

REGULATION 19 LOCAL PLAN CONSULTATION

CANTERBURY CITY COUNCIL

REPRESENTATIONS MADE IN RESPECT OF LAND TO THE WEST OF THORNDEN
WOOD ROAD, GREENHILL

ON BEHALF OF WRENTHAM ESTATES LTD

LEE EVANS PLANNING REF: 9052

MAY 2026

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Architecture
Heritage
Planning
Interiors

1. INTRODUCTION

- 1.1 Lee Evans Partnership LLP is instructed by Wrentham Estates (hereafter, the Landowner) to submit representations to the Regulation 19 Draft of the Canterbury District Local Plan 2042/43.
- 1.2 This representation identifies the Landowner's holding at Land to the west of Thornden Wood Road, Greenhill, Herne Bay (hereafter, 'the Site'), and confirms the Landowner's support for its allocation for mixed use including a new 6FE secondary school, new local shopping and community uses and residential development of circa 150 dwellings. It also provides comments on the Plan as drafted, including those relating to its soundness.
- 1.3 **This representation also provides updates in regards highways and access matters, following initial pre-application meetings with KCC Highways, which will have implications for the wording of the draft allocation policy.**
- 1.4 The Site the focus of this representation comprises circa 16.25ha of land in total and sits adjacent to the western edge of Greenhill. Although detailed commentary is provided against the Plan as a whole, specific commentary is provided in respect of **Emerging Policy HB5 – Land to the West of Thornden Wood Road.**
- 1.5 The following comments are set out in a positive and constructive manner intended to aid the clarity and implementation of the Plan, structured around the following sections:
- **Section 2** of this Statement describes the representation site and its surroundings;
 - **Section 3** sets out relevant Planning Policy considerations with reference to the Vision, Objectives and key emerging planning policies;
 - **Section 4** sets out detailed commentary of Emerging Policy HB4;
- 1.6 These representations conclude that the Plan can be found legally compliant, and can provide a sound evidence-based approach to planning in the District over the plan period, subject to amendment.
- 1.7 Following review of the LPA's evidence base relating to Herne Bay, it is submitted that the identified educational and residential need for this part of the District can be effectively and appropriately delivered at the Site. This will strengthen the effectiveness and overall soundness of the emerging Local Plan by delivering high quality growth to meet the identified need of dwellings in this part of the District over the plan period, and to facilitate healthy communities and a thriving social environment.
- 1.8 We welcome the opportunity to further assist or provide comment on the preparation of the Plan which will help shape future development in the area; and we welcome the opportunity to participate at later hearing sessions where appropriate.

2. SITE DESCRIPTION AND PLANNING CONTEXT

- 2.1 The Site, seen in the centre of the image below, covers an area of approximately circa 16.25 hectares. It lies immediately to the west of Greenhill, south of the A2990 (old Thanet Way) and railway line and approximately 300m north of the A299 (Thanet Way). The site is currently in use as arable agricultural land.

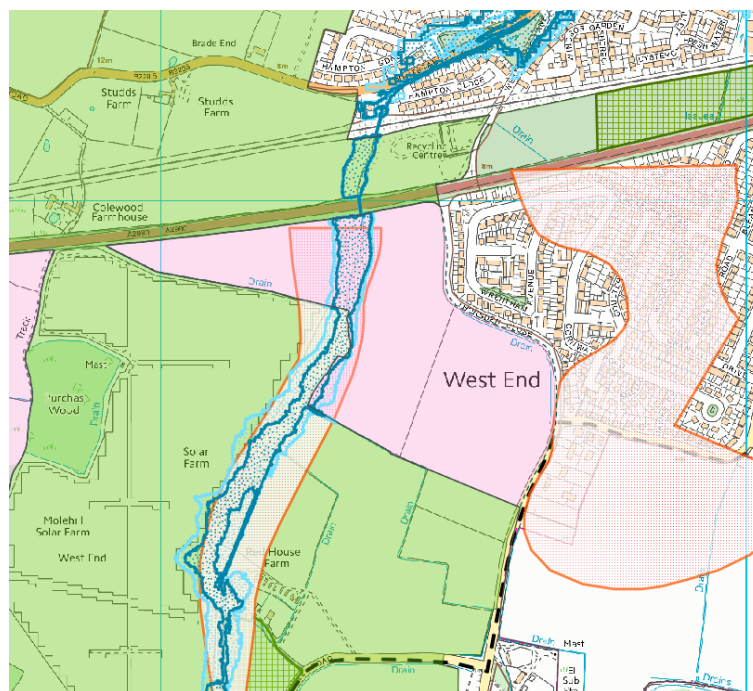


Figure 1. Site Location (courtesy of the emerging Local Plan 2045)

