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Sent via email: consultations@canterbury.gov.uk

Dear Sir/Madam,

**LAND SOUTH OF STURRY
REPRESENTATIONS ON THE REGULATION 19 LOCAL PLAN**

I write on behalf of Bellway Strategic to submit representations to the Regulation 19 consultation on the Canterbury City Council Local Plan in relation to Land South of Sturry (the Site).

As one of the largest national housebuilders, Bellway has considerable expertise in delivering residential developments which people want to live in within Canterbury City Council, including their Oxenden Park scheme in Herne Bay, and have extensive experience working in partnership with local authorities and affordable housing providers across the South East.

Bellway has acquired the site to deliver housing. As a national housebuilder, should Bellway secure planning permission at the site, they are in the position to be able to deliver it without delay. They have the ability to mobilise their own technical and delivery teams to commence development within 6 months of securing planning permission and discharging the relevant conditions and planning obligations. This certainty in delivery would allow the site to come forward within the first five years of the new plan.

These representations are supported by a Site location plan (**Appendix 1**)

1. The Site

The site is adjacent to the settlement of Sturry, which is defined as a 'Rural Service Centre' under the adopted and emerging plans. The site is bound by the A28 (Island Road) to the north, the trainline to the south, a belt of TPO'd trees along Westbere Lane and open land lie to the east and built development to the west. The site extends to approximately 8.16ha. The location of the site is shown on the enclosed site location plan.

The site consists of Grade 1 agricultural land (as classified by Natural England), although the land currently comprises unmanaged shrubs and trees.

The following planning designations and constraints are relevant which cover the site are shown on the local plan proposals map and planning constraints map :

- Green Gap (between Sturry and Westbere);
- Westbere Conservation Area (inc. Staines Hill Roman Cemetery) (north-east part of the site); and

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- Tree Protection order (4/1983/WES along the eastern boundary).

We note that the emerging policy map is seeking to add a “landscape character area” designation across the site, in addition to retaining the above designations.

Whilst not shown on the adopted policy or constraints maps, there are areas of the Priority Habitat - Deciduous Woodland and Priority Habitat to the western edge of the site and Priority Habitat - Lowland Fens in the north eastern corner side of the site.

The site is located in Flood Zone 1. When applying the climate change scenario for 2070 to 2125 to the EA's mapping there may be some small areas flooding along the southern boundary. In a 1 in 100 annual likelihood of flooding, there is a risk of surface water flooding along the very southern boundary.

Additionally, we note that two Listed Buildings are within 100m of the site across Island Road, comprising: Whitmer Hall (Grade II Listed); and Duxbury (Grade II Listed). To the south of the railway line, there is the Stodmarsh SSSI and an international wildlife site at Westbere Marshes.

Sturry is located c.3.7km northeast of Canterbury and offers a range of local amenities and key services, including convenience store, a Doctors , nursery school, place of worship, recreation ground, a nursery school, a primary school and vet. A range of nearby pubs and restaurants are within 250m-1km. Canterbury is accessible by regular bus services (No. 8 8A 8X 9X 921 922 and 956) and offers extensive retail provision in the city centre and surrounding retail parks, including major supermarkets, shops, cafés, restaurants and cultural venues. Canterbury is also home to two universities, a range of secondary schools and further education facilities. Healthcare provision includes the Kent and Canterbury Hospital, numerous GP and dental practices. There are multiple recreational and leisure opportunities nearby, comprising public parks, sports facilities, leisure centres, heritage and cultural attractions.

Sturry Railway Station is c.900 m to the south-west of the site. The station is easily accessible on foot via Island Road, which is fully paved and lit, and can be reached within a c.10-minute walk. It has 1 tph to London Charing Cross and Ramsgate during off-peak hours, with additional services to London Cannon Street and London St Pancras International during peak hours. In addition, there is a bus stop on Staines Hill directly outside of the site, which offers regular services to Westwood, Margate. This location supports the suitability of the site in the context of the emerging NPPF, which seeks developments in locations which are accessible to railway stations.

There are three PROWs which connect into or cross the site: 0322/CB91/1 (adjacent to southern boundary); 0322/CB555/2 (across the site); 0322/CB554/2 (adjacent to eastern boundary). These route provide access to destinations within Sturry, including the station and Westbere.

