

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPULSORY PURCHASE ACT 2004
PLANNING ACT 2008

Appeal by:

Gladman Developments Ltd

Residential development of up to 300 dwellings (including affordable housing and older person accommodation), a new community hub, introduction of structural planting and landscaping, informal public open space and children's play area and surface water flood mitigation and attenuation. All matters reserved.

Land at The Hill, Littlebourne

PROOF OF EVIDENCE OF JASON M TAIT, BA (Hons),
Dip TP, MRTPI

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1. QUALIFICATIONS, EXPERIENCE AND EXPERT WITNESS DECLARATION

- 1.1 My name is Jason Mark Tait. I hold a BA Hons Degree and Post Graduate Diploma in Town Planning and I am a member of the Royal Town Planning Institute (MRTPI) and a Director of planning and development consultants, Planning Prospects Ltd.
- 1.2 I have over 33 years' experience in planning and development matters having worked previously for a number of private sector planning and property practices including Planning Consultants Chapman Warren, property advisors DTZ and until 2006 was a Director and Head of Planning in the Midlands for CBRE.
- 1.3 For nearly 20 years, Planning Prospects have been providing planning and development advice to a wide range of clients from Local Planning Authorities to private property companies, developers, homebuilders, individual land owners and trusts.
- 1.4 I am the founding Director of the Company, and our team of planners based in the Midlands advises numerous clients throughout the country. We are currently advising on a number of development projects including mixed use, residential, employment, retail and leisure developments. We also act for and provide specialist advice to Local Planning Authorities.
- 1.5 I am regularly involved in the negotiation of implementable planning permissions including for developments of a range of types and sizes. I have given evidence previously at numerous Public Inquiries, Planning Hearings and Examinations.
- 1.6 I provide planning evidence in the matter of this appeal. The evidence which I have prepared and provide for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution, the Royal Town Planning Institute, and I confirm that the opinions expressed are my true and professional opinions.

2. INTRODUCTION, BACKGROUND AND OVERVIEW

- 2.1 This appeal is by Gladman Developments Ltd against an original decision of Canterbury City Council (CCC) (now effectively rescinded and not contested¹) to refuse planning permission, contrary to their Planning Officers recommendation to approve, for a residential development (up to 300 dwellings), including affordable housing and older person accommodation, a new community hub, introduction of structural planting and landscaping, informal public open space and children's play area and surface water flood mitigation and attenuation on land at The Hill, Littlebourne.
- 2.2 Gladman are seeking to secure planning permission with the support of the landowners and have a strong track record in the delivery of land for housing across the country. It is the intention of Gladman, following the grant of outline planning permission, to market the Site and sell it to a house builder who would submit the required Reserved Matters. They have already had significant interest in the site from housebuilders even at this planning stage.
- 2.3 The proposals are put forward at the time of a national housing crisis and where the new Government have placed at the heart of their policy reforms major changes to the planning system to urgently deliver more homes that people need. The aim to deliver more homes also links to the Government's economic strategy, where increases in housebuilding are needed to support more jobs and the economic growth the Country is also desperately requiring. A Written Ministerial Statement ('WMS') was published on 30th July 2024 by the Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government titled 'Building the Homes We Need' (CD 6.05) highlight the severity of the housing crisis the country is facing, which is remarked as being "*the most acute housing crisis in living memory*". Alongside the publication of the Framework on 12th December 2024, a further WMS was published by Matthew Pennycook, Minister of State for Housing and Planning, again titled 'Building the homes we need' (CD 6.06) and highlighting the 'acute and entrenched housing crisis' which the Government inherited. The Government is clear from these statements that the number of new homes being built is far too low, the cost of a new average home is out of the reach for many and gives a clear commitment to rebuilding Britain with an ambitious goal to deliver 1.5M new homes over this Parliament. To achieve this, significant new measures and a radical reform to the planning system are necessary, taking tough choices to ensure the delivery of decent, safe, secure and affordable homes are not for the privileged few.
- 2.4 Part of the Government's reforms are about re-instating and increasing mandatory housing targets to ensure that sufficient levels of housing are delivered including rapidly driving up planning consents outside of local plans in the short term to stand any chance of meeting its targets. This means that the presumption in favour of sustainable development must have real teeth and carry real weight, acting as a significant adjustment to the decision-making balance in favour of approving development. Where the proposals here represent high quality, sustainable development they are a key part of the answer to the national housing

¹ See CD6.17 Minute of CCC Meeting confirming the Council would not be defending their decision on the application.

crisis and fall fully square with the Government’s clear and core messages on planning policy and the urgent need to deliver more homes.

2.5 My evidence here deals with general planning matters, the approach to the determination of the appeal, the application of planning policy and the overall planning balancing exercise. I make reference to supporting reports and information submitted with the application as well as other evidence submitted on behalf of the appellant by Mr Jackson in respect of landscape matters, Ms Mansfield concerning ecology, Ms Eggleston on highways/transport and Mr Whittingham on drainage. It aims to assist the Inquiry regarding the main issues², which arose initially in the context of the now undefended reasons for refusal, and includes the following:

- (i) The effect of the development on the character and appearance of the area, including landscape character.
- (ii) The suitability of the submitted Travel Plan and whether the proposal would accord with the transport strategy in Policy T1 of the adopted Canterbury Local Plan 2017 (LP), including providing alternative modes of transport to the car by extending provision for pedestrians, cyclists and the use of public transport.
- (iii) The effect of the development on the Chalk Stream.
- (iv) Whether the proposal would be capable of providing adequate sewage disposal.
- (v) The effect of the proposal on best and most versatile agricultural land, including whether it complies with Policy EMP12 of the LP.
- (vi) In the context of undisputed evidence that the local planning authority (LPA) cannot demonstrate a five year supply of deliverable housing sites, whether any adverse impacts arising from the proposal would significantly and demonstrably outweigh any identified benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination, and whether the proposal would deliver sustainable development.

2.6 In so addressing these main issues, this evidence also seeks to address representations by third parties in respect of the proposals. It can be read alongside the Statement of Common Ground (CD 6.04) agreed with the Council as the approach and conclusions reached are consistent with the views of the Council in this appeal in that planning permission should have been granted in line with the Planning Officers recommendation.

2.7 Whilst this appeal was made against the against the decision of the Council to refuse planning permission

² Six Main Issues were identified in respect of the proposals at the Case Management Conference (11th November 2025)

and five reasons to refuse planning permission were advised by the Council in their Decision Notice issued on 18th July 2025 (CD 5.03), these reasons for refusal have now been withdrawn. The position now taken by the Council in line with their Officer's recommendation to approve planning permission can only be the correct one in my view.

The Appeal Site and its Location

- 2.8 A full description of the appeal site and its surrounding context is set out within the information submitted in support of the planning application, including in particular the submitted Design and Access Statement (CD 1.06). A description of the site and its surroundings has also been provided in the Statement of Common Ground progressed between the Appellant and the Council.
- 2.9 In very brief summary however, the appeal site is located on the western edge of the village of Littlebourne. The village has a range of local services and facilities which are within a convenient walking distance of the site, including local shop, primary school, doctors surgery, community hall as well as local play and recreation park. The village is located only 3.5km to the east of the main City of Canterbury which has an extensive range of shops, services and other facilities as well as main employment opportunities and to which there is convenient public transport.
- 2.10 The site is bounded by The Hill to the north east, Bekesbourne Lane and a drainage ditch/informal access route to the south east, a car park serving Howletts Wild Animal Park to the south west and agricultural fields to the north west.
- 2.11 The site extends to approximately 15.77 ha of land broadly 'L' in shape with a ranging topography that typically declines from north to south and down towards the ditch in the centre of the site. It comprises agricultural land, with hedgerows and trees present along the perimeter, as well as a drainage ditch. The site falls within the Littlebourne Fruit Belt Landscape Character Area (LCA). The North Kent Downs Area of High Landscape Value lies outside of the site to the south east, circa 775m from the site. There are no Public Rights of Way running through the site.

Proposed Development

- 2.12 Outline planning permission is sought for a residential development of up to 300 homes, a new community hub, introduction of structural planting and landscaping, informal public open space and children's play area and surface water flood mitigation and attenuation.
- 2.13 The outline planning approach here is conventional. It seeks to secure an outline planning permission where the development parameters are shown on plans and within supporting material so that the nature and extent of the proposed development can still be readily understood.
- 2.14 Being in outline, matters such as access, appearance, layout, scale of building as well as the landscaping of the site are to be the subject of subsequent Reserved Matters approvals, or other detailed arrangements

subject to planning conditions.

- 2.15 The appeal plan therefore is only the Site Location Plan (09538-FPCR-XX-XX-DR-L-0002) (CD 1.02). In addition, submitted with the application, was a Development Framework Plan (09538-FPCR-XX-XX-DR-L-0001 P15) (CD 1.03) and Open Space Provision Plan (09538-FPCR-XX-XX-DR-L-0004 rev P06) (CD 2.01). Both show how the site could be broadly developed and were intended as a guide to future Reserved Matters applications. Whilst details of the site access were also reserved, plans showing potential site accesses for the development were also included in the application (ITM16283-GA-022D- Access via A257 and ITM16283-GA-013A – Access via Bekesbourne Lane) (CD's 2.31 and 1.21).
- 2.16 A detailed assessment of the site and justification for the proposed development in design terms was set out within the Design and Access Statement (CD 1.06) drawing upon other supporting information accompanying the application.
- 2.17 Principal elements of the proposed development can be noted however as follows:
- The development of up to 300 homes including 10% of the homes for older persons;
 - 30% of the proposed new homes to be affordable homes, which would equate to 90 affordable homes based on 300 homes being developed in total;
 - Two new points of access with one from the A257 The Hill and a second access on Bekesbourne Lane facilitating a link road through the site connecting the A257 with Bekesbourne Lane;
 - Community allotments;
 - Play provision including a Local Area of Play (LAP) and a Locally Equipped Area of Play (LEAP);
 - A new community hub; The community hub could be used for purposes such as a local shop, cafe, library, place of worship, meeting hall or for any other recreational or educational purposes. It would have a maximum floorspace of 400sqm;
 - Structural landscape planting and the retention and positive management of key landscape features; and
 - Sustainable Drainage Systems (SuDS).

3. PLANNING POLICY CONTEXT

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. Government policy, principally the National Planning Policy Framework published in December 2024 is a material consideration when determining planning applications/appeals.

Development Plan

- 3.2 The Development Plan in the case of this appeal is the Canterbury District Local Plan 2011-2031. The Plan was adopted in 2017.
- 3.3 Within the Plan the site is not allocated for development. It adjoins the settlement of Littlebourne for which there is no specifically identified Settlement Boundary or urban area in the same way as there is for the settlements of Canterbury, Herne Bay and Whitstable which the Plan identifies as the principal focus for development. Littlebourne is identified in the Plan's Settlement Hierarchy as a Local Centre, a tier below Rural Service Centre (for which there is only the settlement of Sturry) but above Villages and Hamlets.
- 3.4 The most important policies from the Canterbury District Local Plan concerning the proposed development are:

Policy SP1 – Sustainable Development

Policy SP4 – Strategic Approach to the Location of Development

Policy HD4 - New housing in the countryside

- 3.5 Policy SP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It states that planning applications that accord with policies in the Local Plan will be approved unless material considerations indicate otherwise. It further states that where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 3.6 This presumption in favour of sustainable development and the application of a tilted planning balancing exercise where policy is out of date, is broadly similar to that within the current Framework. The approach to be taken to decision taking set out in SP1 is important here where the Council cannot demonstrate a 5 year supply of land for housing and as such where policy should be considered to be out of date, engaging this tilted planning balancing exercise.

- 3.7 Policy SP4 as its title highlights, is about the strategic approach to the location of development. It states that development in addition to that specifically identified within the Plan will be judged against the District's settlement hierarchy which identifies the broad tiers of settlement in the District based on the size of settlements and the range of services they possess. It states that Canterbury District does not contain a large number of large villages but rather many settlements that are small in scale. Paragraph 1.52 of the Plan states that it is important and appropriate that the distribution of new housing sites reflects such a settlement pattern, and that allocations made as part of the Plan are generally small in scale, except in the rural service centre and local centres, where a higher level of development might be supported. Criterion 2 to Policy SP4 states that **“Provision of new housing that is of a size, design, scale, character and location appropriate to the character and built form of the rural service centres of Sturry and the local centres of Barham, Blean, Bridge, Chartham, Hersden and Littlebourne will be supported provided that such proposals are not in conflict with other local plan policies relating to transport, environmental and flood zone protection and design, and those of the Kent Downs AONB Management Plan, where applicable”**. Under Criterion 5 of SP4, noteworthy it states that development in the open countryside will be permitted for agriculture and forestry.
- 3.8 Evident from Policy SP4 is that it gives some support to development at a local centre village such as Littlebourne, over and above that allocated in the Plan. Where the Strategic Site Allocations of the Local Plan identify and allocate some 4,000 dwellings south of Canterbury, in addition to 7,360 dwellings across 11 more strategic sites under Policy SP3, the proposals here at this scale and location do not challenge the Plan's settlement hierarchy and overall strategic approach to the location of development and as such are generally consistent with Policy SP4 in terms of the spatial location of development.
- 3.9 Policy SP4 states that a proposed development needs to appropriate to the built form of the settlement. In the absence of a formal settlement boundary for the settlement or 'built confines' of the settlement as described in the accompanying text to Policy SP4, this requires some element of judgement, but given the location of the site immediately adjoining built elements of the village and its settlement pattern, the site is not within the built confines and logically forms open countryside adjoining the village. Criterion 5 of the Policy relating to agricultural and forestry purposes doesn't mention housing as acceptable, and more states the intended role and function of the countryside.
- 3.10 Local Plan Policy HD4 does concern 'new dwellings in the countryside'. It states that planning permission for new dwellings in the countryside will only be granted in a series of specific circumstances, none of which are applicable to the development under consideration here. On this basis, notwithstanding conclusions regarding Policy SP4 and the broad spatial approach to the location of development, the proposed development would clearly not align to uses seen as acceptable under Policy HD4 and Policy SP4 doesn't allow for development in the countryside outside of the built confines of settlements. To this extent there is a conflict with Development Plan Policy.

3.11 The above consideration of these important policies is a matter I turn to in Section 3, where I also consider the weight to be given to the conflict with policy as so described.

3.12 Other policies from the Development Plan of relevance to detailed matters associated with the proposed development are set out in the Officers Report to Planning Committee (CD 5.01) and include the following:

Policy HD2 - Affordable Housing

Policy EMP12 - Best and most versatile agricultural land

Policy T1 - Transport Strategy

Policy T9 – Vehicular Parking Provision

Policy T17- Transport Assessment and Travel Plans required for developments which would have significant transport implications.

Policy EMP9 - Education needs

Policy CC1 - Renewable energy

Policy CC2 - Reducing carbon emissions from new development.

Policy CC3 - Strategic sites and large developments to provide site wide renewable or gas fired Combined Heat and Power unless specific criteria met.

Policy CC4 - Flood risk

Policy CC11 - Sustainable Drainage Systems

Policy CC12 - Water quality

Policy CC13- Water resources

Policy DBE1 - All development to incorporate sustainable design and construction measures.

Policy DBE3 - Principles of design

Policy DBE4 - Residential space standards

Policy DBE5 - Inclusive design

Policy DBE7 - High quality design of public realm to be expected in new development proposals.

Policy DBE8 - Public open space

Policy DBE9 - Outdoor lighting

Policy HE1- Heritage assets

Policy HE4- Development proposals to preserve or enhance the special historic or architectural interest or the setting of listed and locally listed buildings.

Policy HE6 - Conservation areas

Policy HE11 - Archaeology.

Policy LB5 - Development not permitted where it may have an adverse impact on the integrity of an SAC, SPA or Ramsar site.

Policy LB6 - SSSI

Policy LB7 - Locally Designated Sites

Policy LB8 - Ecological improvements to be incorporated into new developments to improve connectivity.

Policy LB9 - All development to avoid a net loss of biodiversity and pursue opportunities to achieve a net gain.

Policy LB10 - Trees, Hedgerows and Woodland

Policy LB13 - River corridors

Policy OS8- Provision of sports and recreation in the countryside acceptable subject to certain criteria

Policy OS11 - New housing development to make provision for appropriate outdoor space

Policy OS12 - Green infrastructure

Policy QL5 - Local community services

Policy QL8 - Health and social care facilities.

Policy QL11 - Air quality

Policy QL12 - Mitigation of pollution from new development.

Policy T16 - Rural lanes

3.13 These policies are reviewed within the supporting reports submitted with the application and are also reviewed in the evidence of other experts presenting on behalf of the appellant to the Inquiry. I have also prepared a Development Plan Policy Compliance Table in Appendix 1 to my evidence and from this it can generally be seen that the appeal proposals are compliant with all relevant development plan policies that can be considered up-to-date for the purposes of decision-making either at this outline planning stage or they can be addressed fully through the later submission of Reserved Matters and matters dealt with by condition.

Emerging Local Plan - Canterbury District Draft Local Plan 2040

3.14 The Council is in the process of preparing a new Local Plan. The Local Development Scheme (June 2025) anticipates a Regulation 19 consultation in the spring of 2026 with Submission of the Plan and Examination through later 2026 and into 2027, with the plan being adopted by December 2027. Adoption of a new Plan for the District is therefore some considerable way off.

3.15 The Canterbury Housing Needs Assessment Update (July 2025) sets out that the standard method Local Housing Need figure for Canterbury is 1,215 per year, equating to a need for 23,085 additional dwellings over the 2024–2043 plan period. This housing need to be planned for in this Plan is substantial.

3.16 The appeal site has been proposed for allocation in both of the Draft Regulation 18 Local Plans that have been consulted on and retained as an emerging allocation in the most recent focused consultation.

3.17 Following submissions to the 'Call for Sites' public consultation, the site was initially assessed as part of the Council's Strategic Land Availability Assessment (SLAA) 2022. The site was assessed under reference SLAA098 of the SLAA and was identified as being suitable, available and achievable for the development of circa 302 dwellings. The assessment of all the sites submitted to the Call for Sites is set out in Appendix C of

the SLAA (CD 6.10). The assessment confirmed:

- The availability of key and strategic services within a 15 minute walk of the site, 15 minute cycle or 5 minute drive. The site would be compatible with surrounding uses.
- The absence of key designations such as AONB, FZ 2 or 3, SSSI, NNR, Ancient Woodland, Priority Habitat.
- The site is not within or adjacent to a Local Nature Reserve or Local Wildlife Site.
- The site is absent of a Local Landscape Designation and not within an Area of High Landscape Value, no protected trees, and not in a Green Gap or protected Open Space.
- The site was Grade 1 Best and Most Versatile Land (which my evidence explains it was not and in fact BMV only actually applies to 38% of the site and is Grade 3a, the lowest end of the BMV scale).
- It is not in a coastal protection area.
- It is in a source protection area for water and a very small section is in a minerals area.
- Access is achievable.
- There is no Public Right of Way.
- There is no Air Quality Management Area.
- There are heritage assets locally and the site is in the setting which would need to be balanced in the planning considerations.
- The site is in open countryside but there would be opportunities to provide open space and landscaping to mitigate some of the impact on the landscape.
- Services and general development infrastructure were available to serve the site.
- Overall the site and development was available, achievable and developable with a recommended yield of 302 dwellings at 35 dwellings per hectare.

