



Appeal Decision

Inquiry held on 17-19 February 2026

Site visit made on 16 February 2026

by **D Hartley BA (Hons) MTP MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26th February 2026

Appeal Ref: APP/J2210/W/25/3373183

Land at The Hill, Littlebourne, CT3 1UX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Limited against the decision of Canterbury City Council.
 - The application reference is CA/23/00484.
 - The development proposed is an outline planning application for up to 300 residential dwellings (including affordable housing and older person accommodation), a new community hub, introduction of structural planting and landscaping, informal public open space and children's play area and surface water flood mitigation and attenuation (all matters reserved).
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Decision

1. The appeal is allowed and planning permission is granted for an outline planning application for up to 300 residential dwellings (including affordable housing and older person accommodation), a new community hub, introduction of structural planting and landscaping, informal public open space and children's play area and surface water flood mitigation and attenuation (all matters reserved) at Land off The Hill, Littlebourne, CT3 1UX in accordance with the terms of the application, reference CA/23/00484, subject to the conditions in the attached schedule.

Preliminary and Procedural Matters

2. A case management conference (CMC) was held with the main parties on 11 November 2025. At this time, the Council had failed to respond to the appellant's efforts to try to work together to complete a statement of common ground (SofCG). Moreover, its claimed statement of case was essentially an attached transcript of the Planning Committee meeting which led to the refusal of outline planning permission. This did not constitute a detailed statement of case relating to the reasons for refusal of outline planning permission and hence did not provide clarity in terms of the Council's position for either the appellant or myself.
3. In the absence of a SofCG, or indeed a detailed statement of case, I confirmed at the CMC that it was not possible to fully discuss all procedural matters relating to the scheduled inquiry. This included what proofs of evidence would be prepared, what witnesses would need to be called, or indeed how long would be needed for the inquiry. In that context, I indicated that it would be necessary to hold a further CMC the following week (i.e., 21 November 2025) and following the Council's completion of a SofCG and a statement of case.
4. Notwithstanding the above, and, on 12 November 2025, the Council confirmed by email that following the consideration of a confidential report by the Planning

Committee during the evening of 11 November 2025, it had resolved not to defend any of its reasons for refusal. Consequently, the position of the appellant and the Council are now the same in terms of this appeal. Both consider that the proposal would, on balance, be acceptable in planning terms subject to the imposition of planning conditions and the completion of a planning obligation. This position is outlined in both the Council's statement of case, which was received by the Planning Inspectorate on 14 November 2025, and in the signed SofCG which was received on 20 November 2025.

5. A second CMC did occur on 21 November 2025, but this was simply to discuss how the inquiry would be run given the Council's changed position.
6. Notwithstanding the appellant's planning application form, which relates to an outline planning application with access details applied for, the evidence is that access was expressly removed by the applicant as a detailed matter for consideration prior to the Council's decision to refuse outline planning permission. The Council determined the outline planning application based on all detailed matters being reserved for consideration as part of a future reserved matters application(s).
7. The proposal is for up to 300 dwellings including 30% affordable housing. Older persons accommodation is proposed which would comprise 10% of the overall dwellinghouse provision. The outline planning application proposal also includes a new community hub with a maximum of 400 square metres for uses such as a local shop, café, library, place of worship and meeting hall.
8. The proposal includes an indicative 'Development Framework' drawing which shows open space, landscaping and sustainable urban drainage. A design and access statement has been prepared by the appellant, and this shows medium to higher density dwellinghouse character areas along the main street (up to two and a half storey height properties envisaged) and lower density dwellinghouse character areas to the peripheral areas of the site (up to two storey height properties envisaged) and overlooking areas of open space, swales and wetlands. It is intended that most of the existing vegetation on the site would be retained and that there would be landscaping enhancement within and on the edges of the site. The main roads would include tree planting. The community hub would be located close to The Hill, and, given the indicative landscaping locations, the proposed dwellinghouses are illustratively shown as being set well back from the edges of the appeal site.
9. The total site area is 15.77 hectares. The Development Framework shows about 9.17 hectares of land for residential development, 0.023 hectares for a pumping station, a 0.46-hectare wetland area, and 0.028 hectares of 'potential allotments'. Formal play space and open space would also be provided on the site, as well as separate surfaced footpaths/cycle routes set within native tree belts/landscaping and linking the site to its surroundings. The indicative vehicular access points are shown from The Hill and from Bokesbourne Lane. There would be a puffin crossing at the entrance on The Hill and the loss of car parking spaces on The Hill would be addressed by means of car parking spaces provided in association with the proposed 'community Hub'. There are also indicative footpath/cycling access points linking the site to the wider area.

10. While the Development Framework drawing shows indicative proposals, and detailed matters such as layout, design, access and landscaping are reserved for a future reserved matters application(s), I have nevertheless considered it in terms of my consideration of the proposal from a land use principle point of view. In effect, it is a parameter-based plan and is expressly referenced in the schedule of conditions at the end of this decision.
11. The Council is in the process of replacing the adopted Canterbury District Local Plan 2017 (LP). It has prepared and consulted on the Draft Local Plan 2040 (DLP). This includes draft Policy R7 which relates to the appeal site. Draft Policy R7 proposes to allocate the appeal site for mixed-use development including approximately 300 new dwellings including affordable housing, older persons housing, self-build housing, accessible housing and an appropriate mix in line with draft policies DS1 and DS2. It also proposes the provision of new local shopping and community facilities including a *'shop/café, to serve new and existing residents'*.
12. The DLP is not yet adopted and has not reached a very advanced stage. Therefore, I can only afford it and Policy R7 limited weight in decision making terms. Neither the DLP nor Policy R7 can be afforded the same weight as the adopted LP. Nonetheless, it is a material planning consideration. It is noteworthy, at the very least, that it will be necessary for the Council to make provision for additional housing in the area up to 2040 to meet its current housing requirement. It is in that context that the site has already been assessed at officer level from a local plan review point of view, and hence why it is shown as being proposed as a draft mixed-use allocation in the DLP.
13. I note that some third parties consider that I should defer my decision until the outcome of an examination into the DLP. It is necessary that I determine the appeal that is before me and, moreover, the DLP is not yet at an advanced stage. Any claim about prematurity does not therefore satisfy the requirements of paragraph 50 of the National Planning Policy Framework 2024 (the Framework) which states that an emerging plan should be at an advanced stage.
14. A draft National Planning Policy Framework 'Plan-making and national decision-making policies' was issued by the Government for consultation on 16 December 2025 (Consultation Draft Framework) and with a deadline for comments by 10 March 2026. I afforded the main parties an opportunity to submit written submissions in respect of the implications and relevance of the Consultation Draft Framework prior to the inquiry. I have taken the representations received into account in determining this appeal. Importantly, I afford the Consultation Draft Framework limited weight as a material planning consideration. This is relative to the published Framework to which I afford full weight as a material planning consideration.
15. The proposed development has been screened on behalf of the Secretary of State under section 14(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It has been concluded that the development is not Environmental Impact Assessment development.
16. It was agreed by all parties at the inquiry (including third parties), that in view of what I had explained I had seen on my unaccompanied site visit which took place

on 16 February 2026, it was not then necessary for me to undertake a further and accompanied site visit once the inquiry had closed.

Main Issues

17. I have considered the Council's reasons for refusal of the outline planning application. While the Council's position has now changed (i.e., it is not defending any of its reasons for refusal of the outline planning application, it is noteworthy that third parties continue to be concerned about these matters. In this regard, the main issues for determination in respect of this appeal are: -
- (i) The effect of the development on the character and appearance of the area, including landscape character.
 - (ii) The suitability of the submitted Travel Plan and whether the proposal would accord with the transport strategy in Policy T1 of the adopted Canterbury Local Plan 2017 (LP), including providing alternative modes of transport to the car by extending provision for pedestrians, cyclists and the use of public transport.
 - (iii) The effect of the development on the Chalk Stream.
 - (iv) Whether the proposal would be capable of providing adequate sewage disposal.
 - (v) The effect of the proposal on best and most versatile agricultural land, including whether it complies with policy EMP12 of the LP.
 - (vi) In the context of the undisputed evidence that the local planning authority (LPA) cannot demonstrate a five year supply of deliverable housing sites, whether any adverse impacts arising from the proposal would significantly and demonstrably outweigh any identified benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination, and whether the proposal would deliver sustainable development.

Reasons

Effect on the character and appearance of the area, including landscape character

18. In respect of this matter, I have considered the Landscape and Visual Appraisal (LVA) prepared by the appellant at outline planning application stage as well as the statement of case and proof of evidence prepared by the appellant in respect of this appeal. I was also able to consider the visual effects of the proposed development as part of my site visit including from various viewpoints and public rights of way. I am also cognisant of several representations made by other interested parties who raise concern about the effect of the proposed development on the setting of the existing settlement of Littlebourne and the landscape character of the area.
19. Howletts Wild Animal Park is situated on the western edge of the appeal site, with the residential development of Littlebourne to the east, agricultural land and woodland blocks to the north and agricultural land and Nail Bourne shallow valley to the south. Land directly to the north of the appeal site falls within the

Littlebourne Conservation Area and there are several listed buildings within the vicinity of the site (see separate assessment in this decision).

