



Comments

Canterbury District Local Plan Publication Draft 2014 (05/06/14 to 18/07/14)

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV417
Response Date	18/07/14 14:09
Consultation Point	xiii Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

It fails to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply. Unspecified

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

The City Council has failed to comply with the Duty to Cooperate in accordance with the requirements of the National Planning Policy Framework (NPPF) and as elaborated on in the National planning Practice Guidance (NPPG). The Duty to Cooperate was introduced under the Localism Act 2011 to ensure that local planning authorities (LPAs) engage constructively with neighbouring authorities and other public bodies. Paragraph 178 of the NPPF explains that this is particularly important with regard to the strategic priorities set out in paragraph 156 of the NPPF. Paragraph 179 of the NPPF requires LPAs to work collaboratively with other bodies to meet development requirements. Paragraph 181 of the NPPF requires LPAs to demonstrate evidence of having effectively cooperated to plan for issues with cross boundary issues. The NPPG provides detailed guidance on how the Duty to Cooperate should be undertaken. Paragraph ID 9-004 states that this requires 'a proactive, ongoing and focussed approach to strategic planning and partnership working.' Paragraph ID 9-009 states that 'the duty requires active and sustained engagement' and that 'it is unlikely that this could be satisfied by consultation alone.' Furthermore, paragraph ID 9-011 states that it is unlikely to be met 'by exchange of correspondence, conversations or consultations between authorities alone.' In more detail, paragraph ID 9-012 of the NPPG explains that: 'Local planning authorities and other public bodies need to work together from the outset at the plan scoping and evidence gathering stages before options for the planning strategy are identified. That will help to identify and assess the implications of any strategic cross boundary issues on which they need to work together and maximise the effectiveness of Local Plans. After that they will need to continue working together to develop effective planning policies and delivery strategies. Cooperation should continue until plans are submitted for examination and beyond, into delivery and review.' In this regard, paragraph ID 9-013 of the NPPG identifies planning for infrastructure as 'a critical element' of strategic planning. It explains that: 'The involvement of infrastructure providers in Local Plan preparation is critical to ensure that Local Plans are deliverable.' Paragraph ID 9-014 highlights that in planning for transport close cooperation is needed between district LPAs and County Councils. Both the Local Plan and the Consultation Statement seek to explain that the Duty to Cooperate has been complied with. CPRE Protect Kent submits that it falls well short of that required by the NPPF and NPPG as explained above. Although page 6 of the Consultation Statement lists a number of organisations that the Council is part of or has on-going discussions with, no details are provided as to what those 'on-going discussions' are about or whether they amount to a 'proactive', 'focussed' and 'sustained' approach to the Duty to Cooperate as envisaged by the NPPG and whether or not this has been a feature of the plan making process since work began. At Appendix 4 of the Consultation Statement a 'Record of Consultation and Engagement with Key Stakeholders and Public Bodies' is presented. We would comment on this as follows: 'The record starts at 20th May 2013, which is just before the Council published its preferred options plan for consultation in June 2013. It is unclear, therefore, what engagement under the Duty to Cooperate occurred prior to that date, before the Council actually settled on its preferred options' i.e. how discussions under the Duty to Cooperate actually influenced the selected preferred approach. We accept that neighbouring authorities and other public bodies would have been consulted at earlier stages in the Plan making process, but as explained in the NPPG such consultation is unlikely to be sufficient to satisfy the Duty to Cooperate. 'Few of the entries on the record would strictly fall into the realm of Duty to Cooperate. Over half of the entries in the record relate to meetings with land owners,

site promoters and local groups whilst others comprise technical meetings on particular studies or topics. Very few of the meetings/discussions listed can actually be described as falling within the scope of the Duty to Cooperate as envisaged by the NPPF and NPPG, and most of these seem to be of a general nature rather than specifically seeking co-ordinated and proactive joint working. The record certainly does not show any evidence of on-going discussion with the agencies listed at the top of page 6 of the Consultation Statement, despite the claim made at the bottom of page 5. With regard to infrastructure provision and delivery the Appendix 4 records no meetings and discussions with providers other than with Kent County Council on 18/10/13 & 9/04/14 and with South East Water on 3/03/14. We are left unclear as to how other infrastructure providers have been engaged with. One important aspect of the Duty to Cooperate is for LPAs to work collaboratively to meet development requirements that cannot be accommodated in individual districts. Whilst it is noted on page 25 of Appendix 3 of the Consultation Statement that Canterbury City Council has advised Swale Borough Council that it is unable to meet any shortfall from Swale, there is no evidence to suggest that Canterbury City Council has engaged with neighbouring authorities in regard to housing shortfall in its area. Although, as we explain in other representations, we challenge the Council's assessment of housing need identified for Canterbury, the Council is planning for a level of development in the Local Plan (i.e. 780 dwellings pa) that is below that termed 'housing need' under Scenario J of the Nathaniel Lichfield development Requirements Study (i.e. 1,149 dwellings pa). As the City Council relies on the Nathaniel Lichfield study as its evidence of housing need, it is required to engage with neighbouring authorities on how the shortfall in provision is to be accommodated. There is no evidence to demonstrate that any engagement on this important matter has been undertaken. This is particularly important given that the 2009 East Kent SHMA shows that housing markets in Canterbury district extend into Swale, Ashford, Shepway and Dover districts. There is no suggestion in Appendix 4 of the Consultation Statement, or elsewhere in the Council's evidence, that there has been any discussion with neighbouring authorities in this regard. The Duty to Cooperate is also important in regard to transport and other infrastructure provision. However, the failure to present an Infrastructure Delivery Plan (IDP) means that it is impossible to understand how other infrastructure agencies have been involved in drawing up the IDP. This is a major failing of the Plan at this stage. We would point to the following specific example of failure in cooperation. The City Council has a Joint Transportation Board (JTB) with Kent County Council (KCC). Membership of the JTB comprises all KCC local members for divisions in the council's area in equal number of members appointed by the council and a representative of the parish and town councils within the district. From the Council's constitution, its terms of reference include being 'a forum for consultation between KCC and the council on policies plans and strategies related to highways road traffic and public transport.' Its role is to advise the Council's Executive and the Council on these matters. However, there has been no meeting of the JTB to consider the important draft Transport Strategy that underpins the Local Plan. A special meeting of the JTB to discuss the draft Transport Strategy on 25th March 2014 was cancelled. The meeting scheduled for 10th June was also cancelled and previous meetings on 18th February 2014 and 3rd December 2013 did not consider the emerging strategy. Consequently, there has been no consideration of the Transport Strategy by the JTB, which we consider comprises a major failing under the Duty to Cooperate. It is good practice, as advised by the Planning Advisory Service, that local authorities should provide a specific statement that demonstrates compliance with the Duty to Cooperate. We believe that the Council's failure to do this and to include this important issue within the Consultation Statement is in itself clear evidence that the Council has failed to comply with the Duty. We attach to this response a copy of the Inspector's conclusions on the Runnymede Local Plan Core Strategy issued on 29th April this year. This provides a detailed assessment of the Runnymede's evidence on the Duty to Cooperate and the Inspector concluded that he was not satisfied that all available options for co-operation have been properly explored, and that the Council has engaged constructively, actively and on an on-going basis as required by the NPPF. Despite other concerns he had with the housing provisions of the Plan, the Inspector considered that this failure to comply with the Duty to Cooperate was sufficient on its own to request that the Council withdraws the Plan. We believe, that when compared to the analysis presented by the Runnymede Inspector, Canterbury City Council has similarly failed to demonstrate compliance with the Duty to Cooperate.

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Council should withdraw the Plan

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here.

[Inspector's conclusions on the Runnymede Local Plan Core Strategy](#)
Inspector's conclusions on the Runnymede Local Plan Core Strategy

Independent Examination

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Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The Duty to Cooperate is a key aspect of plan making under the Localsim Act, and needs to be thoroughly examined.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV418
Response Date	18/07/14 14:10
Consultation Point	xvi Paragraph (View)
Status	Submitted

Submission Type Web

Version 0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

The Plan fails to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent note that this paragraph explains that one function of the Local Plan is to provide an opportunity and invitation to participate in the planning process by giving people the chance to express their views on local planning matters. The City Council has conducted two rounds of consultation ? on Core Strategy Options in January 2010 and on Whole Local Plan Preferred Options in June 2013. However, we do not consider that the Council entered into these consultation exercises with an open mind. For example, on page 5 of the Consultation Statement it is reported that at preferred options stage some 6,996 representations were received from 1,331 respondents. This resulted in the production of an 844 page document summarising the representations made. However, in response to these many representations the Council has made relatively few changes and the Publication Plan is

essentially the same as the preferred options draft. Whilst it is probably to be expected that the Council would not fundamentally alter the strategy of the Plan at this late stage in the process, the preferred options consultation was the only consultation that the public received on those matters not included in the earlier consultation on the Core Strategy options. Importantly, it was the only consultation that gave people the opportunity to comment on the detailed wording of the policies and their supporting text. It is surprising, and most unusual in our experience, that the policies and text of the Plan survived almost intact despite the nearly 7,000 representations made. In our response, we made a significant number of suggested wording changes of which only a handful have actually been accepted by the Council and incorporated into the Publication Plan. Consequently, we do not consider that the Publication Plan has been drawn up to reflect detailed concerns that were raised at preferred options stage, and such changes would not fall within the scope of main modifications to be recommended by the Inspector. To this representation we attach a schedule repeating many of the detailed changes we sought at preferred options stage, though up-dated to accord with changed paragraph and Policy numbers. We would ask the Council and the Inspector to review these changes and to include any as appropriate in the final Plan, if it is found to be sound, as Minor Changes to the Plan.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation on the Duty to Cooperate

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

As attached to this representation

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Publication Draft - Minor Changes \(2\)](#)
[Publication Draft - Minor Changes](#)

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV419
Response Date	18/07/14 14:11
Consultation Point	xxi Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

The Plan fails to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Justified
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

It is entirely wrong and misleading to state that from the evidence provided from the public opinion research that a 'large number' of local people support the growth proposed in the Plan. The public opinion survey only canvassed 900 people, less than 1% of the population of the district. From the representations submitted at preferred options stage it is clearly the case that there is widespread concern with the strategy of the Plan. The statement is also inconsistent with references to the opinion survey elsewhere in the Plan (e.g. in the foreword and paragraph 1.13), where it is stated that there is 'some' support for the scale of development proposed in the Plan. This would seem to be a fairer reflection of the findings of this very limited survey.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

**Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?**

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation on the Duty to Cooperate

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

For consistency with comments made elsewhere in the Plan, delete the words "a large number of" and replace with "some".

Independent Examination

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Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

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Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV420

Response Date 18/07/14 14:11

Consultation Point Vision and Strategy ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Fails to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The vision and strategy fails to recognise the need to safeguard and protect the natural and historic environment.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Add the following to the end of the vision: ?, but we will ensure that our rural and historic environments are protected and that our valuable agricultural land is retained in productive use, and we will ensure that we continue to have viable and thriving local communities.?

Independent Examination

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Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It is important to ensure that the vision of the Plan covers all appropriate matters.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

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- Q7) Do you request to be notified of any of the following? Please tick all that apply.**
- The Local Plan has been submitted for Independent Examination
 - The report of the Inspector has been published
 - The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV421
Response Date	18/07/14 14:12
Consultation Point	Plan Objectives (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The proposed objectives are very limited and bland and need to be expanded.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

First objective - add: "by means other than encouraging increased housing provision". Second objective - delete the words "and support economic growth" and add at the end "with the emphasis on affordable housing". Third objective should be re-worded: "To protect, enhance and improve the built and natural environment". Add a fifth objective: "To foster social well-being with the provision of adequate informal and amenity open spaces, especially in urban areas."

Independent Examination

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Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It is important to ensure that the objectives provide a robust basis for the Plan, and currently they do not.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

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Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV422

Response Date 18/07/14 14:12

Consultation Point 1.8 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

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Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

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***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The Council place significant weight on the Development Requirements Study prepared by Nathaniel Lichfield and Partners (January 2012) in determining the amount of housing development to be included in the Plan. This study does not comprise an objective assessment of housing need as required by the National Planning Policy Framework, and neither does the SHMA for the East Kent Sub-region (June 2009). Consequently, the Plan is unsound because it fails to identify in an objective fashion the need for housing in the district using the methodology outline in the National Planning Practice Guidance. See also our representation on Policy SP2.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn pending a proper and robust assessment of housing need

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The robust identification of development requirements is a key aspect of plan making which needs to be thoroughly tested. CPRE Protect Kent has serious concerns with the way that development quantities have been identified for the Plan.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV423

Response Date 18/07/14 14:13

Consultation Point 1.18 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply. Unspecified

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

The City Council has failed to comply with the Duty to Cooperate in accordance with the requirements of the National Planning Policy Framework (NPPF) and as elaborated on in the National planning Practice Guidance (NPPG). The Duty to Cooperate was introduced under the Localism Act 2011 to ensure that local planning authorities (LPAs) engage constructively with neighbouring authorities and other public bodies. Paragraph 178 of the NPPF explains that this is particularly important with regard to the strategic priorities set out in paragraph 156 of the NPPF. Paragraph 179 of the NPPF requires LPAs to work collaboratively with other bodies to meet development requirements. Paragraph 181 of the NPPF requires LPAs to demonstrate evidence of having effectively cooperated to plan for issues with cross boundary issues. The NPPG provides detailed guidance on how the Duty to Cooperate should be undertaken. Paragraph ID 9-004 states that this requires 'a proactive, ongoing and focussed approach to strategic planning and partnership working.' Paragraph ID 9-009 states that 'the duty requires active and sustained engagement' and that 'it is unlikely that this could be satisfied by consultation alone.' Furthermore, paragraph ID 9-011 states that it is unlikely to be met 'by exchange

of correspondence, conversations or consultations between authorities alone.? In more detail, paragraph ID 9-012 of the NPPG explains that: ?Local planning authorities and other public bodies need to work together from the outset at the plan scoping and evidence gathering stages before options for the planning strategy are identified. That will help to identify and assess the implications of any strategic cross boundary issues on which they need to work together and maximise the effectiveness of Local Plans. After that they will need to continue working together to develop effective planning policies and delivery strategies. Cooperation should continue until plans are submitted for examination and beyond, into delivery and review.? In this regard, paragraph ID 9-013 of the NPPG identifies planning for infrastructure as ?a critical element? of strategic planning. It explains that: ?The involvement of infrastructure providers in Local Plan preparation is critical to ensure that Local Plans are deliverable.? Paragraph ID 9-014 highlights that in planning for transport close cooperation is needed between district LPAs and County Councils. Both the Local Plan and the Consultation Statement seek to explain that the Duty to Cooperate has been complied with. CPRE Protect Kent submits that it falls well short of that required by the NPPF and NPPG as explained above. Although page 6 of the Consultation Statement lists a number of organisations that the Council is part of or has on-going discussions with, no details are provided as to what those ?on-going discussions? are about or whether they amount to a ?proactive?, ?focussed? and ?sustained? approach to the Duty to Cooperate as envisaged by the NPPG and whether or not this has been a feature of the plan making process since work began. At Appendix 4 of the Consultation Statement a ?Record of Consultation and Engagement with Key Stakeholders and Public Bodies? is presented. We would comment on this as follows: ? The record starts at 20th May 2013, which is just before the Council published its preferred options plan for consultation in June 2013. It is unclear, therefore, what engagement under the Duty to Cooperate occurred prior to that date, before the Council actually settled on its preferred options ? i.e. how discussions under the Duty to Cooperate actually influenced the selected preferred approach. We accept that neighbouring authorities and other public bodies would have been consulted at earlier stages in the Plan making process, but as explained in the NPPG such consultation is unlikely to be sufficient to satisfy the Duty to Cooperate. ? Few of the entries on the record would strictly fall into the realm of Duty to Cooperate. Over half of the entries in the record relate to meetings with land owners, site promoters and local groups whilst others comprise technical meetings on particular studies or topics. Very few of the meetings/discussions listed can actually be described as falling within the scope of the Duty to Cooperate as envisaged by the NPPF and NPPG, and most of these seem to be of a general nature rather than specifically seeking co-ordinated and proactive joint working. The record certainly does not show any evidence of on-going discussion with the agencies listed at the top of page 6 of the Consultation Statement, despite the claim made at the bottom of page 5. With regard to infrastructure provision and delivery the Appendix 4 records no meetings and discussions with providers other than with Kent County Council on 18/10/13 & 9/04/14 and with South East Water on 3/03/14. We are left unclear as to how other infrastructure providers have been engaged with. One important aspect of the Duty to Cooperate is for LPAs to work collaboratively to meet development requirements that cannot be accommodated in individual districts. Whilst it is noted on page 25 of Appendix 3 of the Consultation Statement that Canterbury City Council has advised Swale Borough Council that it is unable to meet any shortfall from Swale, there is no evidence to suggest that Canterbury City Council has engaged with neighbouring authorities in regard to housing shortfall in its area. Although, as we explain in other representations, we challenge the Council?s assessment of housing need identified for Canterbury, the Council is planning for a level of development in the Local Plan (i.e. 780 dwellings pa) that is below that termed ?housing need? under Scenario J of the Nathaniel Lichfield development Requirements Study (i.e. 1,149 dwellings pa). As the City Council relies on the Nathaniel Lichfield study as its evidence of housing need, it is required to engage with neighbouring authorities on how the shortfall in provision is to be accommodated. There is no evidence to demonstrate that any engagement on this important matter has been undertaken. This is particularly important given that the 2009 East Kent SHMA shows that housing markets in Canterbury district extend into Swale, Ashford, Shepway and Dover districts. There is no suggestion in Appendix 4 of the Consultation Statement, or elsewhere in the Councils evidence, that there has been any discussion with neighbouring authorities in this regard. The Duty to Cooperate is also important in regard to transport and other infrastructure provision. However, the failure to present an Infrastructure Delivery Plan (IDP) means that it is impossible to understand how other infrastructure agencies have been involved in drawing up the IDP. This is a major failing of the Plan at this stage. We would point to the following specific example of failure in cooperation. The City Council has a Joint Transportation Board (JTB) with Kent County Council (KCC). Membership of the JTB comprises all KCC local members for divisions in the council?s area in equal number of members appointed by the council and a representative of the parish

and town councils within the district. From the Council's constitution, its terms of reference include being 'a forum for consultation between KCC and the council on policies plans and strategies related to highways road traffic and public transport.' Its role is to advise the Council's Executive and the Council on these matters. However, there has been no meeting of the JTB to consider the important draft Transport Strategy that underpins the Local Plan. A special meeting of the JTB to discuss the draft Transport Strategy on 25th March 2014 was cancelled. The meeting scheduled for 10th June was also cancelled and previous meetings on 18th February 2014 and 3rd December 2013 did not consider the emerging strategy. Consequently, there has been no consideration of the Transport Strategy by the JTB, which we consider comprises a major failing under the Duty to Cooperate. It is good practice, as advised by the Planning Advisory Service, that local authorities should provide a specific statement that demonstrates compliance with the Duty to Cooperate. We believe that the Council's failure to do this and to include this important issue within the Consultation Statement is in itself clear evidence that the Council has failed to comply with the Duty. We attach to this response a copy of the Inspector's conclusions on the Runnymede Local Plan Core Strategy issued on 29th April this year. This provides a detailed assessment of the Runnymede's evidence on the Duty to Cooperate and the Inspector concluded that he was not satisfied that all available options for co-operation have been properly explored, and that the Council has engaged constructively, actively and on an on-going basis as required by the NPPF. Despite other concerns he had with the housing provisions of the Plan, the Inspector considered that this failure to comply with the Duty to Cooperate was sufficient on its own to request that the Council withdraws the Plan. We believe, that when compared to the analysis presented by the Runnymede Inspector, Canterbury City Council has similarly failed to demonstrate compliance with the Duty to Cooperate.

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here.

[Inspector's conclusions on the Runnymede Local Plan Core Strategy \(1\)](#)

[Inspector's conclusions on the Runnymede Local Plan Core Strategy](#)

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The Duty to Cooperate is a key aspect of plan making that needs to be thoroughly examined. CPRE Protect Kent considers that the Duty has not been properly addressed by the City Council.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV424
Response Date	18/07/14 14:14
Consultation Point	1.35 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent agrees with the description presented here, but this is at odds with the thrust of the Transport Strategy and the Local Plan which seeks to secure significant new road building/improvement allied with significant housing growth which will only result in more delay and congestion. In our view the best way to achieve reduced congestion and more reliable journey times is to reduce the need to travel, with the second best being to reduce the need to travel by road. Reducing the need travel can be achieved by optimising locations of housing, open space, employment, schools, shops, etc. Mere 'rebalancing' will be insufficient to achieve the best result and would have greater impacts. It should also be recognised that delay is not the only consequence of congestion, as it will also affect air quality and public health. It should also be recognised that it is not just travellers that are affected, but also residents.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The development proposals in the Plan need to be fundamentally reviewed to ensure that congestion and delay is more appropriately dealt with. If the Plan is retained as proposed, we would suggest that after "Congestion" insert "air quality, danger to public health" and before "travellers" insert "residents and".

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Dealing with transport issues is a fundamental part of the Plan strategy and one that needs to be thoroughly examined. CPRE Protect Kent considers that the strategy focuses too strongly on costly road based solutions.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV425
Response Date	18/07/14 14:14
Consultation Point	1.37 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent support the Environment Strategy, but we are concerned that it has not been robustly applied in considering planning applications. The importance of doing so needs to be highlighted in the Plan.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Insert a new paragraph in the section on the Environment Strategy as follows: "The Council acknowledges that insufficient emphasis on this Strategy has been placed in connection with large scale planning applications, and will require all such applications in future to demonstrate that development will not be in breach of the Strategy, nor of any review of it, nor of any Environment Policy/Strategy or review of that. The Council also recognises that air quality is a major problem in urban areas and that development adds to it. The council will protect the health of its residents by refusing applications in Canterbury for residential development in excess of 10 units."

