
Draft Canterbury City Council Local Plan Regulation 18 Consultation

Church Commissioners for England

Contents

1.	Introduction	2
2.	Land at Hersden (Policy R13) - The Site, The Surrounding Area and The Draft Allocation	4
3.	Other Rural Landholdings	10
4.	Representations	12
5.	Conclusion	25

1. Introduction

Savills has been instructed by the Church Commissioners for England (CCE) to submit representations to the Draft Canterbury City Council Local Plan Regulation 18 Consultation (hereafter referred to as ‘the draft Local Plan’). The consultation on the Local Plan commenced on 24th October 2022 and closes at 5pm on 16th January 2023. CCE has interest in the production of the draft Local Plan and welcomes the opportunity to respond.

1.1. By way of context, CCE owns a large strategic site in Adisham, an allocated site in Hersden, as well as smaller land holdings in Bekesbourne, Boyden Gate, Chislet, Ickham and Wickhambreaux which we consider are suitable for residential development.

1.2. These representations focus primarily on the Land at Hersden but also cover CCE’s other landholdings in the district. CCE is one of the main landowners within the allocation of Land at Cooting Farm (Policy R1) and support the site’s allocation. Further detail on the Land at Cooting Farm is set out on the letter appended to this representation (Appendix 5). This representation supports the allocation of the Land at Hersden and explain why it is suitable for additional residential development.

1.4. CCE also own smaller land holdings within various settlements across the district which are considered suitable for conversion for residential use or via windfall housing. CCE are promoting these sites in line with the Government’s agenda to deliver much needed new homes quickly and efficiently.

1.5. CCE has previously responded to the Council's Call for Sites Consultation in June 2020, where they promoted a total of five sites which are available and suitable for new build residential development. Table 1.1 below sets out the sites which were promoted.

Site Number	Site Name
1	Land at Drill Lane, Ickham
2	Land at School Lane Paddock, Bekesbourne
3	Land at Bossington Road, Adisham
4	Adisham Court Farm, Adisham
5	Land at Hersden, Hersden

1.6. *Table 1.1 – Sites submitted to CCC’s 2020 Call for Sites process*

The National Planning Policy Framework (NPPF) explains that the planning system should be plan-led. Paragraph 16 sets out the Plans should:

- a) *be prepared with the objective of contributing to the achievement of sustainable development;*
- b) *be prepared positively, in a way that is aspirational but deliverable;*

- c) *be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d) *contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- e) *be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- f) *serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*

At examination, a Plan will be found 'sound' if it is considered to be positively prepared, justified, effective and consistent with national policy, as set out within paragraph 35 of the NPPF. As such, ensuring that the Local Plan meets the tests of soundness is important throughout the Local Plan process - including at Regulation 18 stage.

1.7.

Structure of the Representation

The structure of this representation is as follows:

1.8.

- Section 2: Summary of the Land at Hersden Site: Sets out a broad outline of the Land at Hersden, its surroundings and provides a brief description of the draft allocation.
- Section 3: Summary of CCE's smaller landholdings.
- Section 4: Representations on the Draft Local Plan: Makes observations on the Evidence Base Documents; Provides comments and recommendations on key elements of the Draft Local Plan.
- Section 5: Conclusion: Summarises the observations within the representation and outlines the next steps in the draft Local Plan process.

1.9.

Additional Documents

A number of documents have been submitted in conjunction with this representation. These are listed below:

- Drawing 1075-EA-A-S001 - Location Plan
- Drawing 1075-EA-A-G001 - Indicative Masterplan

2. Land at Hersden (Policy R13) - The Site, The Surrounding Area and The Draft Allocation

The site is located in the village of Hersden, which is approximately 8km north-east of Canterbury. The allocated site comprises 1.24ha of greenfield land (see Figure 2.1) and is currently used for agricultural purposes.

2.1.

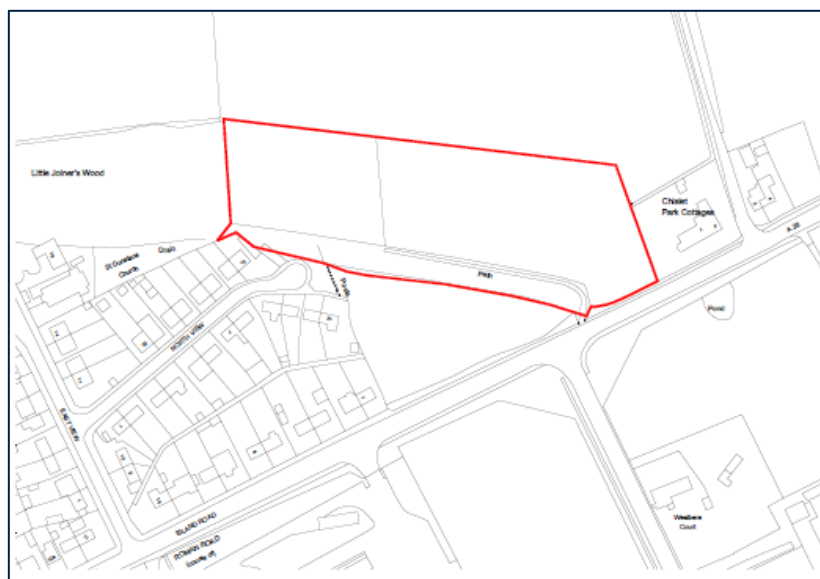


Figure 2.1 - Red Line Boundary of Allocated Site

2.2.

The site is bounded by agricultural land to the north, residential development to the east, Island Road, woodland and residential development to the south and woodland to the west. The surrounding area is typified by semi-detached residential dwellings with a few detached and terraced dwellings. Further south of the site lies the Lakes View Business Park which contains a number of large warehouses.

2.3.

A hybrid planning application (CA/22/01845) was validated on 22nd August 2022 for:

“Hybrid planning application comprising: 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 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.”

This application extends across the north of Hersden (see pink dotted outline in Figure 2.2) and is adjacent to the Land at Hersden's site boundary. The planning application is made on the land allocated for 800 dwellings (Site 8) in the adopted Local Plan for Canterbury City Council (CCC).

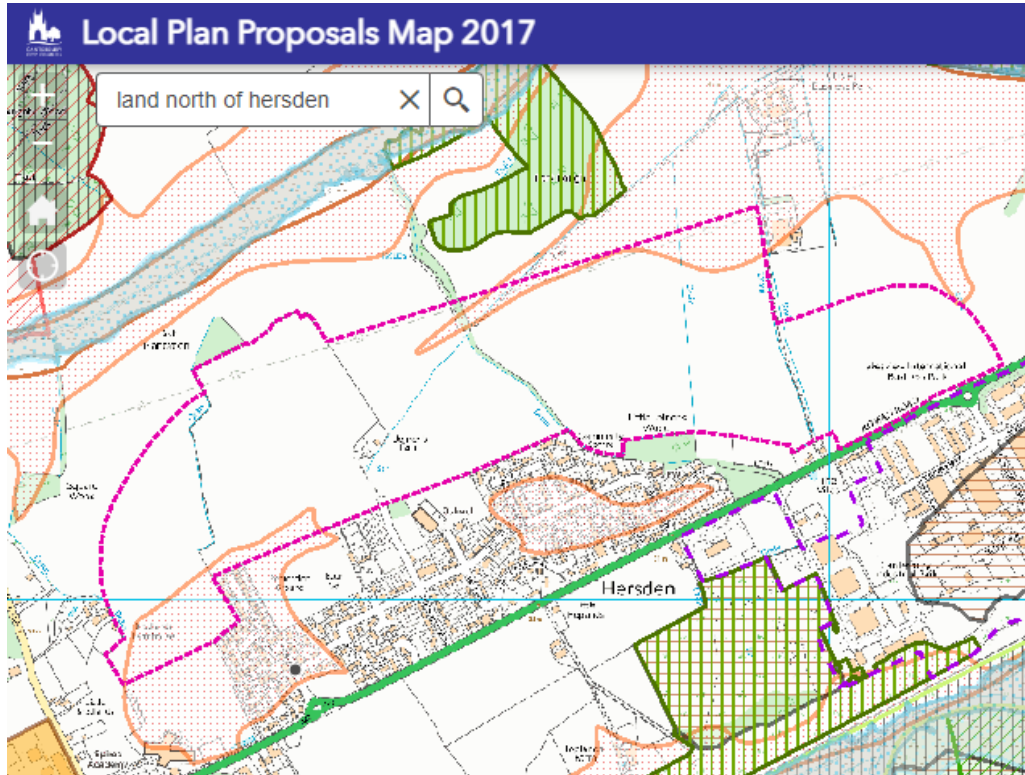


Figure 2.2 – Adopted Local Plan Proposals Map (2017)

2.4.