20. There are several public rights of way close to the appeal site, but none pass through the site itself. Footpath CB156 follows the route of the 'School Path' linking The Hill/Jubilee Road junction with Bokesbourne Road. Footpath CB143 (referred to as 'Doctors Path') passes through development north of The Hill and exits onto The Hill east of Coach Cottage. Other routes in the vicinity of the appeal site include footpath CB150 to the west and footpath CB157 to the south. The underlying landform falls towards the settlement edge and, in the main, is visually well enclosed from the wider landscape. An existing tree belt stretches across the higher ground to the northwest, just beyond the appeal site.
21. The site lies within Natural England's National Character Area 113 'North Kent Plain' which is a strip of land between the Thames Estuary to the north and the chalk of the Kent Downs to the south. The area is described as *'open, low and gently undulating'* and a *'very productive agricultural area with predominantly high-quality, fertile loam soils characterised by arable use'*.
22. At a more local level, the site lies within 'The North Kent Fruit Belt' character area in the Landscape Assessment for Kent 2004. It is described as *'well enclosed, medium scale field pattern. Rolling, quiet, picturesque'*. In terms of sensitivity, the assessment states that *'visibility is high as views are open across the apparent landform. Sensitivity is considered to be moderate'*.
23. The site falls within part of 'LCT H: Central Mixed Farmlands' character area and at a more detailed scale 'LCA H6: Littlebourne Fruit Belt' in the Canterbury Landscape Character Assessment and Biodiversity Appraisal 2020. Overall, the landscape character type is described as *'distinguished by its agricultural land use and slightly sloping landform. The farmland is predominantly arable with some pasture and orchards. There is a contrast between open areas of large-scale fields due to agricultural intensification and hedgerow removal, and more enclosed historic parklands and small river valleys. There are small villages and hamlets linked by narrow rural roads, with some larger transport infrastructure'*.
24. In respect of the Littlebourne Fruit Belt character area, key characteristics include a gently rolling landform, a strong field pattern created by windbreaks and crops, clumps and belts of trees including small isolated blocks of ancient woodland, encompassing most of the Littlebourne, Bokesbourne and Wooleton Farm and Little Barton Farm Conservation Areas which provides 'some' rural setting to their associated historic buildings, and the proximity to the urban edge of Canterbury City with localised urban fringe influences and some suburbanisation.
25. The appeal site does provide a rural setting to the built-up area of Littlebourne. While the site is largely contained given existing mature planting and hedgerows to most of its boundaries, there are nonetheless some open gaps when appreciated from public viewpoints such as viewpoint No. 1 and 3 in the LVA at The Hill. Moreover, I do not doubt that when viewed from the first-floor windows of existing properties on The Hill (as seen in viewpoint 5 of the LVA), the proposed development would be very apparent. In this regard, the proposed development would be experienced by residents as contrasting with the otherwise undeveloped and agricultural character of the appeal site.

26. The provision of the indicative vehicular and footpath/cycle route accesses off The Hill would also result in open breaks in the existing hedge on this main road and hence there would be glimpsed views of the proposed development within this environment. Some of the existing breaks in existing hedges could, however, be strengthened by way of new planting.
27. The appeal site includes land off Bekesbourne Lane. This lane has a distinctively rural character particularly when compared to The Hill. This was a point that was expressly acknowledged by the appellant's expert witness at the inquiry. It has established vegetation/hedges on either side and there are glimpses off agricultural fields between the occasional breaks in the planting. There are some dwellinghouses in Bekesbourne Lane and before reaching the appeal site when leaving the village. These properties are generally set within spacious plots and set back from the road.
28. The Development Framework drawing which accompanies the outline planning application shows an indicative access off Bekesbourne Lane as well as new belt of planting incorporating a cycle/footpath route from the site to 'School Path'. An access in this location would open up the site and hence passers-by would experience parts of the proposed development. Moreover, there would be glimpses of the proposed development through existing/proposed vegetation, particularly in the winter when it is without leaf.
29. There would be some glimpsed views of the proposed development from medium distance viewpoints such as from viewpoints 8 and 9 (bridleway CB160) owing to gaps in the planting and low-lying land. In respect of longer distance views, the site is essentially limited in view owing to tree planting in the immediate area and blocks of trees in the surrounding areas. There is intervisibility with the edge of Littlebourne Conservation Area (CA) where it adjoins the site.
30. There is no doubt that the proposal would change the existing undeveloped character of the site as a whole. However, the proposed development to the northern part of the site would align with existing development at The Hill. In other words, and, in this area, the proposal would be seen against a backdrop of existing built development. The retention and enhancement of existing hedge planting along this road (including specific enhancement near Evenhill public house and opposite the junction of Wenderton Way with The Hill), as well as setting the dwellinghouses well back from the boundaries, would help to soften the impacts of the development on both the setting of the CA and in terms of how the proposed development is experienced from receptors including the occupiers of existing properties and passers-by in this area.
31. Overall, the visual effects of the proposed development would be predominantly experienced and confined to localised viewpoints. Subject to a very careful consideration of landscaping proposals at reserved matters stage, including the retention and enhancement of existing vegetation on the site (including on its perimeter), the provision of wide native structural tree belts as indicatively shown on the Development Framework drawing to the north west and western boundaries of the site, and significant areas of open space, I find, overall, that the proposal would initially lead to a moderate adverse effect being caused to the character of the area, including to landscape character.

32. The harm would be greatest when experienced from parts of Bekesbourne Lane which has a more rural character. Hence, setting back built development from the lane and additional planting buffers would be a critical part of landscaping details as part of the consideration of a future reserved matters application(s). Even allowing for very sensitive treatment of any proposed development closest to Bekesbourne Lane, I find that passers-by would notice a difference in the character of this locality. Indeed, it currently has a more peaceful and rural character when compared to the more northerly extremities of the appeal site which are closely aligned with a more extensive development form alongside The Hill.
33. There would likely be some noticeable adverse effects from light spillage from car headlights and the proposed dwellinghouses when the completed development is experienced from Bekesbourne Lane, as well as from an increase in general comings and goings and activity on the site. In this regard, I find that some harm would be caused to the otherwise relatively peaceful and dark character of the site when experienced from this locality. Enhanced planting on the southern boundary of the site, the position and orientation of dwellinghouses, and sensitive street lighting (particularly on the southern part of the site), would have the potential to minimise noticeable activity and comings/goings on the site, and any associated light spillage experienced for those passers-by on Bekesbourne Lane. Consequently, while there would be some change to the more peaceful and rural character that this part of Bekesbourne Lane, there is potential to suitably mitigate urbanising impacts in terms of carefully controlling reserved matters proposals.
34. The Development Framework shows extensive areas of open space, woodland planting and hedges. To ensure the best opportunity for the proposed dwellinghouses and community hub to assimilate into the wider landscape character and so that the development is appreciated as a sensitive extension of the settlement of Littlebourne, I find that it would be necessary for reserved matters applications to follow the principles and parameters as outlined in the Development Framework drawing. The inclusion of about 45% of the site as new green space would provide an opportunity to enhance and strengthen landscape attributes.
35. While I conclude that the proposal would lead to moderate localised harm being caused to the landscape character of the area in the early years, it is my judgement that this harm would reduce to minor adverse harm to landscape character once the planting and open space is fully established, i.e., after about fifteen years.
36. Some interested parties assert that the proposal would cause harm to the character of the settlement of Littlebourne including its setting. Layout, scale, appearance and landscaping are reserved for future applications. However, subject to the principles and parameters in the appellant's design and access statement and Development Framework drawing being followed, I am satisfied that it would be possible to develop the site in such a manner that, in time, it would suitably integrate with the existing settlement of Littlebourne particularly in terms of matters relating to scale, appearance, layout, landscaping, and appropriate footpath/cycle route linkages.
37. It is the case that the setting of part of the existing settlement of Littlebourne would change because of the proposed development. Such change would result from the

development being on land which is currently devoid of development. While the proposal would make the settlement larger, I do not find that it would fundamentally and adversely change its character, appearance or setting as a whole. Subject to the principles and parameters in the appellant's design and access statement and the Development Framework drawing being followed, in time the development of the site would be capable of suitably assimilating into the wider settlement of Littlebourne and without material harm being caused to its character or appearance.

38. For the above reasons, I conclude that the proposed development would initially cause moderate localised harm to the character of the area, including to landscape character. Upon completion of the development and the establishment of the planting/open space, this would reduce to minor localised adverse harm. In time, the development of the site would be capable of suitably assimilating into the wider settlement of Littlebourne and without material harm being caused to its character or appearance. To the extent that I have found that some limited harm would be caused to landscape character, I conclude that the proposal would not fully accord with the landscape character requirements of paragraph 135(c) of the Framework. This is a matter which weighs against allowing the proposal. That said, I do not find conflict with policy LB4 of the LP in so far that my assessment demonstrates that the proposal would not *'significantly adversely affect the landscape character of an area'* (my emphasis).

Suitability of the Travel Plan and whether the proposal accords with the transport strategy in Policy T1 of the LP

39. The site is near bus stops providing a regular day service to Canterbury City Centre and has pedestrian links to existing shops, services and employment opportunities such as Littlebourne Primary School and Pre-school; Four Villages Store; The Evenhill public house; Littlebourne Surgery; and Littlebourne Post Office. There are existing footpath links into and within the village which would be capable of being utilised through the indicative cycle/walkways as shown in the Development Framework drawing.
40. With the location of the existing bus stops, frequency and journey times of the bus service to Canterbury, I find that the existing provision would ensure that residents of the site would have access to good quality and sustainable bus transport connections to Canterbury (particularly in the daytime), that would help to encourage and foster non-car travel.
41. I note comments made by some third parties that sometimes buses are full, or near to capacity. Even if that were the case, it would be open to the bus operator to increase the number and frequency of buses in the village arising from increased bus service demand from the proposal. While the bus operator may not have current plans to do this, it is likely that such plans would change if demand increased, as is perhaps likely, to such an extent that it would make it commercially viable to increase the number and frequency of buses travelling to and from the village.
42. As part of the outline planning application, the appellant submitted a Transport Assessment and Travel Plan prepared by i-Transport. The Travel Plan is essentially a 'framework' document at this stage. Based on the technical evidence provided in these documents, as well as my own site visit observations, the site is

in very close proximity to bus stops on The Hill and where there is a regular half hourly bus service to Canterbury (about 15 minutes travel time) which includes significant amenities, facilities and services.

