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Planning Policy Team
Canterbury City Council
14 Rose Lane
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Ref: JW/OR/20-145
BY EMAIL

Dear Sir/Madam,

**REPRESENTATION TO THE CANTERBURY DISTRICT LOCAL PLAN REGULATION 19
CONSULTATION IN RESPECT OF THE SPATIAL STRATEGY AND DEVELOPMENT
MANAGEMENT POLICIES ON BEHALF OF QUINN ESTATES**

Iceni Projects, on behalf of Quinn Estates (QE), welcomes the opportunity to submit representations to the Canterbury District Local Plan (Regulation 19 Consultation). QE is one of the leading and most prominent developers in Canterbury, with the company having successfully delivered a considerable proportion of the District's residential and commercial development over the past decade. The company also has extensive land interests in the District for a range of high quality future development projects of differing scale and complexity.

QE has submitted a number of separate representations to the Local Plan that are specific to individual sites that the company is promoting. This representation is made specifically in respect of the core strategic policies and development management policies that are set out in the Plan, rather than site specific allocations. All of the company's representations are made constructively to help evolve and improve the plan's policies to ensure that the Plan is effective and deliverable.

a. Need for 2024 and emerging NPPF Conformity

In advance of commenting on the policies, it is important to recognise the draft NPPF and potential changes that might come forward when the new NPPF is published. The draft NPPF was published in December 2025, and the new NPPF is expected to be published in Summer 2026. While we note that it is of limited weight currently, due consideration will need to be given when the NPPF is adopted.

As set out within Annex A of the draft NPPF, from the date the new NPPF is published local plan policies that are *"...in any way inconsistent with national decision making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework"*.

Accordingly, if the new NPPF is published in summer 2026 in its current form, the Council should make proposed changes and deletions prior to submitting the Plan to the Secretary of State in order to achieve national decision-making policies consistency. This would avoid the scenario of newly adopted Local Plan policies being given very limited weight at publication, which would cause unnecessary and avoidable confusion to those interpreting the Plan and undermining the primacy of its policies.

b. The District's Key Strategic Policy SS3 - Development Strategy for the District

QE supports the plan period up to 2042/43 and considers it to be in accordance with the minimum 15-year period as required by the NPPF (Paragraph 22), with an expected adoption of Winter 2027. Given previous delays with the Local Plan process, we would expect this to be updated in the event of any further delay to the Local Plan process. Given current adoption timescales following the submission of Local Plans for examination (typically 18-24 months), we would recommend that the Council gives consideration now to the possibility of the plan period being extended by a further year.

The principle of the spatial approach is supported by QE, with the majority of the growth identified for Canterbury and proportionate growth directed to other settlements identified in the hierarchy. QE notes that the Local Plan provides 25,407 homes over the plan period including all housing land supply components, against a need for 23,085 dwellings, providing a margin of 10%. QE supports the Council in this regard in that it meets their needs in full, noting the latest affordability ratios. This accords with NPPF paragraph 62. The Council should ensure that they are satisfied that sites identified to meet this need are deliverable and developable.

QE does have concern around the use of a stepped housing requirement, and do not consider this approach to be justified in accordance with Paragraph 36 of the NPPF. While it is noted that the Council's housing requirement has increased as per the PPG on stepped housing requirements (Paragraph 012), the average annual housing delivery over the next five year is anticipated to be over 1,000dpa, and we therefore question whether a stepped approach is necessary. QE have concerns over the use of stepped housing requirements, and would recommend that if necessary the Council consider a number of additional smaller allocations to deliver quickly in the early plan period.

QE would question the proposed treatment of lower order settlements, which has potential to be excessively rigid. A blanket approach of treating all settlements below local service centres as lying within open countryside, with new residential development supported only in very limited circumstances, is problematic. If opportunities to address local housing needs and to provide much-needed social infrastructure in rural communities are unduly stifled by planning policy, there is a real risk over such a lengthy plan period that smaller settlements in the District could sink into decline. It is essential that planning policy does not hamper opportunities to strengthen the sustainability and vitality of rural settlements as well as urban areas. QE has a proven track record of unlocking social infrastructure not only through major development proposals, and the company has successfully delivered sensitive modest developments at more rural settlements with the support of local stakeholders. The spatial strategy as currently proposed presents a policy conflict with this form of development.

Paragraph 82 of the NPPF does highlight that "in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs" and Paragraph 83 states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services." Given the above, QE would advocate an approach that supports sensitive and appropriate development proposals at more rural communities, if the proposals are demonstrated to strengthen and help maintain the vitality and sustainability of a settlement. Such flexibility would allow smaller settlements to evolve organically if and where appropriate without compromising the Council's control over development in rural areas.

