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Canterbury City Council
Council Offices,
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16th January 2023

SI – 20/145
BY EMAIL

Dear Sir/Madam,

**REPRESENTATION TO THE CANTERBURY DISTRICT LOCAL PLAN REGULATION 18
CONSULTATION IN RESPECT OF LAND NORTH OF HOLLOW LANE, CANTERBURY (DRAFT
ALLOCATION POLICY C7)**

Iceni Projects, on behalf of Pentland Properties, welcomes the opportunity to submit representations to the Canterbury District Local Plan (Regulation 18 Consultation). Pentland Properties are working to deliver a sustainable residential-led community at land north of Hollow Lane. The delivery of this site would complement and enhance both the adjoining Thanington Park development area to the north which is currently being built out, as well as the wider South West Canterbury Strategic Development Area (SDA) identified in the Reg 18 Local Plan.

Pentland Properties supports the inclusion of land north of Hollow Lane as an integral part of the South West Canterbury SDA to deliver a mixed-use development, including approximately 735 residential dwellings, older persons accommodation, community space, business floorspace, primary school and open space. There are key advantages of allocating this site which will generate a number of social, economic and environmental benefits through a well-planned comprehensive approach.

Pentland Properties are keen to continue engagement with planning officers to ensure that a new community can be delivered in line with Canterbury's aspirational vision for the District up to 2045. However, there are key issues with the requirements of the allocation which need to be given greater consideration through the Plan process. For example, the deliverability and viability of key elements of the SDA such as affordable housing provision, biodiversity net gain and tree cover requirements need to be worked through to ensure the Plan allocation is deliverable. These discussions should also consider the wider development already being delivered at Thanington Park, particularly in relation to elements such as commercial and education floorspace, and whether a flexible approach can allow for alternative ways of delivering these different needs as part of the wider landholding.

In addition to this letter, the following is submitted in support of the draft allocation:

- Land Use Budget Plan, prepared by Milton Studios.

The information submitted as part of these representations should be read in conjunction with the Call for Sites submission but also provides further information to support the site in the context it has progressed to a draft allocation.

a. Policy C5 (South West Canterbury)

Draft Policy C5 sets out the area of South West Canterbury as identified to deliver new sustainable communities, key infrastructure and environmental improvements. As well as provision of new dwellings, business floorspace, local centres, sports facilities and hospital and healthcare facilities, the area is proposed to generate the critical mass required to deliver key infrastructure including a new A2 junction and link road which would service and intersect land north of Hollow Lane. The South West Canterbury SDA forms one of the key components of the spatial strategy for the District up to 2045 (under Policy SS3) and is strongly supported by Pentland Properties. The allocation will ensure that a comprehensive approach to development can be delivered that supports the necessary infrastructure, services and facilities to meet both existing and new residents' needs. This is in accordance with paragraph 8 of the National Planning Policy Framework (NPPF), which strives to deliver sustainable development through the overarching economic, social and environmental objectives. It also aligns with paragraph 11(a) in relation to the presumption in favour of sustainable development which is at the heart of national policy, to ensure that Local Plans *"promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change ... and adapt to its effects"*.

It is considered that the specific requirements outlined under draft Policy C5 are largely in line with what can be delivered across the sites. However, Pentland Properties is keen to ensure that the deliverability of a number of the key elements of the allocation are properly tested and therefore work is ongoing with BNP Paribas in relation to the site and the draft Whole Plan Viability Study within the evidence base with a view to ensuring the allocation progresses through the Local Plan development in a viable and deliverable form. As part of this submission, further information is also provided in the form of a land use budget plan to inform the concept masterplan and development areas for the allocation of the site. It is also considered key that, as part of the next stage of work to develop the Local Plan, engagement with officers will need to establish the parameters for the site to ensure the delivery of the key strategic objectives and vision set out within the Reg 18 draft Local Plan.

b. Policy C7 (Land north of Hollow Lane)

Draft Policy C7 details the criteria for which development of Land north of Hollow Lane will be granted planning permission. This includes details of the development mix (including housing mix and approximate site areas of non-residential uses and open space), design and layout, landscape and green infrastructure, access and transportation and phasing and delivery. This is supported by a concept masterplan of how this could be delivered on the site.

