

**Public Consultation on the
draft Local Plan to 2040**

SAVE



THE BLEAN

Tyler Hill - Blean - Rough Common

**Submission by Save The Blean Local Action Group
May 2024**

This submission is from Save The Blean, a constituted Local Action Group of residents, farmers and students from Canterbury, Blean, Tyler Hill, Rough Common and Upper and Lower Harbledown, who are deeply concerned about the effects of policy C12 on the places where they live and work. The group has a committee of 18 people, more than 1,100 followers on Facebook and Instagram, and hundreds of financial supporters.

We object in the strongest terms to the proposal for a new settlement of 2,000 houses on Land North of the University of Kent. In this report we show that:

1. The proposed access points for the new development are unsuitable and unworkable.
2. The proposal runs directly counter to the transport strategy in the draft Local Plan.
3. Policy C12 would cause a substantial net loss of open space, leading to unacceptable coalescence of existing settlements.
4. It would destroy a much-valued rural landscape and damage important heritage sites.
5. It would contradict Canterbury City Council's aspirations to enhance the biodiversity and connectivity of the Blean Woods Complex.
6. It would cause a loss of agricultural land, which can be ill-afforded as food security becomes a growing concern.
7. Shortcomings in the infrastructure planning make the proposal undeliverable.
8. There are serious concerns about the process of consultation and decision-making.

Therefore Policy C12 should be removed from the Local Plan.



Ancient Woodland on the site

1. Access

Access and Transport are related, particularly as Policy C12 is assuming the Bus-First Transport Strategy will be workable and deliverable for this rural location. We deal with Transport issues in the next section, and we start by looking at the Access proposals.

A group of sites equivalent to C12 that was assessed in the previous Sustainability Appraisal was rejected on the grounds of 'significant negative effects on transport highways (large-scale car-dependent development)' as well as 'Significant negative effects on Biodiversity, Geology, Landscape, Water and Historic environment, and Land use'.¹ The same negative effects were ascribed to site C12 in the December 2023 Sustainability Appraisal. However, the site is now deemed acceptable.² What has changed between the two assessments? To outweigh the substantial negative effects that were previously reasons for rejection, it would have to be a significant breakthrough. In fact, the proposed solution is a secondary access point³ just 400m away from the primary access point, that involves the highly disruptive demolition and relocation of a flourishing primary school to create a small stretch of road.

Policy C12 says the land currently owned by KCC and used by Blean Primary School cannot be redeveloped until the new school is provided, at the point of 25% of houses being occupied. This would mean that the site would be dependent on a single access point for several years. The Sustainability Appraisal itself notes 'Uncertainties around practical timings between the loss and re-provision'.

Impact on Whitstable Road

The proposed primary access point would require a new road to be built on a narrow stretch that is currently a Public Bridleway and National Cycle Route, and is in the Hothe Court Conservation Area. This and the secondary access point (also through a Conservation Area) would both lead onto the Whitstable Road, a busy road that is a main route into and out of Canterbury. It is often congested, especially during rush hour and the school run, since school traffic is generated by Blean Primary School, Kent College, and St Edmund's School, all close by. The Kent College pickup area is directly opposite the primary access point for the new development, and there are often tail-backs here at school pick-up time. Whitstable Road is also a primary access for at least 50% of University of Kent employees (total c.2,000) and a large number of students who travel by car.

The proposed access points would lead to a substantial increase in traffic on Whitstable Road, identified as one of the 10 Most Dangerous Roads in the UK in 2019, according to the Road Safety Foundation. Many school parents use the church car park in Blean and walk along the Crab & Winkle Way to avoid the A290, because of the narrow pavements and traffic congestion.

Due to the constraints of the site, the primary access point would require a new road either to completely displace or to significantly alter the existing Bridleway and Cycle Path, which is a key stretch of the Canterbury-Whitstable cycle route. The designated Cycle Path would be likely to end somewhere north of the Oaks Nursery, with detrimental impacts on the use of the cycle route. This

¹ December 2023 *Sustainability Appraisal of the SLAA* p.178

² December 2023 *Sustainability Appraisal of the SLAA* p.213, SLAA319

³ *Development Topic Paper* pp.29-30

would damage the city's existing sustainable travel infrastructure, contrary to the Transport Strategy of supporting healthy and sustainable travel.

