

## CHAPTER FIVE

### 5. OBJECTIONS TO THE CHAPTER ON IMPROVING THE QUALITY OF LIFE IN OUR CITY AND TOWN CENTRES

#### POLICY TC1 - TOWN CENTRE DEVELOPMENT, NEW POLICY TC1a - PROPOSALS OUTSIDE TOWN CENTRE BOUNDARIES & AND PREAMBLE IN PARAGRAPHS 4.1-4.12

##### Objections and Key Issues

###### *Paragraph 4.4 – Our Objectives*

RN199 East Kent District Green Party (1520)

- At odds with recent decisions like Canterbury College

###### *Paragraph 4.10 – Town Centre Designations*

RN128 Dean and Chapter of Canterbury (118)

- Council fails to recognise importance of existing city centre car parks essential to retailers and customers

###### *Policy TC1 Vitality and Viability of Town Centres*

RN156 BSF Planning Consultants (1877)

RN199 East Kent District Green Party (1521)

RN208 Thanet District Council (764)

RN227 B&Q Plc Represented By RPS (1668)

RN345 Oaten Hill & District Society (2441)

- Redraft so that proposals be assessed re the test of sequential approach, need and impact on the town centre
- With the approach in para 4.56 of not having new retail allocations, illogical to have a policy stating what would happen should retail proposals occur
- The wording unclear. The policy should be split into 'in centre' and 'outside centre'
- Town centre boundary should be redrawn more tightly to avoid town centre uses spread into non-town centre areas
- Allows out of town development

###### *Re: A4/002 – New policy TC1a*

RD102 Highways Agency (20263)

RD135 KCC Education & Libraries (20555)

- Add new criterion (f): There is no detrimental effect on highway network in terms of road safety or congestion. Safeguards operation of highway network & provision of offsite developer-funded highway improvements where appropriate
- No reference to contributions being made if necessary towards any additional community facilities e.g. such places which arise directly from development. Add at end “including necessary contributions towards community facilities after development brief”

##### Reasoning and Conclusions

5.1 I regard the preamble to the two policies as uncontroversial. The split into two policies, covering development inside and outside the town centre boundaries, makes better sense than the First Deposit Draft version, and I consider it covers all the aspects necessary for successful implementation. To satisfy the Highways Agency, the Council has put forward Proposed Change PC4/001, adding a sensible new criterion (f) to new Policy TC1a: that

there is no detrimental effect on the highway network in terms of road safety or congestion.

### Recommendation

5.2 I recommend that the Local Plan be modified to incorporate Proposed Change PC4/001, as set out in Core Documents CD1.14, CD1.19 and CD1.21, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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### POLICY TC2 - COMMERCIAL FRONTAGES IN OR ADJACENT TO TOWN CENTRES, POLICY TC2a - MIXED USE DEVELOPMENT, AND PARAGRAPHS 4.13-4.14

#### Objections and Key Issues

##### *Policy TC2 Mixed Use Developments*

RN025 Ms V Cutler (651)

RN118 Dept of Health represented by Inventures (495)

RN257 Herne Bay & District Chamber of Commerce (2163)

RN324 Stagecoach (2405)

- Plan needs to be reconsidered in the light of the activity of insurers: e.g. they will not insure businesses with DSS tenants above the business. This conflicts with policy TC2
- Mixed-use development – needs small businesses to be retained for liveliness and public safety. Redevelopment should not end up like deserted area adjacent to Canterbury West station
- Proposed policy would prevent development of the town centre/edge of centre NHS health care facilities. Add to policy
- Objects to mixed-use allocation at Stagecoach, High Street, Herne Bay as the premises are needed for operations

##### *Re: A4/003 New Policy TC2a – Site Specific Mixed Use Allocations*

RD056 Thanet District Council (20113)

RD113 London & Eastern Investments Ltd represented by LGA Design Group (20433, 20434)

RD118 Kitewood Estates (20469)

RD124 Stansfield (20345)

RD126 Pelham Homes Ltd represented by Jennifer Owen & Associates (20372)

RD127 Telereal Development Ltd Represented By RPS (20380)

RD128 Unite represented by Turley Associates (20353)

RD129 Second Site Property Holdings (20478)

RD136 Oaten Hill & District Society (20527)

RD144 The Metric Group represented by BSF Planning Consultants (20745)

- Mixed use Policy could be misused to the detriment of employment opportunities. Amend Policy to strengthen the requirement to bring uses other than residential forward as priority and treat any residential units brought forward as windfall
- TC2a does not specify criteria for selecting a mixed use site, nor what mix will be sought - clarification needed for certainty, detailing where intensification by housing/ retail/office would be appropriate, include TC provision and proximity to public transport nodes
- Object to sites facing St Dunstan's Street – Hallett's Garage and former Tyre Garage on Roper Rd. Housing provision should be reduced so that adequate provision can be made for off-street parking and deliveries in response to traffic problem
- Concern at list of possible uses for some of the sites namely to sites c) to h) , k) & o) Several could be suitable for education for Canterbury or Christ Church College, or for modern office accommodation

## INSPECTOR'S REPORT ON THE CANTERBURY DISTRICT LOCAL PLAN

- Object to Gas Works, Belmont Road, & Sea Street mixed use allocations – should be housing which is in line with government guidance. Should not be requirement for Belmont to have development brief as at advanced stage in planning application & negotiations with planning officers
- Newingate House Policy TC2a item d): support offices, residential and educational uses, but A3 use should be included on ground & basement floors
- Invicta House Policy TC2a item (k): support commercial & residential uses but object on basis that existing retail, leisure & educational uses be retained in the new Policy as well
- Too commercial element of mixed use allocation at Talmead
- While Telephone House is suitable for a mix of uses, development for one predominant use could result in significant planning benefits. The site is ideally suited to high density housing. TC2a and map should be amended not to require mixed uses if single use is acceptable
- Object to mixed use allocation at Metric site. All of site should be allocated for residential, supporting the aspiration of a link road

### Reasoning and Conclusions

- 5.3 The supporting text and the wording of Policy TC2 do not need any rewording, as the objectors to this area-wide Policy are concerned with specifics that should not undermine its sensible principles, which are aimed at retaining and increasing urban vitality.
- 5.4 As to TC2a, the Policy sets down the specific sites that the Council envisages coming forward in the Local Plan period, but it is not setting out the exact uses that would be permitted. The Council has put forward two Further Amendments in this section to emphasise this point. FA4/001 amends the last sentence of the first paragraph of Policy TC2a to say that only “an indication of the types of uses that would be appropriate as part of the development” is set out beside the named sites. FA4/002 adds text in paragraph 4.13, expanding on this new emphasis. I endorse this clarification, which seems to me to overcome the main force of the objections made to the new policy.
- 5.5 Before the Plan is adopted, the Council will presumably bring up to date the list of sites, to reflect the current planning position. In this report I have not been able to agree all the sites listed as being definite enough to merit a firm allocation. I instance Canterbury sites (i), (j), (k), (l), (o), (p); and Herne Bay site (d). Details of my misgivings are to be found in my Chapter Three, where I have considered site-specific objections. However, in my paragraph 3.4.20 I have suggested a mechanism for retaining mention of such sites without them enjoying the status of a formal allocation. It may be possible for those sites to be mentioned under this policy, if suitable wording can be found.

