

Date: 3<sup>rd</sup> June 2024  
Ref: Canterbury Regulation 18 Part 2 Consultation

By email only: [consultations@canterbury.gov.uk](mailto:consultations@canterbury.gov.uk)

Dear Canterbury City Council,

**RE: Canterbury Regulation 18 Part 2 Consultation**



**Kent**  
Wildlife Trust

Kent Wildlife Trust (KWT) welcomes the opportunity to comment again on the Draft Canterbury District Local Plan to 2045 through this Regulation 18 Part 2 consultation. We have reviewed the documents online and have provided comments and recommendations below. To allow us to complete a comprehensive and targeted response to your consultation, please accept our comments in letter format as opposed to submitted via your questionnaire.

***Spatial strategy for the district***

It is positive to see the inclusion of the Blean Woods and Stodmarsh within the paragraph 1.8 of the spatial strategy for the district. Greater focus on opportunities to increase connectivity between existing environmental assets would be an important addition to align with the council's commitment to tackling the climate and biodiversity crises, as set out within the Biodiversity Declaration and Climate Declaration respectively.

***Vision for the district to 2045***

KWT support the inclusion of *"Our important habitats and landscapes will be restored and enhanced, supporting the recovery of nature, improving environmental resilience and providing significant increases in biodiversity"*. Further to our previous comments on the vision it is still noted that the vision continues to omit reference to the council's commitments to achieving net zero carbon emissions by 2030.

***Strategic objectives for the district***

Our comments made previously regarding the benefits of including specific reference to need to deliver a high quality green and blue infrastructure network across the district. Green and blue infrastructure should be recognised as critical infrastructure needed to *"support growth to maximise benefits for existing residents and businesses"*.

We are supportive of the amendments to the strategic objective focused on protecting and enhancing the environment as the inclusion of *"supporting nature's recovery and biodiversity and improving the health and wellbeing of our communities"* more closely aligns with the aims of the Government's 25 Year Environment Plan and the Environment Act 2021.

***Policy SS1 – Environmental strategy for the district***

KWT continue to be supportive of the policy requirement to deliver a minimum of 20% BNG and 20% tree cover for new developments of over 300 homes. Our previous comments remain about the need to ensure that the best ecological outcome is always achieved, and avoiding instances where tree cover or woodland is planted/created at the detriment of other vital habitats. It is recommended that Canterbury establish a clear evidence base to support the delivery of a 20% BNG target policy which addresses the viability and need of the enhanced BNG target and establish how its delivery can be supported to ensure that viability issues are predominantly dealt with at the Local Plan stage to avoid ambiguity at the planning application stage.

Whilst previously we queried how *"suitable locations"* for renewable power generation was to be defined, it is now of concern that this wording has been omitted all together. KWT have seen an increasing number of renewable power schemes, proposed within sites of high ecological value, including Local Wildlife Sites. We urge the council to look at local energy schemes and the retrofitting of renewable energies to existing commercial and residential buildings. Retrofitting of renewable energy has the added benefit of reduced land take for renewables. Where large scale renewable energy generation is proposed outside of existing urban areas, it must be ensured that its delivery does not impact on wildlife designations, or on priority and locally important habitats or species.

KWT are pleased to see the removal of a number of allocations which posed a serious threat to biodiversity including the creation of the Eastern Movement Corridor, the Canterbury Golf Course allocation and Land at Cooting Farm. We do still however have a number of outstanding concerns regarding development allocations.

### ***Policy C12 - Land north of University of Kent***

We are extremely disappointed by the formal inclusion of the proposal of a new rural settlement on land to the north of University of Kent's Canterbury campus within Policy C12 – Land north of the University of Kent. Whilst the draft Local Plan states that development in this location would be 'highly sustainable', it is clear that Policy C12 is at odds with other policies set out by the Draft Plan and with Canterbury Councils commitment to biodiversity, as demonstrated by your declaration of a biodiversity emergency. It is essential that the commitments made through the declaration of biodiversity emergency are upheld throughout the councils functions, including the allocation of development sites.