Access

Access to the site is achievable through coordination with the development allocated to the north of the site as proposed through the draft allocation concept masterplan (p.148 of the consultation document). Independent access off of Island Road is also being explored.

2.5.

2.6.

Statutory Designations

The site is located in a SSSI Impact Risk Zone. However, since the proposal is for less than 50 residential units, the designation is not relevant.

The Stodmarsh is located approximately 0.5km south of the site. The Stodmarsh contains numerous designations including being a: Ramsar Site; Site of Special Scientific Interest; Special Area of Conservation; and a Special Protection Area.

Heritage

There is one Grade II Listed Building (Westbere Court) located approximately 110m to the south of the site (see Figure 2.3).

2.7.



Figure 2.3 - Location of Listed Buildings

2.8.

Drainage

2.9.

The site lies within Flood Zone 1 where there is a very low risk of flooding from rivers or the sea. The area has a chance of flooding of less than 0.1% each year.

The site has a very low chance of flooding from surface water and the area has a chance of flooding of less than 0.1% each year.

2.10.

The Surrounding Area

Hersden is a well-serviced village located approximately 8km north-east of Canterbury. Hersden contains the following services: a café, a restaurant, a primary school, a secondary school, a range of shops and a community centre. There is an organic food store approximately 0.8km to the east of the site. There is also a co-op food store located 3.5km to the west of the site in Sturry. Further facilities are available at Sturry and Canterbury. There is also a large business park to the south-east of the site, offering a variety of services and employment opportunities.

In CCC's adopted Local Plan (2017), Hersden is classified as a 'local centre' in the rural settlement hierarchy. Policy SP4 of the adopted Local Plan states that:

2.11. *"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 of Sturry and the local centres of Barham, Blean, Bridge, Chartham, Hersden and Littlebourne will be supported provided that such proposals are not in conflict with other local plan policies relating to transport, environmental and flood zone protection and design, and those of the Kent Downs AONB Management Plan, where applicable".*

CCC's draft Local Plan classifies Hersden as a 'rural service centre', second only to Canterbury, Whitstable and Herne Bay on the proposed settlement hierarchy. Draft policy SS3 states that:

2.12. *"Sturry, Blean, Bridge, Chartham, Hersden and Littlebourne are identified as rural service centres. Within these settlement boundaries new development will be supported on suitable sites and existing community facilities and services will be protected and enhanced to support the vitality of these important rural settlements. The provision of new community facilities and services, business space and tourism facilities outside of settlement boundaries will be supported provided such development is proportionate in scale to the relevant settlement and the need for the development outweighs any harm."*

2.13. The site is located approximately 10m from Canterbury Industrial bus stop, providing a regular service to Canterbury of four times an hour, with a journey time of around 20 minutes. The bus route 9X also runs through Hersden, starting at Canterbury, calling at: Vauxhall, Sturry, Westbere, Hersden, Monkton, Ramsgate, Dumpton, Broadstairs, Rumfields, Westwood and Northwood.

2.14. There are regular bus services from Hersden to Sturry train station and Canterbury train station. Sturry station provides an hourly service to Ramsgate and an hourly service to London Charing Cross via Tonbridge. In addition, Canterbury West provides an hourly service to Margate and an hourly service to London St Pancras, whilst Canterbury East provides an hourly service to Dover Priory and London Victoria.

2.15. Therefore, the site is located in a sustainable location due to its excellent public transport links.

Significant residential development is planned to come forward north of Hersden, see planning application reference: CA/22/01845. Therefore, CCC have planned for consequent transport infrastructure improvements to be made in the area, such as the Sturry Park and Ride. Policy T6 states that:

2.16. *"Land identified on the Proposals Map adjacent to the existing Park and Ride site at Sturry Road is safeguarded for the expansion of that facility."*

2.17. Other transport infrastructure which will come forward under the application for the Land North of Hersden are likely to include: improvements to the new Sturry Relief Road; improvements to the A28 corridor; and improved footpaths and cycleways. The Land at Hersden site will subsequently also benefit from these improvements.

The planned infrastructure improvements required to support the proposed 800 residential development north of Hersden, means that Hersden will also be able to support additional smaller developments in the village. Therefore, suitable transport infrastructure will be in place to support the proposed up to 24 new units (see paragraph 2.24 below) on the Land at Hersden.

Planning History

The allocated site has been subject to previous planning applications, as part of wider scoping requests for the development of the Land North of Hersden:

- 2.18.
 - CA/16/02041 – An application for EIA Screening opinion request in relation to a proposed development of up to 800 new dwellings and a new football stadium was decided on 26th August 2016.
 - CA/19/02152 – A request for EIA scoping opinion on mixed-use development, comprising up to 800 dwellings, 1 ha of business space, community building, allotments, multi-use games area, healthcare provision, demolition & engineering works, site access, landscaping, drainage, open space and associated infrastructure was decided on 9th December 2019.
 - CA/21/02301 – A request for EIA scoping opinion on mixed-use development, comprising up to 800 dwellings, 1 hectare of business space, community building, healthcare provision, primary school, engineering and demolition, vehicular access, contributions to primary, secondary school education and to Sturry Relief Road and/or to the transportation improvements on the A28 corridor, Green and Blue Infrastructure, landscaping and wastewater treatment was decided on 8th November 2021.

No other planning applications have been made on site.

- 2.19.

A hybrid planning application (CA/22/01845) has been submitted for the development of 800 dwellings, 1ha of employment floorspace, a primary school extension, a new community building, new sports facilities, areas of open space and other associated infrastructure. Application CA/22/01845 is located adjacent to the northern boundary of the site (Land at Hersden).
- 2.20.

- 2.21.

A number of minor applications have been made for extensions and maintenance to the nearby property of Chislet Park Cottages.

2.22. Draft Allocation

CCC's Regulation 18 draft Local Plan proposes the development of 168 new residential units in Hersden. 150 of these units will come forward under policy R12 and 18 under policy R13. Figure 2.4 illustrates the location of these two development sites.