### Recommendation

- 5.6 I recommend that the Local Plan be modified to incorporate Further Amendment Nos. FA4/001 and FA4/002, as set out in Core Documents CD1.14, CD1.19 and CD1.21, and some altered wording to meet the points I raise in my paragraph 5.5 above, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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## POLICY TC3 - RETAIL CORE AREAS OF TOWN CENTRES – AND PARAGRAPH 4.15

### Objections and Key Issues

*Paragraph 4.15 – Retail Core Areas*

RN295

Going Places Leisure Travel Ltd Represented By RPS (2262)

## INSPECTOR'S REPORT ON THE CANTERBURY DISTRICT LOCAL PLAN

- Flexibility needed in retail area for vitality and viability of town centres. Talk re prevention of dead frontages, not of resisting loss entirely

*Re: A4/004 Amendment to paragraph 4.15*

RD056 Thanet District Council (20114)

- Object to lack of clarification of scale of additional need & potential additional retail floorspace implied for non-bulky & bulky goods now identified in updated retail study, & the lack of analysis of impact on town centres & retail expenditure in adjoining districts like Thanet

*Policy TC3 Retail Core Areas*

RN118 Dept of Health represented by Inventures (497)

RN156 BSF Planning Consultants (1868)

RN255 GOSE (2634)

RN295 Going Places Leisure Travel Ltd Represented By RPS (22601, 2261)

- Objection to the need for 'overriding justification' for changes of use in retail core areas. The correct approach would be to determine if the change of use would harm vitality and viability of the retail core
- Policy, as worded, would be likely to prevent the development of town centre/edge of centre NHS health care facilities
- Retail core area policy too restrictive with regard to change of ground floor retail uses. Sustaining vitality depends on the flexibility of floorspace use
- Too restrictive. Other uses are appropriate in town centres, including retail core areas

### Reasoning and Conclusions

5.7 This is a crisp and strongly expressed policy. It puts the onus on an applicant seeking permission for change of use to provide the "overriding justification", so that the expansion of existing non-retail uses is not encouraged. That seems to me to be tough but fair. The substantial number of existing non-retail premises in the retail core areas is not being threatened in any way, so non-retail uses have a very reasonable chance of being able to seek out vacant premises not requiring any planning permission.

### Recommendation

5.8 I recommend that no modification be made to the Revised Deposit Draft Local Plan in respect of these objections.

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## POLICY TC4 - LOCAL CENTRES – AND PARAGRAPHS 4.16-4.18

### Objections and Key Issues

*Re: A4/005 Amended policy TC4 – Local Centres*

RD135 KCC Education & Libraries (20551)

- Word "demand" is not correct, as could be perceived rather than actual demand. Replace with "need" in criterion e)

### Reasoning and Conclusions

5.9 The Council's preferred word "demand", meaning actual demand by the public, seems to me much more capable of demonstration in real life than "need", a much more subjective and endlessly debatable term.

Recommendation

5.10 I recommend that no modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of this objection.

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POLICY TC5 – NEW TOURISM DEVELOPMENT – AND PARAGRAPHS 4.19-4.24

Objections and Key Issues

*Paragraph 4.22 – Tourism, Culture and Heritage*

RN158 SE England Tourist Board represented by Kember Loudon Williams (2033)

- Add self catering accommodation after reference to guesthouses

*Policy TC5 – New Tourism Developments*

RN003 Hollamby Estates represented by Kitewood Estates ((394)

RN067 The Whitstable Society (988)

RN158 SE England Tourist Board represented by Kember Loudon Williams (2030-2035 inclusive)

RN345 Oaten Hill & District Society (2447)

- Reference in policy regarding access to transport is not realistic for rural facilities. Should read: “the proposed development would not create or exacerbate traffic problems in the area”.
- After tourism development, add: "of a high quality" to reflect para. 4.22
- Amend to provide a strong promotional stance in respect of enabling the provision and upgrading of tourism development in the plan area
- Policy should be flexible enough to respond to changing trends in tourism in Plan period
- Policy should refer to new tourist attractions, in addition to new accommodation, to reflect support in PPG21
- Delete reference to appropriate locations, as development should properly fall to be tested against the 7 criteria
- New attractions like casinos should be included in the policy
- Make all references to promoting tourism, where they affect Whitstable, subject to appropriate infrastructural and capacity improvements

*Re: A4/009 Amended policy TC5*

RD111 SE England Tourist Board represented by Kember Loudon Williams (20427)

- Criterion (a) has not been amended as per previous objection

Reasoning and Conclusions

5.11 While the Council has constructed a policy to include the essential criteria necessary to making good planning decisions, the objections sought would generally add non-vital emphases reflecting the objector's particular concerns, sometimes touched on elsewhere in the Plan. The two amendments made in the text between the First and Revised Deposit Drafts in response to objections seem to me quite sufficient. I find that the Plan does make a number of policy references to potential development in Whitstable in policies TC23, TC24 and TC25. I see little evidence that the Council's attitude to the town in the Plan's text is tourism-centred, and I find no planning case for any verbal alteration to meet the Whitstable Society's objection.

