

# **Canterbury District Local Plan - Regulation 19 Consultation**

**Response on behalf of Wates Developments Limited**

18 May 2026

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

**We've been helping create great places  
for over 60 years.**

**[lichfields.uk](https://lichfields.uk)**

# Contents

|            |                                                                        |           |
|------------|------------------------------------------------------------------------|-----------|
| <b>1.0</b> | <b>Contact Information</b>                                             | <b>2</b>  |
| <b>2.0</b> | <b>Chapter 1: Spatial Strategy</b>                                     | <b>3</b>  |
|            | Policy SS1: Environmental Strategy for the District                    | 3         |
|            | Policy SS3: Development Strategy for the District                      | 4         |
|            | Policy SS5: Movement and Transportation Strategy for the District      | 5         |
|            | Policy SS6: Infrastructure Strategy for the District                   | 6         |
| <b>3.0</b> | <b>Chapter 2: Canterbury Area</b>                                      | <b>9</b>  |
|            | Policy C1: Canterbury City Centre Strategy                             | 9         |
|            | Policy C15: Land South of Littlebourne Road                            | 9         |
|            | Policy C16: Land South of Bokesbourne Lane                             | 10        |
| <b>4.0</b> | <b>Chapter 6: District-wide Strategic Policies</b>                     | <b>21</b> |
|            | Policy DS2: Housing Mix                                                | 21        |
|            | Policy DS25: Supporting Biodiversity Recovery                          | 21        |
| <b>5.0</b> | <b>Sustainability Appraisal and Habitats Regulations Assessment</b>    | <b>23</b> |
|            | Habitats Regulations Assessment                                        | 23        |
|            | Sustainability Appraisal of the Draft Local Plan                       | 23        |
|            | Sustainability Appraisal of the Strategic Land Availability Assessment | 23        |

---



### Executive Summary:

These representations have been submitted on behalf of 'Wates Developments Limited' ('Wates'). Wates is promoting the 'Land South of Bekesbourne Lane' site (Policy C16) which forms part of the wider 'East Canterbury Strategic Development Area' ('EC SDA').

In summary, Wates supports the proposed allocation of 'Land South of Bekesbourne Lane' and the wider EC SDA in principle. The development of Wates' site can realise significant benefits for Canterbury City and the district as a whole. It will deliver approximately 860 much needed homes, new employment space, open space, secure a 'biodiversity net gain' ('BNG'), and deliver / support the delivery of infrastructure. Its development also accords with the emerging plan's spatial strategy in that it will support the concentration of development around the principal settlement of Canterbury City.

While Wates supports the principle of its site's allocation (Policy C16), it has concerns as detailed within these representations to various policies in the plan. These concerns relate to the soundness and legal compliance of policies including Policy C16. In summary, Wates has concerns with the following policies:

- **Policy C16 (Land South of Bekesbourne Lane)** – The quantum of older persons housing, density/masterplanning requirements, and the infrastructure required including the funding of and triggers for various pieces of infrastructure and uses.
- **Policy SS1 (Environment Strategy for the District) and Policy DS25 (Supporting Biodiversity Recovery)** – The requirement for 20% BNG and 20% tree cover requirement.
- **Policy SS6 (Infrastructure Strategy for the District)** – The policy failing to seek wider contributions from developments in the district to fund necessary infrastructure being delivered within the Strategic Development Areas.
- **Policy C15 (Land South of Littlebourne Road) and Policy DS2 (Housing Mix)** – Linked to our concerns regarding Policy C16.

Notwithstanding Wates' concerns, Wates considers that suitable modifications can be made to ensure the above policies are both sound and legally compliant.

**Note:** This representation document follows the structure and questions of the Council's online Regulation 19 survey. It is provided as a single supporting response which is uploaded alongside our online representations.

1.0

## Contact Information

### Contact Information

- **Name:** Harry Bennett
- **Email:** [harry.bennett@lichfields.uk](mailto:harry.bennett@lichfields.uk)
- **House name/number:** Lichfields, The Minster Building, 21
- **Street:** Mincing Lane
- **City:** London
- **Postcode:** EC3R 7AG

### Q1. Are you responding as?

- A business, organisation or community group [✓] – Wates Developments Limited ('Wates')

### Q2. Would you like to be notified of the following stages of the Canterbury District Local Plan?

- When the Canterbury District Local Plan has been submitted to the Secretary of State for the Ministry of Housing, Communities & Local Government for examination [✓]
- When the Planning Inspector's Report is published [✓]
- When the Canterbury District Local Plan is adopted [✓]

### Q3. Would you like to appear at the Independent Examination?

- Yes, I wish to participate in hearing session(s) [✓]

### Q4. Which chapter/s of the Regulation 19 consultation would you like to comment on?

- Chapter 1: Spatial Strategy [✓]
- Chapter 2: Canterbury Area [✓]
- Chapter 6: District-wide Strategic Policies [✓]
- Sustainability Appraisal and Habitats Regulations Assessment [✓]

2.0

## Chapter 1: Spatial Strategy

**Q1 – Q8.**

2.1

No response.

### Policy SS1: Environmental Strategy for the District

**Q9. Do you consider that Policy SS1: Environmental Strategy for the district is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [No]
- The policy is effective: [No]
- The policy is consistent with national policy: [No]

**Q10. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

2.2

Wates supports Policy SS1 in that it seeks to improve, inter alia, the district's local biodiversity and local habitats. The overarching themes of the policy are effective (i.e. deliverable) and consistent with national policy; however, some of the specific policy requirements are not and are not justified.

2.3

Firstly, Policy SS1 (5) requires a minimum 20% biodiversity net gain ('BNG') for major development sites. However, this requirement is not justified. The policy should be amended to refer to the minimum 10% BNG for qualifying development, mirroring the statutory requirement introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

2.4

Planning Practice Guidance is clear that plan-makers should not seek higher gains than the statutory 10% unless specifically justified (ID: 74-006). It then goes on to state that to justify such policies, there will need to be evidence of local need. Wates does not consider there is sufficient justification that demonstrates a specific local need for a higher minimum percentage compared to any other local planning authority area. It is noted that the blanket starting point is that plans should not set a higher requirement, and the guidance sets a high evidential bar as justifying why in any specific area there is a need to exceed the statutory requirement in Local Plan policy (i.e. to overturn that starting point presumption that a higher percentage is not applied). Furthermore, there has been no assessment to determine whether it is realistic that major development sites – including the Strategic Development Areas – can actually achieve a 20% BNG on-site. It is therefore clear the evidential burden has not been met to justify a 20% BNG in Canterbury and the policy may not be effective (i.e. deliverable). Corresponding modifications should also be made to Policy DS25.

