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**Canterbury Draft District Local Plan – Regulation 18 Consultation
Response**

**REPRESENTATIONS TO CANTERBURY CITY COUNCIL REGULATION 18 LOCAL
PLAN**

On behalf of Persimmon Homes

January 2023 – DHA/15258



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1 Introduction

1.1 Purpose of this Representation

- 1.1.1 This representation has been prepared by DHA Planning on behalf of Persimmon Homes in response to Canterbury City Council's Local Plan (Regulation 18) consultation.
- 1.1.2 Persimmon Homes controls "Land North of Hersden" which is allocated in the Adopted 2017 Canterbury Local Plan (Policy SP3 – Site 8) for a mixed-use development including 800 new homes. This Reg 18 Plan continues to support the allocation of the Site, though the saving of Policy SP3 in respect of Site 8. Persimmon Homes strongly support this position as set out in this statement.
- 1.1.3 Representations are also made in respect of the policies listed in Table 1.1 below.
- 1.1.4 The following representations have been duly made, with regards to the tests of "Soundness" (NPPF, para, 35) and identify what changes are necessary to make the Plan "Sound".

Policy	Comment
SS1: Environmental Strategy for the District	Object
SS2: Sustainable Design Strategy for the District	Object
SS3: Development Strategy for the District	Support
R2: Rural Service Centre	Support
DS1: Affordable Housing	Object
DS2: Housing Mix	Object
DS6: Sustainable Design	Object
DS14: Active & Sustainable Travel	Object
DS15: Highways & Parking	Object
DS16: Air Quality	Object
DS17: Habitats of International Importance	Object
DS20: Flood Risk & Sustainable Drainage	Object
DS21: Supporting Biodiversity Recovery	Object
DS24: Publicly Accessible Open & Sports	Object
DM4: Reducing Waste & Supporting the Circular Economy	Object
DM5: Parking Design	Object
DM15: Sustainable Drainage	Object
DM18: Light Pollution & Dark Skies	Object
Appendix 1: Saved Policies from 2017 Local Plan	Support saving of Site 8

1.2 Representation Structure

- 1.2.1 The representation structure is outlined below for ease of reference:
- Section 2 (Overarching Comments) - Provides general commentary on the content of the Plan, in terms of both its approach to policies and evidence base.

- Section 3 (Land North of Hersden) - Re-introduces the Site and supports its continued allocation.
- Section 4 (Other Policies) - Sets out if the policies identified in Table 1.1 are supported and "Sound" and where possible identifies proposed changes to make them "Sound".
- Chapter 5 (Conclusion) - Summarises the key points raised throughout the representation and supports the need for changes at the Reg18 stage for the Plan to be found "Sound".

2 Overarching Comments

2.1.1 The following overarching comments are made in respect of the Draft Local Plan:

- A number of the policies are excessively long. The Plan is therefore not very accessible, especially for those outside the Planning profession and will be burdensome for Planning Officers to effectively implement. Where possible the Plan must be streamlined.
- There appears to be a lot of repetition across policies, which adds to its unnecessary length. It also increases the risk for contradiction between policies, which could impact its effectiveness.
- As set out in these representations, the Plan uses many terms which are undefined. To ensure policies can be clearly understood and are effective, specific terms of reference must be defined, especially where there could be ambiguity about what the term could mean i.e. what is meant by an “affordable home ownership type”? Is the Council intending this to cover more than just intermediate/shared ownership housing such as 20% market discount housing?
- The planning policies cumulatively place a number of significant space demands on developments, especially strategic developments, such as enhanced open space requirements, provision of 10% bungalows, 20% BNG and 20% tree coverage. Representations have been made individually in respect of the draft policies securing these. However, the Council has failed to undertake any cumulative assessment to determine whether all of these requirements can reasonably be met on allocated sites, without impacting on housing numbers and/or viability. In the absence of such assessment the Local Plan fails to demonstrate that it can meet its housing requirement in full, as currently planned. The Draft Plan therefore fails to be “Positively Prepared”.

2.2.2 The following representations seek to address some of these points. However, the Draft Local Plan needs to be thoroughly reviewed by Officers with respect to the above.