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV426

Response Date 18/07/14 14:15

Consultation Point 1.46 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent agree that development should be sustainable, and the National Planning Policy Framework defines it and provides the policy context for achieving it. We do not consider it is necessary to have a local definition of sustainable development in addition to that included in the NPPF. To do so will only result in confusion and potential conflict with the NPPF. For example, the proposed local definition provides a much narrower definition of the environmental role by seeking only to protect designated areas. This is clearly in conflict with the NPPF definition, which sees the environmental role more generally. CPRE Protect Kent strongly objects to this attempt to water down the definition, which is used in the plan to sanction significant greenfield development.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The section entitled 'Local definition of Sustainable Development' should be deleted.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent considers that the proposal to have a local definition of sustainable development needs to be examined to ensure that it does not dilute the national definition. We are concerned in particular that the development strategy of the Plan, in the context of the local definition, does not give proper weight to the environmental component of sustainable development.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV427
Response Date	18/07/14 14:15
Consultation Point	1.52 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This paragraph gives the impression that the Council is seeking to promote development on brownfield sites, whereas in reality the focus of the Plan is firmly on giving priority to greenfield sites. This is highlighted in paragraph 4.2 of the Sustainability Appraisal which concludes that 'preferential use of previously developed land appears to be missing from local plan policies.' We would endorse that conclusion, and consider that it is a major failure of the Plan. The second half of the paragraph seeks to encourage developers to consider opportunities involving previously developed land, rather than locating development on fresh land. These are hollow words, and we would submit that this is 'closing the door after the horse has bolted'. It is for the Plan itself to steer development to appropriate brownfield opportunities, and the Plan has failed to do this because the strategy demands the development of large greenfield sites to generate funding to deliver new expensive road infrastructure. We comment in detail on this under Policy SP4.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan strategy and approach to land allocations needs to be reviewed.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is deeply concerned with the Plan Strategy and its failure to maximise brownfield opportunities. The availability of such opportunities needs to be examined.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV429

Response Date 18/07/14 14:16
Consultation Point Policy SP1 Sustainable Development ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent considers it is neither appropriate nor necessary to include this Policy in the Local Plan because: 1. Paragraph 14 of the NPPF explains that the presumption in favour of sustainable development is at the heart of the NPPF and that it is the 'golden thread' running through both plan-making and decision-taking. It is clear from the NPPF that the presumption in favour of sustainable development is not to be achieved simply by compliance with a single local plan policy. Compliance

is a matter for the plan as a whole. Given that it is one of the tasks of the Inspector examining the plan to consider whether or not the plan is consistent with national policy, specifically to ensure that the plan enables the delivery of sustainable development in accordance with policies in the framework? (paragraph 182 of the NPPF), we find it difficult to see the need for a specific policy on the presumption. If the plan taken as a whole fails to accord with the NPPF - especially the 'golden thread' running through it - the Inspector will find it unsound or will recommend that modifications are made to it. Simply by putting into the plan a policy on the presumption does not make it compliant with the NPPF if the policies and proposals in the plan are not so compliant. 2. We are very concerned that this Policy is in effect being imposed on the City Council with the prospect that the plan will not be sound without it. We believe that this is contrary to the principle of 'localism' and conflicts with the notion that local plans are local plans. We are very surprised that in the wake of the Localism Act, the purpose of which is to devolve more decision making to the local level, that such a top-down approach to plan making is being taken. 3. It is of concern to us that the Policy simply seeks to restate the presumption as included in the NPPF. It has been longstanding practice in plan making, in order to help ensure that plans are as succinct as possible and locally distinctive, that national policy is not repeated in plans. This is exactly what this policy does, with parts of it simply quoting sections of the NPPF. 4. It is of particular concern to us that the inclusion of the Policy, which seeks to ensure that development is approved wherever possible, does not include all the detailed aspects of sustainable development as set out in the NPPF. Consequently, it undermines the proper role of the local development plan in setting out policies that seeks to deliver sustainable development in an integrated and balanced way.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Policy SP1 should be deleted

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The need for this Policy needs to be examined.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV430
Response Date	18/07/14 14:17
Consultation Point	Policy SP2 Development Requirements (View)
Status	Submitted
Submission Type	Web
Version	0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Policy SP2 promotes a level of development in accordance with scenario E as presented by Nathaniel Lichfield & Partners (NLP) in their 'Canterbury Development Requirements Study', January 2012. This would see the construction of 780 dwellings a year (15,600 in total) and the provision of 328 new jobs a year from employment land (6,500 jobs in total) for the period 2011-31. This scenario falls at the top end of the 'upper mid-range' of scenarios defined by NLP and, in their assessment, would require a land take of between 400 and 500 ha. It is considered by NLP that it is a scenario that would support the more ambitious economic vision that the Council has identified in the Futures Study, and that it would require an increased rate of development than achieved in the past. The Futures Study was prepared by Experian in 2006, but was reviewed in 2011 to assess the changes to the economic and policy climate that had occurred since 2006. It is difficult, though, to relate the conclusions of the Futures Study to any of the scenarios presented in the NLP study, and why scenario E specifically equates with the Futures Study as being the 'preferred scenario', or indeed why the Futures Study per se is equated with an ambitious economic vision as stated in the consultation draft. The Futures Study makes no firm recommendations or proposals as to the level of future housing and employment development, but rather gives views on a number of 'potential outcomes'. As explained in the original 2006 report, the aim of the Futures Study is to 'identify possible outcomes for the future of Canterbury over the next 20 years, by assessing global, national and local trends and influences.' It is essentially a review of background information and conditions, and how these might impact on the five specific outcomes assessed. It is the City Council that has determined that the findings of the Futures Study comprise the 'preferred' Scenario E presented and favoured in the NLP report. Thus it is not surprising that Scenario E comprises the strategy proposed for the Local Plan, as it is has been pre-determined and retrospectively justified. Also in support of the 'preferred' Scenario E the City Council points to the findings of the Ipsos MORI public opinion report. This, though, canvassed the views of just 900 people out of a district population of around 150,000 - just 0.6% of the population. The Plan (at paragraph 1.18) claims that this work demonstrates a 'significant level of public support for the scale of development set out in this draft Local Plan', though this is at odds with other comments in the Plan that claim that it is just 'some' people that support it (e.g. see paragraph 1.13). We would question the validity of this claim given the very small number of people actually canvassed. Furthermore, it is also the case that whilst the results show that the majority of those canvassed support new house building in principle (as indeed would CPRE if asked the question), just 26% support house building at a rate above that achieved in the past (stated as 556 homes per year since 1990). The survey also highlights that 70% oppose development if it means greenfield development, even if they support development in principle. It seems to us that the Council has sought to be very selective in those parts of the Ipsos MORI report it uses in order to help justify its selection of Scenario E, and it certainly is not the case that there is a significant level of public support for it. Paragraph 1.10 of the Plan reports that the Sustainability Appraisal (SA) of the scenarios carried out by AMEC concluded that Scenario E offers the greatest potential to achieve the appropriate balance (i.e. to optimise growth and minimise

detrimental environmental effects). We would strongly dispute this conclusion, which we find inconsistent with the detailed SA undertaken. The SA was undertaken on the assumption that Scenario E would require 446 ha of land for residential development and 16.5 ha of land for office development. This falls in the 400-500 ha land take range assumed in the NLP Study. Although the SA concludes (paragraph 3.2.5) that Scenario E has the 'potential to score significantly negative for objectives related to countryside and historic environment' because of the significant areas of greenfield land needed, this is not what is recorded in the detailed assessment of the scenario under SA Objective 5. Here the scoring suggests that the impact might be just minor negative. We fail to see how the loss of 400-500 ha of greenfield land can be anything but 'major negative' especially as it will inevitably include the loss of high grade agricultural land, and this should be the finding of the SA. Simply by seeking to avoid sensitive areas, as stressed in the SA, does not minimise the environmental impact under the scope of Objective 5 (and other objectives, e.g. Objective 14), even if this is what the strategy does? which we would dispute anyway. However, for scenarios F, I and J the impact under SA Objective 5 (and other Objectives, e.g. Objective 14) is concluded as being major negative, and these scenarios are rejected largely because of this (see the final paragraph on page vii of the AMEC SA report). For these scenarios the land take (for housing and employment) is assumed to be 678 ha, 681 ha and 710 ha respectively, because they promote an even higher level of development than Scenario E. The Plan does not give any site areas for the proposed development sites, but from the Strategic Housing Land Availability Assessment (SHLAA) the extent of just the proposed strategic site allocations is in excess of 600 ha, well above that assumed in the SA as necessary to accommodate all the development proposed under Scenario E. This, therefore, makes Scenario E comparable in terms of land take with that assumed in the SA for scenarios F, I and probably also J as assessed (though in reality these would probably also need more land than that assumed in the SA). This must mean that the assessment in the SA under Objective 5 should actually be 'major negative' impact. Given that it is now known what the actual land take will be in accommodating growth under Scenario E, the SA of the scenarios needs to be reviewed. We have no doubt that this would show that as for scenarios F, I and J in the current SA, Scenario E will be shown to have unacceptable environmental impacts and should be similarly rejected. The SA is meaningless if the assumptions that underpin it are wrong. There are other concerns we have with the SA, in particular consistency in how the various scenarios are considered. For example, the summary conclusion for Scenario B (paragraph 3.2.2) is much more negatively written in terms of environmental impacts than that for Scenario E, even though it involves a lower level of development. For Scenario B very specific and detailed concerns are highlighted, such as the negative effects of dust, noise and vibration during the construction period, which are not mentioned in the summary for Scenario E. Even in regard to the comments on commuting, for Scenario B it was felt necessary by AMEC to highlight potential concerns about increases in carbon emissions and a reduction in air quality, whilst for Scenario E these points are not so highlighted. We believe that the SA of the scenarios has put a positive 'spin' on the preferred scenario, and that other scenarios involving lower levels of development have been more stringently assessed so that they are seen to be no better in terms of their environmental impact. This increases our concern that the evidence base has in fact been used to justify a pre-determined 'preferred' development scenario, rather than helping to make an objective decision from the choices. Another serious concern we have with Scenario E, and indeed development generally in Canterbury District, is the impact on water supply? a concern also raised by South East Water in their representations on the Preferred Options Plan. We attach to this representation advice that we have secured on this matter. In short, Canterbury falls in an area which the Environment Agency has defined as seriously stressed, and in a supply area which South East Water forecasts in its new draft Water Resources Management Plan will become increasingly in deficit over the next 25 years. Whilst by 2034/35 supply might increase as a result of bulk transfers, the area will still be in deficit and the water company has no proposals scheduled in Canterbury to increase supply before 2030 (i.e. Broad Oak reservoir). Consequently, in our view, South East Water will be unable to guarantee the minimum level of deployable drought output required to ensure security of supply, even if the provisions of Policy CC13 of the Plan are enforced (which in any event would only relate to new development). We believe, therefore, that it is a responsibility of the local planning authorities in the Eastern supply area to moderate development aspirations in recognition of this serious constraint. We believe that Canterbury City Council has not given due regard to this issue in pursuing Scenario E which, for example, is only seen as having a minor negative impact on water supply in the Sustainability Appraisal of the development scenarios. There will clearly be a major negative impact on water supply if this level of development is pursued. In the light of our comments above, CPRE Protect Kent objects most strongly to Scenario E as forming the basis of the strategy of the Plan. We seriously question the way that it has been justified and assessed. We believe that such a high level

of development is overly aspirational and unrealistic. We consider that the environmental impacts, as illustrated by the large areas of greenfield land proposed for allocation, have not been consistently and fairly assessed in comparison with other scenarios. We consider that the justification given to it by the NLP Study and the Futures Study is dubious, and that its sustainability credentials are grossly overstated. It will also impact further on water supply in an area already defined as 'seriously stressed'. It is also not a level of development that has significant public support, as claimed is demonstrated by the Ipsos MORI opinion survey, and it attracted significant objection at Preferred Options stage. These concerns must be taken note of, and the strategy changed. An additional 15,600 dwellings will comprise a 25% increase in the number of households in the district, and at 780 new dwellings per year the Plan strategy will demand a sustained level of house building in Canterbury District that has never before been achieved. Over the 20 year period from 1993/94 to 2012/13, which was mainly one of economic growth, the annual average rate of housing completions was 558. A level of house building at or above 780 dwellings per year was only achieved in two years during that period - in 2007/08 and 2008/09. A target of 780 dwellings per year would demand a 40% increase in the annual rate of delivery compared to that achieved over the last 20 years. In effect the Council has already failed to meet the first two years of the target (2011/12 & 2012/13) when 624 and 525 dwellings respectively were completed. This means that the annual rate will already have to increase for the remainder of the Plan period, and it is likely to increase further by the time the Plan is adopted and sites can start to come forward. We, therefore, believe that a target of 780 dwellings is unachievable, especially in the short-term as we see continuing increases in house prices and more restrictions on lending. Consequently, the proposed level of development does not accord with paragraph 154 of the NPPF, which demands that plans are realistic. Promoting such a high level of development runs the risk of further land having to be permitted for development that is not currently identified for development in the Plan if the Council fails to maintain a five year supply of deliverable sites in accordance with its eventual housing target. This is a requirement of paragraph 47 of the NPPF. In this regard we would highlight the experience of Dover District, where in its Core Strategy the District Council set a high housing target in order to boost economic growth in much the same way as the City Council is proposing (e.g. as explained in paragraph 1.9 of the Plan). However, despite persuading the Examination Inspector that the target was deliverable, this has proved not to be the case and the District Council cannot now demonstrate a deliverable five year housing land supply in accordance with the NPPF. Consequently, the District Council has recently granted planning permission for 521 dwellings in the Kent Downs Area of Outstanding Natural Beauty for a site that forms no part of its planned strategy. Dover can, perhaps, be forgiven for not being aware of this consequence of an overly ambitious housing target, as the Core Strategy was adopted before the NPPF was formulated. However, for Canterbury City Council to go down the same path, in full knowledge that this could be the consequence of failure to deliver an overly ambitious housing target, would be reckless and irresponsible. As we highlight in our representation on the proposed phasing of land supply (as presented in Table H1 at paragraph 2.23 of the Plan and in more detail at Appendix 2) we do not believe that the Council can demonstrate a five-year land supply. We believe that preparing the Plan on the basis of Scenario E is extremely risky and will mean that the Council's ambitions to boost economic growth will potentially be stifled by unplanned development. Another serious concern we have with the delivery of the proposed strategy is its dependency on the provision of significant new road infrastructure. We comment further on this under Policy SP4, but several of the proposed strategic allocations demand new and expensive road infrastructure. Indeed, it is the desire to provide this infrastructure that has driven the selection of sites, rather than targeting housing to where it is needed. It is clearly the case that funding for this infrastructure will fall to the private sector, and we fail to see how even the proposed 15,600 dwellings will fund this scale of infrastructure. We note that reference is made in paragraph 1.28 of the Plan to the South East Local Enterprise Partnership (SELEP) and funding being made for schemes under the Growing Places Fund. However, we are unaware that any of this funding is being made available for the road infrastructure being promoted in the consultation draft. If this is the case, it should be stated in the Plan. Furthermore, in its recent bid to the Single Local Growth Fund (SLGF) the SELEP has only included two of the road schemes proposed in the Local Plan - the Sturry Link Road and the A2/A28 off slip and link road - and then for only 7.9m out of a total estimated cost of 40.6m. The result of this bidding process was announced just before the consultation closed on the Plan. Whilst the Sturry Link Road was awarded provisional funding, the bid for the A2/A28 off slip and link road was unsuccessful. However, there is still a funding shortfall of 22.7m based on the current estimated cost of the road. We attach a report we have received from a consultant transport planner which forms part of our response to the Council's draft Transport Strategy. This explains in more detail concerns we have about the deliverability of the proposed highway schemes. The absence of an infrastructure delivery

plan in the Plan suggests to us that the City Council itself is struggling to resolve this fundamental component of the plan, and it is extremely unfortunate that this is not available for comment at this time. The consequence of linking development to the provision of extensive new infrastructure is that the strategic sites will be complex to deliver, which will inevitably mean that some considerable time will be needed to make sure the necessary up-front planning, funding and legal agreements are in place before there is any prospect of development on the ground. Furthermore, we have been advised by officers from the City Council and the County Council, that the strategic development sites (other than south Canterbury) will be phased so that the Sturry link road will be provided as the top priority meaning that development may actually be held back until this key piece of infrastructure is put in place. Consequently, given that the achievement of the housing target is so reliant on a handful of large strategic sites, but that progress with these sites is reliant on the delivery of new road infrastructure, there is a distinct lack of certainty over the timely delivery of new housing and the maintenance of a deliverable five-year land supply. This will be particularly so in the short to medium-term. Again, we would suggest that this demonstrates that the proposals are over ambitious and unrealistic. The whole issue of deliverability and realism is underlined by the fact that even the NLP study does not consider that Scenario E is realistically deliverable. In Table 7.4 of the NLP report, in response to the question 'can the development requirements be realistically delivered given market capacity and demand?' Scenario E is shown with an amber coloured circle. This colour coding is defined as representing 'a level of housing which goes part way to meeting the Corporate Plan pledge or policy objective/aspiration?'. So, even NLP consider that the levels of development under Scenario E are not entirely deliverable in terms of market capacity and demand. We note the Council's desire to promote economic growth to meet housing need and even to provide some essential new infrastructure that will be of benefit to the wider community. However, we do not believe that Scenario E is the right basis for doing this, and we consider that the scale of development it represents is too ambitious, too damaging and too risky. In the terms of paragraph 154 of the NPPF it is over ambitious and is unrealistic. We consider that a more realistic, and thus deliverable, strategy should be pursued. With all these points in mind, we consider that a strategy for the Plan that sees development in the 'lower mid-range' as defined in the NLP report would be the most realistic and deliverable strategy. This would see housing development in the range of 500-650 dwellings per year. We consider that a target of around 600 dwellings per year (around 12,000 in total), roughly equating to Scenario B, should be pursued. This is a level of development that will see growth in housing provision above that achieved over the last 20 years, but recognises that the housing market will remain difficult for the foreseeable future. It is also a level of development that will deliver economic growth, as confirmed by the NLP report. Importantly, this lower level of new housing and employment provision will be balanced by less environmental impact, meaning overall that this would better accord with the principles of sustainable development 'i.e. the integration of economic, social and environmental considerations, as required by paragraphs 6 to 9 of the NPPF. The NLP report comments that this level of development (i.e. Scenario B) is 'eminently deliverable?', which we take to mean that it is realistic and achievable in the terms of the NPPF. However, we would not suggest that this means it is an easy option as it is a level of development that will present delivery challenges, and there will be issues that will have to be overcome. It is, after all, still a high level of development when compared to that achieved in Canterbury in the past. For example, there will be transport and access issues that will need to be resolved as there are for the Council's own preferred option. Other issues, such as impact on air quality, will also need to be addressed and new and improved social and community facilities will be needed to ensure that development contributes to making sustainable communities. It will also be necessary to ensure that development is located where it minimises land take and that developments make the most efficient use of land. We believe that a target of around 600 dwellings per year will not need to rely on very large greenfield land releases, as is the case with the Council's proposals, and thus our valuable countryside and agricultural land can be protected. NLP raise some concern that Scenario B will result in unmet housing need, and that it would be necessary for neighbouring authorities to accommodate what they call 'Canterbury's overspill?'. In response we would comment as follows: 1. Firstly, it is unclear what exactly the housing need for Canterbury is, as we do not believe that the Council has undertaken an objective assessment of housing need in compliance with the NPPF. To demonstrate housing need the Council rely on two documents 'the June 2009 Strategic Housing Market Assessment for the East Kent Sub-region and the January 2012 NLP Canterbury Development Requirements Study. Both of these documents pre-date the NPPF and are based on old population projections, and neither comprises a robust assessment of housing need in accordance with the methodology outlined in the National Planning Practice Guidance (NPPG). This is a fundamental flaw with the Plan. 2. Secondly, if Canterbury City Council cannot accommodate the full objectively assessed housing need,

it will be necessary for them to engage with neighbouring authorities to explore how it could be accommodated under the Duty to Cooperate. The comments from NLP suggest that this is something that should be avoided. 3. Thirdly, and despite there not being any objectively assessed housing need, it would seem that the Council's own target of 780 dwellings per annum would fall short of it. Scenario J at 1,149 dwellings pa is labelled by NLP as comprising the one equating to housing need, but they do not make the overspill point in advocating Scenario E. The Council has rejected Scenario J as being unacceptable in terms of delivery and environmental impact, but they have seemingly made no attempt to engage with neighbouring authorities under the Duty to Cooperate to explore how the shortfall between Scenarios E and J can be accommodated. In conclusion, we believe that contrary to the conclusions of the SA a strategy that roughly accords with Scenario B offers the greatest potential to achieve the appropriate balance between growth and environmental impact, not Scenario E. Above all it will be deliverable, though not without challenges. However, it is necessary for the Council to undertake a robust assessment of housing need in the district using the most up-to-date information, and without this the Plan should be found unsound.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn or found unsound to enable a full and robust assessment of housing need and further consideration to be given to how the full objectively assessed housing need can be accommodated. If the Inspector is satisfied that the Council has properly assessed housing need in accordance with the NPPF and NPPG, the housing target should be reduced to 12,000 dwellings (600 dwellings per year) in recognition of the environmental, infrastructure, water and delivery constraints that prevail in the district.

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Transport strategy & water supply implications \(1\)](#)
[Transport strategy & water supply implications](#)

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation*

at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The robust identification of development requirements is a key aspect of plan making which needs to be thoroughly tested. CPRE Protect Kent has serious concerns with the way that development quantities have been identified for the Plan.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV431
Response Date	18/07/14 14:18
Consultation Point	Policy SP3 Strategic Site Allocations Site 1 (View)
Status	Submitted
Submission Type	Web
Version	0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

At 320 hectares (800 acres - 1.25 square miles) this is a very large greenfield site, and is allocated for 4,000 dwellings and 70,000 sqm of employment floorspace. A new junction onto the A2 is also proposed, together with a new fast track bus link from the site to the city centre. The site now (since the preferred options consultation) will also accommodate a relocated Kent and Canterbury Hospital. A range of social and community facilities are also proposed, together with 30 ha of open space and 30 ha of new woodland. CPRE Protect Kent considers this proposal is unsound for the following reasons: ? Unsustainable urban sprawl: the site is located on the south eastern edge of Canterbury between 1.5 and 3.5 km (0.9-2.1 miles) from the city centre. This is a similar distance from the city centre as Upper Harbledown, Blean School, Tyler Hill and Sturry. The site measures upto 2km (1.2 miles) from south west to north east and a similar extent at its maximum from north west to south east. Currently the built edge of the city extends 2km (1.2 miles) from its centre and this distance would increase to 3.3km (2miles). This development will result in a 20% increase in the population of the City, but for Barton Ward the increase will be 108%. CPRE Protect Kent considers that the site comprises unacceptable urban sprawl by extending the existing compact urban form in an illogical fashion into the countryside. As stated in paragraph 9.25 of the Plan ?Canterbury is a compact City in a valley setting that provides for a close relationship between the town and its surrounding rural landscape.? We consider that such a major expansion of the City completely disregards this essential relationship which defines the character and setting of the City. Currently the urban edge is contained within a natural bowl at the south eastern edge, and this development will spill over the top of this. Providing such a large development on one side of the city is structurally flawed and would lead to an unbalanced whole. A city that has grown organically like a tree over many centuries would, over a twenty year period, have a huge lop sided and unnatural growth welded onto it. This will result in a satellite community that will be entirely dependent upon the private motor car for the vast majority of the trips made by the planned population. Because of this, and the huge area of countryside that will be lost, the proposal comprises urban sprawl and unsustainable development, contrary to the objectives of the NPPF. ? Loss of high quality agricultural land: The site comprises mainly (if not entirely) grade 1 agricultural land, and therefore it is the best quality of land for agricultural purposes. It is a requirement of the NPPF (paragraph 112) that local planning authorities should take into account the economic and other benefits of the

best and most versatile agricultural land. In so doing, it states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. In allocating this site, in preference to others or a smaller allocation, the Council has not complied with the NPPF by taking into account the importance of agricultural land. The nation is beginning to face a serious food security issue and, in order to help ensure that the nation can feed itself in the future without increasingly relying on imports, it is essential that our valuable and most productive agricultural land is protected from development or at least its loss is minimised. The NFU has recently made a statement that one third of all the food we consume each year is imported and that the cost of these imports and transporting them to the UK is rapidly increasing. It is also the case that the populations of the exporting countries are often adversely affected by the export trade, for example in terms of water used for exported crops; pollution from transport; de-forestation; and flooding as a result of loss of vegetation. These are serious environmental and human problems, and we should not be contributing to them when we can grow so much more of our own food. We appreciate that the NPPF does not rule out the development of high quality agricultural land, but it does require account to be taken of the wider economic benefits of high quality agricultural land and that areas of poorer quality land should be used in preference.