43. Moreover, the site is within 2km of Littlebourne amenities and facilities which include a primary school, a doctor's surgery, a community hall, a village store and a post office. Improved off-site footpaths would be provided, and the proposed on-site link road shown on the indicative Development Framework plan would be flanked by 2m wide footpaths on either side. Moreover, there would be a new puffin crossing on The Hill.
44. I am satisfied, given the travel distances involved, coupled with the provision of an on-site local centre/community hub, that the site would be capable of being accessible by walking, cycling and public transport to a suitable range of day-to-day local facilities and services. Access is a matter reserved for a future reserved matters application, but nonetheless I am content that the evidence indicates that it would be possible to provide appropriate and safe walking and cycling links from the site and into the wider area of Littlebourne. This would include improvements made to existing connecting footpaths such 'School Path' (footpath CB156) which, in places, needs resurfacing and the cutting back of vegetation to increase width. I accept that footpath CB143 is about 1.5 metres in width, but it is nonetheless generally sufficient for use under most circumstances including enabling a wheelchair user and walker to pass each other. At the inquiry, I was informed that money from the completed planning obligation would be used to provide a new hard surface for this footpath. I note the concern raised by residents about the use of tarmacadam, but it is possible to use permeable tarmacadam.
45. A financial contribution of £30,000 is secured as part of the completed planning obligation to improve surrounding footpaths. While there is some flexibility in how this money is spent, in my judgement it would be sensible for a significant proportion of it to be spent on footpaths CB143 and CB156 given the very close links with the site and into the village and its facilities. While lighting is not proposed for these routes as part of this proposal, it is noteworthy that it may be possible for community infrastructure levy money allocated to the Parish Council to provide some form of sensitive lighting solution in these areas.
46. At the inquiry, and following my questioning, the appellant's expert witness commented that while it would not be possible to provide a formal footpath link between the end of 'School Path' and the part of the site where it fronts Bekesbourne Lane (i.e., a distance of approximately six metres), it would nonetheless be acceptable to provide traffic measures, signage and a virtual footway (with markings) at this point in the highway and connecting into a new frontage footpath. Given traffic speeds and visibility in this location, and the absence of accidents in this area in the last five years, I find that this would be generally an acceptable arrangement. This is a matter that could be considered in detail as part the consideration of access details at reserved matters stage.
47. While I accept that some pavements or footpaths are not very wide in certain parts of the village, including within parts of The Hill where it was agreed by the appellant's expert witness at the inquiry that parts were between 1.4 and 1.5 metres, there would nonetheless be other opportunities to walk to facilities and amenities in the village, including to the local primary school, where footpaths are both lit and wider.

48. The appellant's expert witness accepted at the inquiry that in some places existing footpaths (e.g., The Hill) were to a degree deficient from the point of view of two wheelchair users or pushchair users being able to pass. However, this is not likely to be a regular occurrence, and, moreover, it is necessary that I reach a balanced view in terms of such a matter. Similarly, some third parties have raised a concern about the potential for some cars to continue to be parked on parts of the pavement in The Hill and, should that happen, that it would be likely to prohibit the full use of such a pavement by all users. If this did happen, then I expect that some residents would decide to use alternative routes to places like the primary school and where any pavement parking would not likely be an issue. In any event, any such illegal parking would be a separate matter for law enforcement.
49. I accept the comments made by third parties that some occupiers of the appeal site may choose to travel by car rather than to walk to local facilities, services and amenities. That is indeed a possibility from any housing development. In this case, I nevertheless find that the appellant has identified and pursued opportunities to promote walking, cycling and public transport use in accordance with paragraph 109 of the Framework. Indeed, I find that the proposal would promote active travel.
50. I am also satisfied that the evidence demonstrates that off-site highway works of improvement (e.g., improved footways and a puffin crossing on The Hill) would be capable of being provided without unacceptable traffic management or highway safety impacts. I find that some of the existing traffic management measures in The Hill would keep traffic speeds low and would also ensure that there were suitable gaps in the traffic, particularly at peak times, for those wishing to leave side roads.
51. Comments were made at the inquiry that some cars currently park on the pavement in parts of The Hill to ensure that wing mirrors are not damaged by passing vehicles. That may be the case, but it would not be reasonable for the appellant to address matters that are occurring now. One resident commented at the inquiry that the proposal would be likely to result in the clipping of more wing mirrors and hence more alleged damage to parked cars in parts of the Hill. This claim is not borne out by the evidence which demonstrates that the proposal would result in an overall net reduction in the number of vehicles using this part of The Hill, given the provision of a link road through the site and which could be secured by way of a planning condition.
52. I recognise that Bokesbourne Lane does not include any footways between the site and Bokesbourne railway station. I do not therefore find that it is likely that the occupiers of the appeal site would walk to the train station. That is indeed the case for those residents who already live in Littlebourne. Nonetheless I find that some cycling (i.e., likely for more experienced cyclists) would be possible for those wishing to access the railway station (see also my other matters reasoning below), and, in this regard, it is noteworthy that the appellant has agreed to contribute £18,000 towards cycle parking facilities at the railway station. This payment is secured in the completed planning obligation. Improved cycle parking provision would seek to encourage more cyclists to travel from the site to the railway station. For those that continue to use a private motor vehicle or taxi, it is nonetheless the case that use of the train to access facilities, services and jobs further afield would comprise the use of a sustainable transport facility which is relatively close to the appeal site.

53. While detailed timescales are not before me, I also note that Kent County Council has identified, within the Kent Cycling and Walking Infrastructure Plan, proposed route 'R9' connecting Sandwich with Canterbury and via Littlebourne. While this and another off-road cycle route being promoted by the City Council are not critical to the acceptability of the appeal proposal, they do nonetheless demonstrate that, in time, there may be off-road cycling options available for both existing and future residents in Littlebourne.
54. Overall, I am satisfied that a detailed proposal would be capable of according with all the requirements of policy T1 of the LP. Such a proposal would provide alternative modes of transport to the car by extending or improving provision for pedestrians, cyclists and the use of public transport. It is not the case that those that would live on the appeal site would have to be reliant on the private motor vehicle for all journeys. Despite the comments made by other interested parties, I do consider that it is likely that a number of trips to the primary school and nursery within the village would be undertaken on foot. Overall, I find that the site is sustainably located.
55. Comments have been made by third parties that the appellant has failed to demonstrate that the Travel Plan measures would be sufficient to encourage people to travel by buses rather than by private car. Paragraph 109 of the Framework states that sustainable places are those where '*opportunities to promote walking, cycling and public transport use*' are identified and pursued. In this case, there are already sustainable transport options in the immediate area.
56. In respect to specific Travel Plan measures, the appellant proposes the establishment of a Travel Plan Coordinator, the preparation of a Travel Information Pack for each new household (this would include bus service information, sustainable travel options on a Community Notice Board in the sales office, the promotion of car sharing, the establishment of a Travel Plan website, and the provision of an electric vehicle car club including electric vehicle charging facilities. In my judgement, these measures do have the potential to result in a modal shift from the use of the private car to more sustainable transport options, particularly when combined with on-site and off-site cycling and walking links to Littlebourne and beyond. This is a matter that could be controlled by planning condition.
57. Subject to the imposition of conditions, and the detailed consideration of access and layout at reserved matters stage, I am satisfied that the site would be sustainably located and that the proposed TP measures would be capable of encouraging occupiers of the appeal site to travel by sustainable modes of transport, including buses, as distinct from always using private motor vehicles.
58. I therefore conclude that the proposal would accord with the transport strategy requirements of policy T1 of the LP, and paragraph 109 of the Framework. In addition, and, for the avoidance of doubt, I am satisfied that the evidence supports the view of the Highway Authority and the appellant that the existing highway network has the capacity to safely accommodate the additional traffic associated with the proposed development and, consequently, the proposal would not have an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network having regard to paragraph 116 of the Framework.
59. Indeed, it is noteworthy that the appellant's finding, as supported by the Highway Authority, is that the overall impact of the appeal scheme along the A257 corridor

was between two and six percent and that the provision of a link road through the site would have a positive impact on the A257/Bekesbourne Lane junction, particularly for any pedestrians and cyclists using that junction. I also find that the effect of the proposal on Bekesbourne Lane would be negligible with the evidence indicating ten additional vehicles in the AM peak and seven additional vehicles in the PM peak.

60. In respect of traffic matters, I note the comment made at the inquiry by Littlebourne Parish Council that *'peak hour data should be treated with some caution'*. I acknowledge the concern raised by third parties about traffic generation in the area. Nonetheless, it has been necessary for me to reach my findings on the objective and technical evidence that is before me.
61. I also note the written comments made by the CPRE representative in terms of the reference to an appeal decision which was dismissed on 3 November 2025 in Ashford¹ and the inclusion of extracts of that decision relating to the site not being suitably located. I have considered the proposal that is the subject of this appeal on its individual planning merits and have exercised my own professional judgement. The referenced appeal decision does not alter or outweigh my conclusion in terms of the site offering suitable opportunities other than the private motor vehicle to access amenities, services and facilities by sustainable modes of transport.

Drainage and the effect on the Chalk Stream

62. The Council initially considered that the proposal had not adequately demonstrated that during the construction of the development, and when the proposal was built/occupied, that the Chalk Stream would be adequately protected from chemicals, microplastics and other contaminants. In this regard, the Council initially claimed that the proposal would not accord with paragraph 187 of the Framework and policy QL12 of the LP which states that *'when granting planning permission for development which could potentially result in pollution, the City Council will impose conditions or seek agreements to ensure subsequent mitigation measures are undertaken'*.
63. The Flood Risk Assessment submitted by the appellant demonstrates that there would be controlled and reduced surface water discharge from the site. The evidence is that the current greenfield run-off discharge rate of 16.7 l/s (QBAR) across the whole site and that the maximum discharge rate for the proposed development, as agreed with Kent County Council as Lead Flood Authority, would be 11.0 l/a (QBAR). The relative reduction in flow from the development would mean less runoff entering the chalk stream when compared to the existing greenfield flow. Surface water drainage details would be capable of being controlled in detail by means of the imposition of a pre-commencement of development condition.
64. The appellant's drainage strategy suitably demonstrates that contaminants and pollutants would be mitigated and without harm being caused to the environment. This contrasts with a site now which is used for arable farming and without the same form of control in terms of the impact on water quality. There is no objective evidence before me to indicate that it would not be possible in principle, subject to control/mitigation by condition, to ensure that surface water run-off from the site at

¹ Appeal decision APP/E2205/W/25/3360094

either construction or post construction stages would cause no material harm to the Chalk Stream from a pollution point of view. This is indeed a matter that was specifically addressed by LPA officers in the updated planning committee report considered by members of the Planning Committee on 8 July 2025.

