

Thursday 5th August 2021
656/A3/JJAPlanning Policy
Canterbury City Council
Military Road
Canterbury
CT1 1YW**By CCC LP Web Site and Email**

Dear Sirs

**Re: Canterbury City Council Draft Local Plan Review
The Preferred Options Consultation
Representations on behalf of Catesby Estates
Land at Thanet Way Whitstable**

I write with reference to the above. I act for Catesby Estates who have an interest in land situated to the south of the A2990 Thanet Way, SHLAA site 132 which is capable of delivering circa 220 dwellings and associated facilities.

Having regard thereto, we have the following comments on the Canterbury District Local Plan 2040: Draft District Vision and Local Plan Options May 2021, and associated Sustainability Appraisal.

Section 1 - The Draft Vision and Growth Optionsa) The Draft Vision

1.1 We note the second limb of the draft vision is: '*growth centred on canterbury*' which in our opinion thereafter colours the council's position on the proposed growth options and an unfettered assessment of reasonable alternatives through the Sustainability Appraisal (SA). We also note that the fourth limb (improved connectivity) includes within it '*a range of homes will meet the needs of the district, improve affordability and support growth.*' We believe this should be an independent limb of the vision/ should be linked to that part of the vision linked to growth, not connectivity. And would suggest this is reviewed when the Reg 19 Plan is issued.

b) The Draft Strategic Objectives

1.2 Whilst not commenting upon the Draft Strategic Objectives per say, we would suggest that whilst laudable these have to be considered in the context of both deliverability and viability and that the Reg 19 Plan will need to prove through the evidence base that this is possible.

c) The Proposed Options for Growth

1.3 We note the District Vision and Local Plan Options May 2021 assesses 6 options for growth:
A – Canterbury focus with limited growth at the coast and villages – min 9,000 dwellings to meet OAN.
B - Canterbury focus with limited growth at the coast and villages – min 14,000 - 17000 dwellings.
C - Canterbury focus – with some limited growth at the coast and villages min 14,000 - 17000 dwellings.
D – Coastal focus with limited growth in canterbury and the villages – min 9,000 dwellings to meet OAN.
E – Rural focus – limited growth in Canterbury, Herne Bay and Whitstable – quantum of housing unspecified but assumed to be min 9,000 dwellings to meet OAN.

F – New settlement – location unknown – quantum of housing unspecified but assumed to be min 9,000 dwellings to meet OAN..

- 1.4 Unfortunately, the Draft District Vision and Local Plan Options May 2021 does not quantify the scale of growth proposed within the various components of each option, just the overall sum¹. As such it is very difficult to determine what may be the most appropriate notwithstanding the councils preferred option (option c) and the focus of the Draft Vision. There is as far as we can see little between options B and C. The summary page of the growth and key infrastructure elements are identical. The only difference is seen on the transport sheet which appears to show more in the way of ped/cycle and bus links along the main arterial routes into canterbury city centre on the preferred option (c) and some commentary within the main text about improved public spaces being provided via the preferred option².
- 1.5 The difference between the two options needs to be clearly explained in the Reg 19 Plan so that people can understand what it is the council are exactly promoting and why.
- 1.6 Without any such clarity and given Catesby's interests, our view is that opinion B should be the preferred option. We say this as both Herne Bay and Whitstable are sustainable locations that have the infrastructure and services that make them capable of accommodating further growth alongside Canterbury. Further growth within/ adjacent to Herne Bay and Whitstable will together with the development of Canterbury city centre and its hinterland help facilitate the delivery of the key infrastructure identified in the Proposed Options for Growth plans, such as the coastal secondary school.
- 1.7 Option B would, like the preferred option (c) deliver the vision and strategic objectives identified in the Draft District Vision and Local Plan Options May 2021.

¹ We note that the Jacob's Transport Modelling Report at table 5.2 provides forecast baseline developments to which the local plan scenarios (see table 5.3) were added, to create the potential development scenarios to be tested. We further note that the higher growth forecasts both assumed 9,000 dwellings in and around Canterbury (2,000 to the NW and 7,000 to the S/SE), and 1,000 dwellings each in Herne Bay and Whitstable; and that paras 5.2.2 (2) of the Transport Modelling Report is clear in that: *'The exact development location is unknown at this stage. Proposed development assumptions are considered over the best-known representative areas based on known constraints and natural barriers such as rivers or railways. The potential development locations were provided per area (as shown in Figure 5-3) which was assigned to the representative LSOA zones. Total number of dwellings was equally distributed across the defined LSOAs per area since no further assumptions are available.'*

We also note that the Air Quality Assessment of Transport Model Options 2020 (p2 and table 1) suggests that those options promoting circa 14,000 dwellings would, on top of the background growth of around 3,000 dwellings, (reflecting windfall and regeneration sites), which it suggests would be distributed evenly across the district, distributes 9,000 dwellings to the area in and around Canterbury, and 1,000 each to Herne Bay and Whitstable

All of which, whilst more definitive than the Canterbury District Local Plan 2040: Draft District Vision and Local Plan Options May 2021, and associated Sustainability Appraisal, is still somewhat open ended and would require further testing when there is greater clarity on the final distribution of sites.

² The SA in section 5.4 also suggests that the preferred option would also deliver public realm improvement – see para 5.4.7, whilst option B may not deliver the public realm and open space improvements and redesign of movement within the city centre advocated in the preferred option – see para 5.4.22 albeit this is supposition rather than anything evidenced by fact.

Section 3 - Housing and New Communities

2.1 Having reviewed section 3 we would comments as follows:

HNC1 - Dwelling Mix.