Recommendation

5.12 I recommend that no modification be made to the Revised Deposit Draft Local Plan in respect of these objections.

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POLICY TC6 - LOSS OF VISITOR STAYING ACCOMMODATION - & PARAGRAPH 4.25

Objections and Key Issues

*Policy TC6 – Visitor Staying Accommodation*

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| RN156 | BSF Planning Consultants (1867)  |
| RN158 | SE England Tourist Board represented by Kember Loudon Williams (2037-2039) |

- Self catering and longer stay has a valuable role; the specific reference to short stay should be omitted
- Proper policy support should be put in place to protect tourism accommodation stock converting to residential
- Refer to need to protect existing tourist accommodation across the district, not just in town centres. Alternatively, out of town accommodation could be addressed in a separate policy
- Need robust test for assessing proposals for a loss of accommodation Criterion (a) should required applicants to demonstrate that the building cannot be adapted to minimum standards
- If accommodation is not essential to the character of the conservation area this does not diminish its value to the economy or tourism. Criterion (b) should therefore be omitted
- Criterion c) does not clarify the definition of environmental problems. Amend to: unacceptable impact on traffic levels, visual or residential amenities
- Criterion (d) does not clarify how the 'need' should be tested. Add to policy that clear evidence is required to demonstrate that the accommodation is not viable for use
- Policy should be deleted. It is too negative and will discourage new investment

*Re: A4/011 Amended Policy TC6*

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|-------|---|
| RD079 | GOSE (20185)  |
| RD111 | SE England Tourist Board represented by Kember Loudon Williams (2040-2042, 2036, 20428) |

- Replace “resist” with more definitive words such as: “will not permit”
- Redevelopment of tourist facilities should be subject to robust test; add the following to policy or text.
  - a. evidence that the property has been marketed for a consistent period of 2 years at a competitive price, and that this has been undertaken through mainstream tourism publications both regionally and nationally and through appropriate agencies;
  - b. evidence of a clear and demonstrable lack of demand for the facility and that such a lack of demand is based on evidence of the preceding 3 years occupancy rates and returns;
  - c. evidence that the physical structure of the building cannot be enhanced or investment undertaken to make it suitable for continued tourism use

Reasoning and Conclusions

5.13 The Council has made significant amendments to the policy and supporting text, in response to objections at the First and Revised Deposit Draft stages. It has put forward Proposed Change PC4/002 to amend further paragraph 4.25, expanding on evidence that would be required of an applicant for development involving loss of tourist accommodation. The thrust of the policy now appears to me to be realistic and hard-headed, and it covers all the matters important for effective development control.

5.14 However, I see no good reason why a further rewording on the lines of the GOSE objection should not be made, to increase the force of the policy. The opening line would then read: “Planning permission will not be given for development involving the loss...”.

Recommendation

5.15 I recommend that the Local Plan be modified to incorporate Proposed Change No. PC4/002, as set out in Core Documents CD1.14, CD1.19 and CD1.21, and the altered wording I suggest in my paragraph 5.14 above, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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POLICY TC7 - CULTURAL DEVELOPMENT- AND PARAGRAPHS 4.26-4.29

Objections and Key Issues

*Paragraph 4.28 – Local Cultural Strategies*

RN229 Property Review & Development (2576)

- Include reference to existing service providers, such as KCC Arts and Libraries Service, who should clearly be involved in the development of such Strategies

*Policy TC7 Edge of Town Centres*

RN199 East Kent District Green Party (1522)

RN255 GOSE (2642)

- This encourages development which is accessible by means other than the car at odds with policy TC1
- Avoid the word “encourage”

Reasoning and Conclusions

5.16 I see no good planning reason to make any reference to particular service providers in this policy. The word “encourage” is here usefully linked to the development control intention, and can remain. I see no problem about lack of linkage to policy TC1, now that it has been amended, and policy TC1a added.

Recommendation

5.17 I recommend that no modification be made to the Revised Deposit Draft Local Plan in respect of these objections.

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POLICY TC8 - LATE NIGHT ACTIVITY - AND PARAGRAPHS 4.30-4.33

Objections and Key Issues

*Paragraph 4.30 – Public Safety and Crime Prevention*

RN348 Littlebourne Parish Council (2510)

- Villages need a policeman, or at least personal contact. Criminals are getting away with their actions

*Paragraph 4.31 - Public Safety and Crime Prevention*

RN348 Littlebourne Parish Council (2511)

- Needs following up

*Paragraph 4.33 - Public Safety and Crime Prevention*

RN348 Littlebourne Parish Council (2512)

- Children excluded from school need supervision and to be occupied not left to wander and get up to mischief

*Policy TC8 – Night Time Activity*

RN156 BSF Planning Consultants (1866)

- Policy badly worded, is too negative and conflicts with cultural objectives

Reasoning and Conclusions

5.18 The Parish Council objections are more in the nature of concerned comment than a suggested redrafting. The Council has reworded and slightly expanded the policy in a more precise way, helpful to good development control.

Recommendation

5.19 I recommend that no modification be made to the Revised Deposit Draft Local Plan in respect of these objections.

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POLICY TC9 - ACCESS OTHER THAN BY THE PRIVATE CAR - AND PARAGRAPHS 4.34-4.36

Objections and Key Issues

*Paragraph 4.34 – Access and Permeability*

- RN255 GOSE (2645)
- RN348 Littlebourne Parish Council (2513)
- Cycle routes are important, one is needed in Littlebourne
  - Imprecise wording

*Policy TC9 – Access and Permeability*

- RN085 Marks & Spencer Plc represented by Nathaniel Lichfield & Partners (1833)
- Policy implies that a travel plan would have to be submitted. Amend policy so that it refers to 'major' new development in the opening and “where submitted” in its concluding sentence

Reasoning and Conclusions

5.20 I consider that the policy wording would be improved and meet the essence of the GOSE and Marks & Spencer objections, if the opening sentence started: “Planning proposals within the City and town centres will be assessed for their scale and impact and, where appropriate, planning permission will be dependent on the incorporation of measures to provide access to...”.

Recommendation

5.21 I recommend that the Local Plan be modified to incorporate altered wording as suggested in my paragraph 5.20 above, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objection.

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POLICY TC10 - REGENERATION ZONE: CANTERBURY WEST STATION - AND PARAGRAPHS 4.37-4.46

Objections and Key Issues

*Paragraph 4.37 – Canterbury City*

- RN156 BSF Planning Consultants (1865)
- dogmatic approach to Zones will discourage proposals; CPO powers rarely appropriate; reword more flexibly

*Paragraph 4.40 – Regenerations Zones*

- RN198 MHP Partnership represented by Davies Arnold Cooper (1501)
- RN349 Canterbury Conservation Advisory Committee (2461)
- RN224 Sport England (1686)

# INSPECTOR'S REPORT ON THE CANTERBURY DISTRICT LOCAL PLAN

RN208 Thanet District Council (766)

- Hersden Regeneration Zone should be clearly defined and there should be a mixed use development on the Former Colliery Land.
- Acknowledge the contribution that sport can make to regeneration
- Clarify the scale of any business and retail element within identified regeneration zones
- Schemes must be designed to high standard. This priority should be emphasised

*Paragraph 4.41 - Regenerations Zones*

RN198 MHP Partnership represented by Davies Arnold Cooper (1502)

- Hersden Regeneration Zone should be focussed entirely on the remainder of the former colliery land at Hersden.