Impact on Canterbury city centre

A Freedom of Information request to CCC released documents showing that Council officers had concerns in April 2023 about 'evidence around the impacts of the development on the city centre. There are particular issues at the London Road/Whitstable Road junction, and the level crossing, and the additional traffic on the already overloaded inner ring road, including the capacity at the St Stephens Hill / Giles Lane.' So there are at least four areas that already suffer congestion and would potentially face severe highway impacts with regards to this site. CCC officers suggested further modelling of the impacts to determine what mitigation would be required - or indeed whether it could be mitigated - but no work on this has been made available.

Increased congestion into Canterbury would also have a severe impact on air pollution at two key bottlenecks. As the A290 reaches St Dunstan's, queues already build up at the St Dunstan's roundabout and the level crossing, resulting in major air quality problems. Likewise traffic coming from the University campus and then down St Stephen's Hill already creates congestion by Ye Olde Beverlie Pub and the St Stephen's level crossing. These are both areas identified by CCC as already having dangerously high levels of air pollution.

Impact on Rough Common Road

The two access points are close to Rough Common Road, and would therefore have major negative impacts on Rough Common village. Policy C12 envisages 'upgrading' and 'highways improvements' to Rough Common Road, coupled with the creation of 'an all-movement junction at A2 Harbledown through the provision of additional slip roads'. The policy provides little detail of what the highways improvements would be, but we understand from Councillors that the road would be reinforced - as there are currently weight restrictions - and on-street parking would be removed. This would turn the narrow village high street into a trunk road, the main route for all construction vehicles to the new settlement according to Council officers.

To be made wide enough to accommodate construction traffic, pavements would need to be removed where Rough Common Road is very narrow, such as near the shop and by the old church. In some places front gardens and even buildings would potentially need to be compulsorily purchased to make the road wide enough. This would multiply the traffic along this road and have a devastating impact on residents along Rough Common Road, with the potential for blight claims.

Walking would become much more dangerous. Many families walk their children along Rough Common Road to Blean Primary School and the Rough Common Pre-School, but such alterations to the road would make them less likely to do so, thereby reducing existing sustainable forms of travel and going against the Transport Strategy of the draft Local Plan.

Impact on Tyler Hill Road

A third access problem concerns the use of Tyler Hill Road. Policy C12 commits to 'minimise traffic flow onto Tyler Hill Road in both directions' but with no indication as to how this could be achieved. The road runs right through the middle of the proposed development, passing close to the indicative

location of the community hub, and it is clear that some kind of access is planned here (though not marked on the Concept Map).

The University’s planning consultants Avison Young have said that they are ‘not relying on’ the use of the road, a form of words which recognises that the road will be used and increased traffic is unavoidable. Tyler Hill Road is a narrow, winding rural road with a record of speeding and traffic accidents, and where in many places two cars cannot pass each other without stopping. It is unsuitable for the hugely increased car use expected from this development, and there is limited scope for road improvements due to the width restrictions along much of the road, particularly where it passes through Blean and Tyler Hill villages.

In summary, the lack of satisfactory access to the proposed development would have major negative impacts on the highways network. This is in itself sufficient reason to reject the proposal.



Traffic on Whitstable Road; damage to road sign after accident on Tyler Hill Road

2. Transport

At the heart of the proposed Movement and Transportation Strategy in the Plan (SS4) is the commendable objective of reducing car use to tackle traffic congestion, carbon emissions and air pollution by promoting increased use of public transport, and a modal shift to more walking and cycling. This is identified as one of the main Strategic Objectives of the Plan.⁴ Policy C12 runs directly counter to this objective.

The proposed site will, because of its location and topography, inevitably be a car-dependent development, and has been described as such in the *Sustainability Assessment of the SLAA* (Dec 2023). Neither a district-wide nor a site-specific Transport Assessment has been made available at the time of the public consultation, and there is strong evidence to suggest that the ‘Bus First’ strategy would not be effective for this site.