- 2.2 The west and south boundaries of the site meet with agricultural land. Beyond this to the west, is the Molehill Solar Array. There is an established hedgerow along the boundary of the Solar Array, which makes it only partially visible from the representation site. These areas, in conjunction with the representation site, form part of the “Green Gap” as identified on the extant Local Plan Proposals Map 2017 and Policies OS6 and OS7 of the adopted Canterbury District Local Plan 2017. The emerging Local Plan maintains a Green Gap between the settlements of Herne Bay and Whitstable but now seeks to allocate the Site for mixed use development.
- 2.3 The representation site directly adjoins the boundary of the urban area of Herne Bay, as defined on the Local Plan Proposals Map 2017, along its north and east boundaries. These boundaries are formed by Thornden Close and the extensive residential development within Greenhill to the east of Thornden Wood Road. There is no transitional landscaping buffer between the rural and urban form.

- 2.4 Within 100 metres to the south-east of the representation site are a number of fields (to the north of the A299 Thanet Way) which make up “Site 6 – Land at Greenhill, Herne Bay”, a strategic development site identified by Policy SP3 of the adopted Canterbury District Local Plan 2017 for 300 dwellings as well as community facilities to meet local need; recreation and leisure facilities; allotments; provision of, and contributions to, primary and secondary education; and health care provision.
- 2.5 A planning application was submitted in January 2018 (Reference CA/17/02907) in relation to Site 6 for a mixed use development including up to 450 dwellings including outdoor sports playing pitches; community facilities; new link road; pedestrian and cycle links; sustainable drainage features; public open space and other associated infrastructure. A decision to grant planning permission for this application, pending completion of a Section 106 Agreement, was made by Canterbury City Council at the Planning Committee of the 18th June 2020. The development of that site is now underway.
- 2.6 Greenhill is considered an extension of Herne Bay, as indicated by its inclusion with the defined Herne Bay urban area boundary, and rightly so due to its proximity to the town. Herne Bay is one of the three main urban areas in the Canterbury District and offers a plethora of services, facilities and employment opportunities. The town is accessible to the north of the site on the other side of the A2990.
- 2.7 Greenhill offers a range of services and facilities within close proximity to the site. Briary Primary School is located approximately 400m metres from the representation site (within a 5-minute walk). Secondary education is available at Herne Bay High School on the east side of Greenhill. In addition to the schools in Greenhill, there are other Primary Schools in the centre of Herne Bay.
- 2.8 There are also other facilities including places of worship, hot-food takeaway establishments and a convenience store in Greenhill which benefit existing residents. These vary in terms of their proximity to the site, although the nearest takeaway is within approximately 8-minutes walking distance.
- 2.9 There are also bus services within 3-minutes walking distance of the site which provide services into Herne Bay, Canterbury and Whitstable. Herne Bay railway station is a few minutes’ drive away and provides connections to the wider area including London, Ashford and the Thanet towns. National Express bus services are available from central Herne Bay which is approximately an 8-minute drive away.
- 2.10 Public footpath CH12 adjoins the site to the west and extends out towards the northern edge of the Molehill Solar Array, beyond which it meets the A2990. There is a wider public right of way network further afield from the site. The representation site itself appears to be used for informal walking purposes.

- 2.11 The site is predominantly located in Flood Zone 1, where the risk of flooding is lowest. The eastern side of the site is relatively flat, before it falls westwards towards a shallow valley along which West Brook extends. Along the line of the Brook is a portion of land within Flood Zones 2 and 3.