Development Mix, Infrastructure and Phasing

As set out above, Pentland Properties supports the inclusion of land north of Hollow Lane for mixed use development as part of Canterbury's growth ambitions up to 2045. The development will generate a number of significant economic, social and environmental benefits to help the District realise its strategic objectives. As part of the further work undertaken since the Call for Sites submission, a Land Use Budget Plan has been prepared by Milton Studios. This has been informed by both the draft allocation and technical work undertaken to date to profile the type of scheme that can be delivered in substantial accordance with the criteria outlined under draft Policy C7.

This work has determined that an evolved and expanded residential area should be included compared to the concept masterplan in the draft Plan. Essentially, this extends the development parcels further to the northern boundary of the allocation to co-join Site C7 to the Thanington Park scheme, though Pentland Properties is not seeking an increase in the number of homes assigned to the site through this representation. Assuming the development quantum remains as drafted, this change would ensure that the housing mix, including market and affordable homes, as set out at Policy DS2, could be accommodated on site at an appropriate density. As a result, the key identified criteria set out in Policy C7 could be met whilst still retaining the key principles of the concept masterplan. The land use budget is considered to result in an enhanced layout that will improve the deliverability of the site. Accordingly, Pentland Properties respectfully advocates that the concept masterplan and associated policy criteria be amended to reflect this position.

In order to deliver the site, there are a number of key infrastructure requirements identified which will have space, cost and phasing implications attached to them. Additionally, a high residential density is proposed. Pentland Properties does not object to this, but given the intensity of use, it is important that work continues with the Council to test whether the requirements can be delivered and if so, how best to accommodate them given the highly prescriptive nature of the development allocation. This also includes the commercial and school elements of the allocation. The work being undertaken by BNP Paribas on viability to ensure the criteria under Policy C7 are shaped into a deliverable form ahead of the Regulation 19 consultation should assist this.

The draft Infrastructure Delivery Plan (October 2022) identifies a number of key pieces of infrastructure to be delivered as part of land north of Hollow Lane including a key section of the new South-West Canterbury link. Given the high level nature of the draft Infrastructure Delivery Plan at this Reg 18 stage, Pentland Properties is keen to play a full participatory role in the evolution of the Local Plan and the evidence base which underpins it.

The strategic nature of the scheme means the development will be delivered over a lengthy timeframe, during which societal needs may change. Therefore, a flexible approach should be incorporated to allow for changing demands and market conditions over this period. It is therefore considered necessary that suitable caveats are included within Policy C7 to recognise this, as detailed in Appendix 1 of these representations. This would be consistent with paragraph 82 of the NPPF, which requires planning policies to be flexible enough to accommodate needs not anticipated in the Plan and enable rapid responses to changes in economic circumstances. Section (5) of Policy C7 relating to phasing and delivery prescribes detailed triggers for the delivery of key elements of the scheme. It is considered that further discussion and engagement is needed on this to determine if these triggers are appropriate and the evidence used to determine many of these. It is presently unclear if these finance and occupation triggers are viable. In particular, in relation to the requirement under Section 5(a) for a Wastewater Treatment Works (WwTW) to be delivered prior to first occupation, achieving nutrient neutrality has not been included as a cost within the Whole Plan Viability Study and therefore flexibility will be needed on how this is achieved to satisfy an Appropriate Assessment under the Habitat Regulations.

Similarly, whilst the overall mix and balance of the different uses is supported, the precise nature of the infrastructure, the housing mix and the commercial centres may need to change in order to respond to market demand and societal need during the course of the plan period. There are a large number of unknowns such as the level of financial contributions for various services and infrastructure, the costs of the new road infrastructure and the fluctuating cost of building materials. There may well be times within the plan period where the build costs and development values may be such that the viability of the development is threatened, with ongoing work being carried out with BNP Paribas to help shape the site allocation policy as the Local Plan development progresses. Flexibility to adapt the scheme to best reflect market need and demand could provide the flexibility to design the development differently so that delivery of infrastructure is not compromised. In addition, the form of development to meet community, commercial and educational needs and how this could most effectively dovetail with existing and emerging space in the immediate vicinity requires a long term and flexible outlook. For these reasons, Pentland Properties would request that the allocation be provided greater flexibility so that the size of community hub is not specified in land area. In this regard, given a number of new community hubs will be constructed in the South West Canterbury SDA, there should be scope for considering how the hubs will inter-relate, with scope for different hubs to be anchored around different social functions and services, rather than duplicating the composition of each hub area.

