

Draft Canterbury District Local Plan to 2045
Representations on behalf of Parker Strategic
Land Ltd

January 2023

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Client

Parker Strategic Land

Our reference

PARS3003

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1. Introduction

- 1.1 These representations have been prepared to respond to the Canterbury District Local Plan to 2045 on behalf of our client Parker Strategic Land Ltd who are promoting land at Bodkin Farm, south of Thanet Way, Whitstable for development.
- 1.2 Following the Canterbury District Local Plan Preferred Options Consultation, the Council has published the Draft Canterbury District Local Plan to 2045 for consultation which contains draft policies and allocations.
- 1.3 The land at Bodkin Farm has been promoted to earlier stages of consultation on the draft Local Plan and to the Council's 'call for sites' exercise. The site is identified using reference SLAA247 in the Council's Strategic Land Availability Assessment (SLAA) 2022.
- 1.4 In the current consultation draft of the Local Plan, the land at Bodkin Farm is identified as a mixed-use development site under Policy W8. We understand that this Site is proposed for allocation on the basis that doing so would facilitate the delivery of a new secondary school. Parker Strategic Land's position is that the Site is suitable for development, whether the allocation includes the secondary school or not.
- 1.5 These representations highlight that the Site remains available, deliverable and developable as highlighted in our previous representations. Since the land at Bodkin Farm is proposed for allocation, the focus of these representations is to address matters of deliverability and the Council's evidence base. Parker Strategic Land reserves the opportunity to make specific comments on matters of soundness at a later stage, if it is necessary to do so.
- 1.6 One of the key points arising from these representations relates to the quantum of development to be delivered in accordance with Policy W8 and the Council's indications as to where new residential development would be acceptable within the Site. As these representations explain, Parker Strategic Land consider that the Council should seek to make efficient use of the land given that it is proposed to be allocated.
- 1.7 These representations are supported by:
 - A Vision Document (**Appendix 1**) produced by Barton Willmore, now Stantec;
 - Transport Appraisal (**Appendix 2**) produced by RPS
 - Landscape and Visual Appraisal Note (**Appendix 3**) produced by Barton Willmore, now Stantec;
 - Flood Risk & Drainage Technical Note (**Appendix 4**) produced by BWB

2. Site Overview

- 2.1 This section provides context into the land at Bodkin Farm, Chestfield, Whitstable (hereafter referred to as 'the Site') which Parker Strategic Land is promoting for residential-led development. The entirety of the proposed allocation is owned freehold by Parker Strategic Land and its sister company Parkers of Leicester.

The Land at Bodkin Farm

- 2.2 The site extends to approximately 24 ha and currently comprises Bodkin Farm and associated agricultural fields to the east. The site is directly adjacent to the existing defined boundary to Whitstable Urban Area (as defined by the existing Policies Map) and constitutes a strategic option for the expansion of the town. For the purposes of the current Canterbury District Local Plan, the Site is located within a Green Gap.
- 2.3 The former farm complex itself constitutes a farmhouse and several modern farm buildings. Bodkin Farmhouse was previously a Grade II Listed Building; however it was 'delisted' and is in a very poor condition. In addition, the property was subject to fire damage sustained in 2017. In our submission, the allocation of the site through the emerging Local Plan provides a clear opportunity to address the current state of this part of the site, which is frequently subject to occurrences of antisocial behaviour.
- 2.4 There are no other designated heritage assets within the Site. The Chestfield Conservation Area boundary is approximately 430m to the west of the site, located to the south of Maydowns Road.
- 2.5 The A2990 (Thanet Way) runs along the northern boundary of the Site, existing residential development is located along the southern boundary, with agricultural fields to the western boundary and a solar farm and Purchas Wood running along the eastern boundary.
- 2.6 The vast majority of the Site lies within Flood Zone 1 however the westerly area close to the former farmhouse lies within Flood Zones 2 and 3.
- 2.7 The Site falls within the Zones of Influence of the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and the Swale SPA and Ramsar Site. It is also located within the Herne Bay and Whitstable Green Gap as defined by current adopted Local Plan policy.
- 2.8 The Site is not subject to any legal or other restrictions which would prevent early delivery of the site in the Plan period to meet needs, and the promoter's freehold ownership of the whole Site provides confidence and certainty around its deliverability.

Surrounding Area

- 2.9 Adjacent to the northern boundary is the A2990 with a woodland and then a solar farm located to the east. A PROW is located along the southern boundary of site providing access on foot into an existing residential development located south west of the Site boundary. An existing watercourse runs along the western boundary.

- 2.10 The Site offers good access to a number of local services and amenities due to its location between Swalecliffe, Herne Bay, Chestfield, and the centre of Whitstable, all of which offer a range of local services, making the site a highly sustainable location for development.
- 2.11 The nearest train station is Chestfield & Swalecliffe located less than a mile from the site, offering transport links into London (Victoria & St Pancras) and Ramsgate. The nearest bus stops are also located close to the station on St. John's Road B2205 and also on Chestfield Road both of which are approximately 850m from the site. These bus stops are served by 11 services including routes 4, 5 and the Triangle service operated by Stagecoach providing connections to Herne Bay, Whitstable, Nackington, Canterbury Schools and Spires Academy with regular buses at peak times.
- 2.12 In addition to these bus stops, service No. 4 routes along Thanet Way and passed the site. The proposal is to introduce new bus stops on Thanet Way to serve the site and these stops would be within 400m of the majority of the site. The site also offers the opportunity to divert one or more of the existing bus services into the site with the two points of access allowing the service to circulate within the site.
- 2.13 For plan-making purposes, Chestfield is treated as part of the Whitstable Urban Area. Alongside Canterbury and Herne Bay, Whitstable is identified as an urban area under the current Local Plan. This recognises the sustainability of the settlement and its role in the District as a whole. Under the current Local Plan the urban areas of the District were to continue to be the principal focus for development.