3. REPRESENTATIONS TO REGULATION 19 LOCAL PLAN CONSUTLATION

- 3.1 As above, the Canterbury District Local Plan Regulation 19 ('the Plan') establishes the scale and distribution of new development required to meet the District's needs to 2042/43. It identifies a series of site allocations and detailed development management policies against which development proposals will be assessed during the plan period.
- 3.2 Commentary is not provided here for all policies, and is instead reserved for those considered of most relevance to the Landowner's specific interests to the Site.
- 3.3 **Section 4** of this response looks in detail at the provisions of **Emerging Policy HB5 - Land to the West of Thornden Wood Road**.
- 3.4 Commentary in this Section is provided principally on Emerging Policies as follows:
- Policy SS1 – Environmental strategy for the district
 - Policy SS3 – Development strategy for the district
 - Policy SS6 - Infrastructure strategy for the district
 - Policy DS1 – Affordable housing
 - Policy DS23 – Flood risk
- 3.5 Commentary is provided using the references above and, where relevant, the paragraph numbers as used in the Regulation 19 Draft.
- 3.6 Due regard has been had to the wider evidence, and where necessary cross-reference has been made to the LPA's evidence as available as part of this consultation process.

OVERARCHING VISION & OBJECTIVES

- 3.7 The Landowner generally supports the Overarching Vision for the District to deliver "decisive improvements to our district's infrastructure while protecting and enhancing our unique natural and historic environments". The draft Local Plan states;

The government's National Planning Policy Framework (NPPF), first introduced in 2012, has led to a step-change in the levels of growth the district is expected to deliver, and the Canterbury District Local Plan (2017) identified a series of strategic development sites, predominantly around Canterbury, Herne Bay and Sturry to deliver the required levels of growth to 2031. This plan responds to more recent changes to the NPPF, which further increase the rate of housebuilding the government expects to see in the district, and sets out a long term plan for growth and development to 2042/43.

These levels of growth will undoubtedly place pressure on existing infrastructure, such as our roads, schools and water infrastructure.

With growth comes investment and this plan provides our district with the opportunity to manage this growth in an effective and sustainable manner in order to:

- improve access to high-quality housing for our communities*
- improve infrastructure for all*
- enhance our city, town and village centres*
- increase biodiversity and the connectivity of our habitats and open spaces*
- respond to the challenges of climate change*

- 3.8 These high level and aspirational principles which inform the direction of the Plan are supported, notwithstanding detailed comments on the policies contained within. It is considered that the objectives are appropriate in supporting the implementation of the Vision over the plan period up to 2042/43. This is most salient to the Landowner's interests with reference to emerging Policy HB4. The Site at Herne Bay will respond to this positively, by providing space for a new Secondary School, community and commercial spaces and identified housing supply, on an available, suitable, and achievable sites.

STRATEGIC AND DEVELOPMENT MANAGEMENT POLICIES

POLICY SS1 – Environmental strategy for the district

- 3.9 The Landowner **Supports** the policy as drafted.
- 3.10 This policy deals with the overall strategy for the delivery of new open spaces and sports/recreation facilities for the plan period and responds appropriately to the housing delivery aspirations for the district (which will require said space/facilities).
- 3.11 It is anticipated that majority of the identified spaces and facilities will be delivered at the three main settlements of Canterbury, Herne Bay and Whitstable, in association with the major residential allocations and infrastructure delivery. A proportionate delivery of these can be provided at the draft allocation at Thornden Wood Road (Policy HB4), including natural and semi natural open space, amenity green space, play facilities, outdoor sports and allotments.

POLICY SS3 – Development Strategy for the district

- 3.12 The Landowner **Supports** the policy as drafted.
- 3.13 This policy, *inter alia*, outlines the scale of development targeted over the plan period, including annual housing delivery and the provision of “two new coastal secondary schools at Whitstable and Herne Bay”.

- 3.14 At a high level, it confirms that the focus of development will be at Canterbury, Herne Bay and Whitstable and the Landowner supports this approach. In the supporting text to the Policy, the Plan provides a settlement hierarchy. This identifies the three main settlements as 'Urban areas' and states that these are "the most sustainable settlements in the district". Logically these should accommodate the majority of development, including the land supply to assist with the delivery of an average of 1,215 new dwellings per year, as informed by the Housing Needs Assessment Update (2025).
- 3.15 As an overall baseline position, this aspiration to both provide sufficient minimum growth to meet identified housing need, and to focus growth in sustainable locations is supported. The policy appears **positively prepared and justified** in its approach to facilitating housing and school delivery to serve a wide range of identified need.
- 3.16 It is agreed that the allocation of a number of sites is appropriate in ensuring a consistent and identifiable supply of housing over the plan period.

