

# ASPIRE

LAND | PLANNING | PROPERTY

**Canterbury District Local Plan to 2045 Representations**

**Land adjacent to Old Thanet Way, Whitstable**

**January 2023**

## Table of Contents

1.0	Introduction .....	1
2.0	National Planning Policy Framework requirements for local planning policies .....	2
3.0	Policy DS19 – Habitats, landscapes and sites of local importance .....	4
4.0	SLAA assessment of the Site .....	5
5.0	Suitability and deliverability of land adjacent to Old Thanet Way, Whitstable.....	7
	Sustainability.....	7
	Highways and Access .....	7
	Flood risk and drainage.....	7
	Trees and landscaping.....	8
	Ecology .....	8
6.0	Conclusions .....	9
	Appendix 1 – Land adjacent to Old Thanet Way, Whitstable Site Location Plan .....	1
	Appendix 2 – Access drawing 4845/001 Rev A .....	2

## 1.0 Introduction

- 1.1 These representations have been prepared to support the promotion of Land adjacent to Old Thanet Way, Whitstable (hereafter “the Site”) for allocation in the emerging Canterbury District Local Plan to 2045 (hereafter “the Emerging Plan”). Aspire LPP control 0.89 hectares of land within the settlement boundary of Whitstable that is available, deliverable and suitable for a residential-led mixed use development. The land forms part of site SLAA075 assessed in the Council’s Strategic Land Availability Assessment (hereafter “the SLAA”). Aspire LPP would welcome the opportunity to directly engage with the Council regarding the opportunity presented by the Site.
- 1.2 Aspire LPP design bespoke and best-in-class care homes for the elderly frail in need of high dependency care. Our care homes are designed to deliver an exceptional quality of accommodation for residents both within the home and the highly landscaped gardens. Our care homes fall firmly within the Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) as a residential institution, with bedrooms containing a bed and en-suite wetroom only. All other spaces such as lounges, kitchens and dining rooms are communal. Aspire LPP has an excellent track record of delivering care homes across Kent, having brought forward care homes in Thanet and Ashford.
- 1.3 Canterbury District Council has identified a substantial need for new C2 care home bed spaces across the district over the emerging Plan period. The Housing Need Assessment (hereafter “the HNA”) calculates a need for between 1,150 and 1,460 care home beds over the Plan period which when translated to an annual requirement equates to between 55 and 70 care home beds needed every year across the District. Despite this, specific allocations for C2 care homes are not made in the Emerging Plan to meet this need in full, nor are indicative need figures included in Policy DS5 as required by national planning policy and guidance.
- 1.4 The Site represents a highly sustainable and deliverable opportunity to make a significant contribution towards meeting the need for care home accommodation over the Plan period and accordingly should be allocated in the Emerging Plan for this use.

## 2.0 National Planning Policy Framework requirements for local planning policies

- 2.1 The National Planning Policy Framework (hereafter “the NPPF”) paragraph 62 requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policies, including housing for older people.
- 2.2 The Planning Practice Guidance (hereafter “the PPG”) was updated in June 2019 to reflect the critical housing requirements of an ageing population nationally. It sets out the expectation that local planning authorities set clear policies to address the needs of this older age group. This could be by providing indicative figures or a range for the number of units of specialist housing for older people needed in an area throughout the plan period<sup>1</sup>. The PPG advises that it may be appropriate to allocate sites where there is an identified unmet need for specialist housing<sup>2</sup>.
- 2.3 The Department for Levelling Up, Housing, and Communities is currently seeking views on revisions to the NPPF. The consultation document includes proposed amendments to paragraph 62, with strikethroughs and underlined text signifying proposed wording amendments or additions:
- ~~62.63.~~ Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to: those who require affordable housing; families with children; older people including for retirement housing, housing-with-care and care homes; students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes).*
- 2.4 The proposed revisions to the NPPF make explicit reference to the need to assess and reflect individual types of specialist housing for the elderly, with care homes listed amongst them. It is therefore clear that national policy is moving in a direction that requires local planning policies to assess and reflect the need for care homes.
- 2.5 The Emerging Plan evidence base does provide an assessment of the need for care home beds as required by the proposed revisions to NPPF paragraph 62. The HNA published in September 2021 to support the new Local Plan 2045 is the Council’s most recent assessment of housing need across the district. The HNA confirms for context that the Council’s latest Strategic Housing Market Assessment (hereafter “the SHMA”), published in 2018, calculated a need for an additional 700 care home beds over the period 2016 – 2031. The HNA provides a more up-to-date assessment, looking at the need for care home beds between 2020 and 2040. It sets out in Table 12 a lower and a higher growth scenario of 1,150 and 1,460 care home beds respectively. This equates to between 55 and 70 care home beds needed every year. Comparing this annual requirement to the SHMA figures, which represented a need for

