

Jack Lowe: Response to Canterbury City Council 2040 Draft Local Plan

Vision for the district to 2040

- I support the vision's focus on restoring and enhancing habitats and landscapes, improving environmental resilience and ensuring a thriving natural environment.
- I would welcome an explicit commitment to improving biodiversity that goes beyond simply relying on biodiversity net gain as a result of development. If improving biodiversity always comes as a result of development, there will still likely be an overall net loss of habitat and green space in the region, particularly where net gain is achieved through off-site projects.
- I strongly support the removal of the Cooting Farm Garden Community from the Draft Local Plan (the former R1 scheme). This scheme would have had irreversible negative impacts on the availability of productive, high-quality agricultural land in the district. It would have resulted in operations likely to damage the special interest of the adjacent Ileden and Oxeden Woods SSSI (through habitat loss, the introduction of domestic animals, changing of water tables and soil drainage, increased traffic, light and noise pollution and an increase in recreational activities likely to disturb features of interest). And lastly, it would have severe implications for the landscape character of the area, which sits within the setting of the Kent Downs National Landscape and the North Downs Area of High Landscape Value.
- I strongly support the removal of Aylesham South from the Draft Local Plan (the former R20 scheme). This scheme would have resulted in, and added to, most of the same negative impacts identified with R1 above.
- I believe that Canterbury City Council has grounds to claim exceptional circumstances in not adhering to housing targets designated for the district by central government. This is due to the presence of a UNESCO World Heritage Site in the district, the Kent Downs National Landscape covering a significant area of the district, the high proportion of significant habitats in the district (ancient woodlands, wetlands, chalk streams), a landscape character comprising medieval street patterning and small rural settlements, and large proportion of high-quality agricultural land and the presence of significant populations of rare flora and fauna. For this reason, I believe that the proposed development of land north of the University of Kent (C12) should be reconsidered.

Policy SS1 – Environmental strategy for the district

- I support this policy in its entirety, when viewed alongside DS21 and the proposed hierarchy of prioritisation for biodiversity net gain, which encourages the preservation of existing habitats and on-site measures above off-site and offsetting schemes.

Policy SS3 - Development strategy for the district

- I believe a distinction needs to be made between agricultural and viticultural building, vs. use of land of growing, because buildings association with production, processing and warehousing have a much higher likelihood of harming the character of rural landscapes. Indeed, a recent planning application for wine warehousing and production units at a site within the boundaries of Policy C17 (ref. CA/22/02055) has been deemed by statutory consultees including the Kent Downs National Landscape Unit and Natural England to be likely to have a significant detrimental impact on the Kent Downs National Landscape and the Highland Court Conservation Area. If the land in C17 had been designated for use as vineyards, the impact on landscape character would have been negligible. As it is, the fact that Policy SS3 does not distinguish between different forms of agricultural/viticultural development means that decision-making hinges on the very loose term ‘appropriate’ in paragraph 2 of point 6 of SS3.

Policy C17 – Land at Canterbury Business Park - Highland Court Farm

I object absolutely to Policy C17 for the following reasons:

- **The proposed development does not constitute ‘exceptional circumstances’ that would justify major development in an AONB, as defined in the National Planning Policy Framework (NPPF).** AONBs rightly have some of the most stringent restrictions for major developments, which according to the NPPF should only be considered if the proposals raise issues of ‘national significance’. Considerations must include the need for the development, the cost and scope for developing elsewhere outside the designated area, and the detrimental effect on environment and landscape. Despite these important protections, the need for a centralised hub for wine production – and crucially, the need for it to be located in the Kent Downs National Landscape – has not been justified financially or through any other research-based evidence.
- **The proposed development would negatively impact on significant populations of flora and fauna, including species with statutory designations.** White Helleborine, a species listed as Vulnerable on the GB Red List for Vascular Plants, has been recorded with the site boundary of C17. As it happens, I was the recorder who submitted these White Helleborine records, as a local member of the Kent Botanical Recording Group (KBRG). Every year for the past four years since being a member of the KBRG, I have recorded several White Helleborine plants less than 50 metres from the field where the warehousing, production and tourism buildings are proposed to be sited.

White Helleborines are orchids. The growth and sustenance of orchid plants relies upon fungal relationships within the soil that are highly complex, extending far beyond the soil immediately surrounding each plant, and are bespoke to each site

where orchids grow. However, this is also why orchids are so vulnerable to disturbance, because sites with the necessary fungal conditions are so few. This population of the orchids is particularly significant because it bridges known populations in Oxenden Shaw and Woodlands Wood on the northern side of the valley and populations in the Bishopsbourne area on the other side. Any loss here could therefore have wider implications for the future of this species in the local area.

Furthermore, this year I have also submitted a record to the Kent Botanical Recording Group (and subsequently, Kent and Medway Biological Records Centre) of the nationally-rare, Kent Biodiversity Strategy species, Lady Orchid, within 500m of the site boundary. Lady Orchids are equally vulnerable to the kinds of disturbance described above.

In terms of fauna, the ecological baseline assessment submitted with recent planning application CA/22/02055 for wine warehousing and production units in the site of C17 emphasises the particular importance of the site for bats. The assessment states that “it is considered that overall the population of bats associated with the survey area is of **importance at the district level**”. All British bat species are protected by law under Schedule 5 of the Wildlife and Countryside Act 1981, as well as the Conservation of Habitats and Species Regulations 2017. The lighting and noise from the industrial buildings and warehousing, which the application shows will affect the surrounding environment 24 hours of the day, is highly likely to result in an offence under these regulations, as such disturbances are well-known to have negative impacts on the foraging, social and roosting activities of bats. A licence from Natural England would therefore be needed if development were approved. But we should be asking: why would we think it acceptable to jeopardise a population that has such wide importance, to the extent that it would also undermine statutory obligations in the first place?

Alongside the presence of dormice and great crested newts, classified as locally important in the ecological baseline assessment, the significance of the site for populations of bats gives the decision on Policy C17 great magnitude for the district’s ecology.

- **The proposed development would harm the character of the Highland Court Conservation Area:** Historic England’s comments on planning application CA/22/02055, associated with C17, highlight how the proposed development of wine production and warehousing infrastructure would actively harm the Highland Court Conservation Area. Their statement explains that “**the construction of large industrial buildings would entirely remove an area of productive landscape associated with the Higham Court estate which makes a positive contribution**

to the significance of the Highland Court Conservation Area. The erosion of the productive landscape would harm an understanding of its historic extent and character and thus also the significance of the conservation area.” Their comments also highlight the aesthetic impact on the verdant character associated with Conservation Area, while the additional lighting, vehicle movements and noise would also add to the level of harm. These impacts are in direct opposition to other policies in this Draft Local Plan (R19, DS22, DM18).

Policy R12 – Land west of Cooting Lane and south of Station Road

- As an [REDACTED] resident and regular user of Station Road, I am concerned about the safety implications for locating a housing development at this site, given the current parking situation on Station Road which means that many cars park directly onto the pavement.
- The recognition of opportunities to support walking and cycling infrastructure are welcome, particularly given the current reliance on cars for many who live in Station Road and in Adisham more generally. Though once again, the safety situation in relation to car parking must be considered here.
- It would appear to be very difficult to protect and enhance the trees on the frontage to Station Road if this is the side by which the houses will be accessed.
- A full biodiversity appraisal of the entire site, including treelines and hedgerows, must be carried out at the pre-planning stage, as little is known about the biodiversity value of the private land currently occupying the R12 site.

Respondent information:

Jack Lowe

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]