Site History

- 2.14 The Site was assessed in the Council's most recent Strategic Housing Land Availability Assessment (SHLAA, 2022) under site reference SLAA274. These representations consider the Council's evidence base elsewhere.
- 2.15 The most relevant planning history for the Site relates to the proposals for a mixed-use development of up to 290 dwellings, primary school and other supporting facilities, which was promoted by another party and predates our client's interest in the Site. The proposals were considered under application reference CA/14/01319/OUT and included additional land to the west of the smaller parcel now being promoted by Parker Strategic Land. The application was refused by notice dated 13th November 2014 for eight reasons. The decision was subsequently subject to an appeal under reference APP/J2210/A/14/2227624. By the time of the planning inquiry being held, only one reason for refusal remained being:

"The effect that the proposal would have upon the character and appearance of the area, having regard to its location within a designated Green Gap."

- 2.16 It is clear therefore that there were no technical matters which had not been overcome to the satisfaction of the Council. From a review of the appeal decision it is clear that the appeal hinged on the impact on the listed building and development in the Green Gap. Clearly following the delisting of the farmhouse the former is no longer of relevance to the consideration of the principle of development of the site. Whilst the

Inspector ultimately dismissed the appeal, clearly this was in the context of a Section 78 appeal rather than a Local Plan Review.

Accommodating Development

- 2.17 The land at Bodkin Farm is promoted by Parker Strategic Land and the Vision document which accompanies this submission demonstrates how the scheme provides for approximately 300 new homes, 8 hectares of land for a new secondary school, two points of access on northern boundary with Thanet Way and a local centre as well as a network of open spaces. The form of housing, the housing mix and the nature of the local centre will be reviewed in dialogue with the LPA.
- 2.18 As part of Parker Strategic Land's scheme for this Site, the existing Bodkin Farm complex of dilapidated buildings would be redeveloped as part of the comprehensive proposals.
- 2.19 As both a landowner and a promoter, Parker Strategic Land has a track record in promoting land for development in a manner which supports its timely delivery and is willing to engage with the LPA and other stakeholders in order to discuss how this Site can contribute to addressing the overall development strategy in Canterbury City.
- 2.20 The site is proposed to be allocated via Policy W8 of the draft Local Plan (to which we respond to elsewhere), with that Policy seeking:
- Approximately 250 new dwellings across circa 7.16ha:
 - 30% affordable housing in line with Policy DS1;
 - 10% bungalows;
 - 15% of new homes to be built to M4 (2) standards, and 5% to be built to M4 (3) standards; and
 - An appropriate housing mix, in line with Policy DS2.

Site Capacity

- 2.21 Our client is supportive of the principle of residential development of the Site and is of the view that it would create a high-quality development in a sustainable location.
- 2.22 However, in our submission, the Site is able to accommodate a greater level of development (and across a broader area) than the draft Local Plan indicates. In this regard we note that there are no technical matters which would limit the development of the site.
- 2.23 In terms of the Site's capacity for residential development, the concept masterplan contained in the draft policy indicates that residential development would likely be located to the west of the existing hedgerow through the middle of the Site, with only educational facilities located to the east. Our client considers that an alternative approach should be pursued for the following reasons:

- Firstly, we note the conclusions of Barton Willmore now Stantec Landscape and Visual Appraisal Note (**Appendix C**) in relation to landscape and Green Gap matters which concludes that there is no greater harm by locating housing east of the hedge, especially given that the school is to be located in that part of the site in any event; specific criteria for the site are set out under Policy W8. Draft Policy W8 reserves the eastern extent of the Site solely for development of the secondary school, however an assessment of the suitability of the entire Site to accommodate development, as set out in the Landscape and Visual Appraisal Note (**Appendix C**) demonstrates that a comprehensive green-blue infrastructure/ landscape strategy, as required by draft Policy W8, alongside residential development could too occupy the eastern extent of the Site, and would soften both the impact of a lone sizeable secondary school building, and where views may be experienced from the local landscape. An equal spread of development across the Site would convey cohesion and ensure connectivity across the entire site, with landscape and biodiversity as a priority, assimilating the Site within the landscape through linking new and existing habitats, creating green spaces through the retention of existing hedgerows and buffers, and the implementation of landscape proposals, whilst meeting BNG expectations.
- Secondly, two points of access into the Site are required in order to satisfy the County Council on highways matters. To avoid them being located close together, one would need to be located east of the hedgerow, thus introducing additional urbanising features into this part of the Site, in addition to the school.
- Maximising the potential of the site provides greater flexibility to ensure the housing requirement can be achieved and in this case, to locate new homes close to new education infrastructure.

Provision of Secondary School

- 2.24 Policy W8 includes the requirement for a 6FE secondary school with 6th form provision on 8.03 ha of the Site. The justification for additional secondary school places is referenced in Policy W3 which identifies a need for new education infrastructure *‘to meet existing and future communities including... a new six form entry secondary school with sixth form at Bodkin Farm’*. Additional background is provided by paragraph 1.27 of the Draft Local Plan in stating that *“Some of the key infrastructure requirements set out within this plan therefore include the provision of major new secondary school infrastructure at the coast, to help address the long standing imbalance between provision in the city and that serving the coastal towns.”*
- 2.25 Parker Strategic Land has reviewed the requirement for a new secondary school in this location and has been advised by the specialist consultancy EFM on such matters. We understand that secondary schools elsewhere are currently providing capacity to serve the urban areas of Whitstable and Herne Bay and the coastal communities. However, as existing allocations are developed, we understand that those sites will be in greater proximity to those existing schools. Furthermore, based on dialogue with the LPA and County Council, we understand that the current approach does not support sustainable patterns of travel, with schools often located some distance from the areas they serve.

- 2.26 In addition, we understand that the Council will need to take account of development pressures from Canterbury City where an additional 7,700 dwellings proposed as part of Policies C5-C23. Therefore, to serve those proposed allocations there would be a need for school places in Canterbury City's schools which are currently taken up by pupils commuting from the coastal communities.

