

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

Abstract	1
The Thanet Way Residents Association	2
Contribution of the Open Space	2
Background, Provenance and Supporting Evidence for Planning Policy OS9.	4
Background to the protection of these sites	5
Challenges to the sites designed Protected Open Space	6
Conclusions	9
References	12
Appendix A Supporting Associations	12
Appendix B. Landscape Nature Conservation and Open Space	12

Version 4

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Abstract

1. This is a representation from the Thanet Way Residents Association (TWRA) in which we which we offer our reasons for why we believe it is essential that the open land allocated in the Local Plan as Protection of Existing Open Space, defined on the Local Plan Proposals Map and designated as planning policy OS9, is carried forward into the new Local Plan. We believe that protection of this land is important and request that this representation is considered by the council as part of the work being undertaken for the new plan. This is also supported by the Grasmere Residents Association and the Downs Avenue Residents Association.
2. This representation examines how this open land makes an important contribution to this area, which is in places, highly urban. It is discussed why the loss of any individual element will be harmful to the overall planning character of the locality.
3. The TWRA feel that green elements, situated where you live and work, are an essential component of a high quality human habitat. They have an intrinsic value which makes an immense difference to improving the overall quality and well being of the area in many different ways.

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

4. We demonstrate that the current designation of this land as Protected Open Space is based on solid foundations. Indeed the sites that form the policy have often been the subject of appeals for development, which have been and dismissed consistently by every inspector.

The Thanet Way Residents Association

5. The TWRA, was set up in 2011 covering the ½ mile radius from the Tesco roundabout . We currently have 185 members. We are a mixed group of families and households and since forming the association have become a much closer community, holding summer get togethers, and an annual Christmas Streetmas. We have been involved in a range of community matters such as the Whitstable In Bloom competition, safety improvements on the footbridge, provided assistance to the nearby secondary school who reached out to us to support them on the issue of bus timetable amendments. Engaged on the council boundary realignment consultations to name but a few. As a result of our community involvement we have become active members of other amenity groups including the Whitstable Museum, Whitstable Society and the Whitstable Improvement Trust.
6. We do not simply oppose schemes but constructively engage where possible on planning matters such as with the Devine Homes scheme, now Hyde Homes in particular on:
 - achieving agreements on better road access with a roundabout,
 - repositioning of new homes fronting Golden Hill,
 - internal green space within the site.
7. Notably it was the TWRA who suggested the new home for Tankerton Evangelical Church following the rejection in their last application. Our suggestion the former Riverside Press site has been a resounding success for them after having searched many years for a new and appropriate location. We have good relationships with the adjacent Grasmere Residents Association and Downs Avenue Residents Association.

Contribution of the Open Space

8. These sites which are the subject of this representation form a continuous buffer of reasonably small pockets of open land inside the urban boundary which exist in close proximity to each other and together collectively provide a valuable green environment that is essential to shaping and softening the landscape and appearance of the whole area. While the sites are physically separated, each site does form a significant and prominent link in the wider chain and is integral to this wider pattern

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

that produces the pleasant open character of this area. Remarkably even though this is a very busy urban setting, with residential, industrial and retail activities, the combined effect of the presence of these relatively small green open spaces, is a semi-rural characteristic, important to the quality of life of local residents. The TWRA values these benefits and feels that this policy is very much worthy of conservation in the coming plan. As the entry point to Whitstable, this semi-natural environment is responsible for framing the impression formed of the area by residents and visitors alike who are now directed along this stretch for visitor parking.

9. The TWRA feels strongly that visual amenity is an important ingredient to a healthy human habitat. Multiple studies have shown the positive effects that green space has, particularly when it is situated where you live and work. This is because as you go about your day to day activities, the natural environment is part of the array of stimuli that meet your senses. Interestingly the benefits from local green space actually eclipse the benefits of bonafide out of town green spaces that we tend to visit only occasionally. Elements of green open land offer constant visual amenity value to all residents and visitors. Visual amenity is not simply about a thin patchy screen to a road, but is about scale and openness as a whole, that is its value. As you walk, jog, cycle or drive along this route, the amenity from the views of green open land and nature give a sense of peace and calm and benefits to the well-being and quality of life of residents.
10. The value of these sites as a green-lung is significant and cannot be overestimated in this particular setting, given the relief it offers from the harsh adverse effects of the busy Thanet Way highway that runs right through this heart of this area. These pockets of green land not only provide an important function in mitigating the impact of the highway but also provide an essential buffer that establishes a valuable separation between the residential dwellings and the busy highway.
11. The loss of any of these sites would be particularly harmful because it would undermine its wider relationship to the adjoining sites, inevitably leading to erosion of the continuous buffer and the pleasant open character they provide. The NPPF states that existing open space should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision. Each open space site cannot be replaced elsewhere as part of its value lies in the fact that it forms part of a continuous line of open space. Therefore any separation of the sites would be detrimental to the aims of the open space strategy that has produced the benefits described above.
12. The damage caused by the loss of any of these sites would be even the more severe