2.5

Further relevant to the proposed 20% BNG requirement, the Government has consulted upon a draft revised NPPF (2025). Draft plan-making policy N1(2) states that development

plans should only set local standards for BNG on a site-specific basis where fully justified and deliverable. This demonstrates the Government does not wish to see blanket uplifts as is proposed. Footnote 69 also makes it clear that when making decisions (against the new NPPF once published), development plan policies that require gains above the statutory minimum are to be given no weight. Therefore, should the revised NPPF be adopted as per its current drafting then Policy SS1 would have an almost immediate conflict with national policy.

- 2.6 In addition, Policy SS1 (6) requires a minimum of 20% tree cover for developments over 300 homes. While a laudable aspiration, there may be practical masterplanning and planning reasons why 20% tree cover is not appropriate: for example, to implement a range of habitats to achieve a sufficient BNG or other site-specific factors that are only accounted for when masterplanning larger scale developments. Furthermore, there is no evidence as to why a minimum of 20% is necessary and appropriate for Canterbury District specifically. This policy requirement is therefore not justified, and it instead should be applied as a more flexible target to achieve.

- 2.7 Suggested wording modifications are proposed at Appendix 1 to these representations.

#### **Q11 – Q17.**

- 2.8 No response.

### **Policy SS3: Development Strategy for the District**

#### **Q17. Do you consider that Policy SS3: Development Strategy for the district is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [Yes]
- The policy is effective: [Yes]
- The policy is consistent with national policy: [Yes]

#### **Q18. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

- 2.9 Wates supports the Council's proposed development strategy in that it seeks to deliver a plan-led approach to meeting the district's local housing need – as assessed using the latest standard method – over a plan-period to 2042/43. In particular, Wates supports the identification of the East Canterbury Strategic Development Area ('EC SDA') at Part 4 of the policy.
- 2.10 Wates controls Site C16 'Land South of Bekesbourne Lane' that forms part of the EC SDA. Site C16 is allocated to deliver a mixed-use development including approximately 860 homes. Its development would place new homes, employment, and services on the edge of Canterbury – the district's principal settlement – supporting a distribution of development in locations that are:

- 1 Well-served by the City's existing infrastructure and services; and
- 2 Are close to and well connected to the city centre giving a genuine choice of sustainable transport modes for residents.

2.11 Ultimately, the delivery of Site C16 can help meet the district's local housing needs as part of a wider sustainable development strategy.

**Q19 – Q24.**

2.12 No response.

## **Policy SS5: Movement and Transportation Strategy for the District**

**Q25. Do you consider that Policy SS5: Movement and Transportation Strategy for the district is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [Yes]
- The policy is effective: [Yes]
- The policy is consistent with national policy: [Yes]

**Q26. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

2.13 Wates supports the Council's proposed overarching Movement and Transport Strategy for the district as detailed within Policy SS5. In particular, Wates supports the proposed implementation of measures to shift travel across the district to low-carbon transport methods and active travel. Wates considers the development of its site (C16) will support this aim: placing significant new development within walking and cycling distance of Canterbury city centre, enabling a genuine choice of transport modes for residents to access shops, services, jobs and opportunities for onward rail travel from Canterbury's stations.

2.14 To support this shift at a district level, the Council is proposing the implementation of a new bus-led sustainable transport strategy as detailed at part (2) of the policy. Wates notes the range of measures to implement said strategy incorporating new infrastructure within Canterbury City includes:

*"A new link between the A257 Littlebourne Road and the A2 Junction at Bridge" (SS5 [2i])*

2.15 This new link is identified as being required to be delivered as part of the EC SDA and would include a bridge over the railway line from 'Land South of Bokesbourne Lane' (Site C16) – which Wates control and is promoting – into Site 1 to the south (see Policy C16 [4d]). The bridge within Wates' site alongside other new infrastructure will all support the implementation of the wider Policy SS5 Movement and Transport Strategy: a strategy that will in turn benefit both new and existing development across Canterbury City itself but

also the wider district. We note that the new link road is identified as one of the “*key infrastructure requirements*” within Part (2) of the Policy and is to deliver a strategy “*for the district*” in line with the policy title of SS5; it is not solely about the delivery of the C16 Site itself (or the wider EC SDA).

- 2.16 It is in the context of this Movement and Transport strategy that we do not consider certain transport-related requirements of Policy C16 to be legally compliant – namely those requiring the EC SDA to fund and deliver infrastructure items to support a transport strategy sought for the whole district – as per our response to Chapter 2 Q63 and Q64. Modifications can however overcome Wates’s concerns and suggested revised policy wording is proposed at Appendix 1 to these representations.

**Q27 – Q28.**

- 2.17 No response.

## Policy SS6: Infrastructure Strategy for the District

**Q29. Do you consider that Policy SS6: Infrastructure Strategy for the district is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [No]
- The policy is effective: [No]
- The policy is consistent with national policy: [Yes]

**Q30. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

- 2.18 Wates is promoting site C16 (‘Land South of Bokesbourne Lane’) and as per our responses to Chapter 2 Q61 to Q64, Wates does not consider Policy C16 is justified, effective, or legally compliant (albeit modifications can be made to overcome Wates’s objections).

- 2.19 In particular, Wates has two concerns regarding the soundness of Policy C16 that interrelate to Policy SS6. These are:

- **Bridge to Site 1:** The need for, delivery, funding of, and the identified cost of a bridge from ‘Land South of Bokesbourne Lane’ over the railway into Site 1 (Policy C16 [4d]) to implement the Council’s proposed Movement and Transport Strategy (Policy SS5 [2i]). This is in the context that Wates has previously offered the opportunity to enable the delivery, safeguard land, and provide proportionate contributions; and
- **EC SDA Primary School Provision:** Whether the development generates the need for the proposed 2FE primary school within the site and requirement for Wates to provide the necessary land at nil cost (noting the primary school appears to be required to meet a wider need) (Policy C16 [1bii] & [5d]).

