

Monday 16th January 2023
656/A3/JJAPlanning Policy
Canterbury City Council
Military Road
Canterbury
CT1 1YW**By Email**

Dear Sirs

**Re: Regulation 18 Draft Canterbury District Local Plan (October 2022)
Representations on behalf of Catesby Estates
Land at Thanet Way Whitstable**

I write with reference to the above. I act for Catesby Estates who have an interest in land situated to the south of the A2990 Thanet Way, proposed allocation W6 / SHLAA site 132.

Having regard thereto, we have the following comments on the Regulation 18 Draft Canterbury District Local Plan (October 2022), and associated evidence base, especially the Sustainability Appraisal (SA).

1 The Housing Requirement, Supply and Trajectory and Policy SS3

1.1 Local Housing Need and the Minimum Housing Requirement

1.1.1 As the Council has correctly identified in Policy SS3 of the draft Plan the starting point for determining the Local Housing Need (“LHN”) is the Government’s Standard Method. The figure of 1,252 dpa¹ reflects the Standard Method figure applicable at this moment in time, and therefore accords with the advice set out in the PPG².

1.1.2 It is however important to note that the LHN figure is a minimum starting point, and it does not produce the Housing Requirement³.

1.1.3 The PPG⁴ goes on to consider the circumstances where it might be appropriate to plan for a higher housing need figure than the Standard Method indicates. Such circumstances can include:

- Instances where housing need is likely to exceed past trends; and
- Where the authority agrees to address unmet need arising from neighbouring authorities.

1.1.4 The PPG is not exhaustive in its examples as to what may be a sound reason for considering an uplift. Matters such as a high affordability ratio that is following a rising trend, along with significant affordable housing need, and of course the importance of ensuring an adequate buffer to cater for under supply, or instances where the Plan strategy fails to deliver as expected, are all sound reasons for considering an uplift.

1.1.5 In the context of the above we note that the SA in section 5.3 and appendix E has looked at three options for housing growth:

¹ See calculation in section 2 of the Development Topic Paper

² Housing and Economic Needs Assessment section of PPG - Paragraph: 008 Reference ID: 2a-008-20190220 Revision date: 20 02 2019

³ Housing and Economic Needs Assessment chapter of the PPG – Paragraph: 002 Reference ID: 2a-002-20190220 Revision date: 20 02 2019

⁴ Housing and Economic Needs Assessment chapter of the PPG – Paragraph 010 Reference ID: 2a-010-20201216 Revision date: 16 12 2020

The Preferred Option - 1,252 dpa (31,300 dwellings over the LP period 2020-2045);
Alternative option 10% increase - 1,377 dpa (34,425 dwellings over the LP period 2020-2045); and
Alternative option 20% increase - 1,502 dpa (37,550 dwellings over the LP period 2020-2045).

1.1.6 Table 5.2 of the SA sets out a summary of the appraisal of the alternative housing growth options, with a more detailed matrix containing commentary of the scoring contained in Appendix E. It's clear from table 5.2 that the preferred option and one that is 10% above the standard method scored identically in all ways bar sustainability objective 14, para 5.3.16 of the SA suggesting that: *'There is greater uncertainty with regards to health and sustainable communities (SA Objective 14) given the additional housing requirement under this option.'*

1.1.7 Having regard to the above there does not appear to be any real justification for not taking this option forward- para 5.3.22/23 merely suggesting that: *'There is currently no robust evidence to justify an alternative methodology and include a 10% or 20% uplift in the standard method figure as proposed under the alternative options.'*

1.1.8 The above belies the evidence base and the various reasons why an uplift to the LHN should be considered further, as summarised in the commentary below.

1.1.9 The reasons for uplifting the LHN should be set into two categories, firstly those that indicate an uplift is required for the District itself and secondly any uplift that might arise from meeting unmet need from neighbouring authorities.

Affordability

1.1.10 Canterbury is an inherently unaffordable place to live as acknowledged at para 6.1 of the Reg 18 Plan.

1.1.11 To this end, we note, when looking at the ONS 'House Price to Workplace-Based Earnings Ratio - March 2021' that the ratio of median house price to median gross annual workplace-based earnings by local authority district, England and Wales, 1997 to 2021 indicates that the ratio of median house price to median gross annual workplace-based earnings in CCC has increased significantly over the past 10 years from 7.53 to 12.86⁵.

1.1.12 The rapid increase in the affordability ratio is clear evidence of the lack of housing delivery that has taken place over the last 10-year period within the District. Simply providing for the LHN as calculated through the Standard Method will only slow the rate of decline in affordability. For an improvement in the affordability situation to occur, decisive action is required through the provision of more housing over and above the LHN.

1.1.13 The matter of affordability alone clearly indicates that the Council should be planning for more than the minimum LHN.

⁵ ONS House price to workplace-based earnings ratio – March 2022 – tables 5c & 6c
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

Affordable Housing Need

1.1.14 Linked to the issue of affordability is the significant need for affordable housing identified in the District. A symptom of a rising affordability ratio is the fact that more members of society are priced out of the open market and consequently require affordable housing in one form or another. Again, the Council acknowledges this in the Draft Plan and in the Housing Needs Assessment (HNA) September 2021 that accompanies the consultation pack.

1.1.15 The 2021 SHMA assessment shows an annual need for 308 rented affordable homes and 156 affordable home ownership homes in CCC, a combined average of 464 affordable dwellings per annum, which equates to 37% of the total LHN. Whilst we understand the Council are proposing an affordable housing policy requiring 30% onsite provision, this will only be triggered for those sites that meet the qualifying criteria. It is therefore highly unlikely that the affordable housing need will be met. Given the decreasing trend in terms of affordability set out above, the gross affordable housing need of 464 dpa is highly likely to increase over the plan period, leading to an increase in the net shortfall and in turn a higher number of people in need and on the Council's housing waiting list. Indeed table 6.6 of the Development Topic Paper makes it clear that when the completions and secured⁶ units are deducted from the Local Plan period requirement, there is a need for a further 9,601 affordable units across the plan period.

1.1.16 In the context of the above we note that according to table 4.1 of CCC Authority Monitoring Report (AMR) (April 2021) CCC have over the past 7 years, only delivered 770 affordable completions. An average of 77 affordable completions per annum. We also note that this figure, as set out below is just 17.78% of total completions. Even if one assumes an average of 20%, this suggests that the plan would need to deliver over 2,320⁷ dpa to meet the identified affordable housing needs of the District.

JAA table 1 – record of CCC affordable housing delivery 2014-2021 as set out in the April 2021 AMR

| | 11-12 | 12-13 | 13-14 | 14-15 | 15-16 | 16-17 | 17-18 | 18-19 | 19-20 | 20-21 | Total |
|---------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------------------|
| Net additional dwellings ⁸ | 624 | 524 | 475 | 285 | 296 | 417 | 446 | 405 | 528 | 330 | 4,330 |
| Total affordable dwellings | 144 | 121 | 70 | 40 | 50 | 48 | 45 | 56 | 139 | 57 | 770 ⁹ , |
| % of total | | | | | | | | | | | 17.78% |

1.1.17 Whilst we are not advocating this level of growth, the above demonstrates the need for an uplift to the LHN figure to boost the supply of open market and affordable homes and thus help address the affordable housing needs of the District. Said approach would also reflect strategic objective 1 of the Plan '*To provide high quality homes for everyone, including affordable housing as part of mixed sustainable communities*', and SA objectives 10.1, 10.2 and 10.3:

10.1 Promote increased access to affordable housing

10.2 Support the timely delivery of market and affordable housing

⁶ Includes units secured through S106 agreement, granted planning permission and other agreements

⁷ $100/20 \times 464 = 2,320$

⁸ The completions table in appendix B of the AMR incorporates residential, student and care home provision. The figures used in table 1 are the residential completions only to provide a fair comparison with affordable provision

⁹ We note these figures differ from those set out in DLUHC Affordable housing supply statistics 2020-21 – see table 1011C <https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply> which suggests affordable housing completions of 813 dwellings over the period 2014/15 – 2020/21.