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

given the recent significant expansion of development on the non-protected sites, such as the high density development of Swale Park (CT5 3FG) which has tall buildings inconsistent with the overall area. While this development has taken place on previously developed land (Hycks Site), the former built development had a much lesser mass and was set far back from the highway. Additionally Hyde Homes are also developing 400 new dwellings (near CT5 1PR) on what was previously open agricultural land. The protection of the open space is now all the more critical in order to preserve the qualities described above and to provide mitigation for the extra traffic flows being generated. Given that traffic flows increase naturally with time, it is all the more necessary to apply protection because the additional traffic produced from development on these sites will rapidly bring the Thanet Way traffic levels to what they were before the Thanet Way bypass was introduced. This is not just undesirable for road users and local residents, but also for the town as a whole because even more traffic, pollution and noise will spill into the residential roads of the town as drivers seek new paths of least residence.

13. Transport related air pollution and its risks to human health is an active research area generating a lot of interest[1]. The protection awarded to these sites was in part, motivated to contain and limit traffic levels on the Old Thanet Way (see next session). The extra pollution generated from increases in traffic brought about through development on these sites would be at odds with the planning policy that delivered the new realigned bypass (A229) because it would mean that the benefits of the Old Thanet Way's altered status could not be realised if the Old Thanet Way became highly congested and polluted again. Allowing traffic pollution to increase will be to the detriment of all residents, living in the area.

Background, Provenance and Supporting Evidence for Planning Policy OS9.

14. The Council has consistently identified an overall deficiency of open space in the district and as a result of this, has been determined to prevent the loss of existing open space within the urban boundaries, whether publicly or privately owned and irrespective of whether their contribution is through either recreational or visual amenity. Accordingly, policies have been included since the 2006 local plans to protect such areas. In the relation to OS9, these sites have again been recently assessed by the Council as being important to retain and hence their continued designation in the new 2017 Local Plan.

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

15. This extract from the new 2017 Local Plan re-defines these sites as Protected Open Space

There are open space protection areas along the Thanet Way, A2990 that are considered important. They are part of a larger entity of good quality open land, playing fields and farmland, both sides of Thanet Way, which still has coherence, and which mitigates much of the inevitably adverse environmental effects of a major highway running through an urban area of no great visual distinction. These areas have a positive amenity value for local residents and act as a buffer alongside the Thanet Way therefore any development within these areas is likely to be resisted.

Development which would involve the loss of open spaces and play areas on residential estates which contribute to the visual or recreational amenity of the

16. Previous to the 2017 Local Plan the 2006 Local Plan included planning policy C24

POLICY C24 Proposals which would result in the loss of protected existing open space as shown on the Proposals Map (all insets), will only be permitted if:

a) There would be no material harm to the contribution the protected open space makes to the visual or recreational amenity of the area;

b) Where there would be material harm, this would be balanced against demonstrable need for the development

c) There is no alternative site available to accommodate the proposed development, and any harm that might result from the development could be offset by the provision of other open space of comparable quality, size, character and usability in the locality
TWRA Comment: Discussed in Wrong Location [Ref 4]

d) The open space has been assessed by the Council as making no positive contribution to its overall strategy on open space.

Background to the protection of these sites

17. Policy OS9 and its predecessor C24 were brought into effect after considerable, detailed planning efforts by the Council which laid solid foundations for this policy. It is easy to forget but when the new New Thanet Way was introduced, large areas of open land was consumed by the new bypass and part of that investment was to introduce new measures in the form of new planning policies to prevent the Old Thanet Way from becoming as busy as it was before the new one was built. These policies have since resisted development along the stretch of road between Benacre and Chestfield, and also at Greenhill and Edington in part, because new developments would lead to additional traffic and hence calls to upgrade the road. Instead policy was established to focus development at the main nodes (Longreach and Eddington) where traffic can directly join the bypass. Development on the protected sites would be contrary to the development plan and the objectives to make positive use of the

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

road's altered status such as measures for improved pedestrian and cycle movement. The motivations for this are discussed in great detail in 'Technical Paper 3 Landscape Nature Conservation and Open Space' the background document to the 2006 Local Plan and the protected designations. The full document is included in Appendix A.

