

# **REGULATION 18 LOCAL PLAN CONSULTATION CANTERBURY CITY COUNCIL**

**REPRESENTATIONS MADE IN RESPECT OF  
LAND EAST OF CHESTFIELD ROAD WHITSTABLE**

**CANTERBURY CITY COUNCIL**

**ON BEHALF OF RUBIX ESTATES LTD AND THE LANDOWNERS**



**RUBIX ESTATES**

**LEE EVANS PLANNING REF: 9191b**

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Canterbury City Council

**Correspondence by email:**

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

**LAND EAST OF CHESTFIELD ROAD, WHITSTABLE**

Lee Evans Partnership LLP is instructed by Rubix Estates Ltd. (hereafter, the Promoter) and Land Share Investment and The Whitstable Non-Ecclesiastical Charities (hereafter, the Landowners) to submit representations to the Regulation 18 Draft of the Canterbury City Council Local Plan 2045.

The Draft Plan allocates land for new homes, jobs, new schools, a new hospital and community uses as well as outlining policies designed to guide the quality and density of developments, boost biodiversity, protect valued open spaces over the long term and to ensure any new development minimises its contribution to climate change while also mitigating against its effects.

On behalf of the Promoter and Landowners, this response provides commentary on the provisions of the Plan as drafted. It does not provide a detailed comment for all proposed draft policies, though reference is made to those considered most salient to the Promoter and Landowners, namely those relating to the (i) Vision and Objectives, (ii) Housing Delivery and Spatial Strategy, (iii) Policies W4-W6, and (iv) proposed development management policies.

In so doing, it identifies for consideration Land East of Chestfield Road, Whitstable as an available, achievable and deliverable site in the context of meeting district-wide housing need over the plan period.

A red line plan is provided as part of this representation.

On behalf of the Promoter and Landowners, we look forward to engaging the Council in the refinement of the Draft Local Plan over the coming months, and would be happy to discuss the contents of this correspondence should it be of assistance.

**CANTERBURY CITY COUNCIL LOCAL PLAN 2045**

**(i) Vision and Objectives**

The Local Plan at this Regulation 18 Draft stage identifies a clear vision for the District in promoting aspirations for residential growth achieved through a range of homes which will meet the needs of the district, improving affordability and supporting growth. It provides the planning framework to support a strong and resilient economy, improved connectivity, healthy communities and a thriving natural environment. These component parts of the vision are clearly aligned with the purposes of sustainable development, as set out in the National Planning Policy Framework. The Plan seeks the implementation of this vision over a period up to 2045, with growth focused at the urban cores of Canterbury, Whitstable, Herne Bay and proportionate growth across the villages.

**chartered architects and planning consultants**

To support the implementation of such, a number of strategic objectives are identified. These include:

- Providing high quality housing for everyone, including affordable housing, as part of mixed, sustainable communities;
- Ensuring housing is of high-quality design, is low carbon and energy and water efficient as part of healthy communities with access to community facilities and open space;
- Creating a thriving economy with a wide range of jobs;
- Supporting the sustainable growth of rural communities through the provision of affordable housing, community facilities and transport infrastructure while taking advantage of opportunities to grow the rural economy;
- Among other related objectives not repeated here.

These strategic objectives are considered at this stage to reflect the intent of the overall vision for the district over the plan period to 2045. The targeted delivery of these objectives is supported in broad terms, albeit subject to commentary on related planning policies as drafted. The scope of these objectives is deemed appropriate for the district, reflecting its diverse environments across urban, rural, coastal, and in-land resources, with a rich heritage across the district.

#### **(ii) Housing Delivery and Spatial Strategy**

It is agreed that the Plan should be reasonably informed by an established evidence base. In respect of housing delivery and the overall development strategy for the district, the NPPF is clear that plans should provide for future development needs and further sets out the expectation that identified needs for housing, space for jobs and retail space should be planned for, in full, as part of local plans.

It is recognised that the draft Local Plan has been informed directly by an evidence base comprising the Housing Needs Assessment (2021); the Economic Development and Tourism Study (2020, 2022) and the Retail and Leisure Study (2020, 2022), and a litany of additional topic papers and resources including the Strategic Land Availability Assessment (SLAA) which provide an objective analysis of the district's development needs through to 2045 alongside an audit of available land interests.

The overall ambition of the Plan is supported, specifically with recognition of the aspirational level of growth in providing at least 1,252 dwellings per annum to meet housing needs as identified in the evidence base, with a total of circa 22,400 new homes over the plan period. To ensure the flexibility of the plan in its implementation, such figures should not be viewed as a 'cap' to sustainable development, but rather a minimum target for housing delivery.