**Bridge to Site 1**

- 2.20 Policy SS6 should be amended such that it makes a specific reference to the wider strategic transport measures needed to implement the proposed Movement and Transport Strategy as detailed in Policy SS5; including said bridge if it is required to be delivered to deliver the strategy's objectives. This strategic infrastructure will support development more widely and provide benefits to both Canterbury City and the district as a whole. Consequently, Policy SS6 needs to be clear that new developments should make a proportionate contribution to the delivery of such strategic infrastructure.
- 2.21 We have therefore suggested modifications necessary to Policy SS6 (2) (Appendix 1) to include a specific reference to Policy SS5.
- 2.22 Furthermore, Policy SS6 (3) states that the infrastructure policy requirements have been tested for viability and that any deviation from policy requirements on the grounds of viability will therefore only be accepted in limited circumstances. However, this approach fundamentally hinges on the Council's viability testing being robust and justifying this position. In respect of the Site C16, we note it has been tested within the viability assessment, but from Wates' review there does not appear to be any evidence underpinning the Council's proposed costing of the bridge between their site (C16) across the railway line to Site 1 at £5 million (Table 8.3, Infrastructure Delivery Plan [March 2026]). In Wates' view – based on experience elsewhere and cost advisory – the cost of the bridge is likely to exceed this, and request the Council review the costings for this piece of infrastructure (we address this further in our Policy C16 comments). But the implication of a higher cost would be that Policy SS6(3) cannot stand to be a sound policy proposition.
- 2.23 In this context and noting this piece of "*key infrastructure*" to be delivered in site C16 is intended "*for the District*" (as per Policy SS5), Wates can provide safeguarded land, support its delivery, and provide proportionate contributions.

**Primary school provision at EC SDA and Site C16**

- 2.24 Modifications are required to Policy SS6 (2) and in particular part (2a). Part (2) of the policy lists infrastructure "*necessary to serve new strategic development allocations*". However, as per our response to Chapter 2 Q62 regarding 'Land South of Bekesbourne Lane' (Policy C16) and the wider EC SDA, the level of primary school provision proposed at the EC SDA (up to 5FE) would be delivered to meet wider needs not just those of the development.
- 2.25 In this context, part (2) of the policy is not justified in stating the infrastructure requirements listed are to serve the new strategic development allocations in and of themselves. Moreover, the need for said infrastructure may need to be revised should evidence come to light that said infrastructure listed may not all be required including the proposed primary school provision.
- 2.26 We have therefore suggested modifications to Policy SS6 (2) (Appendix 1) such that the provision of necessary infrastructure is accommodated within the new strategic development allocations, but proportionate contributions may need to be made by others to support their delivery.

**Q31. Do you consider that the policy is legally compliant?**

2.27 [No]

**Q32. Please give precise details in the box below, including any changes you would suggest to make the policy legally compliant. If you consider the policy to be legally compliant, please use this box to set out your comments.**

2.28 Reflecting Wates' response to Chapter 2 Q64 (regarding Policy C16), Policy C16 requires said proposed allocation to deliver and fund a new road bridge across a railway line (with contributions from one other site) and deliver land for a primary school.

2.29 Both of these infrastructure elements would provide benefits beyond just site C16 with the road bridge being needed to implement the wider movement strategy and the school to meet wider needs other than itself. These cannot therefore be legally secured solely by reference to the EC SDA in the terms of CIL Regulation 122 which requires contributions from developments to be fairly and reasonably related in scale. Thus, Policy SS6(2) needs to be explicit in that infrastructure on strategic development allocations may require pooling of infrastructure funding. We have therefore suggested modifications to Policy SS6 (2) that would resolve Wates's concerns (Appendix 1).

**Q33 to Q40.**

2.30 No response.

3.0

## Chapter 2: Canterbury Area

### Policy C1: Canterbury City Centre Strategy

**Q1. Do you consider that Policy C1: Canterbury City Centre Strategy is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [Yes]
- The policy is effective: [Yes]
- The policy is consistent with national policy: [Yes]

**Q2. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

- 3.1 Wates generally supports Policy C1 but specifically supports part (11) within which the Council proposes to implement a secure high-quality public transport network alongside a comprehensive and attractive walking and cycling network. Wates' site (Policy C16 – 'Land South of Bekesbourne Lane') and the wider EC SDA can help deliver on this aim: placing new development within walking and cycling distance of the city centre, while also supporting the delivery of infrastructure necessary to implement the proposed Movement and Transport Strategy (as detailed in Policy SS5).
- 3.2 Notwithstanding, building on Wates' representations to Policies SS5, SS6 and C16, Wates supports the delivery of a high-quality movement and transportation network throughout Canterbury district. However, to achieve this network a bridge from Wates' site into Site 1 needs to be delivered. The proposed funding of that bridge lies wholly with the EC SDA allocations despite said bridge being intended for the benefit of the wider district. This point is considered further in Wates' response to Policy C16 (Chapter 2, Q62).

**Q3 to Q56.**

- 3.3 No response.

### Policy C15: Land South of Littlebourne Road

**Q57. Do you consider that Policy C15: Land South of Littlebourne Road is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [No]
- The policy is effective: [No]
- The policy is consistent with national policy: [Yes]

**Q58. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

- 3.4 This site forms part of the EC SDA with Wates promoting the adjacent site C16 ('Land South of Bokesbourne Lane'). Together, Sites C15 and C16 form the EC SDA.
- 3.5 Wates does not consider Policy C16 to be justified or effective. In suggesting modifications to Policy C16, corresponding modifications would also be needed to Policy C15 to address the soundness of the overall EC SDA policies. See Wates' response to Chapter 2 Q62 and 64.

**Q59. Do you consider that the policy is legally compliant?**

[No]

**Q60. Please give precise details in the box below, including any changes you would suggest to make the policy legally compliant. If you consider the policy to be legally compliant, please use this box to set out your comments.**

- 3.6 This site forms part of the EC SDA with Wates promoting the adjacent site C16 ('Land South of Bokesbourne Lane'). Together, Sites C15 and C16 form the EC SDA.
- 3.7 Wates does not consider Policy C16 to be legally compliant. In suggesting modifications to Policy C16, corresponding modifications would also be needed to Policy C15 to address the legal inconsistencies. See Wates' response to Chapter 2 Q62 and 64 below.