Impact on landscape and the setting of the City and the World Heritage Site: The site is located entirely within a designated Area of High Landscape Value (AHLV) which, according to bullet point e. of paragraph 10.12 of the Plan has been identified to protect the historic and landscape setting of the City and the World Heritage Site. Policy LB2 of the Plan states that "Development proposals which run contrary to landscape character (including settlement character), or impact directly upon historic setting, archaeological or nature conservation interests, where relevant, will not be permitted." It goes on to state that "Within the Canterbury AHLV, development proposals should have particular regard to the historic setting of the City and the World Heritage Site." In declaring the World heritage Site the "Statement of Outstanding Universal Value (SOUV) states: "The vast cathedral, and particularly its Bell Harry Tower, still dominates the city as it has done for five hundred years. The tower is the highest building in the City and its location in the valley floor means that it can be seen from surrounding higher land and extensively along the valley. Maintaining views to and from the Cathedral is crucial to sustain this visual dominance." Policy HE3 of the Local Plan relates specifically to the World Heritage site and reflecting the SOUV states that: "The Council will seek to protect significant views of the City, and in particular the three parts of the World Heritage Site and their setting, from both within and from outside the City. Development proposals should respond positively to the character and setting of the World Heritage Sites which contributes to its Outstanding Universal Value." Importantly, this Policy accepts that it is not just development close to the World Heritage Site that is of potential concern but also development outside of the City, and it was the designation of the AHLV in earlier local plans and continued in this new Local Plan, that sought to identify the landscape that provided the historic setting to the City as explained in bullet point e. of paragraph 10.12 of the Local Plan. We are concerned that by extending the urban boundary in such a major way into the AHLV, the compact character of the City will be lost and the visual dominance of the cathedral tower will be undermined - the views of it from the rural area will be that much further away, and views of it from the historic Pilgrims Way, which passes through the site, will inevitably be affected by the urbanisation around it. It is the case that other World Heritage Sites, for example at Dresden, have been de-listed as a result of development. The draft Plan provides no assessment of the landscape impact of the proposed development or its impact on the setting of the City and the World Heritage Site. However, under objective 5 (countryside and historic environment) of the Sustainability Appraisal (SA) of this site (SHLAA site 206) the impact is described as "major negative". This leads us to conclude that the proposed allocation is in breach of policies LB2 and HE3. To support the Local Plan the Council has produced a Draft Landscape and Biodiversity Appraisal (DLCABA). The Appraisal analysis of the South Canterbury site is at section 43 (6), which is described as "South Canterbury and Littlebourne Fruit Belt". It is pointed out that the area is grade 1 farmland and was formerly "orchards, high hedgerows and shelterbelts". Reference to maps of the early and mid-twentieth century substantiates this. The Appraisal draws attention to the "remnant shelterbelts indicating where orchards and hop gardens have been lost to arable". This gives the area a very distinct and attractive quality compared to many other areas of farmland around Canterbury. The appraisal states that "The agricultural land abuts tightly to the southern and eastern perimeters of the urban area" and further notes that the "A2 cuts through the area to the south, although the road is mostly in a cutting and not generally visible." It must be added that this is very much the case, for instance in the vista southwards from The Gate Inn, and is further augmented by the original trees and the successful further tree planting undertaken when the by-pass was constructed. The appraisal says that "The North Downs Way from Dover to the city centre crosses the area. This

is widely believed to have prehistoric origins? (this pedestrian and cycle route is also known as the Pilgrims Way as it led from Dover to St Martins church in Canterbury and the Cathedral.) ?Modern developments? it says, ?are limited in extent...?. It goes on to say that there are ?...direct and imposing views of the Cathedral along New Dover Road to the west of the ridgeline (just to the east of the built up edge of the city) and from near the junction with the A2?. It goes on to explain that ?To the east of this ridge the open agricultural character dominates, but is contained by a wooded effect created by numerous hedgerows, groups of trees and the vegetated railway cuttings?.... ?the gently rolling landform creates a series of ridges and valleys running generally south west to north east across the character area?. ?? visibility on the ridges increase creating good views of the city and the cathedral. These ridges are particularly sensitive at Little Barton Farm.?...?...the higher ground plays a role in containing views from the city and forming an important break between the urban and rural areas?. The Appraisal sets out guidelines to ensure ?... the conservation of the strong landscape pattern and improvement for those areas that are in poor condition, whilst respecting the most sensitive areas?. In this regard it explains the need to ?resist unsympathetic land uses on visually sensitive ridgelines, exploring ways of enhancing the approach to the city along the North Downs way and Watling Street in sympathy with their historic significance.? Additionally the appraisal requires that plans should ?avoid urban fringe uses which detract from the otherwise simple pattern of the landscape, and improve boundary treatments with the use of native hedgerows to help screen inappropriate fencing and to filter views of urban fringe uses.? The Inspector?s Report on the 2004 Canterbury District Local Plan shows him agreeing with an objector to development in the area saying that ?...it remains true that the Barton Business Park forms a distinct and hard edge to the city, sharply defining the break between the town (sic) and the countryside, while the Business Park appears as an isolated group of buildings away from the urban area. Building on the site would be an intrusive form of ad hoc piecemeal development, extending the urban area into the countryside, and impinging visually into the green band on the valley side?. Of all the environs of the city, the area south east of the urban edge of Barton is the most immediately rural .There are only six houses within the huge area of the site and a further two at its fringe. The most obvious view having left the city at the Gate Inn is down the Dover Road which has a completely rural aspect. As mentioned earlier the view from this point to the south is again intensely rural and the park and ride site and the by- pass being virtually invisible. Views off the rural part of the Dover Road to the north east, are again most attractive with agricultural land set into folds between belts of woodland and hedge. Once the lane off this road to the north is explored, it is even more apparent how appealing the countryside is. At the junction to the North Downs Way and the lane branching from it the view back towards the city is apparent. Nothing can be seen of the nearby urban edge, other than The Gate Inn, which appears as an isolated rural building in spite of its proximity to the built-up area. As if by magic, one is unaware of the nearby suburb; the deceit being created by the natural topography of the land and the woodland and hedgerows. Moving nearer to the urban edge, from the south east of the ridge on the city side of the road to Barton Business Park, the hillside and hedgerow hide virtually the whole of Canterbury allowing only the tip of the cathedral the windmill and little else to show. Arriving at the edge of Canterbury from the southeast, again the view is very open, only the 1960?s rectangle of St Anselms School projecting upwards indicating the near presence of a built up area. The North Downs, or Pilgrims Way, leaves Canterbury through the suburbs including a residential road, but then, suddenly it becomes a narrow lane through a rural environment, interrupted only by the Barton Business Park, after which it takes on a picturesque format with twists turns and inclinations. This Way and the adjacent countryside form a valuable rural resource for Barton. The land to the south west of the area intended to be developed is again rural in nature, only the northern tip adjacent to ?The Foreland? being subject to the impact of development. The Local Plan indicative proposals plan does show the retention of and additions to, the woodland and hedgerows, but within this is the imposition of vast areas of development without any reference to the DLCABA. The inclusion of large areas of amenity space only increases the outward extent of the development, the most intrusive part of which is the ?tongue? poking into the rural environment at the east side. In proposing this allocation, no account seems to have been taken of the topography which is set out above. The visually most prominent part of the site is adjacent to the Gate Inn because of its altitude. Notwithstanding this, the City Council has chosen that location for the community hub which, it is stated, will include high density housing. So the highest part of the site would have the most prominent structures. The DLCABA asks for the enhancement of the Watling Street and North Downs/Pilgrims Way and yet, the indicative proposals plan shows that Watling Street is surrounded by development with a new distributor road right next to the North Downs Way and two further roads crossing it. The consultation draft makes no reference at all to this important ancient route. Policy SP3 suggests that this, and the other developments in the Plan, will reflect Garden City principles. The Garden City was an attempt by Ebenezer Howard

to achieve an alternative to what was, at that time, seen as grim Victorian towns. It must also be remembered that Garden Cities were conceived before the motor car had achieved any ubiquity and at a time when there were five persons per house, not the 2.3 we have now. We believe that this reference is little more than a public relations name. It is almost as if the inclusion of the term 'garden' will make it seem meritorious. Having regard to the above, CPRE Protect Kent consider that the proposed site in South Canterbury, and how it is envisaged that it will be developed, conflicts fundamentally with its designation as a AHLV and the approach towards landscape character as described in the DLCABA . The proposed development site will destroy the landscape quality of the area, and it will be highly visible in this intrinsic rural area. It would lead to a most unattractive and prominent introduction to the setting of the City of Canterbury and the World Heritage Site which Policies HE3 and LB2 seek to safeguard. ? Transport: The transport implications of this major development site are of serious concern to CPRE Protect Kent. The Local plan indicates an ambition to achieve a new four- way slipped junction to the A2 on the south boundary of the site. This, according to the draft Transport Strategy, will cost an estimated 25m. This cost, though, should be seen as an initial estimate as at this stage no detailed scheme has been drawn up. In our experience costs can rise quite considerably as details of the scheme are examined. Unfortunately we have no Infrastructure Delivery Plan available to demonstrate how and when this scheme will be delivered, but we are extremely concerned, as we have explained in our response to the Transport Strategy (attached to this representation) how the massive transport infrastructure proposed in the Plan will be delivered through developer contributions. In addition to cost, though, we are also extremely concerned about the impact the development will have on the road network. A comprehensive assessment of traffic in Canterbury is provided in 'Unlocking The Gridlock'. This was published by the City Council in 2004 and provided a ten year action plan. Whilst the information it provides on traffic flows is a little dated, the Local Plan explains (paragraph 5.22) that traffic volumes have stabilised in recent years. It remains reasonable, therefore, to rely upon its data. The document provides traffic flows for the principal routes into the City, and that given for the Old Dover Road is stated as 13,342 vehicles per day at the A2 end. However, to this should be added an inflow of 5,759 from Nackington Road giving a total of 19,101. This can be compared with 18,053 for the A28 at Sturry, 10,921 for the A28 near the golf course, 20,616 for Ashford Road Thanington and 18,806 for the to the west of the Rheims Way. At Appendix 3 of Unlocking the Gridlock, there are indications of 'Typical Weekday Queue Length at 8.30 a.m.'. In each case the queue length is measured from the ring road. That for the New Dover Road extends to The Gate Inn, a distance of 2.5 Km (1.5 miles). Other queues are 2.25 km (1.35 miles) for Sturry Road, 1.9 km (1.2 miles) for the A257, 1.55 km (1 mile) for Wincheap/Thanington and 1.25 km (0.75 miles) for the Rheims Way. It is the case that the two roads with the longest queues, Sturry Road and The New Dover Road would be the two with the greatest impact from proposed developments - South Canterbury in the case of New Dover Road. An additional pressure on the Old and New Dover Roads is the presence within the Barton Ward of five out of the ten state secondary schools within the Canterbury City Council District. It is clear to us that the significant development proposed at South Canterbury will exacerbate the existing traffic situation in the Barton Ward, which will see a 108% increase in its population, but the Local Plan is silent on the issue. We do not believe that if the new A2 junction were to be provided it would take traffic away from the Old and New Dover Roads. Indeed, we believe that the new junction would be used by more vehicles to access the City and for 'round City periphery trips'. Thus, even without any development, traffic levels on the Old and New Dover Roads will increase. The current long distance of the junction from the City and the convoluted link from the A2, from the west, acts as a deterrent to much of the current traffic that would otherwise use it. In addition the proposed development itself will add to the existing levels of traffic on the New Dover Road. In addition, the proposed location of the 'community hub' adjacent the Gate Inn, is likely to attract shopping traffic from outside and the proposed relocation of the hospital will inevitably impact on traffic volumes on these roads. It could be that an eastern by pass, as suggested in paragraph 5.56 of the Local Plan, might remove some of the extra traffic, but this is an uncosted and long-term ambition which is extremely unlikely to be in place during the lifetime of this Plan, and probably well beyond if ever. It is also a proposal in the consultation draft to enhance the capacity of the Park and Ride in the City by 800 spaces, of which 400 spaces would be at New Dover Road. Thus half of the extra capacity is proposed at South Canterbury, which will also add to traffic movements on New Dover Road as well as the attendant shuttle bus movements to satisfy it. In addition, at paragraph 5.52 of the Local Plan, there is what is optimistically called 'a fast bus link' which would link the site with the City centre. We would question this, and the degree to which it will be immune from congestion once it joins with the existing road network after leaving the site. There is no evaluation of this concept in the Local Plan - just the one line at paragraph 5.52 and an indication of its position on the illustrative layout plan. No

cost of providing it, which would fall to the developer in any event, is provided in the draft Transport Strategy. In principle we would support the concept of the 'fast bus', but we consider that the idea has been put forward here as a vague notion to provide the impression that sustainable transport options will be provided. Therefore, in traffic terms, CPRE Protect Kent has serious concerns about the impact of such a major development on the existing road network. We cannot see how the traffic from such a large development can be accommodated on a network that is already under stress. Furthermore, the proposed new interchange on the A2 will accentuate the problems as it will attract more traffic. It is also unclear to us whether or not this major highway proposal has the support of the Highways Agency. ? Relocation of the Hospital: We find it amazing that at this very late stage in the plan making process that it is proposed to relocate the Kent and Canterbury hospital to this site. This is a fundamental change to the Plan at the last moment, and we are concerned that it has not received the testing that it should have done. For example, as a major traffic generator, it is unclear what traffic testing if any has been undertaken to assess the impact of this proposal on the highway network; it was not included in either the Jacobs or Amey traffic modelling undertaken to inform the Plan. Also, no indication is given on the illustrative layout as to where the hospital will be located within the site, but it will inevitably take a sizable part of it. None of the other development, however, has been reduced to accommodate it so it is difficult to see how this proposal will work within the site. Delivery is also a major concern. Whilst there may be a desire to relocate the hospital, we are not aware that this is something that is actively being pursued. The inclusion of Policy QL9 in the Local Plan suggests that the proposal is a long-term one, otherwise why would the Local Plan continue to support investment at the existing hospital site? In the absence of an Infrastructure Delivery Plan, there are no clues as to when this will be delivered or how. This seems to be an aspirational proposal rather than one that is actually likely to happen. The proposal, however, does add another set of complications to an already complex development proposition, which we believe will only mean that any development at this site will be several years away. We cannot see how it will be remotely possible for this site to deliver 200 dwellings - built and serviced - by 2016/17 as shown in Appendix 2 of the Plan. . Conclusion: for the above reasons CPRE Protect Kent object in the strongest terms to the proposed allocation at South Canterbury. However, we would not rule out some development in this location, and despite the fact that it is grade 1 land we believe that SHLAA site 86 would provide an opportunity for development that we consider could integrate with the existing community with minimal impact on the landscape character of the area and the landscape setting of the City. This should be investigated and consulted on with local people. In particular we have reservations about the achievement of acceptable access to the site, which will have to be from Nackington Road, but the site should not be ruled out simply because of this. However, we would not advocate 500 dwellings here, as suggested in the SHLAA, and feel that 300 dwellings would be more appropriate.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The site as proposed should be deleted from the Plan and consideration given to allocating a smaller site (SHLAA site 86) for 300 dwellings as we suggest in our alternative approach to development.

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Transport Strategy](#)
Transport Strategy

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is the major development site proposed in the Plan, and one that needs to be robustly tested at the examination. CPRE has a number of serious concerns with it and we would wish to have the opportunity to pursue them in front of the Inspector.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV432
Response Date	18/07/14 14:19
Consultation Point	Site 2 (View)
Status	Submitted

Submission Type Web

Version 0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This site, comprising 43 ha of land, is allocated for 1,000 dwellings and an undefined quantity of business/office floorspace. Fundamental to the development is the provision of a new Sturry crossing and improvements to the existing crossing at Broad Oak. CPRE Protect Kent objects to the allocation of this site for development, for the following reasons: ? Impact on landscape: On Inset 1 of the District Policies Map it can be seen that the larger part of the site consists of Den Grove Wood all of which is in an Area of High Landscape Value (AHLV). This Area was designated in 1998, or perhaps even earlier. It adjoins farmland at present uncultivated, as well other small parcels of woodland and uncultivated farmland. The current Local Plan Map shows that what is now uncultivated land was

formerly orchard land. Under Policy R7 of the adopted Canterbury Local Plan, the AHLV is recognised as having local importance in terms of the quality of the landscape and/or the special landscape role it performs. It states that planning permission should not be permitted where development would cause unacceptable harm. This approach is essentially repeated in Policy LB2 of the new Local Plan, which also includes reference to the protection of the setting of the City and the World Heritage Site. It is instructive to read the Inspector's report following the Inquiry into the adopted Local Plan, when he stated that reasons for AHLVs and Green Gaps were for the prevention of damage to the City Setting, to provide additional protection for land over that afforded by ordinary open countryside policies, and, in the case of Sturry, also to prevent development spreading towards the ancient woodland and High Landscape Area to the North. On walking through Den Grove Wood, to which there is public access on foot, one is struck by there being far more woodland than appears on the District Policies Map, that the woodland is deciduous with mostly native trees, that it is in good condition, and that there are many good quality mature trees. It is also apparent that it provides very useful air quality improvement and acts as a "green lung" to reduce the poor air quality in and around Canterbury at peak times, as well as being a tranquil area with much wild life and vegetation which must do much for the social well-being and health of local residents. The woodland rises steeply from the Stour Valley to the residential area of Broad Oak at Sweechgate, and within it are areas of charming dips and hollows. We believe that the Council was right to designate it as an AHLV. It provides a valuable separation of Sturry from Broad Oak and from the urban area of Canterbury which starts at Shalloak Road. In terms of agricultural grading, we believe that the farmland comprises land of grades 2 and 3. It is certainly the case that the area to the North of Den Grove Wood has been used for fruit or other crop production in the past. On page 110 of the draft Landscape and Biodiversity Appraisal (DLCABA) there is a detailed description of the Stour Valley Slopes which include the allocated site. On the Plan on page 113, a large area of Den Grove Wood is shown as ancient woodland, and the DCLABA points out that this area provides a "significant opportunity to extend and buffer the woodlands of the Blean Southwards into the Stour Valley towards Canterbury, also linking the small blocks of woodland scattered throughout the Stour Valley Slopes area between the University of Kent and Broad Oak" thus providing a Habitat Network Opportunity. Again referring to the above Appraisal the action guidelines for the Stour Valley Slopes include "Strengthen and recreate the traditional field pattern", "Promote active coppice management of designated woodland habitat where appropriate", "Resist further fragmentation and seek to create new woodland or woodland corridors where significant opportunity exists between the University and Broad Oak village", and "Resist the introduction of dominant features on the visually sensitive ridgeline." The summary of these action guidelines is that the area should be "restored and improved", and nowhere is it suggested that any form of further development should be considered. CPRE Protect Kent considers that the allocation of this site for development goes against the acknowledged landscape importance of the area, and the role that it plays in providing the setting of the City. It is contrary to the policies that the Council has in place to protect it from development. Through the access available via the public footpath through the site, it is an area that is enjoyed by many local people. As a result of the development, the character of the public footpath through the site will be entirely lost, together with the local woodland views. Effect upon Sturry, Broad Oak, Urban Canterbury and Fordwich: The proposed houses would all but join Sturry with Broad Oak and would continue the urban sprawl of Canterbury from Shalloak Road, Vauxhall Road and the Sewage Works into Sturry and Broad Oak - effectively converting both villages into a suburban area of Canterbury. The proposed green gaps, whilst welcomed, are mere tokenism and an afterthought to create a sense of separation that will not in reality exist. At present the distance on the North side of the railway between Sturry and the start of urban Canterbury is about 1.3 miles. If the site is developed, that distance will reduce to under two thirds of a mile. This can only encourage development of the remaining land to the North of the railway up to Folly Farm. It is ironic, therefore, to see Sturry described in the Rural Settlement Hierarchy as a Rural Service Centre, and then to flood it with 1000 new homes plus expensive and quite complicated infrastructure which would change its essential rural character. As such the proposed development is out of scale with its position in the settlement hierarchy. Paragraph 1.60 of the Local Plan sets out the criteria for the distribution of new housing sites in rural settlements, and for rural service centres merely states that a higher level of development might be supported. We must ask by whom, as the residents of Sturry and Broad Oak certainly do not support it, and neither does Sturry Parish Council. We must query the Council's Localism approach in making this proposal without consulting with its residents first. The Council appears to be in breach of its Corporate Plan in this respect - in Pledge H the Council states, inter alia, that it will: i. Effectively communicate the message about the need for new homes and explain why more new homes are essential. ii. Involve local communities in planning sustainable communities of the future. Fordwich, Sturry and Broad Oak will be deprived of the use of this wonderful

wooded and rural area, and of their views of it up the slope to the North. Instead they will see a great number of houses, with lights, noise and a suburban appearance. The efforts of the Sturry residents to make something of their historic village centre, incorporating the Church, Milner Court School and numerous attractive old buildings, will go to waste, and the new development will have adverse effects on all of this, as well as upon the Sturry and Fordwich Conservation Areas. The settings of these Conservation Areas will certainly not be enhanced by the proposals.

Transport: The provision of a new Sturry Crossing is key not only to the development of this site, but also to the development of other sites proposed in the Plan. In the draft Transport strategy, this is described as the Sturry Relief Road which will accommodate both A28 and A291 traffic and will include a bridge over the railway line. It is estimated to cost 20m, which will be funded through S106 contributions and from the Single Local Growth Fund (SLGF). In March, the South East Local Enterprise Partnership (SELEP) made its bid to the SLGF, and this included a bid of 5.9m for the 'Sturry Link Road', which we assume is the same proposal. We note that in the bid the cost is estimated as 28.6m, some 43% higher than envisaged by the City Council in its Transport Strategy. Such a significant difference in the estimate of cost is alarming, even at this early stage in the planning process when no detailed scheme has been drawn up. In our experience costs can rise quite considerably as details of the scheme are examined. The outcome of the bidding process was announced in July, which gave provisional approval to the 5.9m bid. This leaves a shortfall of at least 22.7m still to be found. Unfortunately we have no Infrastructure Delivery Plan available to demonstrate how and when this scheme will be delivered, but we are extremely concerned, as we have explained in our response to the Transport Strategy (attached to this representation), how the massive transport infrastructure proposed in the Plan will be delivered through developer contributions. In addition, we believe that the development will have a profound effect on Sturry, Broad Oak and Fordwich, as well as upon Canterbury itself, because of the tremendous traffic increase that will funnel on to the A28. The A28 is considered already to be the most congested approach road to Canterbury, and it will be expected to cope with all the potential Canterbury traffic coming from the new development, plus traffic emanating from the Hillborough, Herne Bay Golf Club, and Strode Farm new developments, much of which will use the A291 Herne to Sturry Road. This is what makes the proposals at Sturry central to the Council's development strategy. Any failure to deliver the road improvements at Sturry will potentially result in the whole strategy failing, or leaving Canterbury in gridlock. The proposed works explained in paragraph 5.54 of the Local Plan are costly, as we suggest above. Also, in our view, it will not deal with the extra traffic that will be brought upon Broad Oak Road and the A28. This all makes the Local Plan strategy high risk.