Provision of Local Shopping and Community Facilities

- 2.27 Policy W8 requires the local shopping and community facilities must be delivered prior to occupation of 50% of the total dwellings. Whilst our client has no specific objection to this requirement, we note that this should be subject to local market conditions.

Green Gap

- 2.28 Our client supports the removal of the Site from the Green Gap as identified in Policy W8. As has been clearly demonstrated through these representations and the previous appeal decision, the site is technically capable of being delivered. We note that the Draft Local Plan evidence base contains the Green Gaps and Local Green Spaces Review (2021) which was available as part of the previous Canterbury District Local Plan Preferred Options Consultation. Our previous representations commented that *"this is not a substantial review of the capacity the Gaps to accommodate development and it should not be assumed that because a Gap was previously identified, it should be retained, or retained in its current form, or could not accommodate development."* Similarly, while our client agrees with the release of the site from the Green Gap, this should be reflected in a substantial review as part of the evidence base.
- 2.29 It should also be noted that a Green Gap designation is related to the function of land, being predominantly informed by land use, that is whether it is developed or not, and the degree to which attributes or components of the land contribute to actual or perceived separation between settlements or areas of built development. As such, a Green Gap designation is not a qualitative designation of the landscape.
- 2.30 Therefore, our client is of the view that the proposed release of the Site from the Green Gap is justifiable. The Landscape and Visual Note previously submitted with our representations to the Canterbury District Local Plan Preferred Options Consultation, with reference to Policy OS6 Green Gaps, and Policy OS7 Herne Bay and Whitstable Green Gap, noted that:

"the Site is in an area already influenced by existing development, and Thanet Way. The Site is well contained on the eastern boundary by vegetation on the Site boundary, and by Purchas Wood Ancient Woodland, which is protected, to the immediate east of the Site. The Site is separated from the Green Gap to the east of the Site by the Molehill Solar Farm. ... The Green Gap to the east of Molehill Solar Farm comprises land that is generally flat, with more open views across the landscape to the south, ..which provides a tangible green gap, with views of the intervening landscape, between Whitstable and Herne Bay"

- 2.31 The Landscape and Visual Note previously submitted with our representations to the Canterbury District Local Plan Preferred Options Consultation concluded that:
- “considering the existing landscape and visual context of the Site, the Site could be removed from the Green Gap, with sufficient extent of intervening landscape, to the east of the Site, remaining to provide a green buffer, effectively functioning as a Green Gap between Whitstable and Herne Bay.”*
- 2.32 The findings of the Landscape and Visual Note previously submitted with our representations to the Canterbury District Local Plan Preferred Options Consultation have therefore been justified, with the subsequent proposed allocation of the site for a mix of development through Policy W8 of the draft Canterbury District Local Plan to 2045, as set out in Policy W8: Bodkin Farm.
- 2.33 In addition, a further Landscape and Visual Appraisal has been undertaken and is submitted with these representations to the draft Canterbury District Local Plan to 2045, (see **Appendix C**). This Landscape and Visual Appraisal specifically considers Policy W8: Bodkin Farm.
- 2.34 Specific criteria for the Site are set out under Policy W8. Policy W8 reserves the eastern extent of the Site, to the east of the central hedgerow running through the site, solely for development of the secondary school, as illustrated on the Bodkin Farm – concept masterplan accompanying Policy W8. However the assessment of the suitability of the entire Site to accommodate development, as set out in the Landscape and Visual Appraisal Note (**Appendix C**) demonstrates that a comprehensive green-blue infrastructure/ landscape strategy, alongside residential development could too occupy the eastern extent of the Site, which would still retain a suitable extent of more open land uses on the most eastern edge of the site, related to the secondary school, to provide a transition from development to the remaining Green Gap to the east of the Site.
- 2.35 This would also be beneficial in that an equal spread of development across the Site would convey cohesion and ensure connectivity across the entire Site. Landscape and biodiversity considerations would inform the evolution of the scheme, creating a landscape framework to assimilate the Site within the landscape through linking new and existing habitats, creating green spaces through the retention of existing hedgerows and buffers, and the implementation of landscape proposals, whilst meeting BNG expectations.
- 2.36 The Landscape and Visual Appraisal also concludes that the Site can accommodate mixed use development without significantly affecting the open character of the remainder of the Green Gap, noting that not only school development, but also additional residential development on the Site, would not lead to coalescence between existing settlements, such that not only a 6FE secondary school with 6th form provision on the Site, but also additional residential development east of the central hedgerow running through the Site, as illustrated in the Vision Document (**Appendix A**) could be successfully accommodated on the Site, with no greater harm to the remaining Green Gap. Therefore, the Site can accommodate a greater quantum of development than that suggested by Policy W8, and illustrated on the Bodkin Farm - concept masterplan accompanying Policy W8.

- 2.37 The Landscape and Visual Appraisal briefly considers the combined effect of Policy W8: Bodkin Farm and HB4: Land to the West of Thorndean Wood Road.
- 2.38 The Landscape and Visual Appraisal notes that the Site, that is for Policy W8, remains well contained, both physically and visually, along the eastern boundary by vegetation, and by Purchas Wood which is Ancient Woodland, which is protected, to the immediate east of the Site; and that the Site is separated from the remainder of the Green Gap to the east by Molehill Solar Farm, and it is these attributes that contribute to the suitability of the site to accommodate development and be released from the Green Gap.
- 2.39 The Landscape and Visual Appraisal notes that, in contrast, the western extent of site for Policy HB4: Land to the West of Thorndean Wood Road, is open, not contained by any substantial boundary vegetation, and therefore currently contributes to the openness of the Green Gap, affording views out over the intervening landscape between Whitstable and Herne Bay and providing tangible separation between the two settlements, as illustrated by Site Context Photographs 7, 8 and 9 in the Landscape and Visual Appraisal, the locations for which are shown on Figure 1: Site Context Plan. The Land to the West of Thorndean Wood Road – concept masterplan accompanying Policy HB4 identifies the western extent of the site as “open space/biodiversity opportunities”, to west of a green corridor, thus maintaining this part of the site as open and green.