65. Measures such as reduced flow, filter strips, file drains, swales, permeable paving, infiltration basins and the pumping of water, all have the potential to suitably mitigate any potential harm to the Chalk Stream and, as per policy QL12 of the LP, this is a matter that could be addressed by means of the imposition of a planning condition. Indeed, I find that the approval of such details, as part of a pre-commencement type condition (i.e., prior to each agreed phase of proposed development), would provide suitable control in terms of this matter. I find that the appellant's drainage strategy is acceptable in principle. Moreover, the evidence does not indicate that there would be an increase in flood risk elsewhere as infiltration is not proposed due to ground conditions.
66. I conclude that there is therefore no evidence to indicate that the proposal would cause harm to the Chalk Stream from a pollution point of view. Moreover, the evidence is that the site could be suitably drained and with an overall reduction in the run-off discharge rate. Therefore, I find no conflict with the pollution requirements of paragraph 187 of the Framework or policy QL12 of the LP, or with the drainage requirements of policy CC11 of the LP and the Framework.

Sewage Disposal

67. Sewage disposal is a matter that was considered specifically in the officer's report considered by the Planning Committee on 8 July 2025. This followed a deferral of the Planning Committee's decision on 13 May 2025. It is important that I emphasise that water companies have a legal obligation under the Water Industry Act 1991 to properly maintain, cleanse, and upgrade their sewers. Developers and householders can legally connect to the existing sewer network. Ofwat has significant statutory powers (including enforcement powers) under the Water Industry Act 1991 and the Water (Special Measures) Act 2025 to ensure that water companies fulfil their duty to maintain and upgrade sewer systems.
68. Southern Water has confirmed that no upgrades or improvements are currently planned for the sewerage system and that network growth would only be delivered to support sites which have the benefit of planning permission. If planning permission were to be approved for the proposed development, the appellant would be required to apply to Southern Water for a connection to the sewerage system. At that stage, modelling would be carried out, and decisions would be made in terms of suitably facilitating the sewage from the proposed development, if necessary, on a development phase-by-phase basis. This may include pipe upsize, surface water removal, rising main replacement, or additional storage.
69. There is no objective evidence before me to indicate that it would not be possible in principle to provide the proposed development while at the same time ensuring suitable sewage disposal and without harm being caused from a network capacity or environmental point of view. The evidence is that the appellant would connect to the existing wastewater network, albeit that the development would need to be phased so that Southern Water could ensure, where necessary, that it had suitably improved/upgraded in a manner that ensured that no harm would be caused in

environmental terms. The submitted technical evidence is that a phased approach to the delivery of dwellinghouses need not therefore harm any Habitats Sites.

70. I recognise that at this stage foul drainage treatment on the site is not a matter which has been fully detailed by the appellant. That is no doubt because firstly, this is an outline planning application, and hence detailed matters need to be progressed and fully considered based on a final layout, and secondly, Southern Water is responsible for making necessary improvements to the wider network. In respect of non-allocated sites, Southern Water will only consider what would be required upon the grant of outline or full planning permission. The specifics of a detailed scheme would therefore largely depend on further discussions with Southern Water.
71. There is no compelling evidence before me to suggest that it would not be possible to find an environmentally acceptable solution in terms of dealing with and suitably controlling the disposal of sewage arising from the development of the site. I acknowledge that the evidence appears to indicate the use of tankers in the area over the last few years. However, the imposition of a pre-commencement of development condition (for each agreed phase of development) would provide suitable control and safeguards in terms of this matter, thereby ensuring that harm is avoided from an environmental perspective and considering the living conditions of both existing residents and future occupiers of the appeal site. I consider that such a condition is necessary in the context that the Water Industry Act 1991 otherwise confers a statutory right to connect for developers and householders.
72. Southern Water does not object to the proposal subject to the imposition of a condition. It comments that it endeavours *'to provide reinforcement within 24 months of planning consent being granted (full or outline), however for more complex applications our assessment of the timescale needed will require an allowance for the following which may result in an extension of the 24 month period – initial feasibility, detail modelling and preliminary estimates, flow monitoring (if required), detailed design including land negotiations, construction'*.
73. This is an outline application and, if approved, reserved matters details would first need to be worked up, and relevant conditions discharged before development can commence. A phasing condition is also suggested by the Council and hence there would be some interplay with timescales relating to the approval of reserved matters.
74. There is no evidence before me to suggest that any necessary work towards reinforcement and/or other improvements to the sewerage network/capacity would not be capable of taking place before the reserved matters timescales expire and the period by which it is agreed that each phase of development is required to begun (i.e., the Council's suggested condition indicates two years from the date of approval of the final reserved matters for each phase). In other words, and, despite comments made by other interested parties, the evidence does not support a claim that any sewerage network/capacity issues need necessarily result in delays to the phased delivery of dwellinghouse (including affordable housing) across the site.
75. In this case, I conclude that subject to the imposition of a pre-commencement type condition (i.e., approval prior to commencement of each agreed phase of development) relating to the approval of a sewage disposal scheme(s), adequate control would be in place to ensure that development did not commence unless

and until the Council, in consultation with Southern Water, was satisfied that the proposal was in full accordance with the pollution and drainage requirements of paragraph 187 of the Framework and policies CC13 and QL12 of the LP.

76. As pre-commencement conditions could be imposed for both foul and surface water drainage matters, I find that this would suitably allays the fears raised by some third parties including Littlebourne Parish Council Action Group and Littlebourne Parish Council.
77. I do not know the full extent to which Southern Water have commenced any necessary work in terms of making improvements or enhancements to the Newnham Alley Water Treatment Works and/or to the sewerage network. Notwithstanding this position, I am satisfied that there would be a realistic prospect of any necessary improvements or enhancements being in place on a phase-by-phase basis and in line with the imposition of pre-commencement/phasing planning conditions. Indeed, the response from Southern Water suggests that it would endeavour to undertake necessary works within twenty-four months of planning permission being granted, or perhaps slightly longer where the evidence indicates that is necessary. There is nothing from Southern Water to suggest that a suitable sewerage system for the occupiers of this development would not be feasible or practical.
78. Contrary to the views expressed by some third parties, I do not find that the evidence supports the contention that the proposed dwellinghouses would not be capable of being constructed at a relatively early stage and on a phased basis. I emphasise that up to 300 dwellinghouses would not, in any event, be capable of being built out within a very short period. It is normal practice for a housing scheme of this scale to be built out over several years even where a volume housebuilder may be involved.
79. The appellant's expert witness confirmed at the inquiry that it would first be necessary to fully market the site, to obtain detailed planning permission (i.e., reserved matters consent), and then to discharge other relevant planning conditions. I was told that this process would be likely to take a couple of years and that houses would start to be built between years three to five. Consequently, there is no reason why any required works to be undertaken by Southern Water would not align with the delivery and occupation of dwellinghouses on the site.
80. In conclusion, I therefore find that subject to the imposition of a condition, the proposal would be acceptable in terms of foul drainage. The use of a condition is suitable in this case and is in accordance with the Government's Planning Practice Guidance which states *'the timescales for works to be carried out by the sewerage company do not always fit with development needs. In such cases, local planning authorities will want to consider how new development can be phased, for example so it is not occupied until any necessary improvements to the public sewage system have been carried out'*.

Best and Most Versatile Agricultural Land

81. Policy EMP12 of the LP states that where significant development of unallocated agricultural land is demonstrated to be necessary to meet a housing, business or community need, planning permission may be granted on best and most versatile land if a suitable site within the urban area or on poorer quality land cannot be identified.

82. The appellant's evidence is that the application site, which is unallocated agricultural land outside the settlement of Littlebourne, is made up of Grade 3a and 3b agricultural land. There is common ground between the main parties that 38% of the site comprises Grade 3a agricultural land, i.e., best and most versatile agricultural land. This is based on an assessment undertaken by the appellant who instructed Dr R E Leverton to undertake an assessment of the quality of agricultural land based on criteria set by the Government.
83. At the inquiry, a third party raised concerns about the above assessment. He claimed that the sampling frequency was insufficient and that inadequate reasoning and justification was provided by the appellant in terms of the conclusions reached.
84. The third party has not provided an assessment of his own to contradict the findings of the appellant about best and most versatile agricultural land. In some ways, that is not surprising as the land is in private ownership. Even if I were to agree with the third party that the assessment should have been more thorough and may have found that more of the land was Grade 3a), the evidence is that the LPA cannot demonstrate a five-year supply of deliverable housing sites based on its current housing requirement. The evidence is that the site is needed to meet an acute housing need in Canterbury.
85. Indeed, the evidence is that the Council needs to release more land for housing. While the replacement development plan has not yet been adopted, it is noteworthy that this site has been included as a proposed housing led, mixed use allocation (approximately 300 houses) in Policy R7 of the DLP. In this regard, LPA officers have at least assessed the suitability of the site for housing in land use principle terms.
86. I therefore conclude that while the loss of best and most versatile agricultural land does weigh against allowing the proposal, given the economic benefits associated with the use of such land for agricultural purposes, this has to be weighed against the identified need for additional housing (including affordable housing) to be delivered owing to the housing undersupply position (see further comments about housing supply later in this decision).
87. Even if one were to take the view that at this moment in time a site within the urban area or on poorer quality agricultural land was available to provide up to 300 dwellings (I emphasise that no such site has been suggested as part of this appeal), and hence that there was a degree of conflict with policy EMP12 of the LP, I would afford any such conflict only limited weight in the overall planning balance. This is based on the Council's housing undersupply position and the need to release more land for housing.
88. For the above reasons, I conclude that even based on a worst-case scenario that more or all the land is grade 3a), and the subsequent tension with policy EMP12 of the LP and paragraph 187 b) of the Framework from the point of view of the loss of economically productive arable land, this is nevertheless a matter to which I afford only limited adverse weight in the overall planning balance.