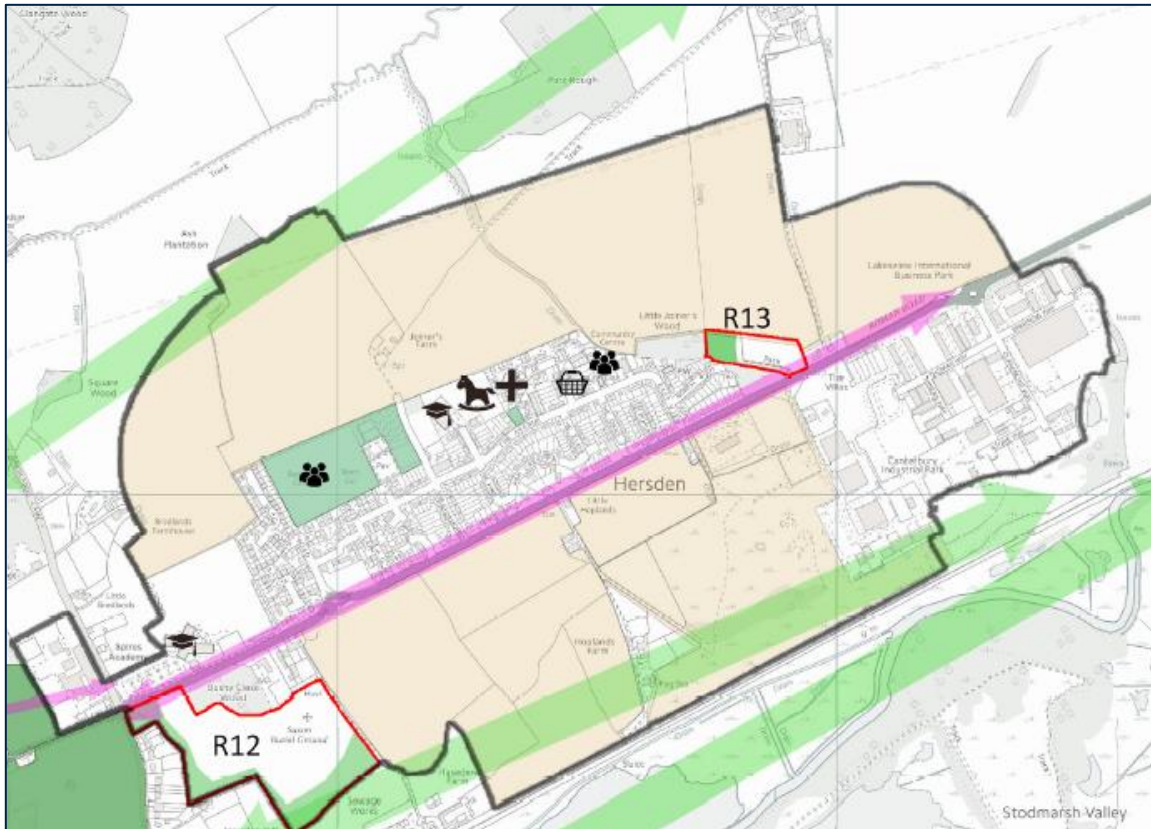


Figure 2.4 – Residential Site Allocations

- 2.23. The Land at Hersden site has been allocated under policy R13 (Land at Hersden) for approximately 18 new dwellings across 0.51ha of the total site area of 1.24ha. Policy R13 proposes a development mix of 30% affordable housing; 15% of new homes to be built to M4 (2) standards, and 5% to be built to M4 (3) standards; and an appropriate housing mix, in line with policy DS2.
- 2.24.

- 2.25. Policy R13 states that the development should have: “an average net density of around 35 dph sitewide”. The site has a developable area of 0.67ha and, subject to any site constraints, the site therefore has a maximum capacity of 24 new dwellings. The indicative masterplan submitted with these representations demonstrates that the site has the indicative capacity for up to 24 dwellings, subject to the housing mix selected, whilst also maintaining the appropriate levels of public open space. Greater flexibility should be given to the allocation in regards to housing capacity in order to meet the housing needs and mix of the local area.

- 2.26. CCE will deliver a landscape-led development that seeks to support, enhance, integrate with the surrounding community and landscape. The site is sustainably located in a Local Centre which has existing facilities and public transport links. The submitted illustrative masterplan sets out the vision and objectives of the proposal and provides further information concerning landscaping and design.

Overall, the site is suitable, available and achievable for residential development within the first five years of the Plan Period. As a sole landowner, CCE support in principle the allocation of the Land at Hersden under Policy R13 of the Regulation 18 consultation document, subject to further consideration on development yield and policy details.

3. Other Rural Landholdings

The following sites have been previously submitted by CCE for consideration in CCC's emerging Local Plan process and evidence base data gathering exercises.

Land at Drill Lane, Ickham (Site 1 in Table 1.1)

- 3.1. Site 1 is a greenfield site located to the rear of properties which front The Street (the main road through Ickham). It extends to 0.4ha and is accessed via Drill Lane to the north. To the south there is farmland and one residential property. Adjacent to Site 1, to the east and west, are residential properties. The land here is higher than The Street. The village of Ickham lies to the south and is within a short walking distance. A bus stop is located approximately 170m south of Site 1. The site has an estimated capacity of approximately 8 residential dwellings and a Site Location Plan can be found at Appendix 1.

Land at School Lane Paddock, Bekesbourne (Site 2 in Table 1.1)

- 3.3. Site 2 is located within Bekesbourne, a small settlement with no defined centre. It is a greenfield site, comprising of undeveloped land and is 0.33ha in area. School Lane forms the southern boundary and provides access. Site 2 forms part of a larger field which is currently used as a paddock. The western boundary abuts a row of 16 detached houses and a singular dwelling is located at the eastern boundary. The rest of the surrounding land is in agricultural use. It is within a short walking distance to Bekesbourne Train Station and local village amenities. The site has an estimated capacity of approximately 8 residential dwellings and a Site Location Plan can be found at Appendix 2.

- 3.4. Land at Bossington Road, Adisham (Site 3 in Table 1.1)

Site 3 is a greenfield site forming part of a larger field and measures 0.28ha. It is located to the north of the village of Adisham, at the junction of Pond Hill and Bossington Road which provides a strong boundary. To the east and south are residential properties and to the north is further fields. Site 3 is within a short walking distance to local village amenities. A bus stop is located directly opposite of Site 3 and Adisham Train Station is located approximately 575m to the south. The site has an estimated capacity of approximately 6 residential dwellings and a Site Location Plan can be found at Appendix 3.

Adisham Court Farm (Site 4 in Table 1.1)

3.5.

Site 4 is a greenfield site and measures 0.16ha. It lies to the south of Pond Hall and Adisham Downs Road and lies to the north of the village of Adisham. One large agricultural building is situated on Site 4, which is suitable for conversion into residential units. Site 4 has a strong boundary to the north east which is defined by the local highway network. To the north and west are agricultural fields, and to the east are residential properties. Site 4 is within a short walking distance to local village amenities. A bus stop is located approximately 217m south and Adisham Train Station is located approximately 775m south. The site has an estimated capacity of approximately 4 residential dwellings and a Site Location Plan can be found at Appendix 4.

Summary

3.6.

As the sole landowner of sites 1-4 in Table 1.1, CCE support the future allocation of these sites in CCC's emerging Local Plan. The inclusion of these small sites can help CCC meet their housing need in the earlier part of the Local Plan Period.

4. Representations

This section provides Representations on the Regulation 18 Local Plan and includes observations regarding the supporting evidence base. Comments are provided on the published evidence base documents which are listed below.

- Sustainability Appraisal (October 2022)
- Strategic Land Availability Assessment (July 2022)

4.1.

These representations set out CCE's comments in relation to the draft Local Plan, and the policies within it which they believe require further consideration to assure soundness ahead of submission and Examination in Public (EiP). In order for the draft plan to be found sound at EiP (and thus appropriate for adoption), it must have been prepared in accordance with the below tests as set out in paragraph 35 of the National Planning Policy Framework (NPPF):

4.2.

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

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

*c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

Observations on the Regulation 18 Draft Local Plan Policies

Policy SS3 – Development Strategy for the District – COMMENTS

4.3. Paragraph 2a-024 of the Planning Practice Guidance (PPG) sets out that a higher level of housing can be provided where increased housing delivery would help deliver the required number of affordable homes. The Council's evidence indicates that there is a need for 464 new affordable homes each year, around 37% of the Local Housing Needs Assessment. Therefore, based on the Council's housing policy which requires 30% of homes on major residential development to be affordable there will be a shortfall in meeting these needs. Given that the principal mechanism for the delivery of affordable homes is through the allocation of market housing the Council must consider whether a higher housing requirement is necessary to ensure affordable housing needs are met.

4.4. CCE is supportive of the inclusion of Adisham, Bekesbourne, Boyden Gate, Chislet, Hersden, Ickham and Wickhambreaux in the settlement hierarchy. However, it is noted that Policy SS3 at point 7 states that any settlement which is not within an urban area, a rural service centre, or a local service village is defined as being within the open countryside. The policy also states that new housing development in the countryside will only be supported in very limited circumstances.