Air quality: We believe that air quality will deteriorate further as a result of this proposed development, with a consequent danger to public health, particularly in respect of children, the elderly and those suffering from asthma and chest complaints. The Government has stated that danger to public health is a valid reason for refusing development applications. When announcing its Large Air Quality Management Area (AQMA) which came into force on 25th November 2011, the City Council stated, correctly, that "Air pollution has now almost encircled the City" and that "Air pollution kills". Part of the AQMA is the A28, the Sturry Road, and the AQMA stretched, nearly two years ago from the heart of the City nearly to the Sturry Park and Ride site and the Sturry Road Community Park. Since 2011 there has been further development along Broad Oak Road and Sturry Road, thereby worsening the situation. The increased traffic we have mentioned will not only intensify the traffic fumes, but will enlarge the AQMA even further, perhaps taking in Sturry itself, Broad Oak and the fringes of Fordwich. The City Council is aware that more housing brings more traffic, that more traffic increases air pollution, and that air pollution kills, yet still proposes more housing in an area already suffering from air pollution.

Loss of agricultural land: As we point out above, the proposed site comprises in part agricultural land that is of best and most versatile quality. It is a requirement of the NPPF (paragraph 112) that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. In so doing, it states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. In allocating this site, in preference to others or a smaller allocation, the Council has not complied with the NPPF by taking into account the importance of agricultural land. The nation is beginning to face a serious food security issue and, in order to help ensure that the nation can feed itself in the future without increasingly relying on imports, it is essential that our valuable and most productive agricultural land is protected from development or at least its loss is minimised. The NFU has recently made a statement that one third of all the food we consume each year is imported and that the cost of these imports and transporting them to the UK is rapidly increasing. It is also the case that the populations of the exporting countries are often adversely affected by the export trade, for example in terms of water used for exported crops; pollution from transport;

de-forestation; and flooding as a result of loss of vegetation. These are serious environmental and human problems, and we should not be contributing to them when we can grow so much more of our own food. We appreciate that the NPPF does not rule out the development of high quality agricultural land, but it does require account to be taken of the wider economic benefits of high quality agricultural land and that areas of poorer quality land should be used in preference. ? Effect of development upon residents and others in the villages: There are substantial numbers of homes along the Eastern side of Sturry Hill A291. At present they overlook the wooded and rural area, and benefit from the tranquillity and air freshness that the site creates. All this will be lost, and the amenities of those in the homes will be adversely affected. They will be overlooking illuminated buildings during hours of darkness, will experience much more vehicle noise and lighting than at present, and their air quality will deteriorate. To the South of the railway, there is another residential area, being the Sturry Village Centre, and a great many people live and work here. There is also the village church and Junior King's School. At present they have some respite from the A28 traffic by being situated in a sheltered area to the North of Mill Lane A28, from which they look out to the wooded site. All this will change, and they too will suffer adverse effects as described above. There is residential development to the North and West of the site at Broad Oak which will be close to some of the proposed housing. They too will experience much the same kind of adverse effects. Conclusion: for the above reasons CPRE Protect Kent object in the strongest terms to the proposed allocation at Sturry/Broad Oak. We believe that this development will have significant detrimental harm and that it will conflict with a number of the policies proposed in the consultation draft, in particular policies LB2, LB4, LB8, LB10 and QL11.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The site should be deleted from the Plan and consideration given to our alternative approach to development.

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Transport Strategy \(1\)](#)
[Transport Strategy](#)

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, Yes
do you consider it necessary to participate at the oral examination?

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is one of the major development sites proposed in the Plan, and one that needs to be robustly tested at the examination. CPRE has a number of serious concerns with it and we would wish to have the opportunity to pursue them in front of the Inspector.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV433
Response Date	18/07/14 14:19
Consultation Point	Site 3 (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This substantial site, comprising some 81ha of land, is allocated for 1,300 dwellings (increased from 1,000 in the preferred options plan) and 33,000 sqm of employment floorspace as an extension to the Altira Park. Extensive new road infrastructure would be needed, including, as indicated on the indicative proposals plan, two bridges over the railway and the provision of a new west facing on-slip to the Thanet Way. CPRE Protect Kent objects to the allocation of this site for development, for the following reasons: ? The site is too large: At some 81 ha of land this is amongst the largest of the sites proposed for development. As we explain in our response to Policy SP4, we believe that a spatial strategy based on the identification of such large sites has been pursued at the expense of identifying smaller scale opportunities, including previously developed sites, which would be better assimilated into the existing community and the surrounding landscape. As such, we consider that this site comprises unsustainable development because of the extravagant use of undeveloped land it involves. ? Loss of high quality agricultural land: The site comprises grade 1 and 2 agricultural land, and therefore it is the best quality of land for agricultural purposes. It is a requirement of the NPPF (paragraph 112) that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. In so doing, it states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. In allocating this large site, in preference to others or a smaller allocation, the Council has not complied with the NPPF by taking into account the importance of agricultural land. The nation is beginning to face a serious food security issue and, in order to help ensure that the nation can feed itself in the future without increasingly relying on imports, it is essential that our valuable and most productive agricultural land is protected from development ? or at least its loss is minimised. We appreciate that the NPPF does not rule out the development of high quality agricultural land, but it does require account to be taken of the wider economic benefits of high quality agricultural land and that areas of poorer quality land should be used in preference. ? Costly new infrastructure: The scale of development proposed will generate a significant level of traffic that will severely impact on the existing local road network, and further afield (e.g. significant volumes of traffic

are likely to travel towards Canterbury via the A291 through Herne Village). The draft Transport Strategy provides no estimate of the likely costs involved in providing the railway crossings and new slip road to the Thanet Way, presumably because these are assumed to be development costs. However, they will be expensive pieces of infrastructure to provide, probably in excess of 20m. The Local Plan and Transport Strategy will also require this site to make a contribution to infrastructure needed elsewhere, e.g. at Strode Farm and (in particular) Sturry. We believe that these costs, as well as other infrastructure costs, will make the development unviable and undeliverable as we explain in more detail in our comments on the spatial strategy generally (Policy SP4). This will potentially mean that ultimately the site will be more intensively developed and/or corners will be cut in the provision of open space, new infrastructure and other planning obligations, resulting in a sub-standard development. The increase in the number of dwellings from 1,000 to 1,300 is perhaps the start of this process. Conclusion: for the above reasons CPRE Protect Kent object in the strongest terms to the proposed allocation at Hillborough. However, we would not rule out some development in this location, and despite the fact that it is high grade agricultural land we believe that land to the rear of Highfields Avenue, Churchill Avenue and Osborne Gardens provides an opportunity for development that we consider could integrate with the existing community. This should be investigated and consulted on with local people. We feel that around 300 dwellings could potentially be accommodated here.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The site as proposed should be deleted from the Plan and consideration given to allocating a smaller area to the rear of Highfields Avenue, Churchill Avenue and Osborne Gardens for around 300 dwellings as we suggest in our alternative approach to development.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is one of the major development sites proposed in the Plan, and one that needs to be robustly tested at the examination. CPRE has a number of serious concerns with it and we would wish to have the opportunity to pursue them in front of the Inspector.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV434
Response Date	18/07/14 14:20
Consultation Point	Site 4 (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent accepts the allocation of this site for development, subject to support from the local community. We consider that it provides a good opportunity to help meet the future needs of Herne Bay, and would enable significant areas of open space for community benefit to be provided, as shown in the illustrative plan. However, we do not agree that the capacity of the site should be increased to 600 dwellings. We feel that this intensification is a product of allocating the Strode Farm site (Site 5), which means that the development approach to the golf course site is different to originally envisaged. Rather than being an edge of town site where a more sensitive approach would be required, it is now embedded in the urban area. We object to the Strode Farm site, and thus the approach towards the Golf Course site must be more sympathetic to its edge of town location. We further consider that SHLAA sites 12 and 199, which also form part of the golf course site, should also be included in the allocation. Indeed, the SHLAA (summary of methodology and assessment of sites) states that site 12 is actually allocated in conjunction with SHLAA site 208, though it has not been included in either the allocation as shown on the Policies Map or the indicative layout included in Appendix 1. We can see no reason why these two sites should not be included in the allocation. Whilst the SHLAA worksheets would suggest that these two additional areas could accommodate 104 units, we consider that a capacity more in the region of 75 units would be appropriate. Consequently, we consider that the overall capacity for the enlarged site should be 475 units. However, whilst we accept the sites we have serious concerns about how access to it will be achieved, and how the traffic will be accommodated on the wider highway network, especially on Bullockstone Road which is winding and narrow. The Local Plan will need to ensure that the traffic from the development can be safely accommodated on the highway network

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

SHLAA sites 12 and 199, which also form part of the golf course site, should also be included in the allocation and the site capacity should be 475.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is concerned that maximum advantage is taken of sites that are suitable for development. We consider that there is potential to expand this site without encroaching onto greenfield land.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV435

Response Date 18/07/14 14:21

Consultation Point Site 5 ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This site, comprising a little under 40 ha of land, is allocated for 800 dwellings and 15,000 sqm of employment floorspace. Major new road infrastructure is proposed in the form of a new relief road for Herne village which will run through the site from the Eddington roundabout to Bullockstone Road. CPRE Protect Kent objects to the allocation of this site for development, for the following reasons: ? Development is unrelated to and out of scale with the needs of Herne village: It would seem that this significant development of 800 dwellings is justified purely on the basis that Herne village is defined in the settlement hierarchy as comprising part of the urban area of Herne Bay. The Local Plan provides no explanation as to why this site has been selected for development and why the Council considers it appropriate to add 800 dwellings to a village community in this way. It seems to us that because Herne village is seen as part of the urban area of Herne Bay, the Council considers it acceptable for Herne to meet the needs of the Herne Bay urban area. Herne, though, is a separate community to Herne Bay; it is a village with its own unique character and community, in a similar fashion as Sturry which is separately identified in the settlement hierarchy. The proposed development does not respect

that fact or give any recognition to the major impact that it will have on the nature of the village and its community. CPRE Protect Kent believes that it is fundamentally wrong to see Herne village as part of the Herne Bay urban area, notwithstanding the fact that there has been significant development at Broomfield in recent years. Indeed, because there has been that development it is all the more important that the individual character of Herne village is respected and protected from further major development. As proposed the development is too large and out of scale with both a village environment and the specific needs of the village.

Loss of green gap/separation between Herne village and Herne Bay: Together with the Herne Bay Golf Club site (Site 4) this proposal will fill in the remaining open green gap between Herne village and Herne Bay. This confirms our belief that the City Council has no regard to the separate identity of the village and simply sees it as part of the Herne Bay urban area and is content for it to be subsumed into the urban area. This shows a complete contempt for the Herne community, which is underlined by the fact that there has been no engagement with the Parish Council or the local community during the plan preparation period to discuss options for growth. CPRE Protect Kent accepts the allocation of the Golf Course site for development as we believe that it provides a good opportunity to help meet the future needs of Herne Bay, and would enable significant areas of open space for community benefit to be provided. However, the allocation of the Strode Farm site in addition to this will undermine the nature of the proposed development at the Golf Course site as shown in the illustrative plans. Rather than being an edge of town development, with large expanses of open space which would relate to the open countryside beyond, it will become a development embedded in the urban area. This will undoubtedly influence the final design of the Golf Course site and may well explain the increased capacity now proposed for this site, as it will be the Strode Farm site that will be seen as the edge of town site providing connection to the countryside beyond, not the Golf Course site. Of fundamental importance, though, is the need to prevent the complete coalescence of Herne village and Herne Bay, and the Strode Farm site is key to this. To ensure this, the Strode Farm site should not be allocated for development, but instead it should be designated as a green gap under Policy OS6.

Agricultural land and landscape: The draft Landscape and Biodiversity Appraisal (DLCABA) places the Strode Farm site in the Greenhill and Eddington Fringe Character Area (no. 13). This is a small character area which, whilst of little intrinsic quality, is noted in the DLCABA as being 'highly visible' because of its undulating topography. This is particularly so in regard to the Strode Farm site. However, it is proposed that almost the entire character area is developed by virtue of the proposals for sites 4, 5 and 6. The only part of the character area not proposed for development in the Local Plan is the 'plotlands' at the Abbotswood Estate, which are already semi-developed in any event. The character area will, therefore, be entirely lost. The only remaining 'rural' part of the character area is the Strode Farm site which is in agricultural production. Whilst the agricultural land quality here is grade 3 (potentially grade 3a) the land is intensively cropped, and as such creates a clear distinction between rural and urban in this location. The elevation of the land and its visibility in views underlines this fact. It is, therefore, a prominent site in the landscape which helps to provide the rural setting for both Herne Bay and Herne village. As such it provides the essential green gap between Herne village and Herne Bay and helps to define Herne as a self-contained community.

Impact on the Conservation Area: The proposed development site lies immediately to the north of the Herne Conservation Area, much of which covers the rural landscape to the south. Policy HE6 of the Local Plan seeks to protect Conservation Areas from development both within them and adjoining them. It states: 'Development, in and adjoining a conservation area, which would harm its character or appearance, will not be permitted'. It goes on to say that development affecting the setting, or views into and out of a conservation area, should preserve or enhance all features that contribute positively to the area's character or appearance. This should include the need to protect landscape. The proposed development at Strode Farm will have a significant negative effect on the open setting of the Conservation Area and will have a profound effect on views in and out of it. In particular the view from Home Farm will be lost. We note that the SA considers the impact on both the countryside and the historic environment to be 'minor negative' (objective 5), based on a proposal involving 525 dwellings. We disagree with that assessment and have no doubt that it will have a 'major negative' effect, especially given that it is now proposed for 800 dwellings and employment uses. It is clearly the case that the development will conflict with the Council's own policy to protect the setting of conservation areas, as proposed in Policy HE6.

Infrastructure proposals: The proposed development includes the provision of a relief road for Herne village, which would comprise a new road from the Eddington roundabout through the site joining to Bullockstone Road. Bullockstone Road itself would then need to be improved to accommodate the additional traffic that would be channelled on to it not just from the development at Strode Farm itself, but potentially all the traffic travelling between Herne Bay and Canterbury. According to the draft Transport Strategy, the relief road will cost 3m and

is to be funded entirely by the development, though this seemingly does not include any costs for necessary improvements to Bullockstone Road as the Policy makes no reference to this being needed. The development, though, will be expected to contribute towards the provision of the Sturry crossing. Notwithstanding these additional costs, the 3m cost should be seen as an initial estimate as at this stage no detailed scheme has been drawn up. In our experience costs can rise quite considerably as details of the scheme are examined. Unfortunately we have no Infrastructure Delivery Plan available to demonstrate how and when this scheme will be delivered, but we are extremely concerned, as we have explained in our response to the Transport Strategy (attached to this representation) how the massive transport infrastructure proposed in the Plan will be delivered through developer contributions. We also have some more practical concerns with the proposed relief road: ? The ability of the Eddington Roundabout to accommodate a sixth leg; ? The ability of Bullockstone Road to take additional traffic without major up-grade due to its poor alignment, narrow width in places and structural weakness. It is also subject to a weight limit; ? Concerns about rat-running through the village; ? Lack of details about the proposal; and ? The lack of an implementation plan showing how and when the road will be provided, particularly having regard to the phasing of other proposed sites and the provision of other new road infrastructure related to them. These are serious concerns, and lead us to the conclusion that the road proposal is highly aspirational making the whole development proposal high risk and potentially unviable. A development proposal cannot be seriously promoted on the basis of such aspiration and risk. Conclusion: for the above reasons CPRE Protect Kent object in the strongest terms to the proposed allocation at Strode Farm and the site should be deleted from the Plan. Instead we ask that the site is identified in the Local Plan as a green gap under Policy OS6.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The site should be deleted from the Plan and the area should be identified as a Green Gap under Policy OS6

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Publication Draft - Transport Strategy.pdf](#)

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is one of the major development sites proposed in the Plan, and one that needs to be robustly tested at the examination. CPRE has a number of serious concerns with it and we would wish to have the opportunity to pursue them in front of the Inspector.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV436
Response Date	18/07/14 14:21
Consultation Point	Site 6 (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If Yes No is selected please complete question 2b) by ticking all that apply.

Comments in support

*Please enter your comments if you think the Local Plan **DOES** comply with any of the following:*
legal compliance, soundness, duty to co-operate

Comments in support of the legal compliance and/or soundness and/or duty to co-operate of the Local Plan.

CPRE Protect Kent accepts the allocation of this site for development as proposed, subject to support from the local community.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation*

at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV437
Response Date	18/07/14 14:22
Consultation Point	Site 7 (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent accepts that there is potential for development in this location, and we welcome the proposed extension of the Duncan Down country park and additional open space including allotments. However, we note the local concerns of some residents and the need for development to respect the environmental sensitivities of the site. We are also aware of potential access issues to the site, and impacts on the highway network. We therefore consider that the amount of development proposed should be reduced to no more than 250 dwellings and that the extent of built development, as shown on the indicative layout plan, should be reduced and be more contiguous with the existing built development, i.e. not extend so far to the west.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate Representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The amount of development to be accommodated should be reduced to no more than 250 dwellings and the area of built development, as shown on the indicative layout plan, should not extend so far to the west.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation*

at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV439
Response Date	18/07/14 14:25
Consultation Point	Site 9 (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent welcomes the inclusion of this previously developed site in the Local Plan, but it is unclear to why the site is only allocated for 400 dwellings. Unlike for other strategic sites no indicative layout plan is provided in the Plan. We believe that this site could accommodate a higher number of dwellings, probably more in the order of 600 dwellings. A relatively high density of development could be accommodated here. We would also wish to ask in what way the existing military houses on the site will contribute towards future housing supply. Whilst we accept that they are existing houses, they have been occupied specifically by the military. With the barracks being closed, it is likely that these houses, for the first time, will become available to the general market. As such they will be a new source of supply in the local housing market. An allowance for them, therefore, needs to be made in the housing land supply assessment.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The yield from this site should be increased to at least 600 dwellings, and clarification should be given as to the status of the existing military houses and how they will contribute to future supply.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation*

at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent would wish to ensure that maximum use is made of this brownfield site.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV438
Response Date	18/07/14 14:23
Consultation Point	Site 8 (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This site is now allocated for 500 dwellings (reduced from 800) with 1 ha of land being put aside for business space. It is also proposed that the new development will provide a new community building, play areas and allotments and a multi-use games area. CPRE Protect Kent accept that there is potential to expand Hersden village, and in so doing to help improve the range of social and community infrastructure available to the residents. A prerequisite to this however, must be the support of the village and we see no evidence in the plan that there has been the necessary community consultation undertaken to endorse the expansion as proposed. Notwithstanding the above, we object to the development of land on the northern side of the village as we believe that if expansion is supported by the community it should occur on the southern side of the village making maximum use of the previously developed land available there (i.e. SHLAA site 41). This would better accord with national policy which seeks to use land of lower quality first. We understand that the promoter of this site envisages that upto 400 dwellings could be accommodated on this site. We would support this proposal in preference to the site north of Hersden. We also consider that in recognition of the improved range of services that would be provided at Hersden as a result of this development, and if following further consultation with the local community there is support for expansion, then Hersden should be included in the rural settlement hierarchy as a rural service centre. We believe that this would better reflect its standing.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The proposed strategic allocation north of the village should be deleted. Instead, and if supported by the local community, SHLAA site 41 comprising previously developed land on the southern side of the village should be allocated for upto 400 dwellings. We also consider that the village should be elevated in the settlement hierarchy to a ?rural service centre?.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

There needs to be a full discussion at the examination on the appropriate location for future development at Hersden. The Council seem resolutely opposed to using available previously developed land, and the reasons for this need to be explored.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV440
Response Date	18/07/14 14:25
Consultation Point	Site 10 (View)
Status	Submitted
Submission Type	Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent is not opposed in principle to the re-use of the hospital site for housing development, should it become available, though we object to development on the greenfield parts of the proposed allocation which would extend built development into land that is currently designated as an Area of High Landscape Value that contributes to the setting of the City. Development of this land would be contrary to Policy LB2 of the Local Plan. However, we have serious concerns that this site has been introduced into the Plan at a late stage and we would wish to know how it has been assessed, for example in terms of its impact on the highway network and potential increased air pollution. We have significant doubts, though, that the hospital site will become available for development during the Plan period and thus the reliance that can be placed on it to contribute towards meeting the housing target. The proposition to relocate the hospital to the proposed South Canterbury site has been put to the Council at a very late stage in the plan making proposal, which we believe is entirely opportunistic rather than a positive objective of the Plan. We have seen no evidence to suggest that this is a realistic

and viable proposition, and linking it to the South Canterbury site creates significant doubt over delivery given the enormous infrastructure costs that will fall to the developer(s) of this site.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The site should be deleted from the Plan. The desire to re-locate the hospital should be included in text in the Plan explaining that options for a possible site will be explored during the Plan period.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It will be necessary to explore in detail the proposal to relocate the hospital and how this should be progressed. CPRE Protect Kent is concerned that as currently proposed the relocation of the hospital to the south Canterbury site is opportunistic and is not based on any assessment of alternatives, its impacts or the prospect of delivery.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
 - The report of the Inspector has been published
 - The Local Plan has been adopted
-

Comment by CPRE Kent (Mr Brian Lloyd)
Comment ID PV441
Response Date 18/07/14 14:26
Consultation Point Policy SP3 continued ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent welcomes the fact that Policy SP3 requires the preparation of detailed development briefs setting out the detailed requirements for each of the sites. We assume that such briefs will be subject to public consultation and will be adopted as supplementary planning documents in the normal fashion. However, and notwithstanding this requirement, we find the Local Plan lacking in providing any clear guidance on how the respective sites should be developed. For example, all the sites will require the provision of new open space to meet the needs of the new residents, but no detail is provided as to how much and what type of open space will be provided. We find it odd that all the sites are included in the Plan under a single Policy and that there is no explanatory text to provide context as to what the objectives are for the sites and how they will be developed. We consider that each site should have its own Policy and supporting text so that people can better understand what is proposed and what will be provided. This will then help to inform the preparation of the more detailed development briefs. We are concerned that the reference to 'garden city' principles is open to interpretation, as none of the strategic sites comprise new freestanding settlements, as envisaged by the Garden City movement. It seems to us, that this terminology suggests that the developments will have exceptional green credentials, when the reality will be, because of the infrastructure burdens that will be placed upon them, they are likely to be pretty standard suburban type developments. To suggest that they will be something better is misleading. If such principles are to be employed they need to be properly defined in the supporting text to the policy so that the success, or otherwise, of this policy can be measured against what actually happens on the ground. In particular, such principles (whatever they are) might be applied differently to the South Canterbury site as they will to the Hospital site. As it stands the reference is meaningless.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Each strategic site should have its own policy with supporting text providing context and description of the allocation. More detail should be provided as to what is meant by 'garden city' principles and how this will be reflected in each of the sites allocated.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation*

at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

We consider it essential to ensure that the Local Plan provides sufficient detail for people to understand what is expected from each site and why the sites are considered suitable for development. The Plan is lacking in such detail.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV442
Response Date	18/07/14 14:27
Consultation Point	1.60 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . **Justified**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent generally supports the rural settlement hierarchy as proposed, but considers that it needs some adjustment. We consider that the following changes should be made: ? The category of rural service centre should be removed from the hierarchy, and Sturry (the only settlement defined as falling in this category) should be re-designated in the hierarchy as a local centre. This, we believe, would better reflect its function as a centre given its close proximity to Canterbury. ? The village of Herne should be recognised in the hierarchy as a separate settlement to Herne Bay reflecting the fact that it is a self contained village community, in the same way that Sturry is; it is no more a community joined to Herne Bay as Sturry is joined to Canterbury. It should be included as a local centre. ? As it only has community hall, it is difficult to see why Tyler Hill is defined as a village ? it should be included in the hierarchy as a hamlet.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