POLICY SS6 - Infrastructure strategy for the district

- 3.17 The Landowner **Supports** the policy as drafted.
- 3.18 Policy SS6 identifies key infrastructure allocations in the Plan. This includes education, healthcare, community and sports facilities and water infrastructure. It is essential that this infrastructure not only comes forward but comes forward at the right time and in the right place to support the growth planned for the district. The draft Policy makes provision for this, ensuring that the Plan as a whole is capable of implementation.
- 3.19 Draft Policy HB5 allocates land for the delivery of a secondary school at Herne Bay; one of the "two new 6FE secondary schools" referenced in Policy SS6. It has long been recognised that the provision of secondary education is imbalanced across the district, with the majority provided for in Canterbury. To improve balance, provide greater opportunity for young people in the coastal area, improve sustainability (reduced travel by car and bus), and increase options for pupils-to-be, the creation of a new secondary school at Herne Bay (and Whitstable), is welcomed.
- 3.20 The demand for two new secondary schools is evidenced in the Infrastructure Delivery Plan 2026, which notes the following;

There has historically been an imbalance in the location of secondary school provision across the district, with many pupils from the coastal area travelling to schools in Canterbury as indicated in the KCC Commissioning Plan for Education Provision. The Regulation 19 draft Local Plan provides a strategic opportunity to address this imbalance, and therefore proposes the delivery of two new secondary schools in Whitstable (Bodkin Farm) and Herne Bay (Thornden Wood Close), with sixth

forms, which will allow more secondary school pupils - both at the coast and within Canterbury city - to attend a school in their local area. The secondary school at Bodkin Farm will be delivered first, expected in the medium term of the draft Local Plan period. The secondary school at Thornden Wood Close is expected to be delivered at the end or beyond the period of the draft Local Plan and will be considered under subsequent Local Plan reviews. KCC have confirmed that this additional need cannot be met through the extension of existing non-selective secondary schools, and therefore the provision of two new secondary schools is necessary to accommodate growth over the long term.

POLICY DS1 – Affordable Housing

- 3.21 The Landowner **Supports** the policy as drafted, **subject to amendments**.
- 3.22 This policy sets out the LPA's position on affordable housing. It is derived from the LPA's evidence base. The provisions of Policy DS1 are generally supported, with due regard had to schemes of a 'minor' nature (i.e. less than 10 dwellings/0.5ha).
- 3.23 It is welcomed that the Policy allows for flexibility in the provision of affordable housing in certain circumstances; it is noted that a core objective of the Plan is the delivery of housing and an onerous or overly stringent policy could otherwise run counter to aspirations to implement a given scheme. However, it is submitted that greater clarity could be provided in the wording of the policy at criterion 2 and criterion 5, in which viability and offsite financial contributions are discussed.
- 3.24 For example, in instances where the applicant/developer has approached a spread of registered social landlords/the Council, that have all stated no interest in the volume and/or location of affordable housing on offer, this should be recognised as an instance where offsite financial contributions could be accepted. Furthermore, criterion 5 places a reliance on evidence directly from registered providers, which could result in significant and unreasonable delays to planning applications. The onus could be placed on registered providers **and/or** applicants to provide evidence.
- 3.25 Notwithstanding the above, this policy appears positively prepared and justified in its approach to facilitating housing delivery to serve a wide range of identified need.

