



Planning Policy Department
Canterbury City Council
Military Road
Canterbury
Kent
CT1 1YW

18 May 2026

Dear Sir or Madam,

**DRAFT CANTERBURY DISTRICT COUNCIL LOCAL PLAN - OBJECTIONS TO THE
REGULATION 19 DRAFT CONSULTATION**

On behalf of our client Altira Park JV LLP ("the Partnership"), we are pleased to submit representations on the Regulation 19 version of Canterbury City Council's Draft Local Plan.

1. Kitewood Estates Limited ('Kitewood') and Urban&Civic created the Partnership to work together to deliver an exciting mixed-use scheme at Altira Park and Blacksole Farm, located to the south-east of Herne Bay. Many elements have now been delivered, but the Partnership want to carry on delivering investment in Herne Bay and are keen to ensure that the policy framework will help facilitate investment and job creation.
2. We previously submitted representations on behalf of the Partnership to Canterbury City Council's previous two Regulation 18 versions published in 2022 and 2024 and the Focused Consultation in 2025. We also commented on the Issues and Options consultation in October 2020, and we promoted Altira Park in the Call for Sites consultation in July 2021 for mixed-use development.
3. We are pleased to say that Canterbury City Council (CCC) have been receptive to our responses and the allocations for Altira Park and Blacksole Farm are now more appropriate and viable.
4. The Partnership is keen to continue to work collaboratively with CCC to successfully invest and deliver high-quality, much needed residential, commercial and employment floorspace to benefit Herne Bay and the wider District.

Altira Park and Blacksole Farm

5. The Partnership controls Altira Park and Blacksole Farm and has successfully delivered the existing Sainsbury's store, a petrol filling station and employment generating floorspace on the site, together with the Albert Hugo Friday pedestrian footbridge over the railway line to the north of Altira Park. The bridge, together with the linkage through to Blacksole Farm, was installed significantly in advance of any requirement within the S106 for the original outline application for Altira Park and whilst delivered for the opening of the Sainsbury's store was not a requirement of the food store planning consent.
6. As part of this scheme, Kitewood has also dedicated a strip of land to KCC Highways adjacent to the Margate Road to enable the delivery of a footpath route.

7. The Partnership continue to be committed to delivering a wider masterplan for Altira Park and Blacksole Farm with an overarching vision to deliver a viable mixed-use scheme that will provide residential, commercial and employment floorspace. The Phase 1 of the masterplan involved the creation of a trade park which was granted planning permission on 18 August 2022 under planning permission ref: CA/22/01051. Despite the challenging economic headwinds, work began on the delivery of the trade park in late 2022 and it is now completed and fully let.
8. The Partnership submitted two planning applications with the aim of delivering Phase 2 of the masterplan. Phase 2a comprised approximately 7,000sqm of retail commercial floorspace and a drive-thru McDonald's restaurant (application ref: CA/22/02660). This was consented in December 2023. Unfortunately, challenging economic environment in terms of increased build and finance costs together with a reduction in the availability of finance and falling values have all contributed to reducing the schemes viability to a point where the development could not proceed. This highlights the vulnerability of peripheral commercial locations to the impact of wider global head winds, and reinforces the need to ensure policies remain flexible to assist investment.
9. Despite this setback, the Partnership worked with David Lloyd Leisure to deliver a new state of the art David Lloyd Health Club on the site. David Lloyd Leisure are Europe's leading premium health and wellness provider. The new David Lloyd Health Club has created jobs and delivered an exceptional health and well-being facility for existing and new residents. The opening of the Health Centre has attracted visitors and challenged perceptions of Herne Bay. The Health Club opened in December last year.
10. Phase 2b is delivering 67 new homes at Blacksole Farm (application ref: CA/22/02513). Consent for the 67 residential units was granted at Blacksole Farm in April 2023. These homes and the associated landscaping are currently under construction by Kitewood for Moat Housing and provides 49 units for affordable rent and 18 shared ownership houses.