3 Land North of Hersden

- 3.3.1 Land North of Hersden (the Site) is allocated in the adopted Canterbury Local Plan 2017, for a mixed used residential development including 800 new homes, including business floorspace and community facilities. The Site is allocated under Policy SP3 (Site).
- 3.3.2 Persimmon Homes control the site, which is currently subject to a hybrid planning application (ref 22/01845) for:

"Full planning application for development of 261 residential dwellings (including affordable housing); with vehicular, pedestrian and cycle access from A28 Island Road; open space; landscaping; internal roads and car parking; sustainable drainage system together with associated earthworks and infrastructure. Outline application (with all matters reserved) for up to 539 dwellings (including affordable housing); 1 ha of land for employment floor space (accommodating the following uses, a café, use class E-b; office floorspace, use class E-g; light industrial, use class E-g); 0.8 ha of primary school extension land; new community building (use class F2); new sports pavilion (use class F2); open space, including equipped play, playing pitches and landscaping; mobility hubs; sustainable drainage system; landscape bund together with associated earthworks and infrastructure"

- 3.3.3 The application is supported by a full suite of technical reports including an Environment Statement (ES). The ES demonstrates that the proposals do not give rise to unacceptable environmental impacts and thus the proposed development is acceptable. Limited comments have been received in response to the application and no matters have been raised which cannot be addressed. Positive discussions remain ongoing with Officers at Canterbury City Council (CCC) and statutory consultees. The application therefore affirms that the Site is suitable, available and achievable. Additionally, Persimmon Homes confirm that it wishes to bring the Site forward for development as soon as possible and certainly within the next 5 years.

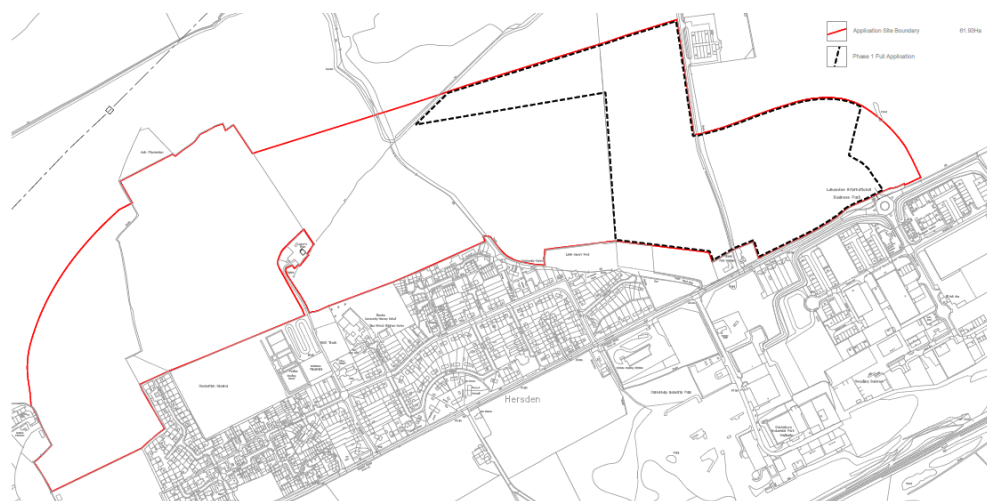


Figure 3.1: Application Site Location Plan

- 3.3.4 The development proposals will significantly contribute to meeting identified housing requirements, including securing policy compliant levels of affordable housing (30%). The Site further underpins the Council's current and future strategy for growth in the District which recognises the important role that sustainable Rural Service Centres, such as Hersden, will play in meeting housing needs.
- 3.3.5 Persimmon Homes therefore strongly supports the continued allocation of the Site through the saving of Site 8 under Policy SP3, as identified at Appendix 1, of the Draft Local Plan.

4 Strategic Policies

4.0.1 The following section provides comments on strategic policies. There is crossover between comments on the strategic policies and the general design and development management policies considered in the next section and thus these should also be referred to.