The Government's new Connectivity Tool assesses connectivity. The site has a national score between 51 and 56, and is within Band B at the local authority level. The banding approach is designed to aid interpretation of connectivity scores across a local or combined authority area by dividing each authority into ten equal bands, ranging from Band A (highest connectivity) to Band J (lowest connectivity). Each band represents approximately one-tenth of the authority's area, with one or more individual scores grouped within each band. As such, the site has a very high level of connectivity within CCC and is considered to be sustainable in its location.

2. Representations

Paragraph 36 of the National Planning Policy Framework (NPPF) (2024), advises that Local Plans must be prepared in accordance with legal and procedural requirements. It sets out that it is a requirement for a Local Plan to be ‘sound’, the NPPF explains that this means the Plan is: positively prepared; justified; effective; and consistent with national policy. Our representations below identify where we consider the emerging local plan to be in conflict with the

Overall, Bellway supports the preparation of a new Local Plan to guide development, noting that CCC's current

Development Plan is out-of-date due to its age.

Policy SS3: Development Strategy for the District

Bellway supports the preparation of updated evidence to help guide the preparation of the emerging Local Plan. However, we have concerns on the methodology, contents and outcomes of the following documents: Green Gaps and Local Green Spaces Review (2021), the publication of the Housing Needs Assessment Update (July 2025), and the Strategic Land Availability Assessment (SLAA) (February 2026), which has been informed by an earlier call for sites exercises.

With regards to development, of the 293 sites considered at Step 2 of the SLAA, 98 were progressed to an assessment against policy and site constraints and 195 sites were discounted as technically unsuitable. Of the assessed sites, 62 were identified as suitable, available and achievable for residential or commercial uses.

This site was considered as part of wider site SLAA316 and the full extent of SLAA092, both of which were promoted for housing and commercial.

Overall we object to the spatial strategy which has been implemented in the draft local plan and the supporting evidence base. Our view is underpinned by the unjustified use of restrictive green gap designations and the Council's inability to identify and allocate an adequate number of housing sites, including those in sustainable and well connected rural service centres. The combination of these factors results in a poor and flawed distribution of housing site across the CCC area. This reasoning behind our view, is explained below.

Housing Numbers

Emerging Policy SS3 proposes a requirement of 23,085 units between 2024/25 and 2042/43 (18 years), on average this equates to 1,283 units per annum. This is slightly higher than the Local Housing Need of 1,215 dwellings per annum as calculated as set out in the updated standard methodology (equating to 21,870 homes over the same 18 year period). Given that there has been a significant under delivery in housing, as ratified by the 2023 Housing Delivery Test result of 67%, then a 20% buffer should be applied to the housing need, as per the NPPF Paragraph 78, to set a requirement to address under delivery and maintain CCC's supply of housing. This approach identifies a minimum requirement of: 1,458 new homes per annum or 26,244 new homes over the same 18 year period. The emerging Local Plan does not provide sufficient housing sites to meet their identified needs and Bellway strongly considers that emerging Policy SS3 should be updated to reflect the unconstrained housing needs of CCC and the historic under-delivery of homes. This will require the identification of additional sites which should include the land to the south of Sturry as a housing allocation.

With regard to the forecasted delivery of housing sites over the 18-year plan period (2024/25–2042/43), Appendix 6 (Housing Trajectory) of the Emerging Local Plan clearly demonstrates that CCC will be unable to identify a five-year supply of *deliverable* housing sites at the intended date of adoption with the 20% buffer applied. The plan indicates that only 5,070 dwellings are expected to be deliverable within the first five years of the plan period (2024/25 – 2028/29) against an emerging requirements of 5,103 homes. Of which, only 732 units of this total (14%) are expected from sites with planning permissions and 2,631 (51%) on carried forward site allocations, rather than newly identified housing sites.

This housing land supply trajectory represents approximately only 68.5% of the five-year need (based on 7,290 new homes with the 20% buffer is applied) equating to just 3.43 years of housing supply, which is extremely poor. This position is not sound and inconsistent with paragraph 72(a) of the NPPF which requires policies to identify a supply of specific, deliverable sites for the first five years following the intended date of adoption. There is no clear or justifiable reason as to why this cannot be achieved, especially given the housing emergency facing this country. As a result, the Emerging Local Plan cannot be considered positively prepared, and in turn sound, as required by paragraph 30(a) of the NPPF.

Given this shortfall, CCC should consider a wider range of sites, including land that was dismissed as in the SLAA, including land south of Sturry. We comment of the strategic approach below.