4.5. At this time CCE believes that by overly restricting a proportionate amount of windfall development within villages, the policy is not **justified** or **positively prepared**. The result of this is that there is insufficient flexibility within the draft Local Plan to support an appropriate amount of growth, especially in a scenario where larger allocations do not deliver.

4.6. As such, we propose the addition of the following criteria and that criteria 7 be amended to read as follows:

7. Within settlements defined as villages, proportionate development to a scale that is consistent with the relevant settlement's accessibility, infrastructure provision and level of services available, will be permitted.

*8. Within the countryside, which is defined as any part of the district outside of the settlement boundaries of the urban area, rural service centres, ~~and~~ local service centres **and villages**, priority will be given to protecting the rural character of the district. In this context, new housing development will only be supported in very limited circumstances and new community facilities, business space and tourism facilities will only be supported where the need for the development outweighs any harm. Existing community facilities and services within the countryside will be protected.*

4.7. This spatial approach to development was adopted by Ashford Borough Council which was found to be sound by an Inspector. Alternatively, the Council could include a separate windfall policy to allow for greater flexibility. This is consistent with the approach taken within other local plans (e.g. Policy 6 of the adopted Durham County Local Plan (2020) which states that the development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either within the built-up area or outside the built-up area but well related to a settlement, will be permitted provided the proposal accords with all relevant development plan policies and listed criteria). The inclusion of a policy to support windfall sites adjacent to development limits where they respond appropriately to their immediate context (such as that used at Durham County Council), would be an effective way to ensure the provision of new housing if allocations were not deliverable.

Recommendation 1 - Increase the housing delivery requirement across the Plan period in order to meet the affordable housing need of the district.

Recommendation 2 - Reword Policy SS3 as per paragraph 4.6 of these representations.

Policy R1 - Land at Cooting Farm – **SUPPORT**

4.8. CCE is one of the main landowners of the site allocated in Policy R1, owning the land to the north around the railway station. CCE supports the allocation and will make its land available for development. Further detail can be found in the appended letter (Appendix 5).

Policy R2 – Rural Service Centres – **COMMENTS**

4.9. Policy R2 criteria 1(c) is supportive of minor development, including infilling on appropriate sites in Rural Service Centres. However, we believe that limiting development to ‘minor development’ in specific settlements means that the plan is not **positively prepared**. Policy SS3 sets out that:

4.10. *“new development will be supported on suitable sites and existing community facilities and services will be protected and enhanced to support the vitality of these important rural settlements”.*

4.11. Therefore, CCE considers that to limit the amount of development at a site may reduce opportunities to enhance the vitality of rural settlements. Furthermore, Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. If the plan were amended to allow greater flexibility in yields, it would allow each site, and the local services to dictate an appropriate amount of development.

As such, criteria 1(c) should be amended as follows:

(c) **Development commensurate to the services of Rural Service Centres** ~~minor development~~ including infilling on appropriate sites.

Recommendation 3 – Amend Policy R2 in line with paragraph 4.11 of this representation.

Policy R11 – Hersden – SUPPORT

Policy R11 sets out the future development proposed in Hersden. CCE supports the allocation of the Land at Hersden set out in Policy R13.

Policy R13 – Land at Hersden - COMMENTS

4.12. Policy R13 is the housing allocation for the Land at Hersden. The policy is largely supported, however, there are aspects to the policy over which amendments are sought.

4.13. The policy allocates the site for approximately 18 new dwellings across circa 0.51ha. However, there is capacity on site to increase the allocation for up to 24 dwellings, whilst still maintaining the desired development density of 35dph. The total site area is 1.24ha, of which 0.46ha is proposed (in CCC's concept masterplan) as a landscape buffer and amenity space, and 0.11ha consists of woodland area. This leaves
4.14. a total developable area of 0.67ha, subject to any site constraints.

4.15. Increasing the number of units in the allocation creates a more efficient use of available land. This is supported by paragraph 124 of the NPPF:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;”

4.16.

Smaller sites make an important contribution to the deliverability of a Local Plan. Paragraph 69 of the NPPF states that:

4.17. *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly”*.

4.18.

The Land at Hersden can help deliver CCC's housing target in the earlier period of the Plan as the site is available, suitable and deliverable.

4.19.

Policy R13 states that:

“open space will be provided in line with Policy DS24”.

Policy DS24 states that:

“Developments of less than 3.4ha and flatted schemes will be expected to provide green corridors and, where appropriate, amenity green space within the site only.”

4.20. Due to the Land at Hersden comprising less than 3.4ha, the development will only need to provide green corridors and amenity green space at a density of 2.25 hectares per 1,000 people. However, the concept masterplan produced by CCC in Policy R13 illustrates an area of 'open space' comprising 0.46ha which is in far excess and in contradiction to Policy DS24 which only requires small development sites to provide green corridors and, where appropriate, amenity space. Therefore, it is recommended that the key be changed on the map to remove the label of 'open space' and instead re-label it as a 'landscape buffer' only.

The requirements of Policy DS24 will be met on-site, with amenity green space and green corridors being defined in the policy as:

4.21. *"Opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas. Routes providing walking, cycling or horse riding, whether for leisure purposes or travel. May also offer opportunities for wildlife mitigation."*

4.22. The submitted indicative masterplan illustrates the proposed location for pedestrian and cycle routes across the site.

4.23. There are several points within Policy R13 that duplicate policies stated within other parts of the Local Plan. Where a policy is clearly set out elsewhere in the plan, there is no need to repeat it in the specific allocation policy. This point is relevant in regards to the references to policy DS21 (20% BNG) and is recommended to be removed from the allocation to avoid confusion.

Recommendation 4 - Increase the site allocation of Policy R13 to 'up to 24 new dwellings'.

Recommendation 5 - Re-label the key in the concept masterplan in Policy R13 as 'landscape buffer', instead of 'open space/landscape buffer'.

Recommendation 6 - Remove reference to policies in Policy R13 which are repeated elsewhere in the Local Plan.

4.24.

Policy R21 – Local Service Centres – COMMENTS

CCE is supportive of the inclusion of windfall criteria in Local Service Centres. These settlements provide a range of services which makes them sustainable locations that can support a commensurate amount of additional growth. However, much like Policy R2 we believe that Policy R21 is not **positively prepared** as it would limit the amount of development possible on larger sites in Local Service Centres which would otherwise constitute sustainable development. As such, we believe criteria 1(c) should be amended to allow greater flexibility in the deliverability of sites in order for the amount of development to be dictated by local circumstances.

4.25. In addition to the above, CCE also feel that to ensure that the Plan is positively prepared, there is scope to support development located adjacent to settlement boundaries which would otherwise be sustainable; particularly having regard to and the character and appearance of a settlement and the range of services. This would also provide the flexibility in the plan to support growth in circumstances where larger allocated sites do not come forward, or within the timescale envisaged. Take for example CCE's site in Adisham (Site 3 in Table 1.1). Which is located immediately outside of the settlement boundaries, but otherwise would constitute development which is well suited to the built form of the settlement and is within walking distance of amenities. This site was submitted within the call for sites (site SLAA142) and is available for development.

Policy R21 should be amended to read as follows:

4.26. (1) Within, or **immediately adjacent to**, the settlement boundaries of the designated local service centres of Adisham, Barham, Broad Oak, Harbledown, Hoath, Lower Hardres, Petham, Rough Common, Stuppington, Westbere and Wickhambreaux, new housing development will be supported where it is:

(c) **Development commensurate to the services of Local Service Centres** ~~minor development~~ including infilling on appropriate sites.

Recommendation 7 – Amend Policy R21 in line with paragraph 4.26 of this representation.

Policy DS2 – Housing Mix – COMMENTS

4.27. Policy DS2 sets out the housing mix requirements for new developments. Very specific values are set out in Section 2, with only a 5% buffer allowed for deviation from the required mix. It is recommended that greater flexibility is provided for the housing mix since the housing needs of an area can change and will also be affected by what is provided.