⁴ 'Create a transport network with a focus on district-wide public transport and low-carbon travel to improve air quality and people’s health while ensuring excellent access to city and town centres on foot, cycle and by public transport.' p.9

There has been talk of providing bus services by making use of the University buses and by encouraging Stagecoach to put on extra services, but no evidence has been produced to show how this would work. Currently, the Tyler Hill bus service is unreliable, often late and at times not arriving at all. There is no bus service in Rough Common, indicating challenging conditions for bus operators in the area. KCC is already subsidising Stagecoach to the tune of £4.5 million a year and routes are still being cut.

This rural area, even with 2,000 more households, would not have the population density to support the bus services required. Since the Covid lockdowns fewer people are using buses, while the £2 fare cap will end soon and bus travel will become more expensive. A Rough Common minibus service currently being provided privately by Kent College is sparsely used. The Council is envisaging only a 5-10% uplift in bus travel for rural areas. Canterbury Council cannot afford to support the 'Bus First' strategy for rural areas with these numbers. The provision and maintenance of a bus service for the C12 site is not viable.

If no new bus service is provided, people living in the new development wishing to travel by bus would have to use the 400/401 route, which would mean walking a significant distance either to the access points on Whitstable Road, or to Blean village along a hazardous narrow road. Local residents have told us they are unlikely to make a large shift to travelling by bus, due to the journey times into central Canterbury, the cost, and the initial walk required - especially if they are elderly or have children. It is inevitable that cars will be the main form of travel.

The other main strand in the Transport Strategy is to achieve 'modal shift' with walking and cycling replacing car use for many journeys. This is a commendable objective, but will not be achievable for the proposed C12 development due to its topography and rural location. The excellent Crab and Winkle cycle path and linked routes would access the development, and are popular for leisure cycling and walking, but they are unsuitable for most people's routine journeys to and from Canterbury for work, school runs, shopping or train travel. The hills are too steep for all but the hardiest of cyclists, and the distance is too great.

The main mode of transport for the proposed development would undoubtedly be by car. Modal shift for travel to and from Canterbury would be unachievable for this development, and it would be impossible to achieve the 50% increase in cycling that the Transport Strategy is pursuing.⁵ The transport and traffic implications of Policy C12 are therefore fundamentally at odds with the transport objectives of the draft Local Plan and its Transport Strategy.

3. Community coalescence and open space

Policy C12 makes ambitious claims about the provision of new open space, but these claims are spurious, and this has severe negative consequences for access to open space. It also threatens the separation and identity of three existing villages.

Community coalescence

It is asserted in Policy C12 that 'The new rural settlement will take a linear form and provides important opportunities to create large new areas of open spaces, creating significant separation

⁵ Canterbury District Transport Strategy p.4

from Blean and Tyler Hill'.⁶ There is a proposal to 'Provide the majority of open space in the western part of the site, to avoid coalescence with the settlement of Blean.'

This claim trades on a fundamental ambiguity in the concept of 'open space', and fails to distinguish between rural open space and urban open space. Blean and Tyler Hill are at present separated by rural open space - open countryside that makes them two distinct villages. Open space manufactured to serve a new settlement will have a markedly different character; it will be amenity open space rather than natural, semi-natural and agricultural land. It will also be significantly smaller. Pockets of open space within a primarily residential area cannot play the requisite role of separating rural settlements.

In particular, the limited open space that is indicated in the northwestern part of the site is not sufficient as a green gap between Blean and the development area, as it fails to recognise the identity of the Church of St Cosmus and St Damian as part of Blean Parish. There is no green gap between the Church and the proposed settlement.

The separation of the three villages of Blean, Tyler Hill and Rough Common is also threatened by the sheer size of the proposed development - effectively a new town, which will dwarf the existing communities. The current populations according to the 2021 Census were: Blean 1,500; Hackington/Tyler Hill 590; Rough Common and Harbledown 2,300. A large settlement in their midst - 2,000 houses with a population of at least 5,000 - would destroy the identity of these three villages.

