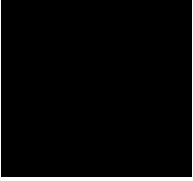


Policy Team
Canterbury City Council
14 Rose Lane
Canterbury
CT1 2UR

Mark Barnes



12.05.2026

Ref: Canterbury District Local Plan (2042/43) Regulation 19.

Green Gap Policy (Policy W3)

Change to Green Gap Boundary as relates to Land in Chestfield (specifically K707066 and K276206)

The reason this is required is that the boundary divides an already established residential curtilage.

Introduction:

There is history of Canterbury City Council wrongly drawing boundary lines through our residential curtilage. This first happened when a boundary line was drawn through the middle of a garage complex linked to the main residence. The residential curtilage as it is now, was formalised in 1991 in a planning consent which forms the whole curtilage as can be seen on the attached plans and predates the drafting of any Green Gap policy. It is apparent that this residential curtilage was not taken into consideration when that boundary was drafted. As a consequence, this creates unnecessary limitations to how we can utilise the garden like normal practise. That boundary has continued into the current policy in the new local plan despite our making representations to point out the error of this boundary line. We cannot understand why this has continued, as our garden actually protects the Green Gap as the aims of the policy intends. The reason we say this is that Canterbury City Council seeks to substantially change the Green Gap Boundary in the new local plan by extending the residential area of north Chestfield by the allocation of land at Bodkin Farm (Policy W7). Therefore, in our opinion we feel the boundary of the policy has not been objectively assessed as it relates to the alteration of the boundary through our property and therefore has not taken into consideration a 'reasonable alternative' based on the proportionate evidence behind our request for change, and questions the soundness of this policy under the new local plan.

Detail:

As stated, K707066 was formally granted full use as residential garden in 1991, attached photos (Appendix Attachments 2 – 6) show the layout with boundary screening which predated the 2006 Green Gap policy. We believe that when this original process was undertaken, through lack of research of their own database and no visual inspection of the site prior to designation, a mistake was made as inspection would have shown

that the land was unsuitable for inclusion. As stated below, previous history would lead us to consider that being the case. We have engaged with our local elected Councilors and Parish Council that support our case, but Canterbury City Council has remained firm on their stance, and in so doing, avoids accepting a mistake was made. We believe the Green Gap should pass round the SE, NE and NW boundary of K707066 and not along the SW boundary cutting our garden in half as the land is not visually viewable from the public footpath and offers no benefit by being included in the policy.

The land has, in our opinion, been wrongly included in the Green Gap through the previous two policies 2006 and 2017. My father was the previous owner of the land, never owned or used a computer during his life. Though an internationally successful and intelligent man, he chose to avoid them. To the best of my knowledge, he was not involved, nor took representation for Title No. K707066 in 2006 (age 77). In 2017 he was battling Vascular Dementia and my stepmother fully occupied as his carer. The only time my father sort representation over the curtilage, was when Canterbury City Council put the Urban (development) boundary through the middle of his garages in the late 1980s to early 1990s, only realising the situation when the plan was provided to him. I know that it was a long, drawn-out process to get amended and showed the lack of attention to detail afforded the property in that process. We believe that this has also been the case with the Green Gap as our curtilage (K707066) projects beyond the drawn straight line.

On taking ownership of the property through purchase in 2020, we have been sorting through some of the issues that got missed during the previous years due to lack of online presence and adoption of the web as the median to communicate processes involving detail. One of those issues has been the Green Gap passing through our enclosed garden. When the latest process was released for consultation, we notified the policy team at Canterbury City Council (consultations@canterbury.gov.uk) of the issue regarding our curtilage resulting in several email exchanges. Their stance on the case has been that the land has been within the Green Gap since 2006, with refusal to address the problem over the fact that the current use of and structure of the land predates the 2006 settlement. We were left feeling that it is an issue they did not want to engage in resolving. Having discussed the issue with residents who know the history of the curtilage, they are surprised that the land had been included in the Green Gap and feel this should not be the case. This also raises other issues over the legality of the Green Gap passing through a long standing structured non-viewable residential garden, as the very reason for the Green Gap is to maintain open pasture and wooded countryside. Our curtilage is anything but open pasture and wooded countryside. With my long-standing partner being a farmer's daughter and with my helping to maintain their farmland till 2021, fully understand the reasoning behind Green Gaps and their importance.