10.3 Support the provision of homes which cater for existing and future residents' needs and the needs of different groups within the community'

1.1.18 The SA in reviewing the merits of the alternative growth options appears to have paid little regard to these fundamental points.

Past Under Delivery

1.1.19 Whilst we note the addendum to CCC AMR, published in January 2022 suggests that the Council is able to demonstrate a 5-year housing land supply for the period 01/04/20 to 31/03/25¹⁰, we also note that the HDT results for 2021, as published in January 2022 were not so positive – as set out below:

JAA table 2 - Result of 2021 Housing Delivery Test

| Area | Number of homes required | | | Total number of homes required | Number of homes delivered | | | Total number of homes delivered | Housing Delivery Test: 2021 measurement | Housing Delivery Test: 2021 consequence |
|------------|--------------------------|---------|---------|--------------------------------|---------------------------|---------|---------|---------------------------------|---|---|
| | 2018-19 | 2019-20 | 2020-21 | | 2018-19 | 2019-20 | 2020-21 | | | |
| Canterbury | 900 | 824 | 599 | 2,323 | 444 | 602 | 463 | 1,509 | 65% | Presumption |

1.1.20 We further note that CCC housing delivery has over the past few years been somewhat mixed, with the Council failing to meet their annual housing requirement in three out of the last nine years, which has led to a deficit that suggests that there has been a record of under delivery that should be addressed by an uplift to the LHN figure.

JAA table 3 – History of housing delivery in CCC as set against the adopted LP requirement 2014/15 – 2021/22

| Year | Requirement ¹¹ | Delivery ¹² (gross) | Shortfall | Cumulative shortfall against |
|---------|---------------------------|--------------------------------|-----------|------------------------------|
| 2011-12 | 500 | 655 | +155 | +155 |
| 2012-13 | 500 | 597 | +97 | +252 |
| 2013-14 | 500 | 641 | +141 | +393 |
| 2014-15 | 500 | 554 | +54 | +447 |
| 2015-16 | 500 | 594 | +94 | +541 |
| 2016-17 | 800 | 422 | -378 | +163 |
| 2017-18 | 800 | 1,119 ¹³ | +319 | +482 |
| 2018-19 | 800 | 444 | -356 | +126 |
| 2019-20 | 800 | 597 | -203 | -77 |
| 2020-21 | 800 | 474 ¹⁴ | -326 | -403 |

¹⁰ The addendum AMR suggests a supply of 5.30 for the period 01/04/20 to 31/03/25 (a surplus of 351 above the requirement).

¹¹ Policy SP2 of the adopted development plan encompasses a stepped housing requirement of 500dpa between 2011 and 2016 and 800dpa thereafter

¹² The completions table in appendix B of the AMR incorporates residential, student and care home provision. The figures used in table 3 are the sum of these figures using the appropriate ratios

¹³ 679 of these were student accommodation

¹⁴ We note that the HDT figure for 20-21 is 599, the AMR says 474 and the development topic paper says 591 in table 6.4 so clarity is required

| | | | | |
|------------------------------|-------|--------|------|------|
| 2021-22 | 800 | 463 | -337 | -740 |
| Total | 7,300 | 6560 | -740 | |
| Annual average delivery rate | | 596dpa | | |

A Buffer

1.1.21 In considering the appropriate housing requirement for the Draft Plan it is necessary to ensure that the Plan remains sufficiently flexible to respond to changes in circumstance across the Plan period.

1.1.22 Whilst we note that the SA has assessed two alternative housing growth options to that advocated in the draft plan, we do not feel this adequately addresses the issues raised above or looks to address the issue of unmet needs from adjacent authorities – see below.

1.1.23 Given the issues identified above that are affecting the District, and have a material impact on housing need, we feel that at the very least a buffer should be built into the housing requirement for the Plan. Introducing a buffer into the housing requirement would ensure that the Council plans positively for the future in a manner that at least meets the minimum LHN but also provides an uplift to reflect the acute affordability problem and in turn the rising affordable housing need. Given the time horizon of the plan (to 2045), the Council should also consider the need for flexibility to be built into the strategy so that it can be resilient to unforeseen changes that may occur during the latter years of the plan period.

1.1.24 Given the above we consider that at the very least a buffer of circa 10% (i.e. circa 3,000 additional dwellings over the plan period) should be added to the LHN to ensure the Plan proceeds on a robust footing.

Unmet Need

1.1.25 We note that para 1.17 of the Reg 18 Plan indicates that:
'The council continues to work closely with its neighbouring authorities on a range of strategic planning matters and has established mechanisms in place to ensure effective and ongoing cooperation and joint working on cross boundary strategic matters. Statements of common ground have been prepared with all adjoining authorities, setting out the shared position that each authority intends to meet its development needs in full within its administrative area'

1.1.26 We also note that para 1.7 of the HNA indicates Canterbury is considered to be a self-contained housing market area, and that section 4 of the Duty to Cooperate Compliance Statement, in reviewing the engagement and outcomes of cooperation on strategic issues, in particular housing need, advises that having worked together with neighbouring LPAs at HMA level to plan strategically for housing provision, an agreement has been reached that each LPA plans to meet its own housing needs within its own administrative boundary. It goes on to advise that SOCGs have been agreed between the neighbouring LPAs on the matters of housing market areas and meeting housing needs; and that all Councils have agreed to prepare their own Strategic Housing Market Assessment (SHMA) and also to meet their housing needs in full within their own administrative area. Appendix A of the Duty to Cooperate Compliance Statement then provides Statements of Common Ground (SoCG) with Ashford, Dover, Folkstone and Hythe, and Swale, and a separate SoCG is provided with Thanet. All the SoCG effectively say the same thing – that the parties agree that there is no material overlap between the HMA centred on Canterbury, and the HMA for the relevant authority, and as such the HMAs are fully contained within the relevant authority areas for the purposes of plan

making, and that it is agreed that each party will meet its own housing needs. Whilst noting the content of these SoCG, we also note many were agreed in the Spring of 2021 and that in order to demonstrate that the consultation with adjacent authorities has been effective, continuous, and ongoing, and the requirements of the Duty to Cooperate (DtC) or its potential successor have been addressed in terms of the overall housing requirement, these will need to be updated and reviewed regularly if they are to be relied upon. We also note that the Development Topic Paper acknowledges in para 2.3 that a Canterbury focused HMA covers parts of Thanet and parts of Dover (albeit not the district's main settlements).

1.1.27 Only through a rigorous approach to the issue of the DtC will the Council be able to demonstrate that its housing requirement is right, and that the spatial strategy is correct in its approach to growth, including the release of land within the AONB.

Conclusions on the Housing Requirement

1.1.28 Whilst recognising that the Council has worked from the correct starting point, which is the minimum annual LHN calculated by reference to the Standard Method i.e. 1,252 dpa, the PPG is clear in that the LHN is only the starting point.