The separation of distinct communities is already under threat. The green gap between Blean and Rough Common is minimal but recognised, and Rough Common maintains a distinctive village character while being close to the urban fringes of Canterbury. It is claimed in Policy C12 that the new development will 'Minimise and where necessary mitigate damage to the Blean and Rough Common Green Gap through the provision of the primary access', but the language of 'minimise' and 'mitigate' is an acknowledgement that provision of primary access will be the final blow to the designated Green Gap. The development will therefore contravene the commitment to 'resist development which affects the openness of designated green gaps'.⁷

The land north of the University provides an important rural space, separating the city from the villages of Blean and Tyler Hill. If the development were to go ahead, that separation would disappear and Canterbury, Blean, Tyler Hill and Rough Common would become parts of a single conurbation. This would radically change the character of the city and these villages.

Access to open space

The protection of open space is important not only to prevent community coalescence, but because access to open space is valuable in its own right. This is strongly and rightly emphasised in the draft Local Plan. The 'Vision for the district to 2040' (p.8) says: 'Significant new areas of accessible, high-quality open space will be created across the district and both new and existing valued open spaces enjoyed by the district's residents will be protected for future generations, ensuring continued access beyond the period of the plan.' Policy SS1 (p.12) provides a typology of different kinds of open space, foremost of which are 'natural and semi-natural open space' and 'amenity open space'. The first of these is recognised to be vital for people's health and well-being. Policy SS1

⁶ Policy C12, para 2.17, p.51

⁷ Policy R19, p.152

therefore goes on to say: 'The network of green and blue infrastructure... in the district, which provides important habitats, valued landscapes and spaces for recreation and which supports our health and wellbeing, will be protected, maintained and enhanced.'

Policy C12 envisages the provision of a certain amount of open space in the proposed new development. As we have seen, it refers to provision of open space 'in the western part of the site'. However, the fact remains that a great deal of attractive and unspoilt rural open space will be lost, and can in no way be compensated for by the creation of pockets of amenity open space. The area is at present criss-crossed by a network of attractive Public Rights of Way across fields and farmland, through woodland and beside the Sarre Penn stream, and these are well used by local people seeking access to the countryside. Policy C12 commits to 'conserve the PRoW network', but although the rights of way might still exist, their attractiveness and character would be lost as most of them would no longer be providing access to natural or semi-natural open space. Many of them would become paths through a housing estate.

As previously mentioned, the Crab and Winkle cycle path is a popular route providing exercise and access to rural open space for leisure purposes, for cyclists, wheelchair users and walkers. It is used and enjoyed not only by local people but also by visitors to the district and is one of our local visitor attractions. If the proposed development goes ahead, the cycle path will run alongside a new road, and at the Whitstable Road end this may be ruled out by space constraints. This would entirely destroy the character and historic significance of the cycle path, which follows the old Roman Salt Road.

Canterbury Parkrun also uses the route, and this is something which makes it a very distinctive and popular Parkrun. Its distinctiveness and popularity would inevitably be lost, and the Parkrun is likely to cease altogether. Canterbury Parkrun has helped over 8,000 people get fit and become part of a community over the 10 years of its existence, and its demise would be greatly regretted.

Wheelchair users have pointed out that the Crab and Winkle path also provides one of the few means of access to unspoilt countryside for wheelchair users. Again, its attractiveness for them would be lost if the development were to go ahead.

The proposed development would therefore represent a very substantial loss of access to valuable open space, contrary to key objectives of the Local Plan and the Open Space Strategy.

4. Heritage and landscape

Heritage

One of the Strategic Objectives of the Local Plan (p.9) is to 'Capitalise on our rich and distinctive heritage and culture, enhancing character, sense of place and quality of life, supporting sustainable tourism and the local economy for our residents, visitors and businesses.' The local planning authority already formally recognises local character and heritage via the Conservation Areas of Hothe Court, Blean, Amery Court, Tyler Hill, and the Canterbury and Whitstable Railway. The development site is situated in the first two and is adjacent to the latter three.