4.1 Policy SS1: Environmental Strategy for the District

4.1.1 The policy cross refers to the requirements of Policies D6: Sustainable Development, DS21: Supporting Biodiversity Recovery and DS24: Publicly Accessible Open Space. Strong objections have been submitted in respect of these policies and thus Policy SS1 can also not be supported unless changes are made to address these objections and Policy SS1 amended accordingly.

4.1.2 To avoid repetition, refer to the objections in respect of Policies D6, DS21 and DS24.

4.2 Policy SS2: Sustainable Design Strategy for the District

4.2.1 As with Policy SS1, Policy SS2 cross refers to the requirements of other policies, including Policy D6: Sustainable Development, Policy DS14: Active and Sustainable Travel and Policy DS24: Publicly Accessible Open Space. Strong objections have been submitted in respect of these policies and thus Policy SS2 can also not be supported unless changes are made to address these objections and Policy SS2 amended accordingly.

4.2.2 To avoid repetition, refer to the objections in respect of Policies D6, DS14 and DS21.

4.3 Policy SS3: Development Strategy for the District

4.3.1 The Strategy for growth in the District is strongly supported, where the Council seeks to meet its objectively assessed housing need. The role that Hersden plays in meeting this need as a sustainable Rural Service Centre is also strongly supported.

4.4 Policy R2: Rural Service Centres

4.4.1 Policy R2 is strongly supported where it continues to support the delivery of sites allocated for development through saved policies in the Adopted Local Plan 2017. This includes "Land North of Hersden", Policy SP3 - Site 8.

5 Design & Development Control Policies

5.0.1 This following section considers other development control and design policies and identifies those which as drafted are currently not “Sound” and require amendment. Where possible amendments to policy wording is suggested. Texts to be removed is shown ~~struck-through~~ and new text shown in red.

5.1 Policy DS1: Affordable Housing

5.1.1 No objection in principle is raised in respect of the proportion of affordable homes proposed. However, a flexible approach must be taken when applying the 25% requirement for First Homes, which results in a residual requirement for just 9% of homes to be affordable home ownership.

5.1.2 Subject to the size of the development 9% affordable home ownership can result in a no. of homes, which is not commercially attractive for a RSL and thus not deliverable. For example, a scheme of 50 homes, generates a requirement for just 1 affordable home ownership property. This affordable tenure type is therefore unlikely to be deliverable across the majority of small to medium sized sites or major developments, where it is delivered in phases.

5.1.3 To ensure compliant levels of affordable housing remain deliverable, there must be flexibility to allow for off-site provision and/or contributions towards affordable home ownership or a reduction in the percentage of First Homes (whilst still maintaining 30% affordable housing). In the case of major developments which are phased, there must also be flexibility to allow for the split of affordable homes to change/vary across each phase i.e. allow for a greater proportion of affordable home ownership in any given phase to ensure there is a critical mass of this tenure type which is commercially attractive.

5.1.4 Whilst the Viability Study (May 2022) considered the impact of First Homes on land value, it does not consider whether the residual 9% affordable home ownership would actually be deliverable by an RSL. The above policy change is therefore essential to ensuring Policy DS1 is “Effective”.

5.1.5 For the purposes of the above, it has been assumed that “affordable home ownership” means intermediate/shared ownership housing. The definition is underdefined in the Plan and must be clarified, especially if it is the intention that this could cover low cost homes for sale (20% below the market value), which the NPPF recognises as another affordable route to affordable home ownership (NPPF, Annex 2, definitions).

5.1.6 In addition to the above, the policy must set out the level of discount that is to be applied to First Homes. The Viability Assessment makes it clear at this time the Council is currently not seeking a greater discount than 30% (para 10.31). However, should this position change, the Viability Assessment may need to be re-considered. The policy must therefore be transparent about the level of discount sought to ensure proposals are viable and deliverable.