3.18 Even though the policies of the emerging Local Plan can only be afforded limited weight in this appeal in accordance with paragraph 49 of the NPPF it does provide some helpful context and highlights the substantial housing need which will need to be met. It also demonstrates the Council’s direction of travel with regards to the suitability of this appeal site for housing, and the evidence which is supporting the site’s allocation in the emerging Plan, remains of relevance here to this appeal. It also highlights as somewhat perverse the Council’s initial resistance to these application/appeal proposals (although now withdrawn), when the Council themselves are proposing the site for development in their own emerging Local Plan.

National Planning Policy Framework (December 2024)

3.19 The NPPF was comprehensively updated as recently as December 2024 and its provisions are material to planning decisions from the date of publication (NPPF paragraphs 2 and 231).

3.20 At the heart of the NPPF is the “presumption in favour of sustainable development”. Paragraph 8 sets out

that to achieve sustainable development, there are three overarching objectives which need to be pursued in mutually supportive ways. These are economic, social and environmental objectives and in broad terms the proposals here accord with these objectives.

- 3.21 In terms of the economic objective of sustainable development the proposals do contribute to a strong, responsive and competitive economy noting that the Government has linked housing growth to national economic growth generally, and the scheme will be providing significant jobs during the construction phase of the development. Further, the economic health and prosperity of the area and its community will also benefit because of increased expenditure from the residents of the proposed development.
- 3.22 The proposals accord with the social objective of sustainable development supporting a strong, vibrant, and healthy community, providing a range and choice of housing types and tenures including affordable homes, a mix aligned to evidence of need and provision of homes specifically for elderly persons in a high-quality environment, accessible to services and infrastructure. The proposal will provide significant new areas of public open space, including provision of play areas, promoting social value and inclusion.
- 3.23 The development again accords with the environmental objective of sustainable development, protecting and enhancing the best of the local natural environment, enhancing biodiversity with the prudent use of resources, providing areas of new public open space and is mindful of climate change. The proposals promote sustainable travel in a location which has access to services and facilities and public transport. The proposal also provides an opportunity to deliver additional landscaped planting and open space for enjoyment by existing and future residents. In my view, the proposals represent sustainable development.
- 3.24 Paragraph 11 of the NPPF requires that a presumption in favour of sustainable development should be applied by plans and decisions. This includes that proposals in accordance with an up to date development plan should be approved without delay, also that, “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date” planning permission should be granted unless provisions around protective policies or adverse impacts apply. This presumption is similar to that stated in Policy SP1 of the Local Plan and I explain in due course why the Development Plan isn’t up to date here, and why important policy is out of date in the case of this appeal.
- 3.25 Section 6 of the NPPF is concerned with delivering a sufficient supply of homes, a particularly important aspect of the Framework for this proposal for housing. Paragraph 61 expresses the Government’s objective of significantly boosting the supply of homes, noting also it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed. It confirms that, “The overall aim should be to meet an area’s identified housing need”. The importance of meeting specific housing needs is underlined, including for affordable housing, with the expectation that it will be provided on-site, exactly as proposed here where the appeal proposals include 30% affordable housing provision, on-site. The appeal proposals will contribute towards housing needs of the District meeting the Government’s objective to boost significantly the supply of market and affordable

homes and in an area where there are significant shortages and under supply of both.

- 3.26 The Government’s strong and central commitment to addressing housing needs is particularly important to understand in relation to this proposal for housing. Elected in July 2024 the Government has a mandate for planning reform to deliver significantly more homes, linked to promoting national economic growth. Immediately upon coming to power, it proposed changes to the NPPF and commenced a consultation on its proposed revisions leading swiftly to the publication of the December 2024 document.
- 3.27 The importance of this was signaled as early as 30th July 2024 in a Written Material Statement (WMS) titled “Building the Homes We Need” by the Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government (CD 6.05). The WMS was a preface to policy change and is a material consideration in the determination of this appeal. It helps to express what this Government is seeking to achieve.
- 3.28 Central and fundamental to the WMS was the recognition of “**...the most acute housing crisis in living memory. Home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure home.**” The link to economic growth was also part of the context to the WMS which highlights that “**sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people. Our approach to delivering this growth will focus on three pillars; stability, investment and reform. But this growth must also be generated for everyone, everywhere across the country – and so nowhere is decisive reform needed more urgently than in housing.**”
- 3.29 A second WMS, also titled “Building the Homes We Need” (CD 6.06), was made by the Minister of State for Housing and Planning on 12th December 2024 to coincide with the publication of the NPPF. This underlines the importance of meeting the mandatory elevated housing targets sought by national policy, and identifies the funding committed to support housebuilding. It confirms the Government’s commitment, “...not to duck the hard choices that must be confronted in order to tackle the housing crisis – because the alternative is a future in which a decent, safe, secure and affordable home is a privilege enjoyed only by some rather than being the right of all working people.” Increased emphasis is placed on the effective application of the presumption in favour of sustainable development, and on measures to improve the delivery of affordable housing.
- 3.30 These WMS speak directly to the weight to be given to new housing including affordable homes in the overall planning balance and the benefits to the economy which new housing brings. The message that this Country needs more homes, with everyone, everywhere across the Country to play their part in order to bring about this and associated economic growth, can rarely have been more strongly expressed. This is important to the determination of this appeal.
- 3.31 Within the NPPF, importance is also attached to achieving well-designed places; good design is identified as a key aspect of sustainable development (paragraph 131). Planning policies and decisions should (inter alia)

ensure that developments function well, are visually attractive, sympathetic to local character and history, optimise the potential of a site to accommodate an appropriate amount and mix of development (including green and other public space) and create places that are safe, inclusive and accessible and which promote health and well-being (paragraph 135).

- 3.32 The appeal proposals are in outline with all matters reserved. The submitted Design and Access Statement (CD 1.06) and Landscape and Visual Appraisal (CD 1.07) particularly however demonstrate how the site will deliver a high quality sustainable residential development that is sympathetic to its setting and the surrounding character.
- 3.33 The proposals have taken into account constraints and opportunities presented by the Site and consideration has been given to achieve a sensitive integration between the proposed development and existing settlement. The Site is readily capable of accommodating the proposed dwellings and access, green infrastructure, open space and play provision and there are no issues which would prevent the development of the Site as anticipated which cannot be resolved through careful consideration of Reserved Matters or addressed by planning condition.
- 3.34 Paragraph 96 of the NPPF promotes healthy, inclusive and safe places including through creating space where people can meet and interact and the provision of safe and accessible Green Infrastructure. The Design and Access Statement submitted with the application reveals that the appeal scheme provides the opportunity for extensive, well-planned and varied Green Infrastructure as an important resource for the new residents, also making this land accessible to the wider community.
- 3.35 Whilst details of the Green Infrastructure scheme will be given consideration through Reserved Matters the outline proposals are able to demonstrate the biodiversity net gain as required by the Development Plan but also in excess of the now minimum 10% gain required by the Statute. Natural open space, play space, SUDS features and retained and enhanced, tree and hedgerow provision are all anticipated and capable of making a contribution in this regard. Matters of ecology and biodiversity are set out comprehensively in the evidence of Ms Mansfield on behalf of the appellants.
- 3.36 Paragraph 187 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan) and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 3.37 As is inevitable for development of this type there will be a loss of a largely greenfield site which has not been previously developed and is currently part of the countryside. This should be given some weight in the context of the Framework's requirement to recognise the countryside's intrinsic character and beauty. However, Mr Jackson's evidence concludes that the proposals will only result in a limited and localised level

of harm to a simple settlement edge landscape. The existing landscape characteristics and features of the Site and its immediate context have been carefully appraised and drawn upon in devising the resultant scheme and the associated landscape proposals. The resultant effects have been effectively mitigated and minimised and will reduce further over time. As a result, the Appeal Scheme will establish an appropriate development and landscape solution and will not lead to or cause significant or demonstrable harm in landscape and visual terms. Wider consideration of landscape matters, including in the context of the need to recognise the intrinsic character and beauty of the countryside, are addressed further in Mr Jackson's evidence and weighed in the planning balance later in my evidence.

3.38 Section 9 of the NPPF is concerned with the promotion and prioritisation of sustainable transport, effective design and achieving safe and suitable access for all users. It confirms (paragraph 116) that, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios." There would be no such severe impact arising from the appeal scheme. The development makes positive planning for sustainable pedestrian and cycle connectivity to the site, is accessible to public transport and is generally sustainably located and this is explained in more detail in the evidence of Ms Eggleston.

3.39 Paragraph 56 to 59 of the NPPF address matters around conditions and obligations and footnote 24 refers to the legislative requirement for applicants to provide their written agreement to the imposition of any pre-commencement conditions. The Appellant has worked with the Council to agree and submit a list of suggested conditions. A planning obligation will also be submitted to the required deadline to provide for the necessary infrastructure.

Draft National Planning Policy Framework (December 2025)

3.40 A revised draft NPPF was published for consultation in December 2025. It is a draft NPPF which is for consultation purposes until March 2026 and therefore has the potential for change. However, it does show the continued direction of policy under this Government and to that extent is of material relevance.

3.41 It can be noted that the draft NPPF continues the strong theme of recent government policy and reforms to the planning system to secure the delivery of more homes to meet a mix and diverse range of housing needs. It again emphasises the Government's commitment to tackling the Country's housing crisis and to respond to the decades of failure to build enough homes which has constrained growth, pushed ownership out of reach for too many, driven rents to unaffordable levels and seen more people fall into temporary accommodation. It continues and reinforces a presumption in favour of sustainable development, with aims to accelerate delivery and align development even more closely with national growth and sustainability objectives with principles and rules based policies which are designed to make planning policy easier to use, together with faster and simpler Local Plans and particularly relevant here be more directive of decision making in support of appropriate housing [and commercial] development.

- 3.42 Key aims of the draft continue to support the delivery of more homes, including a range and mix of homes to support local needs yet at the same time promoting economic growth, these align precisely to the appeal proposals and the benefits which will accrue from the development.
- 3.43 Objectives remain in the draft NPPF in respect of environmental matters, continuing to seek to conserve and enhance the natural environment, as well as aims to better address climate change with more of a proactive approach to mitigation and adaptation, as well as embedding the vision led approach to transport planning moving away from ‘predict and provide’ and dominance of car designed developments. Again, nothing in these appeal proposals depart from the policy approach or regulatory procedures in place to address these matters and all are addressed in the evidence which the appellant is presenting to the Inquiry.

Housing Land Supply and Delivery Test

- 3.44 Alongside the Framework, the government published an updated standard method for the calculation of Local Housing Need (LHN) which creates an updated calculation of LHN for Canterbury. Within the adopted Canterbury District Local Plan the housing requirement (Policy SP2) is set at 16,000 dwellings district wide between 2011-2031, which equates to 800dpa. The new standard method figure for Canterbury is now calculated to be 1,215 dpa which is a significant increase (52%) in housing need. Policy SP2 of the Local Plan is not up to date in being able to plan for this need.
- 3.45 Paragraph 78 of the Framework states that a local planning authority should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or, as the case is here, against Local Housing Need as calculated by the standard method where strategic policies are over five years old.
- 3.46 The 5 year requirement should also include for an appropriate buffer. As the Council’s latest Housing Delivery Test result was only 67%, a 20% buffer applies³.
- 3.47 Given the above, the five-year requirement would be 7,290 dwellings ((1215 x 5) plus 20% buffer) or an annual requirement of 1,458 dwellings. Against the LHN, the Council cannot demonstrate a 5-year supply of land for housing. In the latest Authority Monitoring Report (CD 6.07), the Council⁴ calculate their supply at **3.62 years, a 2,016 dwelling shortfall against the minimum 5-year requirement** of 7,290 dwellings. Whilst the appellant has not tested the Council’s suggested supply against the deliverable tests in the Annex to the Framework, at this level, the shortfall is undoubtedly very significant.
- 3.48 The absence of a 5 year housing land supply is important. In accordance with the Framework, it means that the most important policies for determining the appeal are now out of date and the planning balance set

³ In accordance with FN8 of the Framework, this Housing Delivery Test result alone would invoke the presumption in favour of sustainable development or ‘tilted balance’ at paragraph 11 d) ii) in the determination of this appeal.

⁴ The Council’s updated statement on housing land supply is set out in Appendix F to the Authority Monitoring Report April 2024 to March 2025 (November 2025).

out within paragraph 11 (d) (ii) of the Framework is engaged for the decision maker in this case. It also should invoke the application of the tilted balance under Policy SP1 of the Plan. I turn to these in the following approach to decision taking.

4. APPROACH TO DECISION TAKING AND PLANNING BALANCE

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The most important material consideration here is the NPPF. It sets out a presumption in favour of sustainable development and confirms in paragraph 11 that for decision taking, this means approving development proposals which accord with the Development Plan without delay. It also sets out the operation of a tilted planning balance at paragraph 11, which applies when the policies most important for determining the application/appeal are out of date⁵ and is engaged in the matter of this appeal for two reasons; firstly because the Council cannot demonstrate a 5 year supply of housing and secondly because the Council have a Housing Delivery Test result less than 75%⁶.
- 4.2 The site is not allocated for housing development in the Development Plan. However, the site is in a sustainable location, adjoining a Local Centre village in the settlement hierarchy where some development over and above that allocated in the plan is recognised. The Plan states Local Centres can support a greater level of development than other lower category settlements and this scale of development would not be contrary to the strategic approach to the location of development set out in Policy SP4 of the Local Plan. The proposals can be seen to accord with the strategic approach to the location of development within this policy of the Development Plan.
- 4.3 That being the case, the site is self-evidently countryside land and whilst the Local Plan doesn't identify a village settlement boundary and the site is well related to the village, the proposals are not a type of housing which would be permissible under Local Plan Policy HD4 in relation to 'new dwellings in the countryside'. Nor does Policy SP4 specifically allow for development of housing in the countryside adjoining the confines of the village.
- 4.4 These are, of course, important policies but given the absence of a 5 year housing land supply, and the results of the Housing Delivery Test, these are policies which must be regarded as out of date. Strictly applied with full weight, they would continue to perpetuate poor levels of housing delivery and shortfalls in supply at a time of significant housing need. The extent to which conflict with policy arises here, then such conflict is rightly considered in the planning balance but should be attributed only limited weight in my view.
- 4.5 Paragraph 11 of the Framework states that **“where policies which are most important for determining the appeal are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this**

⁵ Footnote 8 to the Framework specifically states this includes for applications/appeals involving the provision of housing where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites which the Council cannot in this case and where the HDT is less than 75%.

⁶ Additionally, there are no other policies within the Framework that protect areas or assets of particular importance which provide a reason for refusing planning permission which the proposed development mitigations are taken into account.

Framework as a whole." Policy SP1 of the Plan also states that when relevant policies are out of date, planning permission should be granted unless the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

- 4.6 It is therefore necessary to consider whether the adverse impacts of this development **"significantly and demonstrably"** outweigh the benefits. In other words, for planning permission to be refused the adverse impacts must not only outweigh the benefits, this must **"significantly and demonstrably"** be the case. Adverse impacts can outweigh benefits and planning permission can still be granted as long as they do not significantly and demonstrably outweigh the benefits – this is often referred to as the 'tilted balance', to be applied where the most important policies for determining the application are out of date (as is the case here).
- 4.7 The planning balance was identified as a main issue in this appeal and where I see the benefits of the development here being very significant and the harms, relatively more moderate, I explain this planning balancing⁷ in my assessment below.

Housing Land Supply and Need for More Housing

- 4.8 As a development for housing, the proposals are put forward in the context of the Framework's aim to significantly boost the supply of new homes. The Framework states that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The proposals respond directly to this by providing a meaningful, positive supply of housing relative to the shortfalls in supply in a sustainable and suitable location. The development will provide for a mix and range of homes through the Reserved Matters submissions through a planning condition which requires the mix to accord with the latest evidence of need⁸. The scheme also includes a full, compliant policy provision of affordable homes, with a mix of affordable tenure types and sizes of affordable homes which will again respond directly to the Council's evidence of need. In addition, the proposals include for 10% of the proposed dwellings to be directed toward elderly persons needs. This is a broad and inclusive range of housing being provided here and adds significant merit to the proposals accordingly.
- 4.9 The benefit of and weight to be given to proposals for more housing have, in my view, been further endorsed within the new Framework and by the accompanying Written Material Statements where it highlights the most acute housing crisis in living memory where home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure

⁷ In my planning balance I use the terms substantial and significant as commensurate terms, with a weighting of neutral/no weight, negligible, very limited, limited, moderate, substantial/significant and very substantial/significant (for both benefits and harms) and this is set out also in the Statement of Common Ground section 4.2.

⁸ The Council's Housing, Homelessness and Rough Sleeping Strategy (CD 6.08) includes an evidenced need for market, affordable and other types of homes. The Council's most recent evidence of housing needs is set out in the Canterbury Housing Needs Assessment Updated (July 2025) by Edge Analytics (CD 6.09) for the emerging Local Plan

home linking housing delivery to the need for economic growth. The Country needs more homes, with everyone, everywhere across the Country to play their part in order to bring about economic growth.

- 4.10 The need for housing in Canterbury is significant. The Development Plan covering the period 2011 to 2031 planned for a need of 800 dwellings per annum. The Plan included a stepped trajectory, such that a low level of delivery was allowed for in the early years of the Plan (500 dpa, 2011 to 2016), with an enhanced level of 900 dpa expected from 2016 onwards, totaling 16000 dwellings over the twenty year plan period.
- 4.11 Delivery of the plan requirement has not been achieved. The Council's latest Annual Monitoring Report (November 2025) (CD 6.07), totals completions⁹ from 2011 to 2025 as 9,560 against a cumulative stepped requirement over this period of 10,600, a shortfall of 1,040 dwellings¹⁰. Indeed, only 2 of the last 14 years have met the Development Plan annual requirement for delivery of new homes. Even to meet the Development Plan requirement to 2031, a further 6,440 dwellings are required, an annual average rate of delivery that has rarely been met. This is a Development Plan which has been failing to meet its housing requirement against its (stepped) trajectory over many years.
- 4.12 The above is also reflected in the Council's Housing Delivery Test results which was only 67%. The Housing Delivery Test is an annual UK government measure that checks if local authorities are building enough new homes (net homes) compared to their set housing targets over a three-year period. This low delivery test result is further evidence of poor housing delivery in Canterbury.
- 4.13 The Framework now requires that housing need is calculated by reference to the Standard Method. This includes using the Standard Method for calculating the 5 year supply housing position where the Development Plan is over 5 years old. The Development Plan was over 5 years old in 2022. Recently updated, the Standard Method calculation of Local Housing Need (LHN) for Canterbury is 1,215 dwellings per annum. This is an increase of 415 dwellings per annum or 52% on the Development Plan annual requirement of 800 dwellings per annum and requires a further step change in the delivery of more homes in the District.
- 4.14 Canterbury cannot meet the minimum 5 year housing land supply required within the Framework. The 5 year requirement includes, in the case of Canterbury, a 20% buffer because of poor performance against the Housing Delivery Test. The Council suggest a supply of 3.62 years, a 2,016 dwelling shortfall against the minimum 5-year requirement of 7,290 dwellings. The shortfall is very significant and speaks directly to the benefits of the proposed housing in this case. This scheme will make a positive and meaningful contribution to the shortfall.
- 4.15 In addition to the above in respect of the delivery of and need for more homes generally, it is also relevant to consider specifically affordable and other housing needs which are being in part addressed by the

⁹ AMR (CD 6.07), Appendix B, Table B.1 Net Completions since 2011.