(Background document to the 2006 Local Plan and the protected designations)

3. Technical Paper 3 Landscape Nature Conservation and Open Space (Background document to the 2006 Local Plan)

5.15 Thanet Way Corridor from Borstal Hill to Church Street. As described the open areas along this road perform an important role in softening the character of what is in many places a very urban area. ... The importance of such corridors and there open spaces is highlighted in the Kent Structure Plan (Third Review) Deposit Draft at Policy ENV11. This is an important strategic transport corridor for road users and has an important role in framing the opinion gained of this area by residents and visitor alike. Canterbury District Local Plan Deposit Draft Proposals – open spaces associated with this area are therefore identified as open space protection.

5.16 Any additional development along this road would also lead to extra traffic and highway accesses. Indeed any such additional traffic on the existing Thanet Way would eventually lead to calls for an upgrading of the road. This would therefore be contrary to the approved approach of diverting traffic onto the modern realigned A299. Apart from Canterbury District Local Plan Deposit Draft allocations, new development will therefore not normally be permitted accessing onto the Thanet Way

5.17 ...The road [Old Thanet Way] will be redefined to perform a different role in the highway hierarchy (primary distributor in the urban area; secondary route in rural locations.) Measures could be implemented to make positive use of this altered status. These include traffic safety measures and improvements to pedestrian and cycle movements. As well as development restraint this area should also be the subject of positive enhancement measures.

18. In the new 2017 Local Plan, the Local Plan Inspector reinforced the Open Space status and indeed confirmed that circumstances have not changed to the extent that any of the previously designated open spaces should be deleted from the Proposals Map (PM)

Challenges to the sites designed Protected Open Space

19. It was predicted in the Technical Paper 3 that immense pressure would come from developers to build on these sites. The following table includes details of

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

applications and appeals on these protected sites that have been refused. This list is not comprehensive, these are just the ones we know about or have been involved in.

Table1

Application	Outcome	Noteables	Description
CA/12/00160/OUT	Refused	Council DCM Voted 13 against and 1 abstention	Business units and Evangelical Church <i>On 'The Paddock'</i>
APP/J22101A/13/22 02712	Appeal withdrawn	Developer withdrew appeal	Business units and Evangelical Church <i>On 'The Paddock'</i>
CA/16/02269/FUL APP/J2210/W/17/31 75031	Council Refused Appeal Refused (John Felgate 19 Feb 2018)		28 Dwellings <i>On 'The Paddock'</i>
CA/15/00996/FUL APP/J2210/A/13/21 96797	Council Refused Appeal Dismissed (Peter Rose 08/10/2013)		4-Bed House Corner of Church Street
CA/17/02855 APP/J2210/W/18/32 13149	Council Refused Appeal Dismissed (Timothy C King 08/04/2019)		Single storey dwelling Corner of Church Street
CA/16/02971	Council Refused		Grasmere

20. With respect to the land above referred to locally as '*The Paddock*' (Land Adjacent to Old Thanet Way Whitstable) this has been the subject of repeated applications, appeals and also submissions via the SHLAA process leading up to the 2017 Local Plan.

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

21. In the new Local Plan *The Paddock* was once again given the protected open space designation as part of OS9, which was subsequently endorsed by the Local Plan Inspector and was adopted by the Council on 13 July 2017.
22. This site *The Paddock* was also submitted by promoters for potential development as part of the Local Plan process (SHLAA). Following its review by Canterbury City Council the SHLAA was rejected. The SHLAA submission was then again later rejected by the Inspector as part of his review and hearing sessions.
23. The following are relevant statements from the Canterbury District Local Plan, Inspector's Report June 2017:

'Omission' sites

214. A number of other sites ('omission sites') were promoted in representations as alternative or additional SSAs. In the context of the Council's process of site identification and SA and my conclusions on the allocated SSAs and the housing land supply, **I am satisfied that the LP is sound without the inclusion of these sites.**

Omission Sites

258. About 20 other sites were promoted for housing development in representations on the submitted LP and a further 10 or so as part of comments made as a result of the Council's consultation on the additional housing land supply sites. I have considered the written submissions on these sites and the oral evidence where promoters appeared at hearings. As with the SSAs, in the context of the Council's process of site identification and SA and my conclusions on the allocated sites and the housing land supply, **I am satisfied that the LP is sound without the inclusion of these omission sites.**

74..... **The Council's updated housing trajectory shows provision for some 17,600 new dwellings over the plan period as a whole, well in excess of the 16,000 requirement that I had recommended.** This would provide some flexibility in accordance with the need to boost significantly the supply of housing. As such, the resolution of these matters is not so critical to the LP that it would justify further delay.