## Policy C16: Land South of Bokesbourne Lane

**Q61. Do you consider that Policy C16: Land South of Bokesbourne Lane is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [No]
- The policy is effective: [No]
- The policy is consistent with national policy: [Yes]

**Q62. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

- 3.8 Wates supports the allocation of 'Land South of Bokesbourne Lane' (Policy C16). The location is fundamentally sustainable, being on the immediate edge of the built-up area of Canterbury, close to the city centre and close to a range of local amenities. The site is generally free from constraints and well related to the urban area with existing homes on Dorset Road to the west, St Martin's Hospital to the north (albeit with intervening vegetation), and the railway line to the south beyond which is Barton Business Park and the Mountfield Park (Site 1) development site. Wates considers the site is suitable on its own merits, and that suitable and safe access could be achieved to deliver housing on the site,

through either a combination of access from Dorset Road and/or access from Bekesbourne Lane.

- 3.9 The site is an integral part of the EC SDA, which is also supported as a broad location for strategic scale growth within Canterbury, with Wates' Policy C16 site sitting between the Policy C15 allocation and the urban area. The EC SDA will support Canterbury City Council to achieve its development strategy: helping to meet the district's housing and other development needs while focusing development in and around the Canterbury urban area. It can also support the delivery of the Council's Movement and Transportation Strategy (as per Policy SS5) through the delivery of on-site infrastructure that will enhance sustainable transport options, improve air quality, and reduce congestion in Canterbury City Centre: providing benefits to both the city and the wider district as a whole.
- 3.10 Fundamentally, Wates considers the principle of allocating Land South of Bekesbourne Lane is sound (i.e. that a sustainable mixed-use development can be delivered that accords with the proposed spatial strategy for the district) but seeks modifications of important detail.
- 3.11 Modifications are therefore sought owing to the draft policy being neither justified nor effective in Wates's view. Nor does it consider the policy (as currently constructed) to be legally compliant (as set out below – see response to Chapter 2, Q64). However, modifications to Policy C16, alongside consequent changes to other Policies to align, can resolve Wates' concerns.
- 3.12 The below sets out a review of the various policy requirements within Policy C16 and explains why – individually and in combination – it is considered they result in a policy that is unsound and requires modification. Wates has set out proposed modifications to Policy C16 at Appendix 1 to these representations to illustrate how such soundness concerns may be overcome.

### **Masterplanning and development quantum**

- 3.13 Wates supports the proposed number of homes to be delivered at 'Land South of Bekesbourne Lane' as being 'approximately 860 homes' (C16 [1a]). This quantum of development is achievable but careful consideration of the masterplanning approach, housing mix, and densities required need to be considered in the round and the context of what the overall policies of the Plan require. In summary, there are inherent tensions and potential for policy conflict between required densities, housing mix and the range of land uses the allocation is to accommodate, and the ability to deliver 860 homes in an appropriate form of development.
- 3.14 We address these below. Wates considers modifications are therefore required in respect of the following elements:
- 1 The quantum and location of older persons housing; and
  - 2 Housing density requirements.

## 1. Older persons housing quantum and location – C16 (1a) and (2d)

- 3.15 Policy C16 (1a) expects the provision of older persons housing to be delivered as part of the site in accordance with Policy DS2<sup>1</sup> and for said older persons housing to be located within the community hub (2d). While Policy C16 does not define the quantum required at 'Land South of Bekesbourne Lane', Policy DS2 requires a minimum provision of 10% (DS2 5b): i.e. approximately 86 homes of older persons housing within Wates' site.
- 3.16 Furthermore, draft Policy DS2 (5b) states that the provision of older persons housing should reflect evidence of local needs. This is in the context that specialist housing for older persons covers a range of accommodation types including age restricted housing, retirement living, extra-care housing, or residential care homes (the latter falling into Use Class C2) (PPG ID: 63-10).
- 3.17 Considering the above:
- Policy C16 (2d) states that older persons accommodation should be located within the community hub. While this might be appropriate for a C2 use class care home, it might not be appropriate for – as one example – age restricted homes; and
  - As per our comments to Policy DS2 (Chapter 6, Q6) there needs to be greater flexibility in the requirement for a 'minimum' of 10% to account for market and masterplanning factors. For example, in Wates' experience care home operators usually look for facilities of circa 65 units and they often have their own design, location, and scale requirements. As do operators that manage age restricted homes or retirement living homes. Significantly smaller or larger facilities (or clusters of units), such as a c.90 bed facility to meet a minimum 10% requirement on the C16 site, would not likely meet operational requirements and would not therefore be deliverable.
- 3.18 Noting the above, modifications to Policy C16 (2d) are required to achieve the successful masterplanning of the site. Corresponding modifications are also required to Policy DS2 (as detailed in our response to Chapter 6 Q6) as a strict requirement to deliver a 10% minimum is not an effective approach to deliver this type of housing noting market and occupier demands.

## 2. Densities – C16 (2c)

- 3.19 Policy C16 (2) sets out various design and layout requirements. In particular, Policy C16 (2c) requires:
- Average net densities of around 35 dph outside of the community hub, with higher densities encouraged in such areas where appropriate; and
  - Higher densities (i.e. above 35 dph but unspecified) within the community hub itself.
- 3.20 While Wates considers 35 dph a reasonable and potentially appropriate density to build at, the specific requirement to do so at part (2c) of Policy C16 does not appear to have been tested for the site in the context of the wider policy requirements placed upon it.
- 3.21 Wates is continuing to undertake the initial masterplanning of its site. This shows that to achieve average densities of 35 dph outside the community hub (and outside the area

<sup>1</sup> See Wates response to Chapter 6, Q6.

immediately surrounding) as envisaged in part (2c), nearly half the dwellings of the overall 860 dwelling capacity for the allocation would need to be built at densities over double this (i.e. at net densities of 70dph including within and around the community hub). This has been arrived at when taking account of the Council's indicative concept masterplan (which prefaces Policy C16), the landscaping requirements (as detailed at part 3 of Policy C16), the land needed to provide a primary school (the need for which is currently unjustified – see response below); the community hub (including various residential and non-residential uses), employment uses, the mobility hub, and other on-site infrastructure (including the bridge to Site 1, internal roads, and a waste water treatment works).