The allocation of a number of Sites at various scales across the District is a sound approach in maximising the efficiencies of the Plan in achieving this level of growth in a sustainable manner across the length of the plan period some 20 years into the future. The allocation of sites is therefore fully supported by the Promoter and Landowners as an appropriate mechanism in securing sufficient land resources to maximise the prospects of housing delivery, alongside the delivery of supporting employment growth and infrastructure requirements.

It is recognised that paragraph 1.16 of the Plan as drafted confirms that: "*The majority of the strategic site allocations identified within the Canterbury District Local Plan (2017) now have planning consent and are under development, and these sites will continue to contribute to the district's development land supply, predominantly during the early years of this plan. Development allocations within this Local Plan are therefore in addition to those sites, and are intended to ensure that there is sufficient land available to meet development needs over the full period of the plan to 2045*".

In this regard the allocation of sufficient sites with reasonable prospect of timely delivery is fundamental in ensuring that the vision and objectives of the Plan – including those geared towards meeting identified housing needs – can be fully met during the period up to 2045.

Policy SS3 deals with the overall development strategy for the District, specifically the strategy for delivering these ambitions and positively prepared housing numbers. The overall approach to sustainable growth at settlements consistent with their range of services and facilities is supported, in line with the settlement hierarchy.

As above, Canterbury, Whitstable, and Herne Bay remain the most sustainable locations for growth in the District, and this is supported.

Whitstable in particular benefits from a role as a secondary focus for development (alongside Herne Bay), where development will be supported in principle on suitable sites within the urban area. The town centres of both settlements will continue to be 'key district centres' and will continue to be a focus for commercial, leisure, and tourism activities in the district. Criterion 3 of draft Policy SS3 confirms that a new Strategic Development Area is to come forward at the edge of Whitstable for housing, employment, and community uses with a new park and ride proposed. Commentary is provided below on the specific nature of this policy instrument, though it is noted here that the overall approach is entirely supported by the Promoter and the Landowner's.

In this regard, it is agreed that the Development Topic Paper (October 2022) underpinning the revised settlement hierarchy is an appropriate basis for the overall thrust of Draft Strategic Policy SS3.

**(iii) Policies W4, W5, W6, W7 - Proposed Strategic Development Area – South Whitstable**

In accordance with criterion 3 of draft Policy SS3, draft Policy W4 identifies the allocation of a Strategic Development Area to the southern edge of Whitstable. Policy W4 allocates land for the delivery of new homes, employment, infrastructure, and community needs. Specifically, it seeks to deliver a new strategic scale development across three interrelated sites each supported by a dedicated planning policy (Policies W5, W6, W7).

Commentary in support of this ambitious level of growth is provided as follows:

**Policy W4:** the objectives of Policy W4 in delivering an extensive range of outputs to support a new sustainable community are wholly supported, specifically the delivery of circa 1,690 new homes, a minimum 4000sqm of business space, a new local hub, 31.84ha of accessible open space, new sports and education facilities, and the creation of targeted biodiversity and ecological enhancements across three allocated sites.

The criteria underpinning Policy W4 are considered far-reaching in their scope, and it is agreed that these criteria reasonably reflect the requirements of a new sustainable community, spanning disciplines including residential, commercial, community, environmental, and transport needs.

It is agreed that the greater level of specificity provided in Policies W5, W6, and W7 is appropriate in guiding site-specific aspirations across land at Brooklands Farm, Land South of Thanet Way, and Land at Golden Hill.

**Policy W5:** Brooklands Farm is a large strategic scale development of circa 1300 new dwellings across an area of 79.13 ha, with supporting development comprising of non-residential development to include at least 4000sqm of business space, at least 750sqm of local centre space, and at least 300sqm of local shopping and community space. It will also include for new education opportunities as well as open space.

In line with the development strategy identified at Policy SS3, the overall principle of Policy W5 is supported as a constituent part of Policy W4.

The concept masterplan for Brooklands Farm is sufficiently detailed to guide the future development of the site without placing undue constraint on the masterplan process. It identifies a number of opportunities for open space, green corridors, improved cycle and pedestrian connectivity and junction improvements, each aligned with the strategic objectives outlined elsewhere. Development parcels are shown throughout the wider site area. The concept masterplan demonstrates a proportionate understanding of the site's potential in contributing to the ambitious growth targets for the district.