4.28. Policy DS2 should allow decision makers to have regard to any updated or new evidence on local housing needs, monitoring data on the homes delivered or an identified need for homes within a specific settlement. This would ensure that the Local Plan is responsive to changes in need within local markets as well as the type of homes that have been delivered.

Recommendation 8 - Policy DS2 should be amended to provide greater flexibility for the housing mix requirement and allow regard for new or updated evidence on local housing needs.

4.29.

Policy DS4 – Rural Housing – COMMENTS

Policy DS4, criteria c states that proposals for the development of rural exception sites will be permitted where '*the development is directly adjacent to an urban area, rural service centre or local service centre*'. It is therefore considered that this policy is not **consistent with national policy**.

Paragraph 78 of the NPPF states that:

'Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this'.

4.30. The NPPF does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria c should be removed to allow for rural exception sites to be located in areas with objectively identified need.

Recommendation 9 - Remove criteria c from Policy DS4.

4.31.

Policy DS6 – Sustainable Design – COMMENTS

Policy DS6 states that:

4.32. *"New development shall be designed to achieve a recognised calculated Net Zero operational carbon emissions standard such as those set by Passivhaus, Standard Assessment Procedure (SAP) and BREEAM."*

4.33. The requirements of this policy go beyond the expectations set out in the recently amended part L of the Building Regulations as well as those expected in the Future Homes Standard – which from 2025 would require homes to be zero carbon ready in anticipation of the decarbonising of the national grid.

4.34. By differing from national policy requirements, homes will be delivered across different local authorities to a range of energy standards. Building standards should be consistent nationally in order to utilise economies of scale. Issues of viability must also be considered when enforcing a higher standard of energy standard than that required by national policy.

Recommendation 10 - Provide evidence for the requirement of energy standards higher than that required by national policy.

4.35.

Policy DS21 - Supporting Biodiversity Recovery – COMMENTS

Policy DS21 states that as a minimum, non-major development proposals must: *"retain existing trees and hedgerows, and where possible increase tree cover and hedgerows"*. Although the sentiment is agreed, the policy should take into consideration the ecological value of the existing trees. Particularly on small sites where space is limited, it may prove more beneficial to the space efficiency of development and overall biodiversity levels to replace an existing tree with another species of tree. It is proposed that the policy is reworded to allow more flexibility for the removal of existing trees as long as replacement trees are planted, and no level of biodiversity is lost.

Policy DS21 requires development to deliver a minimum of 20% biodiversity net gain (BNG), provided ideally on-site. This exceeds the Government requirement of 10% BNG which, at the mandatory net gain consultation, was deemed to be the right balance between ambition and certainty in achieving environmental outcomes whilst also ensuring the deliverability of new development. If CCC do continue with this policy, evidence will need to be provided as to why CCC should require development to deliver beyond the national minimum.

- 4.36. Although CCC have run some broad viability studies, CCC should recognise that the cost of delivering BNG will vary considerably between sites and the costs will not be known until the baseline level of biodiversity has been assessed. In some case 20% may be relatively simple to achieve at minimal additional cost but on other sites it may well require a significant level of off-site delivery that could have a significant impact on the viability of development. Therefore, any considerations on viability of BNG will need to ensure there is significant headroom to take account of the site-by-site uncertainties regarding the cost of delivering BNG.
- 4.37.

Recommendation 11 - Increase the flexibility of retaining existing trees in Policy DS21 for smaller sites.

Recommendation 12 - Provide evidence for the need to the increase in BNG from the national requirement of 10% to 20%.

Recommendation 13 - Provide more flexibility for 20% BNG depending on viability on a case-by-case basis.

Policy DM1 – Conversion of Existing Rural Buildings – **COMMENTS**

- 4.38. CCE is supportive of the inclusion of a policy for the conversion of existing rural buildings, however, CCE believe that Policy DM1 is not **consistent with national policy**. Policy DM1 criteria a states that proposals for the conversion of existing agricultural buildings will be supported where:

- 4.39. *'it has been demonstrated to the satisfaction of that Council that the building has been continuously actively marketed, for at least one year, for alternative uses such as business, tourism or community uses'.*

This policy is not in accordance with Paragraph 152 of the NPPF which states that the reuse of existing resources should be encouraged, including *'the conversion of existing buildings'*. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria a should be omitted from Policy DM1.

Recommendation 14 - Remove criteria a from Policy DM1.

Sustainability Appraisal – COMMENTS

The Sustainability Appraisal (SA) is an important evidence-based document which is required to assess the extent to which the emerging Local Plan helps to achieve relevant environmental, economic and social objectives when assessed against reasonable alternatives. In accordance with Section 39 of the Planning and Compulsory Purchase Act 2004, a Plan must be prepared “*with the objective of contributing to the achievement of sustainable development*”.

4.40. WSP has prepared the Sustainability Appraisal Report of the Regulation 18 Local Plan Consultation to assess the sustainability effects of the proposed development options and policies. 14 objectives have been derived that reflect socio-economic and environmental issues.

4.41. The SA of the site allocations and alternatives, however, has been completed by CCC themselves and is appended to WSPs report. It is stated that WSP acted as a ‘Critical Friend’ to review this section of the SA. It appears that the objectives that the site allocations were assessed against differ from the SA objectives set out within WSP’s SA. As such, the site allocations were not assessed for their effects on Climate Change or Waste. Table 2.1 of the SA Appendix G explains that climate change cannot be assessed for the following reason:

“It has not been possible to identify specific site level criteria that could be applied for this SA objective given that energy use and carbon emissions relate to construction techniques / materials which rely on the building regulations, design and consent at planning application stage and subsequent occupation and use”

4.43. It is considered that CCC should have been able to assess a site’s effect on climate change as part of the SA. It is acknowledged that carbon reduction measures are required through building regulations, however, the SA can consider the location, design and adaptability of a site allocation.

4.44. In relation to waste, Table 2.1 sets out that this has not been assessed for the following reasons:

All new development may offer opportunities for incorporating sustainable waste management practises. Consequently, this is not anticipated to be applicable at site level as it is not dependent on location but the design of the development.

4.46. The sites should be assessed against Kent County Council’s Waste and Minerals Assessment to ensure there are no environmental effects.

4.47. Given the above, it is considered that the SA should be updated to reflect all SA objectives.

The Land at Hersden (Policy R13) has been assessed as part of the Site Allocation and Alternative assessment. An extract of the assessment is detailed in Table 3.1 below. Detailed written analysis of this assessment is not provided, therefore, it is not clear why certain assessments have been made. For example, why does the allocation of the site only score a minor positive effect on housing? Further detail on this assessment is requested.

Table 3.1 SA assessment of Land at Hersden

1. Air Quality	3. Ecology	4. Minerals	5. Landscape	6. water	7. Flood Risk
0 Neutral	-- Significant Negative Effects	0 Neutral	--/? Uncertain Significant Negative Effects	-- Significant Negative Effects	++ Significant Positive Effects

9. Historic Environment	10. Homes	11. Land use	12. Economy	13. Sustainable Transport	14. Healthy and Inclusive Communities
0 Neutral	+ Minor positive Effects	--/? Uncertain Significant Negative Effects	++ Significant Positive Effects	++/-/? Uncertain Significant Positive Effects / Minor Negative	++ Significant Positive Effects

4.48.