2.2 We note that the Housing Needs Assessment (HNA) 2021 clearly demonstrates that the area of greatest housing need is that for 3 bed dwellings, and that even when the district is split into 4 sub-geographies: Canterbury City, Rural North, Rural South, and Whitstable and Herne Bay Coastal so as to be consistent with the previous Lichfields SHMA of March 2018, the overwhelming requirement remains 3 bed dwellings, followed by 4 bed dwellings in Canterbury City and the Rural North, and 2 bed dwellings in Whitstable and Herne Bay Coastal and the Rural South.

2.3 Given the above it is clear that the housing mix requirement has moved on since the Lichfields SHMA was completed just 3 years ago. Thus, we would question the extent to which the councils preferred option (HNC1C), i.e. to set specific housing mix targets which each site must deliver and identify opportunity sites for specific types or tenures, will actively meet the draft vision and objectives of the plan and be future proof.

2.4 In our opinion the council should recognise the need for flexibility, as per the NPPF and PPG, the fact that the needs of the area may well change over the lifetime of the plan, that different areas will inevitably deliver different forms of housing i.e. apartments within city centre locations and family housing in suburban areas; and it is the combination of the two that will ultimately address the overall need.

2.5 It is thus in our opinion inappropriate to be too prescriptive, as suggested by the preferred option, HNC1C.

2.6 We would however support HNC1B, i.e. to set specific targets which each site must deliver based on the identified needs of that part of the district, but would recommend that this approach is caveated such that the needs should be updated and reviewed every 3 years, and that if they have changed, the change will be recognised in the determination of applications within said area.

HNC4 – Densities.

2.7 Whilst acknowledging that we should all make optimal use of the potential of each site, we also believe that every development needs to have regard to the site constraints and the character and appearance of the surrounding area/ the sites context. Thus, whilst high density development may be suitable in one location it may not be suitable in another. As such we do not feel we can support the preferred approach, HNC4C, i.e. to set specific densities or a range of densities for areas of the district to make best use of the land, with site allocation densities influenced by local distinctiveness and character so that housing fits in with its surroundings.

2.8 We would however support HNC4B, i.e. to identifying a minimum density for the district as a whole and continue the current approach of influencing site densities through good design as this would in our opinion better reflect the draft vision and strategic objectives of the plan.

HNC6 – Supporting Sustainable Living in New Communities.

- 2.9 The preamble to this issue indicates that: *'it is important that new communities have a mix of homes, accessible jobs, facilities like schools, healthcare and shops, and a clean, safe environment. Communities also need opportunities for active travel, access to public transport and open spaces where they can relax'* and that *'The Local Plan can influence the sustainability of communities through policies which can support the provision of social and community infrastructure.'* That *'This includes services and facilities which communities will rely on to meet day-to-day needs; like primary schools, shops and community meeting spaces, and open spaces.'* And that *'For larger developments, providing jobs in new communities, for example with flexible or co-working space, can further enhance the sustainability of communities and reduce the need to travel'.*
- 2.10 Having regard to the above, the proposed strategy must be clear on what social and community infrastructure the council are looking to deliver in any specific area/ on any specific site, what constitutes a strategic or large site and what an essential service that needs to be accessible is.
- 2.11 Both strategic and large site would also need to be clearly identified in the plan and the council would need to demonstrate in the evidence base supporting the plan why said infrastructure is required and how the cost of providing for this has been taken into account in the viability appraisal that will accompany the plan.
- 2.12 Subject to the above we would support option HNC6C, the preferred option, i.e. to set clear requirements for new or improved social and community infrastructure to be delivered as part of strategic developments, and that large developments must show that essential services can be accessed within 15 minutes walking or cycling time. If the above is not addressed then we would recommend maintaining the status quo and option HNC6A.
- 2.13 In the context of the above, we can confirm that the land at Thanet Way can accommodate both formal and informal recreational facilities at its core, and interconnecting wildlife corridors to support biodiversity and create healthy communities. It will also, as set out in the addendum vision document offer a new community co-working space which can include meeting rooms/ event space, hot desks, printing/ admin facilities, and a cafe space. This space could also be made available for community use and events.
- 2.14 We can also confirm that the site is within 1 to 2 km of a number of local services including retail, education and health facilities, and that it benefits from easy access to the local public rights of way network, bus services and Whitstable train station.

HNC7 - High Quality Design.

- 2.15 Whilst Catesby Estates fully support the aims and aspirations of the National Design Guide and agree that well designed places influence the experiences we have in the places where we live, work, and spend our leisure time, they also believe that you cannot be too prescriptive about the design approach that should be adopted to a site when it is allocated. We say this because all sites differ – so no one approach will fit all, and because it is only when one gets into the detailed design process associated with the preparation of a planning application that conflicting issues can arise and a pragmatic approach has to be adopted.

- 2.16 Given the above we do not believe the preferred approach, Option HNC7C, i.e. *'embed master plans and design requirements for strategic development sites in the Local Plan and continue current design criteria-based approach for other sites and types of development; setting out when specific design tools like design codes should be used'* is realistic. Not only would this make site specific allocation policies somewhat over complicated but where sites have not as yet come under option to a developer, the practicalities of the requirements could prejudice deliverability as there is no one to sense check them. We would thus encourage the council to continue the current criteria-based approach to design, Option HNC7A.

HNC8 – Delivering Low Carbon and Energy Efficient Housing.

- 2.17 Whilst Catesby Estates fully support the council's direction of travel towards zero net homes, we feel it is important that the council demonstrate through the evidence base that this can be delivered without impacting on viability³. Until such time we believe the council should continue with the current approach to zero net homes (Option HNC8A). defer the matter to the Building Regulations and proposed changes to part L.

HNC8 – Improving Water Efficiency.

- 2.18 Whilst Catesby support the need to improving water efficiency this has to be undertaken with a view on deliverability and viability. As such they support option HNC8H, i.e. to require proposals for new homes to show the higher water efficiency standard of 110 litres per person per day, as they already look to deliver this on their sites. Anything over and above this, such as the preferred option (HNC8I) would, as per the NPPF and PPG, need to be fully justified by the council in its evidence base.