¹⁰ Against the cumulative Development Plan requirement to 2025 (11,400), the shortfall is even greater amounting to 1640 dwellings

proposed development. This is where the proposals here provides 30% of the proposed dwellings (up to 90 dwellings) as affordable, conditioned to a mix and range aligned to evidenced needs including provision for elderly persons homes.

- 4.16 What is noteworthy from the general under supply and delivery of new homes in Canterbury, is that people in need of an affordable home are also losing out. If some 30% of the shortfall in housing supply were to be affordable homes¹¹, then this is over 600 affordable homes which could have been delivered if the Council were meeting their 5 year requirement. Additionally, where the Development Plan is currently carrying a cumulative shortfall in delivery of 1,040 dwellings to 2025, this should have been a further 310 affordable homes which could have been delivered. These are all real homes for people in need of a home.
- 4.17 The Council has prepared and published a Housing, Homelessness and Rough Sleeping Strategy (2018 – 2023) (CD 6.08). It confirms key challenges for the supply of homes for local people, not least that property values and rent prices have risen and continue to rise at a faster rate than income and homes are continuing to become less affordable. It states that in the preceding 5 years, 149 council homes had been sold through Right to Buy, a continuing reduction in social housing available. It highlighted, at the time, a ratio of house prices to earnings of 9.8 to 1, with 2,312 households on the housing need register. It also highlighted an ageing population¹² with housing not meeting what older persons need. Its key action was to increase the number of new and high quality homes and ensure that the right size and tenure of homes are built to meet local needs.
- 4.18 The Council's latest Housing Needs Assessment Update by Edge Analytics was produced in July 2025 (CD 6.09). It confirms the calculation of LHN using the Standard Method of 1,215 dwellings per annum. In line with the latest planning practice guidance and incorporating both current and future demand for social/affordable rent and affordable home ownership it has calculated an affordable housing need for Canterbury of 695 dwellings per annum, with an 80% share (558 units) allocated to social and affordable rental housing and 20% (137 units) to affordable home ownership. This level of affordable housing need is some 57% of the total 1,215 LHN. It represents some 87% of the Development Plan requirement for new homes currently being planned for. This level of affordable housing need is very substantial.
- 4.19 The Affordable Housing Statement within the Planning Statement (CD 1.04) sets out some very helpful context here too which I have been able to update¹³ to the latest figures. It highlights that according to the most recent Ministry of Housing, Communities and Local Government (MHCLG) statistics (March 31, 2024), there are 1.33 million households on local authority social housing waiting lists across the country, which

¹¹ 30% being the Development Plan policy requirement, although it is noted that the AMR (CD 6.07) Table 4.1 confirms that only 26% is actually achieved on eligible sites and only 1850 affordable homes have been delivered since the start of the Plan period, being only 17.5% of the cumulative plan requirement to 2025.

¹² The latest Housing Needs Assessment for the Council (CD 6.09) also confirms a 5-year trend scenario which projects a significant increase in the population aged 75+ in Canterbury, rising from 18,138 in 2023 to 26,168 by 2043, representing a 66% growth and underscoring the pressing need for adequate housing solutions for older residents.

¹³ The Planning Statement was submitted with the application but with best available information at the time, was not able to incorporate the latest information publicly available.

roughly equates to 3 million people in need of an affordable home¹⁴.

- 4.20 Additional data published by MHCLG in November 2025 also demonstrated that in 2024/25 only 64,762 gross affordable homes were built and 45,418 starts on site were recorded¹⁵. At this level of delivery, it will take roughly 20 years to address the current waiting list. This is before factoring in future housing need, or loss of affordable homes through demolition, or the Right to Buy programme.
- 4.21 The Affordable Housing Statement (as I have updated) also confirms that the average number of affordable homes delivered per annum since the start of the Development Plan period in 2011, is 168. This average level of annual delivery over that last 14 years is some 527 dwellings per annum or 76% short of the latest calculation of the affordable housing needed each year in Canterbury. A major increase in affordable housing delivery each year is urgently required to get to anything like that needed.
- 4.22 The total number of affordable homes delivered is 1,850 of the 9,560 total number of dwellings. This is only 19% of the total dwellings. This is significantly below the 30% affordable housing requirement of the Development Plan under Policy HD2, and where this development proposes 30% affordable housing, puts this level of delivery as a percentage in very positive light.
- 4.23 The continued under delivery of affordable housing has contributed to a worsening of the affordability ratios in the District. The median house price affordability ratio¹⁶ for Canterbury has risen significantly since the start of the current plan period in 2011 where it stood at 7.53 and is now 9.55. In other words, average house prices are over 9 times average incomes. This is critical when most high street lenders will only lend up to four times a mortgage applicants' salary. This upward trend is problematic as it demonstrates that house price growth is outstripping wage growth, ultimately making housing more unaffordable for those who live and work within the District and pricing out future buyers. The ONS house price to workplace-based earnings ratio statistics date back to 1997 at which time the median affordability ratio for Canterbury was just 4.17. In the following 27 years, the median affordability ratio has increased by over 200%, locking the next generation out of home ownership.
- 4.24 The proposals will therefore provide for very significant benefits in my view in terms of the provision of housing noting:
- The Government and the Council highlight the provision of housing including affordable housing as a major challenge and policy objective.
 - The Council cannot demonstrate the minimum supply of housing required to meet 5 years of housing need.
 - The shortfall in delivery to the 5 year minimum is very significant.

¹⁴ MHCLG Live Table 600, November 2025 update.

¹⁵ MHCLG November 2025, Affordable Housing Supply 2024 to 2025, England

¹⁶ ONS Ratio of house price to workplace-based earnings Table 5c

- The Council have a poor track record in housing delivery, noting a HDT result of 67%.
- The Development Plan is failing to meet its requirement to date, even against a lower stepped requirement reducing required delivery in earlier years of the plan.
- The latest calculation of Local Housing Needs for Canterbury sees a significant increase in need over and above the current Development Plan requirement.
- The latest calculation of affordable housing need is also very significant and a substantial proportion of Local Housing Needs.
- Housing affordability is poor, with housing affordability well beyond average earnings.
- The delivery of affordable homes has been very low, well short of annual needs.
- The average delivery of affordable homes from qualifying sites has not met policy requirements.
- There are both shortfalls in past delivery against needs and shortfalls in supply.
- The proposals provide for a range of housing needs, including a mix, tenure and types of housing representative of evidenced needs.
- The proposals will make a positive and material contribution to the shortfalls in supply.
- Affordable housing at the full policy compliant level is a very significant added benefit to the proposals where provision elsewhere has fallen short.
- The level of affordable housing provision will also make some material contribution to affordable housing need.

Socio Economic Matters

- 4.25 The recent Written Ministerial Statements have highlighted the link between planning and economic growth with a role for everyone, everywhere across the country – most urgently in housing.
- 4.26 The Socio-Economic Report (CD 1.05) submitted with the application, estimated a total construction spend investment in the development of some £10.7M contributing to GDP. Direct construction jobs would be approximately 313 (FTE), in addition a potential for 341 (FTE) indirect jobs would be supported including jobs in the supply chain, real estate, transport and retailing over the build out period. These economic benefits are in addition to Council Tax payments to the council of £5.9M over a 10 year period. This all suggests considerable economic benefits will arise from the development and this, noting the economic objectives of the Government and Framework and having particular regard to the WMS, should attract significant weight in the planning balance in my view.

Conserving the natural environment

- 4.27 Section 15 of the Framework relates to Conserving and Enhancing the Natural Environment. Paragraph 180 identifies how the planning system should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan) and recognising the intrinsic character and beauty of

the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

- 4.28 The effect of the development on the character and appearance of the area, including landscape character is identified as a main issue in this appeal. Most development proposals are likely to have some adverse impacts. This includes the obvious loss of a greenfield site which has not been previously developed and is currently part of the countryside. This in my view should, of course, be given some weight in the context of the Framework's requirement to recognise the countryside's intrinsic character and beauty.
- 4.29 The Appellant's Landscape and Visual Appraisal was prepared in accordance with the Guidelines for Landscape and Visual Impact, third edition (GLVIA3) and evaluates the proposals in landscape and visual terms. I note in this regard the landscape evidence of Mr Jackson on behalf of the appellant. He explains that the Site occupies land that falls towards the settlement edge and is contained from the wider landscape beyond by a combination of higher ground, tall mature tree belt and the Howletts Wild Animal Park and that it is a landscape that is very well related to the existing settlement. He adds that the site forms a suitably well contained area on the western edge of Littlebourne and it relates more directly and closely to the settlement edge than to the wider landscape beyond the site to the north, west and south west. Mr Jackson describes the Site itself is a simple landscape comprising a medium to large sized parcel of arable land, with minimal constraints which is not subject to any statutory landscape designation nor are its immediate surroundings.
- 4.30 He further explains that the published landscape character assessment studies have informed the design and assessment process and landscape and visual matters have been important considerations in the design and layout of the Proposed Development, with a notable proportion of the Site (amounting to approximately 45%), dedicated to new landscape and related Green Infrastructure and BNG proposals with broad landscape corridors and areas, within and to all sides of the development area. This new and enhanced landscape framework will assist in assimilating and mitigating the adverse effects of the proposed development. It will also be underpinned by a long term management plan that will ensure the successful establishment and maturing of all the planting and habitats.
- 4.31 Mr Jackson explains that whilst the proposed development will inevitably result in some adverse landscape and visual effects, these are properly appraised and considered in the context of both the local and wider landscape, such that they can be judged to be not extensive or major. At a localised scale and assessing the landscape effect upon the Site and its immediate context, this will be Moderate Adverse, upon completion, reducing to Minor/ Moderate Adverse over time and principally relates to a limited number of residential properties and to limited stretches of PROW and the two roads adjoining the Site. Wider views towards the proposed development are limited and if visible, the proposed development will only be seen in part and alongside other existing development within the settlement. The landscape and planting proposals will be effective in visually filtering and softening some of the closer views, particularly as it matures.

- 4.32 Overall, the visual effects of the proposed development are considered to be localised and well contained and will not extend to a large number of visual receptors or locations but this does weigh moderately against the proposals in the planning balance.

Best and Most Versatile Agricultural Land

- 4.33 The effect of the proposal on Best and Most Versatile (BMV) agricultural land, including whether it complies with Policy EMP12 of the Local Plan is also identified as a separate main issue in this appeal. The Officer's Report to planning committee (CD 5.01) includes consideration of this matter where the Local Plan seeks to safeguard the best and most versatile land, defined as land in Grades 1, 2 and 3a (Grade 1 being land which is of the highest quality, providing the best inherent properties for agricultural production). It states that where a significant development of unallocated agricultural land is demonstrated to be necessary to meet a housing need (as is the case here), planning permission may be granted if suitable sites within the urban area on poorer quality land cannot be identified. The aims of the policy are generally noted, albeit the wording of the policy is not entirely consistent with the Framework.
- 4.34 The application site is made up of Grade 3a and 3b agricultural land, as confirmed by a specific assessment of the site's Agricultural Land Classification (CD 1.13) submitted with the application as opposed to a generic designation on agricultural land grade maps which are by their very nature more general. The majority of the site comprising 9.8ha of land (62%) is sub grade 3b with only 5.9ha (38%) of the site itself comprising Best and Most Versatile Grade 3a agricultural land (the lowest end of the Best and Most Versatile agricultural land classification scale).
- 4.35 The quantity of the loss of BMV is relatively modest and wouldn't in my view be seen as a significant development scale in the context of the housing needs and extent of land required for housing. This noting under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' agricultural land where this is not in accordance with an approved plan. The scale of loss here falls short of that scale. Natural England have been consulted and have not objected to the proposals or raised any specific concern about the loss of BMV land. Where housing needs are not being met and there is an evident absence of sites to meet this need, then the Local Plan policy does accept that planning permission may be granted. The proposals therefore accord with the approach set out in Local Plan Policy. The loss of this BMV agricultural land is still a matter to be weighed in the planning balance but in the context of Policy EMP12 and the need for housing, the loss of this scale of BMV agricultural land should have limited weight against the proposals.

Ecology and Biodiversity Gain

- 4.36 The evidence of Ms Mansfield speaks to matters of ecology and biodiversity gain. It is not directly a main matter or an issue of previous concern of the Council set out in their now withdrawn reasons for refusal. It is a matter raised by third parties, and has some links to the issues of drainage including implications, if any,

for the Little Stour which was previously alleged but again not any more suggested by the Council.

- 4.37 The evidence of Ms Mansfield sets out details about the site and survey work which was completed in support of the planning application. It explains the Council's key consultees at Kent County Council Ecological Advice Service considered the application, raised no objections and formulated a series of planning conditions to protect and mitigate for ecology and biodiversity. The evidence explains the legislative context to matters relating to ecology, baseline evidence, inherent design and mitigation factors which were embraced in the design of the development as well as an assessment of potential effects, mitigation and biodiversity gain to explain how the scheme complies with policy and guidance.
- 4.38 The evidence confirms that the appeal site is not designated as a statutory or non-statutory designated site for nature conservation. Development of the Appeal Site would not result in an adverse impact on any protected habitats, including European Sites, Sites of Special Scientific Interest (SSSIs), LWSs and priority habitats and would align with relevant biodiversity protection policies. Natural England confirmed that the Site no longer falls within the Stodmarsh SPA/SAC/Ramsar site catchment following changes to catchment boundaries, a matter which would have raised implications for nutrient neutrality.
- 4.39 The Site was subject to detailed ecological survey work prior to submission of the application. These ecological assessments were submitted to and reviewed by the Council over the determination period. The Council raised no objections to the level of completed survey work, or the ecological mitigation package outlined in submissions with the planning application. The surveys identified and subsequently conducted are appropriate to determine the value of the site and surrounds and the Council has not required any additional to those submitted and accept the conclusions made.
- 4.40 The habitats of ecological importance at this Site have been identified as a narrow stream course, existing trees and hedgerows. The proposals have sought to retain these higher-value habitats, and a level of mitigation has been provided within the Site.
- 4.41 The presence of reptiles, water vole, dormice, badgers and birds have not been identified as statutory ecological constraints to development. A low population of reptiles, water voles, common bird species and bats were found to be primarily using the Site's retained boundary habitats and narrow watercourse and have been subject to further surveys. Overall, the Appeal Site was identified as supporting only a limited range of faunal species at population levels reflective of the Site's intensively managed agricultural setting and a range of mitigation measures have been recommended and agreed with the Council.
- 4.42 In respect of bats, the activity was largely dominated by common and widespread species. With the application of appropriate working methods and the habitat enhancements provided in the proposed green infrastructure along with dark corridors for light sensitive species, the favourable conservation status of the bat species identified will be maintained, connectivity across the site and wider landscape would be improved by site appropriate native species planting and generous green infrastructure.

- 4.43 Ms Mansfield explains that the Littlebourne Stream Local Wildlife Site is located upstream of the proposed Appeal Site discharge point and as such would not be directly affected by drainage proposals. Downstream connecting designations would not be harmed as the water entering the Little Stour from the appeal site will be treated by onsite attenuation features which will be designed following best practice to remove a variety of potential Site generated contaminants and may well provide for water quality benefits from the site (see evidence of Mr Whittingham).
- 4.44 In summary the evidence of Ms Mansfield explains that the proposals will not result in the loss or deterioration of irreplaceable habitats as defined in the NPPF. The proposals provide appropriate mitigation for protected and priority species. The proposals also apply appropriate and proportionate mitigation and compensation for the loss of habitats.
- 4.45 With regard to biodiversity gains, this is an application submitted prior to statutory requirements for a 10% net gain through a Biodiversity Gain Plan. Development Plan Policy LB9 does seek enhancement in biodiversity, but sets no percentage requirement.
- 4.46 The evidence of Ms Mansfield explains that the current agricultural land use constrains the ecological value of the site, and an opportunity is presented through the development to have a positive influence on biodiversity. Any direct impacts from habitat loss are avoided through retention of existing habitats and mitigation in the form of habitat creation would achieve enhancements over the current low value, intensively managed agricultural land resulting in an overall increase in habitat and a measurable betterment. Net gains to biodiversity can accordingly be delivered by the development through a combination of habitat enhancement and creation within the Site. The proposals are in accordance with Local Plan policy in this regard and the gains here significantly exceed statutory minimums. The Ecological Appraisal Rev D (CD2.22) and Biodiversity Net Gain Metric (CD2.20) illustrate how the proposals could achieve a biodiversity net gain of 23.5% for habitats and 32% for hedgerows. These are highly positive and whilst not applying just to this development, may not otherwise arise without the development. They exceed the now mandatory BNG requirement and I give this moderate weight in these circumstances as a further benefit of the development.

Transport and Sustainable Travel

- 4.47 The suitability of the Travel Plan and whether the proposals would comply with policy including providing for alternative modes of transport to the car is another main issue in this appeal and the evidence of Ms Eggleston sets out consideration of this matter in some detail.
- 4.48 There is suitable vehicular, pedestrian and cycle access to the site which can be achieved in principle, subject to detailed designs at the Reserved Matters stage. And as illustrated in the plans submitted with the application even at this outline stage.
- 4.49 The site is in close proximity to a range of local facilities and services within Littlebourne which can be

accessed by sustainable modes of transport including walking and cycling. These include, inter alia: Local bus stops; Littlebourne Primary School and Ladybirds Pre-School; Four Hill Village Stores; Littlebourne Surgery; The Evenhill Pub / Restaurant; and Littlebourne Post Office.

- 4.50 The provision of a new community hub on-site is a moderate social benefit of the proposals and further adds to the locational sustainability of the site.
- 4.51 The application was supported by a Travel Plan (CD1.22) which provides an effective tool to encourage active and sustainable travel and reduce single occupancy vehicle trips. It is proposed that a total of six car club vehicles and spaces will be incorporated within the development, with all vehicles being electric vehicles, with associated EV charging facilities provided. The car club will reduce the need for residents to own a car and will benefit both new and existing residents.
- 4.52 The nearest bus stops to the site are located along the site frontage on the A257 The Hill, c.130m west of the proposed site access. To the east of the site, further bus stops are located c.250m away from the site access along the A257 The Hill. The bus service operates at a frequency of 30 minutes Monday-Saturday daytimes, with additional services in the evening and on Sundays, and there is sufficient capacity to accommodate the anticipated patronage from this development. The bus operator confirmed that the proposed development would result in additional demand for the service, which would support the commercial viability of the service. The nearest rail station to the site is Bekesbourne station located c.2.0km to the south-west of the site. This rail line provides hourly services to London Victoria and Dover Priory.
- 4.53 In the context of the above, CCC Transport and KCC Highways did not object to the planning application. A planning condition is proposed to secure measures proposed by the Travel Plan are implemented. The location of development is sustainable, and through a combination of sustainable active travel measures, together with access to buses, and the implementation of the Travel Plan the proposals are sustainably located to appropriately encourage people to take sustainable travel choices as opposed to travel by the private car. Highway impacts are not severe, the site is sustainably located and the development promotes sustainable means of travel such that such impacts are at worst neutral, with some improvements facilitated by the development also likely to be of benefit to the wider local community.