Requirement for Bungalows

- 2.40 While our client has no specific objection to the provision of a proportion of bungalows as part of a residential development on the Site, we consider that it would be more appropriate for alternative tenures of accommodation for older people to be included on site (such as care, extra care and purpose-built accommodation for older people) to provide greater flexibility in how this identified need can be met.

Highways

- 2.41 The applicant has prepared a Transport Appraisal in support of these representations to consider the opportunities for access to the Bodkin Farm site for all modes of transport and the likely overall potential impact of the development on the local highway network.
- 2.42 In terms of site access, this would be secured from two locations on Thanet Way in the form of a traffic signal controlled junction for the main access, with an additional access as a left in / left out arrangement. Both accesses will include new pedestrian crossings and enhancements to the existing pedestrian and cycle routes along Thanet Way. The applicant is of the view that there is the capability to widen the existing footway on Thanet Way to 3m to create a combined footway / cycleway link.
- 2.43 As outlined in Section 2 of these representations, the site is located in a sustainable location close to local services and public transport routes. The Transport Appraisal outlines that there is the opportunity for the development of the Site to provide additional bus stops on Thanet Way to improve the existing situation.

- 2.44 In terms of trip generation, an assessment has been made based on the Kent County Council strategic traffic model and predicts that the development could generate circa 209 two-way vehicle movements in the morning peak hour, and 175 two-way vehicle movements in the evening peak hour. It is considered that four junctions would need to be assessed, along with the A229, to determine specific impacts and suitable mitigation measures.
- 2.45 Overall, it is considered that this transport appraisal is robust as it is considered that the mode share does not reflect the full potential for sustainable trips for future residents of the development or those access the school site as per the overall Strategic Objectives set out in the Draft Local Plan. Therefore, safe access and egress can be provided to the site, would meet the NPPF's tests for highway safety and is suitable for development.

Flood Risk and Drainage

- 2.46 These representations are supported by a Flood Risk & Drainage Technical Note (**Appendix D**) produced by BWB who consider flood risk to the Site from all sources and conclude that it does not prevent a barrier to development, which should be placed in areas of Flood Zone 1.
- 2.47 Adequate provision for surface and foul water drainage can be provided in order to meet the needs of the Site and, through careful design, provide betterment off site.
- 2.48 BWB explain that there is opportunity to mitigate flood risk on and off site exists through further development of watercourse modelling and stakeholder liaison.

Noise

- 2.49 Due to the Site's location adjacent to Thanet Way, future development of the site will need to take account of road and traffic noise impacts on the development. Our client will undertaking initial studies on this and has included a noise mitigation area within the initial masterplan to account of this constraint.

The former Bodkin Farm Complex

- 2.50 We note that the former Bodkin Farm complex of buildings is located in the western part of the proposed allocation. This complex contains formerly Listed Buildings and is in a poor state of repair, having also sustained fire damage 2017 and regularly being subject to antisocial behaviour.
- 2.51 In our view the Local Plan and the allocation of the land at Bodkin Farm provides a positive opportunity to address the former farm complex, and the policy should positively support its redevelopment.

Conclusion

- 2.52 Our client is supportive of the draft allocation of the Site for mixed-use development in Policy W8 and consider that the site remains suitable, available and deliverable for development.

3. Response to Local Plan Policies

- 3.1 This section sets out our written representations in response to the Council's Draft Local Plan consultation.

Vision for the District to 2045 and Strategic Objectives

- 3.2 Our client broadly agrees with the draft vision and strategic objectives for the District. It will be important that the vision has clearly informed the objectives and planning policies to ensure it is achieved and delivered. This section is broadly in line with the Canterbury District Local Plan Preferred Options Consultation. We refer to Paragraphs 3.2 to 3.6 of our previous representations for further details.

Policy SS2 – Sustainable design strategy for the district

- 3.3 We note that the Policy states that: *“New development should be designed to achieve Net Zero operational carbon emissions, should make efficient use of land and should be designed to maximise energy and water efficiency.”* We draw attention to our comments on Policy DS6 elsewhere in these representations.
- 3.4 Part 4 of this Policy also requires development to provide a 20% net gain in biodiversity. We note that this is twice the level required (10%) by the Environment Act when those provisions come into effect later this year. Whilst we note that Parker Strategic Land will seek opportunities to deliver BNG, this must also be considered in the context of the need to support the delivery of new homes and infrastructure, in this case new educational facilities. The provision of a new secondary school, including associated open space / sports pitches removes a large portion of this site which might otherwise be available for alternative purposes, including BNG measures.
- 3.5 Similarly, Part 5 of the Policy states that “New developments of 300 homes or more should incorporate a minimum of 20% tree cover across the site”. In our submission, such a requirement is likely to have significant consequences for the capacity of sites to accommodate new development, especially when combined with other open space and infrastructure (in this case a secondary school) requirements for example, and the feasibility of the policy is likely to require further consideration. The proposed requirement for 20% tree cover to be included across the site may restrict the scheme's ability to deliver sufficient biodiversity units to achieve biodiversity net gain on site. This is due to the specifics of how the current DEFRA Biodiversity Metric (Version 3.1) works; specifically, how it calculates the value of proposed new habitats. Parker Strategic Land are aware that in other local planning authorities policies allow for such measures to be provided 'off-site' and strongly consider that the same opportunities should be explored in this case.

Policy SS3 – Development Strategy for the District

- 3.6 The policy states an average requirement for 1,252 new dwellings per year including affordable housing, older persons housing and a range of types of housing to meet local needs. We note that the Local Plan does not provide a significant degree of flexibility in order to ensure that the housing requirements are achieved, and so, in our view, the LPA should seek to maximise the capacity, deliverability and contribution of the sites which it does propose to allocate.