It is expected that the concept masterplan will form the basis of onwards site-assessment, though it is noted that technical site assessment may in due course identify additional opportunities to help refine the site's development potential, ensuring its efficiency and deliverability.

Crucial to the Promoter and Landowner's representations, Land East of Chestfield Road, Whitstable is identified here as an available, achievable and deliverable site in direct proximity to Brooklands Farm that can further support the aspirations of the Plan in the delivery of housing growth.

The provisions of Policy W5 do not reflect a specific link to the Site itself, and these representations request greater consideration of the contributions of Land East of Chestfield Road, Whitstable in assisting the Council in realising the potential of Policy W5. Site-specific information is provided later in this response, though as elsewhere we would be happy to meet with officers in further advocating for the inclusion of this Site to best deliver the vision and objectives of the Plan, here through expanded residential provision at Land East of Chestfield Road, Whitstable.

Further detailed commentary on the site-specific criteria for W5 is not provided at this point.

**Policy W6:** This site is allocated for a mixed, residential-led form of development comprising circa 270 dwellings, a new park and bus facility, new local shopping and community facilities, and land/build costs towards new education provision. This allocation is wholly supported for its ambitious drive towards the delivery of a sustainable development in this location, reflecting efforts to introduce a range of land uses to serve future populations in line with projected need. Synergy between the site and its context is also recognised, with specific guidance provided in respect of the phasing of development in this location.

As elsewhere, a concept masterplan is also provided and appears to demonstrate sufficient regard has been had to the site's opportunities and constraints, including those relating to landscape, open space, and biodiversity net gain. A high level of synergy is indicated between this site and Land at Golden Hill, which is a residential allocation immediately due north-east.

Further detailed commentary on the site-specific criteria for W6 is not provided at this point.

**Policy W7:** Land at Golden Hill also forms part of the South Whitstable Strategic Development Area, and is allocated for circa 120 new dwellings across a developable area of circa 3.3 ha. The direction of residential growth to this site is supported insofar as it would assist the Council in planning for delivery of growth to meet identified housing need. A concept masterplan for the site demonstrates that reasonable consideration has been given to the site's opportunities and constraints, including its linkages with surrounding development and the highways network.

The site sits immediately adjacent to Land south of Thanet Way (Policy W6). It is agreed that the sites should be separately considered under distinct policy directives, which may assist in the delivery of complementary but distinct forms of development, likely held under different ownerships. This would appear to be a pragmatic approach to the allocation of both sites as constituent parts of the wider Strategic Development Area, and this is wholly supported by the Promoter and Landowners.

Further detailed commentary on the site-specific criteria for W7 is not provided at this point.

**(iv) Proposed Development Management Policies**

A number of detailed policies are proposed, centred on matters of design, transport, amenity, biodiversity, landscape, and other such disciplines. Whilst detailed commentary is not provided at this stage on the Plan as a whole, it is evident that such policies are necessary to guide development over the plan period. The thrust of such policies in meeting the vision for the District is wholly supported, and the wording of such appears consistent with the objectives of the Plan in responding to local needs over the years up to 2045. Whilst an interim evidence base has been prepared to support the proposed draft wording of such policies at this stage, commentary on such is reserved until the Regulation 19 consultation process.

At the current stage of preparation, it would be premature to consider whether the Draft Plan is legally compliant, is sound, and whether it has met the duty to cooperate. That said, the evidence base as prepared – alongside the reported direction of travel – appears to show positive progress towards planning for sustainable development in the District over the period to 2045, based on an expanding and robust evidence base. We reserve detailed judgement on this until such a time that the Regulation 19 Submission Plan is available for consultation, alongside the Sustainability Appraisal and wider evidence base, later in 2023.

**LAND EAST OF CHESTFIELD ROAD, WHITSTABLE**

***Site Context***

The Site measures circa 18 acres in total with direct road frontage to Chestfield Road on its western edge, providing onwards vehicular connectivity to the wider network of settlements, services and facilities in proximity.

The Site sits closely related to existing residential development due west (along Chestfield Road) and northwards along Little Paddocks and Molehill Road. A number of dwellings fall in a northerly direction within the settlement of Chestfield, within the urban area for Whitstable. It is noted that the boundary for the Whitstable urban area as existing extends partly along the Site's eastern and northern boundaries, reflecting the presence of existing dwellings in these locations.

The Site falls immediately south of Whitstable's defined urban area, and in the emerging Regulation 18 Local Plan is further located immediately opposite the eastern demise of Brooklands Far, an allocated site for circa 1,300 new homes and a range of business, community and environmental infrastructure.