5.2 Policy DS2: Housing Mix

5.2.1 As set out below, strong objection is raised in respect of criteria 2 and 5 of the policy as currently worded.

Criterion 2, Marketing Housing Mix

- 5.2.2 The NPPF (para 62) requires planning policies to reflect the size, type and tenure of housing needed by different groups in the community. Criterion 2, seeks to respond to this, by setting out a housing mix requirement for new market housing. The accompanying notes at (a) – (c) are welcomed, recognising that in certain circumstances the mix cannot always be followed and allows for a 5% variance each way for each dwelling size.
- 5.2.3 In the case of proposals of 11-50 dwellings additional flexibility is provided recognising site constraints and characteristics might further influence the mix. This is equally applicable to larger sites and as such this flexibility must also be recognised at criterion (a).
- 5.2.4 For the housing mix policy to be “Effective” housing delivery must also be monitored at a District level by the Council. For example, it is unlikely that developments in urban areas, especially in Canterbury City, will be able to provide high proportions of family housing, likely resulting in a shortfall in this accommodation type. Development proposals should therefore also be allowed to take account of housing delivery more widely in the District to ensure housing needs are met.
- 5.2.5 Owing to the life span of the Plan, housing needs will change over the Plan period. A further criterion should therefore be added, recognising that more up to date evidence on housing needs can be taken into account, to ensure the policy remains “Effective” and “Consistent with National Planning Policy”.

Criterion 5 (b) – Bungalows

- 5.2.6 Criterion 5(b) requires 10% of homes on developments of 100 dwellings or more to include as a minimum 10% bungalows. Regard has been had to the Council’s Housing Needs Assessment (September 2021) which considers the need for bungalows in the District. The assessment expressly notes that there are limitations with the 2011 census data (para 6.21), making it challenging to estimate occupancy levels and future levels of need, when compared to other housing mix estimates. The future assessment of need, is therefore mainly derived from assumptions over the occupancy of the existing bungalows in the District by those aged 65yrs plus; projection in population growth in those 65+; and what proportion of these would like to live in a bungalow, based on current occupancy estimates.
- 5.2.7 The above assessment does not take into account the availability of other housing types i.e. extra care which could reduce the need for bungalows or the availability of more modern accommodation, including homes that meet M4(2) and M4 (3) standards, providing more accessible accommodation, also reducing the need for bungalows.
- 5.2.8 The Housing Need Assessment further cites a reason for older persons wanting bungalows, is to downsize. This need can also be met, through the provision of smaller accommodation (1 and 2 bed properties), including the provision of apartments. It does not need to be exclusively met through the provision of bungalows.

- 5.2.9 Bungalows are land intensive and do not make the most efficient use of sites. In the case of Land North of Hersden (as an example) this would require 80 bungalows to be delivered (10% of 800). This has significant design and space implications i.e., you cannot easily integrate these into a mixed street scene with other taller buildings for reasons of design and residential amenity, with specific areas needing to be set aside for bungalows, likely leading to undesirable design outcomes.
- 5.2.10 Allied to this, when considering this alongside other housing mix requirements for 1 and 2 bedroom properties, it is likely the majority of smaller properties would be delivered as bungalows (reducing space implications). This would disproportionately reduce the availability of smaller homes to meet the needs of other groups such as first time buyers.
- 5.2.11 The Council's "Viability Assessment (May 2022)" makes no provision for bungalows. Such a high proportion of bungalows has significant implications for land take and attracts different build costs and return rates when compared to more traditional housing. The Council's evidence base therefore fails to demonstrate that the 10% requirement is deliverable and would not undermine the delivery of strategic developments. Furthermore, the 10% requirement is not sufficiently supported by the Council's evidence base which suggests the needs for 65yrs+ could be met through alternative accommodation types such as 1-2 bedroom homes and apartments in addition to bungalows (Summary pg 23),
- 5.2.12 For the policy to be "Justified" and "Effective", criterion (b) must be amended so developments of more than 100 homes are only required to deliver a "proportion of bungalows"
- Criterion 5 (c)*
- 5.2.13 Criterion (c) requires proposals of 300 homes or more to provide 10% of homes as older persons housing.
- 5.2.14 Older persons housing covers a wide range of potential accommodation types, including bungalows (addressed above), accessible and adaptable housing (M4(2) and M4(3)) as well as specialist housing such as retirement or extra care housing. It therefore must be defined what is meant by "older persons housing" as it is unclear as to what is required to satisfy policy.
- 5.2.15 Notwithstanding the above, there seems potential for considerable overlap between the requirements of criteria 5(a) and 5(b) rendering the need for this criterion unnecessary.
- 5.2.16 If it is the Council's intention that other specialist older person accommodation is required, then this must be identified in site allocation policies, since it can require accommodation falling in different use classes. Depending on the type of accommodation it can also have different space requirements, including a minimum amount of development to make a scheme viable. Simply the matter is too complex for a blanket 10% requirement to be imposed. The criterion must be removed.