- 3.7 In the consultation draft Local Plan 2045, Whitstable is identified as an Urban Area in the highest tier of the proposed settlement hierarchy. Policy SS3 states that the Whitstable urban area (alongside the Herne Bay urban area) will be the secondary focus for development in the district. Our client supports the identification of Whitstable as an area suitable for development and support the reference to the Policy W8 allocation of the site.

Policy W3 – Whitstable Urban Area

- 3.8 Paragraph 3.3 of the supporting text highlights that there has been more limited investment in infrastructure and Whitstable is well placed to deliver growth during the Local Plan. Parker Strategic Land are supportive that the town forms an aspect of the Council’s approach to the distribution of growth.
- 3.9 Our client is supportive of the inclusion of Bodkin Farm to provide a new six form secondary school with sixth form at Bodkin Farm, however we note that the provision of residential development on the site will contribute to Whitstable’s growth aims and is key to securing the delivery of the secondary school on the site. In our client’s submission, the land at Bodkin Farm is a suitable location for development, whether it makes provision for a secondary school or not and provides a greater opportunity to accommodate sustainable development than the LPA currently envisages.

Policy W8 – Bodkin Farm

- 3.10 Our client supports the identification of the Bodkin Farm site for residential-led development and allocation. However, our concerns arise from the quantum (and location within the site) of development proposed, and the detailed nature of the policy requirements.
- 3.11 In addition, we note that the allocation Policy requires compliance with other policies of the draft Local Plan. One such example is the requirement in Part 1b(iv) for “An appropriate housing mix, in line with Policy DS2”. In our view such duplication is unnecessary and avoiding such an approach could reduce the length of a number of policies and increase the ease at which the Local Plan is understood.
- 3.12 We note that the former Bodkin Farm complex of buildings is located in the western part of the proposed allocation. This complex contains formerly Listed Buildings and is in a poor state of repair, having also sustained fire damage in 2017 and regularly being subject to antisocial behaviour. In our view the Local Plan and the allocation of the land at Bodkin Farm provides a positive opportunity to address the former farm complex.
- 3.13 The Policy refers to approximately 250 new dwellings across circa 7.16ha. Parker Strategic Land consider that based on the assumptions in Policy W8, it is more likely that the area shown in the Concept Masterplan could accommodate around 150 dwellings. Clearly the Council should ensure that the capacity of sites is recorded accurately.
- 3.14 In our submission, the material produced by Barton Willmore on landscape and gap considerations demonstrates that the Site is able to accommodate a greater level of development, across a wider area, than the draft Local Plan indicates. Parker Strategic Land encourage the LPA to maximise the capacity of proposed allocations in order to

ensure the housing requirement is achieved and, in this case, to maximise the opportunities to locate new homes in sustainable locations close to new infrastructure.

- 3.15 The Policy requires 10% of new homes to be provided as bungalows. We note that this is another example of policy duplication, but nevertheless refer to our representations on Policy DS2 below.
- 3.16 Part 1c of the Policy provides a very specific indication as to the quantum of open space to be provided as part of this development. We note that the level and type of open space provided is usually informed by a number of factors, including the levels of development proposed and so the policy should incorporate a greater degree of flexibility. Furthermore, given that the site is expected to provide land for a new secondary school, Parker Strategic Land consider that there may be opportunities for open space to provide a dual role within the site (this approach would then align with Part 2a of the Policy).
- 3.17 Part 2f of the Policy requires the design to “Ensure that no residential development is located within flood zones 2 and 3.” Whilst that approach is reasonable across the site in general, we note that the Bodkin Farm complex of buildings could be redeveloped now and lie within the western part of the site. The Policy should support the redevelopment of this area and the positive contribution it makes to the site as a whole.
- 3.18 Part 3b of the Policy requires the scheme to “Provide 20% biodiversity net gain, in line with Policy DS21.” Notwithstanding that this is a further duplication of policy, we refer to our representations on Policy DS21 below.
- 3.19 Part 5a of the Policy requires “The secondary school site must be transferred to KCC at ‘nil consideration’ and fulfil KCC’s General Transfer Terms, on commencement of development.” In our submission, whilst the Policy sets out a requirement for the school, it is unnecessary to set out the terms upon which the school site should be transferred to the County Council as the Local Plan policies should only be concerned with land use considerations. Parker Strategic Land will continue to liaise with the City Council and County Council regarding the deliverability of this proposal in general.
- 3.20 Part 5b of the Policy requires “The local shopping and community facilities must be delivered prior to occupation of 50% of the total dwellings.” In our view it is too early to establish such a requirement (if it is necessary in any event) as the nature of those shopping and community facilities is still to be considered. As a consequence, there is no suggestion that their provision is essential to the acceptability of the site and as such, the Policy requirement is unnecessary.

Policy DS1 – Affordable Housing

- 3.21 Our client has no specific objection to the level of affordable housing proposed as part of this policy. However, we do highlight that this requirement should take account of the local needs for such housing and the viability of developments in ensuring the allocations are deliverable having taken account of all other requirements in the Local Plan. In terms of tenure mix, our client has no objection to the level of mix proposed, however it is noted that should local needs change there should be flexibility to provide an alternative mix where local evidence suggests an alternative approach.