In both its current and emerging spatial planning context, the Site occupies a sustainable location within the district's hierarchy (and one which is reasonably expected to become further sustainable, pending progression of the South Whitstable Strategic Development Area through the examination process). The Site achieves access from Chestfield Road, with onwards connectivity providing a range of facilities and services such as a primary school, GP surgery, and local shops. Again, this range of services would only improve with the delivery of the nearby Strategic Development Area.

The Site is undeveloped in its current configuration, and retains an established boundary line on all sides. In its undeveloped state, the Site is largely laid to pasture, with limited trees and hedgerows confined principally to the existing boundary treatments. An established wood falls beyond the Site's eastern demise, adjoining the Thanet Way,

It is recognised that the Site falls adjacent – on its northern edge – to the designated Chestfield Conservation Area. Despite this, there are no statutorily listed buildings within the immediate setting of the Site.

As with all land outside of the defined urban area in this location – including the sites allocated under Policy W4 for Strategic Development Area – the site is washed over by an Area of High Landscape Value.

The Site falls within Flood Zone 1, an area of low probability flood risk. The Site is not considered to be at risk of surface water flooding, per published environment agency mapping data.

The Site falls within the SAMMS Thames, Medway & Swale Estuaries 6 Km Zone of Influence, and the SAMMS Thanet Coast and Sandwich Bay 7.2 Km Zone of Influence. In landscape terms, it falls within the E3: Amery Court Farmland Landscape Character Area.

The Site is otherwise free of onerous planning constraints.

### ***Commentary in support of the allocation of Land East of Chestfield Road, Whitstable***

As noted elsewhere, the Promoter and Landowners lend full support to the proposed allocations set out in Policies W5, W5, and W6, pursuant to the ambition of the proposed Strategic Development Area at South Whitstable under Policy W4.

The land identified at Land East of Chestfield Road, Whitstable is an available, achievable and deliverable resource that is well-placed to further complement the growth of the district's housing land supply in meeting its identified needs.

Its own allocation as part of a refined Regulation 19 Local Plan later in the year could clearly represent an opportunity to further secure the good and proper planning of South Whitstable, incorporating a reasonable level of growth in this location to mirror the provisions of W4, and specifically to complement the targeted growth options of Brooklands Farm directly opposite the Site.

The Site is held in two ownerships, and is under the control of a single Promoter – Rubix Estates. All parties are in agreement as to the promotion of the Site through the local plan process, and in this regard the Site can be viewed as an available option to the Council in further securing its aspirations to delivery sustainable development south of Whitstable.

It is understood that the Site has not been assessed previously by the Council as part of the Strategic Land Availability Assessment. It is respectfully requested that an assessment of the Site – supported by the Applicant's identification of it and its overarching planning opportunities – is undertaken with a view to supporting the allocation of such in the Regulation 19 Local Plan.

Its overall position is such that the Site is located:

- directly adjacent to the Whitstable Urban Area, as designated in the adopted and emerging Local Plans;
- directly opposite the proposed Brooklands Farm allocation, part of the South Whitstable Strategic Development Area;
- outside of but adjacent to the Chestfield Conservation Area;
- directly adjacent to existing residential dwellings to both the north and west, and thus benefitting from nearby existing (and proposed) services and facilities;
- in a position wherein access can be readily achieved from Chestfield Road, and where connectivity between the Site and the proposed Brooklands Farm scheme could be reasonable achieved; and
- in a spatial planning context of limited constraint where development of reasonable scale could be readily achieved.

### **Site Deliverability**

The Promoter and Landowners further wish to confirm the following information to assist in the progression of the Plan towards the Regulation 19 stage, following this consultation period:

**1. Current planning status**

It should be noted that the Promoter is in a position to prepare an Outline Planning Application, evidencing the overarching deliverability of the Site, subject to progression of discussion and assessment on the planning policy.

**2. Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects:**

The Promoter is engaged in a Promotion Agreement with the Landowners; both parties are engaged in the submission of these representations to the Regulation 18 consultation. The Site is held in single ownership and no third parties are required in the delivery of housing in this location.

The Site is considered available, suitable and deliverable.

### **SUMMARY**

Overall, these representations conclude that the Site at Land East of Chestfield Road, Whitstable is available, achievable and deliverable for the purposes of residential development, and could be readily considered as part of Policy W4 Strategic Development Area – South Whitstable.