1.1.29 There are a range of factors relevant to the calculation of the housing requirement for the Draft Plan that the Council needs to consider when arriving at its overall housing requirement. These include

- The inherent lack of affordability and the increasing affordability ratios;
- The poor levels of affordable housing delivery, and attendant increasing need for affordable homes; and
- The importance of including a buffer above the LHN to ensure adequate housing delivery particularly given the Council's historically poor track record of delivery as set out above.

1.1.30 When these factors are properly scrutinised, they demonstrate clear and rational reasons as to why there should be an uplift to the LHN. Having regard to the above Catesby believe that at the very least the plan should provide for the LHN + a **10% buffer** to ensure the Plan proceeds on a robust footing. This would lead to an annual housing requirement of **1,377dpa**. Setting the housing requirement at this level would significantly improve the affordability situation within the District and would deliver more affordable homes for those members of the community in the most need.

1.1.31 It is clear from section 5.3 and appendix E of the SA that the sustainability effects of this higher number are little different to those of the preferred option, and that there is nothing to demonstrate that this can't be delivered. Equally, if the higher-level scenario advocated above cannot be accommodated within the District the Council could then explore through the DtC, or successor alignment policy, whether any of its neighbours could assist, which is of course another important area of work that the Council does not appear to have done.

1.2 Housing Supply

1.2.1 Nowhere in the Reg 18 Plan is there a trajectory setting out how the housing requirement will be met or a rolling five year housing land supply maintained. The Development Topic Paper at table 6.4 merely indicates that the housing supply comprises the following:

| | | |
|---|---------------|-----------------------------------|
| Draft Local Plan Annual Requirement | 1,252 | |
| Draft Local Plan Requirement 2020-45 | 31,300 | |
| Total Completions from 2020/21 | 591 | |
| Residual Requirement | 30,709 | |
| Existing Planning Permissions ¹⁵ | 2,295 | 7.5% of the residual requirement |
| Saved Allocations from 2017 Local Plan | 11,970 | 39% of the residual requirement |
| Draft Proposed Allocations ¹⁶ | 13,035 | 42.5% of the residual requirement |
| Windfall Allowance ¹⁷ | 3,446 | 11.2% of the residual requirement |
| Total Land Supply | 30,746 | |
| Surplus | 37 | 0.1% of the requirement |

1.2.2 Whilst noting the above and having regard to CCC's current position on their 5-year Housing Land Supply (HLS), given the past record of under delivery it is important that the Council maintains a robust and rolling 5-year supply going forward. This will necessitate a front loading of delivery focussed on sites that are able to come forward early and deliver quickly, which in reality will be the small to medium sites of 10 – 250ish dwellings. To this end, whilst para 1.16 of the Reg 18 Plan infers that this will be facilitated through extant consents, this needs to be demonstrated more evidentially within the next iteration of the Plan especially having regard to the issues of nutrient neutrality in the Stodmarsh. Equally the Council must ensure that it has the required clear evidence to demonstrate that completions will be delivered when expected. At present no trajectory is provided within the evidence base, and as such there is nothing to demonstrate when the proposed allocations will deliver and how this integrates with existing commitments to provide for a rolling 5-year HLS going forward. Whilst we note that appendix E of the AMR is a Housing Land Supply Statement that within its own appendices includes data on the phasing of the Strategic and Housing Allocation, Extant Planning Permissions, and Small Site Windfalls, it is not for consultees to piece this together to create a trajectory, the Council should.

1.2.3 In the context of the above we would suggest that the Council consider whether a buffer of say 10% should be applied to the existing commitments category to take into account any potential non-delivery/ delay in delivery of the dwellings contained within this category which is over 14,000 dwellings¹⁸/ 46% of the projected supply. If this is not to be used, then the Council need to undertake a more detailed critique of the proposed commitments to ensure what is being put forward is truly deliverable within the plan period. Either way we believe this would generate the need to find land to accommodate circa 1,000 (+) dwellings. Furthermore, whilst noting the information on windfall data in the Development Topic Paper, the windfall rate now advocated (170dpa) is considerably higher than that agreed by the previous Local Plan Inspector (138dpa¹⁹). We would remind the Council of the need to provide compelling evidence that the windfall trajectory is a reliable source of supply, in accordance with para 71 of the NPPF. The information contained in the Development Topic Paper merely relies upon a headline review of past windfall delivery rates without any analysis of expected future trends so goes nowhere near to meeting the evidence test required by the NPPF.

¹⁵ This includes residential as well as older persons' and student accommodation appropriately ratioed

¹⁶ This includes older persons' accommodation precautionarily ratio-ed at 1.8

¹⁷ 170 per year for the last 20 years, and 46 for year 5 (just 1 year) due to the continued impacts of Stodmarsh water quality concerns

¹⁸ 2,295 + 11,970 = 14,265

¹⁹ See para 6.8, table 6.2 and para 6.21 of the Development Topics Paper

Conclusions on the Housing Supply

1.2.4 Having reviewed the component parts of the Housing Land Supply that is relied upon to meet the Councils minimum housing need, we consider that:

- 100% reliance on all current commitments (existing allocations and permissions) is not justified and that a 10% buffer should be introduced to allow for non-delivery/ slower than expected delivery – especially of the larger sites and their planning history to date i.e. 1,426 dwellings;
- Whilst the proposed housing sites may deliver the quantum proposed within the plan period, this is subject to all of said sites being found acceptable by the Local Plan Inspector, such that a contingency may be sensible – see below.
- The proposed windfall allowance is not based on a credible evidence base and is not justified. At 11% of the residual requirement, it is a significant part of the overall supply and needs to be reviewed to ensure a realistic approach is adopted at Reg 19.

1.2.5 As a result of the above, and whilst noting the ‘over supply’ of 37 dwellings, we would recommend that rather than a buffer of just 0.1% in the housing supply, the Plan should be looking to provide a buffer of at least 5% of the residual requirement (1,535 dwellings) to address our concerns about the commitments and windfalls. This would ensure that the plan is able to accommodate any fluctuations in the market/ to improve the prospect of delivering the minimum housing need.²⁰

2 The Spatial Strategy and Strategic Objectives of the Draft Plan

2.1 The Spatial Strategy

2.1.1 We note that the preferred spatial strategy comprises:

- Canterbury Urban Area which will be the principal focus for development in the district.
- Whitstable and Herne Bay Urban Areas which will be a secondary focus, where development will be principally driven by the need for new infrastructure including schools and improved transport connectivity.
- A new freestanding community which will be pursued to meet a proportion of growth.
- Proportionate development which will be allocated at all Rural Service Centre at a suitable scale which supports the function and character of the settlement.
- A limited amount of growth which will be allocated at Local Service Centres, where suitable sites are available, at a suitable scale which supports the function of the settlement.
- No residential development in the countryside.

2.1.2 Whilst we support this spatial strategy in principle, and believe the land being promoted by Catesby actively accords with this strategy, we do, despite what is said in sections 5.6 of the SA, have reservations about the deliverability of the proposed new freestanding community at Aylesham and its associated impact on the AONB, but leave that for the Council to justify.

2.2 The Strategic Objectives

2.2.1 We note that Policy SS2 indicates in section 2 that all development should be designed to achieve net zero operational carbon emissions. We comment upon this issue when addressing

²⁰ Paragraph 74 of the NPPF talks about a 5% figure as being appropriate to ensure choice and competition in the market, and in our opinion a buffer of 5% is not unreasonably high in relation to the housing needs of the District

Policy DS6 and would ask that these comments are taken into account in considering the policy approach being promoted in policy SS2 as well.

2.2.2 Furthermore, we note that Policy SS4 refers in section 3 to the provision of the park and bus facility in Whitstable and how this will help reduce congestion and help improve the town centre environment. The provision of this facility falls within Policy W6, on land within Catesby's control and they fully support its provision.