Biodiversity Net Gain and Tree Cover

Pentland Properties are committed to achieving biodiversity enhancements and tree cover at Merton Park and recognise it as a key part of maximising environmental objectives and establishing and protecting habitats. They are therefore keen to explore how the 20% Biodiversity Net Gain (BNG) and 20% tree cover can both be achieved on the site that also allows for a high-quality layout and form of development to also be delivered. Significantly, woodland scores very poorly in the BNG metric, and as such these individual requirements may run contrary to one another and result in the unintended effect of reducing developable land to meet needs and impact the viability of delivering development on the site.

Aspect have reviewed a high level Biodiversity Net Gain calculation for the site based on the existing baseline and the proposed development. This confirms that delivering such a high net gain in biodiversity on-site will be hugely challenging and has the potential to require extensive off-site enhancement that at present is under third party ownership and therefore creates challenges for deliverability. Pentland Properties are therefore keen to engage with officers to further discuss this and how it can most effectively be delivered. This should consider whether a qualitative approach to biodiversity gains to maximise opportunities for a range of species should dovetail with the quantitative measure of the biodiversity metric for the site and whether setting site specific parameters for both within the policy criteria could achieve the best outcome for nature and wildlife.

Similarly to this, Pentland Properties is concerned by the requirement for a minimum 20% tree cover to be provided on the site under criteria set out in Policy SS1. In particular, it would be helpful to understand how this can be achieved and if there are alternative ways that the benefits sought can be realised. There may be other ecological enhancements which could achieve similar or improved benefits without the same land take and therefore worthwhile considering.

c. Next Steps

There is a significant amount of work that needs to be undertaken through the Plan process ahead of the Regulation 19 stage to ensure that a prescriptive policy allocation for land north of Hollow Lane is deliverable and ensures that an application in accordance with the criteria can be approved.

Viability is an important part of the evidence base at this point particularly given the commitment to identify and maximise the societal benefits the development can potentially deliver and as highlighted BNP Paribas are already undertaking work to assess the viability position of the Plan to support this. There is a significant range of social and environmental infrastructure proposed as part of the allocation and therefore it is key that these are given full consideration and viability tested to ensure that the policy is deliverable. Pentland Properties is committed to delivering a transformational development that complements the existing Thanington Park development and wider South West Canterbury SDA and creates a place that people want to live in, work in and visit. This could necessitate amendments to some elements of policy criteria to ensure that viability indicates that the development can be delivered.

The below elements should be considered and reviewed in acknowledgement of the fixed area of the site allocation:

- **Social infrastructure:** including (but not limited to) the new link road, school provision, community hub and business floorspace.
- **Environmental infrastructure:** including a wide range of open space to benefit the new residents and nearby existing population.
- **Other Local Plan policy requirements:** including 20% biodiversity net gain, 20% tree cover, net zero operational carbon emissions and the fixed housing mix including 30% affordable housing.
- **Other application requirements:** CIL and other S106 obligations.

This is also detailed in Appendix 1 of these representations.

d. Summary and Conclusions

Pentland Properties enthusiastically supports the inclusion of land north of Hollow Lane as an allocation for mixed use development and as part of the South West Canterbury strategic development area within Canterbury's emerging Local Plan to 2045. It is considered this is a bold visionary Plan which facilitates the provision of a number of key pieces of infrastructure that the district desperately needs that can be facilitated through the development benefits of new housing.

Pentland Properties are keen to engage with the Council on these proposals due to some outstanding concerns in relation to how the requirements can effectively be accommodated on the site, particularly having consideration for viability and phasing, as well as the physical limits of the site to achieve high, yet purely quantitative ecological targets. The strategic nature of the site means that it is necessary that testing and refinement of a careful balance of uses, infrastructure needs, ecological enhancements and phasing requirements will need to be achieved through the Local Plan process.