The proposed development would be incompatible with these designations, and the above Strategic Objective of the Local Plan. Site C12 also conflicts with guidance found within the NPPF, paragraphs 205 and 206⁸, and is particularly unsuitable due to its scale and the considerable impact it would have on designated heritage assets and the historic environment more generally.

The proposed development site C12 is rich in heritage features. In the very middle of the site is the 13th century, Grade II* listed Church of St Cosmus and St Damian in the Blean. The setting of this building is integral to its character, located as it is in a tranquil rural landscape next to a field where skylarks nest and sing. If the proposed development were to go ahead, the building would survive but its distinctive character would be lost as it would then be in the midst of a housing development. The proposed location of higher-density housing and a ‘community hub’ nearby shows a total disregard for this sacred building, and would lead to substantial harm to a designated heritage asset.



Rural setting of the Church; cyclists on the Crab & Winkle Way

The church is beside the Crab and Winkle cycle path, which here follows the route of the Old Salt Way used since Roman times for transporting salt from the coast to Canterbury. The cycle path (which in other sections follows the route of the historic Crab and Winkle railway) is itself an important tourist attraction, an epitome of sustainable tourism. Visitors to the district can cycle from Canterbury West station (hiring bikes there if need be) to Whitstable and enjoy the combination of the cathedral city, unspoilt countryside, and the historic harbour town. The route is also popular with walkers and horse riders. The value of this local asset would be greatly diminished if it passed through a huge housing development.

The proposed development area also includes the site of a Roman villa (a scheduled monument), a Bronze Age settlement and field patterns, and mediaeval Tile Kilns that provided tiles for the Cathedral (another scheduled monument) - from which the village of Tyler Hill takes its name. There are clearly multiple heritage assets of high historical and archaeological interest within the boundary of the site. If this development were to go ahead, these would be severely impacted and the opportunity to explore the full archaeological potential of the area would also be lost forever.

Landscape

The proposed development would displace a landscape whose distinctive character and value are clearly recognised in the Council’s own documents. The *Canterbury Landscape Character Assessment*

⁸ https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

and Biodiversity Appraisal describes the ‘strong rural character’ of the area (p.163), and its ‘relatively isolated character’ (p.165).⁹ The Guidance in that document identifies the need to ‘Conserve the rural character of the landscape ensuring that it continues to play a role in the separation of Blean and Tyler Hill with Rough Common and the University of Kent to the south’. The Landscape Guidelines for the area include recommendations to ‘Manage and enhance the arable fields’, to ‘Conserve and improve the traditional/Medieval landscape pattern and structure’, and to ‘Conserve and enhance historic field patterns and features... including the drove roads, saltways and meadows and hedgerows’ (p.167). These recommendations are alluded to in Policy C12, but the development would make them impossible to implement. The construction of 2,000 houses and roads through the development would fundamentally change the area and destroy its rural character.

That same document also highlights the importance of the ‘Perceptual influences’ of the area. It says: ‘It is a rural area with a woodland backdrop and some experience of tranquillity and dark skies away from the settlements’ (p.165). These valued, distinctive and increasingly precious features would be lost if the development were to proceed. The continuing value of this ‘tranquillity’ can be preserved only if the land remains relatively unspoilt countryside, and likewise the ongoing value of the ‘dark skies’ depends on the absence of invasive light pollution.

The proposed development site is located between two Areas of High Landscape Value: the Canterbury AHLV to the south, and the Blean Woods AHLV to the north. The *Canterbury District Local Landscape Designations* paper of 2021 recognises the continuity of the landscape character. It accordingly recommends that, in the context of the Local Plan, consideration should be given to extending the boundaries of the Blean Woods AHLV to incorporate some or all of this area. The first option put forward for consideration is ‘Extending the LLD to include the predominantly farmland currently excluded between the University and Clowes Wood, to incorporate the Sarre Penn Valley, the Crab and Winkle Way and the distinctive church of St Cosmus and St Damian in the Blean on the ancient salt way to the coast.... This area, although not wooded, is strongly associated with ‘The Blean’ landscape.’ This recommendation appears to have been ignored in the Local Plan process, and the opportunity to extend and strengthen the AHLV would be ruled out if the development proceeds.