2.2.3 Finally we note that Policy SS4 indicates that '*Where new or improved infrastructure is needed ahead of development taking place, the council will use appropriate mechanisms to actively manage the release of land for housing and other development.*'. This is we have to say somewhat vague and needs further clarity to be effective. To this end we note that Policy DS7 (Infrastructure delivery) suggests that; '*Where critical infrastructure such as transport improvements, strategic environmental mitigation or utilities provision is required ahead of development, either as a whole, or separate phases of development, the council will use planning conditions to manage the release of land for development in line with the agreed infrastructure delivery programme. All types of infrastructure connections to existing footpaths and cycleways should be delivered prior to occupation.*' This is we believe a more precise approach, albeit we are concerned about the infrastructure providers capacity to deliver when required of them. We say this as it is often the infrastructure providers who are the cause of delay. Contributions can in some cases be held or pooled by them for a considerable time whilst the associated project receives the necessary consents and is delivered. To actively tie the delivery of sites to the delivery of the required infrastructure improvements, or as is suggested to front load it could seriously delay the delivery of much needed housing and prejudice the Council's ability to maintain a rolling five year housing land supply.

2.2.4 Thus, whilst Catesby believe it is laudable of the Council to set clear requirements that necessary infrastructure must be provided at the right time to address the impacts of development, and note that each site allocation has within its policy approach a section on phasing and delivery which in effect clarifies what is required and when, they fear that anything linked to the provision of utilities would effectively require the development industry to be able to demonstrate that a third party (the infrastructure provider) will deliver when required of them – which we just can't do – all we can do is agree the timing of the infrastructure payments and then leave the matter with the infrastructure provider to deliver.

3 Site Specific representations on the proposed allocations in Whitstable

Having reviewed section 5.7 of the SA, especially table 5.11 and the summary of the proposed housing allocations in the Whitstable area , and having regard to the aims and objectives of Policy W6 relative to the overall vision for Whitstable as set out in chapter 3 of the Reg 18 Plan and the strategy for South Whitstable as set out in Policy W4 we have the following comments to make:

3.1 The SA of SHLAA site 132 / Policy W6

3.1.1 The SA scores SHLAA site 132 thus²¹:

| SA Objective | 1 | 3 | 4 | 5 | 6 | 7 | 9 | 10 | 11 | 12 | 13 | 14 |
|--------------|-------------|--------------|---------|-----------|-------|------------|----------|-----------|----------|------------|-----------|-------------------------|
| | Air Quality | Biodiversity | Geology | Landscape | Water | Flood zone | Heritage | Dwellings | Land use | Employment | Transport | Sustainable communities |
| SLAA132 | 0 | - - | 0 | - - | - | ++ | 0 | ++ | - - | ++ | +/- - | ++ |

3.1.2 The immediately adjacent site – SLAA172 (Policy W7) is scored thus:

| SA Objective | 1 | 3 | 4 | 5 | 6 | 7 | 9 | 10 | 11 | 12 | 13 | 14 |
|--------------|-------------|--------------|---------|-----------|-------|------------|----------|-----------|----------|------------|-----------|-------------------------|
| | Air Quality | Biodiversity | Geology | Landscape | Water | Flood zone | Heritage | Dwellings | Land use | Employment | Transport | Sustainable communities |
| SLAA172 | 0 | - - | 0 | - - | 0 | ++ | 0 | ++/- | +/- - | ++ | +/- - | ++ |

3.1.3 The rationale behind the difference in the scores, in particular the fact that site 132 has a poorer score for transport impacts when it is this site that is allocated to provide a bus and park facility to ease congestion in the town centre seems somewhat odd, and should we believe be reviewed further, especially when SA appendix F (p17 (objective 13)) suggests, when commenting upon the preferred spatial strategy that *'the provision and support of park and ride/ bus facilities in Canterbury and Whitstable would also help reduce traffic through the city and town centres'*; whilst appendix I of the SA, in reviewing W6 and W7 against SA objective 13 score both as a +/- , and states: *'Policies such as W4–W7 would create large improvements such as through the creation of a park and bus facility (as does policy W3). These parks and bus facilities would encourage the use and increase the accessibility of public transport within Whitstable. Any development created by these policies would have to ensure they have adequate access into the local road infrastructure..... W4-W10 provide appropriate infrastructure to be enhance connectivity...'*

Similarly, the disparity in the assessment on effects on water resources needs to be addressed as we can see no reason why adjacent sites should score differently.

3.1.4 In reviewing SA appendix I and the Appraisal of Policy Sections for Whitstable we further note that in assessing the proposed allocations in Whitstable against SA objective 3 (To conserve, connect and enhance biodiversity across the District), the SA suggest that:

'Policies W4, W5, W6, W7, W8 and W10 would all result in the creation of development that is within 400m of an International/National biodiversity designation (identified in associated site assessments). Policies W4, W5, W6 and W7 include measures that would see the creation of new grassland, woodland, hedgerows and other priority habitats to aid in mitigating any habitat loss or

²¹ SA objectives 2 and 8 (climate change and waste management) do not appear in the scoring table in section 5.7, para 5.7.21 advising - In accordance with site scoring framework, all sites were assessed having a not applicable score for climate change (SA Objective 2) and waste (SA Objective 8).

damage they could cause to the biodiversity assets of the area. Policy W6 would seek to enhance Benacre Wood. They also seek to provide 20% biodiversity net gain and create connected biodiversity sites across the sites created by these policies, alongside protecting hedgerows. Policies W5, W6 and W7 are therefore scored as having a minor negative effect. Policy W8 is on the outskirts of the existing built environment of Whitstable but would provide similar mitigation to these policies and is therefore also scored as having a minor negative effect.’

3.1.5 The above appears in part to be predicted on the fact the authors of the SA have allowed for no mitigation and suggest that the sites ability to deliver 20% BNG is not known. Given pre app discussions we have had with officers of CCC we can confirm that W6 is able to deliver 20% BNG and enhance Benacre Wood and would ask that the appraisal of W6 in appendix I is reviewed accordingly.

3.1.6 Similarly we note that appendix I scores sites W4 – W7 as having significant negative affects even with mitigation on SA Objective 5 (To conserve and enhance the landscapes of the District for people and wildlife). Again, this ignores what is now before the Council as far as site W6 is concerned and we would thus ask the Council/ authors of the SA to review their position on this accordingly.

3.1.7 Appendix I of the SA also suggests in terms of SA Objective 6 (To protect water resources and ensure a high quality of inland and coastal waters), that site W6 has been identified as having the potential to compromise local water bodies that are within or close to the site. Whilst it then goes on to suggest this could be mitigated, the site still scores a minor negative as this is said to be uncertain. Again, given the pre app discussions we have had with officers of CCC we can confirm there will be no adverse impact on any local water bodies that are within or close to the site, and would suggest that the sites score in this regard is revised to neutral.