HNC8 - Incorporate Renewable Energy in New Developments.

- 2.19 Catesby Estates are happy to commit to the provision of solar photovoltaic panels and solar thermal panels within their developments and would support a finessed version of HNC8J so as to require all developments over 10 properties to deliver 10% of their energy demand by onsite renewable energy, in line with national policy. They do not however support the suggestion that all new large or strategic developments show a decentralised energy supply, the preferred option, and would highlight the need for the council to demonstrate through the evidence base, that any such approach is both deliverable and viable.

HNC9 - Housing for Older People.

- 2.20 Like the council we recognise people are living longer, which means that the numbers of older people in the population is increasing, and these people can have specific housing needs. We also note that the HNA (2021) has indicated the following requirements will arise over the plan period:
- Age Exclusive Housing Stock: 576 units
 - Specialist Units: 1,732 units
 - Care home bedspaces +1,150, 26% with nursing.

³ Whilst noting the commentary in the Construction carbon emissions and energy standards on 'Meeting affordability and viability requirements' we would question the assumptions made, and highlight the fact that these need to be considered in the round with the plethora of other policy requirements being placed upon the house building industry, and that the cumulative position is that which the viability appraisal needs to take into account when determining the ultimate policy approach relative to a development viability and thus deliverability

- 2.21 That said not all sites are suitably located to accommodate all forms of accommodation for the elderly, especially specialist units and extra care facilities. As such, and unless the council are prepared to clearly define Age Exclusive Housing Stock as that for people over 55 we believe it would be more appropriate to formally allocate suitable sites for the elderly (Option HNC9B) than try and impose a requirement on all large or strategic sites to provide a proportion of accommodation for the elderly (Option HNC9A) or a blended approach (Option HNC9C).
- 2.22 In the context of the above, we also believe that the council need to clearly define what it means by large or strategic sites so that if a finessed version of option HNC9A were to evolve requiring a proportion of Age Exclusive Housing Stock on all large or strategic sites the housing industry was clear as to what was required and where.

HNC10 – Providing Accessible and Disability-Friendly Homes.

- 2.23 We note that the HNA 2021 indicates that the long-term health problems or disabilities of households in the district are projected to grow by around 14% over the plan period. It also indicates that the proportion of wheelchair users within the district is estimated to be around 2.4% (4,000 people); and that this evidence, alongside the projected population and household change driven by growth in the older age groups, means wheelchair usage could increase by 700–1,000 by 2040.
- 2.24 The HNA also indicates that by 2040, an additional 2,200 homes (across all tenures) could require some form of adaptation in Canterbury, with a recommendation for wheelchair adaptations to be included, particularly for specialist older person homes. Whilst most of the need is for M4 (2) standards, around 700 – 1,000 people will need homes built to M4 (3) standards by 2040.
- 2.25 On this basis Catesby Estates support the preferred option, HNC10C, which requires around 15% of new properties to be built to M4 (2) standards, and around 5% to be built to M4 (3) standards on major developments and strategic sites. In doing so they would stress the need for this to be factored into the council's future viability appraisal.

HNC13 – Supporting Opportunities for Self and Custom-Build Housing.

- 2.26 We note that as of April 2021, there were 31 entries on the councils Self Build and Custom Housebuilding register, and that 22 had a local connection to the district.
- 2.27 As the HNA (2021) indicates that the demand for self-build housing is less important when considered against the overall housing need figure; and that the type and size of housing requirement should be considered in the overall property mix we do not believe the council's preferred approach, HNC13C i.e. to provide a blended approach with a proportion of plots being delivered through large or strategic sites, and a proportion through allocated specific small sites, to be justified. In our opinion the better approach would be HNC13B i.e. to allocate specific small sites (up to 10 units) for the delivery of self and custom-build housing. This could provide a range of sites across the district and negate any deliverability issue on large or strategic sites.

HNC16 - Making Sure that Infrastructure is Delivered at the Right Time to Support Development

- 2.28 Whilst Catesby acknowledge that the timing of the delivery of key infrastructure, such as roads, schools, and doctors' surgeries relative to the supply of new development can often be an issue locally, as set out in the emerging plan the provision of infrastructure as part of a development, or the timing of financial contributions towards infrastructure, is normally planned to take place in time to serve the additional needs generated by the development. The idea advocated in the emerging plan of an infrastructure first approach to development is of serious concern as the timing of financial contributions towards infrastructure can have a significant impact on the viability of a development. The statement in the plan that *'Infrastructure delivery and a shift towards a more infrastructure-first approach would therefore need to be considered with the overall viability of delivering growth'* is we believe a critical point that needs to be addressed in the consideration of the whole matter of infrastructure delivery. It is thus crucial that the council not only liaise with the development industry on this point but ensure that the infrastructure providers have the capacity to deliver when required of them. We say this as it is often the infrastructure providers who are the cause of delay. Contributions can in some cases be held or pooled by them for a considerable time whilst the associated project receives the necessary consents and is delivered. To actively tie the delivery of sites to the delivery of the required infrastructure improvements, or as is suggested to front load it could seriously delay the delivery of much needed housing and drive a horse and cart through the council rolling 5 year housing land supply requirement.
- 2.29 Thus, whilst Catesby believe it would be laudable of the council to set clear requirements that necessary infrastructure must be provided at the right time to address the impacts of development (option HNC16B), they fear this would effectively require the development industry to be able to demonstrate that a third party (the infrastructure provider) will deliver when required of them – which we just can't do – all we can do is agree the timing of the infrastructure payments and then leave the matter with the infrastructure provider to deliver.
- 2.30 Likewise, we cannot however support the preferred approach (Option HNC16(C)) as the viability implications of front loading are significantly detrimental to both the viability of a site's delivery and, we believe, the council own housing land supply aspirations. The only way such an approach would work would be through a special delivery agency – such as Homes England, or through government funding – such as the HIF funding process, and even then we would question whether it would work in the context of what is advocated in the emerging plan. The lack of any real assessment of the implications of this approach and the lack of any viability testing also gives us further cause for concern. We would thus urge the council to reconsider its position in this regard.
- 2.31 Given the above, we feel we can only realistically support option HNC16(A). In doing so however we would urge the council to set up a series of workshops with infrastructure providers and the development industry to try and resolve this issue as we, along with locals are just as aggrieved by the current situation. We would also suggest that in reviewing issue HNC14, the council, in addressing strategic infrastructure investment, also look to include within their policy approach to issue HNC14 a timing mechanism for the delivery of the key infrastructure projects they are looking to identify so that everyone is aware of what is required of them and by when.