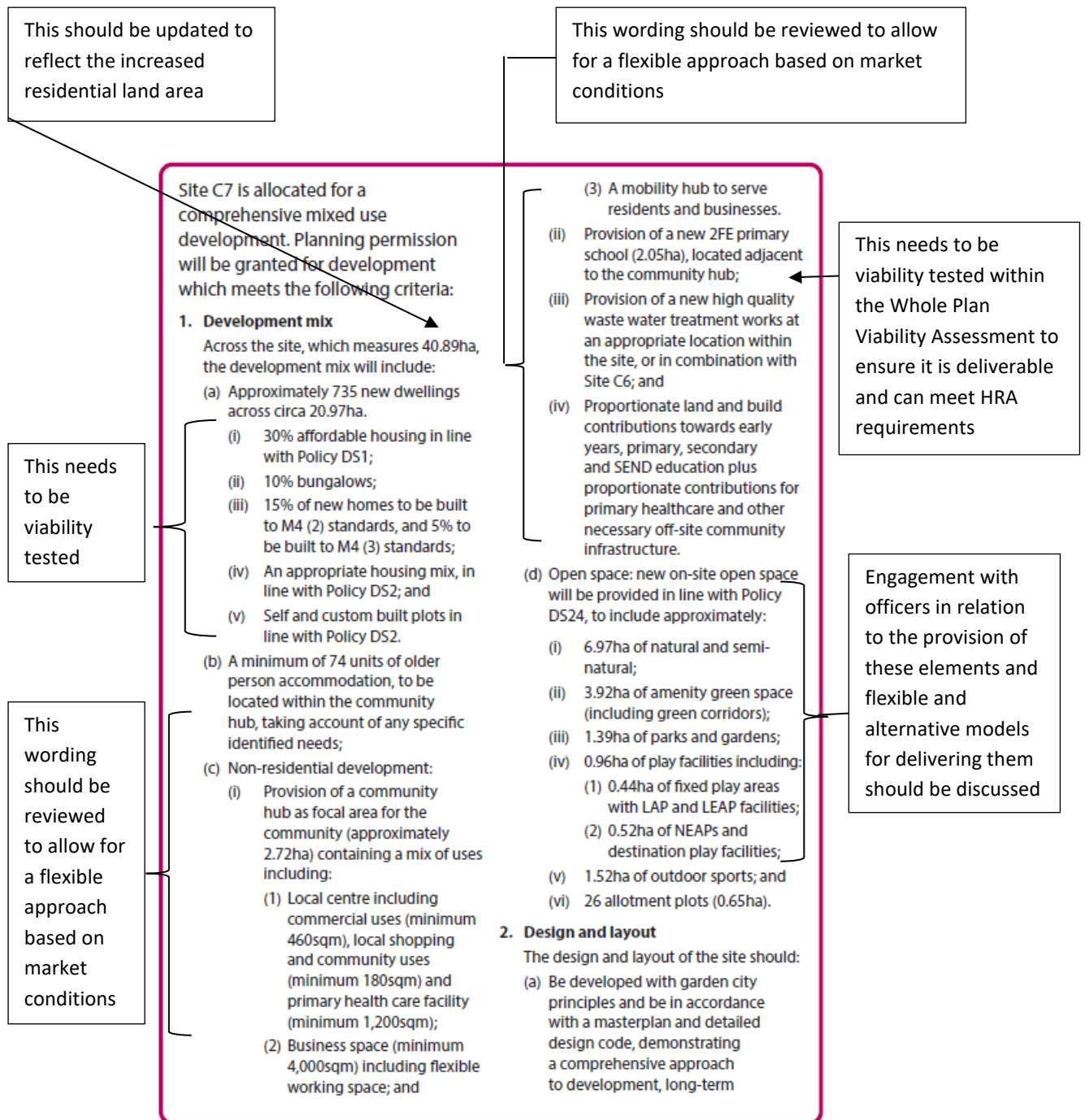
Should the Council wish to discuss any or all of the issues raised in these representations, please do not hesitate to contact me.