Strategic Approach

Policy SS3 sets out the strategic approach to housing, as per the requirements of NPPF Paragraph 20(a), which seeks an overall strategy for the pattern, scale and design quality of places, and sufficient provision for homes. Bellway notes that the strategic approach does not allow for residential development in sustainably located countryside locations, in particular those which are adjacent to settlements, and that protecting the rural character of the district will be prioritised.

Policy R20 (Countryside) refers to Policy DS4 (Rural Housing) when referring to new dwellings within the countryside. Part 2 of the Policy considers sites which are not rural exception sites, for community led development will be considered if criteria a to f are met. Part 3 of the policy advises that development for new dwellings will only be granted in the rural character and appearance of the countryside is protected and certain circumstances apply, of which none apply to this site. The other parts of the policy are not applicable to this site. As such we consider that there is an opportunity for Policy DS4 to also invite the development of countryside sites which are adjacent to the Rural Service Centres and which are sustainably located, to address the unconstrained housing needs and the poor record of housing delivery.

Furthermore, in its current form, draft Policy DS4 conflicts with the direction of travel of national policy, including Policy S5 of the emerging NPPF (2025) which stipulates in Part h, that in relation to the principle of development outside of settlements development for housing which is within reasonable walking distance of a railway station which provides a high level of connectivity to jobs and services, physically well-located to a railway station or a settlement within which the station is located, is of an appropriate scale/proportionate scale to the available infrastructure which is existing or proposed, permission should be approved. Draft Policy S5 goes on to advise in Part j that development which addresses an unmet need, which is evidenced, and where the development would be well related to an existing settlement as well as being of an appropriate scale with regards to infrastructure, should be approved. In both cases, permission should be granted unless benefits of doing so would be substantially out-weighted by any adverse effects. To reflect the direction of travel, Bellway requests that Policies R20 and DS4 be amended to allow for residential development on sustainably located countryside land, including land which adjoins Rural Service Centres such as Sturry, where rural character and appearance would be protected.

We recognise that there are environmental constraints on parts of the site. We note that a Lowland Fen area is considered to be an irreplaceable habitat in the adopted and emerging NPPF, and that development which would result in loss of deterioration should be refused. To address this site constraint, an initial concept masterplan has been developed to retain the eastern part of the site as open space which will ensure that development is positioned away from the area of Lowland Fen land.

Deciduous woodlands are not irreplaceable habitat nor a habitat site under the Habitats Regulations, as such this designation does not automatically preclude development on the site. It is noted that paragraph 192 of the NPPF sets out that plans should promote the conservation, restoration and enhancement of priority habitats, and for decision making, paragraph 193 advises that planning permission should be refused if significant harm to biodiversity cannot be avoided, mitigated, or compensated for. Currently the site has been cleared with woodland remaining around the site's boundaries. The records underpinning this constraint are not reflect the current conditions of the site.

We consider that an scheme layout for this site can appropriately address this environmental designation, by locating development away from the woodland features around the boundary or by mitigating/compensating losses. Our initial masterplan, proposes the retention of the site's boundaries, planting along the western and southern boundaries and to focus built down on the central/western parts of the site.

Summary

We do not consider that the presence of ecological constraints on the site to inhibit development in this location. Especially given that these constraints are out of date, as they are not reflective of the on-site position where the land has been maintained.

Regardless, design and biodiversity solutions are available in practice and in policy wording, that would allow some of the site to deliver housing. Critically, the site is considered suitable, available and deliverable, and is sustainably located, and should be afforded an allocation in the emerging local plan.

Policy DS22: Habitats, Landscapes and Sites of Local Importance (Green Gap)

The Emerging Local Plan defines Green Gaps as: *“a wedge of land between settlements that is protected from development in order to maintain the distinction between built up areas and prevent the merging of adjacent places; can also provide recreational opportunities.”*

Emerging Policy DS22 Part 5 refers to Green Gap designations and states that: *“Within the designated Green Gaps, as defined on the Policies Map, only proposals for sports and recreation uses, blue and green infrastructure, renewable and low carbon energy, and publicly accessible open space will be permitted, and only where the development: a. Does not significantly affect the open character of the Green Gap, or affect the separating function leading to coalescence between existing settlements; and b. Ensures the built form is kept to the minimum necessary to support the proposed use; and c. Is sensitively designed, including in terms of form and lighting; and d. Is sensitively located and does not result in isolated and obtrusive development.”*

The policy expands upon adopted requirements of Policy OS8: Green Gap. The thrust of this emerging policy is to control the open character of the Green Gap and to prevent coalescence between existing settlements.