*Paragraph 4.42 - Regenerations Zones*

RN198 MHP Partnership represented by Davies Arnold Cooper (1503)

- Essential requirements of the Council for the Hersden Regeneration Zone should be broadly identified now.

*Re: A4/013 New Paragraph 4.42a - Section 106 Agreements*

RD095 House Builders Federation (20236)

RD126 Pelham Homes Ltd represented by Jennifer Owen & Associates (20373)

RD135 KCC Education & Libraries (20552)

RD137 MHP Partnership represented by Davies Arnold Cooper (20631)

- Objects to suspense account approach as partial solution in cases where development & associated facilities will bring forward major environmental improvements & community benefits
- Proposal to set up funds into which developer contributions are put is contrary to C1/97 - conflicts with the 5 tests of reasonableness. Ultra vires
- Re funding: add community & cultural facilities; reword to clarify purpose of suspense account

*Paragraph 4.44 - Regenerations Zones*

RN012 Smith (308, 309)

- Text should include reference to the land next to the tunnel on station road west. This land is used to dump rubbish, is dangerous to pedestrians and should be improved.
- Text should include the improvement of the tunnel under the railway into Hackington Place (outside the RZ)

*Policy TC10 – Canterbury West Regeneration Zone*

RN025 Cutler (650)

RN186 Strutt & Parker (175)

RN198 MHP Partnership represented by Davies Arnold Cooper (248)

RN224 Sport England (2666)

RN225 Telereal Developments Ltd Represented By RPS (1202)

RN285 Strategic Rail Authority (828)

- Concerned about the existing development around Canterbury West station. Hotel possibly OK but must have safeguards as to noise and traffic and a building of suitable scale
- Extend Canterbury West Station Regeneration Zone to include land at Kirby's Lane/Station Road West
- Enhance the access routes between the station and the City Centre
- Proposals for the Regeneration Zone must not prejudice the strategic objectives of the rail network
- Existing uses in these Regeneration Zones should remain
- Sport can play a part in this regeneration
- Don't say that proposals produced before completion of frameworks are premature

*Re: A4/015 Amended Policy TC10*

RD059 Baker (20124)

RD086 Sport England (20308)

RD095 House Builders Federation (20237)

RD124 Stansfield (20343, 20344)

RD135 KCC Education & Libraries (20553)

RD137 MHP Partnership represented by Davies Arnold Cooper (20632)

RD146 BSF Planning Consultants (20713)

- Last sentence of Policy contrary to C1/97 & C6/98 e.g. 5 tests of reasonableness

## INSPECTOR'S REPORT ON THE CANTERBURY DISTRICT LOCAL PLAN

- Add an additional provision for a development framework which should be subject to a public consultation
- The Policy should make reference to fast rail links, heritage and amenity
- Amendment inconsistent with fast rail link proposals (A7/074). Policy incompatible with proper development of Canterbury West Station for reasons including deletion of historic importance of the station, insufficient parking and excessive housing
- Site poorly suited to housing & should be promoted for employment use
- Mention provision of recreation either on this site or off-site; site has a notional capacity of 40 housing units
- Make reference to contributions being made, if necessary, towards any additional community facilities e.g. such places which arise directly from development. Add "community facilities" after "affordable housing"
- Restore the part of Policy TC10 relating to element of public car parking in Cant West RZ. Essential in light of Strategic Rail Authority's proposals for fast train services
- Proposals for this area should await the decisions on the high speed rail link, and relate to that enhanced transport facility

### Reasoning and Conclusions

- 5.22 The Council's essential concept of Regeneration Zones in gateway areas outside the inner city is not seriously questioned, but the details are naturally the subject of objections, some of which are more in the nature of comments, suggestions or specific queries. The Council has extended the area to include an area of Kirby's Lane and Station Road West. This Plan does not pretend to identify any real matters of detail, apart from the Plan allocations shown within a particular Regeneration Zone on the Proposals Map; detailed guidance – mix of uses, design, access, landscaping and sustainability – will be achieved through yet to be devised Planning Frameworks. At site level, development briefs and CPOs will be used.
- 5.23 The new paragraph 4.42a on financial contributions made though planning obligations has attracted objections, but I do not find that this necessarily broad text raises any fundamental conflict with the five tests concerning reasonableness set down in para.B2 of Annex B to Circular 1/97.
- 5.24 A major unknown element at the time of the Inquiry was the precise impact on domestic rail services following completion of the Channel Tunnel Rail Link. Any detailed design and layout of the kind of new office-type development broadly allocated in the existing parking area around the Canterbury West station will not be possible until 2007, probably later. However, even if the future brings about a radical change in the importance of the rail station, with a need for more parking and better access, the Plan's text has the inbuilt flexibility to cope with altered circumstances. Nevertheless, it would be appropriate and helpful to Plan users for the supporting text leading up to Policy TC10 to mention the uncertainties in the earlier part of the Plan period, stemming from lack of precise knowledge about the consequences of CTRL completion. Otherwise I see no need to amend the Plan in respect of the employment or housing allocations within this Regeneration Zone where they are mentioned elsewhere in the Plan text.

### Recommendation

- 5.25 I recommend that the Local Plan be modified to incorporate altered wording as suggested in my paragraph 5.24 above, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of this objection.

