

Planning Policy
Canterbury City Council

BY EMAIL ONLY

12 May 2026

Dear Sir/Madam

**LAND OFF TRENLEY DRIVE CANTERBURY, CT3 4AW. LPA REF: SLAA381
CANTERBURY CITY COUNCIL REGULATION 19 DRAFT LOCAL PLAN**

This letter is submitted on behalf of the landowners (Debbie Clark and Tom Clark), of land adjacent to Trenley Drive, Canterbury CT3 4AW, in response to the Regulation 19 draft Local Plan (March 2026). The site has been previously promoted to the Council and the merits of the site outlined (Lander Planning letter dated 19/09/25). The Council has attributed the site reference **SLAA381**.

A separate submission by Quinn Estates to the Council includes my client's site, as well as land to the south of it. An access plan was submitted to the Council by Quinn Estates showing visibility splays onto Stodmarsh Road. The Council has attributed that site reference **SLAA071**.

Within its SLAA (2026), the Council has assessed that my client's site, **SLAA381** is unsuitable for the following reasons:

'Site is unsuitable for the use proposed as suitable access to the site has not been demonstrated to be achievable; site would form backland development; and the site is located in an area with limited access to day to day services and public transport therefore future occupiers would be dependent upon private car to access day to day services.'

The Council has assessed site **SLAA071** as being unsuitable for similar reasons. In relation to the access plan submitted with SLAA071, the SLAA (2026) responds as follows:

'The access diagram was reviewed by KCC Highways. KCC confirmed the access onto Stodmarsh Road is of limited width and cannot accommodate the number of dwellings proposed, there is no access to any footways in the local area and no safe access to the existing bus stops on Littlebourne Road and Stodmarsh Road is also not able to accommodate the proposed development being of limited width to allow two way vehicle movements.'

The reasons for the determination of the Council in its' SLAA are reviewed and commented on below, in light of the Council's Regulation 19 Local Plan, which includes a Strategic Development Area to the east of Canterbury, but excludes the site **SLAA381**. It is submitted that the exclusion of the site **SLAA381**, in the context of the Strategic Development Area within close walking distance of the site, along footpaths, along with an erroneous assessment of site **SLAA381**, makes the Local Plan unsound and not effective.

Detailed Commentary in relation to Council's assessment of SLAA381

'Suitable access to the site has not been demonstrated to be achievable'

The access plan submitted by Quinn Estates with SLAA071 shows that necessary visibility splays can be provided at the access onto Stodmarsh Road (2.0 x33m based on the Kent Design Guide, and 2.4 x43m based on the Manual for Streets). Safe visibility splays at this access can therefore be provided, in accordance with the required standards.

A legal right of way exists from site SLAA381 along Trenley Drive to Stodmarsh Road.

A **Transport Technical Note by Leslie Brown** accompanies this submission which confirms that the Trenley Drive is a private street (public highway) that varies in width from approximately 6m from the junction with Stodmarsh Road and narrows down past the access to the site. The Technical Note concludes that:

- The sight lines from Trenley Drive onto Stodmarsh Road accord with standards;
- Trenley Drive is a well-maintained access road, which accords with Manual for Streets carriageway widths for 2-way flows;
- Emergency access is available;
- The development provides spacious turning facilities within the site;
- Traffic generation from a development of 9 houses would be di-minimis;
- Given the existing buildings, the site is not greenfield site in transportation terms;
- There have been no crashes reported over the past 5 years;
- The site is connected by a footpath network. Footways could be provided along Stodmarsh Road to footpath CC31 to the south;
- A bus service is within walking distance.

It has therefore been demonstrated that a suitable access can be achieved. It is submitted therefore that the comment within the Council's assessment of SLAA381, that the access is not suitable is flawed and based on inaccurate information. The Plan is therefore **unsound**.

'Site would form backland development'

In response to the Council's comment in relation to the site forming backland development, it in fact fronts onto Trenley Drive and would be surrounded by built development. Existing housing are located to the north of the site (West Wing Trenley Hall, East Wing Trenley Hall, East View, Roseacre, Melrose, Joliette Cottage, Wilmington and Foragers Rest). Housing is situated to the south-west and west and large-scale sports facilities and buildings exist to the east and south. The scheme would not therefore be a 'backland' development, but would face onto Trenley Drive and form a natural infill between existing development. Built development in this location would be an expected feature in this context.