Green Gap designation was originally introduced in CCC's development plan in 2002, reflecting national objectives at the time. We note in the 2018 Inspector's report for the current local plan, that it was acknowledged that green gaps are not referenced in the framework, and that local plans should identify land where development is inappropriate. The Inspector noted that gaps can contribute towards local distinctiveness and identity, and that *“Taking account of the different roles and character of different areas is part of a core planning principle underpinning national policy.”* The Inspector considered the approach to green gap criteria, in seeking to maintain open character, was consistent with national policy at the time, which dated to 2012 version of the Framework. We consider this was a direct reference to paragraph 17 which set out the core planning principles which required planning to take into account the “different roles and character of different areas”...and “recognising the intrinsic character and beauty of the countryside”. Importantly, only the latter wording has been carried forward into the 2024 NPPF at paragraph 187 part b and the consultation draft NPPF in the objective prepared for Chapter 4, therefore there is no nationally set requirement for maintaining open character on land other than Green Belt. The principle of retaining green gap designations in the emerging Local Plan is considered unsound and not in accordance with the requirements of the NPPF. All green gap designations should therefore be deleted from the emerging Local Plan.

The Green Belt is the only policy designation in national planning policy that is intended to prevent the coalescence of settlements and where development is identified as inappropriate in principle, subject to the defined exceptions. The NPPF makes no other explicit reference to restricting development to stop coalescence between settlement, nor does it give local planning authorities to ability to create policies which seek to mimic the green belt. Overall, the Green Gap designation adds an overly restrictive layer of protection that goes against the NPPF of the PPG.

As advised in the NPPF, New Green Belt boundaries can only be created in exceptional circumstances. We note that no exceptional circumstances have been made to create a Green Belt within the administrative area of CCC, which we naturally welcome.

Turning to the evidence base, we note that a Green Gaps and Local Green Spaces Review (April 2021), forms part of the evidence base for the emerging plan. In respect of Sturry and Westbere the review concludes that, the existing Green Gap should be retained, albeit with an amended boundary to exclude the buildings to the

east. However, we note that the review states that: “While there is no reference to Green Gaps within the National Planning Policy Framework 2019 (NPPF) there is a requirement for Local Plans to identify land where development is inappropriate.” As this approach rightly acknowledges this approach is contrary to the national guidance and it is very unclear why CCC has proceeded to retain the green gap designation, given the abundance of other guidance contained within the NPPF to steer development away from inappropriate locations.

However, the draft Natural Environment and Open Space Topic Paper (March 2026) determines that extending Green Gap between Sturry and Westbere (considering both the role of the existing and proposed Green Gap land) would not have an easily defined defensible boundary due to the settlement pattern surrounding the search area. Additionally, the gap between the two settlements is c.300m and many large residential gardens stretch into this gap. An extension to the Green Gap was deemed unsuitable and not taken forward further.

The continued use of the Green Gap designations in the emerging plan, undermines CCC’s ability to enable development in sustainable locations, in accordance with national policy and is therefore contrary to the requirements of Paragraph 36 of the NPPF. As such, the inclusion of this designation undermines the strategic goals of the plan and as a whole it cannot be considered to meet the tests of soundness.

Furthermore, the Green Gap designation simply duplicates the objectives of policies: SS2: Sustainable Design Strategy for the District; R20: Countryside and DS4: Rural Housing which seek to manage development, including in rural locations, and protect the character and appearance of the district including in locations outside of urban confines. These policies echo paragraph 187 of the NPPF.

In light of the above, we consider that CCC are unable to have a sound of the plan with the retention of the Green Gap designation. We reiterate, that the NPPF does not require additional designations or policies to the prevent coalescence between settlements outside the current Green Belt regime to protect areas from development which would harm the openness of these areas. We consider that retaining it would unduly restrict the delivery of much-needed housing and would conflict with the NPPF’s presumption in favour of sustainable development.

To address the aforementioned conflict, we strongly advise that the Green Gap designations are removed in its entirety from draft Policy DS22 Part b (and where referenced elsewhere) and the emerging policy maps, in order to ensure consistency with national planning policy and to allow the plan makers to identify a sufficient five year housing land supply. This in turn will allow the Plan to be found sound at examination in this regard.