5.3 Policy DS6: Sustainable Design

- 5.3.1 We strongly object to criterion 1 (a) and 8 of this Policy in respect of carbon neutrality and mobile network coverage respectively.

Carbon Neutrality

- 5.3.2 Whilst the ambition to move toward carbon neutrality is generally supported, insufficient justification and evidence is provided to support a requirement for development to be carbon neutral now, ahead of National requirements.
- 5.3.3 New Building Control measures came into effect in 2021 which seek a significant uplift in the efficiency of homes and reduction in carbon emissions. A further uplift is expected in 2025 as part of the Future Homes Standards, which requires carbon emissions for homes to be 75-80% lower than those built at current standards and to be zero carbon ready. The requirements for the 2025 standards are yet to be consulted on and any transitional period is currently unknown. A transitional period, as experienced before the current Building Regulations came into effect, is essential to give the housing building industry time to adjust and ensure its homes can meet the standards.
- 5.3.4 Then proposed policy requirements run significantly in advance of National standards and no substantive evidence is provided in support of the policy which demonstrates that this is deliverable. The supporting "Construction Carbon Emissions and Energy Standards" topic paper specifically fails to consider if and how such standards might be practically implemented now on such a large scale. Reliance seems to be placed on establishing a carbon-off setting scheme/reduction fund for which no details are given as to what this will be used for, to demonstrate how it would off-set carbon emissions.
- 5.3.5 The "Viability Study (May 2022)" generally considers the potential implications of net zero carbon on viability. However, it recognises that Government has not published any guidance on the costs of meeting higher standards. There is no definitive source or costs on a like for like basis. The figures given in the Viability Study are therefore described as only "about", suggesting significant room for error, especially as technology and standards are fast evolving. The outcomes of the Viability Study can therefore not be relied upon in this regard. Furthermore, it appears that the assessment assumes that carbon reduction measures will be absorbed through design costs. It is not evident that any specific allowance has been made for contributions towards carbon-off setting, which could further effect viability and deliverability.
- 5.3.6 The evidence provided therefore fails to demonstrate that the proposed policy is "Justified" and "Effective". The requirement for developments to be zero carbon, must be removed.

Mobile Network Coverage

- 5.3.7 Criterion 8 requires major developments to provide an assessment of mobile data network coverage and where appropriate improve networks for new and existing residents.
- 5.3.8 It is unknown whether information of network data coverage is obtainable and to what extent this information can be relied upon. However, mobile network

providers are commercial companies, and it cannot be incumbent upon developers to upgrade their networks to improve coverage. Moreover, this could give rise to ransom situations, where companies refuse to update networks unless their terms/payments are met. As set out in respect of Policy DS14, requirements must be reasonably associated to the development and cannot be used as a vehicle for correcting deficiencies in the current network, which is wholly unrelated to the development proposed.

- 5.3.9 The Council has provided no justification or evidence in support of the proposed approach. Nor is this requirement considered as part of the Council's viability testing. The policy requirement is therefore wholly unjustified and must be removed.

