location Plan	
DATE / DRAWN BY	SCALE
16/1/23 PM	1:1000 A3
PROJECT / DRAWING NO	REV
430-PM-DR-A-01-100	
mconkeyarchitects	

APPENDIX 3: SITE PLAN



PROJECT / DRAWING TITLE	
Land adjacent to Milborough House, Herne Bay Road Sturry	
DRAWING TITLE	
Site Plan	
DATE / DRAWN BY	SCALE
16/1/23 PM	1:1000 A3
PROJECT / DRAWING NO	REV
430-PM-DR-A-01-101	

mconkeyarchitects

APPENDIX 4: SWEECH FARM DESIGN PRECEDENTS

REPRESENTATIONS FOR THE DRAFT CANTERBURY DISTRICT LOCAL PLAN TO 2045
CONSULTATION – LAND ADJACENT TO MILBOROUGHS - RESIDENTIAL ALLOCATION UNDER
DRAFT POLICY R18 (LAND TO THE NORTH OF POPES LANE).

SWEECH FARM DESIGN PRECEDENTS



PROJECT / DRAWING TITLE	
Land adjacent to Milborough House, Herne Bay Road Sturry	
DRAWING TITLE	
Sweech Farm - Precedent	
DATE / DRAWN BY	SCALE
16/1/23 PM	
PROJECT / DRAWING NO.	REV
430-PM-DR-A-01-102	
mconkeyarchitects	



PROJECT / DRAWING TITLE	
Land adjacent to Milborough House, Herne Bay Road Sturry	
DRAWING TITLE	
Sweech Farm - Precedent	
DATE / DRAWN BY	SCALE
16/1/23 PM	
PROJECT / DRAWING NO	REV
430-PM-DR-A-01-103	
mconkeyarchitects	