3.1.8 In the context of the above we note that appendix G of the SA (the appraisal of the site allocations and alternatives) indicates on p38 that: ‘SLAA104, SLAA132 and SLAA172 are identified as suitable and available in the SLAA. While the SA has identified significant and minor negative impacts across all three sites, it is determined when reviewed alongside the SLAA on the balance of impacts and considering possible mitigation and design, that the majority of these impacts can be addressed. The sites are allocated as part of a strategic development area in South Whitstable. Together, these sites present important opportunities to deliver new and improved connectivity with the A299, a new Park and Bus service for Whitstable and enhancements and extension to the Crab and Winkle Way walking/cycling route’

3.1.9 Having regard to the above we believe the sites scoring should be amended thus:

| SA Objective | 1 | 3 | 4 | 5 | 6 | 7 | 9 | 10 | 11 | 12 | 13 | 14 |
|----------------|-------------|--------------|---------|-----------|-------|------------|----------|-----------|----------|------------|-----------|-------------------------|
| | Air Quality | Biodiversity | Geology | Landscape | Water | Flood zone | Heritage | Dwellings | Land use | Employment | Transport | Sustainable communities |
| Original Score | 0 | - - | 0 | - - | - | ++ | 0 | ++ | - - | ++ | +/- - | ++ |
| Catesby score | 0 | + | 0 | - | 0 | ++ | 0 | ++ | - - | ++ | +/- | ++ |

3.2 Policies W6 and W7

3.2.1 Policy W6 is a multi-faceted and detailed policy, and whilst Catesby support the proposed policy in principle, they do have a number of concerns about some of the detailed elements of the proposed policy, especially the development mix.

3.2.2 Policy W6 requires the land south of Thanet Way to provide for:

'(a) Approximately 270 new dwellings across circa 7.74ha:

(i) 30% affordable housing in line with Policy DS1;

(ii) 10% bungalows;

(iii) 15% of new homes to be built to M4 (2) standards, and 5% to be built to M4 (3) standards;

and

(iv) An appropriate housing mix, in line with Policy DS2

(b) Non-residential development:

(i) Provision of a new park and bus facility for a minimum of 200 spaces with land safeguarded for a further 100 spaces (approximately 0.7ha in total), with interchange to bus service;

(ii) Provision of new local shopping and community facilities; and

(iii) Proportionate land and build contributions towards early years, primary, secondary and SEND education plus proportionate contributions for primary healthcare and other necessary off-site community infrastructure

(c) Open space: new on-site open space will be provided in line with Policy DS24, to include approximately:

(i) 2.56ha of natural and seminatural;

(ii) 1.44ha of amenity green space (including green corridors);

(iii) 0.51ha of parks and gardens;

(iv) 0.35ha of play facilities including:

(1) 0.16ha of fixed play areas with LAP and LEAP facilities; and

(2) 0.19ha of NEAPs and destination play facilities.

(v) 0.56ha of outdoor sports; and

(vi) 10 allotment plots (0.24ha).'

3.2.3 Whilst the size of the new local shopping and community facility is not clear, and the evidence base supporting the plan is likewise unclear as to why said infrastructure is required and how the cost of providing for this has been taken into account in the Viability Appraisal, we also have to highlight the fact that in trying to deliver all these elements, and making an educated guess as to the size of the new local shopping and community facility, it has become clear, having regard to the sites topography and areas of ecological sensitivity, the design and layout and landscape and green infrastructure requirements of Policy W6, that it is not realistic to expect to see this site deliver 270 dwellings to the mix required as well as the new park and bus facility, local shopping and community facilities and open space requirements specified by the Policy W6. We have, for ease set out below our land use budget for the site and how this relates to that set out in Policy W6.

| | Policy requirement | Ha – As proposed | Dwellings at 35dph | Spaces/area | Difference between that proposed and the policy requirement |
|--------------------|--------------------|------------------|--------------------|-------------|---|
| Residential | 7.74 (270 @35dph) | 6.14 | 217 | | -1.60 |
| Mixed Use | Not specified | 0.27 | | 400 sqm | + 0.27 |
| Car Park | 0.7 | 0.82 | | 300 spaces | +0.12 |

| | | | | | |
|------------------------------|---------------|-------|-----|--|---------------------|
| Highway/ Highway Land | Not specified | 1.28 | | | +1.28 |
| Open Space | 5.66 | 5.97 | | | + 0.31 |
| SUDs | Not specified | 0.39 | | | +0.39 |
| TOTAL | 14.1 | 14.87 | 217 | | -0.77 ²² |

3.2.4 As is evident from the above, and as set out in our response to the Preferred Options Consultation in July 2021, the site can only deliver circa 220 dwellings and the associated requirements specified by Policy W6. In this context we have to say that the need to deliver 10% (22) bungalows does not assist the efficient use of the site, and that as per our reps on policy DS2 (part 5(b)) below we would question the justification for this policy requirement.

3.2.5 In addition to the above, it is also we would suggest unrealistic to expect a site with a residential development area of 6.19ha (not 7.7.4 as suggested in Policy W6) to provide 0.56ha of outdoor sports facilities. Whilst, as indicated above the site will provide in excess of the overall open space requirements and we support the provision of good quality open space, we would question the appropriateness of providing isolated sports facilities especially where the topography of the site would make it difficult to deliver said facilities. Furthermore, given the size of the residential development area that can be delivered on this site we would question whether this requirement is, given the phrasing of part 2 (b) of Policy DS24, now necessary. A contribution to an offsite facility would in our opinion provide for a more effective facility that would meet a range of local requirements in a more focused location. Similarly given the lack of clarity on the size of the new local shopping and community facilities we would suggest that in order to ensure the site can deliver 220 dwellings and to provide flexibility the policy provides for new local shopping and/ or community facilities.

3.2.6 Given the above we would ask that the Council adjust the quantum of houses to be required in Policy W6 from 270 to 220, delete the requirement for the onsite outdoor sports facility in lieu of an off site contribution, and review the Viability Appraisal and the assumptions as to this sites ability to deliver other infrastructure requirements accordingly. Attached for ease is a copy of an updated policy W6 reflecting our comments above and below.

3.2.7 Turning to the design and layout requirements of Policy W6, and subject to the above, these are all achievable. Likewise, the landscape and green infrastructure requirements of Policy W6 are, subject to the above, all achievable, including 20% BNG, as are the Access and Transportation requirements of Policy W6 and the phasing and delivery requirements of Policy W6, albeit noting our queries over the Park and Bus as set out in section 5 below.

3.2.8 We note that site W7 does not appear to have to contribute in any way to the proposed park and bus facility being provided on W6, or the proposed retail/ community facility, despite the fact it will clearly benefit from the these. As intermated in our comments on the infrastructure delivery plan below, we believe the contributions towards the park and bus in particular should be proportionate and that site W7 should be contributing to the costs associated with the provision of this facility / the associated improvements to the local bus service arising from this.

4 Other Proposed Housing Policies

4.1 In addition to our comments on Policies W6 and W7 above, we would also like to comment upon policies, DS1 (Affordable Housing), DS2 (Housing Mix), DS6 (Sustainable Design), DS7

²² Difference due to rounding

(Infrastructure Delivery), DS24 (Publicly Accessible Open Space and Sports), and DM11 (Residential Design). Taking each in turn:

DS1: Affordable Housing

4.2 Whilst having no objection in principle to the provision of 30% affordable housing or the associated tenure split of 66% affordable rent, 25% first Homes and 9% affordable ownership, we are concerned about the proposed housing mix to be delivered within the first homes for the reasons set out below in our comments on Policy DS2 and would ask that the Council review this in the light of our comments. In addition, we note that Policy DS1 also looks to see the affordable units dispersed throughout the site, avoiding large clusters, and integrating with the market housing. Whilst we appreciate and support the need to ensure integration and to create more balanced communities, that has to be weighed against the management objectives of the affordable provider, who often find small clusters to be inefficient, such that this requirement needs to provide for those instances where the affordable provider feels a different approach is justified in that particular instance.