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POLICY TC11 - REGENERATION ZONE: KINGSMEAD AND RIVERSIDE AREA - AND PARAGRAPHS 4.47-4.48

Objections and Key Issues

*Paragraph 4.47 – Kingsmead and Riverside*

RN228 Kent County Council (1652)

- Clarify the transport function of the riverside corridor

*Re: A4/016 Amended paragraph 4.48*

RD110 PACE (20426)

- Previous objection reiterated

*Policy TC11 – Kingsmead and Riverside Regeneration Zone*

RN061 PACE (37)

RN156 BSF Planning Consultants (1870)

RN160 Brade (1897)

RN198 MHP Partnership represented by Davies Arnold Cooper (247)

RN209 PACE (781, 782)

RN224 Sport England (2667)

RN225 Telereal Developments Ltd Represented By RPS (1203)

RN229 Property Review & Development (2588)

RN237 St. Peters Association (2047)

- Regeneration in the Kingsmead and Riverside area should concentrate on employment, rather than residential. The existing uses in this are an important resource for the city
- Housing here contrary to PPG25 in an area at risk of flooding. There is other land on the site that should remain as it is
- Proposed footpath along River Stour below Dalgety Mill shouldn't be instigated. Will be detrimental to wildlife and isn't recognising indication in paragraph 6.125 that otters are protected. Policy NE2 is not being applied
- Provision should be made for a multi-use stadium in the Kingsmead Area.
- Regeneration of the Kingsmead area should not lead to a reduction in green areas, report states underprovision
- Unhappy that 'Bus Company Island' & neighbouring Kingsmead School playing field are included in regeneration zone. Are inner city green areas & should be retained as such
- Conflict between para. 6.124 and this policy. Path should not be extended beyond Dalgety Mill. This is a pristine stretch of river and access would be detrimental to wildlife e.g. otters
- Don't say that proposals produced before completed frameworks are premature
- Sport can play a part in this regeneration

*Re: A4/018 Amended Policy TC11*

RD126 Pelham Homes Ltd represented by Jennifer Owen & Associates (20374)

RD135 KCC Education & Libraries (20554)

- Make clear the proportion of the various proposed uses within the overall development
- Refer to need for contributions towards additional community facilities arising directly from development. Add text at end re including necessary contributions towards community facilities after development brief

Reasoning and Conclusions

5.26 A Draft Development Brief for Kingsmead was produced during the Inquiry in May 2004 (CD9.9), but had not been adopted before the end of my Inquiry. The Draft says that an approved brief would be adopted as supplementary planning guidance. Given its probable adoption by the time my report is received by the Council, this Brief may induce the Council to some further updating of the Plan text. However, the Plan is not the place for a detailed exposition of planning proposals in the Regeneration Zones, even if all the Development Briefs were available before Plan adoption, and I consider that the existing text, together with the allocations on the Proposals Map are sufficient.

5.27 None of the individual matters raised in the objections appears to me so fundamental that it should be specifically put into the Plan text, either as something to be avoided or specifically aimed at. I have in mind two matters in particular. The first is any kind of dogmatic statement that employment development should be the paramount aim, with an emphasis on offices. The second is specific proscriptions on what should happen in undeveloped areas. The fact that the Council is the principal landowner in the Zone strengthens my feelings on that point. The matter of contributions is better dealt with through Policy IMP2 in the Plan's Chapter Eight.

5.28 What is written in the Draft Brief about the balance of open, as opposed to developed land, and the whole range of concerns about the nature conservation and ecology, seem to me to underline an enlightened approach to regeneration in this urbanised location. Having walked around the area, I am unable to share the PACE view that a proposed cycle and footpath along the south bank of the Stour need be intrinsically damaging to the local wildlife and habitats – the way that it is done is the key factor.

### Recommendation

5.29 I recommend that no modification be made to the Revised Deposit Draft Local Plan in respect of these objections.

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## POLICY TC12 - REGENERATION ZONE: ST GEORGE'S TO CANTERBURY EAST – AND PARAGRAPHS 4.49-4.51

### Objections and Key Issues

#### *Policy TC12 – St George's to Canterbury East Regeneration Zone*

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| RN198 | MHP Partnership represented by Davies Arnold Cooper (249) |
| RN224 | Sport England (2668)                                      |
| RN225 | Telereal Developments Ltd Represented By RPS (1204)       |
| RN255 | GOSE (2646)   |
| RN285 | Strategic Rail Authority (829)                            |
| RN345 | Oaten Hill & District Society (2441)                      |

- Proposals for Regeneration Zone must not prejudice the strategic objectives of the rail network
- This area should be retained for employment uses and is not suited for additional housing.
- Don't say proposals produced before completed frameworks are premature
- Say sport can play a part in this regeneration

#### *Re: A4/021 Amended Policy TC12*

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|-------|---|
| RD079 | GOSE (20175)  |
| RD086 | Sport England (20310)                                       |
| RD137 | MHP Partnership represented by Davies Arnold Cooper (20633) |
| RD149 | Network Rail (20728)  |

- Delete references to housing in Policy TC12
- The word "appropriate" makes the Policy unclear
- Policy must mention provision of recreation either on this site or off-site, even though the site has a notional capacity of 24 housing units

### Reasoning and Conclusions

5.30 The Council has already expanded the text of the policy, in response to representations made to the First Deposit Draft, and it appears to me generally adequate for its purpose and uncontentious. The exception is the GOSE objection, which has substance. I consider that the last sentence of the Policy would end better if reworded to say: "...the Development Brief and, dependent on the scale and location of a particular development, to enhance the entrances to the City, improve pedestrian links and ease traffic congestion".

### Recommendation

5.31 I recommend that the Local Plan be modified to incorporate altered wording as suggested in my paragraph 5.30 above, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of this objection.

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## POLICY TC13 - REGENERATION ZONE: WINCHEAP AREA – AND PARAGRAPHS 4.52-4.53a

### Objections and Key Issues

*Re: A4/022 –New paragraph 4.53a*

RD025            McCalla (20059)

RD026            Upward (20060)

RD027            Upward (20061)

RD028            Hawkins (20062)

RD029            Stobbs (20063)

RD137            MHP Partnership represented by Davies Arnold Cooper (20634)

- Objects to inclusion of floodplain in Wincheap Regeneration Zone - should be a nature reserve
- Delete references to housing, as site falls within floodplain
- Do not include water meadows in Wincheap Regeneration Zone. Important wildlife habitat/part of river valley

*Policy TC13 – Wincheap Regeneration Zone*

RN179            Kent Wildlife Trust (188)

RN198            MHP Partnership represented by Davies Arnold Cooper (250)

RN224            Sport England (2669)

RN225            Telereal Developments Ltd Represented By RPS (1205, 1206)

RN229            Property Review & Development (2587)

RN262            Lenleys (2227)

RN285            Strategic Rail Authority (830)

RN315            Blean Parish Council (2303)