Surface Water and Foul Drainage

- 4.54 One of the Council's now withdrawn reasons for refusal alleged some potential for impact on the local Chalk Stream. It is also identified as a main issue in the case. Policy CC4 relates to Flood Risk and in addition to managing development to lower areas of flood risk (this site is in Flood Zone 1 and therefore complies with the sequential approach to fluvial flood risk), it also seeks to address risk from surface water flood risk. Policy CC11 relates to Sustainable Drainage Systems (SUDS) and encourages all sites to adopt such drainage, as this development does. It states in the Policy that SUDS can deliver benefits to biodiversity, water quality improvements and to amenity. It states that developments should achieve green field run off rates, mimic

natural flows and ensure surface water is managed as close to its source as possible. Policy CC12 relates to Water Quality and states that new development should incorporate measures to ensure the water environment does not deteriorate both during construction and through the life time of the development.

4.55 The May 2025 Officer Report sets out the agreed position in respect of managing surface water and the approach to ensure there is no pollution risk to receiving waters. The applicant submitted a Flood Risk Assessment and Outline Drainage Strategy detailing how surface water will be managed. Attenuation infrastructure would be installed on site, with this then draining into an existing ditch/watercourse. Surface water from the site is to be controlled at a greenfield runoff rate. KCC Flood and Water Management raised no objections subject to conditions securing details of surface water drainage and verification. The EA have also raised no objection. The surface water drainage strategy will be required to demonstrate that silt and pollutants resulting from the site can be adequately managed to ensure there is no pollution risk to receiving waters.

4.56 Reference can be made to the evidence of Mr Whittingham who provides more detailed evidence on behalf of the appellant. His evidence confirms:

- 1) The FRA incorporates the latest Environment Agency climate change allowances, applying a 40% uplift for rainfall intensity and peak river flow for the South East management catchment, ensuring the drainage design remains robust for the lifetime of the development.
- 2) The proposed surface water drainage strategy limits discharge to 11 l/s—below the existing greenfield QBAR rate of 16.7 l/s and provides on-site attenuation for all rainfall events up to and including the climate change-adjusted 1 in 100-year storm.
- 3) The proposed SuDS treatment train will be designed to achieve significant water quality improvements in line with CIRIA guidance. Based on standard performance benchmarks this would result in suspended solids reduction: typically 80–90% removal through combined swales, filter drains, and permeable paving; Hydrocarbon reduction: typically 60–80% removal via filtration and sedimentation processes and nutrient and pollutant control: multi-stage treatment reduces risk of contamination to the receiving chalk stream.
- 4) This approach complies with Defra’s non-statutory SuDS standards and CIRIA SuDS Manual C753, delivering both quantity and quality benefits through a treatment train of swales, filter drains, permeable paving, and attenuation basins.
- 5) Pollution risk has been mitigated through SuDS components that achieve significant reductions in suspended solids and hydrocarbons, in line with CIRIA guidance.

4.57 These measures ensure compliance with water quality objectives and mitigate pollution concerns raised by interested parties. The details of the final SuDs scheme will be submitted to and approved by the Council in consultation with statutory bodies, the LLFA and EA prior to commencement on site and secured through

planning conditions. A planning condition requiring submission of a Construction Management Plan will also address matters of surface water management through the construction phase. Having regard to the above, the evidence of Ms Mansfield in respect of ecology expects that any risk to the Chalk Stream is appropriately mitigated, and indeed there is expected some water quality benefits here which can be attributed some moderate weight in favour of the proposed development, noting the extent of local concerns here.

4.58 In respect of foul water drainage, this again is another main issue. Policy CC13 of the Local Plan states that all new housing developments will need to incorporate suitable arrangements for the disposal of foul water into a sewerage system at the nearest point of connection of adequate capacity in consultation with the service provider. In response to the planning application, Southern Water confirmed that there is currently limited capacity within the foul network to accommodate the needs of the development. Southern Water requested that a planning condition be imposed that would require the development to be phased and implemented so as to align with delivery by Southern Water of any sewerage network reinforcements that are required to ensure that adequate wastewater network capacity is available to adequately drain the development. This condition has been included in the list of suggested conditions for the Inspector.

4.59 The Officer's Report correctly confirms (paragraph 68) that the Water Industry Act 1991 provides a legal mechanism, for the additional foul drainage infrastructure to be provided by Southern Water. The Act provides that it shall be the duty of every sewerage undertaker to provide, improve and extend a public sewerage system and so maintain those sewers to ensure that the area is and continues to be effectively drained¹⁷. It further confers the right for a party to connect with public sewers and have his drains or sewers join and discharge to the public sewer¹⁸. Further elements of the Act require a person wishing to connect to give notice to connect and provide details of that connection¹⁹. The statutory undertaker makes charges for their services and are allowed to do so under the Act. These statutory arrangements are in place to ensure the delivery and maintenance of the public water system is appropriately managed. Ofwat (Water Services Regulation Authority) is the regulator for the water and sewage sectors in England and Wales, ensuring companies provide good quality, efficient services at fair prices while also driving investment in resilience, sustainability, and environmental improvements for consumers, communities, and the natural environment. One of their roles and responsibilities is to hold water companies accountable for their statutory duties. In this context it is noteworthy that paragraph 201 of the NPPF states that **“The focus of planning policies and decisions should be on whether proposed development is acceptable use of land rather than the control of processes or emissions where these are subject to separate pollution control regimes. Planning decisions should assume that these regimes will operate efficiently.”**

4.60 The evidence of Mr Whittingham acknowledges that the appellant is aware of historic flooding in the area mainly as a result of surface water and ground water ingress issues. As explained, the proposed

¹⁷ Water Industry Act, 94 (1)

¹⁸ Water Industry Act 106 (1)

¹⁹ Water Industry Act 106 (3)

development will incorporate a surface water drainage scheme, designed to capture, control and retain surface water generated from the development within the site boundary. Whilst previous iterations of the drainage scheme have considered the potential for infiltration and discharge from a package treatment works, both of these principles have been removed from the scheme. There should be no potential for any additional surface water from this development to enter the foul system as a consequence, and indeed with surface water management and reduction in flows, there will be a reduced potential from surface water generally from the site.

- 4.61 The foul is proposed to discharge to the existing foul network and Southern Water have confirmed through their correspondence on the application (23rd September 2024 and 9th December 2024 (CD's 3.50 and 3.51) that their initial assessment has confirmed that additional flows from the site may lead to an increased risk of foul flooding from the sewer network but any reinforcement works to mitigate this will be provided by Southern Water. They state that Southern Water will liaise with the developer in order to review their network reinforcements to align with the proposed occupation of the development, highlighting it may be possible for some initial dwellings to connect pending network reinforcement. If works are required, then the Southern Water response suggests they would endeavour to deliver these within 24 months of planning permission being granted²⁰. In a further update to the Planning Committee in July 2025 (CD 5.02), the Officers Report confirmed that Southern Water had advised that if planning permission were to be granted, the developer would be required to apply to Southern Water for connection to the sewerage system. At that stage modelling would be carried out and the company would decide what would be necessary to facilitate the sewage from the proposed development. Options might include a pipe upsize, surface water removal, rising main replacement or additional storage.
- 4.62 Southern Water Services advised to officers in the July Report (CD 5.02) that they are currently addressing the groundwater issue through the implementation of the Infiltration Reduction Plan. This plan, which is currently in progress, entails sealing the sewers to reduce infiltration during winter and high-water tables. These are undoubtedly efforts being undertaken in line with the Water Authority's statutory duties.
- 4.63 Given the time estimates for the necessary foul drainage infrastructure improvements advised in the response to the application by Southern Water, and the expected timeframes for delivery of the development²¹, the current lack of capacity within the foul drainage system is not a matter which should prevent planning permission being granted at this point and will give the Water Authority clear direction on the site proposals as a commitment to make capacity for. A planning condition is suggested to provide further controls on the occupation of the development linked to the foul drainage proposals.

²⁰ An extended period of longer than 24 months is mentioned but only for strategic sites of scale which are more complex. This is not a strategic site.

²¹ This is an outline planning application which is still to be subject to Reserved Matters for the details of access, layout, appearance, scale and landscaping. It is also a site which is being brought forward by a land promoter on behalf of the landowners and will, following the granting of outline planning permission be marketed and sold to a housebuilder, who will apply for the Reserved Matters. Given a period of 6 months to sell the site to a house building and a period of design, submission and approval of the Reserved Matters (12 months), as well as discharge of due pre-commencement conditions (3 months), as well as first infrastructure works and construction period (3 – 4 months), occupations are unlikely to be in advance of 24 months.

4.64 In summary of this issue therefore:

- The site is located in an area which is at low risk of fluvial flooding and its development accords with the sequential approach to the location of development and flood risk.
- The principles for the sustainable management of flood water risk have been set out in supporting information with the application.
- The approach to sustainable drainage will manage surface water from the site to reduce run off rates and lead to improvements in water quality to the benefit of the local area which has seen evidence of surface water ingress into the local foul network.
- The approach is not uncommon²², is in line with policy and has raised no objection from statutory consultees.
- There is no expected adverse ecological impact on the Chalk Stream, more potential for betterment.
- The proposals will connect to the foul mains. This connection forms a statutory right and has raised no objection from Southern Water.
- Granting planning permission and with further liaison between the developer and Southern Water, the occupation of the development can be aligned to the sewerage system capacity and any reinforcement which may be necessary. This noting in any event that first occupations for this development are generally consistent with the timeframes which Southern Water has suggested for the reinforcements if they are needed and a planning condition is imposed to phase occupation of the development.
- Southern Water have confirmed that they will deliver such reinforcements if necessary.
- The potential for existing deficiencies and issues to occur within the foul sewerage network are not uncommon and the Water Authority is under statutory duties to provide, improve and extend a public sewerage system and so maintain those sewers to ensure that the area is and continues to be effectively drained.
- In any event the proposals here, with managed sustainable drainage systems will not exacerbate any surface water ingress into the foul network and may result in betterment.
- The planning system must work on the basis that these other statutory and regulatory provisions operate efficiently.

Heritage Assets

4.65 In respect of heritage matters, the site falls partially within the very edge of the Littlebourne Conservation Area along The Hill, Little Acres and no.17a. Within proximity of the site, those historic buildings most directly affected by the change in land use would be two Grade II listed buildings - Holly Lodge and

²² I have been involved in a number of cases including at appeal, where these matters have been raised including issues of local deficiencies in the local sewerage network but the approach as explained here has set out an appropriate and effective way forward. One appeal example is in respect of an appeal in Drakes Broughton Worcestershire (APP/H1840/W/24/3340903) where the Inspector at paragraphs 64 and 65 recognises instances of sewer surcharging, but likewise points to the statutory duties of the Water Authority, in that case Severn Trent (CD 6.20).

Coachman's House - and two locally listed buildings - Evenhill Public House and 48 Foresters Lodge.

- 4.66 The Heritage Statement (CD1.11) submitted with the application judges that in respect of Grade II Holly Lodge, the proposed development is anticipated to cause no harm to its heritage significance through changes in setting. It does advise that there would be less than substantial harm to the significance of Coachman's Cottage/Cedar Lodge and the setting of the Littlebourne Conservation Area and this would fall at the lowermost end of the less than substantial spectrum. As set out in paragraph 215 of the Framework, this level of harm needs to be weighed against the public benefits of the proposed development. In my view, given the level of benefits identified within my evidence, such low level of harm to heritage assets would not provide a reason to refuse the development proposed. Where less than substantial heritage harms are outweighed by public benefits, the proposals accord with paragraph 215 of the Framework.
- 4.67 The proposed development is anticipated to cause very minor harm to the heritage significance of The Evenhill and 48 The Hill, both non-designated heritage assets, through changes to setting. In accordance with the Framework paragraph 216 this is a matter to be taken into account, but is not a matter which should prevent the development as proposed in my view.
- 4.68 In respect of archaeology, a programme of archaeological evaluation is to be secured via planning condition which would be undertaken prior to the commencement of development.

Open Space and Community Hub

- 4.69 Additional incidental benefits arise from the development too, and whilst more modestly weighted in the planning balance, they include the provision of new extensive areas of public open space, walking and recreation routes, play spaces and a community hub facility.
- 4.70 The Local Plan sets out Local Quantity Open Space Provision Standards for new residential development - open space typology requirements per 1,000 new residents. Whilst at this outline planning stage the proposals do not include a precise proposed housing mix, it is estimated the development would generate the need for a minimum of 6.255 hectares of public open space. The submitted Development Framework Plan identifies in the region of 7.145 hectares of public open space, well in excess. The proposals do not include outdoor sports within the typologies identified which is not uncommon, and as such an off-site contribution towards improvements to outdoor sports in the vicinity would be required. Through planning conditions and a s106 the proposals would be in accordance with Policy OS11 of the Local Plan.
- 4.71 In addition to the extensive areas of new publicly accessible greenspace, the proposals also include for a local shopping/community facility floorspace. This aligns to its draft allocation in the emerging Local Plan and could be used for purposes such as a local shop, cafe, library, place of worship, meeting hall or for any other recreational or educational purposes. It would have a maximum floorspace of 400sqm. The Officers report (paragraph 28) (CD 5.01) confirms that the hub would provide an on-site, walkable facility for future residents and the existing residents of Littlebourne. The proposals are of a local scale and proportionate

when taken in the context of the proposal as a whole. They would contribute towards the delivery of a walkable neighbourhood and would contribute towards the sustainability of the development. The s106 includes for specific commitments in respect of the delivery of this community facility and its phasing as part of the overall development.

- 4.72 The provision of above policy-compliant children’s play areas and open space should be given positive weight in the planning balance in my view as it will benefit the existing and new community alike and wouldn’t otherwise be delivered without the development. I give these some moderate weight in the planning balance, with some additionality with the community hub when delivered as this will be available to the whole community as well.

Planning and Heritage Balance

- 4.73 Having regards to the foregoing, a planning and heritage balance can be undertaken. Firstly, in weighing solely the limited heritage harm against all the benefits of the development, these readily outweigh the heritage harm, in my view, such that there is no conflict with the Development Plan, nor paragraph 215 of the Framework. The NPPF policies relating to designated heritage assets do not provide a reason for refusing the development proposed such that the presumption in favour of sustainable development (paragraph 11 d) ii) the tilted balance) remains engaged in this case.

- 4.74 Secondly, in the overall planning balance, the sum total of harms identified do not outweigh the overall benefits in my view – they most certainly could not be described as significantly or demonstrably outweighing the benefits. Where the tilted planning balance in paragraph 11 (d) (ii) of the Framework and Policy SP1 of the Plan is engaged here, given that the Council cannot demonstrate a 5 year supply of land for housing, nor meet the Housing Delivery Test and important policy is out of date, the balance is in favour of granting planning permission. The proposals can be approved in accordance with Policy SP1 of the Plan.

- 4.75 In summary:

- The benefits of the scheme are cumulatively **very significant** (in the case of market and affordable housing, benefits that are **very significant** in their own right) and include the sustainable delivery of both much needed open market and affordable housing in a mix of types, tenures and for different groups including elderly persons, in a high quality development, well located in a suitable sustainable settlement, positively related to the settlement itself and its services as well as sustainable access to other facilities; investment and support for economic growth and job creation (**significant**); provision of new green space, play space and community space (**moderate**), water quality improvements (**moderate**) landscaped green infrastructure and biodiversity gains (**moderate**).
- The adverse impacts of the scheme are comparatively minor and include principally the visual implications arising from the inevitable loss of some currently greenfield land but where the

visual effects of the proposed development are considered to be localised and well contained (**moderate**), this recognising the intrinsic character and beauty of the countryside and that some of the site is Best and Most Versatile agricultural land (**limited**). Additionally, there is less than substantial harm to the setting of heritage assets (low end of less than substantial), a matter to be given considerable importance and weight in the context of the statutory duty (**limited**).

- In the overall planning balance, none of the impacts of the development to which the maximum **moderate harm** arises, could be described as outweighing the benefits which include individual **very significant** benefits and cumulatively **very significant** benefits – never mind significantly or demonstrably so.

Third Party Comments

- 4.76 A number of comments and concerns have been raised by third parties in response to the application and appeal. Many matters are already addressed in the sections above where they correlate with matters previously raised with the Council and/or are retained in main issues. In addition, a summary response table has been prepared and it is included at Appendix 2 which summarises the issues raised and how matters have in fact been positively addressed.

S106 and Planning Obligation

- 4.77 Relevant Government advice is contained within the Framework and in Planning Practice Guidance. The relevant tests (NPPF paragraph 57) for any planning obligation include that it must be:
1. necessary to make the proposed development acceptable in planning terms;
 2. directly related to the development; and
 3. fairly and reasonably related in scale and kind to the proposed development.
- 4.78 Paragraph 56 of the NPPF states that conditions should be kept to a minimum and only imposed where they are:
1. necessary;
 2. relevant to planning;
 3. relevant to the development to be permitted;
 4. enforceable;
 5. precise; and
 6. reasonable in all other respects.
- 4.79 The need for a range of planning conditions is usual. They need to be imposed having regard to the tests in the NPPF as stated above.

- 4.80 The proposals now have an agreed list of proposed conditions as well as a s106 planning obligation.
- 4.81 The planning conditions cover a range of matters including the requirement to submit Reserved Matters. A number of conditions directly respond to matters set out in my evidence and address issues of perceived concern from third parties as well as requirements from statutory consultees. These include for example conditions to define the development, the mix and range of dwellings to be provided, controls over construction activities, phasing, open space requirements, archaeology, surface water drainage, foul drainage, travel planning, landscaping, protection of trees and hedgerows, lighting, ecology mitigation and enhancement and energy strategy for the development. The Inspector has the full ability to adapt, add to or omit these from any decision as appropriate but all provide assurances and arrangements to ensure the development can proceed and make the development acceptable in planning terms.
- 4.82 The s106 has Schedules setting out obligations to the City Council to deal with affordable housing provision, off site contributions to Off Site Sports, Healthcare and a Network Rail contribution to deliver cycle parking at Bekesbourne railway station, arrangements for open space provision and management, including Sustainable Drainage as well as delivery of car club spaces and the community facility. It also includes obligations to the County Council in respect of education, children’s services, libraries, Public Rights of Way, Social Care and Waste Disposal.
- 4.83 Again, the Inspector has the ability to endorse or rule out any contributions by expressly making such a decision and having regard to the appropriate tests, as the s106 includes what is known as a “blue pencil” clause. This essentially allows for any adjudged non CIL compliant elements of the s106 to be excluded without impacting on the other elements of the s106 to come into effect. The Inspector will be provided with a CIL compliance and justification for the contributions being sought by Canterbury City Council and/or Kent County Council.
- 4.84 Canterbury City Council has a Community Infrastructure Levy (CIL) and Charging Schedule (CD 6.13). This development lies within Zone A for which, informed by a Viability Study, there is a charge of £187 per sq m of residential development, now indexed linked, I understand, to a charge of £223 per sq m²³. The CIL sits alongside s106 (paragraph 2.11) and is intended to fund infrastructure set out within the Council’s Infrastructure Delivery Plan (IDP) and on the Council’s Infrastructure List (CD 6.14) which is published separate from the Charging Schedule.
- 4.85 The Infrastructure List has a Column A Infrastructure which may be funded in whole or partly through CIL and Column B which sets out exceptions to be funded through other means including s106. It is anticipated that the CIL justification/compliance is to be provided by the County and City which will explain any interaction between funds secured through CIL to mitigate development impacts and those being requested through s106 to ensure that there is no double funding of infrastructure requirements. This is noting that

²³ By way of a basic illustrative calculation, using the indexed linked charge level and recognising affordable housing relief would apply, the illustrative scheme for this site could generation a CIL contribution in excess of £5M

Column A of the Infrastructure List includes for example education (including primary and secondary), health, social infrastructure including libraries for example. This is a matter which the Council themselves have recognised in other applications, including for example in respect of a recent application for a residential development on land at Thanet Way, Herne Bay where a specific report from Officers confirmed matters of infrastructure covered by CIL and those by s106 (see CD 6.16 and Minute of Meeting endorsing the recommendation CD 6.17). It is expected that the Council would be applying a consistent approach.