DS2: Housing Mix

4.3 In noting the unit mix proposed in Policy DS2, we would in the first instance question the extent to which Policy DS2 should look to be prescriptive on the market housing to be delivered in any one area. In our opinion the Council should recognise the need for flexibility, as per the NPPF and PPG, the fact that the needs of the area may well change over the lifetime of the plan, particularly as we are entering a period of uncertainty in the housing market, that different areas will inevitably deliver different forms of housing i.e. apartments within city centre locations and family housing in suburban areas; and that it is the combination of the two that will ultimately address the overall need.

4.4 In addition we would question the housing mix advocated for affordable home ownership, including first time homes. The housing mix requirements for new affordable housing as set out in Policy DS2 is reproduced below:

| | Social or Affordable Rent | Affordable Home Ownership (including First Homes) |
|---------------|----------------------------------|--|
| 1 bed | 29% | 7% |
| 2 bed | 30% | 22% |
| 3 bed | 28% | 51% |
| 4+ bed | 13% | 20% |

The suggestion, that so many affordable home ownership properties, including first time homes are 3 and 4 bed (+) properties is we feel likely to lead to issue of deliverability for First Homes.

4.5 Para 65 of the NPPF is clear in that '*Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups*'. Whilst annex 2 of the NPPF defines '*discounted market sales housing*' and '*other affordable routes to home ownership*' as being at least 20% below local market value.

4.6 Para 2 of the planning practice guidance on First Homes (Reference ID: 70-002-20210524) makes it clear that:

a) a First Home must be discounted by a minimum of 30% against the market value.

b) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London)

It goes on to explain that in Para 4 (ID: 70-004-20210524) that: *'the First Homes Written Ministerial Statement does give local authorities and neighbourhood planning groups the discretion to require a higher minimum discount of either 40% or 50% if they can demonstrate a need for this.'* My emphasis

4.7 Having regard to the above, the proposed unit mix advocated in Policy DS2 will in our opinion be hard to deliver even at a 50% market value reduction given local values. Furthermore, the effects of delivering at this level of discount needs to be assessed in the Viability Appraisal to ensure it is achievable. Without any evidence to support the viability of this approach, said policy is totally unjustified.

4.8 In the context of the above we note that para 10.31 of the Viability Appraisal advises that: *'The analysis suggests that increasing the First Homes discount from 30% to 40% is likely to reduce the Residual Value by about £26,000/ha on greenfield sites and by about £70,000/ha on brownfield sites. Increasing the First Homes discount from 30% to 50% has a greater impact and is likely to reduce the Residual Value by about £52,000/ha on greenfield sites and by about £142,000/ha on brownfield sites. Whilst the Council does not currently plan to seek a greater discount than 30%, if it does, it may be necessary to reconsider viability.'* My emphasis

4.9 We also note that part 5 (b) of Policy DS2 requires developments of 100 dwellings (+) to deliver a minimum of 10% bungalows. Whilst we note that the HNA highlights the high number of bungalows that exist within the district at present and the continued demand for this type of accommodation, especially to meet the needs of the elderly, single storey accessible accommodation can be provided in other forms, such as flatted development; whilst the delivery of M4(2) units will allow homes to be adapted if the need arises. As such a blanket 10% policy is not in our opinion justified or properly evidenced. Indeed, given the housing needs of the district and the desire to make the most efficient use of those greenfield sites that are to be allocated, the delivery of bungalow at what are often very low densities is we believe an inefficient and unsustainable use of land that is counter intuitive given the aims and objectives of the plan. We also note that no consideration has been given to the implications of this policy in the Viability Assessment. As such there is no justification for this part of Policy DS2 and it should be deleted. The needs of older people can be met without requiring the delivery of bungalows.

4.10 Given the above we would suggest that the Council review their requirements and are more explicit as to what they want, where and why, as at present Policy DS2 does not look to be properly justified or effective.

DS6: Sustainable Design

4.11 We note that Policy DS6 requires all new development to 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; and proposals for 10 or more should be designed to achieve a per capita consumption of 90 litres per person per day.

4.12 With regard to the energy efficiency standards for new homes, Catesby supports the Government's approach set out in the Future Homes Standard. To this end we note that the Government have set out a clear roadmap as to how low carbon homes will, alongside the decarbonisation of the national grid, ensure that the Government can meet its commitments to net zero by 2050. The way forward being taken by the Government recognises that the improvements

in energy efficiency of new homes should be a transition which ensures that new homes continue to come forward to meet housing needs whilst still being sufficiently challenging to significantly reduce the carbon emissions of new homes from 2025. As such, and notwithstanding Catesby's commitment to zero homes in Whitstable, there is in our opinion no need for additional standards to be placed on the development through additional Local Plan policies that vary from that required in national government guidance. Similarly the desire to achieve a maximum water consumption standard of 90 litres per person per day (lppd) is in our opinion totally unjustified and unsupported by the evidence base. The technical standards that can be introduced within Local Plans are set out in PPG and include higher standards with regard to water use. Where there is evidence to support their introduction, the Government allow local planning authorities to require a higher standard of 110 lppd in their Local Plans. Therefore, the proposed policy is inconsistent with national policy with no justification as to why such a low standard is necessary in Canterbury.

4.13 In addition to the above we note that section 4 of Policy DS6 indicates that: *'The council will prepare design codes and/or guides, as necessary, which reflect local character and design preferences and provide a local framework for creating distinctive places with a consistent and high quality standard of design.'*

4.14 Whilst Catesby Estates fully support the aims and aspirations of the National Design Guide and agree that well designed places influence the experiences we have in the places where we live, work, and spend our leisure time, they also believe that you cannot be too prescriptive about the design approach that should be adopted to a site when it is allocated. We say this because all sites differ – so no one approach will fit all, and because it is only when one gets into the detailed design process associated with the preparation of a planning application that conflicting issues can arise and a pragmatic approach has to be adopted. Any aspiration for design codes/ guides thus needs to be taken forward in detailed discussions with site promoters to ensure the practicalities of the requirements do not prejudice deliverability.

DS7: Infrastructure Delivery

4.15 As set out in section 3 above, we note that Policy DS7 (part 7) sets out specific expectations where infrastructure is required in advance of development either in whole or part. As set out above we have serious concerns about the practicalities of this policy and thus its potential effectiveness when it comes to the upfront delivery of utilities / works required by statutory undertakers and would look to the Council to demonstrate that they have discussed this with the service providers and that the latter has the ability to deliver what is being suggested and when suggested.

4.16 We also note that para 6.15 of the Reg 18 Plan, in the preamble to Policy DS7 stated that: *'The Canterbury District Local Plan Viability Study (2022) has tested the viability of policies in this plan and has demonstrated that the plan as a whole is viable and deliverable. The council will therefore not accept further viability evidence from developers at the planning application stage other than in extremely limited circumstances.'*

4.17 This approach is in our opinion both unreasonable and inappropriate. As set out above the Councils' aspirations as to the development potential of W6 are not realistic. As such the basis of the Viability Appraisal is wrong and needs to be revisited. Unexpected issues can arise during the preparation of an application/the determination process and as such its important the Council continue to accept viability assessments as part of the determination of a planning application. Indeed, to refuse to do so could actively prejudice the deliverability of sites and thus the Councils housing land supply.

DS24: Publicly Accessible Open Space and Sports

4.18 Whilst as set out above in the context of Policy W6, Catesby are able to deliver the majority of the requirements of Policy DS24 on their site in Whitstable, they have questioned the merits of and need to deliver land for outdoor sports pitches when the residential development area is less than 7.5ha.

