

Alexander Gunyon

From: Peter Orlov [REDACTED]
Sent: 03 June 2024 15:42
To: Consultations
Cc: John Gibson
Subject: Canterbury District Local Plan to 2040: Objection to W3 and W4

Categories: Green category

You don't often get email from [REDACTED] [Learn why this is important](#)

--Email From External Account--

Dear Sir/Madam,

We are writing **strongly to object to the proposed Local Plan policies W3 and W4 relating to Land at Brooklands Farm**, included in the District Local Plan to 2040.

We live on Rayham Road and will be some of the most impacted residents in the area by what would be Whitstable's largest development ever.

We **strongly object** to policies W3 and W4 (Brooklands Farm) of the draft Local Plan to 2040 for the following reasons:

1. Brooklands Farm is a unique peaceful and rural landscape with wonderful wide views across the valley of the Swalecliffe Brook. It is well-loved by local people for its public footpath alongside the Swalecliffe Brook and for its varied scenery, including mature riverside trees, traditional cattle-meadows and arable fields. CCC's inadequate and erroneous Landscape Character Assessment 2020 does not do it justice, but even that recommended CCC should reinforce the open rural setting south of Whitstable and resist development in the A299 New Thanet Way corridor.

Development here would contravene the government's National Planning Policy Framework, in which:

Para 135c states planning policies should ensure developments are sympathetic to local character (which in this case is traditional undeveloped agricultural land),

Para 180b states that planning policies should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside, and

Para 191b states that planning policies should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity values.

2. This is **not a sustainable place** to build a large development.

If this area is like the rest of south Chestfield, more people would be commuting to Canterbury than any other destination, almost all of them by car. Inevitably, the road to Canterbury will become even more overused. In combination with CCC's proposed development at Blean, we can expect major congestion in the north Canterbury area (and would suggest that the majority of these houses should be built near the offices, schools and shops of Canterbury that the residents will be using).

However, it is hard to make specific claims around traffic flows, the modelling of it or the assumptions that have been made since the Council did not provide any of this data.

We request that the outcome of the traffic modelling is provided and that residents are given the proper democratic right to review this work and comment on it in due course. We do not believe that any process without this information/opportunity to review would be reasonable or lawful.

3. The site is not suitable for development because of the strong likelihood of increasing **flood risk** downstream on the Swalecliffe Brook.

At present heavy rain sits on the farmland before it slowly evaporates or trickles into the Brook. If the land were to be significantly covered in tarmac, house roofs etc, water would quickly run off the site and would overwhelm the Brook, or alternatively require vast areas of storage if provision is made for the increase in intensity and frequency of rain that is expected from global warming.

The Brook already floods nearby farmland; we strongly believe that this would be materially exacerbated by the proposal, endangering both the new development and the surrounding landscape. This flooding would clearly be extreme if anything close to nine inches of rain fell in 24hrs (as happened before the disastrous August 1952 Lynmouth floods)?

The current proposal suggests that the CCC and the Environment Agency (if it has signed off on this proposal) do not understand the hydrology of the catchment area of the Swalecliffe Brook, and its impermeable clay geology and that this hydrology has not been modelled for the effects of global warming and the associated increased rainfall?

Development on this site would be contrary to **policy 173** of the National Planning Policy Framework which states that local planning authorities should ensure that developments do not increase flood risk elsewhere. Development would also be contrary to **policy 168** which states that development should not be allocated or permitted if there are reasonably available sites in areas with lower risks of flooding.

4. House-building in Whitstable has out-stripped the **capacity of the local infrastructure**, another example of the unsustainability of building here. Specifically, there is a clear lack of **health facilities**, with residents now being unable to secure an appointment with a local GP or to be seen properly in Margate's hospital. Council should invest first in the provision of such infrastructure before making commitments to additional residential developments housing thousands of people.

5. The local **sewage** works cannot cope with the increasing demand, and regularly releases untreated sewage into the sea, causing instances of serious illness for people on local beaches. While this is well documented over the past couple of years, the exact extent of this problem is unknown, because the authorities do not keep any records. This is threatening the reputation of Whitstable's seafood businesses and famous beaches and tourism links, potentially undermining the livelihood of the town. This is clearly not "sustainable", and therefore inconsistent with the government's National Planning Policy Framework. Southern Water are building a larger-diameter outfall, and the problem is already expected to get worse, not better.

6. Another example of the inadequacy of local infrastructure is Whitstable's roads. When CCC approved construction of 400 homes at "Whitstable Heights" it was deemed necessary to widen the roads approaching the Borstal Hill roundabout in order to accommodate the extra traffic. However, widening the roads has made them more difficult and dangerous for pedestrians to cross. Now, in the Brooklands farm proposals, to accommodate the extra traffic the Council are proposing to create a new junction on the A299 to divert traffic from the A2990 Old Thanet Way onto local residential roads South Street and Chestfield Road. **This will this have unacceptable adverse consequences for local people, road safety and pollution in residential areas.**

7. In practice, the proposals would have a seriously **negative impact on biodiversity**. There is a lot of insect, bird and mammal life associated with the cattle of Brooklands Farm, and consequently there are swallows, house martins, wagtails, numerous bats and no doubt much more that is less easy to see. Beavers have now been sighted near Swalecliffe Brook, with this welcome re-introduction being endangered by the proposed development. There is also wildlife on the arable fields, e.g. skylarks. Developing on this site would be contrary to **policy 180d** of the National Planning Policy Framework which seeks to minimise the impact on Biodiversity. Indeed CCC itself has recognised that biodiversity is to be protected

8. The proposals would have an adverse effect on the Convicts Wood **Local Wildlife Site** (LWS), comprising the woodland alongside the Swalecliffe Brook. The part of the LWS lying south of South Street is so boggy it is doubtful that it was ever cleared for agriculture, in which case it is very much Ancient

Woodland. Building 1,400 houses nearby would cause it to be severely degraded and used as a children's recreation area and dog-walking route. Residents' cats and other pets would threaten further the local wildlife.