POLICY DS23 – FLOOD RISK

- 3.26 The Landowner **Objects** to the policy as drafted, **and recommends further explanatory text to support their application in a development management capacity**.
- 3.27 Both policies refer to the requirement to carry out the Sequential Test in certain circumstances. This is in line with national policy and carries over from adopted Local Plan for Canterbury District. However, the geographical scope of the test is not defined in either the emerging or extant Local

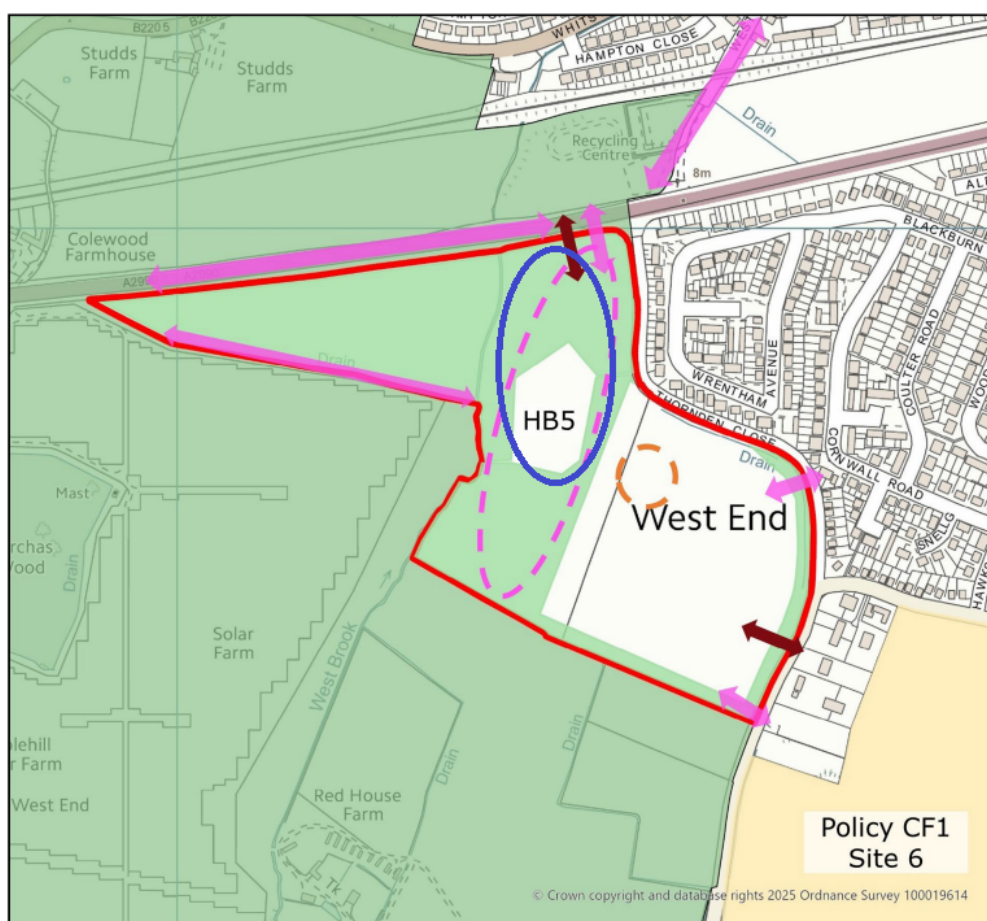
Plan (and paragraph 6.128 leaves this open to discussion between the applicant and Council), and this has led to a lack of clarity for applicants in the past, which has in turn resulted in prolonged applications, unnecessary negotiation between applicants and LPA and ultimately the need for appeals. The lack of clarity creates unnecessary uncertainty for applicants and will require at the least, a pre-application to confirm. This is a significant expense under current pre-app fee rates (including the need for drainage consultant inputs), before an applicant has any certainty whether to pursue a site/development. There is a risk that potential development opportunities will not come forward due to this uncertainty and the threat of high abortive costs at such an early stage. This matter is readily solved with set geographical scopes in, for example, urban and rural settings.

- 3.28 It is submitted that one or both policies would benefit from clarity on this matter, with an identified/confirmed scope of test. **The size of area required to be included in the sequential test should be outlined either in the supporting text or in the policies themselves so that applicants have comfort in the knowledge of the extent of assessment/test that they will need to carry out, from the outset. This would render the Policy's effective and more readily enforceable.**

4. POLICY HB5 – ‘Land West of Thornden Wood Road’

- 4.1 Policy HB5 identifies Land to the west of Thornden Wood Road as an allocation for mixed use development.
- 4.2 The Landowner **Supports** the policy as drafted, **subject to the following comments and suggested amendments.**
- 4.3 The indicative layout plan provided under Policy HB5 shows the New Secondary School with coverage through the centre of the site from the north to south boundaries. It is confirmed that the school can be accommodated within the northern half of the site, as agreed in principle with KCC Education. The indicative site layout plan can be amended to reflect this, as below (as indicated by blue outline):