3.22 This means that to deliver a scheme that accords with the indicative concept masterplan and delivers upon the various policy requirements, it would need to include a significant proportion of high-density and relatively tall, flatted development. This would have implications in terms of:

- 1 Building heights, design, and massing all of which could have knock on implications in respect of potential impacts to the World Heritage Site, other designated heritage assets, and landscape / visual impacts;
- 2 Potential viability issues noting the relatively lower value of flats within Canterbury compared to other housing types<sup>2</sup> and their increased build costs<sup>3</sup>. In this context, the Council's 'Local Plan Viability Study Update' (January 2026) assumed that greenfield development – which presumably would include site C16 – was only likely to include a 'low proportion of flats'<sup>4</sup>. In said assessment the mix tested for site C16 (see pdf page 445 appraisal for 'site 37') appears to adopt an assumption of <10% flats, which is unreflective of what the policy allocation might require of the site; and
- 3 The need for a primary school noting the more flats that are delivered the less demand the scheme generates for primary school places as shown by the County Council's latest pupil yields<sup>5</sup>.

3.23 In Wates' view, this highlights the danger of overly prescriptive policy requirements, and that the policy wording needs to be more flexible in order to be effective and allow development schemes to be appropriately designed at application stage (rather than prescriptively shaped by competing and often contradictory policy requirements). At present, Policy C16 compromises the future masterplanning and design coding processes (as required under Policies SS2 and DS13). To be effective, the policy could instead simply seek 'appropriate densities' to be determined through the masterplanning and design coding processes.

### **Infrastructure:**

3.24 In respect of the infrastructure requirements detailed in Policy C16, Wates has concerns regarding the need and/or justification for:

- 1 The bridge to Site 1 and its costing; and

<sup>2</sup> See Figure 4.5, Canterbury 'Local Plan Viability Study Update' (January 2026)

<sup>3</sup> Para 7.2, Canterbury 'Local Plan Viability Study Update' (January 2026)

<sup>4</sup> Para 4.36 (c)

<sup>5</sup> [https://www.kent.gov.uk/data/assets/pdf\\_file/0015/204720/Technical-Appendix-6\\_Education\\_Primary-and-Secondary.pdf](https://www.kent.gov.uk/data/assets/pdf_file/0015/204720/Technical-Appendix-6_Education_Primary-and-Secondary.pdf)

- 2 A 2FE primary school within Site C16 'Land South of Bekesbourne Lane'.

### **1. Bridge to Site 1**

- 3.25 Policy C16 (4ai) requires the delivery of connections to Site 1 (Policy CF1) and part (4d) clarifies that this should be part of the provision of a local distributor road including provision of a new bridge over the railway line ('the bridge'). This bridge would form part of the connection from the A257 Littlebourne Road to the A2 as referenced in Policy SS5. Critically Policy C16 part (4d) requires the C16 allocation to deliver the distributor road including the bridge (i.e. to fully fund and construct it); *"The access and transport strategy for the site should... Provide a local distributor road with segregated cycle corridor connecting to Site C15 and to the road network within Site 1 (Policy CF1) through the provision of a new bridge over the railway line"*. We note that this policy direction for 'full delivery' of the new bridge has no symmetry with the requirement within Policy C15 part (4e) which requires that site to provide *"proportionate contributions towards the bridge over the railway"*. The policy wording/intention appears inconsistent.
- 3.26 Supporting text to the EC SDA at Plan paragraph 2.16 notes that *"The SDA presents the opportunity for a connection between the A257 and A2 at Bridge. In addition to providing access to development sites, the link will help alleviate congestion on the city centre ring road..."* (i.e. the bridge is providing not just access, but also a role alleviating congestion in the city centre - and presumably allowing the overall movement strategy to be achieved, providing capacity on the transport network for other growth and development to occur across the City).
- 3.27 However, whilst delivery of the bridge is a policy requirement of Policy C16, the plan's evidence base does not demonstrate or substantiate that this bridge connection is required to deliver Wates' site nor the wider EC SDA in and of themselves. The Transport Modelling Forecast Report (February 2026) underpinning the draft Plan models all the Local Plan allocations delivered with the whole transport strategy delivered (including the bridge), demonstrating the impact of that. But it does not assess – nor provide any modelling to discern – the degree to which the bridge is necessary just for the EC SDA versus being necessary as a strategic piece of infrastructure to address wider vehicle movements across the network in Canterbury city (with a consequential part benefit to the EC SDA). It does not assess a scenario looking at Site C16 or the EC SDA as a whole without the bridge and what impact this might have (nor vice versa, the bridge without the EC SDA, to understand what role it would be playing absent the associated development). This is important because the Policy position is that allocation C16 has the sole responsibility for the bridge's delivery. Further, we also note the transport modelling does not provide any temporal analysis as to support when a bridge and distributor road link might need to be operational.
- 3.28 Notwithstanding, Wates can see the wider benefits of the bridge connection being delivered. It would, for example, enhance existing active travel connections across the railway line and support the Council delivering its proposed Movement and Transport Strategy (Policy SS5). As part of the latter, the bridge would support the delivery of a district wide bus-led sustainable transport strategy. In doing so, it would help alleviate air pollution and congestion in Canterbury city centre and the wider district. However, the policy requires Wates to deliver the bridge as part of its development (Policy C16 [5d]), and only with potential additional contributions from site C15 (Policy C15 [4e]), noting the

asymmetry in wording between those two Policy requirements. This, in Wates' view, results in the policy not being legally compliant (as set out below) and further is unjustified in what it is requiring the allocation to deliver.