5.4 Policy DS14: Active & Sustainable Travel

Criterion 1

- 5.4.1 There is no in principle objection to the policy but further refinement of criteria 1 and 4 is required.
- 5.4.2 Criterion 1 expects development to improve off site walking and cycling routes to ensure high quality connectivity "where necessary". The policy requirement is too vague and fails to be sufficiently precise regarding the extent of off-site works which could be required. As currently worded this could include seeking to require developments to fund or undertake works (via S106 or condition) which are not directly related to the development and thus could be disproportionate, frustrating delivery.
- 5.4.3 The proposed wording is in conflict with the provisions at 122 of the CIL Regulations 2010 (as amended) which states that planning obligations must not only be necessary, but also directly related to the development, as well as fairly reasonably related in scale and kind. Similarly planning conditions must also be "reasonable" (NPPF, para 56).
- 5.4.4 The policy as currently worded is therefore not "Justified" and is not "Consistent with National Policy" which also requires compliance with other legal and statutory instruments.
- 5.4.5 Criterion 1 must therefore be amended as follows:

Developments will be expected to improve off-site routes to ensure high quality connectivity and accessibility ~~where necessary~~, **where directly and reasonably related to the development**.

Criterion 4

- 5.4.6 The term "mobility hubs" is undefined. The policy suggests that this could include e-scooters, cycle hire, parcel collection lockers and car clubs. However, it is unclear if the provision of just one of these measures would constitute a mobility hub. What is expected of a mobility hub needs to be further refined for the policy to be "Effective" or a definition of a "mobility hub" provided.

5.5 Policy DS15: Highways & Parking

- 5.5.1 Policy DS15, cross refers to the application the Council's Parking Standards as set out at Appendix 4. In the case of residential development, the supporting notes accompanying the standards state that "on plot tandem parking should be avoided".
- 5.5.2 To make the most efficient use of land, to ensure streets are not car dominated and to secure the provision of street trees (other policy requirements) it is our experience that tandem parking must often be used, amongst other parking arrangements to meet required standards whilst delivering high quality design. Greater flexibility over parking design is therefore essential as part of a more balanced and design led approach to ensure schemes are not car dominated in line with other aims in the Draft Local Plan, to support greener developments.
- 5.5.3 The note on the parking standards at Appendix 4 should therefore either be removed and/or Policy DS15 amended to recognise the Council will be flexible over the form and arrangement of parking after taking into account other policy considerations.
- 5.5.4 Similar comments have been made with regards to Policy DM5.

5.6 Policy DS16: Air Quality

- 5.6.1 Policy DS16 as currently worded seeks to require developments to be "*air quality neutral and will not lead to a net increase in emissions*". This requirement far exceeds the requirements of National policy NPPF, para 186) which states that "*Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones*". It does not require emission neutrality.
- 5.6.2 The Council's proposed policy approach is not "Justified" and should be amended to be "Consistent with National Policy".
- 5.6.3 Criterion 2 (c) refers to considering impacts of development on "sensitive receptors". Whilst it is assumed this is with reference to designated sites, such as SPA's, what is meant by this term must be clarified to ensure the Policy is "Reasonable" and "Justified" and to ensure consistency in the application of policy.
- 5.6.4 Notwithstanding the above, the policy and supporting text is vague in terms of what it meant by "emissions". This could cover anything. This must be defined to make sure the policy is "Effective".

5.7 Policy DS17: Habitats of International Importance

- 5.7.1 There is no in principle objection to the Policy. However, criterion 7 references very specific guidance in respect of nutrient neutrality. This is a fast-moving area and guidance is continuing to change and evolve. The policy is therefore likely to become out-of-date quickly. The policy must therefore 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.

5.7.2 The policy can simply be amended to the following or similar "*criterion a and b will be applied unless superseded by more up to date guidance issued by Natural England*".

5.8 Policy DS20: Flood Risk & Sustainable Drainage

5.8.1 Separate representations have been submitted in respect of Policy DS24, objecting to the significant areas of public open space now sought. If open space requirements are not adjusted downwards, then a flexible approach must be taken as to whether SuDs features can contribute to overall open space requirements to ensure this does not undermine housing delivery.

5.8.2 Policy as currently worded states that SuDs provision within open spaces provided as part of development will only be acceptable where the open space continues to meet the quality standards set out in Policy DS24.

5.9 Policy DS21: Supporting Biodiversity Recovery

5.9.1 We strongly object to the requirement for developments to provide for 20% BNG and for developments of 300 homes or more to include a minimum 20% tree coverage.

20% Tree Coverage

5.9.2 The policy fails to specify if;

- 20% tree coverage allows for existing trees; and
- How is the 20% measured? Is this taken from the predicated mature canopy spread or at the point the tree is planted?