It was considered by your previous SLAA that this site was unsuitable for residential development on the basis that "suitable access to the site has not been demonstrated to be achievable due to heritage and ecology concerns." We do not believe that the additional information provided in support of Policy C12 has removed these concerns. Further evidence to the contrary is set out within the introductory text to Policy C12 and within the proposed policy wording itself.

Paragraph 2.16 indicates that significant investment in movement and transportation infrastructure will be needed to support the delivery of this new rural settlement, however little weight has been given to the likely impacts of the construction and operation of this additional infrastructure. This includes the upgrading of Rough Common Road and upgrades to the A2 Harbledown Junction. Rough Common Road runs directly adjacent to the Blean Woodland Complex as identified in Policy DS23. Policy DS23 sets out that "*Proposals for development that would result in the loss, deterioration or damage to the character, ecology, connectivity and integrity of the Blean Complex SAC will be refused.*" Additional comments are made regarding policy DS23 within this letter, and it should be noted that there is a discrepancy between the definition of the Blean Woodland Complex as defined on the policies map, and the reference solely to the Blean Woodland SAC in Policy DS23 paragraph 3. Policy C12 is clearly at odds with both Policy DS23 and the Councils declaration of climate and biodiversity emergency, with Policy DS23 stating that "*Proposals for development on land surrounding the Blean Woodland Complex, including Policy C12 -Land north of University of Kent [...] will need to ensure that development does not adversely affect the landscape, ecology or setting of the Blean Woodland Complex and should be designed to provide the best outcomes for the Complex.*" It would be wholly unacceptable for development north of the University Campus to be deemed sustainable whilst relying on upgrades which are highly likely to have a detrimental impact on the Blean Woodland Complex, either through direct loss of ancient woodland if Rough Common Road or the A2 junction are to be widened (including only "temporary" widening for works access) or indirect impacts from increased vehicular access resulting in dust and nitrogen deposition which can negatively impact on sensitive habitats and potential issues associated with surface water run-off.

The masterplan for Policy C12 is misleading and appears to be trying to paint a better picture for biodiversity than will be achievable. For example, the vehicle access proposed to the south, off Whitstable Road, would clearly result in a road needing to be created from that vehicle access point up to the proposed development. As it is highly unlikely that this road will be installed within the university grounds (along the purple arrow) it can only be assumed that the opportunity for a green corridor to the south will never be realised or would not be ecological functional as it will be bisected by a road. Further, a road in this location would result in either direct loss of, or indirect impacts to, Blean Pasture Local Wildlife Site.

Policy C12 proposes the delivery of a very large number of residential dwellings and associated infrastructure in what is a very sensitive location for existing wildlife within the Blean Woodland Complex. It is likely that the huge increase in the number of residents in land adjacent to the Blean Woodlands (as defined in the policies map) will result in degradation of these precious habitats through increased levels of recreational pressure. The masterplan clearly sets out the schemes intention to connect the site to the surrounding woodlands, as indicated by the purple arrows. Part of KWTs strategic priorities is connecting people with nature, however we do also have firsthand experience of how unsustainable levels of recreation (i.e. daily dog walking) can degrade habitats and pose a serious threat to both wildlife and conservation grazing animals.

The above clearly sets out how this proposed allocation would detrimentally impact Local Wildlife Sites, SSSIs and SACs that form the Blean Woodland Complex, at odds with draft policies set out within this plan.: DS17 – Habitats of international importance, DS18 - Habitats and landscapes of national importance and DS19 - Habitats, landscapes and sites of local importance.

As well as posing a significant threat to existing biodiversity assets, development in this location also threatens Canterbury's ability to meet its vision for the district to 2040 which includes the following commitment; *"The council will continue to work with partners to [...] support the extension and improved connectivity of the Blean Woodland Complex."* Land north of the University Campus is vitally important for delivering on the Wilder Blean Initiative's vision which is led by KWT with RSPB and the Woodland Trust as partners and in consultation with the local community, landholders and stakeholders. It is a strategically important site which will increase connectivity significantly for the landscape, which is beneficial for people and wildlife. The land north of the University of Kent is key to the delivery of this vision and a development in this location would prevent the connecting up of existing woodlands which form the Blean Woodland Complex, therefore being at odds with the vision of this draft Plan and in the face of a biodiversity crisis as acknowledged by Canterbury City Council.