The landscape character of the site is also clearly recognised in the University’s *Canterbury Campus Framework Masterplan 2019* and in Policy EMP7 of CCC’s adopted Local Plan which states: ‘The City Council will expect a masterplan to be prepared for the whole identified campus site, prior to any significant development within the site. Such a masterplan should maintain the campus character of the university; respect the setting of the site in the wider countryside; identify the key uses and their disposition within the site and any relocation of uses within the wider campus area. It should also set out a landscape and biodiversity strategy for the whole site.’ The University may attempt to argue that Site C12 is not part of the campus, but page 20 of the Masterplan makes it clear that the University and the Council’s Local Plan both consider all of the allocation to be part of the campus.¹⁰ As no new Masterplan has been produced including this significant development, this site contravenes adopted Policy EMP7.

We conclude that if Policy C12 is approved and goes forward, a distinctive landscape, unique heritage and a unique historical location would all be irretrievably lost, with negative impacts on the district’s sustainable tourism.

⁹ *Canterbury Landscape Character Assessment and Biodiversity Appraisal*, Section E3 ‘Amery Court Farmland’, pp.162-7.

¹⁰ <https://media.www.kent.ac.uk/se/23966/draft-framework-masterplan-2019.pdf>

5. Biodiversity and wildlife connectivity

On 19th October 2023 the Canterbury City Council unanimously voted to declare a Biodiversity Emergency. This new draft of the Local Plan was heralded as ‘putting tackling climate change and boosting biodiversity even more firmly at the heart of the plan’.¹¹ It is very disappointing that Policy C12 should be so starkly at odds with those good intentions. It runs directly counter to one of the Strategic Objectives of the Plan, 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 improving the health and wellbeing of our communities.’¹²

Blean as a Strategic Area for Biodiversity

Blean is an identified ‘Biodiversity Opportunity Area’ (BOA) in the Kent Wildlife Strategy. Additionally, the Local Nature Recovery Strategy, which will deliver the government’s commitment to ending the decline of nature and supporting its recovery, states that the Blean is one of the priority Areas of Particular Importance for Biodiversity.

The ecological value of the proposed site is therefore not confined to the existing wildlife and species biodiversity, but extends to its surroundings and its potential for increasing biodiversity. One of the primary aims of the Draft Local Plan’s Environmental Strategy is ‘to support the extension and improved connectivity of the Blean Woodland Complex’.¹³ The proposed development site is located at the heart of the Blean Woodland Complex, surrounded by the internationally recognised Special Area of Conservation, the National Nature Reserve, and the SSSIs on either side of it (West Blean and Thornden Wood and Church Wood). If there is to be an extension and improved connectivity for the Blean Woods, this is the prime location for it.

The value of extending the connectivity of the Blean Woodland Complex is widely recognised. The Kent Nature Partnership aims to: ‘Enhance and reconnect woodland to create a very extensive block of habitat, particularly through the maintenance and restoration of coppice management.’ The same aspiration is strongly supported by other agencies including Kent Wildlife Trust, the RSPB and the Woodland Trust. It is further emphasised in policy DS23 of the Plan, which warns that ‘Policy C12... will need to ensure that development does not adversely affect the landscape, ecology or setting of the Blean Woodland Complex’.¹⁴ This caveat is unachievable. If the development were to go ahead, the connectivity of the Blean Woodland Complex would be severed rather than extended.

It is also important to note that the impact of any development is likely to reach beyond the site itself, to impact on the existing Blean Woodland Complex and the two SSSIs. 2,000 new houses with some 5,000 people, cars and pets would have a negative impact through pets preying on local wildlife, an increase in litter, light pollution and air pollution - more on this below.

¹¹ Canterbury City Council statement, 1 March 2024

¹² Strategic objectives for the district, p.9

¹³ Policy SS1, section 10, p.13.

¹⁴ Policy DS23, section 5, p.200.

