

INDEPENDENT EXAMINATION OF THE BRIDGE
NEIGHBOURHOOD DEVELOPMENT PLAN 2022-2037

EXAMINER: DEREK STEBBING B.A. (Hons), Dip. E.P., MRTPI

Alan Atkinson
Chairman Bridge Parish Council

Jennifer Heap
Clerk to Bridge Parish Council

Andrew Thompson
Canterbury City Council

Examination Ref: 01/DAS/BNP

22 August 2023

Dear Mr Atkinson, Ms Heap and Mr Thompson

BRIDGE NEIGHBOURHOOD DEVELOPMENT PLAN EXAMINATION

Following the submission of the Bridge Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have a number of questions for Bridge Parish Council (the Qualifying Body) and Canterbury City Council (the Council), to which I would like to receive a written response(s) by **Friday 15 September 2023** if possible.

- Examination Documentation

I can confirm that I am satisfied that I have received the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement, the Strategic Environmental Assessment (SEA) Environmental Report, the Habitats Regulations Assessment (HRA) Appropriate Assessment Report and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

- Site Visit

I will aim to carry out a site visit to the neighbourhood plan area during the week beginning 11 September 2023. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to

prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

- Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from the Parish Council and the Council.

I have four questions seeking further clarification, which I have set out in the Annex to this letter.

I would be grateful if you can seek to provide a written response(s) by **Friday 15 September 2023**.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within round 6 weeks of submission of the draft Plan. However, as I have raised a number of questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable may be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on the Parish Council and Council's websites.

Thank you in advance for your assistance.

Yours sincerely

Derek Stebbing

Examiner

ANNEX

From my initial reading of the Bridge Neighbourhood Plan 2022-2037 (Submission Version, dated May 2023), the supporting evidence and the representations that have been made to the Plan, I have the following questions for the Qualifying Body and the Council. I have requested the submission of responses **by Friday 15 September 2023**, although an earlier response would be much appreciated. All of the points set out below flow from the requirement to satisfy the Basic Conditions.

Question 1: Re. Policy B2 (Page 11)

Policy B2 states, inter alia, that *“Development applications that would significantly increase the parking problems in Bridge will not be supported.”*

‘Parking problems’, including on-street car parking and any relevant enforcement, are not a matter that can be directly resolved by land-use planning policies, as it is a matter covered by other legislation, normally the Highways Act and accompanying Regulations. It is not a matter that can be addressed by the local planning authority.

The second part of Policy B2, as presently drafted, is therefore defective and I therefore invite the **Qualifying Body** to consider whether the Policy text should be reviewed to focus on the provision of appropriate car parking provision in accordance with the adopted standards of Kent County Council and the City Council. I also consider that this Policy, or Policy B1, should make reference to the appropriate provision of bicycle and powered two-wheeler (PTW) parking, again in accordance with the adopted standards. I would be grateful if the **Qualifying Body** can provide me with a note containing any suggested revisions to the text of Policy B2, and if appropriate Policy B1.

Question 2: Re: Policy C2, paragraph 4.15 and Appendix E (Pages 15, 16 and 38)

From everything that I have read, including the representations made to the draft Plan, I consider that the proposals by Cantley Ltd. described as *‘Bridge Fields’* are, at this stage, still at an illustrative stage and that no pre-application discussions on the development proposals have yet commenced with the City Council.

As such, the illustrative drawings included at Appendix E cannot constitute a formal Site Allocation plan within the Plan to accompany Policy C2. Such a Site Allocation plan should clearly define the boundaries of the site on an Ordnance Survey (OS) base and at an appropriate scale, which is probably 1:1250 in this case, to enable users of the Plan to clearly identify the land so defined within the Policy. The Site Allocation plan should not contain the type of illustrative material shown on the drawings at Appendix E.

I am further concerned that Appendix E contains information which is of a possible contractual nature between the Parish Council and Cantley Ltd./Woodchurch Properties and which should not form part of a land use development plan and its policies. However, matters that may be the subject of any necessary planning obligations between the City Council and the developer,

as part of any planning permission that may be granted, can be identified. I am of the view at the present time that Appendix E should be removed from the draft Plan, although it can form part of the supporting material to the Plan. In that context, other references in the Plan to Appendix E, e.g. at Policy E3, will need to be removed.