#### **Policy W4 – Land at Brooklands Farm**

We previously made comments that the Land at Brooklands Farm allocation (now Policy W4) is likely to result in unsustainable levels of recreational pressure within the Blean Woodland Complex across the A299. The woodlands that make up the Blean Woodland Complex (as defined by Policy DS23) are likely to experience degradation due to an increase of recreational use of the woods, dogs frequenting the woods and traffic accessing the limited parking available at the carparks. Whilst the masterplan does not specify walking and cycling connections between the proposed development and the woodland complex, the existing footpaths to the west and south of the site are likely to encourage regular use of the ancient woodlands. Whilst KWT seek to encourage sustainable access to nature to support health and wellbeing, we are seriously concerned that the cumulative impacts of housing in close proximity to the Blean Woodland Complex will result in unsustainable levels of access that will prevent the woodlands from meeting their conservation objectives. Amendments made to this policy have not successfully addressed these issues, and as a consequence we continue to have significant concerns that Policy W4 is at odds with national policy to protected wildlife sites, the council's commitment to tackling the biodiversity emergency and Policy DS23 – The Blean Woodland Complex.

Further to our comments about recreational impacts to The Blean Woodland Complex we wish to raise serious concerns regarding the proposed developments impacts on Convict's Wood Local Wildlife Site (LWS). The LWS (4.52 ha) comprises a narrow strip of ancient, mixed broadleaved woodland surrounding a stream, which is listed on the ancient woodland inventory. Nineteen ancient woodland indicator plants have been recorded from the site. The flora is similar on both sides of the stream. The woodland is mostly derelict ash/field maple coppice with Midland hawthorn, goat willow and the occasional pedunculate oak. The woodland flora contains a surprisingly large number of ancient woodland indicator plant species for its size, including wood spurge, moschatel, wood anemone, goldilocks buttercup and wood millet. Woodland plants associated with hedgerows and disturbance such as cow-parsley and nettle occur along edges with the surrounding fields and the road. The site is important for woodland birds and passerines. The stream sides have a good bryophyte flora including the liverwort *Conocephalum conicum*.

Paragraph 3f states that the development should *"Provide the majority of the natural and semi natural open space running north-south through the site to provide a substantial landscape buffer and enhancement to the existing ancient woodland at Convict's Wood"*. This is further shown on the concept masterplan which shows 'open space / biodiversity opportunity' which cover the LWS. This 'buffer' is fairly narrow in places, likely being under 50m between the LWS and proposed development areas. Threats to the Convicts Wood would be expected from both the construction and operation of any proposed development, including impacts to the water quality of the stream in the absence of suitable mitigation. A detailed sustainable drainage scheme would be required to prevent increase nutrient levels or pollution of the stream. The green corridor through the site seems to be expected to enhance the existing local wildlife site and provide a suitable buffer (which should be a minimum of 50m), it will be required to deliver part of the sustainable urban drainage strategy for development, provide residents with public open space for daily recreation and contribute to achieving 20% BNG. At this early stage we must be mindful of the conflicting nature of some of these asks on the same piece of land.

To illustrate this further, please refer to the suggestion within the concept masterplan that the two separate development blocks would be connected via new opportunities for cycling and walking. It should be noted that delivering on this element of the concept masterplan would not be possible without causing direct loss of ancient woodland to install new pathways (and bridges) within the LWS. Such adverse impacts on the LWS would be in direct contravention of draft policy DS19 which states that “*proposals for development likely to have an adverse effect either directly or indirectly, on Local Wildlife Sites [...] will only be permitted where the justification for the proposals clearly outweighs any harm to the intrinsic nature conservation.*” We strongly content that the delivery of this site allocation would outweigh damaging a local wildlife site and would be entirely at odds with the Council’s declaration of a Biodiversity Emergency.

Further, predation of wildlife by pets poses a significant threat to the bird life within the local wildlife site and the isolation of Convicts Wood could impact on its ecological integrity.

For the reasons set out above, KWT object to this site allocation as currently proposed.