In order to ensure that the Local Plan is consistent with national policy (Paragraph 36d), villages and smaller settlements below Local Service Centres should be afforded settlement boundaries in order to promote sustainable development in rural areas. In addition, the word '*limited*' should be removed from SS3(7) in respect of development within Local Service Centres to avoid an unduly restrictive approach to growth in the areas.

It is also important to highlight that Policies S3 and S4 of the emerging draft NPPF place renewed emphasis on assessing whether development proposals fall inside or outside a settlement boundary. These policies, alongside Policy S5, make the presence of clearly defined settlement boundaries essential, and therefore this should necessitate the defining of settlement boundaries at all

settlements. Should these emerging policies be brought forward into the new NPPF, settlement boundaries will need to be defined to ensure consistency with national policy.

As a final point, it is noted that within Policy SS3 it states that '*Between 2024/25 and 2042/43 provision is made through the granting of planning permission and the allocation of sites for a minimum of 23,085 new dwellings per year*'. We assume this to be an error, with a minimum of 23,085 homes being brought forward over the total plan period.

c. The District's Housing Policies (DS1, DS2, DS5)

Policy DS1 – Affordable housing

QE supports Policy DS1. However, QE would ask that the Council considers whether an additional policy component should be introduced in respect of stand-alone self and custom-build developments and the method of affordable housing delivery. QE (incorporating Quinn Homes) is the leading developer of self/custom build housing in Kent and the company has a number of landholdings where self and custom-build housing can realistically be delivered to meet the needs of self and custom builders. These sites comprise both large-scale housing sites and smaller-scale sites at smaller settlements where a more bespoke stand-alone self/custom build development is proposed. In these latter instances, there are difficulties in providing, delivering and managing affordable homes on site, because the number of on-site units will inevitably be low and therefore of little interest or value to Housing Associations. Additionally, where the wider development is self-build involving a number of different builders, there will not necessarily be a single developer able to construct/deliver the affordable housing. The policy should recognise these practical difficulties and the potential barrier to delivery that this creates.

In order to address this issue, it is suggested that stand-alone self and custom house-building schemes of below 20 homes should be permitted to provide a commuted sum towards off-site affordable housing provision via a financial contribution, thereby facilitating a more appropriate, better-located affordable housing product provided by a specialist Housing Association. The ability for self/custom housing developers to agree a commensurate off-site affordable housing contribution would make a positive difference and would ensure the opportunities to deliver self/custom build are being taken and would increase the delivery of affordable in the District.

Policy DS2 – Housing mix

Given the longevity of the Local Plan and the likely fluctuating housing trends and demand that will occur across this period, it is inevitable that housing demand and need for house sizes will change throughout the plan duration. QE recommends that the wording of Policy DS2 should be amended from '*broadly aligned*' to '*initially guided by*' or '*loosely aligned*' to be able to maximise the housing delivery rate by ensuring homes are being brought forward that meet up to date demand and local need.

Whilst greater flexibility will enable homes to better reflect demand and housing need, it will also provide place makers with greater scope to deliver environments that better suit each site's individual characteristics and avoids a 'one-size fits all' approach.

Policy DS5 – Specialist housing provision

QE supports Policy DS5, apart from the requirement for specialist older person accommodation to be located within a settlement boundary and with easy access to public transport. In this regard, it should be noted that older person accommodation generates much lower trip rates than more conventional residential development, whilst the nature of the inhabitants and characteristic of the use can lend itself to more tranquil locations where the potential exists to create accommodation within a parkland setting. The types of sites that are suitable for a care village are typically settlement edge/semi-rural, such as the redevelopment of previously developed land within the countryside or land immediately adjoining a settlement. Accordingly, consideration should be given to removing the strand of the policy necessitating a site to be within a settlement boundary and instead refer to a sustainable area.

d. The District's Transport and Infrastructure Policies (DS15 and DS18)

Policy DS15 - Infrastructure delivery

QE generally supports Policy DS15 and recognises the importance of working with the Council through the progression of the Local Plan to ensure the IDP is realistic and deliverable and that the policy requirements for each allocation are deliverable to the best of understanding at the commencement of the Plan.

It is noted that Policy DS15 introduces a late-stage review mechanism for viability proposals. Given recent experiences in London with late-stage reviews being seen as a significant barrier to development, Canterbury should resist the introduction of late-stage reviews as acting as a constraint on growth. QE has concerns that late-stage reviews will impact upon the deliverability of the plan and therefore not effective, conflicting with Paragraph 36c of the NPPF.