The Altira Site Allocation (Policy HB11)

11. We acknowledge and welcome that the Council has worked positively with the Partnership to draft the allocation for Altira Park (Site HB11). Since the Partnership became involved, the lesson from Altira is that if policies are flexible enough, businesses will invest and create jobs.
12. However, maintaining the success of Altira will continue to be challenging, and the Partnership are concerned that the allocation as drafted could prevent or deter businesses that want to be in Herne Bay from locating there. For this reason, we continue to have concerns about the allocation for Site HB11.
13. Our concerns relate to the following three main issues.
 - There should be more flexibility to meet the needs of operators and businesses that the Partnership know would like to invest at Altira;
 - The reference to large format commercial uses only is unnecessary and unhelpful; and
 - The reference to development being of a similar height and massing to existing buildings, but that the buildings needing to be broken up visually in massing, height and appearance is confusing, contradictory and unnecessary.

14. There are also some other minor amendments which will improve the policy and reduce ambiguity.

Increased Flexibility

15. The Partnership know the site very well and thus it understands its viability challenges. It has delivered investment and jobs for Herne Bay. It will continue to do so if the policy framework is flexible. The dynamism of the 'commercial' sector and the increasing costs of delivering development means that overly prescriptive planning designations do hamper and hinder investment and job creation. Policies and allocators must be flexible and support investment.
16. The acceptability of allowing business, commercial, employment and leisure uses (which are defined within the Glossary of the Draft Local Plan) in the site allocation is welcomed and helpful, but still does not provide for the flexibility that will be required during the Plan period to ensure Altira Park will contribute positively socially, and economically to Herne Bay.
17. Broadly, the Partnership want the allocation to support 'economic development' and allow for residential related uses, such as a care or nursing home, to deliver a mix of uses on the site. Given the everchanging market conditions, further flexibility is required to ensure that the site will be occupied, and jobs will be created up and until the end of the Plan period. Flexibility at this stage is better than prophecy to ensure investment and job creation is delivered.
18. The allocation should support all development that creates jobs. This should not be restricted to commercial, business, employment and leisure uses.
19. There are uses not defined in the glossary as falling within the commercial, business, employment and leisure categories that would be appropriate at Altira and which will create jobs, but which could be contrary to the allocation.
20. For example, a builders' merchant could be viewed as a sui generis use, which could be excluded from the acceptable uses. This would be unhelpful, and contradictory because consent has already been granted for a builders' merchant on the site (application ref: CA/22/02660).
21. We are aware that there is demand for a drive-thru restaurant operators (a sui generis use) to locate at Altira. Consent has previously been granted for a McDonald's drive-thru (application ref: CA/22/02660) so such a use is acceptable. A drive-thru restaurant will create a significant number of jobs for local people.
22. There is also a national car showroom/workshop operator that has expressed an interest in locating to Altira. This could be viewed as a sui generis use and might be excluded.
23. We also know that there is demand from operators of care homes for the elderly to locate at Altira. A care home is a C2 Use. Therefore, a care home would be excluded even though it will create a significant number of jobs.
24. The Canterbury Housing Needs Assessment Update (July 2025) identified a quantitative need for housing for older people. It states that there is an 'urgent' requirement for targeted housing initiatives for older people. It suggests that suitable sites for such housing are allocated. Key findings of the Needs Assessment include:
 - There will be a 66% increase in 75+ population by 2043;

- The estimated net need for specialist older person's housing is 2,856 units by 2043, emphasising the urgent requirement for targeted housing initiatives for this demographic;
- The demand for older persons housing will need to be addressed through strategic site allocations **and the adoption of flexible policy approaches that can adapt to changing demographic realities** (our emphasis); and
- The Council should prioritise the development of a diverse range of specialist older persons' housing.

25. Allowing a care home at Altira will help to meet this need and create jobs for local people.

26. To allow these potential investments to happen, we suggest that Policy HB11 supports all uses that create employment.

Format

27. The reference in paragraph 4.14 to commercial uses needing to be large format in order to meet the type of need that cannot be met in Herne Bay town centre is unnecessary and unhelpful. For example, a coffee shop or restaurant that would create jobs and serve employees, visitors and local people might not be a large format and so would not be acceptable.

28. If the concern is about small scale retail uses locating at Altira, the allocation and paragraph 4.14 could be finessed to refer to retail uses being large format.

Design

29. Part a of Criterion 2 dealing with design and layout is confusing. It seems unnecessary to expect development to be similar height and massing to existing buildings, but at the same time expect them to be broken up visually in massing, height and appearance.