HNC17 - Addressing Changes in Development Viability at the Planning Application Stage.

- 2.32 We agree with the council that viability is central in plan making and decision taking; and that as such the council need to show that the combined costs of the policy objectives of the plan do not exceed the total value of the scheme.
- 2.33 It is for this reason that NPPG on viability looks to put the viability assessment of development sites to the Local Plan stage first, to provide more certainty to developers, stakeholders and the community about how identified sites will be delivered.
- 2.34 It is thus surprising that the Draft District Vision and Local Plan Options May 2021 does not at this stage include any assessment of the implications of the direction of travel of the plan. Whilst we note the council say they will assess the viability of the whole plan at the next stage of the process, it is we believe slightly disingenuous to promote a plan at present that has some significant aims and aspirations, which may in many instances help secure support for the plan when they have not been tested. Furthermore, we would suggest that the assumption that once assessed the parameters for any future viability assessment will then be fixed and should not need further assessment at the planning application stage is wrong. Thus, we do not accept Option HNC17B, (that no new viability evidence is accepted at planning application stage), to be an appropriate or reasonable option to take forward for further consideration.
- 2.33 Similarly, until such time as the viability evidence is released and tested, we do not feel we can support the councils preferred option, HNC17C, which looks to set clear and limited criteria where new viability evidence is accepted at the planning application stage. Thus at this juncture we believe the only appropriate option is option HNC17A, to continue the current approach to accepting viability assessments as part of the determination of a planning application.

Section 6 - Transport and Movement

MT1 – How to Maximise Active Travel in the District.

- 3.1 We acknowledge that national planning policies make it clear that new developments should create healthy, inclusive, and safe places for residents to live in; and that proposals for new developments should identify and maximise opportunities for walking and cycling. This includes providing a high-quality walking and cycling network with the appropriate supporting facilities and designing layouts that encourage walking and cycling.
- 3.2 We also note that KCC is promoting active travel and is supportive of segregated routes which provide safe and pleasant environments for pedestrians and cyclists.
- 3.3 Given the above we agree with the preferred option MT1B i.e that all new developments must show how they will maximise opportunities for walking and cycling.
- 3.4 To this end we would like to highlight that Catesby's proposals for the land at Thanet Way do actively look to encourage opportunities for walking and cycling, with new footpaths provided within the site and enhanced links proposed off site towards Whitstable town centre.

MT2 - Supporting Greater Use of Public Transport in the District.

- 3.5 Again we acknowledge that national planning policies say that Local Plans should look for opportunities to promote public transport and that LPAs are encouraged to work with local highway authorities and other infrastructure providers to support sustainable transport and make sure development patterns are aligned.
- 3.6 We also note that the council work with KCC on a range of transport projects, that the current Transport Strategy was prepared jointly with them; and that they are actively looking to the new Local Plan to boost accessibility to rail stations in the district, with measures including parking facilities with enough electric vehicle charging, and secure cycle storage.
- 3.7 Given the above we agree with the preferred option MT2B, that all major developments must show how they will maximise access to the existing local bus network; and MT2D, that all major developments must show how they will maximise access to rail services.
- 3.8 To this end we would like to highlight the fact that Catesby's proposals for the land at Thanet Way do actively look to encourage opportunities to enhance access to bus and rail travel. The site itself is within 1km of a number of local bus stops, and Catesby are liaising with the local operator to see whether, if their site is developed, the bus operator would, given other adjacent developments, look to divert their service to run along Thanet Way so as to improve access to it. Catesby's site on Thanet way is also within 2km of Whitstable train station, and Catesby are happy to liaise with Network rail about providing enhanced electric vehicle charging, and secure cycle storage at the station.

MT3 - Supporting the rapid transition to zero emissions vehicles.

- 3.9 We note the plan suggests that transport is the reason for 28% of greenhouse gas emissions in the district; and that moving to electric vehicles will play an important role in reducing local air pollution and greenhouse gas emissions.
- 3.10 Whilst we also acknowledge that in 2020 the government undertook that all new cars and vans will effectively be zero emission vehicles by 2035, and that in order to encourage the switch to electric vehicles more charging points are required, the council need to recognise that in order to achieve this the infrastructure providers need to facilitate a fit-for-purpose infrastructure network.
- 3.11 Given the above, whilst we do not oppose in general an acceleration locally to the transition to zero emissions vehicles, we feel that the preferred option (Option MT3B), needs to encompass a transitional period to ensure that the necessary infrastructure can be put in place to facilitate it. Fast charging points have a significant impact on a site's electricity requirements, often generating the need for additional sub stations on large/ strategic sites. CCC need to ensure the electricity providers have the capacity to be able to accommodate these. There is also a cost associated with the instillation of these facilities which needs to be factored into the viability appraisal.
- 3.12 As such we would suggest that this matter is considered further, and evidence compiled to support the Reg 19 Plan to show how it could be achieved in practical terms before we comment further upon it.

MT4 - Setting Parking Standards in the Local Plan.