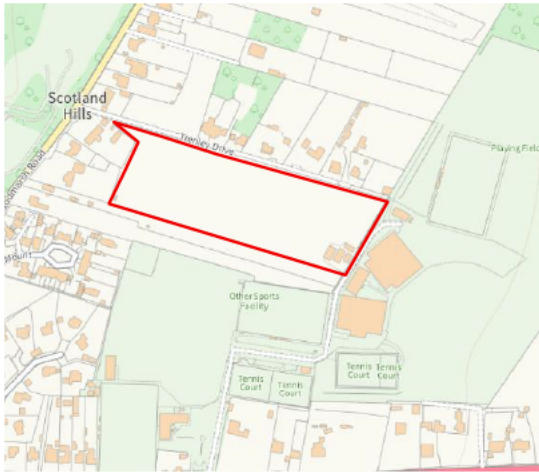


Figure 1: SLAA381 fronting Trenley Drive, with surrounding built development

'The site is located in an area with limited access to day to day services and public transport therefore future occupiers would be dependent upon private car to access day to day services'

SLAA381 benefits from bus stops which are located within a 5-7 minute walk of the site via public and permissive footpaths, on the A257 (as shown on figure 2). Bus services 43, 43A and 44 operate frequently throughout the day to Canterbury and Sandwich, where a large number of shops, services and railway stations are available. The number 11 bus is also available, which operates services to Westwood Cross shopping centre. SLAA381 is also within cycling distance of Canterbury town centre's shops, services and railway station, as well as Bokesbourne railway station to the south.

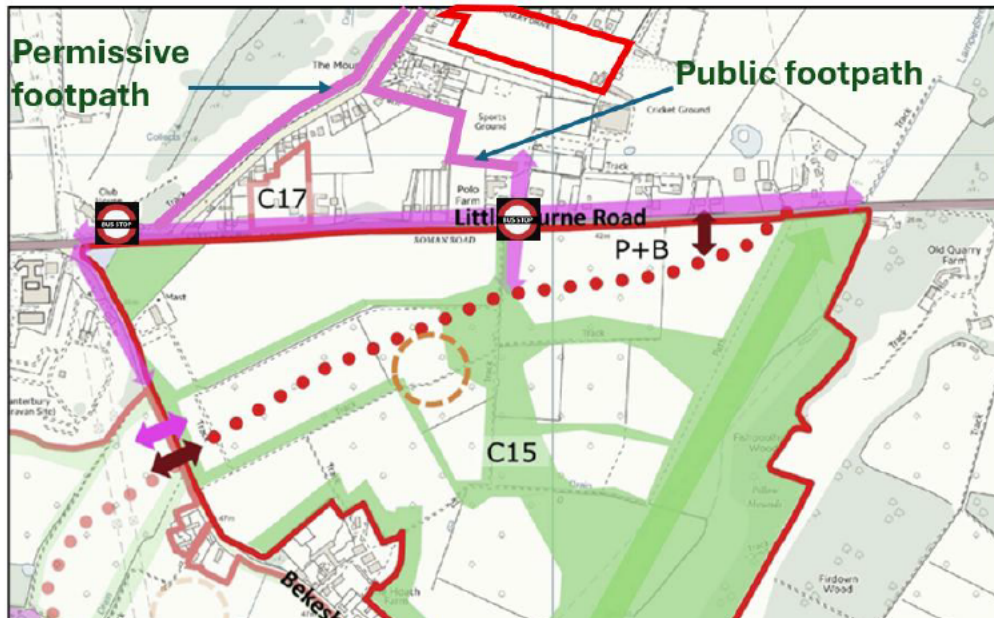


Figure 2: SLAA381 (outlined in red to the north) in the context of the Canterbury SDA to the south, public footpaths and bus stops

The permissive footpath through Canterbury golf course is accessed via a pedestrian access gate off Stodmarsh Road, opposite Trenley Drive and follows the route of the Stodmarsh Road to Littlebourne Road (A257). The route is wide and gravelled for its full length (see figure 3). My client has advised that this footpath has been available for pedestrians for in excess of 20 years, and that a vast number of local residents use this pathway on a regular basis. It is understood that no challenge has been

raised by the golf club and it is quite possible it would now comprise a legal right of way, due to the passage of time and habitual usage.



Figure 3: Part of the permissive footpath through the golf course alongside Stodmarsh Road

In addition to the existing public transport provision, it is noted that the Regulation 19 Local Plan allocates the East Canterbury Strategic Development Area (SDA) within very close proximity to the south of SLAA381 (proposed allocation C15 is shown on figure 2, with C16 located further south of that). The SDA is a substantial urban expansion and would provide a total of 2,564 homes (1,700 at proposed allocation **C15**, 850 at proposed allocation **C16** and 14 dwellings at **C17**), along with retail, business, commercial, community uses, primary schools and a 300 space Park and Bus facility.