30. There is no design imperative to expect development to be of a similar height and massing to existing buildings at Altira. This requirement should be deleted. Design quality is controlled by other policy requirements.

Other Matters

31. Floorspace figures are not required in the allocation because development will be occupier-led. However, if the Council wants to include figures to show where new floorspace could be delivered, the wording should not be prescriptive. It should just state:

“Approximately **19,500sqm** ~~16,000sqm~~ of commercial, business, employment or leisure floorspace, or other compatible uses **that create employment.**”

32. The reference in Criterion 3a ii to the Albert Hugo Friday Bridge and Herne Bay railway station are confusing. As noted above, the Partnership delivered the Hugo Friday Bridge and the link to it through Blacksole Farm. The Hugo Friday Bridge is over 0.5km away. Herne Bay railway station is even further away. The references should be deleted.

33. The reference in Criterion 3c to measures to minimise the need for the use of private cars is unnecessary. The Partnership have already improved walking and cycling connectivity within Altira Park and to the surrounding area through the delivery of the Albert Hugo Friday Bridge, and Kitewood dedicating land to KCC Highways to deliver a footpath link along the Margate

Road. These improvements were provided in the knowledge that further phases of the development of Altira Park and Blacksole Farm would be coming forward. Further on- and off-site improvements to cycle and pedestrian access could be delivered through CIL funding and not additional undertakings such as S106 contributions and planning conditions.

34. Furthermore, the reality is that some of the uses that are developed and promoted at Altira will attract car journeys. The Partnership and operators will work to ensure that the site is accessible by a choice of means of transport, but seeking to minimise car usage could have unhelpful, unintended consequences.

Suggested Changes to Policy HB11

35. For the reasons set out above, we object to Policy HB11. To make the Policy sound, we suggest the following changes are made to the Altira Park supporting text.

*4.13 The wider area currently consists of large-format retail and employment uses with a hotel and restaurant on the west of the site, as well as new residential development at Blacksole Farm (CA/22/02513) and a health and fitness club (CA/24/00631). The site remains a key opportunity for the delivery of jobs and is proposed for commercial, business, employment, and leisure uses **and other uses that create employment.***

4.14 ~~Retail Commercial~~ uses proposed for the site should be for large format only, to meet the types of need that cannot be met in Herne Bay Town Centre and which are consistent with the complementary role and function of the Commercial Area.

36. We set out our suggested changes to Policy HB11 in **Appendix 1**.

Moyne (Policy HB12)

37. A positive change in the Focused Consultation was that 'Moyne' was removed from the wider Altira allocation. It is now being promoted as a housing site for approximately 25 new homes under allocation Policy HB12 – Moyne.
38. The reference in part 1a to the number of units 'including affordable housing' should be removed as development will be subject to compliance with Policy DS1 'Affordable Housing' and so does not need to be repeated.
39. If it is unviable to deliver affordable units on the site, the number of units that can be delivered should not be reduced.

Other Concerns about the Emerging Plan

40. Overall, the Partnership is pleased to see that some of its concerns raised in previous representations submitted during the Regulation 18 consultations have been addressed in the Regulation 19 Local Plan, including the following:
 - the addition of a criterion in Emerging Policy DS2 'Housing Mix' which gives more flexibility to the policy and allows site-specific characteristics to be taken into account when assessing an appropriate housing mix to be achieved;
 - the inclusion of a caveat in the wording of Emerging Policy DS6 'Sustainable Design' to reflect that achieving BREEAM Excellent is not always possible due to technical or viability reasons;

- the removal of floorspace figures from Emerging Policy SS3 'Development Strategy for District'

41. However, the Partnership's previous concerns regarding Biodiversity Net Gain (BNG) and the affordable housing policies remain valid. These are discussed below.

Biodiversity Net Gain

42. The Partnership previously raised a concern that the requirement for 20% Biodiversity Net Gain (BNG) is unnecessary and undeliverable, particularly on sites in the urban area.

43. Emerging Policy DS25(3b) retains the requirement for major developments to deliver 20% BNG, comprising 10% statutory net gain and 10% local net gain in the Regulation 19 Local Plan.