105. With the MMs indicated the LP will assist in boosting significantly the supply of housing and the housing strategy is sufficiently flexible to adapt or respond to changed or new circumstances. **I conclude that the strategy has been positively prepared and the overall level of housing provision and its distribution are justified and appropriate.**

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

366. *Since the current Local Plan was adopted the Framework has been published. Its definition of open space includes that which acts as a visual amenity. The Framework open space policy does not refer to balancing need against harm. However, on the basis of the evidence presented to the examination and subject to some changes for clarity and consistency with national policy (MM170) the flexibility included in Policy OS9 is justified. **Taking that approach, circumstances have not changed to the extent that any of the previously designated open spaces should be deleted from the PM.***

367. *The LP also designates some new areas of existing open space. Having regard to the above, the suitability of these new locations was confirmed by my visits to them. Although the LP might be clearer if all the areas of protected open space were listed in the plan as well as shown on the PM, this is not crucial to soundness.*

Conclusions

24. Green environments particularly in the urban area, are a vital ingredient in a healthy human habitat. Insensitive development such as the loss of urban green environments has material consequences.
25. There is now growing scientific evidence which demonstrates that seeing and being around green actually has positive effects on our human health and healthy human functioning. These findings come from Frances Kuo a professor of landscape and human health who has published a fascinating report on the remarkable correlation between green environments and the measurable effects on physical health, psychological health, lower aggression, lower violence and violent crime, better concentration, social functioning, self-discipline, impulse control and more[2]. Kuo says that rarely do scientific findings on any question align so clearly. In settings with greenery we find people are more generous, sociable, calm and trusting no matter how impoverished the area. She also found evidence that green views even enhance recovery from surgery by comparing the outcome of patients with the same personal characteristics, same prognosis, characteristics of surgery etc and found that recovery was reliably faster for those patients assigned to a room with a natural green view.
26. What is particularly striking about this is that these benefits come irrespective of lifestyle. This is demonstrated through analysis on study populations that have no particular interests in green space, or interest in activities typically associated with a green lifestyle, like nature lovers who typically have better health outcomes, greater access to nature and live in more upmarket suburbs.
27. Kuo found that it is the presence of green elements, views, hedgerows, trees, street trees, gardens etc, in the places we spend time such as where we live is what

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association

creates the systematic inputs that affects health and healthy human functioning. In short, green environments must be experienced to yield measurable effects as they need to be part of the array of stimuli that meet our senses. It is not about whether one can get to a green environment regularly but whether one actually does. Humans are simply worse off when they are deprived of green space and exposure to nature.

28. Judging by the robust statements in Technical Paper 3 and the Local Plan, it seems evident that the council also recognises the important role of open space in the urban fabric. What we are seeking to stress here is that the land affected by OS9 is not just undeveloped land but a component of this environment that fulfils an important role and makes a real difference to our lives.
29. It is acknowledged by the Council and very evident that Whitstable is already short of green elements. We have been progressively losing more of these green elements since the 2006 Local Plan came into effect. If present trends continue there will be even less green with fewer street trees, fewer gardens and fewer green views and the balance will be lost forever. The importance of these natural elements must not be underestimated, that also provide biodiversity and habitats for the other species that live in this area. For those living nearby, the presence of these green elements bring advantages and positive effects that seeing and being around green and nature have on many different aspects of our live
30. When you see a map of Whitstable it is quite shocking how concentrated development actually is and how little green open space and breaks in the built form there are. Of course Whitstable does have the advantage of being on the coast, but nevertheless that is no justification for cramming more and more buildings onto existing open spaces, in effect moving open spaces further away from those who are already short of it. Developers will always apply relentless pressure on the Council to try to force through their schemes and financial objectives. Houses do need to be built, business units are needed, as are hospitals, schools and fire stations. But the solution is not to cram more and more building in before expanding the footprint of a town, Although it meets developers immediate needs, cramming with more tarmac, more concrete, building on gardens, building in parks, fewer trees, green borders, hedges etc destroys the quality of the human habitat which is detrimental in the long term to everyone living and working in the area.
31. The two photographs below show how Gladstone Road in Whitstable used to look, next to an open space in the centre of town, and how it looks today. It was an elegant location lined with beautiful manicured trees.

Protected Open Space on the Old Thanet Way

Thanet Way Residents Association



How Gladstone Road looks today



References

[1] - Health effects of transport-related air pollution - WHO/Europe e86650.pdf

[2] - Parks and Other Green Environments: Essential Components of a Healthy Human Habitat

Appendix A Supporting Associations

- The Grasmere Residents Association was formed in January 2016 and is supported with 200+ members.
- The Downs Avenue Residents Association

Appendix B. Landscape Nature Conservation and Open Space

[Technical Paper 3](#)

<https://bit.ly/3j9fcrQ>