To assist the Council/WSP in their assessment of the site, the following comments are made on the objectives:

- Air Quality:** The SA currently assesses air quality as neutral. The site is not within proximity of an Air Quality Management Area, thus will not impact an existing area of poor air quality. The proposal will ensure that air quality is fully assessed and appropriate mitigation will be provided, if required. It is necessary to acknowledge that the site is within close proximity of existing and planned employment opportunities and community infrastructure, limiting the need for private car trips. As such, it is considered that the allocation of this site should be amended to **minor positive effects**.
- Climate Change:** The proposal will comply with the relevant Building Regulations and/or its amendments. The site is located near to existing services and facilities, reducing trip rates and traffic emissions. Furthermore, CCE is committed to incorporating environmental, social and governance issues into their approach to investment. For this reason, the site should be awarded a **minor positive effect**.
- Ecology:** The SA assess this site as significant negative effects, explaining that the key reason for this is the site's location to International and National Designations. It is acknowledged that the site is approximately 0.5km from the Stodmarsh SPA, SAC, NNR and Ramsar Site and 1.5km from Blean Woods NNR and SAC. Additionally, the site is within 400m of an ancient woodland. However, this does not automatically result in a significantly negative effect. Given that Canterbury Industrial Park falls adjacent to the designations and opposite the site, it is considered that the development of the site will result in no further significant effects. A landscape buffer will be provided for the ancient woodland and the onsite biodiversity will be retained and enhanced. As such it is considered that the assessment should be **minor negative effects**.
- Minerals:** CCC/WSP has scored the site a neutral effect on minerals. The site does not fall within a mineral safeguarding area as defined on the Kent County Council Mineral Safeguarding Areas map.

It also does not appear to be a Regionally Important Geological Site, as listed by GeoConservation Kent. Given this, the site will not damage a geologically important site or a mineral safeguarding area and should be awarded a **minor positive effect**.

- **Landscape:** The SA sets out the following:

“Currently the proposal would have a significant negative impact as its a projection into the open countryside and rural character of the area. However the adjacent landscape is Strategic allocation Site 8: Land North of Hersden and if considered in this context the site would have less negative impacts in the future”.

It is agreed that the Strategic Allocation adjacent to the site would cause significant change on the landscape setting. However, independently, the site can provide sufficient landscaping measures to ensure the landscape setting is not affected. As such, it is considered that the landscape effect should be **uncertain neutral effects**.

- **Water:** A significant negative score has been awarded to the site for this objective. It is uncertain why this is, however, it is assumed that it is due to the site’s location near to the Stodmarsh water body as the accompanying spreadsheet indicates a lower score under ‘water bodies’. This assessment is disputed. The development of the site will protect and enhance ground and surface water utilising SuDS. Moreover, it is not situated within a groundwater source protection zone. The development site is a sufficient distance from the Stodmarsh to avoid contamination. Finally, the development will comply with the required water efficiency measures. Thus, the site should be awarded a **Neutral effect** against water.
- **Flood Risk:** The assessment of this objective is agreed.
- **Waste:** The proposed development will ensure the management of construction and residential waste is consistent with the waste management hierarchy seeking to reduce the waste where possible. This would result in a **minor positive effect**.
- **Historic Environment:** The assessment of this objective is agreed.
- **Homes:** The SA has scored housing as a minor positive score. The proposal will deliver both market and affordable homes to assist in meeting CCC’s identified needs. The assessment should score the site a **significant positive effect** as any level of housing development assists in meeting the Council’s needs.
- **Land Use:** It is clear that the SA has scored this objective as an uncertain significant negative due to a lack of knowledge on the land classification. This is evidenced by the comments provided in the supporting SA spreadsheet that states *“based on spatial agricultural land data as site specific evidence not available”*. Due to the lack of evidence the assessment should just be **uncertain** until evidence is available to justify an effect.
- **Economy:** The assessment of this objective is agreed.
- **Sustainable Transport:** The assessment of this objective is agreed.

- **Health and Inclusive Communities:** The assessment of this objective is agreed.

The information above has been used to prepare a new assessment table which is detailed in Table 3.2 below.

Table 3.2 – Savills SA assessment of Land at Hersden

1. Air Quality	2. Climate Change	3. Ecology	4. Minerals	5. Landscape	6. Water	7. Flood Risk
+ Minor positive Effects	+ Minor positive Effects	- Minor Negative Effects	+ Minor positive Effects	0/? Uncertain Neutral Effects	0 Neutral Effects	++ Significant Positive Effects
8. Waste	9. Historic Environment	10. Homes	11. Land use	12. Economy	13. Sustainable Transport	14. Healthy and Inclusive Communities
+ Minor positive Effects	0 Neutral Effects	++ Significant Positive Effects	? Uncertain effects	++ Significant Positive Effects	++/-/? Uncertain Significant Positive Effects / Minor Negative	++ Significant Positive Effects

4.49.

Recommendation 15 – CCC’s SA should be updated to reflect all of the WSP SA objectives, including waste and climate change.

Recommendation 16 - Detailed written analysis of CCC’s SA assessment is requested.

Recommendation 17 - The SA should be updated to reflect the scores set out in Table 3.2 of this representation in respect of the Land at Hersden.

Strategic Land Availability Assessment – COMMENTS

The purpose of the Strategic Land Availability Assessment (SLAA) (July 2022) was to identify a supply of land which is suitable, available and achievable for future housing and economic development over the Plan period to 2045. The assessment of the Land at Hersden, site (SLAA146), makes the following comments in which Savills has provided a response to demonstrate to CCC that the site is suitable:

4.50.

- *“The site is adjacent to an ancient woodland (Little Joiners Wood). There is also a non-protected wooded area to the south”*

Savills response: As indicated on the illustrative masterplan, both of these areas of woodland will remain and opportunities to enhance biodiversity will be explored.

- *“The developable area has been reduced to remove the wooded area on the western side of the site, and to enable a buffer to the ancient woodland and the tree belt to the south of the site. Of the remaining 0.65ha, it is anticipated that a developable area of 78% is appropriate. An average density across the site of 35dph is considered to be appropriate, resulting in a yield of approximately 18 dwellings. This initial assessment is subject to design and layout so there is a chance the yield could change.”*

Savills response: It is agreed that the wooded area on the western and southern side of the site should be retained, as well as the provision of a landscape buffer for the ancient woodland. The indicative masterplan prepared by Edward Architecture, indicates that there is a remaining 0.67ha of developable land. Of the remaining 0.67ha, there appears to be limited site constraints which would explain CCC’s suggested yield of 18 units. The calculations completed to date by Edward Architecture indicate a capacity of up to 24 units. An ‘up to’ figure is suggested to provide flexibility. The additional dwellings will help CCC to meet their housing need in the area and will create the most efficient use of available and developable land. Maintaining the 35dph requirement, the site capacity should be increased to up to 24 dwellings, subject to detailed design.

Recommendation 18 - Increase the capacity of site SLAA146 to approximately 24 dwellings.

5. Conclusion

This representation to the Canterbury City Council (CCC) Regulation 18 Local Plan Consultation is written on behalf of the Church Commissioners for England in relation to the Land at Cooting Farm, the Land at Hersden and a number of rural sites also in CCE's ownership.

5.1. The allocation of the Land at Hersden is supported as the site is available, developable and deliverable. The site is in a sustainable location and forms part of a logical residential extension of Hersden, in accordance with the approach to plan-making as set out in the NPPF. The development would make a valuable contribution to the future of the village and help CCC meet its housing need.