- 3.13 Para 107 of the NPPF is clear that:
If setting local parking standards for residential and non-residential development policies should take into account:
- a) the accessibility of the development.*
 - b) the type, mix and use of development.*
 - c) the availability of and opportunities for public transport.*
 - d) local car ownership levels; and*
 - e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.*
- 3.14 Para 108 continues:
Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport
- 3.15 The existing parking standards are based on guidance from KCC, developed in 2006 and 2008. They require differing car and cycle parking spaces depending on the uses proposed, and the area, so that less parking is provided in developments in town centres, and more on the edge of the urban areas.
- 3.16 Given the above, and that the plan highlights the fact that local people have stressed the need for enough parking spaces for residents, visitors, and deliveries, we believe the preferred option (MT4C), i.e. to amend the current parking standards to significantly reduce car parking in the most sustainable locations, and to allow for enough spaces in suburban areas; whilst laudable may well exacerbate the issues local residents have identified.
- 3.17 There is as far as we can see from the current evidence base, nothing to show a correlation between car ownership and the level of parking provision provided for within a development.
- 3.18 We would therefore suggest that the council maintain the current approach to parking standards, option MT4A, but actively look to encourage less parking in more sustainable locations and investigate the merits of car clubs and the use of travel plans to actively reduce the demand for car ownership in certain areas. Such an approach, coupled with the siting of development within areas with easy access to public transport facilities will help address this situation longer term.

Section 7 - Historic and Natural Environment

NE3 – Protecting and Enhancing Biodiversity and Green and Blue Infrastructure.

- 4.1 National planning policies make it clear that valued landscapes, sites of biodiversity or geological value and soils should be protected and enhanced through Local Plans; and that they should be protected according to the importance of their designation.
- 4.2 Para 174 (d) of the NPPF is also clear in the need for planning policies and decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 4.3 We also note that the Canterbury District Green Infrastructure Strategy 2018-2031 aims to *'deliver an integrated and multifunctional green infrastructure network covering all of Canterbury district, which supports sustainable development, health and wellbeing and economic growth, as well as providing a distinctive and high-quality local environment that is managed and valued by Canterbury's communities'*.
- 4.4 The Environment Bill which is expected to gain Royal Assent in December 2021 requires developments to achieve a 10% BNG. This however will not be mandatory for 2 years from assent.
- 4.5 On this basis the councils preferred option (NE3C) which requires new developments to enhance existing, or provide new, green infrastructure to conserve, and where possible enhance blue infrastructure, plus a 20% BNG goes above and beyond the requirements of national policy. Furthermore there is nothing in the council's evidence base to justify this or demonstrate how the viability implications of this approach have been factored into the council's approach to their preferred options. As such we do not support this approach and do not see how it can be taken forward.
- 4.6 Of the other two options proffered Option NE3A: continue with the current Local Plan approach of new developments providing and extending green infrastructure (including trees) where they can, and set a 10% BNG requirement; and Option NE3B – require new developments to enhance existing, or provide new, green infrastructure to conserve, and where possible enhance blue infrastructure, plus a 10% BNG, appear to have little to differentiate them; albeit option NE3B appears to encompass a need for enhancement and BNG on top of this, which if correct goes above and beyond what is required by national government guidance.
- 4.7 Given the above in order to reflect national government guidance, the only realistic option is option NE3A to continue with the current Local Plan approach of new developments providing and extending green infrastructure (including trees) where they can and setting a 10% BNG requirement.
- 4.8 To this end, we note that whilst 10% BNG should be possible to deliver on the majority of sites, a 20% requirement will likely need offsite land. Without a network of identified sites for biodiversity enhancement and a mechanism to contribute towards these, this will mean that many sites are not able to achieve the 20% BNG requirement and would be undeliverable. This is acknowledged in Appendix J to the SA, which indicates that the higher requirements of NE3C could hamper the delivery of new housing within Canterbury. This suggests that the preferred approach is actually prejudicial to the plans aims and objectives. Therefore, until a fully costed and implementable biodiversity net gain/local recovery strategy is in place, a policy requiring more than 10% BNG cannot in our opinion be supported.
- 4.9 In commenting upon this issue we note the Draft District Vision and Local Plan Options May 2021 highlights the fact that as the council develop the new Local Plan they will complete a Habitats Regulations Assessment (HRA) which will look at whether the plan might affect the protected features of a designated habitat site; that the HRA in the current Local Plan identified that more new development could potentially impact wintering birds because of a potential increase in recreational disturbance; and that along with potential impacts to wintering birds, they council are aware that there are water quality concerns at the Stodmarsh protected site, and that more development could cause air quality impacts in the Blean complex (woods) conservation area. It is thus surprising that whilst the HRA will look at these

potential impacts and identify any others, which will then be part of future Local Plan work, HRA options are not proposed at this stage. It is in our opinion essential that the HRA is undertaken at the outset to inform the Local Plan options, as the location and form of development could have substantial implications in terms of European sites, whilst mitigation requirements could affect the viability of any development.

NE4 - Protecting and Enhancing the Character of our Valued Landscapes.

- 4.10 We note and support the proposed preferred Option NE4K to keep the Blean Woods LLD with boundary changes 1-4, and changes between the University of Kent and Clowes Wood.

NE11 - How can we Maximise the Benefits of Sustainable Drainage Systems (SuDS)?