### ***Policy R17 – Broad Oak Reservoir and Country Park***

It is noted that the introductory paragraph of Policy R17 is focused on the provision of water infrastructure and recreational benefits, with no reference to vital opportunities to support nature recovery. KWT suggests adding “and creating enhancing habitat for wildlife which contributes to the delivery of a strategy for nature recovery in the Blean Complex area”. It is vital that a balance of uses is achieved which delivers opportunities for the following:

1. recreational activities which would relieve pressure on existing designated wildlife sites,
2. opportunities to connect people with wildlife and offer educational opportunities, and
3. provide areas with limited public access which are dedicated to supporting nature recovery.

There is currently a very clear absence of strong commitments to nature conservation within Policy R17:

- Paragraph 1 ‘development mix’ of Policy R17 includes of ‘birdwatching walks including birdwatching hides or shelters’ which contributes to delivering on point 2 above; “opportunities to connect people with wildlife and offer educational opportunities”. It is however disappointing that no specific reference is made to habitat creation and enhancement which extends and enhances the Blean Woodland Complex. Introducing zonation into the site would provide opportunities to create wildlife friendly areas which are less intensively used by people.
- Similarly, a point should be added to ‘design and layout’ to make specific reference to the inclusion of substantial habitat creation, introducing the concept of zoning of the country park to deliver all three uses in tandem.
- We are disappointed by the policy wording under paragraph 2 ‘landscape and green infrastructure’ due to the lack of priority placed on habitat creation and enhancement within the proposed country park. We suggest the following amendment: “*Retain ~~and where appropriate~~ enhance the ancient woodland and West Blean & Thornden Woods Site of Special Scientific Interest, **creating opportunities to deliver on the aims of emerging Local Nature Recovery Strategies by connecting up existing habitats.***” As above, we suggest that it would be appropriate to introduce zoning into the policy text and masterplan to ensure that areas for wildlife are less intensively used by people.
- We are supportive of comments made by the RSPB in relation to mitigation for lost Nightingale and Turtle Dove habitat.

KWT has concern that a realignment of the Sarre Penn could be contrary to the Water Framework Directive (WFD) and therefore full consultation with the Environment Agency will be essential. To mitigate for any potential deterioration under WFD, we strongly recommend that improvements to the entirety of the Sarre and Nethergong Penn are explored. Any public access along the river corridor should be design to limit disturbance to wildlife. New infrastructure designs should not impede the riparian habitats and allows mammal passage along the river corridor during high water level events. We strongly recommend river buffers of a minimum of 20m. Eurasian beavers are present within the Sarre and Nethergong Penn river system, a 20m (minimum) buffer zone will assist in preventing human-beaver conflict in the future.

### ***Policy DS18 – Habitats and landscapes of national Importance***

Whilst we are supportive of the strengthened wording relating to ancient woodland, we maintain our previous comments. We recommend that Policy DS18(6) be amended to align with paragraph 180a of the National Planning Policy Framework (suggested amendments underlined): *“Proposals which may affect protected and priority species, including great crested newts and ancient woodland, or priority habitats must follow Natural England and other partners advice and guidance and follow the mitigation hierarchy of avoidance in the first instance, then mitigation ~~or~~ and then compensation only as a last resort. If mitigation or compensation are agreed, these will be secured as part of the planning permission using planning conditions or planning obligations.”*

### **Policy DS19 – Habitats, landscapes and sites of local Importance**

We continue to be concerned by the wording of DS19 in relation to Local Wildlife Sites. Whilst we are supportive of the recognition that development within a LWS will result in impacts which cannot be avoided, our previous comments continue to apply; We wish to raise serious concerns regarding the policy wording included for Policy DS19(1) which states that “Proposals for development likely to have an adverse effect [on local sites] will only be permitted where the justification for the proposals clearly outweighs any harm to the intrinsic nature conservation and/or scientific value of the site. ~~Where development is permitted on such sites, careful site design should be used to avoid any negative impact.~~” Further clarity is required as to what constitutes a development proposal which would outweigh harm to a locally designated site. We are seeing an increasing number of applications for renewable energy generation schemes proposed within Local Wildlife Sites and/or on protected and priority habitats. It should be made clear that the nature and climate crisis should be tackled jointly, with renewable energy generation not being at the detriment of local biodiversity.