5. CONCLUSIONS AND SUMMARY

- 5.1 This appeal by Gladman Developments Ltd was against an original decision of the Council to refuse planning permission, contrary to their Planning Officers recommendation to approve, for a residential development (up to 300 dwellings), including affordable housing and older person accommodation, a new community hub, introduction of structural planting and landscaping, informal public open space and children's play area and surface water flood mitigation and attenuation. The Council however have since, rightly in my view, decided not to defend their previous reasons to refuse permission and no case to refuse planning permission is put forward by the Local Planning Authority.
- 5.2 Their remains five main issues for the Inquiry which the Inspector helpfully set out in his note of the first Case Management Conference and this evidence has sought to assist with those.
- 5.3 It is important however in the first instance to note that these proposals for housing are put forward at the time of a national housing crisis and where the new Government have placed at the heart of their policy reforms major changes to the planning system to urgently deliver more homes that people need. The Government is clear from recent Ministerial Statements that the number of new homes being built is far too low, the cost of a new average home is out of the reach for many and have given a clear commitment to rebuilding Britain with an ambitious goal to deliver 1.5M new homes over this Parliament. To achieve this, significant new measures and a radical reform to the planning system are necessary, taking tough choices to ensure the delivery of decent, safe, secure and affordable homes are not for the privileged few.
- 5.4 This means that the presumption in favour of sustainable development must have real teeth and carry real weight, acting as a significant adjustment to the decision-making balance in favour of approving development. Where the proposals here represent high quality, sustainable development they are a key part of the answer to the national housing crisis and fall fully square with the Government's clear and core messages on planning policy and the urgent need to deliver more homes.
- 5.5 Canterbury is a location with significant housing needs. The Council cannot demonstrate the minimum supply of housing required to meet 5 years of housing need and the shortfall in delivery to the 5 year minimum is very significant. The Council have a poor track record in housing delivery, noting a Housing Delivery Test result of 67%. The Development Plan has failed to meet its housing requirement to date, even against a lower stepped requirement reducing required delivery in earlier years of the Plan. The latest calculation of Local Housing Needs for Canterbury sees a significant increase in need over and above the current Development Plan requirement. The latest calculation of affordable housing need is also very significant and a substantial proportion of Local Housing Needs. This noting that housing affordability in Canterbury is poor, with housing affordability well beyond average earnings and the delivery of affordable homes has been very low, well short of annual needs. Whilst Canterbury are in the process of preparing a new Local Plan to bring policy up to date, this Plan is some considerable time away from being adopted, although it can be noted that the appeal site is proposed for allocation for housing in that emerging Plan.

- 5.6 Against this important context, my evidence has set out the case for granting planning permission. The appeal site is located on the western edge of the village of Littlebourne. The village has a range of local services and facilities which are within a convenient walking distance of the site, including local shop, primary school, doctors surgery, community hall as well as local play and recreation park. The village is located only 3.5km to the east of the main City of Canterbury which has extensive range of shops, services and other facilities as well as main employment opportunities and to which there is convenient public transport.
- 5.7 The site is bounded by The Hill to the north east, Bekesbourne Lane and a drainage ditch/informal access route to the south east, a car park serving Howletts Wild Animal Park to the south west and agricultural fields to the north west. It extends to approximately 15.77 ha of land broadly 'L' in shape with a ranging topography that typically declines from north to south and down towards the ditch in the centre of the site.
- 5.8 The Development Plan in the case of this appeal is the Canterbury District Local Plan 2011-2031. The Plan was adopted in 2017.
- 5.9 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The most important material consideration here is the NPPF. It sets out a presumption in favour of sustainable development and confirms in paragraph 11 that for decision taking, this means approving development proposals which accord with the Development Plan without delay. It also sets out the operation of a tilted planning balance at paragraph 11, which applies when the policies most important for determining the application/appeal are out of date and is engaged in the matter of this appeal for two reasons; firstly because the Council cannot demonstrate a 5 year supply of housing and secondly because the Council have a Housing Delivery Test result less than 75%.
- 5.10 The site is not allocated for housing development in the Development Plan. However, the site is in a sustainable location, adjoining a Local Centre village in the settlement hierarchy where some development over and above that allocated in the plan is recognised. The Plan states Local Centres can support a greater level of development than other lower category settlements and this scale of development would not be contrary to the strategic approach to the location of development set out in Policy SP4 of the Local Plan.
- 5.11 That being the case, the site is self-evidently countryside land and the proposals are not a type of housing which would be permissible under Local Plan Policy HD4 in relation to 'new dwellings in the countryside'. Nor does Policy SP4 specifically allow for development of housing in the countryside adjoining the confines of the village.
- 5.12 These are, of course, important policies of the Development Plan but given the absence of a 5 year housing land supply, and the results of the Housing Delivery Test, these are policies which must be regarded as out of date. Strictly applied with full weight, they would continue to perpetuate poor levels of housing delivery and shortfalls in supply at a time of significant housing need. The extent to which conflict with policy arises here, then such conflict is rightly considered in the planning balance but should be attributed only limited weight in

my view.

- 5.13 Paragraph 11 of the Framework states that “where policies which are most important for determining the appeal are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.” Policy SP1 of the Plan also states that when relevant policies are out of date, planning permission should be granted unless the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.
- 5.14 It is therefore necessary to consider whether the adverse impacts of this development “significantly and demonstrably” outweigh the benefits. In other words, for planning permission to be refused the adverse impacts must not only outweigh the benefits, this must “significantly and demonstrably” be the case. The planning balance was identified as a main issue in this appeal and my evidence has sought to assist in this planning balance.
- 5.15 In summary I have set out in my evidence that:
- The benefits of the scheme are cumulatively **very significant** (in the case of market and affordable housing, benefits that are **very significant** in their own right) and include the sustainable delivery of both much needed open market and affordable housing in a mix of types, tenures and for different groups including elderly persons, in a high quality development, well located in a suitable sustainable settlement, positively related to the settlement itself and its services as well as sustainable access to other facilities; investment and support for economic growth and job creation (**significant**); provision of new green space, play space and community space (**moderate**), water quality improvements (**moderate**) landscaped green infrastructure and biodiversity gains (**moderate**).
 - The adverse impacts of the scheme are comparatively minor and include principally the visual implications arising from the inevitable loss of some currently greenfield land but where the visual effects of the proposed development are considered to be localised and well contained (**moderate**), this recognising the intrinsic character and beauty of the countryside and that some of the site is Best and Most Versatile agricultural land (**limited**). Additionally, there is less than substantial harm to the setting of heritage assets (low end of less than substantial), a matter to be given considerable importance and weight in the context of the statutory duty (**limited**).
 - In the overall planning balance, none of the impacts of the development to which the maximum **moderate harm** arises, could be described as outweighing the benefits which include individual **very significant** benefits and cumulatively **very significant** benefits – never mind significantly or demonstrably so.

5.16 I have also explained that the proposals here accord with each of the social, environmental and economic aspects of sustainable development expressed in the Framework and can readily be seen as sustainable.

5.17 With reference to supporting reports and information submitted with the application as well as other evidence submitted on behalf of the appellant by Mr Jackson in respect of landscape matters, Ms Mansfield concerning ecology, Ms Eggleston on highways/transport and Mr Whittingham on drainage my evidence has also been able to assist the Inquiry regarding the main issues:

- (i) The effect of the development on the character and appearance of the area, including landscape character has been set out in the evidence of Mr Jackson. The proposals will result in only a limited and localised level of harm to a simple settlement edge landscape. The existing landscape characteristics and features of the Site and its immediate context have been carefully appraised and drawn upon in devising the proposed development and the associated landscape proposals. As a result, the Appeal Scheme will establish an appropriate development and landscape solution and will not lead to or cause significant or demonstrable harm in landscape and visual terms.
- (ii) With reference to the evidence of Ms Eggleston, the proposal can be seen to accord with the transport strategy in Policy T1 of the adopted Canterbury Local Plan 2017 (LP), including providing alternative modes of transport to the car by extending provision for pedestrians, cyclists and the use of public transport. The location of development is sustainable, and through a combination of sustainable active travel measures, together with access to buses, and the implementation of the Travel Plan the proposals are sustainably located to appropriately encourage people to take sustainable travel choices as opposed to travel by the private car. Highway impacts are not severe, the site is sustainably located and the development promotes sustainable means of travel such that such impacts are at worst neutral, with some improvements facilitated by the development also likely to be of benefit to the wider local community.
- (iii) The proposals will not adversely impact the Chalk Stream. Ms Mansfield explains that the Littlebourne Stream Local Wildlife Site is located upstream of the proposed Appeal Site discharge point and as such would not be directly affected by drainage proposals. Downstream connecting designations would not be harmed as the water entering the Little Stour from the appeal site will be treated by onsite attenuation features which will be designed following best practice to remove a variety of potential Site generated contaminants and may well provide for water quality benefits from the site (see evidence of Mr Whittingham). More broadly in respect of ecology, the opportunity is presented through the development to have a positive influence on biodiversity. The proposals are in accordance with Local Plan policy in this regard and the gains here significantly exceed statutory minimums.
- (iv) The proposals are capable of providing adequate sewage disposal. The proposals will connect to the foul mains. This connection forms a statutory right and has raised no objection from Southern Water. With liaison between the developer and Southern Water, the occupation of the

development will be aligned to the sewerage system capacity and any reinforcement which may be necessary. The Water Authority is under statutory duties to provide, improve and extend a public sewerage system and so maintain those sewers to ensure that the area is and continues to be effectively drained. In any event the proposals here, with managed sustainable drainage systems will not exacerbate any surface water ingress into the foul network and may result in betterment. The planning system must work on the basis that these other statutory and regulatory provisions operate efficiently.

- (v) The appeal site is made up of Grade 3a and 3b agricultural land with the majority of the site (62%) being sub grade 3b with less (38%) of the site itself comprising Best and Most Versatile Grade 3a agricultural land (the lowest end of the Best and Most Versatile agricultural land classification scale). Where housing needs are not being met and there is an evident absence of sites to meet this need, then the Local Plan policy does accept that planning permission may be granted. The proposals therefore accord with the approach set out in Local Plan policy. The loss of this BMV agricultural land is still a matter to be weighed in the planning balance but in the context of Policy EMP12 and the need for housing, the loss of this scale of BMV agricultural land should have limited weight against the proposals.

- 5.18 A number of comments and concerns have been raised by third parties in response to the application and appeal. Many matters are already addressed in the sections above where they correlate with matters previously raised with the Council and/or are retained in main issues. None justify refusing planning permission.
- 5.19 The planning balance weighs in favour of granting planning permission in the application of paragraph 11 (d) (ii) of the Framework and in accord with Policy SP1 of the Plan. I would respectfully suggest in these circumstances that the appeal should therefore be allowed.

APPENDIX 1 – Development Plan Policy Compliance Assessment Table

Appendix 1 - Canterbury District Local Plan (2017)

Overview Assessment of Relevant and Important Local Plan Policies

Policy	Policy Text	Appellant's Consideration of Policy
<p>SP1 Sustainable Development</p>	<p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:</p> <ul style="list-style-type: none"> • Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy framework taken as a whole; or • Specific policies in that framework indicate that development should be restricted; 	<p>See section 3 of my Evidence where I explain compliance with this important policy. The policy seeks to echo the government's approach to supporting sustainable development. The proposed development is sustainable. The approach to decision-making would allow development of this site where relevant policy in is out of date. Relevant policy here is out of date in the context of the Council's housing land supply position and invokes in this policy the application of a tilted planning balance. The proposals would accord with this Development Plan policy when applied correctly to the proposals in the current circumstances where relevant policy if out of date.</p>
<p>SP4 Strategic Approach to the Location of Development</p>	<p>The urban areas of Canterbury, Herne Bay and Whitstable will continue to be the principal focus for development, with a particular focus at Canterbury, together with development at the rural service centres and local centres. Policy SP3 identifies the key sites for mixed-use development.</p> <p>In addition to the development allocations set out in this plan:</p>	<p>See section 3 of my Evidence where I consider this important policy in detail. The proposals accord with strategic objectives of the policy. The vast majority of development is still being directed to the main settlements even with</p>

	<ol style="list-style-type: none"> 1. In the urban areas of Canterbury, Herne Bay and Whitstable, new housing development will be supported on suitable sites, where this would be acceptable in terms of environmental, transport and other planning factors, and would not result in the loss of sites identified for business and other specific uses; 2. Provision of new housing that is of a size, design, scale, character and location appropriate to the character and built form of the rural service centres of Sturry and the local centres of Barham, Blean, Bridge, Chartham, Hersden and Littlebourne will be supported provided that such proposals are not in conflict with other local plan policies relating to transport, environmental and flood zone protection and design, and those of the Kent Downs AONB Management Plan, where applicable; 3. In the villages of Adisham, Bekesbourne, Bossingham, Broad Oak, Hoath, Kingston, Petham, Rough Common, Tyler Hill, Upstreet, and Wickhambreaux, priority will be given to protecting the rural character of the district and infill development of an amount appropriate to the size of the settlement (or development to meet an identified local need for affordable housing), in a location appropriate to the form of the settlement and of a design and scale that respects and enhances the character of the village; 4. At the hamlets of Chartham Hatch, Chislet, Bishopsbourne, Fordwich, Harbledown, Ickham, Lower Hardres, Patricxbourne, Stodmarsh, Upper Harbledown, Upper Hardes, Waltham, Westbere, Womenswold, Woolage Green, and Woolage Village development will be permitted which specifically meets an identified local need; and 5. In the open countryside, development will be permitted if required for agriculture and forestry purposes (see Policy EMP13). 	<p>this scale of housing being proposed in this appeal for Littlebourne. The proposals raise no conflict with the overall settlement hierarchy and do not conflict with the policy aims to direct development to the most sustainable locations.</p> <p>The Policy anticipates some development at Littlebourne under criterion 2, and I explain some wider support to development in the accompanying text to the policy in my main proof. However the policy gives no support to new housing outside the confines of settlements but states that in the open countryside development will be permitted for agriculture and forestry. Where the Plan does not identify the village confines or settlement boundary, the appeal site nevertheless forms countryside on the edge of the settlement.</p>
<p>HD2 Affordable Housing</p>	<p>The City Council will seek provision of 30% affordable housing on all residential developments consisting of 11 or more units, or which have a combined gross floor area of more than 1,000 square metres, other than on sites in the Area of Outstanding Natural Beauty where commuted sums will be sought on developments of between 6 to 10 units.*</p> <p>The City Council's preferred option is for affordable housing to be provided on-site. Where it can be demonstrated that on-site provision is not suitable, a financial contribution will be sought.</p>	<p>The proposals are in line with this policy in that they make the full provision for 30% affordable housing within the development. Affordable homes will be delivered on site. The types and tenure mix aligns to the Council's evidence of need.</p>

	<p>A vacant building credit will be applied where it can be demonstrated that qualifying buildings are genuinely vacant. Whether a qualifying building is genuinely vacant will be determined on a site by site basis, having regard to the vacant building credit policy intention to incentivise brownfield development. The vacant building credit applies where the building has not been abandoned, has not been made vacant for the sole purposes of re-development and is not covered by an extant or recently expired planning permission for the same or substantially the same development.</p> <p>Where the proposed provision of affordable houses is below the requirements set out above, the City Council will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision.</p> <p>* The commuted sums will be made after completion of units.</p>	<p>See s106 Planning Obligation.</p>
<p>HD4 New housing in the countryside</p>	<p>Planning permission for new dwellings in the countryside will only be granted in the following circumstances:</p> <p>a. For Rural Workers Dwellings where:</p> <ul style="list-style-type: none"> • There is an essential need for a rural worker to live permanently at or near their place of work in the countryside, for example, to meet the needs of agriculture or forestry. In such circumstances the City Council will require the applicant to produce an independent report demonstrating the need for the dwelling and the financial viability of the business. • Existing dwellings serving or closely connected with the holding do not provide sufficient accommodation for essential rural workers. <p>Where a need is proven, the City Council will normally require the new agricultural dwelling to be sited in association with existing groups of farm buildings; or</p> <p>b. For the re-use of heritage assets where: The proposed development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or</p> <p>c. For the re-use of existing buildings where:</p>	<p>See section 3 of my Evidence where I consider this important policy in detail. The proposals are not for the type of housing which this policy allows for in the countryside. The site is open countryside adjoining the village (with no defined settlement boundary, this is a matter of planning judgement) and the proposals wouldn't comply with this policy. However, where the Council is unable to demonstrate a five-year housing land supply or meet their Housing Delivery Test, this is an important and relevant policy which should be considered to be out of date, invoking the tilted planning balance in SP1 above and as set out in paragraph 11 of the NPPF. There is a significant shortfall relative to need. The need for additional</p>

	<p>The development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or</p> <p>d. For a new dwelling where: The design of the development is of an exceptional quality or innovative nature.</p>	<p>housing weighs heavily in favour of additional residential development being brought forward in sustainable locations. Whilst the proposed residential development is in conflict with this policy, this is a policy which is out of date and if continued to be applied with full rigour and weight would continue to stifle housing delivery and housing needs will not be met. The weight to any conflict with this policy, should not weigh heavily against the proposals when the wider benefits and housing needs are balanced against it.</p>
<p>EMP12 Agricultural Land</p>	<p>The City Council will seek to protect the best and most versatile farmland for the longer term. Where significant development of unallocated agricultural land is demonstrated to be necessary to meet a housing, business or community need, planning permission may be granted on best and most versatile land if a suitable site within the urban area or on poorer quality land cannot be identified.</p>	<p>The application site is made up of Grade 3a and 3b agricultural land, as confirmed by a specific assessment of the site's Agricultural Land Classification (CD 1.13) submitted with the application as opposed to a generic designation on agricultural land grade maps which are by their very nature more general. The majority of the site comprising 9.8ha of land (62%) is sub grade 3b with only 5.9ha (38%) of the site itself comprising Best and Most Versatile Grade 3a agricultural land (the lowest end of the Best and Most Versatile</p>