Character of Curtilage:

The parcel of land under consideration is the developed and maintained garden of Badgers End. The land has been enclosed and incorporated in our curtilage since 1991. The land has been used for the benefit of the extended Barnes family, including weddings, practice football pitch and garden parties for both family and local residents. The ground has been graded with grassed lawn, structured areas for growing fruit and vegetables, plant borders, substantial oak framed rose walk, formal pond (Appendix photo 6) with seating areas and to the NW western corner storage for sail racing boats on trailers, all predating the 2006 Green Gap policy. There has been no visual boundary between K707066 and the rest of the curtilage K276206 since 1991, with the only visible boundaries being those currently in place described below. The land is enclosed and cannot be viewed from the public footpath running along the NW boundary.

To the NW boundary adjoining the footpath (Appendix photos 2 and 3) is bounded by a 4.0 m. conifer hedge for some of its length abutting to a wooden closed panel fence height 2.2 m. running the remainder of the length of the boundary adjoining the footpath interspersed with screening consisting of Willow approx. height 11.0 m. and Field Maple approx. height 9.0 m.

To the NE (Appendix photo 4) is a fence line with mature Field Maple and Oak trees approx. height 8.0 m. within our curtilage and adjoining our land a thick thicket including Oak trees height approx. 8.0 m., Cherry Plum trees to height 6.0 m., Field Maple trees to approx. height 6.0 m. and Alder trees to approx. height 7.0 m. interspersed with bramble.

To the SE (Appendix photo 5) the curtilage adjoins a field that is still used for agri-bulk farming. Along this boundary are Oak trees to approx. height 7.0 m., Conifer hedging to height 4.0 m., Hawthorn trees approx. height 5.0 m. and bramble.

There are built-up areas of Lodge Field Road 95 m. to the North projecting 136 m. further NE and Carnoustie Close 78 m. to the south projects 65 m. further NE of the NE boundary of K707066.

Green Gaps are not specifically mentioned in the NPPF 2024 nor associated PPG. However, the concept of settlement gaps is broadly consistent with the NPPF strategic policies, make sufficient provision for conservation and enhancement of the natural built and historic environment, including landscapes and green infrastructure (NPPF paragraph 20-d). We also believe that NPPF 2024 Paragraph 36-b has not been met in this case.

Conclusion:

We feel that the change to our boundary is justified under consideration of an appropriate Green Gap boundary having then been objectively assessed to recognise the established whole residential curtilage as the most reasonable alternative having recognised the established planning history relating to it which has been overlooked as a minor alteration in a much larger policy boundary for the area between Chestfield and Greenhill. We therefore request that the inspector actions a change to the Green Gap policy boundary in the forthcoming Canterbury District Local Plan (2042/43) under Regulation 19.

For the Regulation 19 process, I therefore wish to make representations by taking part in the hearing sessions.

The content of this letter will also be emailed to consultations@canterbury.gov.uk

Please confirm receipt of this letter and listed documents.

Kindest Regards

Mark R Barnes

Appendix:

Land under Consideration: Title No. K707066 - Ordinance Survey Plan Ref: TR1365, TR 1465, TR1366, TR1466.

Timeline:

18.10.1991 – CA/91/1023/CHE submitted

20.11.1991 – CA/91/1023/CHE granted

2006 – Green Gap Policy Adopted

2017 – Green Gap Policy Reviewed and Adopted

2026 – Green Gap Policy Under Review

CA/91/1023/CHE – Canterbury City Council granted permission for change of use from agricultural to residential garden

Attached Items:

1. Land Registry plan showing K707066
2. Photograph showing the public footpath running alongside our NW boundary of K707066
3. Photograph showing the NW fence line and boat storage area within K707066
4. Photograph showing the NE fence line and lawn of K707066
5. Photograph showing the SE fence line, fruit trees and wind break to the vegetable garden within K707066
6. Photograph showing the formal pond and shrub/perennial borders to the SW within K707066