Yours sincerely,



Sophie Innes
Associate

APPENDIX 1 – CONSIDERATIONS OF DRAFT POLICY C7



management and stewardship. Masterplans should coordinate with proposals for neighbouring sites where appropriate, including Site C6 and Site 11 (Policy SP3), in the Canterbury District Local Plan (2017);

- (b) Together with the remainder of Site 11 (Policy SP3), in the Canterbury District Local Plan (2017), create a complete, compact and well-connected neighbourhood, where everyday needs 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 around 35 dph outside of the community hub. Areas of lower density and scale should be situated to the west, south and east, where a visually sensitive edge to built development should be provided. Higher density development will be encouraged within and around the community hub;
- (d) Create a new mixed use community hub as an easily accessible focal point of the development in the format of a high street or village/ town square containing flexible outdoor space to use for community events, with pedestrians and cycles prioritised. A "changing places" facility and accessible kitchen should be provided within the community facilities;
- (e) Assess Areas of Archaeological Potential and mitigate any adverse impacts on heritage assets including the setting of the World Heritage Site; and

- (f) Mitigate any adverse noise impacts from the adjacent A2.

3. Landscape and green Infrastructure

The green and blue infrastructure strategy for the site should:

- (a) Provide a comprehensive, coordinated and multi-scale sustainable urban drainage network which makes 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) Incorporate opportunities identified within the Local Character Area H4: Nackington Farmlands set out in Canterbury Landscape Character and Biodiversity Appraisal;
- (d) Retain, enhance and incorporate existing features within the site such as field patterns, hedgerows, trees and shelterbelts into the development, where possible;
- (e) Provide a sensitive and visually integrated edge with the surrounding rural area, with open space, hedgerow and tree planting to soften edges and provide a transition to the wider landscape;
- (f) Protect and enhance the ancient woodland and priority habitats, and include measures to strengthen connectivity to Larkey Valley Wood, an SSSI and local nature reserve containing ancient woodland;
- (g) Provide some amount of natural and semi-natural open space to the western part of the site to provide a landscape buffer to the ancient woodland at Larkey Valley Wood;
- (h) Provide habitat, pollinator and ecological connectivity across the site and with the surrounding

This requires viability testing and a flexible approach in light of other site requirements

landscape, including with Ancient Woodland and Priority Habitats;

- (i) Preserve and enhance views towards the City and World Heritage Site with provision of viewing corridors from open space and PRoWs crossing the site; and
- (j) 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 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) New and improved cycle connections to A28 Wincheap and Great Stour Way via Hollow Lane, Birch Road and Victoria Road;
 - (ii) New and improved cycle connections to city centre, the wider Cockering Farm development and Site C6;
 - (iii) New and improved walking and cycling connections to school locations, both within the site and surrounding communities;
 - (iv) New and improved walking and cycling connections to the wider countryside to the south and east including to Larkey Valley Woods; and
 - (v) Improvements to the PRoW network crossing and around the site as required.
- (b) Provide improvements to Canterbury East station to include facilities for cycle parking and passenger flows;

- (c) Provide good public transport facilities through the site with a new bus route connecting residential areas and the community hub to adjacent local areas and the city centre;
- (d) Provide primary vehicle access to the site through the provision of a South West Canterbury Link Road connecting Site 11 (Policy SP3), in the Canterbury District Local Plan (2017), and Site C6;
- (e) 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;
- (f) Provide improvements to New House Lane, including footways and crossings as appropriate; and
- (g) Provide a proportionate contribution to the A2 junction improvements contained within Site C6.