Policy DS2 – Housing Mix

- 3.22 We note that Part 2 of the Policy sets out a market housing mix, with Part 2a stating that *“Proposals for more than 50 dwellings must include a market housing mix that is closely aligned with the council’s market housing mix requirements, subject to a 5% buffer for each dwelling size”*.
- 3.23 In our view that approach is flawed for a number of reasons. Firstly, the Local Plan is intended to cover the period to 2045 and the mix of housing required during that period may well change. Secondly, even though different mixes are proposed for different parts of the Authority area, that is not to say that they should be pursued throughout those areas in every case. Thirdly, this approach fails to have regard to the role that the market has to play in considering the appropriate housing mix.
- 3.24 Similarly, we note that Part 3 of the Policy seeks to establish an affordable housing mix. As with the approach to the market housing mix, we note that affordable housing needs may change over time and by location and the Local Plan should provide greater flexibility in order to respond to these differing needs.
- 3.25 Part 5b of the Policy states *“Proposals for more than 100 homes will provide a minimum of 10% of homes as bungalows”*. In addition, Part 5c states that *“Proposals for 300 or more homes will provide a minimum of 10% of homes as older persons housing”*. In our view this approach is too restrictive. A more proactive and flexible approach would be achieved by supporting the delivery of housing for older people in general but without the level of detail currently contained in Policy DS2. For example, a scheme of more than 100 homes, but fewer than 300, could provide for extra care housing, age-restricted / sheltered housing or some other form of accommodation and in doing so would still meet the needs of older people. This approach is then likely to provide a greater variety of housing options for older people and could help to free properties for family housing in the younger age groups.

Policy DS6 – Sustainable Design

- 3.26 Parker Strategic Land support the delivery of low carbon and energy efficient housing in principle. The nature of any requirements will need to be tested alongside the overall Local Plan requirements through a viability appraisal to ensure the proposed allocations are deliverable. We reserve the right to comment on this matter further as more evidence is published.
- 3.27 We do have a number of concerns with some of the specific policy targets and the evidence that confirms the commercial and technical viability of these targets. PSL are pleased to share these concerns with the Council which we hope will be used to improve the soundness of the policies and reduce the risk of any delay as a result of modifications following the Examination in Public (EIP).

Achieving Net Zero Operational Carbon

3.28 Part 1a of draft policy DS6 states that:

“New development shall be designed to achieve a recognised calculated Net Zero operational carbon emissions standard such as those set by Passivhaus, Standard Assessment Procedure (SAP) and BREEAM. The performance must also be verified and reported to the council at the completion stage through the Energy Performance Certificate, Passive House Certification or BREEAM Certification;”

3.29 In its current form Part 1a of draft Policy DS6 is confusing and unclear which PSL believes risks delays and challenges when assessing the policy against development proposals. Furthermore, PSL have reviewed the evidence base document¹ and Viability Study supporting this Policy and have a number of concerns which we also present below:

- The use of various different sustainability metrics such as ‘Net Zero Operational Carbon’, ‘Passivhaus’, ‘Standard Assessment Procedure (SAP)’ and BREEAM are unhelpful and confusing because they are all very different sustainability standards of some of which do not implement net zero (BREEAM) or are a measurement tool (SAP) yet the policy text suggests that complying with any one standard is necessary to meet the net zero target. PSL recommend that this text is reviewed and amended to make it clear the difference between each of the standards referenced and the actual policy requirements. This is explained further in the paragraphs below.
- The use of Passivhaus as a policy target is also confusing. Passivhaus is the name of a specific building standard and certification process that achieves a highly efficient, airtight building (but not net zero) and requires very bespoke and sophisticated construction techniques which have only been used on a limited number of projects across the UK. PSL believe that it is not a standard that can be applied *en-masse* to all new private and affordable dwellings within Canterbury without significantly reducing the number of dwellings constructed and drastically increasing the delivery cost.
- Section 4 of the Climate Change Topic Paper appears to present the technical justification for the standards chosen in draft Policy DS6 however whilst there is justification for the use of higher sustainability standards than those proposed in the Building Regulations, there is no further information, explanation or justification for the use of the standards quoted in draft Policy DS6.
- Furthermore, the term Net Zero Operation is in itself unclear because there is no confirmation that this will include both regulated and unregulated energy or only the former.

¹ Draft Canterbury District Local Plan to 2045

- The viability assessment² supporting the plan presents the financial impact of meeting the net zero requirement however PSL note that two iterations of Net Zero carbon have been costed (table 8.9) which includes for regulated and total energy (regulated and unregulated). As stated above it is unclear from the draft Policy text which version is being applied to residential development.
- PSL note from Table 8.9 that the costs of meeting the different net zero standards are substantial and vary between £6,800 and £10,600 for a semi-detached dwelling based on addressing regulated and total (regulated and unregulated) energy respectively. Confirmation of which definition of net zero is required by residential development and by Policy DS6 is therefore critical to confirming the viability of the plan.
- Paragraph 8.65 of the viability assessment introduces another form of Net Zero which is that adopted by the Greater London Authority (GLA) in the London Plan. This definition addresses regulated energy and requires an on-site carbon reduction of 35% with all remaining emissions offset via a carbon offsetting fund. The viability study states that this is the Council's preferred option for *non-domestic* development. PSL note that this definition is also not specifically described in the draft policy text.

3.30 Part 1c of draft Policy DS6 states that:

“For development that does not achieve net zero operational emissions, payment will be made via a S106 agreement to the Canterbury District Carbon Reduction Fund. The overall contribution will be calculated over 30 years (the assumed lifetime of the development’s services). The carbon price will be reviewed and published regularly”

3.31 However, Parker Strategic Land does have concern that by requiring contributions to the Canterbury District Carbon Reduction Fund, the Policy effectively elevates the status of that document to policy itself, without it being subject to examination. Should this requirement be imposed then the Council should ensure that any costs associated with it are fully taken into account in assessing viability. We note that the proposed carbon offset cost has not been presented thereby preventing the completion of a full viability assessment of the policy impact in accordance with the Planning Practice Guidance (PPG)³.

3.32 However, Parker Strategic Land’s position is that the requirement to the Fund is unlikely to demonstrate compliance with the tests of Regulation 122 of the CIL Regulations.

3.33 In summary, we consider that draft Policy DS6 as currently drafted is unsound given its ambiguity and lack of clarity.