4.19 In the context of the above, we note that section 2 of Policy DS24 requires developments of 7.5ha or greater to provide all typologies in full within the site. It is not clear if this relates to the residential development area or the entire site area and is a point that needs clarity in order to make the policy effective. To this end we note that the Council consider the residential development area on site W6 to be 7.74, when detailed design work has determined it to be just 6.19ha. If the Council accept the latter, then does that mean the publicly accessible open space and sports provision requirements of Policy W6 should be amended accordingly?

4.20 Having regard to the above, the provision of outdoor sports pitches should in our opinion be linked to a sites ability to deliver an effective facility. Small, isolated facilities will not in our opinion help address local needs/ demand. Pooling contributions towards the provision of more centralised facilities that are multi-functional will provide for a much more efficient use of land and developer contributions. Whilst some sites may be more suited to the delivery others will not and site W6, given its topography is not ideally suited to the provision of onsite sports pitches. The provision within policy DS24 that where the quantity standards are not met in full by open space provision within the site, the council will secure appropriate financial contributions towards qualitative improvements to existing off-site open spaces, and on-going maintenance, to ensure the impact of the development is fully mitigated, is welcomed.

4.21 In addition to the above we feel the scale of provision required by Policy DS24 to be ambitious and to go way beyond that normally required, such that the financial implications of providing this level of publicly accessible open space and sports provision needs careful consideration in both the VA and assessment of a sites overall development potential as it could impact on the number of sites required to be developed to meet the Council's housing requirement.

4.22 In the context of the above, we note that section 2 of Policy DS24 requires developments of 7.5ha or greater to provide all typologies in full within the site. It is not clear if this relates to the residential development area or the entire site area and is a point that needs clarity in order to make the policy effective. To this end we note that the Council consider the residential development area on site W6 to be 7.74, when detailed design work has determined it to be just 6.19ha. If the Council accept the latter, then does that mean the publicly accessible open space and sports provision requirements of Policy W6 should be amended accordingly?

DM11: Residential Design

4.23 Again whilst having no objection in principle to Policy DM11, Catesby are concerned about the detailed requirements of this policy, especially those associated with 2(b) and (d). The former requires minimum floor to ceiling heights of 2.4m for new build to allow for good internal daylighting, and the latter houses with more than one bedroom to be dual or triple aspect, to allow for good internal daylight levels and cross ventilation. In terms of the former we would seek clarification as to whether this applies to apartments; and in terms of the latter would ask that clarity is provided as to how this applies to terraced accommodation

5 The Viability Appraisal and Infrastructure Delivery Plan

5.1 We note that table 8.1 of the Infrastructure Delivery Plan (IDP) suggests the proposed new Park and Bus at Whitstable will cost an estimated £4m and be funded through S106 and CiL payments. No detailed information is however provided as to how this cost has been arrived at or how costs will be shared. Schedule A 'Sustainable Transport and Highways' on p25 of the IDP however suggests that '*Site W6 is required to deliver the scheme which will support development across the district*', albeit it also suggests the costs are still to be confirmed.

5.2 Whilst we accept the need to address the current parking and congestion issues that arise in Whitstable, and Catesby are happy to help contribute towards mitigating these, as the Park and Bus facility is a strategic facility that that will help address a strategic issue we do not believe it is for the promoters of site W6 to pay for this in totality. Thus, the IDP needs to be clearer in how this facility is to be delivered, accepting that the land itself will be provided through the release of site W6.

5.3 Our confusion over the funding of the Park and Bus facility is compounded by the fact the Viability Appraisal (VA) which includes an appraisal of site W6 (base strategic sites 2 – site 10²³) does not appear to put any costs towards the proposed Bus and Ride facility, or the land to be set aside for the community/ retail facility. In this regard it's also unclear from the VA what CIL is paying for and the assumed s.106 costs. It would however appear that both cover strategic infrastructure but don't include the car park or the community facility. As per our representations on policy W7 above, we also believe that site W7 should, as it directly benefits from it, contribute towards the proposed park and bus facility and the proposed retail/ community facility that is to be provided on site W6.

5.4 In the context of the above section 8 of the VA appears to indicate the CIL rate that has been applied when reviewing the viability of the plan is the adopted CiL rate – so £187 per sqm in Whitstable²⁴ to which an additional £30k per house and £20k per flat is to be added to cover additional S106 costs. Assuming an average house of circa 120 sqm and an average flat of 65sqm that would mean a total cost per house of circa £57,480²⁵ and a total cost per flat of £29,885²⁶. In Order to ensure the plan is effective and deliverable, clarity needs to be provided as to exactly what the council are requiring of the proposed allocations in terms of CiL and S106 costs. At present this is not entirely clear and could lead to confusing and a protracted debate at an EIP. In addition the VA needs to clearly assess the costs associated with the effects of the proposed first homes mix, which will in reality need a 50% discount if the mix suggested is adopted, and issues such as the significant cut and fill and retaining works that will be required on some sites such as W6, as well as the fact site W6 can only deliver circa 220 dwellings not the 270 identified in the Reg 18 Plan / 255 appraised in the VA,.

5.5 Overall the VA needs a to be reviewed to make it clear what is expected of the strategic sites so that this can then be tested to ensure it is realistic and deliverable. As far as the Park and Bus at Whitstable is concerned the Council also need to make clear what is expected of site W6. From discussions to date, we believe it to be the gifting of the land to provide the facility and contributions towards enhanced bus serves that would serve it and the site. Anything more than this would we believe be disproportionate.

²³ PDF page 497 of the VA

²⁴ £229 per sqm when having regard to indexation

²⁵ $120 \times 229 = 27,480 + 30,000 = 57,480$

²⁶ $65 \times 229 = 14,885 + 15,000 = 29,885$

5.6 In the context of the above, as set out in our comments on site W7, we believe site W7 should also be contributing to the provision of the Park and Bus and the retail /community facility proposed on site W6 and would like clarity on who else will be contributing to the cost of the delivery of the Park and Bus facility, diversion of the existing bus route / introduction of a new route as well as the increased frequency of the existing route/ new route to make the new Park and Bus facility more attractive than driving into Whitstable town centre and finding somewhere to park/ how the Council intend to pool resources to help fund the project.

6 Conclusions on Reg 18 Plan

6.1 Whilst we recognise the fact that in calculating their housing requirement the Council has worked to the correct starting point which is a minimum annual LHN calculated by reference to the standard method of 1,252 dpa, we are concerned that the scale of growth proposed in Policy SS3 of the Reg 18 Plan is the minimum needed to meet the LHN. No regard seems to have been had to increasing this to address the affordability issues that prevail in the area, and the affordable housing needs of the area. As the SA suggests that providing for 10% above the minimum LHN makes little difference when assessed against the sustainability objectives we would ask the Council to review their position in this regard.

6.2 Similarly we are concerned that no evidence has been provided to demonstrate how the housing requirement will be met or how a rolling five year housing land supply will be achieved. The deliverability of the existing commitments needs to be demonstrated more evidentially than it has to date. Likewise, evidence needs to be provided to demonstrate that the proposed allocations will deliver the quantum of development suggested when expected; and the plan needs to encompass compelling evidence to support the windfall rates expected rather than rely on historic trends

6.3 Turning to the spatial strategy, whilst supporting this in principle, especially the proposals for south Whitstable, and Policy W6 in particular; we do have some concerns about the detailed requirements of Policy W6, not least the scale of housing development advocated which we believe to be unachievable given the sites topography, and other policy requirements including the Park and Bus facility. A situation which has implications for the Council's Viability Appraisal. To wit the Viability Appraisal itself leaves a number of questions unanswered such that its appraisal of this site is we believe left wanting.