		<p>agricultural land classification scale).</p> <p>The quantity of the loss of BMV is relatively modest and wouldn't in my view be seen as a significant development scale in the context of the housing needs and extent of land required for housing.</p> <p>Where housing needs are not being met and there is an evident absence of sites to meet this need, then the Local Plan Policy does accept that planning permission may be granted. The proposals therefore accord with the approach set out in Local Plan policy.</p>
<p>T1 Transport Strategy</p>	<p>In considering the location of new development, or the relocation of existing activities, the Council will always take account of the following principles of the Transport Strategy:</p> <ul style="list-style-type: none"> a. Controlling the level and environmental impact of vehicular traffic including air quality; b. Providing alternative modes of transport to the car by extending provision for pedestrians, cyclists and the use of public transport; c. Reducing cross-town traffic movements in the historic centre of Canterbury; d. Providing public car parking and controlling parking having regard to the Parking Strategy; e. Assessing development proposals in the light of transport demands and the scope for choice between transport modes; and f. Seeking the construction of new roads and/or junction improvements which will improve environmental conditions and/or contribute towards the economic well-being of the District. 	<p>A Transport Assessment ('TA') has been submitted as part of the Application. In addition, a Travel Plan ('TP'), informed by the TA, has also been submitted, which sets out measures to reduce car travel by future occupants of the Site and encourage alternative modals choices that are more sustainable.</p> <p>The TA outlines that the Site is sustainably located in respect of access to facilities and services, including public transport, with methods of travelling other than private car a viable option for future occupiers. There is good</p>

		<p>walking and cycling infrastructure between the Site and nearby amenities, with the location of the Site providing a good context for journeys on foot and cycle. The Site has good public transport accessibility, with nearby bus stops. As such, the Site offers the opportunity to foster a sustainable community.</p> <p>The proposals accord with this policy in that they do provide for sustainable accessibility and support travel choices by cycling walking and public transport.</p>
T9 Parking Standards	The City Council will have regard to the local parking standards as set out in Appendix 4 of this Local Plan. Where provided, cycle parking should be convenient, secure, covered and where possible complemented by showering and changing facilities, as set out in Appendix 4.	On-site parking will be considered in detail as part of any Reserved Matters application. It is expected that the development will be designed to provide an appropriate level of parking provision in compliance with Policy.
T17 Transport Assessment and Travel Plans required for developments which would have significant transport implications	Development proposals considered by the Council to have significant transport implications are to be supported by a Transport Assessment and where applicable a Travel Plan. These should show how multi-modal access options will be achieved, and how transport infrastructure arising from the expected demand will be provided. Such measures will be the subject of or included in a legal agreement or undertaking.	See the evidence of Ms Eggleston. A Transport Assessment ('TA') has been submitted as part of the Application. In addition, a Travel Plan ('TP'), informed by the TA, has also been submitted, which sets out measures to reduce car travel by future occupants of the Site and encourage alternative

		<p>modals choices that are more sustainable.</p> <p>The TA outlines that the Site is sustainably located in respect of access to facilities and services, including public transport, with methods of travelling other than private car a viable option for future occupiers. There is good walking and cycling infrastructure between the Site and nearby amenities, with the location of the Site providing a good context for journeys on foot and cycle. The Site has good public transport accessibility, with nearby bus stops. As such, the Site offers the opportunity to foster a sustainable community.</p> <p>The proposals accord with this policy in that they do provide for sustainable accessibility and support travel choices by cycling walking and public transport.</p>
<p>EMP9 Education needs</p>	<p>The City Council will work with the Education Authority and other school and education providers to ensure that provision is made for educational needs, including those arising from new development. Provision may be secured through legal agreements.</p>	<p>The development is subject to a s106 and will also make a significant contribution to the Council's Community Infrastructure Levy. The Council's Infrastructure List which sets out items of infrastructure which will be delivered through CIL includes Primary and Secondary education.</p>

		Further education needs which need to be addressed which are not covered by the CIL are covered in the S106.
CC2 Reducing Carbon Emissions From New Development	Development in the Canterbury District should include proportionate measures to reduce carbon and greenhouse gas emissions (as outlined table D1 and Policy DBE1) As well as incorporating measures to reduce carbon emissions development proposals shall show how they have taken account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.	The detailed layout of the development is subject to Reserved Matters.
CC3 Local/District Renewable and Low Carbon Energy and Heat Production Schemes	<p>Strategic Sites (as shown on the Proposals Map) and other sites over 200 units, health facilities, education institutions and schools or substantial commercial developments should provide site wide local renewable or low carbon energy and/or heat generation schemes such as gas fired Combined Heat and Power (CHP).</p> <p>If a local renewable/low carbon scheme or district heating scheme is not proposed it will need to be demonstrated that the provision would not be viable or feasible, or it can be demonstrated that an alternative carbon reduction strategy would be more appropriate.</p>	It is expected that all dwellings will be climate resilient and incorporate energy efficiency measures, modern standards of insulation and other measures designed to minimise the use of natural resources and greenhouses gas emissions through the latest Building Regulations and potential Future Homes Standard. A condition is proposed to ensure the proposals provide for a sustainable approach to energy.
CC4 Flood Risk	<p>Development proposals within Flood Zones 2 and 3 and sites larger than 1 ha in Flood Zone 1 shall be subject to a Flood Risk Assessment. The Flood Risk Assessment shall be in accordance with the Council's Drainage Impact Assessment Guidance Note and Strategic Flood Risk Assessment, including the requirement for a contribution towards any necessary new flood defence or mitigation measures. Where relevant, the assessment should also address the risk of flooding from surface water, groundwater and ordinary watercourses. Where there is evidence that water from these sources ponds or flows over the proposed site the assessment should state how this will be managed and what the impact on neighbouring sites will be.</p> <p>Measures identified to mitigate effects shall be installed and maintained at the developers' own</p>	A Flood Risk Assessment and Drainage Strategy has been provided. A Proof of Evidence of Mr Whittingham explains the flood risk and drainage approach for the development. The site is in Flood Zone 1 and Mr Whittingham's evidence explains that the proposed development would be operated with minimal

	<p>expense or put into a management company to ensure their long term retention, maintenance and management. Other flood resilient and/or resistant measures may also be required, and their provision will be informed by the findings of a submitted Flood Risk Assessment.</p>	<p>risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of national and local policy and guidance.</p> <p>The proposals here appropriately address matters of flood risk and drainage and include arrangements for the management of surface water in a sustainable manner. Conditions are proposed to ensure the provision of suitable detailed arrangements for drainage.</p>
<p>CC11 Sustainable Drainage Systems</p>	<p>All development applications should include drainage provision. This will ensure that surface water is appropriately controlled within the development site, manage flood risk on-site and off-site, and not exacerbate any existing flood risk in the locality. Within major development sustainable drainage systems that deliver other benefits, such as biodiversity, water quality improvements and amenity, are expected to be included, except where they are demonstrated to be inappropriate. All developments should achieve as close to possible to the City Council's stipulated greenfield runoff rates, mimic natural flows and drainage pathways and ensure that surface water run-off is managed as close to its source as possible using the following hierarchy:</p> <ol style="list-style-type: none"> 1. Discharge into the ground 2. Discharge to a surface water body 3. Discharge to a surface water sewer, highway drain or other drainage system. 4. Discharge to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewage undertaker. <p>Any drainage scheme must manage all sources of surface water, including exceedance flows and surface flows from offsite, provide for emergency ingress and egress and ensure adequate</p>	<p>The proposals will incorporate Sustainable Drainage Systems required by this policy that will ensure that surface water is appropriately controlled within the development site, manage flood risk on-site and off-site, and not exacerbate any existing flood risk in the locality. The evidence of Mr Whittingham confirms that the sustainable drainage systems will deliver water quality improvements benefits and are aligned to proposals to enhance biodiversity, water quality improvements and amenity. The approach here manages surface water at its source to improve upon greenfield runoff rates.</p>

	<p>drainage connectivity. It will not be acceptable for surface water runoff to enter the foul water system.</p> <p>SuDS or other appropriate measures should:</p> <ol style="list-style-type: none"> a. Maintain public safety; b. Provide sufficient attenuation to surface water flows as appropriate; c. Ensure that there is adequate treatment of surface water flows, such that there is no diminution in quality of any receiving watercourse; d. Ensure protection of groundwater; and e. Provide or enhance wetland habitat and biodiversity where possible. <p>On major and strategic developments it should be shown how this infrastructure will be delivered over the different building phases to ensure that schemes are delivered as envisaged and that ongoing and future flood risk is managed.</p> <p>Approval of the design and long term management and maintenance of SuDS will be required prior to the development commencing.</p>	
<p>CC12 Water Quality</p>	<p>The City Council will require that new development incorporates well designed mitigation measures to ensure that the water environment does not deteriorate, both during construction and during the lifetime of the development. Furthermore, the City Council will seek to ensure that every opportunity is taken to enhance existing aquatic environments and ecosystems. This will include the restoration of natural river features (including riverbanks) and removal of barriers to fish passage when appropriate opportunities arise.</p> <p>Any new development should not compromise Water Framework Directive objectives.</p>	<p>See evidence of Mr Whittingham and Ms Mansfield. The proposals accord with policy, set out the principles for the development of the site which is sensitive to the location, ensures water quality has the potential for improvement. Conditions are imposed which address both the operational stage and construction phase of the development in respect of</p>

		potential for impacts on water quality.
CC13 Water Resources	<p>The City Council will ensure that development is phased using appropriate time scales for the construction of any necessary water and/or wastewater infrastructure associated with development proposals. The City Council will consult in detail with water companies and the Environment Agency to ensure the need for new water services infrastructure is understood and planned for.</p> <p>All new housing or commercial development will need to incorporate suitable arrangements for the disposal of foul water into a sewerage system, at the nearest point of adequate capacity, in consultation with the service provider.</p> <p>Development should minimise water use as far as practicable by incorporating appropriate water efficiency and water recycling measures. In new homes, the City Council will seek a required level of 110 litres maximum daily allowable usage per person in accordance Regulation 36(2)(b) of the Building Regulations 2010 (as amended).</p>	<p>See 4.52 of my Evidence as well as the evidence of Mr Whittingham, and Ms Mansfield. The proposals align to policy in that they propose suitable arrangements for the disposal of foul water into the mains sewerage system, at the nearest point and the Water Authority have confirmed that they can ensure through their statutory duties adequate capacity, phased to the occupation of the development. The delivery of the development aligns to the potential need for waste water reinforcements advised by the Water Authority. A suitable condition is included in the list of conditions in this regard. The proposals accord with this policy.</p>
DBE1 Sustainable Design and Construction	<p>All development should respond to the objectives of sustainable development and reflect the need to safeguard and improve the quality of life for residents, conserve resources such as energy, reduce/minimise waste and protect and enhance the environment.</p> <p>The City Council will require development schemes to incorporate sustainable design and construction measures, to show how they respond to the objectives of sustainable development.</p> <p>Sustainability statements will be required for all applications for major developments and for the strategic housing sites identified in Policy SP3. They should demonstrate how the proposal has responded to the objectives of sustainable development and had regard to the measures outlined in table D1. Energy statements should be submitted for all strategic development sites. Non-residential developments should meet a 'very good' BREEAM rating and provide evidence as to</p>	<p>A condition requires the submission of an Energy Strategy for the development. It is expected that all dwellings will be climate resilient and incorporate energy efficiency measures, modern standards of insulation and other measures designed to minimise the use of natural resources and greenhouses gas emissions through the latest Building Regulations and potential</p>

	<p>why an 'excellent' rating cannot be achieved.</p> <p>Development proposals should also show how measures outlined in any sustainable design guidance or SPD adopted by the City Council have been considered.</p> <p>New developments will also need to be resilient to climate change. Appropriate climate change adaptation measures, include flood resilient measures, solar shading and drought resistant planting, limiting water runoff, reducing water consumption and reducing air pollution.</p> <p><i>As defined in Article 2 of the Town and Country Planning(Development Management Procedure) (England) Order 2015(no.595) or any later amendment.</i></p>	<p>Future Homes Standard. The condition is proposed to ensure the proposals provide for a sustainable approach to energy.</p>
<p>DBE3 Principles of design</p>	<p>The distinctive character, diversity and quality of the Canterbury District will be promoted, protected and enhanced through high quality, sustainable inclusive design, which reinforces and positively contributes to its local context creating attractive, inspiring and safe places. Proposals for the development, which are of a high quality design, will be granted planning permission having regard to other plan policies and the following considerations:</p> <ul style="list-style-type: none"> a. The character, setting and context of the site and the way the development is integrated into the landscape; b. The conservation, integration, extension, connection and management of existing natural and historic features including trees, hedgerows, pathways and boundaries to strengthen local distinctiveness, character, habitats and biodiversity; c. The visual impact including the impact on local townscape character and landscape and the skyline; d. High quality design solutions appropriate to the site; e. The form and density of the development including: the efficient use of land, layout, landscape, density and mix, building heights, scale, massing, materials, finishing and architectural details including proposed lighting schemes; f. The provision of visually interesting frontages at street level; 	<p>The proposed development, as can be so considered at this outline stage, is of a high design quality and therefore accords with the policy. The proposals integrate and reinforce local distinctiveness and provide for a positive relationship to the setting of the village. The proposed development has been assessed within the Design and Access Statement in the context of this policy to ensure that the proposals can provide for a high quality development noting that some of the aspects of the policy will be appropriately addressed at the Reserved Matters stage.</p>

	<p>g. The privacy and amenity of neighbouring buildings and future occupiers (including overshadowing, outlook and light);</p> <p>h. The provision of appropriate hard and soft landscaping;</p> <p>i. The impact of polluting elements, such as noise, dust, odour, light, vibration and air pollution from the development or neighbouring uses;</p> <p>j. The provision of appropriate amenity and open space;</p> <p>k. The safe movement of pedestrians, cyclists and cars within and around the proposed development;</p> <p>l. The Accessibility of buildings and places should meet the highest standards of access and inclusion;</p> <p>m. Parking arrangements having regard to the latest adopted vehicle parking standards;</p> <p>n. That the proposed development does not have a detrimental effect on the highway network in terms of congestion, road safety and air quality; and</p> <p>o. The compatibility of the proposed development with other adjacent uses.</p>	
DBE4 Residential Space Standards	<p>All new housing proposals should have an acceptable standard of accommodation in terms of internal layout, room sizes and amenity space. Residential accommodation should have regard to the minimum space standards set out in the Department for Communities and Local Government’s Technical housing standards – nationally described space standard. In addition developments should provide:</p> <p>a. Storage space and space for refuse and recycling</p> <p>b. Facilities for covered cycle parking</p> <p>c. Outdoor space for private and/or communal use</p>	<p>The proposals are in outline and the requirements of this policy can be fully met at the Reserved Matters stage.</p>
DBE5 Inclusive Design	<p>The City Council will require developments to meet the highest standards of accessibility and inclusion. Developers should ensure that developments:</p> <p>a. Can be used and accessed safely and easily by all;</p>	<p>A planning condition is suggested and included in the list to ensure the mix of dwellings at the Reserved Matters stage includes a</p>

	<ul style="list-style-type: none"> b. Are convenient, welcoming and enjoyable to use independently without special treatment; c. Are flexible and responsive so that people can use them in different ways; d. Are realistic and recognise that one solution may not work for all. e. Can be adapted to the changing needs of users and environmental conditions. <p>The City Council will expect 20% of homes on major developments and strategic sites to meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended).</p>	minimum of 20% of the proposed dwellings as M4(2) standard.
DBE7 Public Realm	<p>In order to achieve high quality design of the public realm, development proposals will be expected to:</p> <ul style="list-style-type: none"> a. Reinforce or enhance the established character of the area; b. Integrate with existing path, circulation networks and patterns of activity and permeability; c. Integrate with the existing landscape setting; d. Respond to contextual features and be locally distinctive; e. Contribute to a safe and secure environment; f. Be accessible and usable to people with varying mobility requirements; g. Create attractive, manageable, well functioning spaces within the site. 	This is a detailed matter of layout which can be addressed at the Reserved Matters stage, noting the anticipated quality of the proposed development set out in the Design and Access Statement.
DBE8 Public Open Space	<p>In order to ensure that functional, visually successful public open space is created with a strong sense of place as part of new development, the City Council will expect developments to incorporate the following:-</p> <ul style="list-style-type: none"> a. The retention and incorporation of public rights of way and the creation of a connected open space and pedestrian/cyclist circulation system related, where appropriate, to a landscape framework having regard to safety and security; b. The maximising of opportunities for all areas of the public realm to be subject to natural surveillance; 	Each dwelling will benefit from access to high-quality internal and external amenity space. Significant public open space, including a dedicated children's play area, is also proposed as part of the proposals.