5.2. This document provides representations on the Regulation 18 Local Plan and includes observations on the supporting evidence base. Several recommendations have been made throughout these representations. The most notable recommendations include:

- 5.3.
- **Local Plan Policy SS3 (Development Strategy for the District)** – CCC should increase the housing delivery requirement across the Plan period in order to meet the affordable housing need of the district. CCC should also reword Policy SS3 as per paragraph 4.6 of these representations.
 - **Local Plan Policy R2 (Rural Service Centres)** – CCC should amend Policy R2 in line with paragraph 4.11 of this representation.
 - **Local Plan Policy R13 (Land at Hersden)** – CCC should increase the site allocation of Policy R13 to 'up to 24 new dwellings'. CCC should re-label the key in the concept masterplan in Policy R13 as 'landscape buffer', instead of 'open space/landscape buffer'. CCC should remove reference to policies in Policy R13 which are repeated elsewhere in the Local Plan.
 - **Local Plan Policy R21 (Local Service Centres)** – CCC should amend Policy R21 in line with paragraph 4.26 of this representation.
 - **Local Plan Policy DS2 (Housing Mix)** – CCC should amend Policy DS2 to provide greater flexibility for the housing mix requirement and allow regard for new or updated evidence on local housing needs.
 - **Local Plan Policy DS4 (Rural Housing)** – CCC should remove criteria c from Policy DS4.
 - **Local Plan Policy DS6 (Sustainable Design)** – CCC should provide evidence for the requirement of energy standards higher than that required by national policy.
 - **Local Plan Policy DS21 (Supporting Biodiversity Recovery)** – CCC should increase the flexibility of Policy DS21 for smaller sites. CCC should provide evidence for the need to the increase in BNG from the national requirement of 10% to 20%. CCC should provide more flexibility for 20% BNG depending on viability on a case-by-case basis.
 - **Local Plan Policy DM1 (Conversion of Existing Rural Buildings)** – CCC should remove criteria a from Policy DM1.
 - **Sustainability Appraisal (2022)** – The SA should be updated to reflect all SA objectives, including waste and climate change. Detailed written analysis of CCC's SA assessment should be provided. CCC should update the SA to reflect the scores set out in Table 3.2 of this representation.
 - **Strategic Land Availability Assessment (2022)** – CCC should increase the capacity of site SLAA146 to 24 dwellings.

This representation clearly demonstrates that there is scope to increase the dwelling capacity across the Land at Hersden and improve its contribution to the housing needs of the district. This is supported by national policy, specifically in its emphasis on the capacity for small to medium development sites to contribute to the housing requirement of the district in the earlier part of the Plan Period.

5.4.