² Canterbury City Council. Local Plan Viability Study. May 2022. Paragraphs 8.57 -8.69

³ Paragraph: 001 Reference ID: 10-001-20190509

Density

- 3.34 We support the Council acknowledging that it is not necessarily the case that one density will be appropriate across the entire district, and new developments will need to respect the character, landscape and historic nature of the area.
- 3.35 Whilst we support that it is important to incorporate good design, we suggest that setting specific densities for areas may limit the delivery of developments that would otherwise be viable in these locations. It is clear that individual site circumstances can significantly influence the appropriateness of densities and it is not anticipated that any assessment at the Local Plan level would be fine-grained enough to take account of such circumstances. We support the flexibility provided with the comment that “Higher densities may be permitted where evidence shows this is appropriate in relation to the specific site context”.

Policy DS19 – Habitats, Landscapes and Sites of Local Importance.

- 3.36 Our client does not have a specific comment on the Green Gap policy it is acknowledged that the proposed Green Gap boundary has been amended to remove the site from the Green Gap. Further comment on this is provided in Section 4 below.

Policy DS21 – Supporting Biodiversity Recovery

- 3.37 We recognise the importance of biodiversity and green and blue infrastructure and support the aspiration to protect and enhance these assets. At this stage the evidence has not been published to allow us to comment fully on whether the Council’s proposed approach to requiring a 20% biodiversity net gain is justified and deliverable when considering the overall Local Plan requirements. It is noted that paragraph 5.5.76 of the 2022 Sustainability Appraisal highlights that “There is some uncertainty about the effects on viability, especially in the short term” for a 20% biodiversity net gain requirement.
- 3.38 We note that this requirement is twice the level required (10%) by the Environment Act when those provisions come into effect later this year. Whilst we note that Parker Strategic Land will seek opportunities to deliver BNG, this must also be considered in the context of the need to support the delivery of new homes and infrastructure, in this case new educational facilities. The provision of a new secondary school, including associated open space / sports pitches removes a large portion of this site which might otherwise be available for alternative purposes, including BNG measures.

Policy DS22 – Landscape Character

- 3.39 Our client does not have a specific comment on this policy; however we do note that the LVA submitted with the Canterbury District Local Plan Preferred Options Consultation, and the LVA submitted with these representations to the Canterbury District Local Plan to 2045 Consultation, demonstrate that the site is capable of development in landscape terms.
- 3.40 The proposals for the site would be informed by, and would be sympathetic to, the landscape character of the locality. The proposals would consider the sensitivity of the Chestfield Gap Landscape Character Area (LCA) to accommodate change, such that potential residential development, set within an appropriate landscape and green infrastructure framework, would be successfully assimilated into the immediate and wider landscape, taking account of the key characteristic of the Chestfield Gap LCA.

3.41 Proposals for the site would therefore accommodate consideration of the existing features and patterns that contribute to the landscape character and local distinctiveness of the area, such that they would be informed by local character. Proposals would promote a scale of development, design and materials and landscaping measures which would be appropriate to, and would lead to, an enhancement of the character of the landscape and its relative value and sensitivities, such that they would reinforce, retain, restore, conserve or improve landscape character; would promote the maintenance, enhancement, and restoration of biodiversity; and would have no adverse impact on long distance views. Therefore, potential development, and an associated landscape strategy on the site, including with residential development located east of the central hedgerow as illustrated in the Vision Document (**Appendix A**), could positively contribute to the objectives of Policy DS22 – Landscape Character, in accordance with the draft Canterbury District Local Plan to 2045.

Policy DM4 – Reducing waste and supporting the circular economy

3.42 PSL support Policy DM4 with the objectives to reduce waste and support the growth of the circular economy within Canterbury. We agree that the submission of a Circular Economy statement with a planning application would be a suitable means to demonstrate how these issues will be addressed within new development. PSL do have concerns however with this policy based on experience of similar policies elsewhere in the UK (such as London). One of the biggest challenges of this policy is the lack of detailed design information at outline planning stage which prevents even a reasonable assessment of the policy objectives. PSL believe that to make this draft policy sound, text should be inserted to recognise the limitations of an outline planning application which can be resolved during detailed design and communicated as part of Reserved Matters applications. PSL request that the following amendments to Part 2 of Policy DM4:

- The level of information provided in the CEMP should be proportionate to the scale and nature (*e.g. outline or detailed*) of the proposed development but should, as a minimum, include an outline of the approach to site waste management and how construction waste will be addressed following the waste hierarchy. *For outline applications in particular, a high level summary of the proposals can be provided with a more detailed strategy provided with Reserved Matters applications.*

Policy DM11 – Residential Design and Policy DM12 – Non-residential design

3.43 Parker Strategic Land supports the delivery of high quality design for new developments that respond positively to the local character and context which is consistent with national policy. It will be important to ensure that any additional processes required for the delivery of key strategic development sites which would add to the timescales for such sites being brought forward are reflected in the Council's housing trajectory to ensure delivery of supply across the Plan period and maintenance of a five year housing land supply.

4. Review of the Evidence Base

Natural Environment and Open Space Topic Paper (2022)

- 4.1 A Natural Environment and Open Space Topic Paper (2022) was published as part of the Draft Plan evidence base and comments on the Council's approach to Green Gaps for the Draft Local Plan. Paragraph 3.11 to 3.12 identifies that new secondary schools, ideally in a coastal location, would be needed due to demands. Due to the limited sites of sufficient size, this site was allocated for a new secondary school with supporting residential development.
- 4.2 While this provides the justification for the release of the site from the Green Gap, and our client is supportive of this, we disagree that the only justification for this is due to a lack of availability of other sites. As shown in Section 3 above, there is already significant justification for removal of the site from the Green Gap other than the need to provide a secondary school in the area. The conclusions of Barton Willmore, now Stantec in relation to landscape and 'gap' matters find that the gap remaining would include the most open part of the Green Gap; and a landscape buffer can be provided on site, as required by the Natural Environment and Open Space Topic Paper (2022), to soften the transition from the development, be that not only of a 6FE secondary school and 6th form provision but also residential development as illustrated in the Vision Document (**Appendix A**), to the Green Gap. A substantial review of the Green Gap should be provided. This is consistent with our client's representations to the Canterbury District Local Plan Preferred Options Consultation.