Other Considerations

Effect on designated and non-designated heritage assets

89. The southern boundary of the Littlebourne Conservation Area (CA) is close to the north-eastern and part of the north-western site boundaries of the site. The CA contains some fifty listed buildings, two of which are Grade I listed, and the remaining are Grade II listed. The Grade II listed Coachman's Cottage, Cedars Lodge and 28A The Hill are about twenty-five metres north-east of the site and the Grade II listed Holly Lodge lies about forty metres north-east of the site.
90. Coachman's Cottage/Cedars Lodge and 28A The Hill have some intervisibility with the site. The significance of these buildings is derived from their age and architectural and artistic interest. There are views over the appeal site, and, to that extent, the undeveloped and rural character of the land does make some positive contribution to the setting of this building. However, the contribution that the site makes to the significance of the setting of these buildings is to a large degree diminished because of the existence of a mature hedge which partly screens views from parts of the buildings. However, my site visit did reveal that this part of the site was more open to views from The Hill than other parts of this road. I find that the large expanse of open space and landscaping shown opposite these listed buildings on the development framework plan would be necessary at reserved matters stage to better screen this part of the site from the Hill, as well as to preserve their settings and hence significance.
91. Overall, the above and additional planting would provide a distinct barrier between the listed buildings and the land beyond, albeit that the appeal site does contribute to an overall undeveloped and green setting when experienced from the upper levels of parts of these attached listed buildings. In this regard, I find that some harm would be caused to the setting of these listed buildings and to their overall significance from the point of view of how the setting is currently experienced by its occupants. I do not therefore find that the setting of the listed building would be preserved. The level of harm caused from the proposed development to the significance of these listed buildings (i.e., settings) would be at the lower end of 'less than substantial' harm in the context of paragraph 215 of the Framework.
92. For similar reasons to those identified above, I also find that there would be some harm caused to the setting of nearby locally listed buildings (non-designated heritage assets) also located in The Hill including 48 The Hill and The Evenhill Public House. The scale of the harm caused to the setting of these locally listed buildings, and hence to their overall significance, would be limited.
93. In respect of Holly Lodge, it is very much contained within its own plot and surrounded by mature landscaping on its boundaries. The significance of Holly Lodge relates essentially to its age and architectural and artistic interest. Given the screening impact of trees and other vegetation, I find that the appeal site has a neutral impact on its overall significance. It does not make a meaningful positive impact on the setting of this listed building. There is little, if any, intervisibility between Holly Lodge and the appeal site, and, in this regard, I conclude that setting of this listed building, and hence its overall significance, would be preserved.
94. Turning now to Littlebourne Conservation Area and whether the proposal would preserve or enhance its character or appearance, including its setting. A

Conservation Appraisal for Littlebourne produced by Canterbury City Council includes a view from Evenhill Public House towards the bus shelter on The Hill and states *'a line of trees acts as a backdrop, through which views across a vast expanse of farmland give a sense of place, in contrast to the walling effect of the roadside hedgerow. This planting marks part of the southern boundary of this part of the conservation area'*. There are also some filtered views to the site from further to the north-west within the CA, through the trees defining the north-western boundary of the site which will become clearer during the winter months.

95. The CA derives its significance from its vast array of designated and non-designated heritage assets. There is some intervisibility between the appeal site and the CA as outlined above. To the extent that the site is undeveloped and provides a soft and green edge to the CA, I find that it does make some positive contribution to its setting and hence to its overall significance. The views towards the appeal site from the CA are essentially limited to between gaps in the hedge on The Hill, or from the upper floors of existing properties on The Hill.
96. For the above reasons, I conclude that while the setting of the Grade II listed Holly Lodge would be preserved and hence no harm would be caused to its overall significance, the proposal would nonetheless lead to less than substantial harm being caused to the Littlebourne Conservation Area arising from harm being caused to its setting and hence its overall significance, and the Grade II listed Coachman's Cottage/Cedar Lodge/28A The Hill arising from harm being caused to their settings and hence to their overall significance. However, such harms would respectively be at the lower end of the spectrum of less than substantial harm. In this case, the public benefits associated with the proposal, including in particular the provision of both private market and affordable homes, would outweigh the less than substantial harm caused to the significance of each of the designated heritage assets.
97. Moreover, I find that the scale of the harm from the proposed development on the setting of the identified non-designated heritage assets would be limited. On balance, the scale of the harm would be outweighed by the public benefits above.

Housing land supply and delivery as a benefit

98. There is no dispute between the parties that the LPA cannot demonstrate a deliverable five-year supply of housing sites in the area based on its current housing requirement. The evidence is that the LPA can demonstrate only 3.62 year's supply of housing sites relative to its current local housing need requirement. Moreover, the 2023 Housing Delivery Test shows that the delivery of housing was at 67%. I have no reason to disagree with the agreed position of the main parties in terms of housing delivery and supply and, to this extent, paragraph 11d of the Framework is engaged.
99. In the context of the undisputed undersupply position, the delivery of 300 dwellinghouses on the site would represent a very positive boost to the overall housing undersupply position. Given the quantum of dwellinghouses proposed, and the acute need to deliver more housing, this is a matter to which I afford very significant weight in the overall planning balance.
100. The supply/delivery of dwellinghouses is an important material consideration in social and economic terms. The delivery of private market housing would, in turn, also seek to also ensure the delivery of much needed affordable homes. I also

note the provision of 10% older person homes which would be beneficial in terms of meeting housing needs in the area.

Affordable housing as a benefit

101. It is proposed that 30% of the dwellinghouses on the site (i.e., up to 90 dwellinghouses) would be affordable in accordance with policy HD2 of the LP. A 70/30 tenure split of affordable rent and shared ownership would be provided on the site. The Council support such a tenure and split on this site.
102. Given that up to 300 dwellinghouses would be provided on the site, the proportion of affordable homes would constitute a very significant social benefit. This is in the context that affordability is a key problem in Canterbury and where the undisputed evidence is that there is a ratio of house prices to earnings of 9.8 to 1, and where 2,312 households are on the housing needs register.

Proposed link road through the site as a benefit

103. It is noteworthy that Kent County Council Highways state that the proposed new link road through the site would reduce the amount of traffic using the Bekesbourne Lane/A257 junction, which of itself would improve conditions for cyclists and pedestrians at that point. This is a matter to which I afford very positive weight in decision making terms.

The community hub

104. While there are no end users in place for the proposed community hub, its development nonetheless has the potential to bring the community together from a social integration point of view, including those that already live in Littlebourne, and to also offer some facilities and amenities on the site itself thereby reducing some trips off-site including by unsustainable modes of transport.
105. Notwithstanding the above, I afford such a matter only limited positive weight as there is no mechanism in place to require its early delivery. I do not consider that such a mechanism would be reasonable as the community hub is seen as being complementary to what exists in the village now, as distinct from being necessary to make the development acceptable in planning terms. I emphasise, however, that this position is based on the current development plan policy position for the site.
106. I am cognisant of a comment made by a local resident about the proposed community hub and that it would result in a 'rival community' or a village which was not 'inclusive'. I do not share this view and, in fact, find that the proposed community hub would add to existing amenities and services in the village. I appreciate that the village would be larger because of the proposal, but the public open spaces and community hub would integrate appropriately with what already exists in the village (when combined with improved footpath and crossing links) and in an inclusive and cohesive manner.

Biodiversity net gain as a benefit

107. Based on the appellant's biodiversity net gain (BNG) assessment which looks at the site's baseline position and the indicative proposals, there is no dispute between the main parties that it would be possible to achieve 11.5% BNG. Overall, the proposal would be capable of achieving more than the statutory 10.0% BNG.

Indeed, the appellant's ecological appraisal and biodiversity net gain metric illustrate how the proposal could achieve BNG of 23.5% for habitats and 32% for hedgerows.

108. The appellant confirmed prior to the 8 July 2025 Planning Committee that they would be prepared to deliver 20% BNG on the site. This appears to accord with draft policy R1 of the DLP. The appellant confirmed the same as part of this appeal. I have no reason to doubt that it would be possible to achieve 20% BNG on the site. This is a matter that could be controlled by condition. It is a benefit which weighs moderately in favour of allowing the proposed development.

Other benefits

109. There are also other benefits associated with the proposal. This includes the delivery of over 7 hectares of public open space on the site, surface water management and water quality improvements, construction employment, and additional expenditure in the area. I collectively afford these benefits moderate weight in the planning balance.

Proposed strategic housing allocation for the site in the draft Local Plan

110. As part of the appeal, I asked the Council what site characteristics and sustainability credentials the officers had considered when deciding to propose that the site be allocated for a mixed-use including 300 dwellinghouses in the DLP. The Council has provided me with an extract from its Strategic Housing Land Availability Assessment which states that the '*site was assessed in the SHLAA (2022), where it was considered suitable, available and achievable for the development use proposed*', and, '*an average density across the site of 35 dph is considered to be appropriate, resulting in a yield of approximately 302 dwellings*'.
111. The above does lend some support, as a material planning consideration, to allowing the appeal in land use principle terms. However, I afford the housing led allocation in the DLP only limited weight. The DLP has not been adopted and it is not yet at an advanced stage.