We also maintain the following comments; KWT are supportive of wording included in DS19(3), particularly relating to the protection afforded to the Blean Woods Local Landscape Designation. Further clarity on how this designated area compares to that identified as the Blean Complex in Policy DS23 would be useful. To ensure that the biodiversity value of each of these designated landscapes is supported and enhanced we suggest the following addition to Policy DS19(3): “[...] only be permitted where they conserve and, where appropriate, enhance the special qualities and biodiversity of the landscape.” Similarly, we suggest the following for Policy DS19(3a) “[...] or protect, the local landscape character, biodiversity and its special qualities”.

### **Policy DS21 – Supporting biodiversity recovery**

We are pleased to see that our previously comments that DS21(1a) has been amended to introduce wording that the planting of trees and/or creation of woodland is not at the detriment of other important habitats. We are also pleased to see that our comments made with regards to DS21(h) have also been taken on board and reference to the Local Nature Recovery Strategy has been included.

KWT wishes to again commend Canterbury on the inclusion of a strong policy for securing 20% Biodiversity Net Gain (BNG) on all developments across the District. As the discharge of the Biodiversity Gain Plan is a post-consent issue, it is recommended that the following amendment is made to avoid confusion: **“A draft biodiversity net gain plan (or a completed Biodiversity Gain Statement for Kent and Medway), demonstrating how 20% ecologically functioning net gain will be achieved, will be required to be submitted to the council for approval. This should include information on...”**

It is acknowledged that edits have been made to the wording of DS21(3d) however we do not feel that this policy is sufficiently clear in what it is seeking to achieve. Please consider our suggested edits for this point, which seeks to provide greater clarity and impact. **“Proposed habitat creation and enhancement must be realistic and deliverable. Conflicting aims should be acknowledged between the delivery ~~Ensuring the provision of ecologically functioning biodiversity net gain does not hinder~~ and the delivery of publicly accessible open space in accordance with the accessibility, quality and quantity standards set out in Policy DS24. The biodiversity gain hierarchy should be applied, prioritising on-site BNG delivery before considering off-site delivery, accounting for constraints to delivering high quality habitats on site (i.e. high levels of recreation/trampling, light pollution, nutrient deposition and surface water run off).”**

### **Policy DS23 – The Blean Woodland Complex**

As per our previous comments, KWT are really pleased to see the inclusion of a specific policy for the restoration and expansion of the Blean Woodland Complex. This directly aligns with the ambitions of the Wilder Blean Initiative, a partnership between KWT, the RSPB and Woodland Trust, which a biologically rich, extensive, connected, and resilient ancient woodland, managed through natural processes, where wildlife and people live harmoniously and provide hope for the future of protected areas across the UK.

Greater clarity has been provided through the policies map which clearly defines the which designated sites and habitats are included within the council's definition of The Blean Woodland Complex as defined by Policy DS23. There is however a discrepancy in paragraph 3 of Policy DS23 which refers to "the Blean Complex SAC" as opposed to "the Blean Woodland Complex". In meeting the council's commitments to tackling nature recovery it is essential that development proposals do not result in the loss, deterioration or damage to all habitats which make up the Blean Woodland Complex and not just that which is designated as an SAC. We continue to encourage the council to go beyond the conservation of existing sites/habitats and include key areas for connecting existing woodland blocks and supporting habitats with the scope of Policy DS23.

Policy DS23(5) (previously DS23(4)) continues to pose a number of concerns for KWT, and this is likely to threaten the deliverability achieving restoration, extension and connection of the Blean Woodland Complex. Please see comments above relating to Policy C12. Without expansion south of Clowes Wood there will continue to be a bottleneck which restricts the movement of wildlife. We would be keen to continue to expand our work with the Council, through the Wilder Blean Advisory Group, to align Policy DS23 with the Wilder Blean Initiative.

We hope that our comments and suggestions are useful. If you have any questions, please do not hesitate to contact me.

Yours sincerely,

**Nicky Britton-Williams**  
Planning and Policy Manager  
Kent Wildlife Trust