5.9.3 Further clarification on the exact application of the policy is required so it is clear how it will be applied and to ensure a consistent approach is taken.

5.9.4 Notwithstanding the above, the requirement for 20% tree coverage is not sufficiently justified. The accompanying "Tree and Woodland Strategy, October 2022", states that "Kent County Council's Tree Establishment Strategy 2022-2032" sets the ambition for Kent to have an average tree canopy cover of 19% by 2050. It is recognised in the Council's strategy that Canterbury District already exceeds this ambition.

5.9.5 Policy DS21 as already drafted requires the retention and/or replacement of trees as well as the provision of new trees within the development. The requirement for 20% coverage (however this might be measured), is therefore unnecessary and unjustified and should be removed.

20% BNG

5.9.6 Whilst BNG is supported, The Environment Act 2021 will introduce a mandatory 10% requirement in December 2023. The Local Plan is absent of any evidence to justify moving towards 20% BNG over and above statutory requirements.

5.9.7 Whilst the supporting "Viability Assessment (May 2022)" considers BNG in broad terms in respect of potential additional planting costs. It does not and cannot take

into account additional land requirements which might result from this increased standard which will be dictated on a site-by-site basis and could significantly reduce the development potential of sites. Where the 20% requirement can not be met on site, it further fails to take into account the additional cost and delay associated with securing suitable off-site measures.

- 5.9.8 The proposed enhanced requirement significantly risks the delivery of the Local Plan and planned levels of housing, likely requiring additional sites to be identified to meet housing needs.
- 5.11.9 The Plan is therefore not “Positively Prepared”, “Justified” or “Effective”. As such the policy must be adjusted to align with statutory requirements.

5.10 Policy DS24: Publicly Accessible Open & Sports

Open Space Standards

- 5.10.1 The Policy significantly increases open space requirements for Parks & Gardens, more than doubling the requirement from 0.3ha per 1,000 population to 0.8ha per 1,000 population. All other open space typologies seem to broadly align with the currently adopted policy requirements.
- 5.10.2 The proposed standard is informed by the Council’s “Open Space Assessment, August 2022” which assesses existing provision as a basis for determining future requirements. The assessment as currently drafted, is based on current levels of provision and fails to take into account consented and planned levels of open space, such as at Thannington, Herne and Sturry & Broadoak which are being delivered as part of larger strategic developments. The basis of the assessment is therefore misleading in failing to recognise the delivery of future open spaces, which will help address needs. The basis of the assessment must therefore be re-visited to ensure the enhanced policy requirement is “Justified”.
- 5.10.3 Based on the proposed standards a site of 416 homes generating a population of circa 1,000 people (based on an average occupancy rate of 2.4) is required to deliver 8.8ha of open space. Assuming an average development net density of 35dph, a total site area of 20.6ha is required (35pdh generates a site area of 11.8ha) with open space occupying circa 43% of a site. This is very significant.

The Council’s evidence base fails to include any assessment of whether the levels of open space provision proposed are deliverable on strategic sites, without negatively impacting on housing nos. whilst also considering other policy requirements such as BNG. The proposed levels of open space provision are therefore not “Justified”.

Future Ownership & Management

- 5.10.4 It is further not reasonable or acceptable to require open space to be transferred to either the Parish Council or Council (criteria 6a & 6b) or require it to be designated as a Village Green or nature reserve. The necessity for this is unclear, but if it is the intention to prevent the future development of such areas, then this is already controlled by the Planning system. It does not necessitate further intervention.

- 5.10.5 Should the land be transferred, it is assumed that the Parish or District Council will take on management and maintenance responsibilities, funded via criterion 6c. Over successive years, Councils including CCC have not wanted to be burdened with managing open spaces principally because of issues of cost. Owing to other policy considerations, including requirements for BNG and 20% tree coverage, the long-term management and maintenance responsibilities for each site is likely to be complex and will be governed by site specific management plans. Consequently, a blanket “on size fits all” approach cannot be taken to the management and maintenance of such sites.
- 5.10.6 It is our experience that Parish Councils are often ill-equipped to efficiently and effectively manage such spaces. The requirement for open spaces to be managed by the Parish Council and CCC is also likely to result in disproportionately high management and maintenance contributions, which are not accounted for within the submitted Viability Assessment.
- 5.10.7 The proposed approach is “Unjustified” and not supported.