Other Matters

112. I have considered third party representations received as part of the planning application and appeal notifications. Many of the comments made have already been considered and assessed by the Council in its planning committee reports dated 13 May and 8 July 2025. I do not disagree with the responses to the third-party representations made as part of the determination of the outline planning application. Some of the representations made have been addressed in the main issues above and/or there is suitable control in place relative to the planning conditions listed at the end of this decision.
113. At my request, the appellant also responded to all third-party representations submitted as part of the outline planning application and appeal. A summary table is provided in appendix 2 of the proof of evidence prepared by the appellant's planning witness and topic-based comments are also addressed in the other proofs of evidence prepared by the appellant. I concur with the appellant's responses to the representations made in the respective proofs of evidence. Nonetheless, I provide further reasoning below in terms of specific matters.

114. While I acknowledge that a planning application for housing was previously refused on the site, I have determined the planning application that is the subject of this appeal on its individual planning merits and against current local and national planning policies.
115. The site falls within the Nailbourne and Little Stour sub-catchment. The Little Stour is part of the River Stour Catchment. The Stour is the major river catchment of East Kent. The Littlebourne Stream Local Wildlife Site (LSLWS) is located 0.34km southeast of the appeal site, and comprises part of the Little Stour River, and associated grassland, deciduous woodland and connecting ditches and dikes, including Silver Dike.
116. The evidence indicates that there would not be harm caused to the LSLWS. Wastewater proposals are intended to connect to the mains network rather than be fed through an on-site waste recycling centre. Surface water would be captured by on-site attenuation (i.e., two basins) and then released at a controlled rate (no greater than greenfield run-off rate) into the ditch network. The LSLWS is located upstream of the proposed appeal site discharge point and as such would not be directly affected by drainage proposals. The evidence is that downstream connecting designations would not be harmed as the water entering the Little Stour would be treated by on-site attenuation features which are designed to remove site generated contaminants. Drainage and the avoidance of any pollution would be capable of being suitably controlled by condition.
117. As regards the treatment of microplastics, I have no reason to disagree with the appellant's expert witness that at present it is a '*more novel pollutant*' and one for which there is no policy context for understanding the issue. Microplastics are ubiquitous in the environment. There may in due course be a means of assessing and mitigating the issue, but at present, there is no evidence of harm arising because of the proposed development on that particular issue.
118. It is noteworthy that Natural England originally requested additional information about the effect of the development on Preston Marshes SSSI. However, there is no evidence that the proposal would cause harm to this area and, moreover, the appeal site does not fall within the 'impact risk zone' for this designated area. Overall, I am satisfied that the ecological and wildlife assessments completed by the appellant are sound. The evidence does not indicate that the proposal would cause harm to any matter of ecological or wildlife importance.
119. I note the comments and concerns raised by third parties about the effect of the proposal on water quality. However, the technical evidence and inclusion of conditions is such that there is no objective evidence before me to indicate that the proposal would cause harm to, or lead to a deterioration of, water quality on or off the site.
120. The evidence is that when the outline planning application was submitted, the proposal would be likely to have had significant environmental effects on the Stodmarsh SAC, SPA and Ramsar site. This is a European protected site. However, during the determination of the outline planning application, Natural England advised that the site no longer fell within the Stodmarsh catchment given changes to the boundaries (i.e., it no longer includes the catchment of the Little Stour). It is also noteworthy that the appeal site lies downstream of Stodmarsh and hence there is no pathway for an impact from nutrient input from the development.

On the evidence that is before me, I find that the proposal, either on its own, or in combination with other projects, would not cause harm to the integrity of any European protected site elsewhere. This is a common ground position of the main parties and is why Natural England commented that it no longer needed to be consulted on the outline planning application.

121. There is no objective evidence before me to demonstrate in principle that the residual cumulative impacts on the road network would be severe, or that the proposed development would not be capable of being built out without unacceptable impacts arising on highway and pedestrian safety. It is noteworthy that the Highway Authority, who also appraised the appellant's Transport Assessment and the additional Technical Note (including revised traffic data), has been consulted in respect of the proposal. It has not raised an objection in principle to the proposal based on capacity, road geometry or visibility. I also note, and have considered, the appellant's updated 2025 traffic survey data and the updated collision data.
122. Access is a detailed matter for consideration as part of a subsequent reserved matters application. For reserved matters, access is defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as *'accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network'*. As the application is submitted in outline with all matters reserved, it is not necessary to impose all the suggested conditions as outlined in the Highway Authority consultation response dated 23 February 2024. However, I am satisfied that the evidence is sufficiently robust to demonstrate that in principle, the proposed development can proceed based on indicative access details, and without unacceptable harm being caused to pedestrian or highway safety and, moreover, that the residual cumulative impacts on the road network (including existing junctions), following mitigation to be considered as part of reserved matters access details, would not be severe.
123. I agree with the appellant's position, as supported by the Highway Authority, that the evidence demonstrates that the package of transport measures proposed would accord with the vision-led approach set out in the Framework and would assist in prioritising sustainable modes of transport. For the avoidance of doubt such measures relate to a puffin crossing on The Hill; tactile paving at the junction of The Hill and Jubilee Road; a financial contribution towards upgrading public rights of way; direct links from the site to an extended waiting area at the westbound bus stop on The Hill; a financial contribution towards cycle parking at Bekesbourne Station; a travel voucher scheme for new residents; the provision of six electric vehicle car club spaces within the appeal site; the implementation of a Travel Plan; and on-site measures including cycle parking, electric vehicle charging and networks of pedestrian and cycle routes.
124. While access is a matter reserved for approval as part of a subsequent reserved matters application, I concur with the findings of the Highway Authority that a puffin crossing to the east of the indicative site access, and which has been stage 1 road safety audited, would be acceptable in principle and that compensatory car parking spaces to offset the loss of on road parking could be included alongside the proposed community hub.

125. Given land ownership constraints, and the extent of highway land, the evidence is that it would not be possible to make any material pedestrian/cycle improvements between the site and Patricbourne which leads to Bekesbourne Station. However, the completed planning obligation does include the payment of £18,000 towards cycle parking improvements at Bekesbourne Train Station. I acknowledge that the road route to Bekesbourne Station is relatively narrow in parts and hence it may not be conducive for cycling by all. Nonetheless, for more experienced cyclists I find, based on my site visit observations, that some would be able to use this route and without likely danger. In most parts of Bekesbourne Lane it is of a width which would allow vehicles to pass cyclists with ease. In the areas where the road is less than 5.5 metres, I find that motorists would simply wait behind cyclists and until there was an opportunity to pass in such a way that the cyclist was not forced off the road.
126. The provision of cycle parking improvements would go some way to encourage the more experienced cyclists to reach the railway station. I accept that such journeys would be more likely in the day as distinct from at night owing to the fact that Littlebourne Lane is not lit. Based on the appellant's evidence, including updated traffic survey data, I do not find that the additional traffic (an increase of about 1-2% above current levels) along Bekesbourne Lane would have an unacceptable highway safety impact upon any existing or future cyclists using this route.
127. Moreover, the evidence is that there is a frequent bus service operating in the village, particularly in the daytime. It is noteworthy that the operator of the bus service (Stagecoach) has commented that there is sufficient capacity to accommodate the additional patronage from the proposed development. That said, and noting comments made by third parties at the inquiry that sometimes buses are full, there is nothing to suggest that additional bus services would not be provided in time arising from any increased demand from occupiers of the proposed dwellinghouses.
128. I acknowledge that some footpaths in Littlebourne are relatively narrow. However, the evidence is that residents would be able to use a range of pedestrian routes within the village to access existing amenities and facilities. This would include making use of footways along the northern side of the A257 The Hill and High Street; footways along the eastern side of Jubilee Road; public footpath CB143 which cuts the corner from The Hill to Jubilee Road; public footpath CB156 'School Path' which links Bekesbourne Lane with The Hill; and new connections within the recently constructed 'The Laurels' to the north of the Hill which facilitates pedestrian connections to public footpath CB147 along The List via Wenderton Way, Birch Road and Willow Drive. Moreover, existing residents wishing to make use of the proposed retail/community facilities on the appeal site would be able to make use of the above routes. In this case, I do not find that any deficiencies in terms of the width of some footpaths in the area justifies withholding the grant of outline planning permission.
129. It is stated that the building industry increases carbon in the environment which has an adverse impact on global warming, and that new houses would put a strain on the National Grid to supply electricity to the site. The new homes would be required to comply with Building Regulations standards, and, in this regard, any developer would have to accord with relevant standards which seek to reduce global warming impacts. There is no evidence to indicate that the National Grid would not be able to supply enough electricity to the site for up to 300

dwellinghouse. Moreover, the evidence does not support the claim that the proposal would harm air quality subject to mitigation in the form of electric vehicle charging points and the provision of an electric vehicle car club.

130. A programme of archaeological assessment would be undertaken prior to the commencement of development. Given the enclosed location of the site, and its separation from Canterbury, I do not find that the proposal would cause harm to Canterbury (including its setting) as a world heritage site.
131. Comments have been made that new dwellinghouses should be built on previously developed land (PDL). I acknowledged that the thrust of national planning policy is to promote and support building on previously developed sites before greenfield sites. However, the evidence is that there is an acute housing need in Canterbury, that the Council cannot demonstrate a deliverable five-year supply of housing sites, and that it has failed the housing delivery test. I have no evidence to suggest that the supply of PDL sites is sufficient to provide the required homes, and so it is necessary to release greenfield sites including that which is the subject of this appeal.
132. This is an outline application with all detailed matters reserved for a future application. Nonetheless, having regard to boundary screening and the position/location of existing surrounding dwellinghouses and commercial enterprises, I am satisfied that in principle the proposed development could be accommodated on the land and without any material harm being caused to the viability of any existing business. This includes claimed harm to Canterbury Lodges and Glamping and Howlets Wild Animal Park, and to the living conditions of the occupiers of dwellinghouses in the locality from a light, privacy, noise, disturbance and outlook point of view.
133. Comments have been made that the proposal would reduce property values in the area. The courts have held that this is not a material planning consideration, and, in any event, no objective evidence has been submitted to substantiate this claim.
134. Similarly, concern has been raised about the impact of the development of the site on mental health. I acknowledge that there is a strength of feeling in terms of those that do not support this proposal. This is acknowledged, but it would not be reasonable to refuse planning permission for this reason alone. It is necessary that I determine this application in accordance with the development plan for the area and having regard to other material planning considerations. The claim of harm being caused to mental health is not reasonably or fully substantiated. It is not a matter that alters or outweighs my planning balance and conclusion below.
135. Comments have been made that planning permission for housing on part of the site was refused in 2021. The evidence is that circumstances/assessment relating to the consideration of such a planning application was not the same as now under consideration as part of the determination of this appeal. The tilted balance was not engaged, nutrient neutrality was an issue, and a different Framework was in place. I have determined this appeal on its individual planning merits considering local and national planning policies and other material planning considerations.