SLAA381 will benefit from the many services that will be provided at the SDA to the south. all within a short walking distance, via public and permissive footpaths, as shown on figure 2. SLAA381 would also be able to make use of the new proposed Park and Bus facility and improved public transport connections along the A257, which are to be provided as part of the allocation. The Regulation 19 Local Plan acknowledges that the East Canterbury SDA is in a highly accessible location and it would provide an active travel corridor.

Contrary to the Council's assessment of site SLAA381, as having *limited access to day-to-day services and public transport*, the site is currently sustainably located, with good access to public transport, shops and services. SLAA381 is also within walking distance of the East Canterbury SDA and would benefit from the services provided at this location and improved connectivity that the site will bring. The location would therefore be highly sustainable should the proposed allocations be adopted. The site SLAA381 should be assessed on this basis.

Legal challenge to the Regulation 19 Local Plan

In light of the above submissions, the Council's assessment of SLAA381 is erroneous, and the basis upon which the Regulation 19 Local Plan is founded is **unsound**. The Local Plan is not supported by proportionate evidence and therefore represents an **ineffective** strategy. This lack of transparent and fair reasoning means the Local Plan is **not justified**. This is a **legal compliance failure**.

SLAA381 has not been assessed as a reasonable alternative to, or extension to the SDA within the Sustainability Appraisal, contrary to the SEA Regulations. The accessibility of site SLAA381 should have been assessed bearing in mind the SDA, which would be within very close proximity to the south. There is an opportunity to maximise the potential of the growth of the SDA, with the inclusion of SLAA381 as a nearby site.

SLAA381 is: within a short walk of the proposed strategic allocation; within the same movement and infrastructure catchment; capable of contributing to the same sustainable transport corridor; and is

similar in character and constraint profile to the allocated land. The site performs similarly to the allocated land in landscape, transport, heritage and environmental terms. This makes SLAA381 a reasonable alternative that must be reassessed.

Omitting a suitable, sustainable site within walking distance of a strategic allocation is a failure to plan positively and maximise sustainable locations.

Other matters

The SLAA381 site contains agricultural buildings (see figure 4) that have potential for residential conversion under permitted development rights. The Council has either not considered or disregarded this fallback position in the SLAA Local Plan evidence base. This results in an inaccurate assessment of the site's baseline development potential and is therefore inconsistent with national policy. As such, the Plan is **not positively prepared**.



Figure 4: Redundant agricultural buildings on the site

The SLAA381 site provides a suitable site for custom and self-build homes and would help the Council meet its legal duties to provide enough homes to meet the Council's needs.

SLAA381 is available, deliverable, contains existing buildings suitable for conversion, and could contribute to early years housing supply. Omitting a sustainable, deliverable site close to a major allocation is a **failure to plan positively**.

Conclusion

SLAA381 has been promoted within the plan-making process but has been omitted from the Regulation 19 Local Plan without sound justification. This letter has outlined that a safe access can be provided to the site, and the site does not comprise backland development. Furthermore, the site is sustainably located and will be more so, considering the SDA allocation. SLAA381 lies within walking distance of the proposed East Canterbury SDA and forms part of the same functional area.

The Council has failed to:

- provide justified and proportionate evidence for the exclusion of site SLAA381;
- assess SLAA381 as a reasonable alternative/extension to the SDA;

- consider the fallback residential potential of the existing agricultural buildings under permitted development rights and the site's ability to bring forward a much-needed custom and self-build home site.

As such, the Regulation 19 Local Plan is **not effective, justified, or positively prepared** and is **unsound**. The spatial strategy fails legal compliance tests.

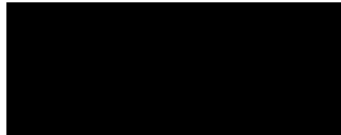
Site SLAA381 must therefore be reassessed, taking into account:

- the fact that a suitable access can be achieved;
- the sustainability of the site and proximity to bus stops that are accessible by footpaths;
- the site's proximity to the strategic allocation within walking distance;
- the fallback residential potential of the agricultural buildings on the site;
- the site's contribution to early housing delivery.

The Local Plan should be modified to include SLAA381 within the spatial strategy, bearing in mind the sustainability of the location, the availability and deliverability of the site for development; and the lack of on-site constraints. The site could come forward for housing without undue harm.

I trust that the above submissions will be taken into consideration in the progression of the Local Plan and look forward to acknowledgement of this submission. Should you require any additional information please do not hesitate to contact me.

Yours sincerely



Klaire Lander

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