- ? The category of rural service centre should be removed from the hierarchy, and Sturry (the only settlement defined as falling in this category) should be re-designated in the hierarchy as a local centre.
- ? The village of Herne should be included as a local centre. ? Tyler Hill should be included as a hamlet.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It is important to ensure that the settlement hierarchy is correct as it will determine the approach taken by the Council when considering planning applications. We would wish to have the opportunity to present our concerns to the Inspector.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV443
Response Date	18/07/14 14:27
Consultation Point	1.62 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent do not see why rural settlements cannot have their built confines defined, even if there are open spaces within those confines. Whether or not a boundary is defined, a judgement will have to be made in the context of general policies if a planning application is submitted for any such open spaces. However, the benefit of having a defined boundary is that it distinguishes between what is 'built?' and what is 'countryside?' in the application of Policy SP4, rather than leaving this to some arbitrary, and potentially inconsistent, decisions made through the development management process. Therefore, CPRE Protect Kent is strongly of the view that boundaries should be defined for the villages, local centres and rural service centres, as well as for the main urban areas. However, we do not consider it necessary to do so for the hamlets, as these are settlements that sit within the wider countryside where development would be inappropriate.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Settlement boundaries should be defined for the urban areas, rural service centres, local centres and villages.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent consider that the definition of settlement boundaries is an important planning tool to ensure consistency in decision making and in applying planning policies.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV444
Response Date	18/07/14 14:28

Consultation Point Policy SP4 Strategic approach to location of development ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Policy SP4 and its supporting text set out the ?strategic approach to the location of development?. It is explained that the strategy comprises a sequential approach to the allocation of land for development,

meaning that the urban areas of Canterbury, Herne Bay and Whitstable will continue to be the focus for development, with a particular focus at Canterbury, together with development at some of the rural service centres. A rural settlement hierarchy is set which defines a rural service centre (Sturry) and a number of local centres, villages and hamlets. Reflecting the hierarchy, Policy SP4 proposes that in addition to the allocations proposed in the consultation draft: ? small-scale provision will be supported at the service centres; ? minor development and infill and housing to meet local needs will be acceptable at the villages; ? at the hamlets development will be limited to that needed to meet identified local needs; and ? in the open countryside development will normally be limited to that required for agriculture and forestry. The Local Plan considers that this approach to development is supported by a wide-range of background studies and that it meets the objectives of other strategies. CPRE Protect Kent supports in principle a sequential approach to development as advocated in Policy SP4, where the focus of development is at the urban areas. We consider that this sequential approach is equally applicable in distributing the lower development targets that we promote in our representations. We would, though, wish to see some changes to the Policy for clarity. Whilst we support the Policy in principle, we object to how the sequential approach is being applied, for the following reasons: i. Reliance on large greenfield allocations: The Strategic Site Allocations made under Policies SP3 lie at the heart of the spatial strategy. These ten sites alone account for 9,710 (62%) of the total 15,600 dwellings proposed under Policy SP2, as well as much of the proposed new employment floorspace. Of these ten sites, eight are greenfield on which a total of 8,900 dwellings are proposed. One other is a mixture of greenfield and brownfield. We comment in separate representations on the individual sites proposed, but we object to a spatial strategy and application of the sequential approach that results in the allocation of a few large greenfield sites to accommodate the vast majority of the new development proposed. In particular we object to the sites at South Canterbury, Sturry/Broad Oak, Hillborough and Strode Farm which together account for two thirds of the dwellings proposed on new allocations. The Local Plan provides no explanation as to why the spatial strategy must take this form, why the specific sites have been selected, and why any alternative sites are inappropriate. In our analysis of the background studies and assessments, it seems that the proposed sites are all predicated on the assumption that the spatial strategy presented in the Plan is the only way that the development quantities in Scenario E in the Nathaniel Lichfield ?Canterbury Development Requirements Study? can be delivered, but there is no clear explanation as to why this is the only feasible approach. There is only one paragraph of text that introduces the site policies, which offers no explanation. This proposed strategy fails to make the best use of previously developed land, which is one of the core planning principles set out in paragraph 17 of the National Planning Policy Framework (NPPF). It is also one of the key actions in the Council?s Corporate Plan. Whilst some brownfield opportunities are included in the Local Plan, we are concerned that the reliance on large and complex greenfield sites will mean that they will become the focus of the Council?s resources to secure delivery in order to ensure that there is any chance of delivering the development targets and associated infrastructure provision. We believe that such focussing of resources will inevitably be at the expense of efforts to bring forward any brownfield sites that are identified for development. Consequently the Plan is contrary to the NPPF. Furthermore, it fails to properly apply the sequential approach as explained in paragraph 1.58 of the Plan. It is also a requirement of the NPPF (paragraph 112) that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. In so doing, it states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Natural England?s ?Agricultural Land Classification map for London and the South East? shows that all eight greenfield strategic sites potentially involve land that falls in the category of best and most versatile agricultural land (notwithstanding that one site is a former golf course). The Council clearly believe that it is necessary for there to be significant development of agricultural land, as it has chosen not to include any areas of lower quality land as required by the NPPF. The nation is beginning to face a serious food security issue and, in order to help ensure that the nation can feed itself in the future without increasingly relying on imports, it is essential that our valuable and most productive agricultural land is protected from development ? or at least its loss is minimised. We appreciate that the NPPF does not rule out the development of high quality agricultural land, but it does require account to be taken of the wider economic benefits of high quality agricultural land and that areas of poorer quality land should be used in preference. The proposed strategic sites in Policy SP3 are assessed in the Sustainability Appraisal (SA) as having a ?major negative? effect in terms of land use (Objective 14) in the short-, medium- and long-term. The SA acknowledges that 70% of the land needed to meet the housing target will be greenfield and that much of this is of grade 1 and 2 quality. It advises that: ?The Council should encourage developers to consider whether there is

previously developed land available in suitable locations for new development, rather than locating development on fresh land. Despite this advice, it is the Council itself that is promoting the loss of extensive areas of productive agricultural land. Other alternative opportunities have been given little consideration in formulating the spatial strategy. This is starkly evident by the fact that the protection of high quality agricultural land is not a matter considered to be of any strategic significance – there is no reference to agriculture in the Plan's Vision, the local definition of sustainable development or in any of the strategic policies. Whilst Policy EMP12 seeks to protect the best and most versatile land for the long term, the Policy expressly excludes this in determining allocated sites. Such low regard to the value of high quality agricultural land is contrary to paragraph 112 of the NPPF. It is also of concern to us that it will be difficult to assimilate these very large sites into the landscape and into the communities that they will be attached to. Whilst we would accept that the use of any greenfield land for development will have a potentially negative affect in this regard, we would submit that the impact is much greater when large sites are involved. In this case, the SA of the SHLAA sites shows that five of the proposed strategic sites are assessed as having a significant negative impact against SA Objective 5 whilst three are assessed as having a minor negative effect. Two of the sites – south Canterbury and Sturry – actually involve land designated as being of high landscape value. We would submit that a strategy that favoured smaller sites would not have such a profound impact. The promotion of such large sites results in urban sprawl and settlement coalescence. The fact that the Council has felt it necessary to define a number of very small green gaps to prevent total coalescence underlines the profound effect that the proposals have on the existing communities. It is the Council's view that these very large greenfield allocations are needed to deliver the scale of development required under the preferred Scenario E. We do not accept that proposition, and we believe that it is the Council's desire to deliver costly new road infrastructure that has determined both the amount of development and the preferred spatial strategy. We expand on this in point ii) below, but we believe that a spatial strategy that relies on large greenfield sites to deliver a level of house building never before achieved and linked to significant new road infrastructure is undeliverable. We believe that because future housing delivery will depend so heavily on these large and complex sites, reliance on them is risky. Successful delivery of the sites is a major concern we have, especially given the scale of new infrastructure provision associated with them. We have seen no evidence to give us comfort that any of these sites can be delivered, and the time scale in which they will be delivered. For example, the SHLAA provides no assessment of availability and achievability despite these being key components of the usual SHLAA methodology and as required by the second bullet point of paragraph 159 of the NPPF. Phasing of the sites is provided in Appendix 2 of the Plan, but in our view is wildly optimistic – see our comments on paragraph 2.23 (Table H1). We also consider that reliance on a handful of large greenfield sites will limit choice in the housing market. Paragraph 50 of the NPPF requires local planning authorities to deliver a wide choice of high quality homes, whilst paragraph 47 requires there to be choice and competition in the market for land. With so much of the housing to be provided at large developments in a very few locations, effectively the only choice that people will have on where they want to live is between competing suburban developments. Whilst the sites will provide the opportunity to provide a range of housing within them, they will inevitably be formulaic –anywhere? developments provided by the national house builders in accordance with off-the-shelf housing designs, despite notions of –garden city? principles as advocated in Policy SP3, which will only add further to costs. Real consumer choice can only be achieved by providing a much wider range of housing sites which will provide real opportunities for unique and distinctive developments by a wider range of developers, including by local builders who are effectively excluded from the market. The spatial strategy does not provide this necessary choice. ii. Reliance on new road infrastructure: As we have explained in point i) above, we believe that the spatial strategy and the selection of sites is predicated on the Council's desire to provide new road infrastructure. Road infrastructure proposals are so fundamental to the spatial strategy that we believe they have driven the site selection process. They are particularly crucial to the delivery of the strategic sites at south Canterbury, Sturry and Strode Farm, though other sites will also be dependent upon infrastructure provided at these sites. The draft Transport Strategy indicates that the schemes proposed will cost around 100m – but these are just initial first estimates which inevitably will increase as detailed schemes are developed. It is also the case that for the strategy to work, the new road infrastructure will need to be provided in a coordinated way, and that in particular the new Sturry crossing will need to be provided early on. However, the lack of an Infrastructure Delivery Plan means that it is impossible to see how this coordination will be achieved and how it will be phased with development. There is the real risk that the whole –house of cards? will collapse if any element of the infrastructure is delayed or not delivered, meaning that the whole plan strategy will fail. What is more, no contingencies are included in the plan in the eventuality that the essential road infrastructure

is not provided. Such is the cost of this new transport infrastructure that paragraph 1.77 of the Plan suggests that for the strategic sites a 'nil CIL' (Community Infrastructure Levy) could be applied, meaning that local communities will not benefit at all from the major development proposed. This is despite changes made to the CIL regulations which mean that local communities who are being asked to 'host' new development can expect to receive a proportion of the CIL - at least 15% and 25% if they have a Neighbourhood Plan. The City Council, though, is contemplating removing even this benefit by charging a 'nil CIL'. This is entirely unacceptable, and contrary to Government expectations. To be contemplating this, though, it is clear that the cost of the proposed infrastructure is significant, and probably too great for the developments to bear when taken together with the other planning obligations that will fall on them. This will only result in sub-standard and unsustainable communities. It should certainly not be the case that the local communities impacted by such major development should be deprived of any potential benefits that would normally be expected from it under the CIL. It is clear to us, and we have seen no information to the contrary, that the delivery of the planned road infrastructure is unachievable meaning that the spatial strategy is undeliverable. Consequently, we believe that the proposals are contrary to paragraphs 173 to 177 of the NPPF. It is our strong view that the spatial strategy is wrong in placing such a reliance on the provision of new road infrastructure, the delivery of which is far from certain. Consequently, CPRE Protect Kent objects to the spatial strategy on this basis. We do not believe that it is appropriate for the spatial strategy to be driven by the provision of costly new road infrastructure, i.e. to locate new development where the Council consider that new road building is needed. We believe that priority should be given to locating new development where it is needed and where it can be sustainably accommodated, and only then should transport solutions (if needed) be considered, in accordance with an agreed Transport Strategy. The proposed spatial strategy, which is so fundamentally based on new road infrastructure, will be high cost and environmentally damaging. It will also increase in-commuting and congestion, as confirmed in the Sustainability Appraisal of the development scenarios (See the third paragraph of paragraph 3.2.5 of the Sustainability Appraisal of the development scenarios, AMEC, June 2012). It also means that there is a lack of joined-up transport planning and routes for anything other than motorised transport. It is well known that building roads, or indeed improving existing ones, draws in more traffic, and thereby not only makes conditions worse on surrounding existing roads, but fails to achieve the objectives of reducing the impacts of motorised road traffic as intended. The classic example of this is Newbury, which like Canterbury now has an inner and an outer bypass, both of which have experienced increased traffic. Hence building roads might appear to solve some local congestion, but in reality is likely to have far greater negative effects on the city's transport network and on the environment due to increased road traffic and congestion. This would conflict with the Council's aim of reducing traffic across the District, and will inevitably result in increased air pollution, climate emissions, noise and other environmental impacts. It is all the more remarkable that such major road building is being proposed, when at paragraph 5.20 of the preferred options draft of the Plan it was conceded that 'building more roads to meet demand is unaffordable' - a comment that has now been removed from the Plan! As we have already explained, we believe that the road proposals are undeliverable due to the likely cost involved. We attach our submission on the Transport Strategy that elaborates on this point. We consider that a more effective use of funds would be to invest in more sustainable modes of transport which, compared to new road building, is relatively cheap. Indeed, as acknowledged in paragraph 1.35 of the Plan: 'The best way to achieve reliable journey times, while maintaining and improving access and avoiding traffic build up, is to shift to more efficient ways of travelling that take up less road space. The way of doing this is to promote alternative forms of travel such as walking and cycling for short journeys and bus and rail use for longer journeys.' We consider that a spatial strategy based on these principles rather than on new road building should be promoted in the Plan. iii. Failure to address housing needs in all the Market Areas: As we have explained in points i) and ii) above, we consider that the sequential approach/spatial strategy in the consultation draft has been driven by the identification of large greenfield sites essentially to deliver new road infrastructure. This approach has paid no regard to how the 'objectively assessed housing need' in the market areas is to be met, as required by paragraphs 47 and 159 of the NPPF. We object to this failure. The 'Strategic Housing Market Assessment for the East Kent Sub-region' (SHMA) defines five housing markets within Canterbury District, as follows: 'The Greater Canterbury Housing Market Area (HMA) ' The Herne Bay HMA ' The Whitstable HMA ' The East Kent Rural North HMA (part) ' The East Kent Rural South HMA (part) The Local Plan spatial strategy should have at its heart meeting the needs within the respective HMAs and to set development targets and make allocations for each of them, reflecting of course the sequential approach and the settlement hierarchy and the available sites identified through the SHLAA process. However, the spatial strategy promoted in the Plan does not do this, and works entirely on the basis of a

district-wide development target which is then arbitrarily distributed largely on the basis of large greenfield allocations and new road infrastructure proposals. One of the outcomes of this is that the needs of the rural HMAs have been essentially disregarded. Of the new allocations, just 626 dwellings are proposed for the rural HMAs, all of the 581 dwellings proposed in the Rural North HMA are at Hersden and just 45 dwellings are proposed for the Rural South HMA (NB: Although the proposed site at Sturry is claimed to be a 'rural site' in Table H2 it actually falls in the Greater Canterbury HMA). None of the allocations carried forward from the 2006 Local Plan fall in the rural HMAs, whilst the existing planning permissions falling in the rural HMAs are predominantly small infill sites of 1 or 2 dwellings (see Appendix 2 to the Plan). Essentially the needs of the rural areas are being left to speculative planning applications in accordance with the settlement hierarchy, and the provision of rural exception sites. This does not provide any certainty that rural housing needs will be met. Although we do not object in principle to planned expansion at Hersden, if this is supported by the local community (see our comments on Policy SP3 Site 8), we are concerned that the housing needs of the other rural communities are being ignored by the preferred spatial strategy. Most disappointingly, there has been no direct and specific engagement with the rural communities to discuss their needs and how to plan to meet them. Instead, the Council has simply dismissed small-scale development in the rural communities as a dispersed strategy that is unsustainable in character, even though the SHMA and the Council's housing strategy recognises the need to broaden choice and to address issues of affordability in the rural areas. We consider that the spatial strategy must better reflect and address the needs of the rural communities.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan needs to be withdrawn or found unsound so that the spatial strategy can be reconsidered. Notwithstanding this, the following changes should be made to the Policy: ? In the final sentence of the opening paragraph insert 'and designs' after 'types'; ? In the open paragraph reference is made to 'some of the rural service centres', but in the hierarchy only one rural service centre is defined. The Policy needs to be amended accordingly. Irrespective of this, we consider that the category of rural service centre should be removed from the hierarchy, and Sturry (the only settlement defined as falling in this category) should be re-designated in the hierarchy as a local centre. This, we believe, would better reflect its function as a centre given its close proximity to Canterbury; and ? In point 5 the word 'normally' should be removed. .

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Transport Strategy \(2\)](#)
Transport Strategy

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent has serious concerns with the spatial strategy promoted in the Local Plan, which we consider needs to be fundamentally recast.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV445

Response Date 18/07/14 14:29

Consultation Point 1.64 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

In the Preferred Options draft a Strategic Policy on transport was included in the Plan, in addition to Policy T1. CPRE Protect Kent considers that given the importance of transport infrastructure to the Plan strategy a Strategic Policy should be reinstated. We consider that Policy T1 would serve the purpose and should be elevated as a Strategic Policy.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

A Strategic Policy on transport should be included in Chapter 1 of the Plan. We would suggest that Policy T1 (as amended in accordance with our comments) would serve this purpose.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The strategy places a high reliance on the provision of new transport infrastructure and it is of concern to CPRE Protect Kent that the previous Strategic Policy on transport has been removed from the Plan. We would wish to have the opportunity to express our concerns at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV446
Response Date	18/07/14 14:30
Consultation Point	Policy SP5 Green infrastructure (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent support this Policy, but we consider it could be strengthened by being more proactive on connectivity.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

An additional point should be added after point 2. as follows: ?Ensure that linkages in and between open spaces and with foot/cycle/bridle ways & paths are provided or enhanced wherever possible to provide joined-up off-road routes?.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you** . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV447
Response Date	18/07/14 14:32
Consultation Point	Policy SP6 Infrastructure Delivery Plan (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Given the reliance of the plan strategy on extensive and costly new road infrastructure, as well as the need to provide other new infrastructure to support the scale of development proposed, it is a major failing not to have the Infrastructure Delivery Plan ready at this stage so that respondents can see, and comment on, how it is envisaged that the infrastructure will be delivered. It is fundamental and central to the whole Plan strategy. We would urge the Council to make this available for consultation before the Plan is submitted for examination.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Infrastructure Delivery Plan needs to be provided and made available for consultation before the Plan is submitted for examination.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is extremely concerned that the extensive new infrastructure proposed will make the Plan undeliverable. The absence of an Infrastructure Delivery Plan at this stage deprives people the opportunity to scrutinise this important document. It will be a key document that will need to be robustly assessed at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV448
Response Date	18/07/14 14:32
Consultation Point	1.72 Paragraph (View)
Status	Submitted
Submission Type	Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Given the reliance of the plan strategy on extensive and costly new road infrastructure, as well as the need to provide other new infrastructure to support the scale of development proposed, it is a major failing not to have the Infrastructure Delivery Plan ready at this stage so that respondents can see, and comment on, how it is envisaged that the infrastructure will be delivered. This is fundamental and central to the proposed strategy of the Plan. We would urge the Council to make this available for consultation before the Plan is submitted for examination.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Infrastructure Delivery Plan needs to be provided and made available for consultation before the Plan is submitted for examination.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is extremely concerned that the extensive new infrastructure proposed will make the Plan undeliverable. The absence of an Infrastructure Delivery Plan at this stage deprives people the opportunity to scrutinise this important document. It will be a key document that will need to be robustly assessed at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)
Comment ID PV450
Response Date 18/07/14 14:33
Consultation Point 1.77 Paragraph ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent object most strongly to the proposal of a 'nil CIL'. This, we believe, is a direct result of the extensive and costly new road infrastructure proposed in the consultation draft, and means that local communities will not benefit at all from the major development proposed. This is despite changes made to the CIL regulations which mean that local communities who are being asked to 'host' new development can expect to receive a proportion of the CIL of at least 15% and 25% if they have a Neighbourhood Plan. To contemplate removing this benefit by charging a 'nil CIL' is entirely unacceptable and contrary to Government expectations. It will only result in sub-standard and unsustainable communities, where the full range of social and community infrastructure will not be provided. It should certainly not be the case that the local communities impacted by such major development should be deprived of any potential benefits that would normally be expected from it under the CIL.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The paragraph needs to be recast to remove the reference to 'nil' CIL.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is extremely concerned that the extensive new infrastructure proposed will make the Plan undeliverable. The absence of an Infrastructure Delivery Plan at this stage deprives people

the opportunity to scrutinise this important document. It will be a key document that will need to be robustly assessed at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV452
Response Date	18/07/14 14:33
Consultation Point	1.88 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent find it unacceptable that the formal proposals for monitoring and review are not provided at this stage to give people the opportunity to comment on them.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The proposals for monitoring and review need to be provided and made available for consultation before the Plan is submitted for examination.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please ensure that we have either an up to date email or postal address at which we can contact you . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV454

Response Date 18/07/14 14:34

Consultation Point 2.17 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

As we explain in our representation on Policy SP2 the Nathaniel Lichfield development requirements study is not an objective assessment of housing needs as required by the National Planning Policy Framework

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn or found unsound to enable a full and robust assessment of housing need and further consideration to be given to how the full objectively assessed housing need can be accommodated. If the Inspector is satisfied that the Council has properly assessed housing need in accordance with the NPPF and NPPG, the housing target should be reduced to 12,000 dwellings (600 dwellings per year) in recognition of the environmental, infrastructure, water and delivery constraints that prevail in the district.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The robust identification of development requirements is a key aspect of plan making which needs to be thoroughly tested. CPRE Protect Kent has serious concerns with the way that development quantities have been identified for the Plan.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV455
Response Date	18/07/14 14:34
Consultation Point	2.21 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

There is a significant amount of student accommodation in Canterbury District, particularly in Canterbury itself, and this is an important feature of the housing market of the area. As well as occupying housing that would otherwise be available on the general market, there is significant purpose built accommodation, with more planned. As explained in this paragraph, the National Planning Practice Guidance (NPPG) allows student accommodation to be counted towards meeting the housing requirement of the area, though the Council explain that this can only be done if the need for student housing is also taken into account. The NPPG does not say this, but if this is so then it is a matter that needs to be addressed in planning for future housing in the district. Although this is a recent clarification of Government Policy towards housing provision, it is another shortfall in the Council's objective assessment of housing need that needs to be addressed.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn or found unsound to enable a full and robust assessment of housing need and further consideration to be given to how the full objectively assessed housing need can be accommodated taking into account student housing.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The robust identification of development requirements is a key aspect of plan making which needs to be thoroughly tested. CPRE Protect Kent has serious concerns with the way that development quantities have been identified for the Plan.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV457
Response Date	18/07/14 14:35
Consultation Point	2.23 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