- 4.11 The Draft District Vision and Local Plan Options May 2021 explains that sustainable drainage systems (SuDS) aim to minimise the risk of flooding by allowing water to soak into the soil underneath, or even hold the water temporarily to prevent it over filling drains or rivers; and that at the same time they can also enhance and support wildlife, biodiversity and habitats and support the efficient use of clean water. Examples of SuDS include:
- bioswales or swales.
 - soakaway.
 - permeable paving.
 - ponds, ditches, and retention or detention basins.
 - wetlands.
 - green roofs.
- 4.12 Whilst Catesby Estates support the provision of multi-functional SuDS systems, as these will we assume be classed as blue infrastructure in any BNG calculation, the way in which the provision of SuDS is interrelated to the BNG calculation needs to be clarified.
- 4.13 In reality the SuDS strategy should be looking to address the surface water drainage requirements for the development so as to ensure there is no net increase in surface water run off – no more. Any form of betterment must be seen as aspirational and can only realistically be considered on a site by site basis.
- 4.14 All SuDS thus needs to be considered in the context of suitability/ deliverability and viability, and the preferred option, NE11B (to encourage all developments to contain SuDS, and also keep the requirement to have enough drainage, encourage SuDS to be designed to include other benefits and provide information and guidance on the design of them), needs further supporting evidence to address the points we raise before we can say whether we support it.

NE12- What should we do about Groundwater Protection?

- 4.15 We note the plans reference to the fact the district is located in a water stressed area, meaning at certain times of the year the demand for clean water exceeds the amount of water available; and that with the impacts of climate change the protection of groundwater is important to reduce the chances of water shortages. We also note that existing national legislation aims to protect areas such as Groundwater Protection zones from pollution. That said in reviewing the options proffered under issue NE12, we believe that the preferred option, NE12B (to set clear requirements for development proposals in groundwater protection zones, nitrate vulnerable zones and drinking water safeguard zones), needs

further clarity. For example, what form of mitigation is proposed, have the viability implications been taken into account in the viability appraisal, are they necessary or just aspirational, and if the latter how are they justified? As such at this juncture we believe NE12A – keep the existing approach of having groundwater protection zones is the only plausible option.

Section 8 - The Sustainability Appraisal.

- 5.1 We note the SA highlights the fact there are some possible incompatibilities and uncertainties between the Draft District Vision and Strategic Objectives and the SA objectives, and suggests that most of these uncertainties relate to the need for further development of policies or the reliance on the specific implementation of the Local Plan. This is we fear to be expected when the SA is based on a policy approach that is at present very aspirational, that has not been tested in deliverability and viability terms; and in the case of the strategic growth options is unclear as to quantum and location of future development; albeit the SA acknowledges in section 4.5 that greenfield land will be required to accommodate future growth over the plan period.
- 5.2 To this end we have to say we are somewhat bemused about how the SA can in fact test the strategic growth options given the lack of clarity about what is proposed, and in particular the lack of clarity about what differentiates option C, the preferred option, and option B. Both we note score the same in table NTS3/ 5.2, and on page 9/ at para 6.1.6 & 6.1.8, the SA suggests that both generate significant positive effects on housing, the economy, transport, and health in recognition of the focus on Canterbury, higher growth levels and investment in transport infrastructure. Whilst the SA goes on to suggest that option B may not deliver the public realm and open space improvements and the redesign of movement within the city as is intended via the preferred option (C) we do not see how the SA can say this when what is proposed under either option is at present so vague. The council need to explain both the difference between the two and why option C was chosen rather than option B.
- 5.3 Para 5.4.44 of the SA suggests that the Local Plan Options document sets out the reasoning for selection of the Preferred Option at this stage; and summarises this as:
- is best aligned to meeting the emerging vision and objectives.
 - would support economic growth in Canterbury to support a strong and resilient local economy and the growth of the universities.
 - would support infrastructure delivery and investment that facilitates a significant modal shift to improve air quality and congestion, reduce carbon emissions and provide enhancements to the natural and historic environment at Canterbury; and
 - Additional housing will also help to meet the needs of more people in the district's communities and improve affordability and provide more biodiversity gains.
- 5.4 Para 5.4.46 of the SA goes on to advise:
- 'Overall, the Preferred Option is considered to have the greatest potential for significant positive effects on a range of SA Objectives compared to the other options (except for Canterbury Focus B which performs similarly). It would have significant positive effects for housing (SA Objective 10) and the economy (SA Objective 12) and a mix of significant positive and minor negative effects on sustainable transport (SA Objective 13) and health (SA Objective 14). However, there are also likely a mix of minor positive and significant negative effects on climate change (SA Objective 2), biodiversity (SA Objective 3), landscape (SA Objective 5) and land use (SA Objective 11). However, the extent and magnitude of such effects is uncertain at this stage.'*

- 5.5 Paras 5.4.47 and 5.4.49 look to explain the reasoning for the other options, and as far as option B is concerned state:
'The option would facilitate the economic growth of the district, to support a strong and resilient local economy and provide a range of homes to improve access to high quality housing. This option looks to harness the potential of Canterbury, with investment in road infrastructure to manage congestion and improve connectivity. However, the option would not result in the same infrastructure delivery benefits as the Preferred Option.'
- 5.6 Given what is said at paras 5.4.5, 5.4.15, 5.4.21 – 5.4.24, and 5.4.46 of the SA, we do not believe the difference between options B and C is clearly described, or that the justification for the preferred option is clearly defined. This needs to be resolved at the Reg 19 stage if the plan is to accord with para 35 of the NPPF.
- 5.7 This aside we would question why the SA calls into question the deliverability of the higher levels of growth proposed in options B and C, and the suggestion that this could be mitigated by backloading delivery to later in the plan period. Whilst CCC need to identify the sites they believe can deliver the level of growth proposed within options B and C in the next iteration of the plan, and demonstrate these are deliverable through the SHLAA, we do not believe that at this juncture the plan should be looking to back load delivery to the latter part of the plan period. A suitable mix and distribution of sites should ensure there is no impediment to deliver or the council's ability to maintain a rolling 5 year housing land supply.
- 5.8 Turning to the SA of the non strategic options, we note, where we differ from the councils view on the preferred approach that:
HNC1 – there is in para 5.5.6 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC4 – there is in para 5.5.9 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC6 – there is in para 5.5.13 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC7 - there is in para 5.5.16 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC8 - there is in para 5.5.18 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC8 - there is in para 5.5.19 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC9 – there is in para 5.5.21 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC13 - there is in para 5.5.25 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.
HNC16 - there is in para 5.5.29 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.