DS18 – Highways and Parking

In respect of the first and second criterion, it is considered that there is a possible contradiction between the requirement for car-free development in criterion 1 and the lack of support for any tandem parking in the second criterion. There are likely to be intermediate areas where some level of parking is appropriate, in which the likely urban design/street scene would lend itself to tandem parking.

The resistance to tandem parking should be moderated to allow this in higher density, more sustainable locations, where car ownership might not be as analogous to car use and tandem parking would be less problematic.

Criterion 3 has regard to Transport Statement / Assessment requirements. The requirement for a Transport Assessment should be based on whether a site generates a significant volume of traffic, in accordance with NPPF paragraph 118. The requirement should not, as criterion 3 goes on to suggest, be based on existing road capacity and constraints. This would imply that highly sustainable development, in inevitably more constrained locations, should be held to the preparation of a Transport Assessment even if the development does not itself generate significant volumes of traffic. NPPF paragraph 118 does not include this caveat.

Finally, Criterion 3(f) should be less absolute. Mitigation should only be required if the residual impact would otherwise be severe, as indicated in NPPF paragraph 116. Not all impact arising from traffic impact will merit mitigation.

e. The District's Environmental Strategy and Policies (SS1, DS20, DS25 and DS24)

Policy SS1 – Environmental strategy for the district

QE supports the Council's objectives for enhanced biodiversity, new environments that foster a more healthy and active lifestyle and an enhanced network of open spaces and green and blue infrastructure for the District. Accordingly, the aims of Policy SS1 are very much supported. However, QE is concerned by the Plan's translation of strategic objectives through to detailed and prescriptive development management policies and objects to the approach of quantifying minimum quantum of open space, tree cover etc, with the policy taking a numeric, rigid and inflexible approach to green infrastructure, which may inhibit the optimum design.

QE considers that environmental objectives can be fully achieved without having to require a quantitative minimum amount –in particular minimum amounts that exceed and are in conflict with national planning policy and design standards. Securing a high quantity does not necessarily translate to securing a high quality of green infrastructure and with policy-making unable to properly consider the place-making potential that can be achieved on a site-by-site basis, it is important that policy does not serve to straitjacket masterplanning and landscape planning and stifle creative, high quality, bespoke solutions.

It is appropriate that the effectiveness and deliverability of policy requirements are robustly scrutinised and evidenced through the Local Plan process. QE has significant concerns with the proposed

approach. National policy establishes a baseline requirement of 10% biodiversity net gain, and any departure from this must be clearly justified and supported by robust and proportionate evidence. No such evidence has been provided to support an uplift to 20% across the District. In the absence of a clear and compelling evidence base, this represents an unjustified deviation from national policy.

Furthermore, in the context of an already fragile housing market, alongside the cumulative burden of abnormal costs including those arising from nutrient neutrality, there are serious concerns regarding deliverability. There is no evidence demonstrating how both a 20% biodiversity net gain requirement and a minimum 20% tree cover requirement can be consistently achieved across sites without undermining viability. The 20% tree cover requirement, in particular, appears arbitrary and unsupported by robust evidence.

As currently drafted, the policy risks rendering important sites undeliverable and threatening the supply of housing and other development across the District. Accordingly, the policy fails the tests of soundness set out in Paragraph 36 of the NPPF. The policy is not justified, as it is not supported by an appropriate evidence base, nor is it effective as there is no clear evidence that the requirements can be delivered or are viable in practice. It is not consistent with national policy, given the unjustified departure from the nationally established 10% biodiversity net gain requirement.

QE therefore strongly recommends that the Council revisits this approach, either aligning requirements with national policy or providing robust, site-tested evidence to demonstrate that any higher targets are deliverable and viable.

Policy DS20 - Habitats of international importance

It is noted that Policy DS20 requires proposals for more than 300 homes to provide wastewater treatment works on site. While it is recognised by QE that wastewater treatment facilities are supported as a suitable mitigation measure for achieving Nutrient Neutrality; given the changing landscape regarding Nutrient Neutrality the Policy should be amended to provide flexibility for the delivery of a suitable alternative solution, thus ensuring that all parts of the allocation remain deliverable and optimising the best use of land in the most sustainable and strategic locations. This would be in line with the general thrust of Paragraph 86 of the NPPF which requires policies to be flexible to accommodate needs not anticipated in the plan.