	<p>c. The incorporation of landscape design to the frontage of development sites, particularly where they border principal roads;</p> <p>d. In order to improve the physical environment of the public realm the City Council will expect the promotion of public art, subject to appropriate consultative and planning considerations. Where new development changes or creates new public places, the City Council will encourage the provision of public art to be included as part of the proposal.</p> <p>e. Create opportunities for wildlife habitats and corridors where appropriate. (i) Demonstrate how the management and maintenance of public open space will be continued long term.</p>	<p>The proposals accord with this policy in their provision for green space and play space within the proposed development. Whilst in outline the proposals provide for a clear understanding of the expected development parameters which include extensive green infrastructure as well as open green space which will provide for children’s play. Off site provision is being made via the planning obligation to support provision of more formal sport pitch facilities.</p> <p>Management arrangements are included in the s106.</p>
<p>DBE9 Outdoor Lighting</p>	<p>Proposals for new outdoor lighting or new developments which include outdoor lighting will only be permitted where it can be demonstrated that:</p> <p>a. It has been designed to minimise light glare, light trespass, light spillage and sky glare through using the best available technology to minimise light pollution and conserve energy.</p> <p>b. It does not adversely impact residential amenity;</p> <p>c. It does not adversely affect sites of nature conservation interest and/or protected and other vulnerable species and heritage assets;</p> <p>d. It does not adversely impact on protected landscapes or those areas where darks skies are an important part of the nocturnal landscape;</p> <p>e. The lighting levels do not exceed the levels recommended by the ILE in the relevant environmental zone as set out in Appendix 5;</p>	<p>A lighting condition is included in the list of conditions and the details to be submitted can ensure the proposals comply with this policy. The lighting strategy will be aligned to the protection of bats.</p>

	<p>f. It does not have an adverse impact on long distance views or from vantage points.</p> <p>In addition the City Council will expect proposals to demonstrate that they have had regard to the checklist set out in paragraph 8.95. For large developments involving outdoor lighting or those developments in or adjacent to sensitive locations, the City Council may require a Lighting Strategy to be submitted.</p>	
<p>HE1 Historic Environment and Heritage Assets</p>	<p>The City Council will support proposals which protect, conserve and enhance the historic environment and the contribution it makes to local distinctiveness and sense of place. Proposals that make sensitive use of historic assets through regeneration and reuse, particularly where these bring redundant or under-used buildings and areas into an appropriate use, will be encouraged.</p> <p>Development must conserve and enhance, or reveal, the significance of heritage assets and their settings. Development will not be permitted where it is likely to cause substantial harm to the significance of heritage assets or their setting unless it is necessary to achieve substantial public benefit that would outweigh the harm or loss, or all of the following apply:</p> <ul style="list-style-type: none"> • the nature of the heritage asset prevents all reasonable uses of the site; and, • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and, • conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and, • the harm or loss is outweighed by the benefit of bringing the site back into use. <p>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.</p> <p>Any development affecting directly, or the setting of, a listed or locally listed building, Conservation Area, Scheduled Monument, registered park or garden, historic landscape, or archaeological site will be required to submit a Heritage Statement with any Planning Application. The statement will need to outline and provide evidence as to the significance of the heritage asset including its setting, the likely impact of the development upon it and be proportional to the importance of the said heritage asset.</p>	<p>The Application was accompanied by a Heritage Statement. This provides information regarding the significance of the historic environment and archaeological resource of the Site, and any harm to the historic environment that could arise as a result of the proposed development (including impacts to significance resulting from changes to setting).</p> <p>There are no direct impacts or harms on heritage assets resulting from the development. A low level of harm is identified to designated and non-designated assets. It is considered that the public benefits that would accrue from the proposed development clearly outweigh any harm to the setting of designated heritage assets.</p>

	<p>Should permission be granted for the removal of part or all of a heritage asset the City Council will not permit the removal or demolition of the heritage asset until it is proven that the approved replacement development will proceed.</p>	
<p>HE4 Listed Buildings</p>	<p>Alterations and extensions to listed buildings and development affecting the setting of listed buildings and locally listed buildings should preserve and enhance their character and appearance and the special features for which they are designated. These features can include curtilage buildings, structures, spaces and the landscape setting that are integral to their character and important views within, of, into and out of the area or site.</p> <p>Development that would have an adverse impact on their special historic or architectural interest, or their setting, will not normally be permitted.</p> <p>The re-use of listed buildings, including locally listed buildings, will be encouraged where that use (the optimum viable use) is demonstrated to be compatible with the character, appearance, fabric, interior and setting of the building.</p> <p>Listed buildings including those on the local list should be retained wherever possible. Substantial harm to or demolition of listed buildings, including curtilage listed buildings and locally listed buildings will only be permitted in exceptional circumstances. Where an application will lead to substantial harm or total loss of significance to the heritage asset, consent will be refused unless it can be demonstrated that:</p> <ul style="list-style-type: none"> • The substantial or loss of significance is necessary to deliver substantial public benefits that outweigh the harm; or • The nature of the heritage asset prevents all reasonable uses of the site; and No viable use can be found in the medium term; and • Conservation through grant funding is not possible; and • The harm to or loss of the asset is outweighed by the public benefits of bringing the site back into use. <p>Applications for new works to listed buildings will be carefully assessed. Extensions will be required to be of an appropriate scale and design and in materials that retain the special interest of the original building. The character and significance of the building should not be diminished by over-restoration. Existing architectural or historic features including internal features should be</p>	<p>Again, as above, the Application iwa accompanied by a Heritage Statement. This provides information regarding the significance of the historic environment and archaeological resource of the Site, and any harm to the historic environment that could arise as a result of the proposed development (including impacts to significance resulting from changes to setting).</p> <p>There are no direct impacts or harms on heritage assets resulting from the development. A low level of harm is identified to designated and non-designated assets. It is considered that the public benefits that would accrue from the proposed development clearly outweigh any harm to the setting of designated heritage assets.</p>

	retained as they are important to the character of the building.	
HE6 Conservation Areas	<p>Development within a conservation area should preserve or enhance its special architectural or historic character or appearance.</p> <p>Development, in or adjoining a conservation area, which would enhance its character, appearance, or setting will normally be permitted. Important features or characteristics, which contribute to its special character and setting, that need to be protected, include; plan form, buildings, architectural features, built form, archaeological sites, materials, trees, streets and spaces and the relationships between these features.</p> <p>New development in a conservation area should aim to preserve and enhance the character and local distinctiveness of the historic environment and respect its surroundings in terms of height, massing, volume, scale, form, materials, details, roofscape, plot width and the design of any new pedestrian, cycle or vehicular access.</p> <p>Development within, affecting the setting of, or views into and out of, a conservation area, as shown on the Proposals Map and all Insets, should preserve or enhance all features that contribute positively to the area’s character, appearance or setting. Particular consideration will be given to the following:</p> <ol style="list-style-type: none"> a. The retention of buildings, groups of buildings, existing street patterns, historic building lines and ground surfaces; b. Retention of architectural details that contribute to the character or appearance of the area; c. The impact of the proposal on the townscape, roofscape, skyline, landscape and the relative scale and importance of buildings in the area; d. The need to protect trees and landscape; e. The removal of unsightly and negative features; and f. The need for the development. 	<p>The Littlebourne Conservation Area borders the northern extent of the site. The proposed parameters for the development also see the proposed development set back from the edge of the Conservation Area beyond the hedgerow and open space, but will curtail views to agricultural land, and views back to the edge of the Conservation Area. The Heritage Statement concludes that the proposed development is anticipated to result in less than substantial harm at the lower end of the spectrum to the Littlebourne Conservation Area, via a change in setting. It is considered that the public benefits that would accrue from the proposed development outweigh any harm to the setting of conservation area.</p>
HE11 Archaeology	<p>The archaeological and historic integrity of designated heritage assets such as Scheduled Monuments and other important archaeological sites, together with their settings, will be protected and, where possible, enhanced. Development which would adversely affect them will not be permitted.</p>	<p>The Heritage Statement also considers archaeology. Due to the scarcity of finds recorded within the study area of earlier prehistoric date, the</p>

	<p>Planning applications, on sites where there is or is the potential for an archaeological heritage asset, must include an appropriate desk based assessment of the asset.</p> <p>In addition where important or potentially significant archaeological heritage assets may exist, developers will be required to arrange for field evaluations to be carried out in advance of the determination of planning applications. The evaluation should define:</p> <ul style="list-style-type: none"> a. The character, importance and condition of any archaeological deposits or structures within the application site; b. The likely impact of the proposed development on these features (including the limits to the depth to which groundworks can go on the site); and c. The means of mitigating the effect of the proposed development including: a statement setting out the impact of the development. <p>Where the case for development affecting a heritage asset of archaeological interest is accepted, the archaeological remains should be preserved in situ.</p> <p>Where preservation in situ is not possible or justified, appropriate provision for preservation by record may be an acceptable alternative. In such cases archaeological recording works must be undertaken in accordance with a specification prepared by the Council's Archaeological Officer or a competent archaeological organisation that has been agreed by the Council in advance.</p>	<p>archaeological potential of the site for activity of this date is considered to be low. A condition is nevertheless suggested to address archaeology potential.</p>
<p>LB5 Sites of International Conservation Importance</p>	<p>Sites of international nature conservation importance must receive the highest levels of protection. No development will be permitted which may have an adverse effect on the integrity of an SAC, SPA or Ramsar site, alone or in combination with other plans or projects, as it would not be in accordance with the Habitat Regulations 2010 (as amended) and the aims and objectives of this Local Plan. Where a plan or project's effects on a SAC, SPA or Ramsar site, alone or in combination, cannot be screened out during Habitat Regulations Assessment as not likely to be significant, an Appropriate Assessment in line with the Habitats Regulations 2010 (as amended) will be required.</p> <p>Any development (plan or project) considered likely to have a significant effect on a SAC, SPA or Ramsar site will need early consultation with Canterbury City Council and any other appropriate Statutory Consultee or authority as to the likely impacts and to identify appropriate mitigation as necessary. Where mitigation measures are agreed by the City Council, the development will be</p>	<p>Natural England confirmed that the Site no longer falls within the Stodmarsh SPA/SAC/Ramsar site catchment following changes to catchment boundaries, a matter which would have raised implications for nutrient neutrality.</p>

	<p>required to fund and/or implement such mitigation measures. Any residual impacts may still require in-combination assessment.</p> <p>In the event that the City Council is unable to conclude that there will be no adverse effect on the integrity of any internationally designated site, the plan, or project will be refused unless the tests of no alternative sites and the imperative reasons of overriding public interest in accordance with Regulation 62 of the Habitats Regulations 2010 (as amended) are proven.</p>	
LB6 Sites of Special Scientific Interest	<p>Planning permission will not normally be granted for development which would materially harm the scientific or nature conservation interest, either directly, indirectly or cumulatively, of sites designated as a Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR) and Marine Conservation Zones (MCZ) for their nature conservation, geological, or geomorphological value. Support will be given for enhancement.</p> <p>Development that affects a Site of Special Scientific Interest or associated National Nature Reserve will only be permitted where an appraisal prepared by an appropriate specialist has demonstrated that:</p> <ol style="list-style-type: none"> The objectives and features of the designated area and overall integrity of the area would not be compromised, or Any adverse effects on the qualities for which the area has been designated which cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, are clearly outweighed by social or economic benefits of national importance and a compensatory site of at least equal value is proposed. <p>Enhancement measures are required to accompany any development proposal in order to ensure ongoing benefits for biodiversity.</p>	<p>See evidence of Ms Mansfield. The evidence confirms that the appeal site is not designated as a statutory or non-statutory designated site for nature conservation. Development of the Appeal Site would not result in an adverse impact on any protected habitats, including European Sites, Sites of Special Scientific Interest (SSSIs), LWSs and priority habitats and would align with relevant biodiversity protection policies.</p> <p>Matters relating to ecology are fully set out within the application submission documents and have raised no objections from statutory consultees.</p>
LB7 Locally Designated Sites	<p>Development or land-use changes likely to have an adverse effect, either directly or indirectly, on:</p> <ol style="list-style-type: none"> Local Wildlife Sites; Local Nature Reserves; or Regionally Important Geological / Geomorphological Sites <p>will be permitted if the justification for the proposals clearly outweighs any harm to the intrinsic</p>	See above.

	nature conservation and/or scientific value of the site. Where development is permitted on such sites, careful site design should be used to avoid any negative impact. Where negative impact is unavoidable, measures should be taken to ensure that the impacts of the development on valued natural features and wildlife have been mitigated to their fullest practical extent. Where mitigation alone is not sufficient, adequate compensatory habitat enhancement or creation schemes will be required. Any application affecting locally important sites will be expected to demonstrate enhancement measures to benefit biodiversity.	
LB8 Landscape Scale Biodiversity Networks	<p>New development will need to show how it will:</p> <ol style="list-style-type: none"> a. avoid the fragmentation of existing habitats and support the creation of coherent ecological networks through both urban and rural areas; and b. retain, protect and enhance notable ecological features of conservation value such as ancient woodland, neutral grassland, hedgerows, trees, wetlands, river corridors and other water bodies, and habitats that offer breeding or feeding sites of local importance to populations of protected or targeted species. Lighting that has been sensitively designed to minimise disturbance to protected species and their food sources (e.g. low level, directed, warm, tinted lighting) will be permitted. c. protect opportunities for improving connectivity of habitats in strategically important Biodiversity Opportunity Areas. <p>Strategic opportunities for biodiversity improvement will be actively pursued within the Biodiversity Opportunity Areas.</p>	See above.
LB9 Protection, Mitigation, Enhancement and Increased Connectivity for Species and Habitats of Principal Importance	<p>All development should avoid a net loss of biodiversity/nature conservation value and actively pursue opportunities to achieve a net gain, particularly where:</p> <ol style="list-style-type: none"> 1. There are wildlife habitats/species identified as Species or Habitats of Principal Importance; 2. There are habitats/species that are protected under wildlife legislation; 3. The site forms a link between or buffer to designated wildlife sites. <p>This will be secured by:</p> <ol style="list-style-type: none"> a. Ensuring that a development site evaluation is undertaken to establish the nature conservation value of the proposed development site. Developers will be expected to carry out appropriate 	See above. The proposals raise no conflict with this policy in that the development seeks to enhance biodiversity and conserve on site biodiversity features. The development also provides opportunities for biodiversity enhancements and whilst not subject to the new statutory requirement for 10% biodiversity net gain, the calculations at this

	<p>ecological survey/s and present outline proposals for mitigation and enhancement prior to the determination of a planning application. Planning permission will be granted where the City Council is satisfied that the avoidance and mitigation measures proposed can give an effective means to conserve, enhance the habitat or species and represent an appropriate response to the habitat or species interest of the site. Where on-site mitigation is not possible, as a last resort, compensatory habitat enhancement, creation schemes or other measures will be required to ensure that the impacts of the development on valued natural features and wildlife have been offset to their fullest practical extent.</p> <p>In some cases, where wildlife impacts are significant, it may be necessary to find an alternative location for the development. If a suitable location cannot be found the application may be refused. For European protected species, planning permission will only be granted where the three tests set out in the Habitats Regulations 2010 (as amended) are satisfied.</p> <p>b. Delivering positive opportunities for habitat restoration and creation through the development process: identifying, safeguarding and managing existing and potential land (or landscape features of major importance for wild flora and fauna) for nature conservation as part of development proposals, particularly where a connected series of sites can be achieved.</p> <p>Development which may harm (either directly or indirectly) Habitats or Species of Principal Importance will be permitted if:</p> <ul style="list-style-type: none"> • There are no reasonable alternatives and there are clear demonstrable social or economic benefits of the development which clearly outweigh the need to safeguard the site or species; and • Adequate mitigation, compensation and enhancement measures are scheduled in advance of development, when damage to biodiversity interests are unavoidable. • Over the long term the mitigation area is secured, to ensure that the site is protected against future development. • The management of the habitats and funding for its implementation are provided by the applicant to ensure the habitats or populations of species are conserved and enhanced in the long term. <p>The full implementation of the mitigation measures must be secured as part of any planning permission.</p>	<p>outline stage, calculate the potential to achieve in excess of 20% biodiversity gain. A condition is imposed to ensure the protection, maintenance and enhancement of the biodiversity value of the site.</p>
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<p>LB10 Trees, Hedgerows and Woodland</p>	<p>Development should be designed to retain trees, hedgerows and woodland that make an important contribution to the amenity of the site and the surrounding area and which are important to wild flora and fauna. New development should incorporate trees in areas of appropriate landscape character, to help restore and enhance degraded landscapes, screen noise and pollution, provide recreational opportunities, help mitigate climate change and contribute to floodplain management. The value and character of woodland and hedgerow networks should be maintained and enhanced, particularly where this would improve the landscape, biodiversity or link existing woodland habitats. This will be achieved by:</p> <ol style="list-style-type: none"> a. Incorporating tree planting as an integral element of landscaping schemes where this is in keeping with the landscape character of the area; b. Protecting ancient woodland, ancient trees and ‘important’ hedgerows from damaging development and land uses; c. Promoting the retention and effective management, and where appropriate, extension and creation of new woodland areas and hedgerows; d. Promoting and encouraging the economic use of woodlands and wood resources, including wood fuel as a renewable energy source; e. Promoting the growth and procurement of sustainable timber products; and f. Promoting the retention, enhancement and extension of existing hedges. <p>The City Council will refuse planning permission for proposals that would threaten the future retention of trees, hedgerows, woodland or other landscape features of importance to the site’s character, an area’s amenity or the movement of wildlife, unless:</p> <ul style="list-style-type: none"> • The need for, and benefits of, the development in that location clearly out-weigh the loss; and, • Adequate mitigation and compensation measures can be agreed with the City Council and are fully implemented by the developer. 	<p>The proposals at this outline stage have been landscape led. A landscape and visual assessment informed the development, and the development parameters and framework for the development seeks to retain existing trees and hedgerows unless where essential for example for the site accesses. Conditions are imposed to protect trees and hedgerows through the construction phase and conditions also provide for tree protection for the retained trees. Extensive new tree and general landscape planting is envisaged as part of the reserved matters.</p>
<p>LB13 River Corridors</p>	<p>Development shall show how the environment within river corridors and river catchments, including the landscape, water environment and wildlife habitats, will be conserved and enhanced.</p> <p>Supply of water, treatment and disposal of waste water and flood risk management should be shown to be sustainable and deliver environmental benefits, within the water environment.</p>	<p>See comments in respect of Policies CC11, CC12 and CC13. The proposals positively set out principles for managing and providing benefits to water quality.</p>

<p>OS11 Outdoor Space Provision</p>	<p>New housing development shall make provision for appropriate outdoor space, including semi-natural areas, strategic urban parks and green corridors, amenity greenspace, children’s play areas, open space for sport, allotments or community gardens proportionate to the likely number of people who will live there.</p> <p>Where the development does not allow for the provision of such open space on site, developers will be expected to make financial contribution towards the provision of new, or improvement of open space or recreational facilities elsewhere in the locality, through entering into a legal agreement or another suitable mechanism.</p>	<p>Each dwelling will benefit from access to high-quality internal and external amenity space. Significant public open space, including a dedicated children’s play area, is also proposed as part of the proposals. The proposed development meets or exceeds the local standards for many different types of open space on the Site.</p> <p>No provision is made for outdoor sports pitch space, but offsite provision is made through an offsite financial contribution for any provision not made on site. The provision of and maintenance arrangements for the onsite open space, along with offsite open space contributions, is secured through a Section 106 Legal Agreement.</p> <p>The proposals accord with this policy in their provision for green space and play space within the proposed development. Whilst in outline the proposals provide for a clear understanding of the expected development parameters which include extensive green infrastructure as well as open green space which will provide for children’s play. Off site provision is being made via</p>
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		the planning obligation to support provision in the wider area for more formal facilities
OS12 Green Infrastructure	<p>Proposals for new development should ensure that:</p> <ul style="list-style-type: none"> a. Green infrastructure is planned, designed and managed to conserve and enhance the distinctive character and special qualities of, rural and urban landscapes, and the identity of settlements. Where feasible as part of all new developments and proposals, developers will need to establish and extend green space networks as corridors for movement by foot and cycle, as havens for wildlife and natural habitats and for leisure, amenity and recreational use. Where practicable green linkages should be encouraged from within existing settlements to the open countryside. b. Existing open space is conserved and enhanced as part of these networks, which where possible, should extend through major new development sites and connect directly with community facilities, employment areas and transport hubs in order to deliver sustainable development and support the health and well-being of residents. 	The submitted DFP and Masterplan (contained in the DAS) shows how the Site could be developed in a way that would respect and enhance its context, while responding to Site constraints and opportunities. It shows how the proposed dwellings will be set within a comprehensive green infrastructure framework. This will contribute to the creation of an attractive environment, with existing landscape features retained and enhanced as far as possible. New structural landscaping, incorporating green open space and SuDS, will also be created on the Site. This will provide opportunities for recreation and biodiversity enhancements, as well as create a more gentle and managed transition to the open countryside beyond. The proposed development accords with Policy.
QL5 Local Community Services	<p>Provision shall be made to accommodate local community services within new residential development and mixed use developments.</p> <p>New community services should be located where they are accessible by walking or cycling and by public transport from the area they serve. Whenever practical they should be located within</p>	The proposals also include for a local shopping/community facility floorspace. This aligns to its draft allocation in the emerging Local Plan and could be used for

	<p>urban or local centre areas.</p> <p>The required funding for the community services and facilities shall normally be identified and agreed prior to grant of planning permission for residential and mixed use developments.</p>	<p>purposes such as a local shop, cafe, library, place of worship, meeting hall or for any other recreational or educational purposes. It would have a maximum floorspace of 400sqm. The Officers report (paragraph 28) (CD 5.01) confirms that the hub would provide an on-site, walkable facility for future residents and the existing residents of Littlebourne. The proposals are of a local scale and proportionate when taken in the context of the proposal as a whole. They would contribute towards the delivery of a walkable neighbourhood and would contribute towards the sustainability of the development. The s106 includes for specific commitments in respect of the delivery of this community facility and its phasing as part of the overall development.</p>
<p>QL8 Health and Social Care Facilities</p>	<p>The City Council will seek to improve facilities and ensure that adequate provision is made for health and social care facilities arising from the impact of new development, and that appropriate mechanisms are secured through legal agreements to deliver these facilities.</p>	<p>The development is subject to a s106 and will also make a significant contribution to the Council's Community Infrastructure Levy. The Council's Infrastructure List which sets out items of infrastructure which will be delivered through CIL includes health infrastructure.</p>

QL11 Air Quality	Development that could directly or indirectly result in material additional air pollutants and worsening levels of air quality within the area surrounding the development site or impact on the existing Air Quality Management Area will not be permitted unless acceptable measures to offset or mitigate any potential impacts have been agreed as part of the proposal. An air quality assessment will be required if the proposal is likely to have a significant effect taking account of the cumulative effects on individual sites.	The application included an Air Quality Assessment. The Officers report to planning committee confirmed that their Air Quality Officers were satisfied with the methodology and findings.
QL12 Potentially Polluting Development	When granting planning permission for development which could potentially result in pollution, the City Council will impose conditions or seek agreements to ensure subsequent mitigation measures are undertaken.	These are matters which will be readily addressed at the reserved matters stage and through conditions imposed on any permission such that the proposals therefore raised no conflict with this policy.