Planning Balance and Conclusion

136. In the short term, the proposal would initially result in moderate harm being caused to the landscape character of the area. This would change to minor adverse harm

being caused when new planting/open space has reached maturity. In this regard there would be some conflict with the Framework but no conflict with policy LB4 of the LP. Moreover, limited harm would be caused because of the loss of best and most versatile agricultural land on the site even if I take the view that all of the site is grade 3a) based on the comments made by a third party at the inquiry. I reach this view because there is a very significant need to release additional land for housing in Canterbury given the poor housing land supply position and the failure to meet the housing delivery test. Moreover, the loss of best and most versatile agricultural land overall would not be significant as a proportion of such land as a whole in Canterbury. Nonetheless, collectively the above matters weigh against allowing the appeal.

137. There would be some change to the currently undeveloped appearance of the land, but in time I do not find that the development would result in material harm being caused to the character and appearance of the settlement of Littlebourne. Subject to a careful consideration of design, layout and landscaping matters, the proposal has the potential to suitably assimilate into the settlement of Littlebourne.
138. Less than substantial harm would be caused to the settings of identified designated heritage assets. This would be on the lower end of the spectrum of less than substantial harm. The scale of the harm caused to the settings of non-designated heritage assets would be limited. All such harms would be outweighed by the identified public benefits.
139. I am satisfied that subject to the imposition of conditions and the completed planning obligation, the proposal would be sustainably located. The dwellinghouses would not be positioned in an isolated location. The proposed development would be capable of being well designed and to suitably reflect the context of the built development that surrounds the site.
140. Sewage disposal, Chalk Stream pollution prevention measures, and surface water drainage would be capable of being addressed by way of pre-commencement type planning conditions. Furthermore, subject to detailed Travel Plan measures by condition, and based on the Travel Plan framework document submitted by the appellant, I find that the proposal would be sufficient in terms of encouraging the use of sustainable modes of transport, including use of the nearby bus services.
141. The proposal would deliver several very significant benefits as outlined in the other material considerations part of this decision above. Collectively, I afford such benefits, including boosting the supply of houses in the area and the delivery of affordable homes, very substantial weight in favour of granting planning permission.
142. There is no dispute between the main parties that the site falls within the countryside as distinct from the settlement of Littlebourne. Neither policy HD4 nor policy SP4 of the LP permit housing development in this area. However, these are '*most important*' policies in the context of the Council's housing undersupply position and the engagement of paragraph 11d of the Framework. Indeed, they are out of date policies and are not supporting the required delivery of housing in the area. Consequently, I afford the conflict with policies HD4 and SP4 only limited adverse weight in the overall planning balance.
143. Overall, and, given the engagement of paragraph 11d of the Framework, I find that the planning harms outlined in this decision, including the identified conflict with adopted development plan policies, would be significantly and demonstrably

outweighed by the identified benefits of the proposal when assessed against the policies in the Framework taken as a whole. In particular, I find that the development would be in a sustainable location, would be capable of making efficient use of land, and would secure a well-designed place including the provision of much needed affordable homes. Moreover, the appeal site would not be in a remote location and would have the potential to enhance and maintain the vitality of the rural community. In this regard, I do not find that the proposal would conflict with the rural housing requirements of paragraphs 83 and 84 of the Framework.

144. Given my conclusion in respect of the ‘tilted balance’ and the presumption in favour of sustainable development, I also find that the proposal therefore accords with policy SP1 of the LP. On balance, I therefore conclude that the proposal would be capable of delivering a sustainable form of development. Therefore, the appeal should be allowed.

Planning Obligation and Conditions

145. At my request, the Council submitted an R122 CIL Compliance Statement (CS) on 16 February 2026. A CS has also been submitted by Kenty County Council who is party (along with the Canterbury City Council) to the completed planning obligation dated 25 February 2026. This information, and the other evidence submitted as part of this appeal, provides acceptable justification in respect of the contributions and obligations within the completed s106 agreement that accompanies this outline planning application.
146. The completed planning obligation meets the tests as laid out in paragraph 58 of the Framework. It is necessary, given the wording, that I reach very specific findings in terms of the completed planning obligation in respect of paragraphs 3.1.2, 3.1.3 and 5.7 of schedule 2. In respect of paragraph 3.1.2, the planning obligations contained therein are all CIL compliant. In respect of paragraph 3.1.3, all contributions that are listed in paragraph 3.1.3 which are identifiable as being payable towards an infrastructure type or project may be funded wholly or partly through CIL pursuant to the CIL Charging Schedule and, as a result, the Council should ringfence CIL monies. As regards paragraph 5.7 of Schedule 2, clauses 5.8-5.13 should apply in respect of the Affordable Housing provisions.
147. The conditions set out in the accompanying schedule are based on those agreed by both main parties. The appellant has expressly agreed in writing to the imposition of the pre-commencement conditions. I am satisfied that there is clear justification for the pre-commencement conditions. All the conditions meet the tests as outlined in paragraph 57 of the Framework. For the avoidance of doubt, I have provided reasons for the conditions after each condition in the schedule of conditions.
148. At the inquiry, some of the third parties requested that I consider imposing some additional conditions. It was suggested that I impose a condition so that the occupiers of some properties who park on the pavement in part of The Hill could park in new car parking spaces on the site. This would not be a reasonable condition because this is an existing issue not related to the development proposal. In addition, the evidence is that there would be an overall net reduction in traffic in this area arising from the development proposal. In any event the

control of parking on or abutting the highway is a matter for the Highway Authority and/or police.

149. It was also suggested that I consider including a condition that all residents have access to an adequate water supply. I agree with the response of the Council and the appellant that this would not be a necessary condition. This is because it is a matter that is considered as part of a separate statutory regime.

150. Finally, it was suggested that condition No.19 should include habitat enhancements for badgers and water voles which are protected species. It is not necessary for the proposal to increase badger or water vole numbers or habitats on the site. However, the condition does ensure that adequate control is in place where protected species are found to be on the site following any necessary updated ecological appraisal(s) and, moreover, a separate license would be needed from Natural England should disturbance to a badger set or water burrow be unavoidable.

D Hartley

INSPECTOR

Richborough

Schedule of Conditions

1. Details of the access, appearance, landscaping, layout, and scale ("the reserved matters") for the development shall be submitted to and approved in writing by the local planning authority before any development within each phase takes place and the development of each phase shall be carried out as approved.
Reason: This is an outline permission, and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).
2. Applications for the approval of the reserved matters for each phase of the development shall be made not later than the expiration of three years from the date of this permission.
Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. The development hereby permitted shall commence before the expiry of two years from the date of the approval of the last of the reserved matters to be approved.
Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
4. The development hereby permitted shall be carried out in accordance with approved Site Location Plan Drawing no. 09538-FPCR-XX-XX-DR-L-0002
Reason: To appropriately define the extent of the site to which the permission relates.
5. The Reserved Matters submitted pursuant to Condition 1 should be in broad accordance with the following drawings:
 - Drawing no. 09538-FPCR-XX-XX-DR-L-0001 rev P15 – Development Framework Plan
 - Drawing no. 09538-FPCR-XX-XX-DR-L-0004 rev P06 – Open Space Provision PlanReason: To act as a guide to the submission of Reserved Matters so that the scheme of Reserved Matters aligns broadly to the nature of the scheme as considered at the outline stage.
6. The development hereby approved shall comprise:
 - A maximum of 300 dwellings;
 - 400sqm of local shopping/community facility floorspace; and,
 - A minimum of 2 Local Equipped Area for Play (Minimum 400 sq m of play space) and 1 Neighbourhood Equipped Area for Play (Minimum 1,000 sq m of play space)

Reason: To define the extent of development for which permission is granted.

7. The Reserved Matters submitted pursuant to Condition 1 shall be submitted in line with a Phasing Plan for the development, which has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and constructed in accordance with the approved Phasing Plan.

Reason: In the interest of securing a co-ordinated development of the site.

8. Prior to or as part of the first reserved matters application for any housing, a housing mix statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall broadly align with the housing mix as set out in the Council's Housing and Homelessness Prevention Strategy and/or any other evidence that the Council has produced of District need. This should also include provision of dwellings such as bungalows or adaptable dwellings which are particularly suited to older persons housing needs at up to 10%. The Reserved Matters shall accord with the approved mix.

Reason: To ensure the proposed development appropriately meets housing needs and provides inclusive and accessible dwellings to meet the changing needs of households, in accordance with the principles of the NPPF and Policies DBE1, DBE3 and DBE5 of the Canterbury District Local Plan 2017.

9. No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of:

A) Before the submission of reserved matters for the phase, the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.

B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.

C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.

D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include: a) A description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development; b) An Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same; c) A scheme detailing the arrangements for

providing and maintaining an archaeological site archive and its deposition following completion.