On this matter, we highlight that the Stour Environmental Credits programme (run by Ashford BC and CCC) is achieved through upgrading inefficient septic tanks, while an alternative nutrient neutrality scheme being operated by Greenshank Environmental Scheme is deploying drainage ditch management schemes for nutrient mitigation¹.

We therefore recommend that Policy DS20 is updated to recognise that there are suitable alternative nutrient neutrality mitigation measures becoming available, that mean the implementation of wastewater treatment facilities are not necessarily required.

Policy DS25 – Supporting biodiversity recovery

QE has significant concerns with the proposed requirements for 20% tree cover and 20% Biodiversity Net Gain that greatly exceed national planning policy and design standards. As identified under Policy SS1, the approach is considered to fail against the tests of soundness identified in the NPPF, given neither minimum quantum appears to be consistent with national planning policy. CCC policymakers should consider whether a qualitative approach to biodiversity gains to maximise opportunities for a range of species should dovetail with the quantitative measure of the biodiversity metric for the site and whether setting site specific parameters for both within the policy criteria could achieve the best outcome for nature and wildlife. QE considers more flexibility could be built into the policy to allow this to be a firm target but not an absolute requirement in cases where site constraints or viability will not allow.

¹ <https://www.greenshank-environmental.com/nutrient-neutrality>

The PPG is clear that *“To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development”* (PPG reference ID: 74-006-20240214). This has not been demonstrated. It is noted within the Draft Natural Environment and Open Space Topic Paper (March 2026) that the evidence relies on a report by the Kent Nature Partnership (September 2020) and a KCC Viability Assessment for BNG (June 2022). QE has concerns around this evidence, particularly noting the age of the evidence and it not reflective of current BNG unit costs. On this basis, we do not consider the approach to be justified in accordance with Paragraph 36 of the NPPF.

Given the above, QE would propose that the Council considers a policy evolution that includes the quantitative measure of the metric (10% minimum target) in line with The Environment Act, but which opens up opportunities to deliver new habitat and opportunities for a variety of species on a site-specific basis.

The Council should also be aware of the draft NPPF which states that development plans should only set local standards for biodiversity net gain which are in excess of the statutory net gain requirement of 10% where this is for a specific allocation (Policy N1). If this policy is retained in the new NPPF then the blanket approach for major development taken in Policy DS25 will be inconsistent with national policy and as such have very little weight once the plan is adopted.

As a final point in respect of BNG, the approach taken at Policy DS25 4(c) is inconsistent with national policy as per paragraph 36d and should be deleted. There is no requirement in national policy that suggests the reduction of development should be considered as part of the overall Biodiversity Gain Plan, when offsite credits are available and can be considered a perfectly acceptable approach.

In respect of tree coverage, while QE recognises the importance of tree canopy cover in delivering well designed places, the proposed 20% requirement appears to be arbitrary as it is not clear where this figure has been derived from. There is no evidence presented within the Council's Tree, Woodland and Hedgerow Strategy for this figure, while there is a reference to the existing tree coverage of 19.5% in the Natural Environment Topic Paper (March 2026). This is not a justified position. It is also of note that the delivery of an arbitrary 20% tree cover will impact on available BNG land, further increasing BNG requirements offsite and the cost requirement to the developer.

Policy DS25 should adopt a more flexible, evidence-led approach that responds to site context, viability, and local character for planting proposals to ensure that proposals are responsive to site-specific characteristics, while still securing meaningful environmental benefits.

Policy DS28 – Publicly Accessible Open Space and Sports

Whilst QE supports a policy that sets out requirements for open space and sport provision on development sites, they raise concerns about the requirement for all open space to be “publicly accessible”, and about the need to deliver both educational and standalone sports pitches on every development site under Policy DS28.

Different typologies of open space perform different functions, including but not limited to informal and formal recreation, and to support wildlife conservation and biodiversity enhancements. Sometimes, these functions can co-exist, but more often than not, there are specific open spaces which require public exclusion to enable positive wildlife conservation, biodiversity and ecological outcomes and growth. These spaces usually fall within the semi-natural and natural, and landscape buffer categories. The visual amenity function of these spaces is usually maintained, but public access, in whole or part, may need to be restricted. As the visual amenity is not lost in these circumstances, these open spaces still meet the definition of Open Space within the NPPF and should therefore not be discounted from open space quantum/delivery. It is recommended that Policy DS28 is updated to remove the requirement for all open space to be publicly accessible, and to acknowledge that open space can play an important ecological and wildlife function and that the different functions of open spaces may need to be balanced during development of sites.