- Don't say proposals produced before completed frameworks are premature; requirement for provision of gyratory in relation to residential development of Telephone House should not be responsibility of this development alone
- Land north-west of the Wincheap industrial estate to the Canterbury/Ashford railway and adjacent to the A2 should be re-designated for North Canterbury Park & Ride, Parkway St. and Coach Park and included in Wincheap Regeneration Zone
- Wincheap now very unattractive, but has potential to be turned into a good retail park. There is no evidence, however, that the warehousing and non retailing businesses are to be re-sited
- Refer in preamble to policy to the Site of Nature Conservation Interest, and need to make provision for it in redevelopment of the Wincheap area
- Amend boundary to take account of the floodplain; open space beside the river to be retained; the nature conservation interest and footpath along the river

## INSPECTOR'S REPORT ON THE CANTERBURY DISTRICT LOCAL PLAN

- Proposals for Zone must not prejudice the strategic objectives of the rail network
- Any substantial increase in housing levels in this area is likely to put strains on existing local schools through the increased demand for places; a new site may be needed if the housing level is high
- This is a location for industry and warehousing, and an area at risk of flooding. It is not suitable for additional housing
- Sport can play a part in this regeneration

*Re: A4/023 – Amended policy TC13*

RD127 Telereal Development Ltd Represented By RPS (20381, 20384)

RD135 KCC Education & Libraries (20556)

- Inappropriate in TC13 to require all developments to provide a mix of uses. It should 'encourage' but not 'require' as it could prevent wholly acceptable schemes. Requiring compliance with a brief will also delay redevelopment
- The requirement to contribute to traffic management schemes should be clarified. Contributions would not be appropriate to schemes which result in a net reduction in traffic numbers
- Amendments should make refer to contributions towards other necessary infrastructure. Last sentence add "and other necessary infrastructure"

### Reasoning and Conclusions

5.32 The Council has put forward Proposed Change PC4/003 adding text to new Paragraph 4.53a about open space on the Great Stour, and making it clear that not all the Zone is seen as development land. I have no reason to think that the Council is mistaken in seeing no need to extend the Zone, in the way that Blean PC wishes. The Council's strong wording in the Policy, about requiring mixed uses in new development, are clearly explained in the supporting text. Other objections are really seeking a level of detail or change that will be better and more fully addressed through the master-planning stages, where public input will be sought. The matter of contributions is better dealt with through Policy IMP2 in the Plan's Chapter Eight.

### Recommendation

5.33 I recommend that the Local Plan be modified to incorporate Proposed Change No. PC4/003, as set out in Core Documents CD1.14, CD1.19 and CD1.21, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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## NEW POLICY TC13a – DEVELOPMENT TO MEET IDENTIFIED LOCAL NEED AND OBJECTIVES

### Objections and Key Issues

*Re: A4/025*

RD135 KCC Education & Libraries (20557)

- Support in principle. Should be reference to contributions being made towards any additional community facilities e.g. such places arising directly from development. Add to end: "including appropriate additional community facilities"

### Reasoning and Conclusions

5.34 I see no reason question the Council's response: that this matter will be addressed through local partnerships and the Community Plan, if such a need is identified.

Recommendation

5.35 I recommend that no modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of this objection.

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POLICIES TC14, TC15 & TC16 - LARGE FOOD/NON-FOOD SHOPPING AND RETAIL WAREHOUSING - AND PARAGRAPHS 4.54-4.57

Objections and Key Issues

*Paragraph 4.54 – Retail Development*

RN315 Blean Parish Council (2299)

RN228 Kent County Council (1631)

- Retail at Wincheap and Sturry contribute to congestion. Further retail should be considered carefully, instead of the present mixture of retail sites in an 'ad hoc' combination across the district
- The proposed policies for retail development at Whitstable and Herne Bay should reflect PPG6 and be amended to be consistent with policies for Canterbury

*Paragraph 4.56 - Retail Development*

RN299 Chartwell Land Plc represented by Drivers Jonas (2253)

RN227 B&Q Plc Represented By RPS (1669)

RN208 Thanet District Council (765, 771)

- Criteria for retail development should be augmented to include impact on viability and vitality on other town centres in East Kent, in particular with Thanet & include a need test for further retail development
- The Council should not place undue weight upon the Colliers retail assessment, and flexibility should be incorporated into the Plan
- The Plan should indicate that quantitative need is only one element of the need test in PPG6 for retail floorspace. Make reference to other potential indicators of need that may justify more provision
- Welcomes approach of not having new retail allocations but feels it is illogical to then have policies stating what would happen should retail proposals occur. Should have a restriction on extra retail

*Re: A4/041 – New paragraph 4.57a*

RD037 Peacock & Smith (20193)

- Para 4.57a 1st sentence should be amended to ensure consistency with PPG6, case law & ministerial statements regarding demonstrating need in out of town, not town, centre. Add to 1st sentence: “in out of centre locations”

*Policy TC14 – Large Retail Development within City Centre*

RN085 Marks & Spencer Plc represented by Nathaniel Lichfield & Partners (1834)

RN208 Thanet District Council (762)

RN227 B&Q Plc Represented By RPS (1670)

RN262 Lenleys (2228)

- Need should be incorporated into the assessment, retail nodes should be deleted
- Welcomes approach set out in para 4.56 of not having new retail allocations; illogical to then have a policy stating what would happen should retail proposals occur
- The retail nodes on Sturry Road are not very extensive. The area should be extended into Marshwood Close, Vauxhall Road, Westminster Road and Broad Oak
- Policy does not make provision for out of centre development, if no sequentially preferable are suitable or available

*Re: A4/030 – Reworded Policy TC14*

RD037 Peacock & Smith (20194)

RD063 B&Q Plc Represented By RPS (20132)

RD102 Highways Agency (20264)

RD134 English Heritage (20508)

## INSPECTOR'S REPORT ON THE CANTERBURY DISTRICT LOCAL PLAN

- Re-worded Policy TC14 suggests proposals might be acceptable where environmental objectives are not met. Delete the second “or” and replace with “and”
- Policy TC14: add new criterion e) The proposed development does not have a detrimental effect on the highway network in terms of congestion and road safety. Safeguards operation of highway network & facilitates offsite, developer-funded improvements
- Final paragraph of Policy TC14 is unnecessary as other Policy deal with this
- Objects to Policy TC14 applying to all proposals over 1000sqm regardless of location + need to demonstrate a quantitative & qualitative need. Suggests alternative wording

### *Policy TC15 – Large Retail Development at Edge of Centre*

RN084 WM Morrison Supermarkets plc (1929, 1930)