- Do you consider the Local Plan is UNSOUND because it is not:**
- . Positively Prepared
 - . Justified
 - . Effective
 - . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Table H1 phases the housing land requirement into 4 five year periods, as follows: 2011-16: 3,000 dwellings (600 pa); 2016-21: 4,200 dwellings (840 pa); 2021-26: 4,200 dwellings (840 pa); and 2026-31: 4,200 dwellings (840 pa); A schedule of the phasing of individual sites is given in Appendix 2, though it is difficult from this to correlate the anticipated delivery of sites with the phasing periods given in Table H1. Notwithstanding this, the usual approach to phasing is simply to divide the requirement into equal five year tranches, which in this case would be 3,900 dwellings in each five year period (i.e. 780 pa, which we are told at various places in the Local Plan is the housing target). No explanation is given as to why the requirement is phased so that less housing is provided in the first five years, though we assume that this is down to the lead in time needed to bring the strategic sites on stream. This approach to phasing, though, does make it more complicated to assess whether or not the Council can deliver a five year land supply. For this, the calculation would be based on the 780 dwellings pa average figure, which means that for the five year period 2013 to 2018 3,900 dwellings will need to be provided plus 5% (195) as required by paragraph 47 of the National Planning Policy Framework (NPPF). This makes a total of 4,095 dwellings. The summary table in Appendix 2 to the Plan anticipates, however, that 6,084 dwellings will be provided in this time scale, well above the five year requirement, and indeed well in excess of the phasing presented in Table H1. It assumes, however, that all the strategic sites will be well under way and producing dwellings. It assumes that the South Canterbury site will be delivering at least 200 dwellings a year from 2016-17 and that most of the other strategic sites will be contributing to supply from as early as 2015-16. Altogether, by 2018 it is envisaged that the Strategic Sites will have delivered 1,900 dwellings. We find these assumptions astounding and completely lacking realism. As we have explained in other representations, these large sites present complex planning issues to be resolved, not least in the planning of major new road infrastructure, for which an Infrastructure Delivery Plan is still to be formulated. At this point in time none of the sites have even an outline planning permission and none have a development brief in place as required by Policy SP2

and, of course, we do not yet have an adopted Local Plan. To suggest that all of these sites will be so substantially underway by 2018 is completely misleading and unrealistic. Additionally, it is anticipated that all the other new allocations in the Plan will be all but finished by 2018; indeed it is envisaged that they would be mostly finished within the next two years. Again we would question the realism of this phasing. We would seriously question the Council's ability to achieve the phasing that it proposes in Table H1 and Appendix 2. We believe that it is highly unlikely that the Strategic sites will make any real contribution to supply in the first five years given the unavoidable lead-in times that such complex and inter-related sites will demand, and we would question the anticipated speed with which the other new allocated sites will progress. Because of this we do not believe that the Council can demonstrate a five year supply of deliverable sites as required by paragraph 47 of the National Planning Policy Framework.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn or found unsound because the housing target is too high and the promotion of a spatial strategy that relies on a few large complicated strategic sites to deliver the target is unrealistic. The achievement of a five-year land supply is unlikely. An alternative strategy, along the lines that we advocate, should be employed.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is seeking to ensure that the Local Plan adopts a strategy that can be delivered. We do not believe that the Council's proposed development strategy is realistic and deliverable and we are concerned about likely failures in maintaining a rolling five-year land supply. We would want these serious concerns to be fully considered at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV458
Response Date	18/07/14 14:36
Consultation Point	2.24 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

See our comments on the sites under Policy SP3.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn or found unsound because the housing target is too high and the promotion of a spatial strategy that relies on a few large complicated strategic sites to deliver the target is unrealistic. An alternative strategy, along the lines that we advocate, should be employed.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

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If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is seeking to ensure that the Local Plan adopts a strategy that can be delivered. We do not believe that the Council's proposed development strategy is realistic and deliverable and we are concerned about likely failures in maintaining a rolling five-year land supply. We would want these serious concerns to be fully considered at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV459

Response Date 18/07/14 14:36

Consultation Point 2.25 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

As for the strategic sites, the Plan would benefit from some explanation as to why the sites listed in Table H3 have been allocated and guidance on what considerations need to be taken into account when bringing them forward. With regard to the proposed sites, we comment as follows: ? St Martin's Hospital, Canterbury: CPRE Protect Kent accepts the allocation of this site for development as proposed, subject to support from the local community. ? Kingsmead Field, Canterbury: CPRE Protect Kent is opposed to any residential development on Kingsmead Field for three key reasons: Firstly, the surrounding area has been the location for significant high-density residential development over the last ten years, with very little new open space created. Secondly, the size of Kingsmead Field was reduced substantially eight years ago by the construction of a childrens' centre on part of the field; and a further reduction in size now could seriously erode the integrity of the remaining area of the field. Thirdly, housing on the field would considerably limit the field's capacity to protect and enhance biodiversity. All three of these reasons are underpinned by policies and statements within the draft Local Plan, as exemplified below. 1. The extent of recent development in the Kingsmead area: Over the last ten years, there has been a significant amount of residential development in the Kingsmead area. The former stadium site, which adjoins Kingsmead Field, has seen the construction of approximately 300 high-density housing units, many of them flats with no gardens. There are over 200 new housing units (again many of them flats) in Barton Mill Road; 60 housing units off Market Way (more flats) and over 700 student rooms in the Parham Road student village. In total, more than 2,000 new residents have moved into the Kingsmead area since 2004, with very little new open space created. Kingsmead Field is the last significant piece of open space left in Kingsmead, and its protection is critical to provide amenity open space to both existing and incoming residents. Paragraph 11.18 in the draft Local Plan states that: 'Open spaces make a valuable contribution to the townscape in the urban areas and development of them would lead to the loss of residential, leisure and visual amenity, and be detrimental to the quality of the built environment.' 2. Erosion of open space: In 2006, a childrens' centre was constructed on Kingsmead Field, reducing the size of the field by 0.34 ha (circa 15%) to approximately 1.91 hectares. The current proposal in the draft Local Plan to build 15 residential dwellings on the field would cut the size of the field by another 0.45 hectares (circa 25%), reducing its total size to 1.46 ha. Paragraph 11.57 of the draft Local Plan highlights the dangers of this kind of open space erosion: 'Open space can be lost by gradual erosion through development' and warns that: 'The loss of open spaces could lead to town cramming and be detrimental to the built environment, undermining quality of life and the progress towards urban renaissance' Further erosion in the size of Kingsmead Field will damage its integrity as an area of public open space and pave the way for yet more incremental development on the field in the future. 3. Compromising the field's capacity to protect

and enhance biodiversity: Kingsmead Field currently operates as a multi-functional area of public open space, providing a strategically important location for public recreation and biodiversity conservation. It consists of three distinct parts: 1) an area of short turf (used for informal sport and relaxation) at the front of the field; 2) a designated wildlife corridor along the northern edge of the field, in direct proximity to the smaller branch of the river Stour; and 3) a woodland corridor across the back of the field, which functions as one of the few green links between the two branches of the Stour. It is this woodland corridor, comprising approximately 25% of the field, which would be lost to housing development if the proposal in Table H3 of the draft Local Plan is accepted. For several decades, this corridor marked the border between the field and the former football stadium, and it now serves as a buffer zone between the recreational part of the field and the neighbouring high-density residential development. This woodland corridor has been in existence for over thirty years. It is approximately 75 metres in length and contains a large number of trees of more than ten different species, many of them deciduous. It serves both as a wildlife haven and as a green corridor, enabling semi-aquatic mammals (such as the water vole) to disperse between the two branches of the Stour. There are two protected species which breed on the field - the water vole and the slow worm - with the field being one of the very few breeding sites for water voles in the whole of inner city Canterbury. The area in front of the field's woodland corridor provides a habitat for slow worms and has become a wildflower meadow of importance to the local community, with a large population of birds, damselflies, bees and 20% of the UK's butterfly species. The construction of residential development on Kingsmead Field's woodland corridor would breach many of the policies and principles espoused in the Council's draft Local Plan and draft Open Spaces Strategy, particularly those concerning the importance of protecting local biodiversity, green infrastructure and natural features (such as hedgerows). For example: I. Policy SP5 states that the Council will prepare a Green Infrastructure Strategy in parallel with the Local Plan which will provide measures 'to protect and enhance biodiversity' and to 'create and enhance linkages between natural areas and open spaces' II. Policy DBE3 states that the Council will expect development proposals to encourage: 'The conservation, integration, extension, connection and management of existing natural features including trees and hedgerows to strengthen local distinctiveness, character and biodiversity.' III. Policy 10.49 states that: 'Improving, connecting and extending wildlife-rich areas allows species to be more robust in their existing environment, and move through the landscape in response to changing conditions in the environment. As well as enabling populations of the same species to colonise new areas, it increases potential genetic diversity and likelihood of resilience to disease and climate change?' IV. Policy LB10 states that: '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 flora and fauna'. 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.' V. Paragraph 11.10 states that: 'This local plan aims to protect and enhance the existing open space and green infrastructure network and reconnect biodiversity with ecosystems to ensure that there is a range of environmental and recreational assets that meet the needs of the communities, natural habitats and species and contribute towards the development of sustainable living environments.' VI. Paragraph 11.56 states that: 'The overall deficiency in open space in the District, as previously mentioned, means that the Council is especially determined to prevent the loss of protected existing open space within the urban boundaries, whether publicly or privately owned, by reason of its contribution towards recreational or visual amenity.' The construction of housing on Kingsmead Field would not only be inconsistent with the policies of the draft Local Plan, but also with the results of the 2004 public consultation which revealed that local residents prioritised the protection and enhancement of open space above all other land-use options in the regeneration of the Kingsmead area. ? Land at Bullockstone Road, Herne Bay: CPRE Protect Kent accepts the allocation of this site for development as proposed, subject to support from the local community. ? Land at Spires, Bredlands, Hersden: CPRE Protect Kent accepts the allocation of this site for development as proposed, subject to support from the local community. ? Barham Court Farm: This site is allocated for 25 dwellings. No details are provided in the consultation draft as to the basis of the allocation so we have assumed that it is for market housing, though subject to the general requirement for affordable housing as included in Policy HD2, i.e. 30%. As we have explained in our representation on Policy SP4, we do not consider that the needs of the rural communities have been addressed in the spatial strategy advocated in the consultation draft. However, whilst we consider that there are opportunities for development in the rural communities we object to the allocation of this site for the following reasons: i. There has been no engagement with the local community and the site should only be allocated in the plan if the local community support it. This proposal is not so supported; ii. The site is located in a Conservation Area and involves the re-use of a listed building. We believe

that the development of the site for 25 dwellings will have a profound effect on the character of the Conservation Area and the setting of the listed building, contrary to policies HE4 and HE6 of the Plan. The SA shows that the proposal will have a major negative impact in this regard (Objective 5); and iii. The SHLAA assessment of sites concluded that the site should not be allocated. CPRE Protect Kent, and we believe the local community, would not rule out any development on this site but it would need to a greatly reduced number that respected the Conservation Area and listed building. This should be discussed with the Parish Council and the local community. ? Land at Baker?s Lane Chartham: CPRE Protect Kent accepts the allocation of this site for development as proposed, subject to support from the local community. We note that in assessing this site through the Sustainability Appraisal (SA) Amec conclude: ?The proposed allocation of this site reflects the Council?s expectation that some housing development at Chartham will be beneficial to the local economy.? We would endorse that view, but we wonder why this view does not extend to other rural communities, especially as such development would assist in retaining local services and enabling better transport.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

1. A paragraph of text for each site should be included to explain why it is suitable for development and to provide some guidance on issues to be considered in bringing the site forward. 2. The sites at Kingsmead and Barham Court Farm should be deleted from the Table.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent would wish to be involved in any discussion at the examination on proposed housing sites.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV461

Response Date 18/07/14 14:38

Consultation Point 2.28 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

As explained in other representations, CPRE Protect Kent considers that a strategy for the Plan that would see development in the 'lower mid-range' as defined in the Nathaniel Lichfield & Partners (NLP) 'development requirements' study would be the most realistic and deliverable strategy. This would see housing development in the range of 500-650 dwellings per year. We consider that a target of around 600 dwellings per year (around 12,000 in total), roughly equating to Scenario B, should be pursued. This is a level of development that will see growth in housing provision above that achieved over the last 20 years, but recognising that while the country continues to emerge from the recession house sales (and thus construction) will continue to be at a low level. It is also a level of development that will deliver economic growth, as confirmed by the NLP report, in the order of 2,500-3,500 new jobs over the Plan period. Importantly, this lower level of new housing and employment provision will be balanced by less environmental impact and less demand for new infrastructure, meaning overall that this would better accord with the principles of sustainable development - i.e. the integration of economic, social and environmental considerations, as required by paragraphs 6 to 9 of the NPPF. We support the application of the sequential approach in allocating sites, with development focussed at the Greater Canterbury, Herne Bay and Whitstable HMAs (with priority given to previously developed land), but we believe that there should be some development in the rural HMAs to help meet the needs of the rural communities. Consequently, housing and employment targets should be presented to reflect the objectively assessed needs for the respective HMAs and allocations presented to meet the targets. CPRE Protect Kent does not have the information to disaggregate the district-wide targets on this basis, but we assume that the City Council will have this information readily to hand for each of the scenarios presented in the NLP study. In the rural areas proposed allocations should accord with the rural settlement hierarchy set out in the consultation draft (though we suggest some changes to the hierarchy in other representations on the Plan). Importantly, we consider it essential that in determining potential development in the rural HMAs the City Council engages with the local communities to discuss opportunities and potential benefits. In meeting a housing target of circa 12,000 dwellings, we have set out in the attached document the land supply sources that would contribute.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn or found unsound to enable consideration to be given to the alternative development strategy that we have presented.

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Alternative housing delivery](#)
Alternative housing delivery

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent has submitted an alternative, and we believe more realistic, deliverable and sustainable, development strategy which we would want to have the opportunity to discuss at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by

CPRE Kent (Mr Brian Lloyd)

Comment ID PV462
Response Date 18/07/14 14:38
Consultation Point Policy HD1 Housing Allocations ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

? See our other representations on the proposed sites. ? This Policy allocates existing housing allocations in the 2006 Local Plan, including mixed-use sites, as listed in Appendix 2, as well as the new sites proposed. For clarity, Policy HD1 needs to include a specific reference to Appendix 2 as this is the only place that people will see where these sites are. ? In the light of our comments on paragraph 2.21 the second paragraph of the Policy should be deleted, as it is no longer relevant. If not, the word 'normally' should be deleted.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

? Reference should be included in the Policy to Appendix 2 for the full list of sites. ? The second paragraph of the Policy should be deleted. If not the word ?normally? should be deleted.

Independent Examination

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Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

If the Inspector decides to debate development sites under this Policy CPRE Protect Kent would wish to be involved in that discussion, otherwise we are content to pursue this in the context of our other representations.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV463
Response Date	18/07/14 14:39
Consultation Point	Policy HD2 Affordable Housing (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . **Effective**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent Support this Policy, but an addition to the Policy is needed to explain that the Council will not accept the removal or reduction of the amount of affordable housing agreed at planning application stage.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Add the following to the end of the Policy: "The City Council will not permit any application to remove or reduce the amount of affordable housing set out in planning consent conditions."

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, No
do you consider it necessary to participate at the
oral examination?

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**
. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the . **The Local Plan has been submitted for**
following? Please tick all that apply. **Independent Examination**

- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)
Comment ID PV464
Response Date 18/07/14 14:39
Consultation Point 2.55 Paragraph ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The final sentence should be deleted as it conflicts with the NPPF which explains that rural exception sites should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. This does not suggest that the needs of one community should be met at another community.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Delete final sentence

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV466

Response Date 18/07/14 14:40
Consultation Point Policy HD3 Rural Exception Sites ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports this Policy but would wish to see three small changes to make it more effective.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Make the following changes to the Policy: ? in point d. after "trust" insert ", parish council" ? In point g. add to the end of the second sentence "appointed by the City Council." ? In point g, in the third sentence alter the percentage to 15%.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV467
Response Date	18/07/14 14:40
Consultation Point	3.27 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This paragraph needs to reflect the fact that following the exit of Pfizer the site has been reborn as the Discovery Park which has been designated as a new Enterprise Zone and that it has major plans for significant job growth over the coming years.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Up-date the paragraph to explain the current situation with the Pfizer site/Discovery Park

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV468
Response Date	18/07/14 14:41
Consultation Point	Policy EMP1 Employment Land Allocations (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

With regard to employment, we consider that the sites proposed under Policy EMP1, together with new commercial floorspace at the Herne Bay Golf Course site, the Wincheap retail area and the other proposed mixed use sites in Policy TCL10, will provide a wide range of new opportunities for job creation during the Plan period. These new opportunities, together with robust protection of existing employment sites as proposed under Policy EMP4, will help to ensure that Canterbury District remains 'open for business'. As for the housing allocations, the supporting text needs to be added to explain why the sites have been allocated and to provide guidance on the matters to consider in bringing them forward. With regard to the sites, we comment as follows: 'Innovation Centre, University of Kent: CPRE Protect Kent accepts the allocation of this site for development as proposed. 'Broad Oak Road/Vauxhall Road, Canterbury: CPRE Protect Kent accepts the allocation of this site for development as proposed, but we are concerned about the impact of traffic arising from the site, especially potential impacts of congestion and air pollution at St Dunstan's, and feel that this should be specifically highlighted in the Plan as an issue to be addressed. 'Land east of Sturry Road: CPRE Protect Kent accepts the allocation of this site for development as proposed. Traffic from this site is also likely to impact on St Dunstan's, and this is an issue that should be addressed. 'Canterbury West Station: CPRE Protect Kent objects to the allocation of this site for development. In the absence of replacement provision being made we find it regrettable that car parking at the station will be lost, and we are very concerned that this would reduce the use of the station by rural users who have no other viable means of reaching it except by car. We also consider that the development of the site will add to the congestion already experienced in this location. We are particularly concerned about access to Canterbury West Station. The Council has been alerted to the need to safeguard access to the station from Roper Road on the north side, via land owned by Network Rail. A major disincentive for those coming from the north of the line is the risk of being unable to reach the station because the level crossing gates are

lowered in preparation for the intended train or one going just before that. A northern access would avoid that problem as well as reducing station traffic in St Dunstan's area and Station Road West. So we strongly support such safeguarding. ? Office Connection site, St Andrew's Close, Canterbury: CPRE Protect Kent accepts the allocation of this site for development as proposed. ? Eddington Lane (various), Herne Bay: CPRE Protect Kent accepts the allocation of these sites for development as proposed. ? Altira Park, Herne Bay: CPRE Protect Kent accepts the allocation of this site for development as proposed. ? Metric Site, Herne Bay: CPRE Protect Kent accepts the allocation of this site for development as proposed. ? Land at Wraik Hill, Whitstable: CPRE Protect Kent accepts the allocation of this site for development as proposed. ? Land at Joseph Wilson Business Park: CPRE Protect Kent objects to the allocation of this site which would see the extension of the urban area into a designated Area of High Landscape Value. A similar (but larger) proposal considered by the last local plan Inspector was rejected because of its unacceptable visual intrusion in the open countryside and landscape. We believe that these impacts still apply. ? Canterbury Business Park (Highland Court): CPRE Protect Kent accepts the allocation of this site for development as proposed.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

We would wish to see the following changes to the Plan: ? Include additional supporting text to the Policy for each site explaining why each site is suitable for the development proposed and highlighting any particular issues that need to be taken into account in bringing them forward. ? Delete the Canterbury West Station site, and seek to secure a northern access to station. ? Delete the site comprising land at the Joseph Wilson Business Park.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent would wish to have the opportunity to participate in the discussion on employment sites and how these would also contribute to our alternative development strategy.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV469
Response Date	18/07/14 14:42
Consultation Point	Policy EMP3 Town Centre Offices (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Policy EMP3 is the conclusion of the section headed 'Canterbury Start Up Programme', but in this regard it only seeks to promote the use of upper floors of retail and commercial premises in town centres for B1 and A2 uses. Whilst this will provide some opportunities for business start ups it is very limited in its scope. The Policy needs to be expanded to give more general support to business start ups, not just on the upper floors in town centres.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The scope of the Policy needs to be expanded to encourage business start ups in other appropriate locations, including as part of the larger proposed development sites

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation

at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV470
Response Date	18/07/14 14:42
Consultation Point	Policy EMP7 University of Kent (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent objects to this Policy. As well as dealing with UKC, the Policy should reiterate the need for long-term strategies for all the university sites, as explained in paragraph 3.62. Whilst the Policy refers to the UKC campus being shown on the Proposals Map, of more value will be the delineation of the 'developable site'; i.e. the area already developed and where further potential for development exists. If the Policy relates to the whole campus area, then it could be seen as sanctioning development anywhere within the campus. For example it would be an appalling blot on the landscape (to say nothing of damage to farmland, nature areas etc.) if UKC were to develop north of the Sarre Penn stream, so a line needs to be drawn within which development could be considered subject to the limitations in EMP 7. Also, the term 'core business' needs to be defined in the text, which presumably relates to educational purposes.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ? The word ?campus? should be replaced by ?developable site?, ? The ?developable site? should be the area shown on the Policies Map. ? Define the term ?core business? in the supporting text ? In the introduction delete "business accommodation.....business innovation". This is entirely inappropriate and certainly would not be the best use of land at the University, especially when such accommodation for this purpose is available in the centre of Canterbury. ? In the last sentence of the second paragraph insert "and biodiversity" after "landscape". ? In the third paragraph add to end: "The City Council will discourage or refuse further areas of parking on the

campus to lessen reliance on car travel, and to lessen air, light and noise pollution" ? Delete the fourth paragraph.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent would wish to be involved in any discussion over future development at the university

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you** . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV471
Response Date	18/07/14 14:43
Consultation Point	Policy EMP8 Canterbury Christ Church University (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Justified because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent object to this Policy. We consider that the general support given to student accommodation within the urban area is unacceptable, and will mean that the development of such accommodation will be at the expense of opportunities for other development needs. The approach needs to be modified.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ? In the first sentence, delete "the intensification or re" and add to end "but not for student accommodation". ? The second sentence should be deleted. ? Add at end of the paragraph: "together with a landscape and biodiversity strategy. The City Council will expect the transport plan to include provisions to prevent staff and students from bringing cars to Canterbury. The University of Kent has already adopted such a provision."