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<sup>1</sup> Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

<sup>2</sup> Paragraph: 013 Reference ID: 63-013-20190626 Revision date: 26 June 2019

44 beds every year, it is clear that the need for care homes is growing and that the gap between demand and supply is widening.

- 2.6 The Emerging Plan does not however reflect the need for care home beds in planning policies, neither through specific allocations to deliver the care home beds nor indicative figures or a range for the number of care home beds needed in an area throughout the plan period.
- 2.7 Emerging Plan Policy DS5 - Specialist housing provision is the primary policy that considers the need for care home beds. DS5 is not specifically focused on care homes, or even focused on specialist housing for the elderly, but rather deals with all types of specialist housing including student accommodation, Gypsy and Traveller sites, built to rent and self-build. Only points 1 and 2 of the total of 10 in the policy relate to specialist accommodation for the elderly, with the remaining 8 points dealing with other types of specialist accommodation. The policy wording provides general support for specialist accommodation for the elderly, of which care homes are listed, and general opposition to the loss subject to criteria. The policy does not reflect the need assessed in the HNA, with an absence of indicative need figures and specific care home site allocations to meet the need identified.
- 2.8 It is acknowledged that the Emerging Plan includes the requirement for a proportion of the development on strategic site allocations to be for specialist housing for the elderly, but the wording of the allocations refer to the generic umbrella term of specialist housing for the elderly. This does not provide any certainty that the range and mix of accommodation types, including care homes, will be provided. Specific allocations should be made for C2 care homes to meet the need identified in the HNA in accordance with the direction of travel of national policy demonstrated in the NPPF consultation document.

### 3.0 Policy DS19 – Habitats, landscapes and sites of local importance

- 3.1 The Emerging Plan proposes to amend the designation of the Site from protected open space, as is the case under adopted local plan policy OS9, to green infrastructure under Emerging Plan policy DS19.
- 3.2 Policy DS19 allows proposals which protect or enhance sites designated as green infrastructure. It should be noted that policy DS19 is distinct from policy DS24 in the Emerging Plan, which specifically guards against loss of protected open space. Policy DS24 more closely reflects the wording of adopted policy OS9 which applies to the Site under current local plan policy but would cease to apply upon the adoption of the Emerging Plan. In other words, the Emerging Plan envisages a change in the type of protection afforded to this Site. Development on green infrastructure sites can be supported provided it is accompanied by measures to improve its function as green infrastructure, such as enhancing its biodiversity potential and/or improving its landscape buffer contribution, without conflicting with the purpose of the new policy. Allocating the Site for a care home use alongside enhancements to its green infrastructure value is therefore not precluded by, and does not conflict with, Policy DS19.
- 3.3 The Site was subject to a full planning application in 2016 seeking permission for 28 dwellings, public open space, and associated access, parking, amenity space and landscaping (reference number CA/16/02269/FUL). This application was refused, and an appeal subsequently dismissed (ref APP/J2210/W/3175031). As acknowledged by the appeal inspector in 2018, the Site currently has no recreational value. It is of limited value in biodiversity terms in its current state. There are substantial opportunities for enhancements to be delivered alongside the care home, to drastically improve the sites green infrastructure value.