5.11 Policy DM4: Reducing Waste & Supporting the Circular Economy

- 5.11.1 The policy introduces the requirement to submit a Circular Economy Statement. Criterion 4 of the policy advises that proposals which exceed requirements or propose innovative approaches to waste management will be supported. The policy must be amended to reflect that support will also be given to proposals that meet standard and support is not exclusive to proposals that exceed standards, for which there is not justification.

The policy text must be amended as follows:

*“Proposals for relevant development must provide adequate, flexible and easily accessible waste management storage space and collection systems in line with the requirements of the Kent Design Guide (or successor documents). Proposals that **meet or exceed** these requirements or propose innovative approaches to waste management will be supported.”*

5.12 Policy DM5: Parking Design

- 5.12.1 In line with comments on Policy DS15, to make the most efficient use of land, to ensure streets are not car dominated and to secure the provision of street trees (other requirements of this policy) it is our experience, tandem parking must often be used, amongst other parking arrangements to meet required standards whilst delivering high quality design. Greater flexibility over parking design is therefore essential as part of a more balanced and design led approach. to ensure schemes are not dominated by cars and hardstanding. Indeed criterion (c) expressly requires that parking does not dominate the street scene.
- 5.12.2 To meet parking standards, which have also increased in some areas (Appendix 4), this makes it even more essential that a flexible approach is taken to the use of tandem parking spaces and this parking arrangement is not considered as a negative design response at the outset for which there is no justification. Criterion (g) must be amended to remove reference to tandem parking spaces being avoided.

- 5.12.3 Should it be considered necessary that the use of tandem spaces is controlled, an additional criterion should be added stating that:

"The use of tandem parking spaces shall be considered on a site-by-site basis, having regard to site specific circumstances and as part of a range of parking solutions to ensure parking and other design considerations are satisfied".

- 5.12.4 Similar comments have been made with regards to Policy DM14.

5.13 Policy DM15: Sustainable Drainage

- 5.13.1 The policy seems to have significant overlap with Policy DS20. Is the policy therefore necessary and can it not be amalgamated with other drainage policies i.e., DM14 to make the information more accessible by avoiding needless repetition.

5.14 Policy DM18: Light Pollution & Dark Skies

- 5.14.1 No objection in principle to the overarching aims of the policy. However, it must be recognised that lighting designs for roads will need to meet KCC Adoption Standards where they are proposed to be adopted. This is a matter outside CCC and the applicants control and must be recognised in policy as a potentially limiting factor, although lighting levels should continue to be minimised where possible.

- 5.14.2 An additional note must therefore be added to the policy stating that *"Where roads are proposed for adoption, these will need to meet KCC Highway Adoption Standards for lighting"*.

6 Conclusion

- 6.1.1 Persimmon Homes controls "Land North of Hersden" which is allocated in the Adopted 2017 Canterbury Local Plan (Policy SP3 – Site 8) for a mixed-use development including 800 new homes. This Reg 18 Plan continues to support the allocation of the Site, though the saving of Policy SP3 in respect of Site 8. Persimmon Homes strongly support this position as set out in this statement.
- 6.1.2 Persimmon Homes also supports overall levels of growth in the District, including its distribution, which continues to recognise Hersden as a sustainable Rural Service Centre.
- 6.1.3 Representations have also been made in response to a number of strategic, design and development management policies, which seek to shape housing delivery in the District. Whilst many of these policies support the Council's green agenda, which in principle is not objected to, many of the policy requirements are not supported by the Council's evidence base. Furthermore, the Council fails to demonstrate that they are deliverable and compatible with securing the levels of growth being planned for, without adversely impacting on housing numbers and/or viability.
- 6.1.4 For the Plan to proceed to Reg19 and to be found "Sound", the objections raised in this representation must be addressed.