HNC17 – there is in para 5.5.30 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.

MTA4 - there is in para 5.5.65 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.

NE3 - there is in paras 5.5.74 - 76 little to differentiate the preferred approach from the alternatives proffered in SA terms. Aside from SA06 the three options all score the same. As such there doesn't appear to be any justification for adopting the preferred approach.

NE11 - there is in paras 5.5.110- 111 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.

NE12 - there is in paras 5.5.112 – 113 little to differentiate the preferred approach from the alternatives proffered in SA terms. As such there doesn't appear to be any justification for adopting the preferred approach.

The Land at Thanet Way and how our Concept Plans Reflect the Policy Approach being promoted in the Emerging Local Plan

- 6.1 The land at Thanet Way is situated to the south of the A2990 Thanet Way. The majority of the Site is made up of a single agricultural field bordered by hedgerows and hedgerow trees. In the western corner of the Site lies a small area of woodland. The Site also includes a small area of land to the east – within the adjoining field – which would facilitate access to the site.
- 6.2 The A2990 Thanet Way forms the Site's northern boundary, beyond which lies Duncan Down (a publicly accessible area of woodland, scrub, and grassland) and the built up area of Whitstable⁴.
- 6.3 To the east is an agricultural field, beyond which lies South Street – a largely residential area of Whitstable which extends south beyond the A2990 Thanet Way. The area includes a retail park within which is situated a Tesco Extra.
- 6.4 To the south are agricultural fields, beyond which lies the A299 Thanet Way dual carriageway – the main distributor road which runs to the south of Whitstable and links Chatham / the M2 to the west with Ramsgate to the east.
- 6.5 Immediately west of the site is an area containing areas of hardstanding and outbuildings / static caravans, surrounded by grassed areas with established tree belts and vegetation along its boundary with Thanet Way and the A299 slip road. This area also contains a telecommunications mast which is visible above the surrounding trees. Further west is the southern edge of Whitstable and the small settlement of Clapham Hill.
- 6.6 The Site sits at between approximately 40m - 50m AOD. The highest point within the Site is within the central / southern section, where there is a 'plateau' at around 50m AOD.
- 6.7 The land falls north towards the built up area of Whitstable and the coast; and south towards the A299 Thanet Way before rising again around the Blean woodlands. The land also falls

⁴ NB consented development at Land North of Thanet Way immediately to the north of the Site, is currently under construction – CA/15/01296/FUL refers. As such the Site is considered to occupy a transitional position within the landscape, situated on the fringes of the urban area.

gently to east, with the residential area of South Street sitting at around 40m AOD. The land rises to the west, with the residential area of Borstal Hill and Clapham Hill sitting at around 60m AOD.

- 6.8 Views from the Site towards Whitstable and the bay are available from the public right of way (CW20) which crosses the centre of the Site on the elevated ground.
- 6.9 To the north this footpath crosses the A2990 Thanet Way, runs along the edge of the consented development at Land North of Thanet Way; and terminates at St Andrews Close. To the south, this footpath crosses agricultural fields before terminating at Golden Hill, close to the A299 Thanet Way dual carriage way.
- 6.10 Sustrans Route 1, a long distance cycle route extending from Dover to the Shetland Islands, runs along the A2990 Thanet Road to the north of the Site. The route then extends southwards, along South Street and follows the route of the former railway between Whitstable and Canterbury – this section of the route is known as the Crab and Winkle Way.
- 6.11 Joy Lane Primary School, the closest primary school to the Site, is situated 2km to the north west. The Whitstable School is the closest secondary and sixth form education establishment and is situated 1.2km north east of the Site at Bellevue Road.
- 6.12 The nearest bus stops to the Site are located at Millstrood Road (adjacent to Tesco), Sydney Road to the north and Borstal Hill (B2205) to the west.
- 6.13 Whitstable Railway Station is around 2km north of the Site at Railway Avenue.
- 6.14 The nearest Doctors Surgery and pharmacy is Estuary View Medical Centre at Boorman Way, 1.6km west of the Site.
- 6.15 The Site and immediate surroundings feature no formal landscape designations, and the site is not located within a Local Gap.
- 6.16 A Phase 1 Ecological Assessment was undertaken in May 2021. This has confirmed that the majority of the site is of very poor ecological quality. The only features of any value are constrained to the site boundaries; and whilst the existing lines of hedgerows do provide some habitat connectivity, these features are thin and gappy and there is considerable scope for improvement.
- 6.17 The Site comprises Grade 3 agricultural land.
- 6.18 There are no heritage designations or listed buildings within the Site.
- 6.19 The Black Mill windmill, a Grade II Listed Building, is located to the north west of the site (approximately 730m direct line distance). It is visible from the Site's elevated ground. However, through careful design and landscape proposals, it is considered that harm to heritage assets will be avoided.
- 6.20 The Site is located in Flood Zone 1 (EA mapping) and is therefore not at risk of flooding from rivers, sea or reservoirs.

6.21 The Site does not have any significant geo-technical constraints in relation to strata or contamination that would impact on the residential development of the Site.

6.22 A Landscape and Visual Appraisal undertaken by LDA Design in June 2020, and enclosed for information concluded that:

'Overall it considered that the proposed development can be successfully accommodated within the landscape, and that appropriate mitigation and enhancement measures can be incorporated into the design of the scheme to address potential landscape and visual effects. Whilst there would be a change to the landscape character of the Site itself, and views of the proposed development from both the built up area of Whitstable to the north and the countryside to the south, it is considered that the proposed development relates well to existing settlement pattern; would be perceived in the context of other built development on higher ground to the south of Whitstable; and would be well integrated into the landscape through careful consideration of site layout; building heights; and green infrastructure.'