RN084 Marks & Spencer plc (1835-1838)

RN208 Thanet District Council (763)

RN227 B&Q Plc Represented By RPS (1671)

- Object to policy. Criterion (e) is unclear and may not be applicable to edge of centre developments. This should be deleted from the policy
- The policy should include the demonstration of need
- Welcomes approach set out in para 4.56 of not having new retail allocations but illogical to then have a policy stating what would happen should retail proposals occur
- Object to policy. Criterion (f) should be amended to read that ' the type of goods sold does not significantly harm the vitality and viability of the city centre'

### *Policy TC16 – Large Retail Development outside the City Centre*

NN003 Hollamby Estates represented by Kitewood Estates (395)

RN084 WM Morrison Supermarkets plc (1931)

RN084 Marks & Spencer plc (1840-1845)

RN208 Thanet District Council (770)

RN227 B&Q Plc Represented By RPS (1672)

- Need should be incorporated into the retail assessment. A single policy should be used for TC14-16
- Object to policy. Criterion (e) should be amended to read 'The type of goods sold does not significantly harm the vitality and viability of the city centre'
- Welcomes approach set out in para 4.56 of not having new retail allocations; illogical to then have a policy stating what would happen should retail proposals occur

## Reasoning and Conclusions

5.36 The Council has radically revised this section, making it accord with national policy guidance in PPG6 and the adopted Structure Plan, devising a new single policy TC14 to replace the three in the First Deposit Draft, and expanding the supporting text to explain better the local context in which the new single the policy is framed. In response to a Highways Agency objection, the Council has put forward Proposed Change PC4/004, adding a new criterion (e) to TC14, to take account of any adverse effects on the highway network. I consider the new text in the Revised Deposit Draft is both clear and helpful, and that no other alteration suggested by objectors is needed.

## Recommendation

5.37 I recommend that the Local Plan be modified to incorporate Proposed Change No.PC4/004, as set out in Core Documents CD1.14, CD1.19 and CD1.21, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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POLICY TC17 – LOCAL CENTRES WITHIN CANTERBURY CITY

Objections and Key Issues

RN156                      BSF Planning Consultants (1869)

- TC17(e) is unnecessary and should be deleted

Reasoning and Conclusions

5.38 I consider that criterion (e) is highly useful for effective development control when a planning application is under consideration.

Recommendation

5.39 I recommend that no modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of this objection.

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POLICY TC18 - CITY QUARTERS - AND PARAGRAPHS 4.59-4.66

Objections and Key Issues

*Paragraph 4.59 – Quarters*

RN229                      Property Review & Development (2582)

- Involve all parties in proposals, where education and other social and community facilities provided by KCC play a key role in maintaining the vitality and character of these areas

*Policy TC18 - Quarters*

RN255                      GOSE (2635)

RN322                      English Heritage (1781)

- Alter “will be resisted”
- While the policy refers to the need to respect other policies in the Plan, an open-ended commitment to 'more of the same' may need to be reconsidered

Reasoning and Conclusions

5.40 I find the aim of the Policy essentially laudable and support it, while recognising that the whole matter is intensely subjective. Thus my support is accompanied by a hope that the Council's judgements will be infallibly wise. To meet the GOSE point, which I sympathise with, I consider the sentiments in the Policy would be further strengthened if reworded as: “Planning permission will be given for proposals that strengthen the individual characteristics and distinctiveness of the City, unless they would cause specific environmental problems, or conflict with other policies in the Local Plan. Similarly, proposals that demonstrably weaken the characteristics and distinctiveness of these areas will be refused planning permission”. There is no need or requirement to expand the text to mention matters that appear to cause the County Council concern, as I see no harm to its interests or powers arising from the text.

Recommendation

5.41 I recommend that the Local Plan be modified to incorporate altered wording as suggested in my paragraph 5.40 above, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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POLICIES TC19, TC20 & TC21 - HERNE BAY - AND PARAGRAPHS 4.67-4.70

Objections and Key Issues

*Paragraph 4.70 – Herne Bay*

RN086 Thomas (441)

- There is a need for a more ambitious strategy to upgrade the quite inadequate level of retail provision within Herne Bay and attract major retailers

*Policy TC19 – Herne Bay Leisure and Tourism*

RN320 JTS Partnership (1995)

- Policy TC19 should include a reference to the proposals map inset 3, as well as inset 4

*Policy TC20 – Hotel allocation Herne Bay Golf Club*

RN003 Hollamby Estates represented by Kitewood Estates (396, 397)

RN274 Davis (1738)

- Object to allocation at Herne Bay Golf Club for a hotel. Blacksole Farm Business Park would be a better hotel location.
- A park and Ride at Herne Bay Golf Club is unnecessary

*Policy TC21 – Mixed use allocation Serco Nursery Eddington*

RN274 Davis (1739)

RN316 Herne and Broomfield Parish Council (2393)

- The Serco nursery site should be safeguarded for woodland and extension of the cemetery
- The adjacent woodland at the Serco Nursery site should be reserved for community use or as an extension to the cemetery. If the Council decides to allocate for housing it should be affordable housing

*Re: A4/034 – Amended policy TC21*

RD137 MHP Partnership represented by Davies Arnold Cooper (20636)

- Delete reference to residential site; should be retained in employment use

Reasoning and Conclusions

5.42 Herne Bay undoubtedly has tangible problems: an observable lack of economic vitality, and an obvious perception by many retailers that it is not a good location for branches of national multiple stores. The Council's evidence is that it intends to produce a Regeneration Action Plan for Herne Bay, and will continue to employ a Town Centre manager, but it correctly stresses that the nearby presence of Canterbury will always influence retailers' intentions, even if sustained effective action is undertaken. All this suggests that the best opportunities lie in action to improve tourism, business, culture and leisure facilities.

5.43 These three policies address aspects of that problem in what seem to me uncontroversial ways. The Council's evidence refers to the existence of a recent planning permission for a 50-bed hotel at the Herne Bay Golf Club, while the Blacksole Farm site enjoys a 2003 planning permission for a business park with extensive landscaping. It is within this latter area assigned for landscaping that Kitewood Estates aspire to build an hotel. The economics of hotel building are very often difficult to grasp. The Council has mentioned consultants' conclusion, in a 2003 survey for the County Council and East Kent District Councils, that there is no case for pursuing hotel development at Herne Bay, although it also refers to anecdotal indications of demand for business related accommodation. I see no convincing reason to alter the wording of Policy TC20 about the hotel – which may reasonably hope to capitalise on a golf club location as an attractor for functions and conference business – or to remove the reference to a Park and Ride facility there.