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent would wish to be involved in any discussion about future development related to the university

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV472
Response Date	18/07/14 14:43
Consultation Point	Policy EMP11 Whitstable Harbour (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports this Policy. We note, however, that Policy TCL10 also includes the Whitstable Harbour area. We consider that it would be better to deal with the future of the Harbour in a single policy to avoid potential confusion and repetition, and we would suggest that Policy EMP11 would be the appropriate Policy for this. Therefore, the content of Policy TCL10 in relation to the Harbour should be incorporated into Policy EMP11, and the supporting text expanded as appropriate.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ? the content of Policy TCL10 in relation to the Harbour should be incorporated into Policy EMP11, and the supporting text expanded as appropriate. ? remove ?normally? from last sentence.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- . The Local Plan has been submitted for Independent Examination
- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV473
Response Date	18/07/14 14:44
Consultation Point	Policy EMP12 Agricultural Land (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports this Policy, but would like to see some modification to the wording to make it more effective.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ? the word ?normally? should be removed from the last sentence ? add the following at the end: ?, including previously developed land?.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV474
Response Date	18/07/14 14:44
Consultation Point	4.6 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Positively Prepared
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent support the concept of a retail hierarchy, but we consider that its application would be more effective and transparent if the hierarchy is actually defined in similar fashion to that presented for the settlement hierarchy in paragraph 1.60 of the Plan.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Include a table defining the retail hierarchy

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV476
Response Date	18/07/14 14:45
Consultation Point	Policy TCL5 Local Centres (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . **Effective**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The Policy and supporting text should also recognise the role of villages as acting as local centres, reflecting the rural settlement hierarchy defined in paragraph 1.60 of the plan. The Policy approach would equally apply to the villages as it would to the more urban centres defined. This is another reason why it would be helpful to have a clearly defined retail hierarchy.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Include reference to villages acting as local centres.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV477
Response Date	18/07/14 14:45
Consultation Point	Policy TCL7 Wincheap Retail Area (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent objects to the allocation of this site for development as proposed. Whilst we accept in principle that the site provides the opportunity for retail and leisure development as described in Policy TCL7 and its supporting text, we believe that it is inevitable that residential development will provide part of the mix of development that ultimately comes forward. Indeed, at paragraph 4.51 of the Plan states that the Council will 'encourage a residential element' to the development, so it is clearly envisaged that this will be part of the mix. This is a site that was previously proposed for significant residential development and provides a good sustainable location for such development, especially if it is linked to retail and leisure development as now proposed. Therefore, we believe that Policy TCL7 should specifically require an element of residential development as a contribution towards the overall housing target, and that the Policy should state that this will be a minimum of 200 units.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy should be amended to refer specifically to an element of residential development and that this should be a minimum of 200 dwellings.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Not including an element of housing development as part of this proposal is contrary to the objective of the NPPF that seeks to make best use of previously developed land. Given the extent of the greenfield allocations proposed in the Plan, this sustainable opportunity for brownfield development would reduce the need for some greenfield development. The examination needs to consider why residential development is not being more actively pursued on this site.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV478
Response Date	18/07/14 14:46
Consultation Point	Policy TCL10 Mixed Use Development (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

We comment on these sites as follows: a) White Horse Lane, Canterbury: CPRE Protect Kent accepts the allocation of this site for development as proposed. b) Roger Britton Carpets, Wincheap, Canterbury: CPRE Protect Kent accepts the allocation of this site for development as proposed. c) Kingsmead, Canterbury: CPRE Protect Kent accepts the allocation of this site for development as proposed, but the site name should correctly be 'Kingsmead Depot'. d) Peugeot Garage, Canterbury: CPRE Protect Kent objects to the allocation of this site for the uses proposed. We consider that this centrally located mixed-use site should also include an element of residential development. Therefore, we believe that the proposal should additionally include residential development and that this should be specifically stated as circa 50 units. We also consider that this important site should be subject to its own Policy rather than being part of Policy TCL10. We feel that this is appropriate given that the site, unlike most of the others included in Policy TCL10, is a new allocation rather than an existing allocation. It will also enable supporting text to be provided to highlight issues relating to the site, for example the need to ensure that the Victorian School on the site should be retained (which should additionally be considered for listing). e) The Warehouse, Sea Street, Whitstable: CPRE Protect Kent accepts the allocation of this site for development as proposed. f) Whitstable Harbour: CPRE Protect Kent accepts that the range of uses indicated are the most suitable for the Whitstable Harbour area. We note, however, that Policy EMP11 also relates to the Whitstable Harbour area. We consider that it would be better to deal with the future of the Harbour in a single Policy to avoid potential confusion, and we would suggest that Policy EMP11 would be the appropriate Policy for this. Therefore, the content of Policy TCL10 in relation to the Harbour should be incorporated into Policy EMP11, and the supporting text expanded as appropriate. With the exclusion of sites d) and f) from this Policy, as we propose, this means that Policy TCL10 would only deal with the re-allocation of the mixed use sites previously included in the currently adopted Local Plan ? i.e. sites a), b), c) and e). All these sites comprise an element of

residential development, the details of which are given in Appendix 2 of the Plan under the 'allocations carried forward from the 2006 Local Plan' section. For clarity it would be helpful to include a reference to Appendix 2 in the Policy so that people can be directed to this detail.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ' Site c) should be renamed 'Kingsmead Depot' ' Site d) Peugeot garage should be deleted from the Policy and given its own Policy and supporting text. This should include a specific requirement for residential development as part of the mix, for circa 50 dwellings. ' Site f) Whitstable Harbour should be removed from this Policy and dealt with only in Policy EMP11 (see also our representation on Policy EMP11 in this regard). ' The Policy should explain that the remaining sites were all previously allocated in the 2006 Local Plan. ' Reference should be included in the Policy to details of the proposed residential elements of the proposed sites being provided in Appendix 2.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is concerned to ensure that maximum and appropriate use is made of these previously developed sites

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV479

Response Date 18/07/14 14:46

Consultation Point 5.1 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent is very concerned with the Council's admission that its aspirations for economic and population growth will bring increasing demands on the transport network, which we believe will increase traffic pollution to unhealthy levels. These ambitions, as we explain in other representations we have made on the Plan, have resulted in a strategy that is based on significant and costly new road building. We believe that the strategy should seek to reduce the need for, and the impacts of, travel rather than increase them.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan should be withdrawn or found unsound to enable an alternative strategy, along the lines that we advocate to be considered. See our other representations on the Plan Strategy.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please ensure that we have either an up to date email or postal address at which we can contact you . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- . The Local Plan has been submitted for Independent Examination
- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV480

Response Date 18/07/14 14:47

Consultation Point 5.9 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . **Effective**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent welcomes the recognition of some of the issues for rural areas, but the Plan also needs to recognise that the accident rate on rural roads is much higher than on other roads. 749 deaths occurred on single carriageway roads with a speed limit of 60mph in Britain in 2009 ? a third of the total road deaths in the country.(see: www.which.co.uk/news/2011/02/new-survey-reveals-rural-overtaking-figures-243685/). On some roads, such as the C192 from Tyler Hill to Chestfield, many accidents are vehicle-road accidents, rather than vehicle-vehicle accidents, so a general reduction in speeds on all rural roads would be beneficial, and a policy should be included for that aspiration. This should include actually lowering speed limits and introducing measures to reduce car speed, e.g. road narrowing rather than speed humps. Similarly such roads are often felt unwelcoming to Non Motorised Users (NMUs), and such speed management would help this aspect too. Although most urban areas have a footway between houses and bus stops, shops etc., in rural villages, people have to risk their lives to reach the nearest bus stop or shop etc. hence there is a need for a Policy to achieve a reduction in the number of houses without a footway to the nearest bus stop or shops. Such footways can be made to blend in with the rural area by use of geotextiles, etc., and that further reduces the very low costs of such improvements. Air quality is also an issue in some rural areas, caused by "rat runs", and park and ride attractions to cars from outside as well as within the District, and the presence of major roads in those areas. Unless preventive measures are put in place now, including the withdrawal or reduction of housing allocations in those areas, additional Air Quality Management Areas may arise, with consequent health dangers and loss of well-being to residents and visitors.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Other Comments Support or Object

For other comments not relating to legal compliance, soundness or duty to co-operate, please complete both section of question 4.

Q4a) For other comments please tick support or Object
object?

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Plan needs to recognise the issues we have highlighted, and include a policy specifically dealing with rural roads.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The need to address rural road issues should be considered at the examination

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV481
Response Date	18/07/14 14:48
Consultation Point	Policy T1 Transport Strategy (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent welcome and support this Policy, but we consider it would be more effective if it were included as a Strategic Policy in Chapter 1 of the Plan. (See also our representation on paragraph 1.64 of the Plan). In relocating the Policy to Chapter 1, some changes should be made to strengthen it, including specific mention of the polluting effects of traffic. There is no mention in the Policy of climate change emissions, despite paragraphs 7.1 and 7.2 referring to legal requirements to reduce them.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ? The Policy should be made a Strategic Policy and moved to Chapter 1; ? The hierarchy set down in paragraph 5.23 should be included in the Policy (though Park and ride should be excluded); ? Rerword a) to read: "Preventing development that would increase climate change emissions, air pollution or noise and supporting developments which improve the air quality so that dangers to public health are lessened." ? Alter f) add: "Accepting that new roads and/or junction improvements may bring environmental problems, including traffic congestion and air pollution, and that the environment should take precedence over further economic growth."

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The strategy places a high reliance on the provision of new transport infrastructure and it is of concern to CPRE Protect Kent that the previous Strategic Policy on transport has been removed from the Plan. We would wish to have the opportunity to express our concerns at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV485
Response Date	18/07/14 14:49
Consultation Point	5.27 Paragraph (View)
Status	Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The major issue for many people, particularly in rural areas, is the lack of a safe footway between a house and the nearest services such as bus stops and shops. This major omission should be recognised and a target put in the Plan. Similarly, the Plan should recognise the dangers to cyclists using cycle lanes on busy roads. We believe that the Council should be increasing its efforts to provide separate cycle paths to prevent these dangers.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The issue of lack of safe footways in the rural areas should be acknowledged in the Plan with a target included: 'all houses to have a safe footpath to the nearest services or a bus stop by 2031'. The Plan should also acknowledge the dangers to cyclists using cycle paths on busy main roads, and give a commitment to providing separation between cyclists and motor vehicles.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV486
Response Date	18/07/14 14:49
Consultation Point	Policy T2 Pedestrian and Cycle Routes (View)
Status	Submitted
Submission Type	Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . Effective
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Whilst CPRE Protect Kent supports this Policy it could be more proactive in promoting and encouraging safe walking and cycling generally, not just by safeguarding routes shown on the Policies Map.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy should be expanded to support and encourage more generally initiatives to promote safe walking and cycling.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV487
Response Date	18/07/14 14:50
Consultation Point	5.33 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The Plan should identify the routes referred to in: 'Stagecoach believes it should be possible to achieve similar frequencies on other key routes in the medium-term through upfront 'Kick-start'-style public investment. These routes could be further improved by additional bus priority measures'. We consider that a key route under-served is Faversham-Canterbury.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The paragraph needs to be expanded to explain what the key routes referred to are.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV489
Response Date	18/07/14 14:50
Consultation Point	5.34 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . **Effective**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

We strongly disagree with the statement 'especially for those routes that support the park and ride service.' As we explain in our representation on paragraph 5.38, P&R is not the optimum solution and bus lanes for the west side of Canterbury and within Whitstable are priorities to reduce delays to the more sustainable mode of standard buses.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ? Delete from the first sentence the words 'especially for those routes that support the park and ride service.' ? Amend the second bullet point: 'A28 ? new bus links from new development at Sturry and Broad Oak to city centre.'

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV490
Response Date	18/07/14 14:51
Consultation Point	Policy T3 Bus Improvement Measures (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . **Effective**

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Whilst CPRE Protect Kent supports this Policy it could be more proactive in promoting and encouraging use of bus services and expressing the Council's intention to improve services.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy should be expanded to give general support and encouragement to the provision of new bus services as a result of the development sites proposed in the Plan and through more general actions by the Council.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV491
Response Date	18/07/14 14:51
Consultation Point	Policy T4 Rail Improvement Measures (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

Whilst CPRE Protect Kent supports this Policy it could be more proactive in promoting and encouraging use of rail services and expressing the Council's intention to improve services.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy needs to be expanded to give more general support and encouragement to the enhancement of rail services, including bus connection services.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV493
Response Date	18/07/14 14:52
Consultation Point	5.38 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent completely disagrees with the claim that P&R provides 'a less environmentally damaging alternative to the private car'. While P&R's original impetus came from getting cars out of the city centre, which it has achieved by also increasing city centre car park charges and by constant reduction of City centre car parking spaces, the current need is to reduce 'vehicle miles travelled' (VMT), and indeed that was the other major intention of P&R - but has not been achieved. Canterbury Park & Ride User Survey 1998 (only Sturry Road & Wincheap sites were in operation at that date) showed previous mode of transport was 86% car, 7% bus, 4% train with 3% undeclared/unknown. So at least 11% public transport abstraction was caused by the opening of P&R. Only 10% of users came from A2 west of Canterbury. One aim of P&R is to reduce traffic congestion. However, we have seen no evidence to suggest that traffic congestion in Canterbury City Centre has been reduced since the introduction of park and ride around the City. This issue is enlightened in general terms by a study undertaken by RPS for the Historic Towns Forum in 2009. This study reported that of those Councils who had implemented park and ride to improve congestion and reduce traffic flows, around two thirds reported no change or increased traffic flows into the town centre during peak periods. A key conclusion from Stuart Meek's research (Stuart Meek, Redefining car-bus interchange to reduce traffic, Doctoral thesis, Loughborough University, June 2010 see:

http://homepages.lboro.ac.uk/~cvmpe/img/Stuart_Meek_thesis_final_version.pdf) is that VMT is increased, not reduced, and in paragraph 11.2.1 it says: "there is indeed a widely held perception by local authority officers and policymakers that P&R is effective in contributing to car use-, emissions- and congestion-reduction goals. Chapter 9 showed that this is not the case." The Abstract says: "Alternative concepts of interchange are shown to offer some potentially significant benefits by reducing the VMT of users. Furthermore, some of the alternative concepts are also shown to offer benefits in terms of the utility that they may provide to the user, and the perceptions on this by local authorities.? The DfT Parking Research Review has shown (amongst other things) that 'When new parking policies are implemented, they should be independently evaluated and the lessons learnt, particularly their contribution to reducing carbon emissions and congestion. Often short term effects are considered but the longer term effects of parking policy have not received as much attention.' As the current Parking Policy is now somewhat dated, it should receive this type of scrutiny, in order that future policy is based on sound knowledge. We consider that if P&R is to be successful in reducing vehicle miles and hence reduce emissions, improve air quality, reduced congestion etc., and if existing P&R sites are to be retained, then they will need modifying, and that the City Council will need to carry out a full assessment of the best way forward based on the results of research, not aspirations. If existing P&R sites are to continue in use, they need to be improved to reduce the negative effects, and we support examples given in the review document

(www.drdni.gov.uk/index/freedom_of_information/customer_information/doc-details.htm?docid=7428) which says in paragraph 2.14 "...conventional services should be upgraded to make diversion to Park and Ride less attractive to existing users of public transport while affording opportunities to integrate Park and Ride with local services without diluting quality. The potential benefits of a more complementary integration are also highlighted by Parkhurst and Meek", and "...public transport abstraction, trip generation and the operation of high frequency buses have been identified as three main causes of inefficiency in reducing car use for Park & Ride? The paragraph refers to 'a requirement for approximately 800 additional park and ride spaces over the Local Plan period' ? but any assessment will now be outdated, as this is based on the assumption in the Canterbury Parking Strategy 2006 to 2016 that 'it is also important to consider the implications of continued car growth and to have a flexible strategy that is able to cope with increases in parking demand.' (paragraph 5.7 in the Parking Strategy). Car use now

is actually declining, whereas the Parking Strategy assumes an 11% growth for the period 2004 to 2011 and 30% growth for the period 2004 to 2026 (page 19). Hence the presumed need to expand parking cannot be defended, especially if the incentive of restricted parking is to be effectively used to persuade people to use more sustainable modes of transport. For the above reasons we object most strongly to the provision of additional Park and Ride and we object to policies T5, T6, T7 and T8 and the additional provision that they propose. These policies and their supporting text should be deleted from the Plan. We welcome the deletion from the Plan the 'safeguarded' site for additional Park and Ride at Faulkner's Lane.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The section on Park and Ride, including policies T5, T6, T7 and T8 should be deleted from the Plan, and instead investment should be made in improving more traditional public transport services.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The provision of expanded park and ride is a key part of the Council's strategy to address congestion. CPRE Protect Kent considers that this is a flawed strategy and the merits of it need to be explored in more detail at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV494

Response Date 18/07/14 14:52

Consultation Point 5.47 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The paragraph should be amended to make it much stronger ? this is a key policy area, which would have great benefits, and, as noted elsewhere in our representations, has already been done for many years by the leading organisations such as Barretts and the Kent & Canterbury hospital. The presumption should be for all organisations to implement this including the City Council itself ? Councillors report residents having queried the lack of charging of Council personnel for several years.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Amend the paragraph to read as follows: 'An area-wide workplace parking levy will be investigated in the future, building on the work of organisations in Canterbury who are already charging their staff and/or visitors to park in conjunction with promotion of alternatives as part of their travel plans. The City Council will set an example and amend its Travel Plan in order to reduce car use and the number of single occupancy car journeys made by staff. Options will include increasing the incentives to travel more sustainably, as well as the removal of free car parking at the Military Road offices.'

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, No do you consider it necessary to participate at the oral examination?

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV496
Response Date	18/07/14 14:53
Consultation Point	Policy T11 Wincheap Traffic Management Scheme (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If Yes No is selected please complete question 2b) by ticking all that apply.

Comments in support

*Please enter your comments if you think the Local Plan **DOES** comply with any of the following:*
legal compliance, soundness, duty to co-operate

Comments in support of the legal compliance and/or soundness and/or duty to co-operate of the Local Plan.

CPRE Protect Kent accept the merits of these improvements to the highway network. However, it would be helpful to clarify where 'Wincheap Green' is, as this is a name we have not heard before.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Explain where 'Wincheap Green' is.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, No do you consider it necessary to participate at the oral examination?

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please ensure that we have either an up to date email or postal address at which we can contact you . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV497
Response Date	18/07/14 14:53
Consultation Point	Policy T12 A2 Bridge Interchange (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

As explained in the Policy, this proposal is an integral part of the development proposal promoted under Policy SP3 (site 1). We object to this development proposal as we explain in our representation on site 1..

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy and its supporting text should be deleted from the Plan.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

For the same reason as we give in our response to Policy SP3 (site 1)

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV499
Response Date	18/07/14 14:54
Consultation Point	Policy T14 Sturry Relief Road (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

As explained in the Policy, this proposal is an integral part of the development proposal promoted under Policy SP3 (site 2). We object to this development proposal for the reasons we explain in our representation on site 2.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy and its supporting text should be deleted from the Plan.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

For the same reason as we give in our response to Policy SP3 (site 2)

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please ensure that we have either an up to date email or postal address at which we can contact you . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV498
Response Date	18/07/14 14:54
Consultation Point	Policy T13 Herne Relief Road (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

As explained in the Policy, this proposal is an integral part of the development proposal promoted under Policy SP3 (site 5). We object to this development proposal for the reasons we explain in our representations on site 5.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy and its supporting text should be deleted from the Plan.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

For the same reason as we give in our response to Policy SP3 (site 5)

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV501
Response Date	18/07/14 14:55
Consultation Point	5.56 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent welcomes the removal of the safeguarded route from the Policies Map, but we remain concerned that this road proposal remains an aspiration as it will be devastating to the designated SSSI. 'Unlocking The Gridlock?', published by the City Council in 2004, said that '...an outer by pass perhaps linking an improved A2 junction at Bridge with the A2 near Sturry, could not be justified as the proportion of through traffic is relatively low?'. The Canterbury District Local Plan First Review of July 2006 stated that an Eastern by-pass 'would also have significantly damaging effects on the local environment and landscape?'. As recently as 2010 KCC were still saying that such a road would remove only 10% of the through traffic from the City, as most of it had a destination there and so would not be justified. As late as early 2013 the City Council was still asserting that an eastern By Pass was not a project that was being considered? this was included in the Council's response to an objection to a planning application for housing at the Telecom site in Littlebourne Road. We find it surprising, therefore, to see that the Council now consider it a possibility.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The paragraph should be deleted from the Plan

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV503

Response Date 18/07/14 14:56

Consultation Point 5.57 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

We find this paragraph and paragraph 5.58 to be very weak and they need to be expanded to give more commitment to addressing the transport issues facing the rural area. A Policy should be included setting out the measures that the City Council will take to this end.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The paragraphs need to be re-cast in a more proactive way to explain what actions the Council will take to improve rural accessibility. A Policy should be included setting out the approach the Council will take.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV504
Response Date	18/07/14 14:56
Consultation Point	Policy TV4 Touring and Static Caravan Tourist Sites (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective
. Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent object to this Policy as it fails to provide any locational guidance. As it stands, new touring and static caravan sites could be established anywhere in the district.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

? The Policy needs to be amended to provide locational guidance. We would suggest a similar approach to that taken in Policy TV8. This should additionally include reference to highway considerations and access. ? In the first sentence change ?will? to ?may?.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)
Comment ID PV505
Response Date 18/07/14 14:57
Consultation Point Policy TV5 Marina Provision ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . Justified because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent object to this Policy because, as explained in para 6.44, there is no requirement for this form of development in Canterbury district. It is unnecessary to include policies in the Plan on the off-chance that a proposal might come forward, particularly one as major as this would be which would most appropriately be dealt with by an allocation.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy is unnecessary and should be deleted.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, No do you consider it necessary to participate at the oral examination?

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply. . The Local Plan has been submitted for Independent Examination

- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV507
Response Date	18/07/14 14:58
Consultation Point	Policy CC1 Renewable and Low Carbon Energy Development (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent support the Policy, but we consider that specific reference should be made in the Policy to specific regard being given to impact on the AONB or its setting, and that developments with such impacts will be refused. In this regard the supporting text should refer to the position statement on renewable energy produced by the Kent Downs AONB Unit (see: <http://www.kentdowns.org.uk/guidance-management-and-advice/renewable-energy1>). In particular we consider that the supporting text to the Policy should deal specifically with issue surrounding the location of large scale solar farms reflecting the matters raised in the CLG 'Planning practice guidance for renewable and low carbon energy?' and the 10 commitments given by the Solar Trade Association (see: <http://www.solar-trade.org.uk/media/STA%2010%20commitments%20v%2010.pdf>). Kent County Council are also in the process of formulating guidance on these developments. We note the reference to the 'Renewable Energy for Kent Study' in paragraph 7.7. However, this study does not explore in any detail the potential for large scale solar farms, for which a substantial number of planning applications are now being submitted throughout Kent. In the recent CLG 'Planning practice guidance for renewable and low carbon energy?' it is clear that this is an issue that local authorities need to deal with in their local plans. This includes identifying the areas where such development might be acceptable. The study should be up-dated to provide this assessment.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

? The Policy should include specific reference to developments having an adverse impact on the AONB or its setting will be refused. ? The supporting text should make reference to the position statement from the Kent Downs AONB Unit on renewable energy. ? The supporting text should be expanded to reflect the recent guidance issued on large scale solar farms. ? The 'Renewable Energy for Kent Study' should be reviewed and up-dated to cover large scale solar opportunities.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect wishes to ensure that large scale solar developments are appropriately located having full regard to available guidance. In particular we consider that such proposals would be unacceptable in principle in the AONB or on sites comprising the best and most versatile agricultural land. We wish to ensure that the Plan provides robustly with this type of development in the countryside.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV509
Response Date	18/07/14 14:59
Consultation Point	Policy CC2 Reducing Carbon Emissions From New Development (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . **Effective**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports the Policy. However, whilst we can see that the Council has the greatest opportunity to achieve this for new development (for which the Council should require such measures to be included), the principles also apply equally to existing buildings. In particular the Policy should promote the inclusion of photovoltaic panels on buildings, both new build and existing.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

? The Policy needs to be restructured so that it relates both to new and existing buildings, and the title changed accordingly by deleting the word ?New?. ? In the paragraph after point 3 add the words ?and photovoltaic panels on buildings? after ?CHP?.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect wishes to ensure that in accordance with recent government announcements opportunities are provided to maximise the provision of solar energy on rooftops when new large scale developments are proposed.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV510
Response Date	18/07/14 15:00
Consultation Point	Policy CC3 Combined Heat and Power (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . **Effective**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent objects to this Policy. In particular we consider that the site size threshold is too high. We say this because the choice, as presented in the Policy, is not between renewables or gas fired CHP, but rather the priority should be given to renewables ? for example building mounted photovoltaic panels. This technology can, and should, be promoted generally in the Policy as part of all development, not just on the large sites. We accept that historically CHP was only feasible on larger sites, but micro CHP is now available and so a threshold is no longer necessary for this. Also, encouragement of renewable should be more general.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

? The Policy should recognise that in addition to the provision of CHP the provision of solar on rooftops in all developments should be considered. ? There is no need for a site size threshold, so this should be deleted.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect wishes to ensure that in accordance with recent government announcements opportunities are provided to maximise the provision of solar energy on rooftops when new developments are proposed.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- . The Local Plan has been submitted for Independent Examination
- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV511
Response Date	18/07/14 15:01
Consultation Point	Policy CC13 Water Resources (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent support this Policy and the addition made to it on water efficiency and recycling, though we are unclear as to how this will be enforced. However, we consider the the word 'seek' in the final sentence is too weak.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Replace the words 'seek a required' and replace with 'require a'.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV512

Response Date 18/07/14 15:02

Consultation Point 7.67 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Files

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent share the concerns raised by SE Water about potential shortage of water to meet the demands arising from the scale of development proposed - see the attached note from our advisor on water supply matters. However, we do not consider that the answer to this conundrum is the provision of expensive and environmentally damaging new infrastructure, i.e. a new reservoir. Instead we believe that the ability (or rather inability) of the water company to provide water to serve new development should be seen as an important constraint in determining the level of development that should be planned for. We believe that this is the most responsible stance that the Council should take.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The housing target should be reviewed to ensure that it is set at a sustainable level that is compatible with available water supply.