6.23 The phase 1 Ecological Assessment has indicated that significant opportunities exist within the scheme to provide real benefits for biodiversity, such as:

- Retained ecological features such as the boundary hedgerows could be protected and enhanced above their current, comparatively low, ecological value by the infilling of gaps, and widening with native species planting. This would benefit birds, bats and a wide range of wildlife that may use these features as habitat linkages in the wider landscape.
- A management plan could be introduced for the retained woodland to allow this to develop into a resource of greater ecological value than present.
- Measures could be introduced to encourage the development of a diverse ground flora similar to that which may have been present in this area before construction of the A2990 and to encourage tree growth to improve connectivity with Benacre Wood to the north.
- A range of nectar-rich and berry-bearing species could be included within the proposed new planting, to provide feeding resources for a wide range of wildlife.
- Bird nesting boxes, bat boxes, reptile hibernaculae and invertebrate hotels, could be introduced to encourage the presence of these groups.
- A proportion of dead and decaying wood material could be retained within wood piles for the benefit of invertebrates and a wide range of wildlife that depend upon them; and
- A diverse range of native species could be included in the planting associated with water features provided primarily for purposes of water attenuation.

All of the above could result in a substantial net gain in the sites biodiversity.

6.24 An addendum to the Vision Document which was discussed with submitted in response to the June 2020 call for sites, has been drawn up by the Catesby Estates and their consultant team, which includes LDA Design (landscape architects), David Tucker Associates (transport planners), and Aspect Ecology (ecologists) following detailed site assessment work is attached. This seeks to demonstrate how the land north of Thanet Way could be developed. This shows:

- A development of circa 220 dwellings which will incorporate energy saving technologies including heat pumps (as part of the switch from gas to electricity), as well as increased use of solar PV in order to achieve the governments interim carbon reduction target of 31% and the Future Homes Standards.
- A design approach which will adopt high quality exemplar architecture responding to the coastal location and local architectural precedents, built using sustainable materials.
- Homes that are designed for future adaptation and able to incorporate smart energy systems to facilitate efficient energy use, battery technology and energy generation, as well as water efficiency. Technology to support home working will also be installed

reflecting the recent and emerging changes in working patterns created by Covid 19 Pandemic.

- A mix of house sizes, types and tenures responding to local housing demand, including a policy compliant provision of 30% affordable housing, which will include a proportion of First Homes and a range of low cost housing opportunities (such as discount market sales or innovative rent to buy housing).
- The provision of onsite high quality open space which could include community allotments and orchards, nature gardens and play facilities. The proposals could also include a community building which could provide a community café, workstations, and flexible space to accommodate clubs and events
- Access via a fourth arm from the roundabout junction with Thanet Way installed as part of the consented development to the north.
- A development that is permeable and provides for enhancements to existing pedestrian/ cycle links through the site to Whitstable town centre/ train station, as well as new routes to the town centre/ train station.
- A development that will facilitate the use of low carbon transport through the provision of EV charging and ensuring all new homes have access to secure cycle storage facilities.
- A development that looks to provide an extension to the current bus service so as to enhance public transport access from and to the site.
- A development that looks to enhance EV charging and cycle parking facilities at Whitstable train station.
- A development that encompasses a surface water drainage strategy that will look to incorporate SuDS features to provide for flood storage, attenuation, and mitigation areas so as to address the effects of the proposed development – including a 40% allowance for climate change and help reduce flood risk elsewhere.
- A development that is landscape led – retains existing trees and hedgerows where possible and provides for generous structural planting and landscape buffers, especially to the woodland and along the southern boundary of the Site to provide an enhanced wooded backdrop to the ridge, and any new development.
- A development that looks towards an integrated landscape, drainage and ecological strategy that protects wildlife corridors, links existing corridors, and creates new corridors, so as to create biodiversity net gains.
- A development that looks to retain and integrate the remnant piece of Benacre Wood which is located on the western boundary of the Site into the new areas of open space provision.
- A development that provides a generous amount of good quality public open spaces which will create opportunities for children’s play, relaxation, and recreation.
- The open spaces located on the higher ground will also provide opportunities for longer distance town and coast views.
- A development that looks to protect the local views – by focusing built development to the north of the Site, which is more closely related / influenced by the urban edge of Whitstable and the A2990 Thanet Road, and avoiding development along the southern edge of the Site, which has a relatively open boundary; falls away towards the A229 Thanet Road dual carriage way, the development will help reduce any landscape and visual effects.

6.24 The above and attached clearly demonstrates a scheme that is available, suitable, and achievable and reflects the draft vision and draft strategic objectives of the Canterbury District Local Plan 2040: Draft District Vision and Local Plan Options May 2021.

- 6.25 We believe that the development of the land to the south of the A2990 Thanet Way can come forward in a timely way, as part of a comprehensive suite of sites in and around Whitstable, to help accommodate the housing needs of the area.
- 6.26 Predicated on the draft vision and draft strategic objectives of the Canterbury District Local Plan 2040, the further expansion of Whitstable could provide tangible benefits for the local community in terms of improvements to public transport provision, enhanced pedestrian and cycle links, expansion to the local primary school, and contributions towards a new secondary school serving the coastal area, new areas of public open space, including new play facilities, contributions towards new health and medical facilities, and new social and leisure facilities. Said development will also provide for much needed family sized housing, affordable housing and starter homes without any adverse environmental or landscape impacts.

We would, given the above, appreciate the opportunity of talking to officers both about our comments on the Canterbury District Local Plan 2040: Draft District Vision and Local Plan Options May 2021, and the merits of the land at Thanet Way.

Yours sincerely



JUDITH ASHTON
Judith Ashton Associates

Encl Addendum Vision Document

C.c. Victoria Groves – Catesby Estates