Policy HB5 - Land to the West of Thornden Wood Road



- 4.4 The Policy states at criterion 1 that the development will include “Proportionate contributions to community infrastructure”. It is submitted that this fails to recognise, or appropriately outline, the contributions that the development should provide. The wording leaves the policy open to

interpretation, suggesting that both land and financial contributions could be sought from the applicant. It is submitted that this could amount to 'double-counting', especially in relation to the provision of education; the Site will provide land for a 6FE secondary school at 'nil consideration' to KCC and thus should negate the need for any financial contributions for such provision.

- 4.5 Similarly, it is submitted that the provision of land for a 6FE secondary school is proportionately greater than the remainder of the Site (the residential/shopping/community facilities), would demand in terms of 'education contributions' (including early years, primary, secondary and SEND). A viability appraisal to this end can be provided if required, but in the meantime the Landowner would welcome discussion of this matter with the Council.
- 4.6 It is suggested that the wording of criterion 1 (iii), be amended to read **"Proportionate land and/or building contributions towards secondary education plus proportionate contributions for primary healthcare and other necessary off-site community infrastructure"**.
- 4.7 Criterion 4 considers Access and transportation matters. The accompanying indicative site masterplan in the Plan shows connections from A2990 Thanet Way for the school only and from Thornden Wood Road for the rest of the site with "no vehicular connectivity through the site". However, the applicant has undertaken **pre-application enquiries with KCC Highways, who have advised their preference for a main access to the site from A2990 Thanet Way. The applicant considers a secondary vehicular access off Thornden Wood Road for a smaller element of the development would be also be achievable.** It is submitted that the Policy should be amended to allow for this potential access strategy. **It is suggested that the wording of criterion 4 be reworded to provide flexibility in this regard so as not to preclude a planning application from coming forward/obtaining approval in line with the adopted Policy. Wording such as "Provide primary vehicle access from Thanet Way with a potential secondary access from Thornden Wood Road as evidenced by a Transport Statement" could be used.**
- 4.8 The draft Policy also seeks at criterion 4 (a) (i) a pedestrian crossing of the A2990 Thanet Way by way of a toucan crossing and the masterplan shows a crossing from the site to north. This connection is made with a road that serves the Herne Bay household waster/recycling centre; the road has no streetlighting or pedestrian provision/footpaths and is a narrow lane with unkempt vegetation on either side. This does not provide a safe or welcoming environment, especially during darker hours. It is recommended that this is removed from the masterplan image and reference to the provision of a toucan crossing is removed from the Policy.
- 4.9 It is submitted that pedestrians travelling to Herne Bay would be better served by following the safe, lit route through Greenhill to the east, via Thornden Wood Road and other local streets, and crossing at the newly provided toucan crossing adjacent to the Greenhill roundabout/Lidl store. This route provides a continuous footpath connection, a safe crossing point and provides access to the wider Herne Bay area. **As such it is proposed that the wording of the criterion (a) (i) be**

amended to read “(a) Provide safe and convenient pedestrian and cycle connectivity including:
(i) High quality walking and cycling links to Whitstable, Greenhill and Herne Bay;”.

SITE DELIVERABILITY

- 4.10 The Promoter and Landowner further wish to confirm the following information to assist in the progression of the Plan towards the Regulation 19 stage, following this consultation period:

1. Current planning status

It should be noted that the Landowner is currently preparing an Outline Planning Application for submission in 2025/6, evidencing the overarching deliverability of the Site in line with the aspirations of the Plan as drafted. Technical work has been instructed to underpin the detailed inputs to a future planning application.

2. Firm progress with site assessment work;

As above, an Outline Planning Application is targeted for submission in 2025/6, with a suite of technical work to support such being instructed during 2023 onwards. It is anticipated that an Outline Planning Application informed by site assessment work could be prepared to coincide with the Local Plan drafting/examination process.

3. Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects:

The Landowner has engaged in discussions with various promoters. The Site is held in single ownership and no third parties are required in the delivery of housing in this location.

- 4.11 The Site is considered available, suitable and deliverable.