R20: Countryside

The wording of Policy R20 provides a clear definition of “countryside” and that all types of development will be supported where it protects the rural character and appearance of the countryside. It requires compliance with Policy DS4 with regards to new dwellings. This Policy is considered to be compliant with paragraph 187 the NPPF, and therefore sound.

DS4: Rural Housing

The draft wording is clear in relation to proposals for new dwellings in the countryside. It sets out that proposals will only be granted if it protects the rural character and appearance of the countryside, but additionally requires compliance with one of the circumstances set out in parts a and b.

We consider that an additional part should be added to allow for residential development in sustainable locations adjacent to existing rural service settlements or adjacent to settlements which have train station. This would allow for positively planned growth, and for local authorities to exercise their judgement with regards to protection of rural character and appearance on a site by site basis. This would bring the policy in line with the NPPF and the direction of travel set out in the emerging NPPF.

DS26 Landscape Character Area

The emerging policy map is proposing to cover the site with a landscape character area designation. This designation would have specific regard to Landscape Character Type (LCT) "F: River Valleys" which covers the wider Stour Valley area, and specifically Landscape Character Area (LCA) "F3: Hersden Bridge" in the Canterbury Landscape Character Assessment and Biodiversity Appraisal, dated October 2020. The report sets out guidance for development management, but is considered to be out of date due to its age. The evidence base should be updated to reflect an up to date assessment and data. The designation is not supported by Bellway given the age of the evidence base underpinning it. The designation should therefore be deleted.

Emerging Policy DS26 provides a need to demonstrate that proposals for development are informed by the landscape and its character, and will expect proposals to reinforce, restore, conserve or improve the landscape character of an area. Six criteria will need to be satisfied to allow development to be permitted. These criteria will influence design, scale, location, layout, site composition and the likely impact on views.

The intent of the emerging policy is noted, however, the policy needs to be deleted as it is preventative to development proposals coming forward, especially if they would meet an evidenced need, such as housing. We consider that given the evidence base is out of date, the policy should be deleted.

Other Matters

Policy DS25 seeks to secure 20% biodiversity net gain on major developments, made up of 10% statutory net gains and 10% local net gain. This local requirement is an overly onerous requirement and will overly burden sites either with on-site or off-site biodiversity requirements. Whilst, Bellway are fully committed to securing net gains for biodiversity across their developments and appreciate the good intention of this emerging policy, they consider it not be justified and feel that it has the potential erode the effectiveness of the plan with regards to new development opportunities. We request that the wording of DS25 is update to secure the statutory new gain only, and remove the local net gain requirement.

3. Conclusion

To summarise, Bellway's amendments sought to the draft Local Plan are as follows:

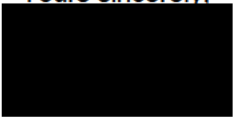
- Update Policy SS3:
 - Review the strategic approach to housing to find additional housing sites, to meet housing needs and to ensure a five year supply of housing with the relevant buffers;
 - Allocate this site for residential development and update the policy map;
 - Update the wording of the policy to support sustainably located sites which adjoin Rural Service Centres for housing;
 - Identify a supply of deliverable sites for the first five years of the plan;
- Update Policy DS4 to allow for residential development in sustainable locations adjacent to existing rural service settlements or adjacent to settlements which have train station
- Update Policy DS22 to remove all wording in part 5 which seeks to retain the Green Gaps designation to address conflict with national policy;
- Update Policy DS25 to remove local net gain requirements;
- Delete Policy DS26 in its entirety; and
- Update the emerging policy map to remove Green Gap designations.

Given that there is a demonstrable need to widen the distribution of new housing across the LPA, we encourage CCC to allocate the site for residential development. As demonstrated the site is sustainably located and is very well connected to local services and public transport. We consider that a scheme could provide c.100 units with public open space and retain the sites Lowland Fens and the wooded buffers around the site's edges. Public open space can be located on the east side of the site with residential on the west, which would mean that the development relates well to the existing settlement edge.

Bellway is supportive of CCC preparing a new Local Plan but would request the aforementioned revisions are made to ensure that the plan is sound and can progress through examination without undue delays. They reserve the ability to participate in future rounds of consultation and the examination in public.

If you have any queries on the above representations or would like to meet with my client in relation to our comments above, please contact me at this office.

Yours sincerely,

A solid black rectangular box used to redact the signature of Kieran Wheeler.

Kieran Wheeler
Director

Enc. As above

Cc. J. Goodban, Bellway Homes Ltd
B. Stacey, Bellway Homes Ltd