The Site is relatively free of planning constraint, and there exist clear opportunities for synergy with the proposed delivery of strategic development at Brooklands Farm directly opposite the Site.

The overall vision and objectives of the Plan are supported, and the positive approach to planning in the district up to 2045 is wholly agreed by the Promoter and Landowners.

We look forward to onwards participation in the Local Plan consultation, and to working with officers at the appropriate time in the preparation of a planning application.

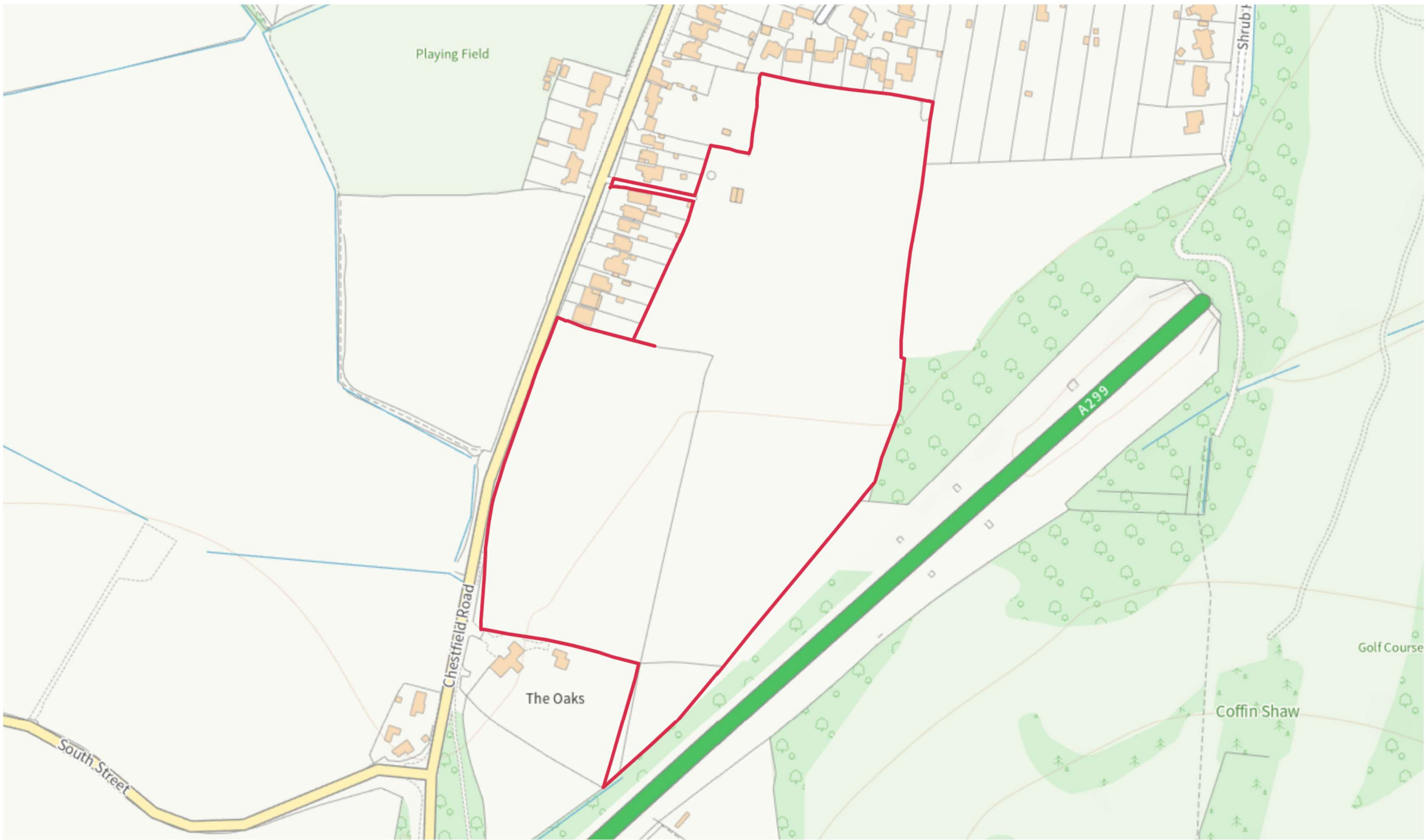
Yours sincerely

Reece Lemon BA(Hons) MSc AssocRTPI  
For Lee Evans Planning

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Red Line Plan





| Project: Land on the east side of Chestfield Road, Whitstable | Drawing: Location Plan | Date: 2/01/23 |