5. Phasing and delivery

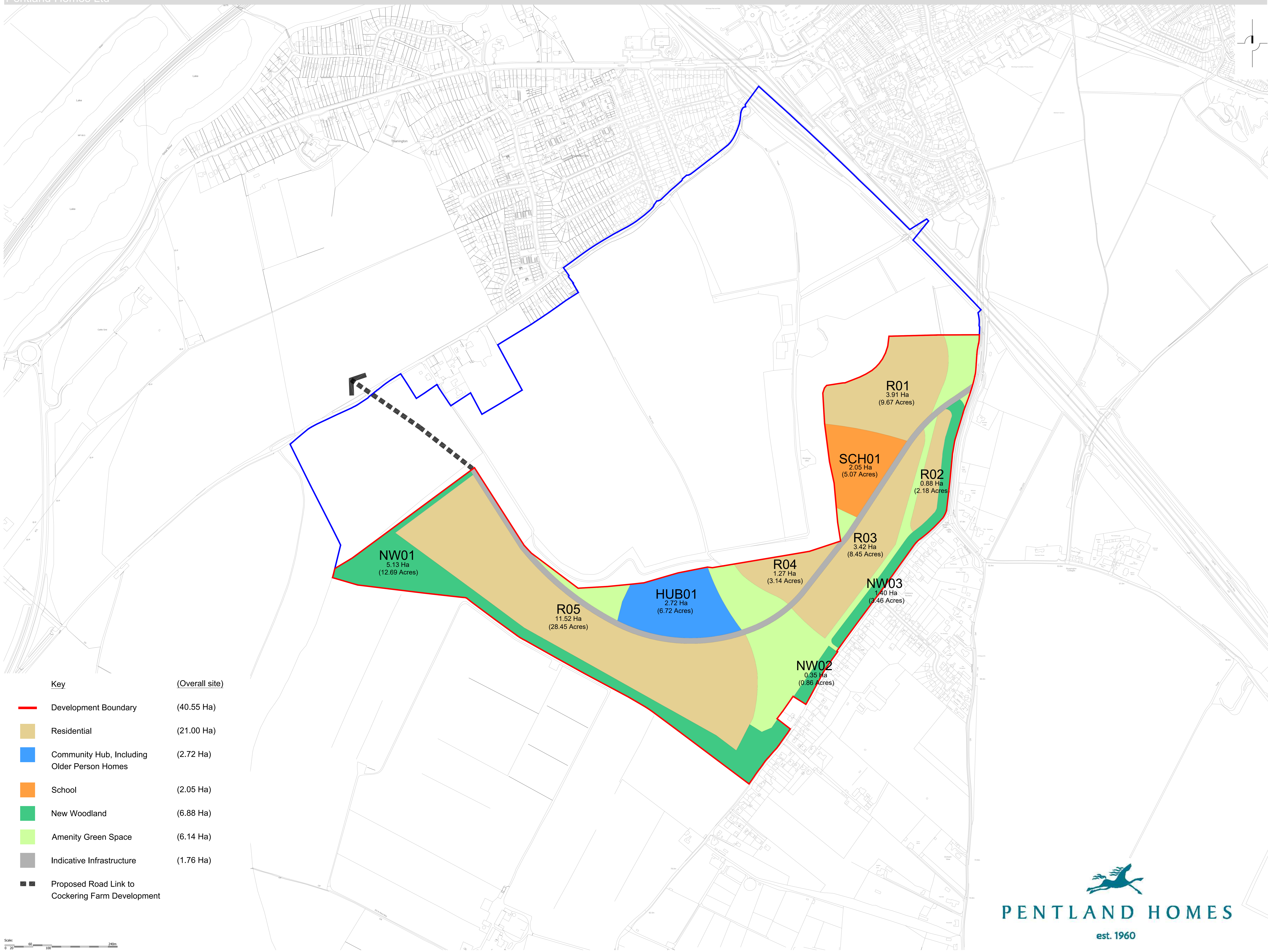
- (a) Waste water treatment works should be delivered prior to occupation of any dwellings on the site.
- (b) Connectivity to Site C6 and new access to the A2 contained within Site C6 should be delivered prior to the occupation of any dwellings on the site.
- (c) The local centre, including commercial and community space, must be delivered prior to occupation of 25% of the total dwellings.
- (d) The business space should be provided as fully serviced land prior to the occupation of 50% of the total dwellings together with a robust delivery strategy.
- (e) The primary school site must be transferred to KCC at 'nil consideration' and fulfil KCC's General Transfer Terms, prior to the occupation of 100 dwellings.

Considerations are required to ensure land is controlled and policy does not create a ransom situation and barrier to delivery

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A flexible approach to these phasing timescales should be included in light of unknown elements and longer timescales of delivery of the site

APPENDIX 2 – LAND USE BUDGET PLAN



Key	(Overall site)
Development Boundary	(40.55 Ha)
Residential	(21.00 Ha)
Community Hub, Including Older Person Homes	(2.72 Ha)
School	(2.05 Ha)
New Woodland	(6.88 Ha)
Amenity Green Space	(6.14 Ha)
Indicative Infrastructure	(1.76 Ha)
Proposed Road Link to Cockerling Farm Development	

Scale: 0 20 40 60 80 100 120 140 160 180 200 220 240m