I also note an inconsistency between the stated housing capacity of the site at Policy C2 and Appendix E (47 dwellings) and at paragraphs 4.23 and 5.21 of the SEA Environmental Report (a maximum of 40 dwellings), and I would be grateful for a clarification from the **Qualifying Body** on that point.

I am also mindful that paragraph 177 of the National Planning Policy Framework (NPPF) requires consideration of the exceptional circumstances that will need to be assessed as part of any planning application for major development within an Area of Outstanding Natural Beauty (AONB).

As drafted, I consider that Policy C2 is flawed in several respects:

- It fails to identify that the site is within the Kent Downs AONB and the Bifrons Park Conservation Area, and does not identify the mitigations that will be necessary to justify development of the scale proposed (47 dwellings and a new Village Hall of some 500-600 sq. m.) or any reference to other relevant Policies in the draft Plan that will need to be taken into consideration;
- It fails to identify the size of the site which (from the SEA Environmental Report at paragraph 4.18) I believe to be 7.44 ha.;
- It fails to specify with sufficient detail the full extent of the proposed development at the site, including the housing mix and the number of affordable housing units;
- It fails to identify the mitigations regarding Flood Risk, and I note that approximately 35% of the site is within Flood Zone 3 and a further 10% is within Flood Zone 2. I consider that any development proposals will need to be accompanied by a Flood Risk Assessment and Drainage Strategy, which will need the approval of the Environment Agency and the Lead Local Flood Authority (LLFA). (I also wish to establish beyond any doubt that there is no conflict between Policy C2 and Policy E1 in the draft Plan regarding the proposed development of the site);
- It fails to identify the proposed vehicular and pedestrian access arrangements to the developments proposed, and the potential '*new school access*' shown on one of the drawings at Appendix E;
- It fails to identify the need to safeguard existing mature trees within the site; and
- Finally, I note that the drawings at Appendix E show the provision of a car parking area with 30 spaces for School Staff, but which is not specifically referenced within Policy C2, within its supporting text or within Appendix E. I wish to understand the justification for this specific car parking provision, which is additional to the 84 car parking spaces, described at Appendix E as being "*for school and village hall*".

In view of the matters of concern raised above, can the **Qualifying Body** please provide me with

a full note addressing each of the points, including suggested revisions to the text of Policy C2 and paragraphs 4.15-4.21, that I may consider as proposed modifications to the Plan. I also request a draft Site Allocation plan, which will be suitable for inclusion in the draft Plan linked to Policy C2. As noted above, this should simply define the boundaries of the site on an OS base and at an appropriate scale, titled appropriately including the address of the site.

Question 3: Re. Policies D1 and E4 (Pages 20 and 24), Map of Important Local Green Spaces (Page 25) and accompanying List of Sites (Page 26)

With regard to the proposed designation of Site Nos. 1-7 (as shown on the Map at page 25 and listed at page 26) as Local Green Spaces (LGS), I shall require inset maps on an OS base, at an appropriate scale, which is likely to be at 1:1250 or 1:2500 (depending upon the varying sizes of the sites) clearly defining the boundaries of each of the seven sites and suitable for inclusion in the draft Plan to enable users of the Plan to clearly identify the land so designated by the Policy. I therefore request that the **Qualifying Body** provide a set of plans that meet this requirement, which I can consider for inclusion in the Plan as a proposed modification.

I also require further information, beyond that set out on page 26, to support the proposed designation of the seven proposed LGSs in accordance with the specific three criteria set out at paragraph 102 of the NPPF, and I would be grateful if the **Qualifying Body** can provide me with a note setting out the available supporting justification for each site.

Additionally, can the **Qualifying Body** please confirm that all owners of the proposed Local Green Spaces have been consulted individually on the proposed designation during the course of the Plan's preparation, and given the opportunity to make representations concerning the designation.

I confirm that I shall visit each of the sites during the course of my site visit.

Question 4: Re. Draft Canterbury District Local Plan 2020-2045

Can the **Council** please advise me whether the preparation of the Draft Canterbury District Local Plan 2020-2045 is progressing in accordance with the timetable contained at Appendix 1 to the City Council's most recent Local Development Scheme (LDS), which envisages the submission of the Draft Plan for Examination in October 2023?