E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policies HE11 and HE12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

10. No development shall commence within any phase of development until a Construction Environment Management Plan (CEMP) for that phase of development has been submitted to and approved in writing by the local planning authority. The CEMP shall include and provide for:
- i) the management and routing of construction traffic including: the location of access points for site traffic, routes within the site to be kept free of obstruction, details of the routing of construction traffic for other areas of the allocated site, parking of construction vehicles and vehicles of site operatives and visitors, wheel washing facilities, a scheme for the prevention of surface water discharges onto the highway, a travel plan for construction workers and directional signage on and off site. Construction access shall only be from the A257/The Hill and there shall be no construction access from Bekesbourne Lane;
 - ii) loading and unloading of plant and materials;
 - iii) the location and size of site compounds and areas for storage of plant and materials to be used in constructing the development;
 - iv) the location and form of temporary buildings and temporary lighting, details of the erection and maintenance of security hoardings;
 - v) details for the safe storage of any fuels, oils and lubricants;
 - vi) a scheme to control surface water run-off, prevent pollution and manage flood risk to ensure surface water discharge and quality is controlled during the construction phase;
 - vii) details of temporary pedestrian and cycle routes;
 - viii) a scheme for the handling and storage of topsoil;
 - ix) measures, including the construction of exclusion zones, to prevent soil compaction in large scale planting areas and measures to remediate soil compaction;
 - x) details of measures to protect trees, hedgerows and water features;
 - xi) a scheme for the protection of areas of ecological interest and mitigation of any harm to such areas, including timing of works and precautionary work practices;
 - xii) measures to control the emission of dust and dirt during construction;

xiii) measures for the control of noise and vibration during construction, including delivery and construction working hours;

xiv) a scheme for recycling/disposal of waste resulting from construction works;

xv) procedures for maintaining good public relations, including complaint management procedures, community consultation and liaison.

The development of each phase of development shall be carried out in accordance with the approved CEMP throughout the construction period of the phase of development.

Reason: In the interests of highway safety and to ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance with policies DBE3 and QL12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework

11. No development shall commence in any phase of development, until a detailed sustainable surface water drainage scheme (including maintenance details) for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the principles within the Flood Risk Assessment and Outline Surface Water Drainage Strategy report (Issue 4 – 09/04/2024) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters and that appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption including if by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details and thereafter retained.
- Reason: In the interests of nature conservation and to ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with policy CC11 of the Canterbury District Local Plan 2017.

12. No development shall commence in any phase of development until details of the proposed means of foul sewerage disposal including maintenance arrangements and a timetable for provision for that phase of development, have been submitted to and approved in writing by the Local Planning Authority. The dwellings in each phase of development shall thereafter be only occupied in accordance with the approved details and timetable.
- Reason: To ensure the development is served by satisfactory arrangements for the disposal of foul water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with policy CC11 of the Canterbury District Local Plan 2017.

13. No building shall be occupied on any phase (or within an agreed implementation schedule) of the development until a Verification Report, pertaining to the surface water drainage system for that phase, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and confirmation of its operation and maintenance in accordance with approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with Policy CC11 of the Canterbury District Local Plan 2017 and subsequently maintained.

14. The Reserved Matters submitted pursuant to Condition 1 shall include a highway link for motorised vehicles between The Hill and Bekesbourne Lane and such a highway link shall be completed and available for public use by the occupation of no more than 50 dwellings.

Reason: In the interest of highway safety.

15. No development shall take place until replacement car parking spaces on The Hill (if existing spaces would be lost as a result of the design of the access to the site), have been provided in accordance with details of the construction and location of those car parking spaces that have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall thereafter be permanently available and without restriction for use by members of the public.

Reason: In the interest of highway safety.

16. No dwelling on the development shall be occupied until a Travel Plan, including methods to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement as necessary. The Travel Plan shall be implemented and adhered to throughout the lifetime of the development, or that of the Travel Plan itself, whichever is the shorter.

Reason: In the interests of sustainable development, and to reduce dependency on the private car, in accordance with Policies SP1 and T1 of the Canterbury District Local Plan 2017.

17. Should any trees or hedgerows on site, as recorded/photographed in the report by FPCR for Gladman Developments Ltd entitled "The Hill, Littlebourne LANDSCAPE AND VISUAL APPRAISAL October 2023" be removed, they shall be replaced prior to the any occupation of the development hereby approved

and shall be included within the landscape details that shall be submitted pursuant to condition 1 of above.

Reason: In the interests of the visual amenities of the area in accordance with policies DBE3 and LB10 of the Canterbury District Local Plan 2017.

18. Prior to the installation of any external lighting on an approved phase of development, a lighting design plan for that phase, with consideration of the potential impacts on biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall show the type and locations of external lighting (including residential and street lighting) and the expected light spill in lux levels, demonstrating that areas to be lit will not adversely impact biodiversity. All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and shall be retained as approved thereafter.

Reason: In the interests of nature conservation, in accordance with policy DBE3 and LB9 of the Canterbury District Local Plan 2017.

19. No development shall commence (including ground works or vegetation clearance) until an Ecological Mitigation, Management and Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include the following details:

- Updated ecological appraisal (if ecological appraisal submitted with application is more than two years old) and recommended species specific surveys (if required).
- Description, plan and evaluation of the features to be retained, created / managed.
- Aims and objectives of management and mitigation.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management and mitigation actions.
- Details of how the habitats will be established / enhanced and protected.
- Timings of the works and how they correspond with the construction time table.
- Ongoing habitat and species monitoring and remedial measures.
- Enhancement features for the site and buildings to support reptiles hedgehogs, bats, breeding birds and invertebrates.
- Habitat enhancements in the form of a Biodiversity Gain Plan to achieve a 20% biodiversity net gain.

The approved Strategy and Biodiversity Gain Plan will be implemented in accordance with the approved details.

Reason: In the interests of nature conservation, in accordance with policy DBE3 and LB9 of the Canterbury District Local Plan 2017. The provision of at least 20% BNG as benefit over and above the statutory minimum 10% BNG constitutes a benefit which has partly justified the on-balance decision to grant of outline planning permission.

20. 20% of new homes within the development shall meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended).
Reason: To ensure the proposed development provides inclusive and accessible dwellings to meet the changing needs of households, in accordance with the principles of the NPPF and Policy DBE5 of the Canterbury District Local Plan 2017.

21. No development shall commence until a site-wide Energy Strategy for the development is submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the overarching strategy for energy and heat delivery to the development, measures to minimise the demand for energy, energy efficiency measures and the use of renewable energy. The development shall thereafter be carried out in accordance with the approved site-wide Energy Strategy.

Reason: In the interests of achieving sustainable development and to prevent pollution, in accordance with the aims and objectives of policies DBE3 and QL12 of the Canterbury District Local Plan and the National Planning Policy Framework.

22. That part of the site broadly identified as the location for Community Facilities on drawing 09538-FPCR-XX-XX-DR-L-0001 rev P15 the details of which are to be approved through submission of Reserved Matters pursuant to Condition 1, shall only be used for a use falling within use classes E (a, b, d, e or f) and F2 (b) and for no other use notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (or any Order revoking or re-enacting those Orders/Regulations).

Reason: In order to clearly define the extent of permitted uses and secure the proper development of the area to ensure that the impact of the uses have been appropriately considered taking into account their nature and location.

23. No development shall commence until a remediation strategy, which includes the following components to deal with the risks associated with contamination of the site, is submitted to and approved in writing by the local planning authority:

- A site investigation scheme, based on the Preliminary Risk Assessment 52212-R01 (00) (January 2021) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance policy QL12 of the Canterbury District Local Plan 2017 and with the National Planning Policy Framework.

24. No occupation of any part of the approved development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include if required, any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance policy QL12 of the Canterbury District Local Plan 2017 and with the National Planning Policy Framework.

25. The Reserved Matters submitted pursuant to Condition 1 shall include details of parking for cycles for the respective dwellinghouse or building and cycle parking as approved shall thereafter be provided before first occupation of the respective dwellinghouse or building and thereafter be retained for such cycle parking.

Reason: To provide for details of parking for cycles as a sustainable method of travel.

-End of Conditions-

APPEARANCES

For the Local Planning Authority:

Peter Cruikshank, Barrister

He called:

No witnesses

Mr Simon Thomas, Head of Planning and Health participated in the planning conditions and s.106 agreement round table discussion only.

For the Appellant:

Thea Osmand-Smith, Barrister

She called:

Timothy Jackson BA (Hons), Dip LA, CMLI of FPCR Environment and Design Limited

Vanessa Eggleston Beng (Hons) Civil Engineering of i-Transport LLP

Colin Whittingham CIWEM IEMA of RSK

Suzanne Mansfield Degree in Botany and Ph.D Ecology and Physiology of FPCR Environment and Design Limited

Jason Tait BA (Hons), PGD Town Planning, MRTPI of Planning Prospects Limited

Interested Persons:

Peter Styles – CPRE (Kent)

Councillor Melanie Moore – Littlebourne Parish Council

Councillor Peter Farrow - Littlebourne Parish Council

Tim Bostock – Littlebourne Parish Council Action Group

Janet Morgan - Littlebourne and Stodmarch Roads Community Association

Alan Atkinson - The Little Stour and Nailbourne River Group

Cathy Sales (resident)

Henry Boucher (resident)

June Hardcastle (resident)

Malcolm Keysell (resident)

Stephen Plunkett (resident)

Anthony Haynes (resident)

Documents Submitted at the Inquiry

ID1 – Appellant’s opening statement

ID2 – Appellant’s planning obligation summary

ID3 – Council’s opening statement

ID4 – Written statement of Peter Styles CPRE

ID5 – Written statement of Councillor Peter Farrows

ID6 – Newspaper article dated 12 February relating to flooding in Barnham

ID7 – Written statement of Henry Boucher of Littlebourne Parish Council

ID8 – Written statement of Alan Atkinson of The Little Stour and Nailbourne River Group

ID9 – Agreed additional condition regarding cycle parking

ID10 – Agreed draft planning obligation 19.2.26

ID11 – Appellant’s closing statement

Richborough