APPENDIX 2 – Summary Response to Third Party Comments

Appendix 2 – Response to Third Party Comments

Summary of Representation Comments (as generally taken from Report to Planning Committee, except where duplicated)	Response
Housing Provision	
<ul style="list-style-type: none"> • Littlebourne doesn't need anymore housing • Housebuilding targets have been scrapped • Proposals do not incorporate enough truly affordable housing • Proposals do not form part of current Local Plan and are outside of the settlement • Impact of the proposals on the community character of Littlebourne • Alternative brownfield land should be used • Previous application on site refused • Too many houses proposed • Draft Local Plan at this stage carries negligible weight/proposals not in accordance with draft allocation • Lies outside the existing settlement boundary • Land has not been designated as building land • Prematurity to Local Plan review / Current Local Plan only relevant document as draft is at consultation stage 	<ul style="list-style-type: none"> • The need for housing is explained in great detail within my evidence. The needs are considerable • Housebuilding targets have not been scrapped indeed there is evidence of greater Local Housing Need and a requirement in planning for needs to be met in full • The proposals provide fully for affordable housing to full policy requirements and to meet precisely the evidence of affordable housing need from the Council • It is correct that these proposals are not in the current Local Plan however housing needs set out within the current Local Plan are not being met by its provisions and there is a significant shortfall in delivery and supply of land for housing • The proposals are not an alternative brownfield land but where brownfield land is available, then there is strong policy support to continue to deliver development on brownfield sites – in reality there is insufficient brownfield land to deliver all the housing needed on such land, hence why the current and emerging plan has significant development on greenfield sites • Whilst a previous application on the site was refused, each application is to be determined on its own merits and in light of particularly housing needs and circumstances at the time of its determination. Housing needs have only increased since the previous

	<p>application, delivery and supply is deficient</p> <ul style="list-style-type: none"> • The scale of housing need is significant • The draft Local Plan does carry limited weight at this stage, but the factual evidence supporting the site's allocation in the emerging Plan does remain of some relevance. It is also the case that it is the council who are advocating the site's allocation in their plan, so the proposals are aligned to the direction the council themselves are taking their own local plan • There is no defined settlement boundary for Littlebourne in the Local Plan • The land has indeed not been designated as building land, but there is insufficient building land available if the council are to meet local needs and address the housing land supply shortage • A proposal at this scale in not prematurity to Local Plan review / Current Local Plan only relevant document as draft is at consultation stage. There is urgency to address the significant housing land supply deficit
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Character/Landscape/Countryside

<ul style="list-style-type: none"> • Proposals are on greenbelt land • Loss of agricultural land/result in loss of top grade farmland / Loss of Grade 1 farmland • Adverse visual impact on rural character of area/excessive urbanisation/impact on landscape beauty/impact on views of landscape/Impact on landscape character • The proposals would result in an increase in the size of the village • Proposal is of too large in scale and too dense 	<ul style="list-style-type: none"> • The proposals are not on Green Belt land • The proposals are not on Grade 1 best and most versatile land. Most of the land is not BMV and where 42% of the land is BMV it is at the lowest end of the BMV scale. The loss of this land is allowed for in policy where there is a need, which there is here, and this is also a matter weighed in the planning balance • The proposals will result inevitably on some visual impact on rural character /
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<ul style="list-style-type: none"> Proposals here wouldn't conserve the landscape character Loss of open space Development is out of proportion with the village/would damage rural setting 	<p>views of landscape/Impact on landscape character but these have been fully assessed – see the evidence of Mr Jackson – they are weighed in the planning balance noting landscape and visual mitigations included in the proposals</p> <ul style="list-style-type: none"> The proposals will of course increase in the size of the village however the site is well related to the village, and is sustainably located to accommodate this level of growth without undue harm. The core character of the village in the conservation area will be maintained, and the development will be delivered over a number of years allowing residents time to assimilate into the local community and social network The proposals adopt a suitable density, making good use of the land as a limited resource, responding to the local character and density, whilst also including extensive areas of retained and enhanced green infrastructure The proposals will have some impacts on landscape character but these have been fully assessed and these impacts are considered in the planning balance The proposals do not result in the loss of any designated open space The development is in relative proportion with the village, sits well with its development form and a wider suitable setting to the village is proposed through the surrounding green infrastructure set out on the Framework Plan
Design	
<ul style="list-style-type: none"> Outline proposals result in lack of detail to enable assessment 	<ul style="list-style-type: none"> Outline proposals are not untypical and further consultation will allow for comment on the detailed design and

<ul style="list-style-type: none"> • Proposals don't reflect current village layout • Introduction of services and 300 houses will add a village to a village • Adverse impact on quality of life of existing residents • Impact on private view • Lack of detail around community hub • Cumulative impact of unimaginative estates having harmful impact on district • Proposals would change rural character of the settlement and see a large proportion increase/urban intrusion due to lighting 	<p>layout of the development at the Reserved Matters stage</p> <ul style="list-style-type: none"> • The proposals have been designed at the outline stage to have regard to the village layout with the Design and Access Statement setting a detailed evaluation of the village context • The development will add to the village and some change is inevitable, but the proposals, well designed, have the full potential to positively contribute to the village and its character • There is no evidence to suggest that the proposals will affect the quality of life of existing residents, more much of the green infrastructure and local facilities, as well as local improvements will be available to existing and new residents alike • The impact on private views is not a planning matter but in any event the proposals have sought to minimise visual impacts in the parameters for the development design on the submitted plans • Commitments around the community hub are set out in the s106 including its size and delivery. It will inevitable require community engagement with this future space and it is flexible enough to respond to local community needs going forward • There is nothing in the proposals which suggest the development will result in 'unimaginative estates' – more the Design and Access Statement together with the parameter plans set out proposals that through detailed Reserved Matters have every potential to deliver a high quality development which will contribute positively to the village and be a place where people in housing need will want to live
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	<ul style="list-style-type: none"> • Their will be some change to the character of the settlement and some impacts with lighting however the approach to lighting is covered by planning condition and will be sensitive particularly with regards to ecology and bats
Infrastructure/Services Provision	
<ul style="list-style-type: none"> • The road system, sewage, drainage, school, doctors are already overloaded/insufficient capacity in existing infrastructure to meet needs of development • Introduction of a shop here would undermine existing shop in village • Littlebourne already at capacity • Lack of services within the village to meet the needs of future residents • Lack of capacity in local services • As a proportion of village will result in population explosion • Current services and facilities, as well as /absence of capacity in schools and doctors 	<ul style="list-style-type: none"> • See s106 and submissions in respect of CIL. It is not uncommon for developments to have some impacts on local infrastructure and arrangements are put in place typically through conditions, obligations and requirements for the development to ensure sufficient capacity in existing infrastructure to meet needs of development as is the case here • There is no evidence that the proposed small scale shop here would undermine existing shop in village, more would be complimentary and support the additional population resultant from the development. The shop would progress is viable to do so • The development will proceed on with arrangements in place to ensure that Littlebourne will have the capacity to support the development where that capacity doesn't current exist • Littlebourne contains are range of services within the village to meet the needs of future residents and is accessible to services further afield • Based on the approach above, there should be capacity in local services • The development will not result in the described 'population explosion', noting that the development will take a number of years to be completed allowing time for new residents to assimilate with the local community

	<p>and additional capacity and service infrastructure to be delivered in time with the occupation of the development</p> <ul style="list-style-type: none"> • Capacity in schools and health facilities are specific matters addressed in the Council's Community Infrastructure Levy and funds are being directed to the Council in this regard
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Highway and Transportation	
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<ul style="list-style-type: none"> • Proposed accesses into and out of site are unsuitable (including associated pedestrian infrastructure at the junctions) • Lack of adequate pedestrian routes around site and in village/uncontrolled crossing from site will add danger • Lack of public transport to support development • Public transport unable to cope • Proposals for new through route would not reduce traffic at the Nargate Street/Bekesbourne Way junction • Lack of space on road network to improve pedestrian connectivity • Lack of safe pedestrian/cycle route to Bekesbourne Train Station • Proposals will adversely impact road network through traffic and impact on junctions/potential increase in accidents/impacts on highways safety • Proposals will result in occupants relying on private car – contrary to Canterbury's net zero aspirations • Relief road would have adverse impact on air quality for residents of the development • People walking along the already dangerous Bekesbourne Lane will be put at risk by proposals • Increased traffic volume and congestion along the A257 	<ul style="list-style-type: none"> • Proposed accesses into and out of site are reserved for future consideration but there are illustrative designs which accord with standards • Proposals will provide for pedestrian routes and a suitable crossing to The Hill • Public transport is entirely suitable to support development • There is no evidence to suggest that the public transport would be unable to cope, more there will be benefits to supporting local public transport services with additional patronage • The proposals for a through route are seen by the Highway Authority and the Council as beneficial • Pedestrian connectivity improvements will be designed to standards at a later design stage • The proposals include for accessibility improvements to and for Bekesbourne Train Station • Traffic impacts on the road network including assessing affected junctions/accidents data are fully assessed in the Transport Assessment • The proposals provide for access to the site by sustainable means and therefore are not relying on the private car – the proposals include for a Travel Plan to promote non car access and
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<ul style="list-style-type: none"> • Impact on safety of pedestrians and increased accident risk along the A257 • Lack of adequate provision for cycling/safety implications for pedestrians crossing uncontrolled crossing on The Hill • Impact on traffic and local services • Lack of cycle infrastructure in the village • Proposals are car dependent • Road infrastructure not suitable for this volume of traffic • Lack of cycle lane on A257 or Bekesbourne Lane – proposals will be car based development • No safe walking route to Bekesbourne Train Station/limited bus services 	<p>sustainable travel with a range of detailed proposals</p> <ul style="list-style-type: none"> • There is no evidence to suggest that the through road would have any material adverse impact on air quality for residents of the development • Measures to promote cycling are included in the Travel Plan and proposals to deliver additional cycle spaces at Bekesbourne Station included to promote cycle travel to the station
Ecology	
<ul style="list-style-type: none"> • Impact on biodiversity/ecology • Impacts on species at the zoo • Impact on chalk stream and nearby designated sites (Stodmarsh/Preston Marshes as well as local wildlife sites) • HRA and ecology assessment submitted are inadequate and don't fully consider impacts on sites or wildlife • Smaller development may be better but current proposals would destroy on site ecosystem • Proposals do not deliver 20% BNG • Loss of trees, hedgerows and wildflowers in the site 	<ul style="list-style-type: none"> • The proposals have fully addressed implications for biodiversity/ecology • Where ecological impacts are mitigated, there is no evidence to suggest any adverse impacts on species at the zoo • The evidence as submitted particularly by Mr Whittingham and Ms Mansfield fully explains there is no impact on chalk stream more opportunities for water quality improvements here from management of surface water on site with Sustainable drainage Systems. Natural England confirmed that the Site no longer falls within the Stodmarsh SPA/SAC/Ramsar site catchment following changes to catchment boundaries, a matter which would have raised implications for nutrient neutrality • Ecology assessment submitted fully consider impacts on sites and wildlife and the approach has raised no objections from statutory consultees

	<ul style="list-style-type: none"> • The proposals for BNG have been illustrative calculated at this stage and a planning condition imposed to ensure the final designs and proposals for biodiversity gain 20% BNG • The proposals proactively assessed and seek to avoid the loss of trees, hedgerows and will include for positive gains to biodiversity which wouldn't otherwise arise without the development
Flooding/Drainage	
<ul style="list-style-type: none"> • Concerns about on-site WWTP - concern regarding reliance on untested system/will lead to smells and noise in the village/impact of discharging wastewater to river network on biodiversity and ecology/risk of failure from on-site sewer system over long term • Increase in flooding due to increased run off rate and additional sewage, exacerbating existing problems in village • Proposals risk stressing the overburdened existing sewer capacity and risk increasing the risk of sewage discharge into the Little Stour • Concerns about smells and noise from on-site wastewater works • Further tankering would be required to deal with sewage – tankering already operates in the area • Impact on water supply • Impacts from surface water run off entering watercourse and introducing pollutants not currently in the system (weedkiller for example) • Insufficient sewage capacity in the mains networked this proposal will increase that • Culvert proposed to be utilised for drainage is cracked and root damaged 	<ul style="list-style-type: none"> • The proposals no longer include for an on-site Waster Water Treatment Plant, so any concern regarding reliance on untested system/potential for smells and noise/discharging wastewater to river network on biodiversity and ecology/risk of failure from on-site sewer system over long term are completely miss-advised • The proposals in fact result in a reduction of flood risk reducing run off rates and will be a betterment. • The proposals will have completely separate foul and surface water drainage systems • The Water Authority have confirmed that they are aware of local issues in the sewer system and have an Infiltration Plan which is seeking to address that matter • There is no evidence to suggest any issue with impact on water supply or any suggestion that the Water Authority cannot provide water to the site • Impacts from surface water run off will be improved, with SUDS treatment trains providing the potential for improvement to water quality including

<ul style="list-style-type: none"> • Proposed drainage technology is untested • 	<p>better than current potential from agricultural use</p> <ul style="list-style-type: none"> • Sufficient sewage capacity in the mains networked has been confirmed will be made available from the Water Authority and a condition is proposed to ensure occupations of the development link to that capacity • Conditions require the detail design of the drainage system to be submitted to the Council for approval and will ensure that all the appropriate pipe network is suitable to accommodate the proposals • The proposed drainage including for SUDS is not untypical for a development of this nature, indeed required by policy as the necessary approach. Developments often include for SUDS and typically require connections to mains foul where the Statutory Undertaker is under statutory obligations to make a connection available and maintain an effective sewerage system. This is covered by other statute and it should not be for planning to supplicate other statutory arrangements
Heritage	
<ul style="list-style-type: none"> • Adverse impact on conservation area and other heritage assets/possible impacts on archaeology • Potential impacts on WHS status of Canterbury as a result of extra development 	<ul style="list-style-type: none"> • The Application was accompanied by a Heritage Statement. This provides information regarding the significance of the historic environment and archaeological resource of the Site, and any harm to the historic environment that could arise as a result of the proposed development (including impacts to significance resulting from changes to setting). There are no direct impacts or harms on heritage assets resulting from the development. A low level of harm is identified to designated and non-designated assets. It is

	<p>considered that the public benefits that would accrue from the proposed development clearly outweigh any harm to the setting of designated heritage assets. The Heritage Statement also considers archaeology. Due to the scarcity of finds recorded within the study area of earlier prehistoric date, the archaeological potential of the site for activity of this date is considered to be low. A condition is nevertheless suggested to address archaeology potential</p> <ul style="list-style-type: none"> • There are no measurable impacts on WHS status of Canterbury as a result of this scale of extra development
Other Issues	
<ul style="list-style-type: none"> • Proposals put forward are not energy efficient – still propose gas boilers • No environmental impact assessment has been provided • Impact on nearby local business through development of the site • Proposals here will set precedent for further development in the area • Older persons accommodation positive but does not outweigh issues • Impacts on personal property value • Proposals will adversely affect mental health • Applicant ignored local stakeholder input • Previous application on the site was refused • Documents inadequate • Benefits are illusory • Lack of community engagement prior to submission • Lack of local support for the proposals • Increase in traffic and associated pollution • Proposals are not socially sustainable 	<ul style="list-style-type: none"> • A planning condition will ensure an appropriate energy strategy for the new homes. It is expected that all dwellings will be climate resilient and incorporate energy efficiency measures, modern standards of insulation and other measures designed to minimise the use of natural resources and greenhouses gas emissions through the latest Building Regulations and potential Future Homes Standard. The condition is proposed to ensure the proposals provide for a sustainable approach to energy • The development will not have significant environmental effects to warrant the need for environmental impact assessment • There is no evidence to explain how local business would be effected through development of the site, more the socio economic evidence with the application explains that the proposals will support the local economy both

<ul style="list-style-type: none"> • Proposals will bring a greater risk of anti social behaviour, drug and alcohol misuse and youth crime • Impacts during construction • Increase in pollution (noise/light/air) as a result of proposals and additional road traffic/impact on dark skies 	<p>through the construction and operational stages of the development</p> <ul style="list-style-type: none"> • The proposals will not set a precedent for further development in the area, as each application needs to be considered on its own merits • Older persons accommodation is a need identified by the council and the development will provide some dwellings to support that need which is a benefit • Impacts on personal property value are not a planning consideration • There is no evidence to suggest that the proposals will adversely affect mental health, moreover there are significant social benefits to the proposals, with new areas of accessible green space which can be beneficial to social wellbeing. The mental health of those needing a home, particularly affordable homes has every potential of being benefitted • The applicant has gained a long understanding of local views and local issues in the village through this and the previous application which have been widely consulted upon alongside proposals emerging through the Local Plan which have also been consulted upon in respect of proposals for the site • The appellant would strongly dispute any suggestion that the supporting reports have been in any way inadequate but have in fact been completed by reputable and knowledgeable expert consultants • Benefits are of the development are not illusory. The delivery of new homes, particularly affordable homes, would not be illusory to the many people who are in need of a new home. The wider benefits of the
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	<p>development are fully set out in my planning evidence</p> <ul style="list-style-type: none">• There has been no lack of community engagement in these proposals, more the community have been vocal in their comments on the development• It is not uncommon for proposals to raise local objections but equally those in need of a home are often not vocalised as much as immediate local residents• The proposals include an air quality assessment which concludes that there would be no undue impacts on air quality• The proposals do contribute to the social dimension to sustainable development, not least with the delivery of much needed homes• Matters in relation to design and crime prevention can be fully considered at the Reserved Matters stage where there are designs that can ensure well designed and safe public realm, green spaces and development• The potential for any adverse impacts during construction will be fully covered by a Construction Environmental Management Plan (CEMP)• Potential impacts on noise/light/air will be minimised – as stated there will be some impacts with lighting however the approach to lighting is covered by planning condition and will be sensitive particularly with regards to ecology and bats
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