Upload a document

Please use this function if you would like to upload a document that supports your comment. Please note that your formal comment must still be made at Questions 1, 2, 3, 4 and 5, where relevant. Individual documents should not exceed 10MB.

If you would like to upload a document in support of your comments, please upload here. [Water Supply Implications \(1\)](#)
Water Supply Implications

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Canterbury district is in a water stressed area and the availability of water to supply new development should be seen as a significant constraint limiting the amount of development planned for. This issue needs to be examined in detail at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)
Comment ID PV513
Response Date 18/07/14 15:02
Consultation Point Policy DBE9 Residential Intensification ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent objects to this Policy, as it is not necessary. Whilst we accept that it will be possible to intensify existing residential areas there is no need for a Policy to explicitly say this. It can happen

through the development management process with due regard given to the general policies in the Plan. With regard to allocated sites, it is inappropriate to suggest that sites proposed for development in the plan might actually be developed at a higher density than proposed in the site specific policies. The Policy, therefore, undermines the certainty that people expect from the site policies and suggests that higher numbers might be acceptable. That is unacceptable.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy should be deleted.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent considers that suggesting that the density of allocated sites can increase in the manner suggested here is wrong and needs to be considered by the Inspector.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV514

Response Date 18/07/14 15:03

Consultation Point 9.5 Paragraph ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports the intention to prepare a heritage strategy, but this should also deal with the setting of assets.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

In the first sentence insert 'and their settings' after 'heritage assets'.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- . The Local Plan has been submitted for Independent Examination
- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV515

Response Date 18/07/14 15:04
Consultation Point Policy LB1 Kent Downs Area of Outstanding Natural Beauty ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If Yes No is selected please complete question 2b) by ticking all that apply.

Comments in support

*Please enter your comments if you think the Local Plan **DOES** comply with any of the following: legal compliance, soundness, duty to co-operate*

Comments in support of the legal compliance and/or soundness and/or duty to co-operate of the Local Plan.

CPRE Protect Kent supports Policy LB1

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV516
Response Date	18/07/14 15:04
Consultation Point	Policy LB2 Areas of High Landscape Value (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

**Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.**

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

**Do you consider the Local Plan is UNSOUND . Justified
because it is not:**

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports Policy LB2, but is very concerned that its provisions are being cast aside in considering major new developments (especially strategic sites 1 and 2).

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

**Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?**

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The strategic sites need to be reconsidered

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is keen to ensure that the provisions of Policy LB2 are consistently applied.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV518
Response Date	18/07/14 15:05
Consultation Point	Policy LB4 Landscape Character Areas (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports Policy LB4 but we are concerned that its provisions have been put aside in considering the large strategic greenfield sites included in the Plan.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The strategic sites need to be reconsidered

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is keen to ensure that the provisions of the Policy are consistently applied

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV519
Response Date	18/07/14 15:06
Consultation Point	10.15 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If Yes
No is selected please complete question 2b) by
ticking all that apply.

Comments in support

*Please enter your comments if you think the Local Plan DOES comply with any of the following:
legal compliance, soundness, duty to co-operate*

Comments in support of the legal compliance and/or soundness and/or duty to co-operate of the Local Plan.

CPRE Protect Kent support and welcome the inclusion of paragraphs 10.15 and 10.16 and the recognition they give to tranquillity.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV520
Response Date	18/07/14 15:07
Consultation Point	Policy OS1 Local Green Space (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . **Justified**
because it is not: . **Effective**

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent welcomes the change of heart by the Council and the acceptance that is appropriate for the Plan to allocate Local Green Spaces. We support the proposed allocations made in Policy OS1. However, we consider that other areas should be included as allocations, as we highlight in the changes we suggest below. These include some of the Green Gaps proposed under Policy OS6. In these cases we would suggest that both designations are appropriate, but if it is deemed that just one should be made then we consider that it should be the Local Green Space designation that should be made rather than the Green Gap designation.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

CPRE Protect Kent would wish to see the following areas included as Local Green Spaces in the Policy: ? The very narrow ?Green Gaps? between Sturry and Canterbury; Sturry and Hersden; Sturry and Broad Oak; Blean and Rough Common; and Canterbury and Tyler Hill ? The area between Canterbury and the University of Kent designated as a Green Gap under Policy OS6 ? The Kingsmead Field ? Neal?s Place Meadow at Rough Common

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent considers that the Local Green Space designations provide an important role in protecting local amenity from development and we would wish to have the opportunity to discuss the merits of the sites we propose

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you** . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV521
Response Date	18/07/14 15:07
Consultation Point	Policy OS2 Playing Fields (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports the Policy but it is unclear whether all conditions need to be met or only one condition. The ?and? and ?or? at the end of each criterion needs to be reviewed.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The wording of the Policy needs to be reviewed

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV522
Response Date	18/07/14 15:07
Consultation Point	Policy OS6 Green Gaps (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No
No is selected please complete question 2b) by
ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . **Effective**
because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports the concept of Green Gaps, but we find the comments in paragraph 11.44 incredulous when it is the proposals in the Local Plan itself that are compromising the existing gaps between settlements. Seemingly little regard has been given to this in making the strategic allocations. For example, together the Herne Bay Golf Course site and the Strode Farm site obliterate the remaining green gap between Herne village and Herne Bay and the proposal at Sturry all but closes the any separation between Sturry and Canterbury and between Sturry and Broad Oak ? the gaps proposed here are little but tokenism. This is very much a situation of ?locking the stable door after the horse has bolted?, though the Council has the opportunity to rectify this by reviewing the Plan strategy as we suggest in other representations. We consider that the Policy would be more effective if the word ?significantly? in part a. was removed, as in some of the very small gaps any development will cause coalescence because they are so narrow. See also our comments on Policy OS1.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Delete the word 'significantly' in part a. of the Policy

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent wishes to be involved in any discussion on the Green Gaps

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV523
Response Date	18/07/14 15:08
Consultation Point	Policy OS7 Herne Bay and Whitstable Green Gap (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports the identification of a green gap between Whitstable and Herne Bay, but we object to the word 'significantly?' at the start of point b. This word is open to interpretation and suggests that potentially some major development could be acceptable in the gap, and thus undermine the purpose of the designation. The purpose of the green gap should be to give a clear message that development is unacceptable.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The word 'significantly' in part b. should be deleted.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV524
Response Date	18/07/14 15:08
Consultation Point	Policy OS8 Sports and Recreation in the Countryside (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent generally supports this Policy but we consider that developments that include floodlighting should be specifically excluded as these are likely to be intrusive in the rural environment, impacting on both tranquillity and residential amenity.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Add the following sentence to the end of the Policy: ?Proposals that involve floodlighting will not be permitted.?

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV525
Response Date	18/07/14 15:09
Consultation Point	Policy OS9 Protection of Existing Open Space (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports the criteria listed in the Policy that will be used to protect existing open space from development. However, in the final sentence the Policy seeks to deal differently with open space provided as part of new development. We would question why this distinction is drawn. Such new provision should be subject to the same level of protection as ?existing? open space.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made to the Policy: ? The opening sentence should be amended to read: ?Proposals which would result in the loss of protected existing open space as shown on the Policies Map (all Insets), or that provided as part of new development, will only be permitted if: ? ? Delete the final sentence of the Policy.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you** . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV526
Response Date	18/07/14 15:09
Consultation Point	Policy OS10 Loss of Open Space (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This policy is unnecessary as it simply repeats the final sentence of Policy OS9.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Delete the Policy

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV527
Response Date	18/07/14 15:10
Consultation Point	Policy OS12 Green Infrastructure (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply. Yes

Comments in support

Please enter your comments if you think the Local Plan **DOES** comply with any of the following:
legal compliance, soundness, duty to co-operate

Comments in support of the legal compliance and/or soundness and/or duty to co-operate of the Local Plan.

CPRE Protect Kent supports this Policy

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you** . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- . The Local Plan has been submitted for Independent Examination
- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV528
Response Date	18/07/14 15:10
Consultation Point	Policy OS13 Riverside Strategy (View)

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports this Policy, but on the Policies Map it is unclear what the extent of the corridor is as it is shown with the same notation as for open space sites under Policy OS9. A different notation should be used on the Policies Map to denote the riverside corridor.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The river corridor should be given its own notation on the Policies Map.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV529
Response Date	18/07/14 15:11
Consultation Point	Policy QL1 Social Infrastructure (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports this Policy, but we consider that it needs to be expanded to address particular issues relevant to the rural areas - e.g. relate to existing settlements, re-use existing buildings or previously-used land, minimise impact on landscape, avoid lighting.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Add the following paragraph to the Policy: ?In the rural areas, in addition to the above, proposals should be well related to an existing settlement and not in the open countryside. As a priority they should involve the reuse of an existing building or previously used land within, or immediately adjoining, the settlement boundary.?

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV530
Response Date	18/07/14 15:11
Consultation Point	Policy QL3 Loss of Village and Community Facilities (View)
Status	Submitted
Submission Type	Web
Version	0.1
Legally Compliant	

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent welcomes the inclusion of a Policy that seeks to prevent the loss of village and community facilities. However, we consider that the Policy as presented is not strong enough. In particular we do not consider that as a matter of course it is appropriate to accept the loss of a facility/service simply because a similar type of use is available within an acceptable walking distance. The classic example of this is the loss of a village pub being justified because there is another one nearby, irrespective of the fact that one pub maybe a local community pub whilst the other one may be more of a ?bistro? style pub. Such establishments, whilst being of a ?similar type?, serve completely different markets. The Policy, however, would allow the loss of one of these simply because the other one existed. This is particularly so given that the word ?or? included at the end of point a. would mean that the marketing test would not be required.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The following changes should be made: ? In point a) ?or? at the end should be changed to ?and?; and ? Point b) should be deleted

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is an important policy that is intended to ensure that important local services and facilities are retained. The approach advocated by the Council needs to be tested at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you** . You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- . The Local Plan has been submitted for Independent Examination
- . The report of the Inspector has been published
- . The Local Plan has been adopted

Comment by CPRE Kent (Mr Brian Lloyd)

Comment ID PV532

Response Date 18/07/14 15:13

Consultation Point Policy QL6 Loss of Community Buildings and Community Sites ([View](#))

Status Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

This Policy covers the same topic as Policy QL3, but is worded differently. It would make sense to have just one comprehensive Policy that seeks to prevent the loss of community facilities and services.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

This Policy and supporting text should be amalgamated with Policy QL3.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The approach to the protection of community services and facilities needs to be thoroughly examined.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you** . You can amend your contact details by logging on to your account.

- Q7) Do you request to be notified of any of the following? Please tick all that apply.**
- . The Local Plan has been submitted for Independent Examination
 - . The report of the Inspector has been published
 - . The Local Plan has been adopted

Comment by

CPRE Kent (Mr Brian Lloyd)

Comment ID PV533
Response Date 18/07/14 15:13
Consultation Point Policy QL7 Community Allocations ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports these proposals, but the supporting text needs to provide more detail as to exactly what community purposes the sites are allocated for.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Add further detail in the supporting text on the uses anticipated for the proposed sites.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV534
Response Date	18/07/14 15:13
Consultation Point	Policy QL9 Kent and Canterbury Hospital (View)
Status	Submitted
Submission Type	Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent finds this Policy a little strange given that the hospital is allocated for residential development under Policy SP3. This begs two questions ? 1) what investment is likely to be made in further ?health related development? at the hospital if it is going to re-locate?; and 2) is the Council actually hedging its bets because of the uncertainty surrounding the re-location of the hospital? We do not believe that both propositions are likely, and if it is the case that the relocation of the hospital is a serious and realistic proposition, then the Policy is irrelevant. If, however, there is any uncertainty regarding the re-location then such references should be removed from the Plan including from Policy SP3 (Site 1).

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Delete the policy if it is seriously proposed that the hospital will be relocated.

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV535
Response Date	18/07/14 15:14
Consultation Point	Policy QL10 Medical Health and Social Care Facilities (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent supports the provision of new medical and health facilities, but more guidance should be given in the Policy as to where they are to be provided (general location, e.g. within existing communities) and the matters to be taken into account, especially in the rural area. As it stands, the policy is just a statement of intent.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Policy needs to be re-cast to provide more guidance on the issues to be taken into account, for example along the lines of those included in Policy QL1.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV536
Response Date	18/07/14 15:14
Consultation Point	12.44 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND . Effective because it is not:

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The issue of air quality in Canterbury is an important one and we consider that the text in this paragraph should be expanded.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Reword the paragraph to read as follows: "The Council recognises the poor quality of air in some areas of the District, notably the AQMAs, that it presents a danger to public health and social well-being, and that the amount of pollution at times exceeds the World Health Organisation limits. The Council further recognises that this pollution is caused mainly by traffic fumes/particulates, and that development in urban areas increases traffic, thus having worsened the problems since 2002. The Council is determined to reduce the pollution so that Air Quality is within World Health Organisation guidelines. It will continue to monitor and assess air quality on an annual basis at times when traffic is heaviest."

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent considers that the issue of qir quality, and how this will be affected by the development strategy of the Plan, should be considered in detail at the examination.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV538
Response Date	18/07/14 15:15
Consultation Point	Policy QL13 Waste Management and Recycling (View)
Status	Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent would question the need for this Policy as these will be matters that will be addressed in the Waste Local Plan being prepared by the County Council. Its inclusion is likely to raise issues of which Plan Policy would take precedence if there is a difference in Policy approach.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Delete the Policy

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV531
Response Date	18/07/14 15:12
Consultation Point	Policy QL4 Farm Shops (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Justified
. Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The scope of goods that can be sold in farm shops as set out in paragraph 12.21 is too wide. Many farm shops already sell a range of non-farm related items more suitable to a retail store, and this should not be perpetuated. Originally such shops were to sell foods and drinks produced on the farm itself or others in the locality, and this should be the basis on which new farm shops should be supported.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

Paragraph 12.21 and Policy QL4 should be amended to give support only to farm shops that sell goods grown or produced on the farm or within the locality (i.e. within 20 miles).

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV484
Response Date	18/07/14 14:48
Consultation Point	5.25 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

The Headline Aims should start with "To refuse development and the construction of new roads that, by increasing traffic pollution, would create a danger to public health". The Table should also promote the separation physically of cycle routes from traffic on major roads and roundabouts.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The Headline Aims should start with "To refuse development and the construction of new roads that, by increasing traffic pollution, would create a danger to public health". The Table should also promote the separation physically of cycle routes from traffic on major roads and roundabouts.

Independent Examination

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV517
Response Date	18/07/14 15:05
Consultation Point	Policy LB3 Undeveloped Coast (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If Yes
No is selected please complete question 2b) by
ticking all that apply.

Comments in support

*Please enter your comments if you think the Local Plan **DOES** comply with any of the following:*
legal compliance, soundness, duty to co-operate

Comments in support of the legal compliance and/or soundness and/or duty to co-operate of the Local Plan.

CPRE Protect Kent supports this Policy

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND
because it is not:

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with No
the Duty to Co-operate?

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation*

at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? No

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV506
Response Date	18/07/14 14:58
Consultation Point	7.4 Paragraph (View)
Status	Submitted
Submission Type	Web
Version	0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

Justified means the Plan should be the most appropriate strategy when considered against reasonable alternatives.

Effective means that the plan should be deliverable.

Consistent with National Policy means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Do you consider the Local Plan is UNSOUND because it is not:

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent is appalled that there is no Policy on actually reducing climate change emissions. The substantive references are to the need to adapt to climate change but action to reduce and monitor emissions is the first priority. The draft Publication Local Plan para 7.1 says 'The issue of climate change is of global importance, and it is essential that activities in the District contribute to national objectives for reducing carbon emissions. Many of the necessary actions will need to be delivered locally and will require both adaptation and mitigation measures. The NPPF recognises that planning plays a key role to "secure radical reductions in greenhouse gas emissions'. Para 7.2 goes on to say: 'Decisions need to be taken with reference to the Climate Change Act (2008), which sets a legally binding greenhouse gas emission reduction target of 80% by 2050, compared to 1990 levels and at least 34% by 2020.' So the Local Plan needs a strategy to ensure that emissions are reduced by these amounts. Although better insulated new houses and reducing the need to travel, congestion and vehicle flows will help towards that, the Plan needs to recognise the meagre reductions in emissions from existing developments and the total lack of any reduction in transport emissions so far. To ensure that this new Local Plan achieves the legal requirements there need to be actions for existing and new developments. The delay in any progress so far means that much greater action now required. Therefore the "Council responses to climate change" listed after paragraph 7.4 must be changed to a Policy, and the text recast. We would further suggest that this Policy should be elevated to a Strategic Policy and included in Chapter 1.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

The "Council responses to climate change" listed in the table after paragraph 7.4 must be changed to a Policy and included as a Strategic Policy in Chapter 1. The text should be recast as follows: "Council responses to Climate Change Action to reduce the Canterbury District's climate change emissions will include: ? monitoring and reporting the district's climate change emissions; and ? reducing emissions from all sources, but especially buildings and transport; and ? giving priority to development in urban or edge of urban locations that are well served by sustainable forms of transport; and ? ensuring development encourages and improves access to these sustainable forms of transport; and ? encouraging walking, cycling and the use of public transport; and ? promoting developments that generate renewable energy; and ? encouraging Combined Heat and Power delete reference to strategic sites; and ? designing and constructing development to increase energy and water use efficiency and reduce energy consumption and carbon emissions."

Independent Examination

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will **not normally** be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be ONLY be at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is concerned that issues around climate change are not being robustly dealt with in the Plan, and that the Plan strategy will add to climate change emissions, contrary to Government objectives.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

Please **ensure that we have either an up to date email or postal address at which we can contact you**. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- The Local Plan has been submitted for Independent Examination
- The report of the Inspector has been published
- The Local Plan has been adopted

Comment by	CPRE Kent (Mr Brian Lloyd)
Comment ID	PV508
Response Date	18/07/14 14:59
Consultation Point	7.12 Paragraph (View)
Status	Submitted

Submission Type Web

Version 0.1

Legally Compliant

Please see guidance notes for an explanation of legally compliant.

Q1) Do you consider the Local Plan is legally compliant? No

Details for NOT being legally compliant

Please be as precise as possible.

Please give details of why you consider the Local Plan is NOT legally compliant.

Failure to comply with the Duty to Cooperate

Soundness

Please see guidance notes for an explanation of the tests of soundness.

Q2a) Do you consider the Local Plan is sound? If No is selected please complete question 2b) by ticking all that apply.

Q2b) Reasons for the Local Plan not being sound

*Please tick all that apply. Please refer to the guidance notes for a full explanation of soundness. **Positively Prepared** means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements.*

***Justified** means the Plan should be the most appropriate strategy when considered against reasonable alternatives.*

***Effective** means that the plan should be deliverable.*

***Consistent with National Policy** means the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.*

Do you consider the Local Plan is UNSOUND because it is not: . Effective

Unsound

If you believe the Local Plan is unsound for any of the reasons above, please set out your reasons.

Please state why you consider the Local Plan to be unsound.

CPRE Protect Kent considers that evidence shows that the Standard Assessment Procedure (SAP) is not very effective, and post construction monitoring has shown that real world results do not match the outcomes predicted by the SAP. Therefore the preferred method should be Passivhaus (referred to in para 8.9 of the Plan) because that ensures the building is designed, built and checked to ensure that the resulting building actually performs according to the predictions. It is the best way of achieving 'Fabric First' performance. Although the perception may be that Passivhaus is more expensive, in reality that is not the case. For example, paragraph 3.2.2 of the Adams integra Viability Assessment of future development in the Canterbury District gives new build values between 1770 and 4000 per square metre, with land costs of 80/sq.m maximum (paras 3.3.2, 3.3.3) but the Denby Dale Passive house 118m² three bed detached house, costs\m² = 1195, or 141,000 build cost (Costs include for prelims, overheads and profit) see: <http://passivhausbuildings.org.uk/viewproject.php?id=232>, and a

European building of 104 m² construction cost 1530 €/m² see:
www.passivhausprojekte.de/index.php?lang=en#d_1779 . Thousands of Passivhaus buildings have been constructed, so the system has been thoroughly tested and proven. In addition it would provide the type of high quality jobs envisaged for the District and increase the custom for the existing Passivhaus practitioners in the District.

Duty to Co-operate

Please see guidance notes for an explanation of the Duty to Co-operate

Q3) Do you consider the Local Plan complies with the Duty to Co-operate? No

Duty to Co-Operate Comment

Please provide your comments relating to Duty to Co-Operate

Please enter your comments relating to the Duty to Co-Operate. Please give details of why you consider the Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

See separate representation

Proposed Changes

You will need to say why this change will make the Local Plan legally compliant or sound or comply with the duty to co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Q5) Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound or comply with the duty to co-operate, having regard to the tests you have identified above.

? Amend the first bullet point to read as follows: ?Fabric Energy Efficiency: Achieving the minimum standard for fabric energy efficiency is a key first stage in meeting the Zero Carbon Standard. The preferred method for determining the fabric energy efficiency of a home is by applying the Passivhaus standard to the whole building process. ? ? Amend other bullet points correspondingly.

Independent Examination

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Q6) If your representation is seeking a change, do you consider it necessary to participate at the oral examination? Yes

Reasons for attending oral part of the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

CPRE Protect Kent is concerned that issues around climate change are not being robustly dealt with in the Plan, and that the Plan strategy will add to climate change emissions, contrary to Government objectives.

Notification of Progress of the Local Plan

Please indicate your preference for any of the following:

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. You can amend your contact details by logging on to your account.

Q7) Do you request to be notified of any of the following? Please tick all that apply.

- . The Local Plan has been submitted for Independent Examination
- . The report of the Inspector has been published
- . The Local Plan has been adopted