Green Gaps and Local Green Spaces Review (2021)

- 4.3 The Green Gaps and Local Green Spaces Review (2021) is included within the Council's evidence base and was previously included in the evidence base for the previous Canterbury District Local Plan Preferred Options Consultation. During that consultation, our client commented that, as noted above, a substantial review was required of the Green Gap boundaries contained in the adopted Local Plan. This document has not been updated since the previous consultation and therefore our client's previous comments still apply.
- 4.4 Appendix A of the Green Gaps and Local Green Space Review (2011) sets out a description of the Green Gap between Herne Bay and Whitstable, within which the site is located, noting that the Green Gap is: "263.8ha formed of various land uses: Open fields, green spaces, playing fields, playground and ball court; Multiple roads including Thanet Way and Whitstable Road; Railway line; Wastewater Treatment Works; Waste and recycling facilities; Caravan / Holiday Park - Coast and ponds; Commercial / market space; Dispersed dwellings; and Solar panels".
- 4.5 Whilst the Green Gaps and Local Green Spaces Review provides a commentary on the "Intersection of LCA (Landscape Character Areas) and planning policies, recommendations", "Changes to boundary or built environment", and "Other Evidence / Documents", as was noted in the consultation, our client, commented that the review did not provide any justification for the specific boundary alignment or extent of the

Herne Bay to Whitstable Green Gap, nor, considering the variety of land uses and development within the Green Gap, how the Green Gap functions or is perceived; with our client concluding that whilst the Green Gaps and Local Open Spaces Review recommended that the Green Gap between the urban areas of Herne Bay and Whitstable was retained as existing, there was no further evidence to substantiate this finding.

- 4.6 Subsequently, Policy W8 of the draft Canterbury District Local Plan to 2045 supports development on the site, with the removal of the site from the Herne Bay and Whitstable Green Gap. This reflects the finding of the Landscape and Visual Note, prepared by Barton Willmore in August 2021 in support of representations to the Issues and Options consultation of the draft Canterbury Local Plan, which specifically provided a landscape and visual appraisal of the site with regard to the suitability of the site to accommodate a mix of development, and the potential effect on the function of the remaining Green Gap. Our client is supportive of Policy W8; however, again our client, based on the further findings of the Landscape and Visual Appraisal Note prepared by Barton Willmore now Stantec in support of the representations to the draft Canterbury District Local Plan to 2045, considers that the eastern part of the site could not only accommodate a 6FE secondary school with 6th form provision, but also additional residential development, set between existing development north of Thanet Way and at Maydowns Road to the south, set within a strengthened eastern boundary with further screening provided by Purchas Wood, which being Ancient Woodland is protected, with no greater harm to the remaining Green Gap.

Strategic Land Availability Assessment

- 4.7 The Strategic Land Availability Assessment provides an assessment of the site under reference SLAA247. This found that the site was not technically suitable for development due to concerns regarding capacity on the local highway network and landscape impact.
- 4.8 Despite the site being brought forward for development in the Draft Local Plan, our client disagrees with the above conclusion and considers that the site has considerable potential to deliver a well-designed sustainable development that would be acceptable in terms of landscape impact and highways safety. As highlighted in Section 3 and the Natural Environment and Open Space Topic Paper heading above, our client's assessment of landscape impacts indicates that the site is suitable in terms of landscape impact.
- 4.9 Furthermore as set out in Section 3 of these representations, our client's Transport Appraisal highlights that the site is located in a highly sustainable location close to public transport and local services, has an acceptable level of trip generation (with existing models not taking into account said sustainable location of the site) and identifies mitigation options where required. It is also noted that the Council's Draft Infrastructure Delivery Plan references that "new slip roads will also improve congestion at the Thanet Way/ Chestfield Road roundabouts, which helps unlock land at Bodkin Farm for the delivery of a new secondary school for the district"

Draft Infrastructure Delivery Plan (October 2022)

- 4.10 The Draft Infrastructure Delivery Plan highlights that the new Local Plan proposes the delivery of new secondary schools in Whitstable and Herne Bay and acknowledges that there has been a historical imbalance in the location of secondary school provision, with pupils in coastal areas requiring travel to Canterbury City as a result. The site is included in Schedule B which provides summary information on the proposed education sites in the Local Plan. This highlights that Kent County Council will be the lead delivery partner and that funding would be provided by CIL and S106 contributions.
- 4.11 Parker Strategic Land do not have a specific comment on the detail contained in the Draft Infrastructure Delivery Plan, they welcome the opportunity to discuss the detail of the delivery and funding mechanisms of the school as these will be key to the delivery of the site.

5. Summary

- 5.1 These representations have been prepared by Turley on behalf of Parker Strategic Land in support of residential development at Land at Bodkin Farm, Whitstable.
- 5.2 As set out in this report, our client is supportive of the proposed allocation of the Site for mixed-use development under Policy W8 of the Draft Local Plan. The Site is not subject to any constraints that would prevent development from being delivered and any site wide considerations can be overcome in order to deliver a viable mixed-use development on the Site.
- 5.3 We trust that the information provided within these representations will be considered by the Council. We would welcome the opportunity to meet with officers to discuss the Site further and would be grateful if you could confirm a suitable time and place to meet at your convenience.
- 5.4 In the meantime, please do not hesitate to contact us to discuss the Site or this submission further.

Appendix 1: Vision Document

Appendix 2: Transport Appraisal

Appendix 3: Landscape and Visual Appraisal Note

Appendix 4: Flood Risk & Drainage Technical Note

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