## 4.0 SLAA assessment of the Site

- 4.1 The Site has been previously promoted for residential development as part of a wider site and assessed in the SLAA under reference SLAA075. This representation setting out the proposal for a care home allocation relates only to the northern section of site SLAA075, accounting for approximately half of the larger site. The SLAA assessment of the wider site SLAA075 concluded that it was not suitable for development due to concerns regarding landscape, heritage impact and uncertainty about the potential to provide adequate access to the site.
- 4.2 Turning first to the matter of access, a full planning application was submitted in 2016 seeking planning permission for 28 dwellings, public open space, and associated access, parking, amenity space and landscaping (reference number CA/16/02269/FUL). This application was refused in December 2016 with 7 reasons for refusal listed none of which made any mention of the proposed access arrangements. KCC Highways did not raise any objection to the application in relation to the proposed access arrangements. The officer's report for the application confirms at paragraph 42 "*Access to the subject site off Thanet Way (A2990) was previously negotiated with KCC Highways and Transportation in relation to planning application CA/12/00160/OUT.*" Appendix 2 of these representations contain access drawing 4845/001 Rev A, demonstrating safe and appropriate access arrangements for the Site. It is therefore clear that this reason for discounting the Site in the SLAA is not justified.
- 4.3 The SLAA provides only very limited assessment of the site in landscape terms. It reads, "*Landscape: The site has the potential to harm the protected open space and would introduce residential properties in a rural location which is outside of the built confines of development. Loss of this site would remove the buffer along the Thanet Way in which this section has not been built on.*"
- 4.4 The Site is visually very well contained. No long distance views are achievable. There is no intervisibility with the space from Thanet Way due to mature boundary landscaping with the exception of a glimpse in through an access gate. No views are achievable from Clifford Road. The only views achievable from the road network are at the Millstrood Road / Thanet Way roundabout and the very eastern extent of Millstrood Road. Views of the site from the roundabout are interrupted by the overpass; a substantial piece of infrastructure presenting a dominant urbanising feature in the foreground disrupting any visual buffer the space might otherwise provide. Views from Millstrood Road are only achievable from a very short and restricted length of the road (approx. 25m) and the views are well filtered by the hedgerow and trees present on the boundary. Views of the site are therefore extremely limited. The value of the Site as a buffer is very low.
- 4.5 The Site is capable of accommodation a care home with a significant level of space, c. 0.25 hectares, remaining as an opportunity area for the delivery of enhancements of the value of the Site as green infrastructure. Aspire would be happy to discuss with officers the form that these enhancements take but it could include woodland planting, pond habitat creation,

recreation and/or play spaces. It is recognised that the Site is adjacent to priority habitats and there is an opportunity to deliver a linking habitat in the landscaping proposals.

- 4.6 The SLAA assessment of the landscape matters also suggests the Site is in rural location outside the built confines of development. The site is in a highly sustainable location within the settlement boundary of Whitstable and is not in a rural location outside the built confines of development. SLAA column AQ confirms the site is in the urban area.
- 4.7 Turning to heritage matters, the Site is approximately 130m north of the grade II listed Little Millstrood. This is considered to be ample separation distance to adequately respect the setting of the listed building and there is sufficient intervening space to deliver an appropriate buffer. The listed building is not considered to be adversely affected by the proposed care home on the Site and as such the allocation should not be precluded on this basis.
- 4.8 It is therefore clear that the allocation of the Site would not give rise to issues relating to safe access nor heritage impact. Its allocation would enable the delivery of substantial enhancements to the value of the Site as green infrastructure, the form of which can be shaped in discussion with officers.