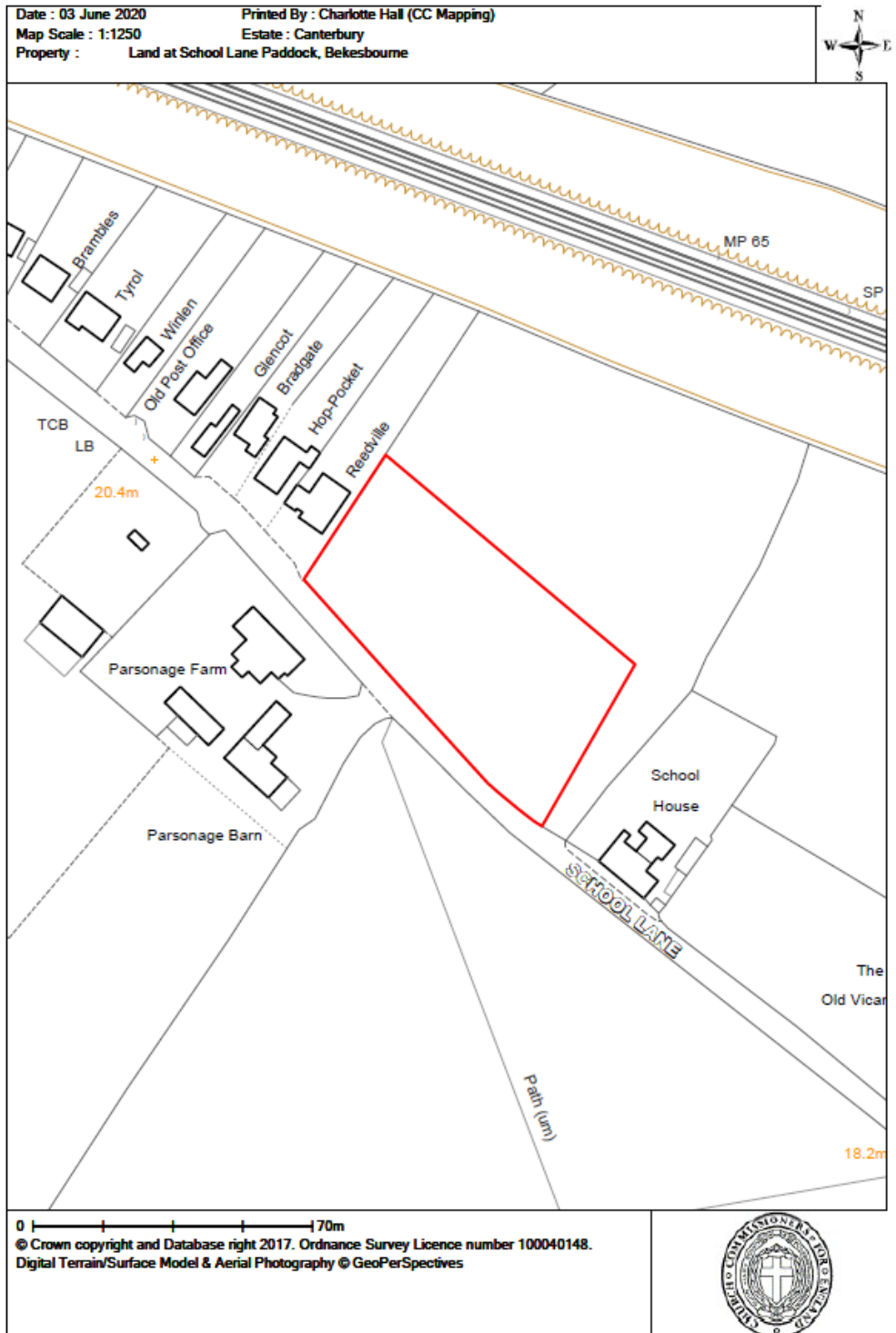
Appendix 1

Land at Drill Lane, Ickham



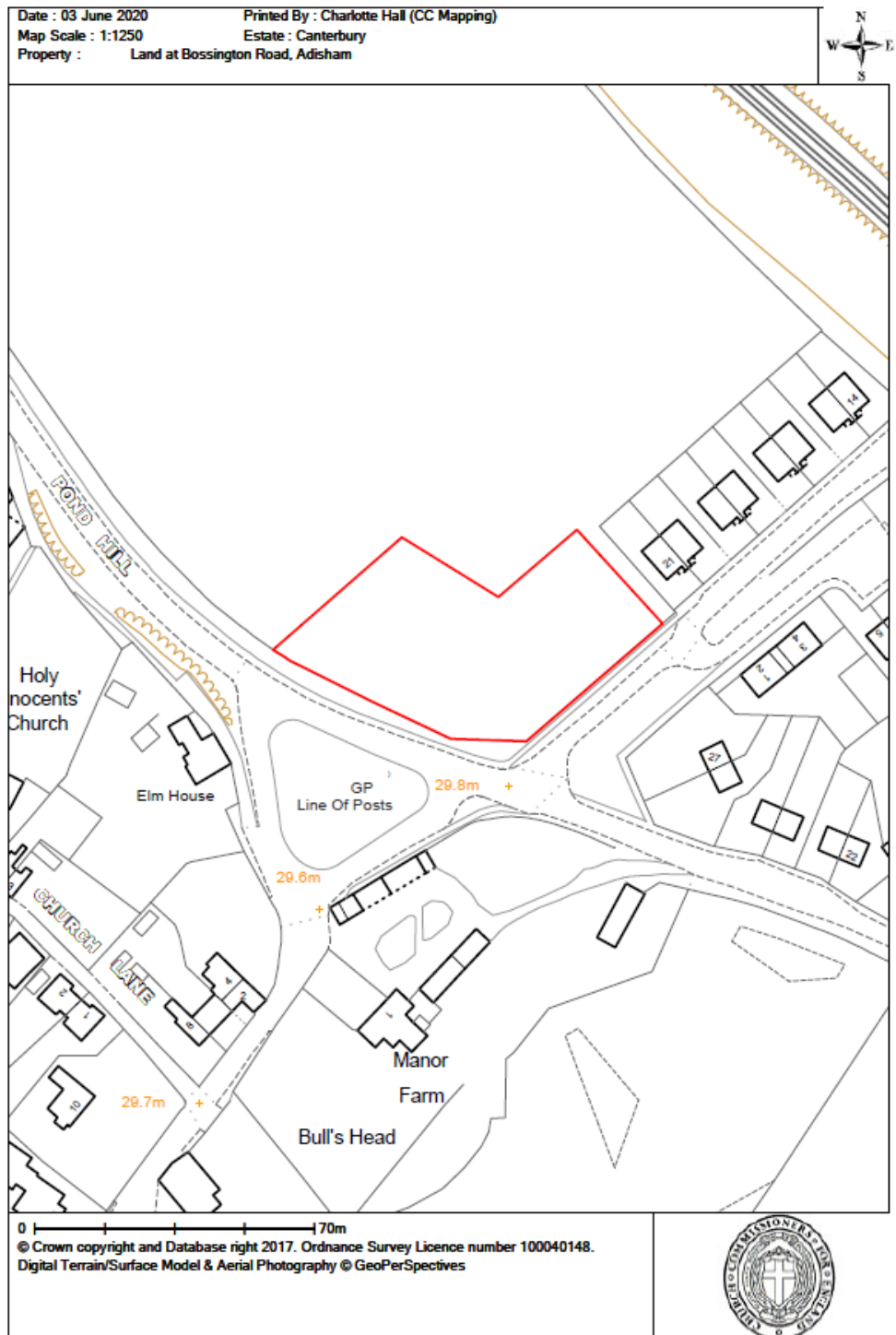
Appendix 2

Land at School Lane Paddock, Bekesbourne



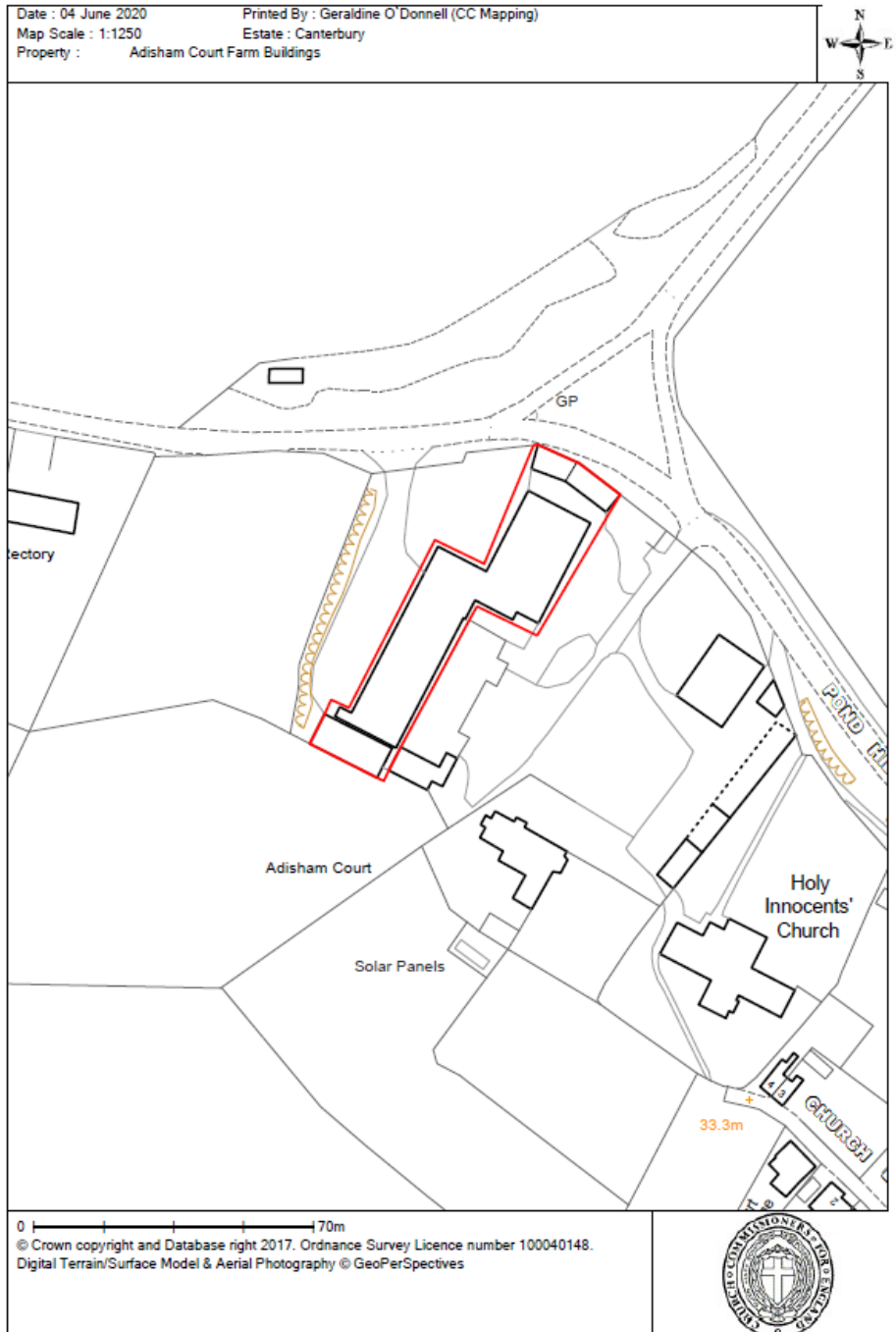
Appendix 3

Land at Bossington Road, Adisham



Appendix 4

Adisham Court Farm, Adisham



Appendix 5
Representations for The Land at Cooting Farm

16th January 2023



www.savills.com

Mr. Andrew Thompson
Canterbury City Council
<< sent via email >>

Dear Andrew,

Re: Land at Cooting Lane, Adisham Draft Allocation

Introduction

We have had a number of helpful discussions in relation to the 'Land at Cooting Farm' draft allocation (R1), proposed in the Canterbury City Council (CCC) Local Plan. I write this letter on behalf of my client, the Church Commissioners for England ('CCE'), to formally set out my client's position in relation to the draft allocation.

Summary of the Trust's Position

My client is one of the main landowners within the allocation, owning the land to the north around the railway station. CCE supports the allocation, and will make its land available for development. CCE is currently working with the adjoining landowner, and their professional advisers to provide further technical evidence to support the site.

Comments on draft Policy R1

I have set out below some specific comments on the draft policy wording for your consideration.

Infrastructure and Mix of Uses

The policy wording makes a number of assumptions about what the site might deliver in terms of infrastructure and uses (e.g. provision of two community hubs, quantum of floorspace, etc.). CCE supports the delivery of key infrastructure components and a mix of uses to create a vital and viable place. However, CCE is not aware of any form of evidence base being prepared that has informed this specific mix and quantum of uses.

Furthermore, CCE is not aware of any viability evidence having been prepared to demonstrate that the level of infrastructure proposed is viable. Further work will be required on this as the development plans for the site evolve in order to ensure that it is deliverable. Further work will be required to ensure a viable and deliverable allocation can be achieved.

Specificity of Policy Wording

The policy wording in some areas is very specific (e.g. the triggers relating to occupations). CCE fully supports the timely delivery of infrastructure and recognises the important part that it can play in delivering vital and viable communities. However, the triggers set out under section 5 appear arbitrary and should be defined by an evidence base. CCE will work with CCC and the other landowners to refine these triggers where appropriate.

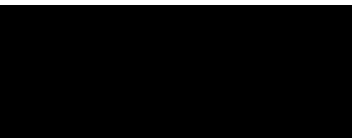
Duplication of Policy Wording

There are a number of policy requirements which appear to duplicate policies elsewhere in the Local Plan. For example, policy DS2 (Housing Mix) requires 15% of new dwellings to be built to M4(2) standards and 5% to M4(3) standards. Where a policy is clearly set out elsewhere in the plan, there is no need to repeat it.

Conclusion

I hope this letter is helpful in setting out my client's position and we would be very happy to meet with you to discuss further.

Yours Sincerely,



Andrew Watson • MRTPI

Director