6.4 Likewise we would question the assessment of site W6 in the Sustainability Appraisal which we believe to be unfairly harsh, especially where technical and factual evidence has been provided to support improved scoring.

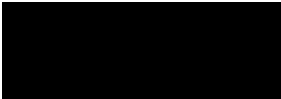
6.5 We also have specific concerns about the requirements of policy W7 and the strategic objectives of policies SS2 and SS4, which interrelate to our concerns about policies DS1 (Affordable Housing), DS2 (Housing Mix), DS6 (Sustainable Design), DS7 (Infrastructure Delivery), DS24 (Publicly Accessible Open Space and Sports), and DM11 (Residential Design), all of which we do not believe to be properly justified or effective as drafted.

To conclude, subject to the comments above, we support the Reg 18 Plan and the proposed allocation of the land at Thanet Way (Policy W6) for strategic scale expansion. We believe that the development of this site can come forward in a timely way to help accommodate the housing needs of the area, and that they can deliver tangible benefits for the local community in terms of the improvements to the strategic highway network, the proposed park and bus facility, improvements to public transport provision, enhanced pedestrian and cycle links, new community / retail facilities, new public open space, including new play facilities, and 20% BNG. Said development will also

provide for much needed family sized housing, affordable housing and starter homes, without any adverse environmental impacts. Indeed, the development of this site provides an opportunity to provide for significant environmental improvements.

In the context of the above we would like to highlight Catesby's desire to work with Canterbury City Council on the delivery of the land at Thanet Way, and to this end would welcome the opportunity to meet with officers to discuss our proposals for this site further, as well as our associated reps on the other policies contained in the Reg 18 Plan/ its supporting evidence base, in particular the SA and VA.

Yours sincerely



JUDITH ASHTON
Judith Ashton Associates

C.c. Victoria Groves – Catesby Estates

Proposed Revised Wording of Policy W6

Deletions struck through
Additions in bold

Site W6 is allocated for residential-led development.

Planning permission will be granted for development which meets the following criteria:

1. Development mix

Across the site, which measures ~~14.04ha~~, **14.02ha**²⁷ the development mix will include:

(a) Approximately ~~270~~ **220** new dwellings across circa 7.74ha:

(i) 30% affordable housing in line with Policy DS1;

(ii) **Up to** 10% bungalows, **subject to market demand**;

(iii) 15% of new homes to be built to M4 (2) standards, and 5% to be built to M4 (3) standards;

and

(iv) An appropriate housing mix, in line with Policy DS2.

(b) Non-residential development:

(i) Provision of a new park and bus facility for a minimum of 200 spaces with land safeguarded for a further 100 spaces (approximately 0.7ha in total), with interchange to bus service;

(ii) Provision of new local shopping and/or community facilities; and

(iii) Proportionate land and build contributions towards early years, primary, secondary and SEND education plus proportionate contributions for primary healthcare and other necessary off-site community infrastructure, **including outdoor sports pitches**.

(c) Open space: new on-site open space will be provided in line with Policy DS24, to include approximately:

(i) 2.56ha of natural and seminatural;

(ii) 1.44ha of amenity green space (including green corridors);

(iii) 0.51ha of parks and gardens;

(iv) 0.35ha of play facilities including:

(1) 0.16ha of fixed play areas with LAP and LEAP facilities;

and

(2) 0.19ha of NEAPs and destination play facilities.

~~(v) 0.56ha of outdoor sports~~; and

(vi) 10 allotment plots (0.24ha).

2. Design and layout

The design and layout should:

(a) Be coordinated with proposals for neighbouring sites, including the adjacent Site W7 to Site 7 (Policy SP3), in the Canterbury District Local Plan (2017);

(b) Along with neighbouring sites, create a complete, compact and well-connected neighbourhood, where everyday needs such as food shopping, can be met within a 15 minute walk or short cycle, to support the local economy, to promote health, wellbeing and social interaction and to address climate change by reducing car dependency;

(c) Provide a high quality built environment in line with Policy DS6, with an average net density of 35 dph sitewide. Higher density development within the site will be encouraged in the northern parts of the site;

(d) Mitigate any adverse noise impacts from the A2990 and A299;

(e) Provide an area of open space running along and parallel to the ridgeline running through the site, to mitigate visual and landscape impacts to the countryside to the south; and

²⁷ 14.87 including sight lines and highway land

(f) Assess and mitigate any impact on archaeological potential on the site.

3. Landscape and green infrastructure

The green and blue infrastructure strategy for the site should:

- (a) Provide sustainable urban drainage making use of the existing topography and natural features of the site where appropriate;
- (b) Provide 20% biodiversity net gain, in line with Policy DS21;
- (c) Provide the majority of the natural and semi natural open space, including woodland planting, at the south-western end of the site and along the southern boundary to provide enhancement to the existing woodland at Benacre Wood, to contribute towards mitigation of visual and landscape impact and to contribute towards mitigation of noise from the A2990 and A299;
- (d) Retain substantial areas of the existing tree cover and incorporate opportunities for landscape and biodiversity enhancements identified within the Local Character Area C3: Court Lees and Millstrood Farmlands set out in Canterbury Landscape Character and Biodiversity Appraisal;
- (e) Enhance woodland and provide heathland and/or grassland where appropriate; Restore and/or create woodland and hedgerow habitat to increase connectivity across the existing woodland network. Enhance declining hedgerows with sustainable native species including a new population of hedgerow trees. Include hedgerow planting as part of the street and movement network;
- (f) Provide habitat, pollinator and ecology connectivity across the site and with the surrounding landscape, including with Benacre wood;
- (g) Preserve, enhance and integrate within the masterplan long distance views including towards Whitstable town centre, the coast and countryside to the south of the site, with provision of viewing corridors from open space and PRowS crossing the site; and
- (h) Conserve or enhance the PRow network across the site ensuring key views from the network are protected and that the walking, cycling and PRow network provides multiple benefits such as being designed as part of ecological and pollinator corridors.

4. Access and transportation

The access and transport strategy for the site should:

- (a) Provide safe and convenient pedestrian and cycle connectivity including:
 - (i) High quality walking and cycling links through the site to Duncan Down, including toucan crossing on A2990 Thanet Way;
 - (ii) Provision of a new cycle and walking route connecting to Site W7;
 - (iii) New and improved walking and cycle connections to Whitstable via Crab & Winkle Way and PRow CW20;
 - (iv) New and improved walking and cycling connections to Herne Bay via A2990 Thanet Way; and
 - (v) Improvements to the PRow network crossing and around the site as required.
- (b) Provide **land to enable the delivery of a** new park and bus facilities containing 200 car parking spaces, (with space for an additional 100 spaces safeguarded), adjacent to the A2990 Old Thanet Way, with interchange to bus service;
- (c) Provide primary access to the site from the Duncan Down roundabout on Old Thanet Way (A2990) which will continue to serve Site 7 (Policy SP3), in the Canterbury district Local Plan (2017);
- (d) Provide a transport assessment to demonstrate the connectivity of the site with the existing highway network, any necessary mitigation and measures to minimise the need for use of private cars;
- (e) Provide vehicular access to Site W7; and
- (f) Provide proportionate contributions to the east facing A299 junctions contained within Site W5.

5. Phasing and delivery

- (a) Access to Site W7 must be delivered prior to the occupation of 25% of the total dwellings.

- (b) The **land for the** park and bus facility must be **set aside via a S106 agreement** delivered prior to the occupation of 50% of total dwellings.
- (c) The local shopping and community facilities must be delivered prior to occupation of 50% of the total dwellings.