## 5.0 Suitability and deliverability of land adjacent to Old Thanet Way, Whitstable

5.1 The Site is controlled by Aspire LPP and available for development immediately to contribute towards meeting the need for C2 care home beds identified in the HNA. It is unencumbered, and as a smaller, non-strategic site can be delivered in the first five years of the Emerging Plan period to make a significant contribution to the Council's five year housing land supply. The following paragraphs outline the credentials and deliverability of the site.

### Sustainability

5.2 The Site is located within the settlement boundary of Whitstable in a highly sustainable location. It benefits from excellent access to the strategic road network, being accessed off Thanet Way and less than 1 mile from the A299 to the south. Pedestrian access is easily achievable from the footpath on the western side of Thanet Way adjacent to the Site boundary, linking to the wider footpath network on Millstrood Road via an overpass and on to the Tesco supermarket and wider facilities. Regular bus services are also accessible at the Tesco bus stops into Canterbury, Whitstable and Seasalter. The Site is therefore considered a highly sustainable location for development.

### Highways and Access

5.3 As confirmed above, satisfactory access arrangements have previously been designed in support of planning application CA/16/02269/FUL. KCC Highways raised no objection to the access arrangements in their consultation comments responding to that application and none of the reasons for refusal on the application were related to access. The SLAA assessment of the Site also confirms in column AL that KCC Highways have not identified any capacity issues on the wider road network. There is therefore no highways reason preventing the allocation of the Site for a care home use.

### Flood risk and drainage

5.4 The Site is located in Flood Zone 1 which is compatible with a care home use. Ample space is available on the Site to deliver an appropriate drainage strategy incorporating SuDS. There is no flood risk or drainage reason preventing the allocation of the Site.

## Trees and landscaping

5.5 Trees are confined to the Site boundaries with no trees within the body of the Site. Mature landscaping effectively screens the internal Site area with the exception of fleeting glimpses from Millstrood Road and a single gap at the proposed access from Thanet Way. Allocating the Site for a care home development would present an opportunity to deliver substantial landscaping enhancements to this Site on the residual land measuring approximately 0.25 ha. This could take the form of significant woodland planting, subject to detailed discussions with officers as to the optimum planting strategy for the Site.

## Ecology

5.6 The Site is currently devoid of biodiversity-rich habitats and as such its biodiversity value is very low. As with landscaping, the Site represents an opportunity to deliver a substantial biodiversity net gain that goes far beyond policy requirements through the creating of specialist habitats and the introduction of species-rich native planting.

## 6.0 Conclusions

- 6.1 These representations have been prepared to support the promotion of Land adjacent to Old Thanet Way, Whitstable for allocation in the emerging Canterbury District Local Plan to 2045 for the delivery of a C2 care home.
- 6.2 The HNA identifies a need for between 1,150 and 1,460 care home beds over the Plan period which when translated to an annual requirement equates to between 55 and 70 care home beds needed every year across the District. This need has increased from that identified in the Council's latest SHMA of 44 beds per year. Despite this, specific allocations for C2 care homes are not made in the Emerging Plan to meet this need in full, nor are indicative need figures included in Policy DS5 as required by national planning policy and guidance.
- 6.3 In a highly sustainable location in the settlement boundary of Whitstable, the Site represents an opportunity to deliver a best-in-class care home meeting an immediate and growing need for care home beds that is not being met through specific allocations in the Emerging Plan, alongside substantial landscaping and biodiversity enhancements.
- 6.4 The Site is suitable and available for development immediately and Aspire LPP has an excellent track record of delivery. It has been demonstrated that the Site is unencumbered and can be delivered within the first 5 years of the Emerging Plan period to make a significant contribution towards meeting the immediate need for care home bed spaces as well as contributing dwellings that are counted towards the Council's five year housing land supply. It is therefore respectfully requested that the Site be allocated for the delivery of a C2 care home.

## Appendix 1 – Land adjacent to Old Thanet Way, Whitstable Site Location Plan

Appendix 2 – Access drawing 4845/001 Rev A