- 3.29 As a piece of infrastructure primarily required to implement the Council's wider Movement and Transport Strategy (Policy SS5), Wates considers it should be a project led and delivered by Kent County Council ('KCC'). KCC will be able to use their own statutory powers to help deliver it, negotiate relevant consents with Network Rail, and the landing in Site 1. It would be able to act as a repository for pooling of development contributions to deliver the strategic piece of highway infrastructure (including from site C16 but also from other developments proposed in the emerging plan). It would also be able to use its own sources of funding to support infrastructure to benefit Canterbury district as a whole.
- 3.30 Wates is content that a policy position that requires allocation C16 to provide land for and make proportionate contributions to the bridge's delivery would be sound and consistent with the site's Vision Document submitted as part of Wates' previous representations. However, were its delivery placed solely upon the developer of Site C16 – as per current Policy C16 requirements – it is likely to significantly affect the deliverability of the site; a factor that the Plan has failed to properly grasp in its consideration of the policy drafting. Therefore, to be effective Policy C16 must only seek the safeguarding of land for the bridge and link road and proportionate contributions to the bridge's delivery, with KCC identified as the project lead within the evidence base.
- 3.31 In addition, the Council's 'Infrastructure Delivery Plan' (March 2026) includes a suggested build cost of £5 million for the bridge<sup>6</sup>. It is unclear where this figure comes from and whether it accounts for land/legal costs such as negotiating rights to cross Network Rail land and the requisite connections within Site 1, or whether it is just related to an estimate of the construction cost for the bridge. Wates note that such a cost is not immediately apparent or explicitly reflected in the Local Plan Viability Study Update appraisals for the site. The Council should provide updated evidence to underpin the cost estimates for this bridge.

## **2. Primary school provision – C16 (1bii)**

- 3.32 Policy C16 (1bii) requires the Wates site to make provision for a 2FE primary school. This is in addition to a requirement for a 3FE primary school on the wider EC SDA within site C15 (being promoted by Gladman – C15 [1bii]). Therefore, the plan requires a total primary school provision of up to 5FE for the circa 2,209 homes proposed within the EC SDA (a figure that excludes the older persons housing elements).
- 3.33 Using Kent County Council's latest pupil yields<sup>7</sup>, the EC SDA would generate a need for approximately 3FE in a scenario where the site delivers all 2,209 dwellings as houses (i.e. with no flats). Given the scheme would need to include a significant level of flatted development as part of its mix (noting the density and overall housing quantum sought – as set out above) there is at least an overprovision of 2FE and potentially more. Furthermore, this must be seen in the context that the KCC 'Commissioning Plan for Education Provision in Kent' (2026-2030) forecasts a surplus in primary school places in the 'Canterbury City

<sup>6</sup> See Table 8.3.

<sup>7</sup> [https://www.kent.gov.uk/data/assets/pdf\\_file/0015/204720/Technical-Appendix-6\\_Education\\_Primary-and-Secondary.pdf](https://www.kent.gov.uk/data/assets/pdf_file/0015/204720/Technical-Appendix-6_Education_Primary-and-Secondary.pdf)

Planning Group’ of 1.4FE for Year R in 2030/31. Therefore, the EC SDA and in particular ‘Land South of Bokesbourne Lane’ does not generate sufficient need to support the primary school provision proposed/required by Policy C16.

- 3.34 Wates understand – from previous discussions with the Council – that the 5FE requirement is not only to meet the needs of the two principal allocations (C15 and C16) but also needs arising from other planned developments. However, there is no evidence demonstrating what additional need the required schools would be meeting. For example, the ‘Infrastructure Delivery Plan’ (March 2026) simply states the need for the school at ‘Land South of Bokesbourne Lane’ is on the advice of KCC based on an indicative housing mix for all sites in the plan. This appears to confirm that the primary school provision is being sought to meet wider needs but the evidence underpinning KCC’s request has not been published. Therefore, the need for the primary school in Site C16 is currently unjustified. Further, Policy C16 part 5(g) requires transfer of the primary school site, despite it not being required for the delivery of the site on its own, at ‘nil cost’. We address the legal compliance of this in respect of the CIL Reg 122 tests in response to Q64 with the below setting out why the current approach is not justified and therefore not sound.

### **Phasing and triggers:**

- 3.35 Part 5 of the policy sets out specific triggers for elements of the scheme. These triggers are unjustified as there appears to be no evidence underpinning why the triggers are as proposed and the necessity of them. Wates consider the triggers risk the deliverability of the site, in that they impose significant costs at a point in phasing which does not look to be justified in practical terms, nor properly considered in relation to scheme viability.
- 3.36 Focusing in on some of the proposed triggers where there are primary concerns:
- 1 **Primary vehicle connection (300 housing occupations):** There is no evidence that demonstrates why no more than 300 homes can be occupied prior to the primary vehicle access (shown to be through Site C15 on the indicative master plan) replacing any initial access to Site C15 from Bokesbourne Lane. This has not been the subject of any traffic modelling/transport assessment to arrive at such a trigger. Indeed, previous modelling undertaken by Motion on behalf of Wates (and provided to the Council) of the A257/Bokesbourne Lane junction indicates that, with appropriate widening of Bokesbourne Lane to allow for two-way movement, the existing road network is capable of accommodating 500 homes from Site C16 before the junction reaches capacity. Site C15 is able to come forward via its own new access to the A257 independent of the Wates’ site, evidencing that a higher trigger of at least 500 dwellings for site C16 is appropriate.
  - 2 **Connection to Site 1 through sites C15 and C16 (joint 1,000 housing occupations), including the bridge:** This trigger applies cumulatively to both sites C15 and C16, meaning there is no safeguard to one or other site seeking to ‘use up’ all of the trigger’s capacity prior to the bridge coming forward. It could mean that 1,000 homes are built on site C15 leaving C16 being undeliverable: needing to build and fund the bridge prior to building a single home; there is no policy safeguard against such a scenario. We note that this trigger has changed, without evidence to justify said change, from that within the previous Regulation 18 version of the plan which suggested

separate triggers of 500 homes on C16 and 1,000 homes on C15 (combined 1,500 homes).

Furthermore, the trigger has no evidence demonstrating as to why it should be set at 1,000 occupations across the two sites. Such a policy requirement with no evidence underpinning it cannot be considered to be justified, especially given it has a significant impact on deliverability of new homes. Evidence must therefore be put forward to demonstrate what the appropriate trigger should be if one is required.

The trigger also has no consideration for progress and phasing on Site 1 ('Mountfield Park'; South Canterbury Policy CF1) where the local distributor road and bridge would need to connect into, with the delivery of its own distributor road down to the A2 also needing to be complete to provide the comprehensive route. That site is an existing allocation since 2017, has planning permission, but has yet to commence construction. It is planned to deliver 4,000 homes, with the Local Plan housing trajectory identifying it will build out over the period 2027/28 to 2042/43 (see Meeting Development Needs Topic Paper, Appendix E). If Site 1 continues to be delayed in coming forward, or if its phasing of its own development means the connection point on Site 1 does not become available to connect into until well into its own build trajectory, it could mean the developer of C16 being forced to deliver a bridge to nowhere to no benefit of Canterbury City or the district more widely. Again, this is a factor that can be mitigated to a degree by KCC acting as lead delivery body for this strategic piece of infrastructure, and mediating interests.