44. As stated in previous representations, the Environment Act 2021 requires planning permissions granted in England (with some exemptions) to deliver at least 10% biodiversity net gain. As it is, a 10% requirement it will affect the viability of commercial development, reduce the delivery of affordable housing when it is factored into viability assessments, and it will reduce housing delivery overall to make allowance for areas set aside for nature. It is also likely to increase service charges to pay for biodiversity management plans.

45. The emerging Policy should not double the biodiversity requirement. The Plan should not seek to go beyond the requirements of the Environment Act. Doing so will ultimately result in undeliverable and unviable development, stunting the growth of Herne Bay. The Partnership also requests that the Council clarifies what the implications are if biodiversity net gain in the form of the emerging policy envisages cannot be secured on a site.

Affordable Housing and Viability

46. At the Regulation 18 stage, the Partnership made the point that when looking at viability for affordable housing, other costs, such as those associated with BNG, should be taken into account.

47. Whilst the costs associated with the statutory 10% net gain cannot be challenged on viability grounds, viability should at the very least be a consideration in the costs associated with achieving a 10% local net gain if a 20% BNG requirement is adopted. The costs associated with 10% local net gain should, therefore, also be included as a criterion in Policy DS15 which sets out the grounds of viability where it is appropriate to deviate from policy requirements.

48. We do hope that the Council will amend these elements of the Plan as suggested so that it supports investment and job creation and does not act as a deterrent to them.

Overall Summary

49. In summary, the Partnership is very supportive of the site allocation for Altira Park (Policy HB11) and appreciates the vision and work of the Council in improving the flexibility of the allocation. However, to ensure viability and delivery of development on the site, we request that there is further flexibility on the proposed uses within the site allocation to react to changes to the market. Any use which creates new jobs and increases economic opportunities in the local area should be supported by the Council. It is clear from the slow development of the commercial, business and employment floorspace on the site, despite both local and national marketing campaigns, that any development will, and must, be

occupier-led. The delivery of the David Lloyd Health Club was driven by David Lloyd Leisure's desire to find a site in Herne Bay, and the Council's willingness to view the allocation flexibly.

50. It is crystal clear that the Partnership require as much flexibility as possible to attract such occupiers to this part of Kent. There are businesses that are interested to coming to Altira, including a care home operator, a drive-thru operator and a national car showroom/workshop operator. The Policy HB11 should be flexible enough to allow these uses, and any others that create jobs, on the site. For this reason, we object to Policy HB11.

51. We provide our suggested changes to make Policy HB11 sound at **Appendix 1**. Our other suggested changes to make the Plan sound are set out in this letter.

52. The Partnership request that the matters raised in these representations are acted upon in the submission version of the Plan.

We hope the above is clear and helpful. Should you require any further information, please do not hesitate to contact me.

Yours faithfully

A black rectangular box redacting the signature of Sean McGrath.

Sean McGrath
Director

Appendix 1

Amendments to Site HB11

Site HB11 is allocated for commercial, business, employment or leisure development **and other employment generating uses.**

Planning permission will be granted for development which meets the following criteria:

1. Development Mix

Across the site, the development mix will include:

- a. Approximately **19,500sqm** ~~16,000sqm~~ of commercial, business, employment or leisure floorspace, or other compatible uses **that create employment.**

2. Design and Layout

The design and layout of the site should:

- a. ~~Provide development of a similar height and massing to the existing buildings on and around the site.~~ **Where appropriate,** buildings should be broken up visually in massing, height and appearance;
- b. Provide the commercial **retail** floorspace as a large format only, consistent with the complementary role and function of the Commercial Area to the Town Centre; and

- c. Assess Areas of Archaeological Potential, in line with Policy DS30.

3. Access and Transportation

The access and transport strategy for the site should:

- a. Provide safe and convenient pedestrian and cycle connectivity through the creation of new and improved routes including:
 - i. ~~Connections to the different land uses within the site and the Albert-Hugo Friday Bridge; and~~
 - ii. ~~Connections to Heme Bay railway station.~~
- b. Safeguard land for vehicle access and pedestrian and cycle connectivity to Site 3 (Policy CF1), to the east; and
- c. Provide a Transport Assessment to demonstrate the connectivity of the site with the existing highway network, any necessary mitigation and measures to **encourage the use of sustainable transport** ~~minimise the need for use of private cars in line with Policy DS18.~~