5.44 As to objections to development on the Serco site, there is planning permission for mixed development on part of the site, which is previously developed land, and reported expectations of more development if and when Serco leaves the site in the next few years. I find that the development of this previously developed land, made vacant in the construction of part of the A299, is no longer a controversial planning matter.

Recommendation

5.45 I recommend that no modification be made to the Revised Deposit Draft Local Plan in respect of these objections.

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POLICIES TC23, TC24 & TC25 – WHITSTABLE – AND PARAGRAPHS 4.76-4.79

Objections and Key Issues

*Paragraph 4.76 - Whitstable*

RN067 Whitstable Society (690)

- Character of Whitstable should be preserved & enhanced but it won't necessarily always be associated with oyster fishing and may share in knowledge industries located in Canterbury area. Redraft paragraph.

*Policy TC24 – The Norsebridge mixed development proposals*

RN010 Wilks (366)

- Land known as the Oval at Reeves Beach should be kept as open space and protected as such.

*Re: A4/035 – Amended Policy TC24*

RD137 MHP Partnership represented by Davies Arnold Cooper (20635)

- These sites should be retained in employment use, and res4 uses deleted or significantly reduced

Reasoning and Conclusions

5.46 It is my personal hope that Whitstable will always be associated with the oyster trade, but the planning background set down in paragraphs 4.76-4.79 seems to set down much more than an historical sketch, and is welcoming to new enterprises in mixed-use development at named areas. I see no great need for textual change, and the mixed use approach seems eminently sensible, but the Council might think it appropriate to make brief reference to the significant Wraik Hill office node allocation at the town's edge. The Council also confirms that The Oval area is to be understood as covered by Policy TC24, and that a re-developed site should provide public open space and access to the seafront.

Recommendation

5.47 I recommend that the Local Plan be modified to incorporate altered wording as suggested in my paragraph 5.46 above, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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POLICY TC26 - THE HERNE BAY AND WHITSTABLE GREEN GAP - AND PARAGRAPH 4.80

Objections and Key Issues

*Re: A4/037 – New paragraph 4.80a*

RD020 Wilks (20051)

# INSPECTOR'S REPORT ON THE CANTERBURY DISTRICT LOCAL PLAN

RD080 Whitley (20444)

- Para 4.80a Delete from "...open use of the land to buildings ancillary to the use of the land" , This will start with a pavilion and lead to numerous buildings, leaving a small amount of open space.
- Omit reference to proposal for sports/football academy. Green gap may be suitable for playing fields, integrity threatened by construction of such or academy. Erode open character & function of green gap

*Policy TC26 – Herne Bay and Whitstable Green Gap*

RN033 Maydowns Road Residents Association (89)

RN067 Whitstable Society (689)

RN160 Brade (1894, 1895, 1896)

RN216 Symons (811)

RN217 Skilton (816)

- Allows scope for spurious diverse leisure uses, requiring permanent buildings. Plan should state that leisure uses will be limited to those not needing permanent development & development should be limited to temporary structures such as marquees etc
- Playing fields could be an appropriate use, but not a major educational establishment
- Policy is too sketchy: a need to identify sites especially for the youth and children of the district. Canterbury City Youth Football Club have a location need here, and land east of Estuary Close is appropriate

*Re: A4/038 – Amended Policy TC26*

RD020 Wilks (20052)

RD080 Whitley (20443)

RD099 Maydowns Road Residents Association (20259)

- Amendment considerably weakens Council's support for green gap by inserting "material". Words are ambiguous
- Criterion (a): delete "material" and do not reinstate "significant". Part b) reinstate "and"

## Reasoning and Conclusions

5.48 I support the Green Gap principle and comment on it more generally under Policy R7 in my Chapter Six. I find a Green Gap to be imperative in this very vulnerable area, separating two seaside towns that have been allowed to sprawl very close to each other. I can also see the strength of an argument that active leisure and recreation may be a better preservation mechanism for retaining openness in the long term than a more passive status such as un-farmed open land (even taking account of the motor travel and parking implications of such a use). Consequently, I have looked at the text to see how it might be vulnerable to interpretation by an advocate of more active development than the Council envisages. It is a fact of life that unless the Council specifies "no development at all", there will be argument as to what constitutes "significant" or "material" development. I think that the last paragraph and the three criteria in the Policy are complementary; they contain enough elaboration of the Council's concept to enable it to rebuff proposals for more than truly ancillary and inconspicuous building in the Gap. That will not, of course, prevent those advocating excessive proposals from defending the indefensible, but I believe the Policy should prove adequate to allow the Council to prevail in any planning appeal if it refuses an unsuitable application.

## Recommendation

5.49 I recommend that no modification be made to the Revised Deposit Draft Local Plan in respect of these objections.

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PARAGRAPHS 4.81-4.83 & NEW POLICY TC26A - OUT OF TOWN RETAIL DEVELOPMENT IN HERNE BAY AND WHITSTABLE

Objections and Key Issues

*Re: A4/039*

RD063            B&Q Plc Represented By RPS (20133)  
RD102           Highways Agency (20265)  
RD134           English Heritage (20509)

- Add new criterion (e): “the proposed development does not have a detrimental effect on the highway network in terms of congestion and road safety”
- Final paragraph of TC26a is unnecessary, as other policies deals with this
- As worded, final para. of TC26a suggests proposals might be acceptable where environmental objectives are not met. Delete the second “or”; replace with “and”

Reasoning and Conclusions

5.50 This Policy follows the model devised for TC14 in the Revised Deposit Draft, making it accord with national policy guidance in PPG6 (subsequently overtaken by PPS6 of 2005) and the adopted Structure Plan. As in TC14, the Council has acceded to the Highways Agency objection, and put forward Proposed Change PC4/005, adding a new criterion (e) to Policy TC26a to take account of any adverse effects on the highway network.

5.51 I consider that the final paragraph sends out a useful and legitimate planning message to a potential developer. In the context of the whole Plan text, I find no implication in the wording that environmental objectives could be shirked.

Recommendation

5.52 I recommend that the Local Plan be modified to incorporate Proposed Change No. PC4/005 as set out in Core Documents CD1.14, CD1.19 and CD1.21, but that no other modification be made to the text of the Revised Deposit Draft of the Local Plan in respect of these objections.

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