- 3 **Local Centre (25% of occupations):** There is no evidence to demonstrate why the Local Centre should be delivered by 25% of the housing occupations (c.215 homes). It is also not clear whether it is the delivery of a local centre in full or in part. If the requirement is to deliver it in full – and on a straight reading of the policy that is the requirement – it would mean building a local centre sized to meet the needs of approximately 860 homes at the 215<sup>th</sup> occupation. At this stage there simply would not be sufficient local demand/footfall generated to attract operators and support commercial occupations at the centre. It could also create masterplanning and phasing implications that could hinder the site's wider delivery, or see a local centre delivered divorced from the new homes it is intended to serve. For Site C16 specifically, it is already proximate to the local parade of shops on Sussex Avenue c.250m west of the allocation boundary, which would provide access to local shops and services for a period, meaning early delivery of a Local Centre is not necessarily needed for the allocation, which is well connected.
- 4 **Business space (50% of occupations):** Akin to the above, there is no evidence to demonstrate why the business space must be delivered by 50% of the housing occupations, the market demand for these spaces at this stage, and whether there might be masterplanning or phasing implications that could hinder the site's wider delivery as it is built out. Wates considers that any provision of business space should be necessarily market-demand led, rather than linked to delivery of new homes.

3.37 Considering the above, Wates considers the proposed triggers are not necessary, are not justified, and are not effective.

3.38 There will be a future masterplanning, design coding, and planning application process where the relevant triggers for on-site infrastructure and specific scheme elements can be

agreed with the benefit of more detailed evidence. In our view, Policy C16 should refer to the appropriate phasing of development being settled between relevant parties subject to further evidence through the future works to bring forward a scheme. Policy C15 should also be correspondingly modified.

**Q63. Do you consider that the policy is legally compliant?**

[No]

**Q64. Please give precise details in the box below, including any changes you would suggest to make the policy legally compliant. If you consider the policy to be legally compliant, please use this box to set out your comments.**

- 3.39 Policy C16 is not legally compliant (nor indeed consistent with other parts of the Plan) in respect of how it – and by extension Policy C15 – seeks to fund the bridge to Site 1, the funding of a spine road in Site 1, and the primary school site requirement to be provided at nil cost. In particular, the Policy C16 requirements to provide and fund certain infrastructure, which would necessarily be secured via planning obligation (e.g. see Policy DS15), would not accord with the statutory tests set out in CIL Regulation 122 (and as reflected in NPPF paragraph 58): in particular, that planning obligations must only be sought where they are, inter alia, fairly and reasonably related in scale and kind to the development.
- 3.40 Further in general there is a disconnect between what the Plan seeks to fund via CIL and what it seeks to fund via Section 106. The IDP (e.g. para 9.14, 10.13, 11.4 etc.) sets out an approach whereby strategic sites over 300 dwellings will make contributions for various items via s106 – seemingly assuming that such sites would be charged at £nil rates for CIL as per the existing CIL charging schedule for previously allocated strategic sites. However, there is an existing CIL charging schedule adopted for the district, and there exists within that no ‘carve-out’ for new strategic sites, such that until the CIL charging schedule is reviewed for the district (and we are not aware of any plans to do so), all such new strategic sites will be CIL liable at the prevailing rate. To then require such strategic sites to also direct deliver infrastructure, or pay for additional contributions via s106, meaning strategic sites will potentially be being required to pay disproportionate contributions, with CIL then not being used to fund the infrastructure needed to support the strategic site allocations specifically.
- 3.41 In the same vein we also note the plan at Para 6.78 (and reflected in Policy DS15) sets out that the viability of policies in the plan have been tested and therefore deviation on policy requirements on the grounds of viability at application stage will only be accepted in limited circumstances. However, the Local Plan Viability Study (2026) is wholly unclear as to the degree to which it has fully tested policy requirements on Site C16 such as full delivery of the bridge and the primary school (with nil value land transfer), on top of wider s106 requirements **and** payment of CIL. This is why it is fundamentally imperative that the plan’s policies do not require Site C16 to wholly deliver strategic scale infrastructure itself (but that the policy is flexible to allow for pooled contributions for the LPA/KCC to deliver such strategic infrastructure, without unduly affecting the deliverability of any single allocation site).

- 3.42 Suggested modifications to Policy C16 are detailed at Appendix 1 to these representations, which we consider could address this compliance, but we explain the position below. A review of the CIL charging schedule may also need to be undertaken.

### **1. Bridge to Site 1**

- 3.43 As currently worded, Policy C16 (4d) requires the local distributor road through the site and bridge over the railway line to Site 1 to be delivered by the Site C16 developer (i.e. it is the sole responsibility of Site C16 to secure that delivery). This is in contrast to Policy C15 which requires that allocation to make proportionate contributions to the bridge (via s106) nor the Infrastructure Delivery Plan (IDP) which at Ref: IA21 identifies the funding mechanism as “s106” with the lead and delivery partners as “KCC, Developers, Network Rail” (we assume with KCC listed first as the ‘lead’).
- 3.44 Notwithstanding, as per our response to Chapter 2 Q62, there is no evidence at this stage to demonstrate the bridge is singularly necessary to make either Site C16 or the wider EC SDA acceptable in planning terms. Moreover, the plan is clear that the bridge is needed as part of the Council’s wider sustainable movement strategy as detailed in Policy SS5 to deliver benefits to the city centre and the district as a whole. Its function is wider than being solely related to Site C16 and, therefore, it would not be fairly and reasonably related in scale and kind for the EC SDA (i.e. Sites C15 and C16) to be required by policy to fully fund and deliver such a bridge. This renders Policy C16 as not legally compliant.
- 3.45 Policy C16 should therefore be amended such that the Site C16 developer is required to provide land and proportionate contributions to the bridge’s delivery, with the bridge delivery being led by KCC noting both it will be an asset of wider benefit and KCC’s additional statutory powers to help deliver said bridge.