In addition to the above, QE notes that Policy DS28 requires sports pitches to be provided over and above those that are provided as part of any on-site school provision. QE questions whether this is appropriate given that stand-alone sports pitches are usually occupied by community groups/clubs in the evenings and during the weekend, at the very times when school playing pitches are usually not

being used. In order not to waste development land, it is recommended that when sports pitches are provided with education provision, that a Community Use Agreement is used to secure community use of school playing pitches and reduce the need to double up on infrastructure within development sites. This is a position that is supported by Sport England and is also likely to ensure that the playing pitch in question is maintained and managed to a higher standard, than a standalone pitch. Sport England agrees, stating that *“many educational sites, including schools of all kinds, academies, sports colleges and universities have very good sports facilities which are often underused out of normal school hours. Approximately 70% of sport halls in England and 48% of grass playing pitches on educational sites.”*² It is therefore recommended that Policy DS28 is updated to remove the requirement for sport pitches to be provided in addition to any sports pitches provided within school sites.

f. Design Policies SS2 and DS12

Policy SS2 - Sustainable design strategy for the district

QE generally supports the principles and component parts of Policy SS2 and recognises the importance of progressing towards net zero development. However, significant concerns are raised where the policy seeks to impose requirements that go beyond the nationally established framework set by the Future Homes Standard, which represents the Government's primary and comprehensive approach to decarbonising new housing.

This is of particular concern given the District's housing delivery record, which indicates an already constrained market that has struggled to meet plan-led expectations. Imposing additional local requirements over and above national standards risks further undermining deliverability and viability across sites. Moreover, the introduction of locally distinct standards creates unnecessary complexity and uncertainty for applicants, particularly SME housebuilders, who rely on a consistent regulatory framework to operate effectively.

While QE supports the principle of addressing climate change and improving energy efficiency, Policy SS2 as currently drafted imposes requirements that exceed national requirements without sufficient evidence of the requirements being deliverable. QE considers that the requirements threaten to undermine the viability of schemes, particularly impacting SME developers, leading to a reduced delivery of much-needed housing. Of relevance to this, the Council are referred to recent research from the Home Builders Federation that notes serious concerns around the viability of new housing developments across the UK, with £76,000 added to the cost of building a home since 2020³. We therefore have concerns in respect of Paragraph 36b and 36d.

A more flexible approach should be taken within SS2, that still strives for an aspirational approach towards net zero and delivering energy efficient developments, while being cognisant to viability issues that might mean the additional build costs are not feasible, and aligning with Future Homes Standards.

It is also recommended that the second paragraph of SS2(5) is amended to read as “Within such proposals, **uses such as** community facilities...”.

Policy DS12 – Net zero carbon ready and water efficiency

QE generally supports the requirement for sustainable design in Policy DS12 however in common with Policy SS2, raises concerns that this policy goes over and above national policy requirements with respect to whole life carbon, and questions the effect this policy may have on the deliverability of schemes, when considered in combination with other requirements of the specific allocations, especially social infrastructure.

There is no requirement within the current NPPF to undertake whole life carbon assessments, and these onerous assessments can also be inconsistent across approaches. The requirement is not considered to be in accordance with national policy (Paragraph 36d) and is not sound.

² Planning For Sport Guidance, Sport England, June 2019

³ <https://www.hbf.co.uk/news/new-taxes-and-policy-costs-add-76000-to-the-cost-of-building-a-new-home/>

Furthermore, it is also imperative to recognise emerging national policy. As set out in Annex A of the draft NPPF, from the date of its publication, local plan policies that are inconsistent with national decision-making policies will attract very limited weight. Policies CC2 and CC3 set out the basis for climate change adaptation measures, while Policy DM7 is clear that planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13). We refer the Council to Policy PM13 which prevents the setting of quantitative standards beyond Building Regulations (other than water efficiency and accessibility), which would prevent policies requiring reductions in operational CO2, primary energy demand and fabric energy efficiency.

Accordingly, QE considers Policy DS12 should be amended to align with current and emerging national policy to ensure the Plan remains sound.

g. Conclusion

QE wishes to support Canterbury in evolving and refining the Plan's policies and allocations to ensure the Plan functions as a long term successful, effective and sound Local Plan that will serve the District across the Plan period.

However, there remains some refinement required and this representation identifies a number of Strategic and Development Management policies that it is considered could and should be amended and developed further.

QE would welcome the opportunity to collaborate with the Council, in accordance with national planning practice guidance, and the company looks forward to playing a full participatory role in the rest of the Local Plan process. Should the Council wish to discuss any or all of the issues raised in these representations, please do not hesitate to contact me.

Yours Sincerely,

Oliver Ricketts

Oliver Ricketts
Senior Planner