9. Parts of the development site have well-drained, south-facing, fertile soils which are likely to be "**Best and most versatile**" agricultural land. Building here would therefore not be consistent with **policy 180b** of the National Planning Policy Framework, which states that policies should enhance the natural and local environment by recognising the benefits of best and most versatile agricultural land.

10. Elevated areas of the development site are visible from Clowes Wood, about a kilometre to the south. Development on Brooklands Farm would therefore be **detrimental to the setting of the Blean woodlands.**

11. CCC has previously recognised that there is now an **environmental emergency affecting our area** – indeed, the "Climate Change Action Plan" states that CCC will "Introduce new land management practices across our open spaces aiming to maximise their ability to remove carbon, and optimise their biodiversity and resilience value". It is legally unreasonable for the Council to now propose this plan to build over the large open space at Brooklands Farm in light of this.

12. The Council has also previously recognised the area of **Brooklands Farm as being "High Landscape Value"** in its 2017 plans; it is entirely unreasonable, in the legal sense, for the Council to ignore this designation so soon after it was made.

13. The Council's consideration of alternative proposals for development that have been submitted in the last round of consultations includes only perfunctory, one line responses for why such sites would be inappropriate - compared with expansive and complex (though ultimately unconvincing) responses to each objection that has been made in relation to Brooklands Farm development. **This is not a reasonable approach to development or decision-making** and more time and consideration should have been spent on alternative sites and locations and ways to overcome the short objections that the Council raises to development there.

14. Policy W4 Brooklands Farm is **fundamentally** inconsistent with other aims and policies of the draft Local Plan. It would be inconsistent with the stated Strategic Objectives (page 9), namely to:-

- Protect and enhance our rich environment and valued landscapes, creating a network of green spaces, protecting and enhancing green gaps between settlements, supporting nature's recovery and biodiversity – and
- Capitalise on our rich and distinctive heritage and culture, enhancing character, sense of place and quality of life. Likewise, development at Brooklands Farm would be totally inconsistent with Policy SS1 (Environment Strategy) in the draft Local Plan, which states that:-
- The network of green and blue infrastructure - including rivers, streams and ponds - in the district, which provides important habitats, valued landscapes and spaces for recreation and which supports our health and wellbeing, will be protected;
- Proposals that increase the risk of flooding will be refused;

Development at Brooklands Farm would be inconsistent with the Development Strategy in the draft Local Plan (page 15), in regard to its stated aim to protect the countryside and the rural character of the district from inappropriate development.

Policy W4 would also fail to comply with Policy DS23 (Blean Wood Complex) of the draft Local Plan. This states that "Proposals for development that would result in the ... deterioration or damage to the character, ecology, connectivity and integrity of the Blean Complex SAC will be refused". Policy W4 (and to some extent Policy W6) will lead to a significant increase in the number of commuters in cars driving on Radfall Hill past Thornden Wood SSSI. Based on National Census data describing the commuting characteristics of south Chestfield, we estimate the number of commuter cars from the Brooklands Farm development travelling towards Canterbury every morning would be approximately 277, not including other cars carrying children to school in Canterbury. These vehicles would present a hazard to wildlife (e.g. animals killed trying to cross the road) and a serious source of pollution and disturbance.

Policy W4 is also likely to be contrary to Policy DM14 of the draft Local Plan, which states that "Proposals for development ...will only be supported where a flood risk assessment demonstrates that it will be safe for the lifetime of the development, taking into consideration the implications of climate change, and will not increase flood risk elsewhere or result in a loss of floodplain storage capacity or impede flow paths". To obtain a truly objective

understanding of the flood risk, an independent consultant (i.e. not appointed by developers) should conduct the flood risk assessment.

15. Analysis of responses from consultation for the draft Local Plan 2045 (2022), shows that the three most unpopular development sites were Cooting Farm, AyleshamSouth and Cooting, none of which have been brought forward to the draft Local Plan 2040. Of the sites brought forward to the draft Local Plan 2040, W4 Brooklands Farm is by far the most unpopular with residents. **Why has CCC persisted with this deeply unpopular project and increased the number of houses?**

Overall we **strongly object** to these proposals and suggest that **it would not be reasonable, in a legal sense (see Associated Provincial Picture Houses Ltd. v Wednesbury Corporation [1948] 1 KB 223), for the Council to continue with the proposed development** on the grounds listed above and we plan to object to this development at every stage including, in due course, reserving the right to apply for a judicial review of this decision.

Yours faithfully,

Peter Orlov & John Gibson