### **2. Spine road in Site 1**

- 3.46 Policy C16 (4e) requires proportionate contributions from Site C16 site to the spine road within Site 1. There is a similar requirement in Policy C15 (4f). It is unclear why the EC SDA should contribute to a spine road in an adjacent site that is not evidenced as being necessary to make its own development acceptable in planning terms or how the spine road in Site 1 is directly related to enable its own development. This spine road is there to support the delivery of Site 1 itself but would also connect into a bridge into the EC SDA: helping to support the implementation of the Council’s Movement and Transport Strategy (Policy SS5).

### **3. Primary school**

- 3.47 Policy C16 (5f) requires the developer of Site C16 to provide the primary school site at **nil cost**. This is despite said school not being needed to support its own development (as set out above in response to Chapter 2 Q62). It is understood the primary school site may be being required of Policy C16 to – at least in most part – address wider primary school capacity requirements, rather than as a direct consequence of the proposed development itself. Therefore, providing all the land, for a whole new primary school, at nil cost would not be a fair or proportionate contribution in line with the regulations. Instead, proportionate contributions should be made to fund the primary school development including its land if it is concluded it is required to help meet wider needs. At present, the

provision to provide the land at nil cost would place an obligation that is not necessary to make the development acceptable in planning terms.

|                     |
|---------------------|
| <b>Q65 to Q136.</b> |
|---------------------|

3.48 No response.

## 4.0 Chapter 6: District-wide Strategic Policies

### Q1 – Q4.

4.1 No response.

### Policy DS2: Housing Mix

**Q5. Do you consider that Policy DS2: Housing Mix is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [Yes]
- The policy is effective: [No]
- The policy is consistent with national policy: [Yes]

**Q6. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

4.2 Wates' position – as in its response to Policy C16 (Chapter 2 Q62) – Policy DS2 (5b) (as referenced in Policy C16) seeks a minimum of 10% older persons housing on sites of 300 or more homes. This requirement is not effective as it may not always be appropriate to deliver 10% of a scheme as older persons housing as an absolute minimum.

4.3 While noting 'older persons' housing covers a range of accommodation types, in Wates' experience, care home providers often seek opportunities of no more than 65 units in a single facility (C2 use class), with a 'sweet-spot' between size, management and operation of such facilities meaning significantly smaller or larger facilities are less attractive to the market/not viable. Other types of older persons accommodation also have their own specific design, locational, and scale requirements subject to their operator and models of operation. In this context and noting Wates' site is allocated for approximately 860 homes, it may be that subject to market demand and operator requirements 86 older persons homes may not be deliverable on site; being either a single larger facility, or two much smaller facilities which are unlikely to precisely match operator demand. Wates considers more flexible wording is required to ensure the policy is effective.

### Q7 – Q96.

4.4 No response.

### Policy DS25: Supporting Biodiversity Recovery

**Q97. Do you consider that Policy DS25: Supporting biodiversity recovery is sound? Please indicate your view on each of the following soundness tests:**

- The policy is positively prepared: [Yes]
- The policy is justified: [No]

- The policy is effective: [Yes]
- The policy is consistent with national policy: [Yes]

**Q98. Please give precise details in the box below, including any changes you would suggest to make the policy sound. If you consider the policy to be sound, please use this box to set out your comments.**

- 4.5 Policy DS25 links to Policy SS1 and requires certain developments to deliver a minimum of 20% tree cover (2gi) and a 20% BNG (3b). As per our response to Chapter 1 Q10 in respect of Policy SS1, these requirements are not justified and the 20% BNG requirement would have an almost immediate conflict with national policy if the draft NPPF recently consulted upon was published by Government. Suggested modifications are proposed at Appendix 1 to these representations.

**Q99 to Q124.**

- 4.6 No response.

5.0

## Sustainability Appraisal and Habitats Regulations Assessment

### Habitats Regulations Assessment

**Q1. Do you have any comments on the Regulation 19 draft Local Plan Habitats Regulations Assessment?**

5.1

No response.

### Sustainability Appraisal of the Draft Local Plan

**Q2. Do you have any comments on the Regulation 19 draft Local Plan Sustainability Appraisal Report?**

5.2

Wates supports the Sustainability Appraisal's ('SA') (March 2026) conclusion that the preferred approach to housing growth is to, as a minimum, seek to meet its local housing need as assessed by the new standard method.

5.3

Wates also supports the SA's appraisal of the Local Plan's spatial strategy with a focus of development around Canterbury. This strategy has been tested as having the greatest potential for significant positive effects (noting there are no sites of groups of sites capable of forming a new settlement).

### Sustainability Appraisal of the Strategic Land Availability Assessment

**Q3. Do you have any comments on the Sustainability Appraisal of the Strategic Land Availability Assessment**

5.4

In respect of the SA's appraisal of Wates' site allocation ('Land South of Bokesbourne Lane', Policy C16), it concludes 'likely to have significant negative effects' on various Sustainability Appraisal Objectives, including Biodiversity, Geology, Landscape, Water, Flood Risk, Heritage and Land use.

5.5

Wates note that the methodology used for SA site assessments did not consider the mitigation measures (Appendix G, Para 3.1.1). It is appreciated this is a standard approach. However, Wates disagrees that the development of its site, on its own merits, would give rise to the significant negative effects suggested. Moreover, a development will be able to mitigate against some of these effects and deliver wider benefits. For example, the site will need to achieve a biodiversity net gain so its delivery would clearly not have a significant negative effect on this objective (as is currently concluded).



# Appendix 1 Proposed Policy Modifications





**Birmingham**  
0121 713 1530  
birmingham@lichfields.uk

**Edinburgh**  
0131 285 0670  
edinburgh@lichfields.uk

**Manchester**  
0161 837 6130  
manchester@lichfields.uk

**Bristol**  
0117 403 1980  
bristol@lichfields.uk

**Leeds**  
0113 397 1397  
leeds@lichfields.uk

**Newcastle**  
0191 261 5685  
newcastle@lichfields.uk

**Cardiff**  
029 2043 5880  
cardiff@lichfields.uk

**London**  
020 7837 4477  
london@lichfields.uk

**Thames Valley**  
0118 334 1920  
thamesvalley@lichfields.uk

@LichfieldsUK

**lichfields.uk**