Air Pollution and the Blean Woodland Complex

The 2017 adopted Local Plan states that it is important that there are no further decreases in air quality along Blean Road (A290) to the detriment of sensitive parts of the Blean Woodland Complex. In February 2019 Natural England wrote a paper providing supplementary advice about the European Site Conservation Objectives relating to Blean Complex SAC. It raised concerns about air quality and the effect of traffic and housing development on the Special Area of Conservation of Blean Woods: 'Canterbury's Local Plan (2017) identified key issues for air quality on the SAC including the proximity of roads to sensitive habitats and the presence of physical barriers between the road and the habitat that filter air pollution.' The C12 proposal is obviously subsequent to the 2017 Plan allocations and will create more traffic and pollution on Whitstable Road, to the potential detriment of the SAC. Indeed, the WSP Report prepared in relation to the draft Local Plan for Canterbury City Council in Feb 2024 notes that: 'Significant effects, alone or in combination, cannot be excluded for the following sites and pathways: Blean Complex SAC - Air Quality'. 4,000 additional cars in the area is likely to have a substantial negative impact on this fragile and unique ecosystem.

Great Crested Newts

Near the Community Oasis Garden, very close to the proposed primary access road, there are large numbers of scientific ponds used for the study of great crested newts, a protected species. This is the most studied population of great crested newts in Europe and the project dates back to 1998. There were 128 great crested newts in a recent count.

Beyond these scientific newt ponds, there are multiple ponds both within and next to Site C12 where great crested newts have been identified. While the SLAA says this is an Amber Zone for great crested newts, ecologists have raised concerns that the area should actually be designated a Red Zone for great crested newts because the population is of regional importance.

Other Biodiversity on Site

The proposed development site is rich in biodiversity with recognised ancient woodland, established hedgerows, the Sarre Penn stream, and wildlife including a number of protected species. Bird species seen or heard by local residents in recent weeks, especially in the area near Tyler Hill Road where the community hub is proposed, include nine Red Listed species (starling, lesser spotted woodpecker, house sparrow, cuckoo, nightingale, skylark, linnet, greenfinch, yellowhammer) and a further 40-50 types of bird. Skylarks, linnets and yellowhammers in particular need fields like these to nest.

In the area around the Community Oasis Garden there are yellow-necked field mice. In Rough Common, hedgehogs (another protected species) would be threatened by the increase in both construction traffic and commuter traffic on Rough Common Road. There are brown long-eared, common pipistrelle and soprano pipistrelle bats. These can be seen in the evenings in the area south of the Church down to the Sarre Penn.

A teaching apiary (managed by the Whitstable & Herne Bay Beekeeping Association) is located alongside the Community Oasis Garden, which has honey bee hives. The bees are pollinators and their population is in decline. CCC published a Pollinator Action Plan 2023-2028 to help protect all pollinator populations in the district. It is unclear from the Transportation Strategy how this apiary will be 'protected', since it is recognised that such a proposed development for housing and roads will result in a reduction of the bees' habitat.

No doubt it will be claimed that the loss of wildlife can be compensated for by Biodiversity Net Gain. The Draft Local Plan commendably seeks to require 20% biodiversity net gain for all large housing developments, but we question the deliverability of a 120% biodiversity outcome for site C12, given the significant, in some cases irreplaceable, biodiversity on the site. Individual species have very different requirements, so creating a new area of open space or a green corridor elsewhere on the site is unlikely to help the species that are here at present. Off-site BNG would be needed. Inevitably, much of the wildlife in this particular location would simply be lost.

Green Corridors

Policy C12 itself talks of providing 'green corridors... including enhancements to the potential habitat connectivity offered by the disused Crab and Winkle railway and along the Sarre Penn valley'. The old railway route and the Sarre Penn stream are two elements of connectivity already existing. The connectivity potential of the stream would be diminished by the enlargement of the cycle path and the new access road cutting across it. Likewise the potential for connectivity provided by the old railway route would be diminished by the increased traffic on Tyler Hill Road. Overall, the building of 2,000 houses in this location would not only represent a huge loss of connectivity, but would also prevent any improved connectivity in line with the Environmental Strategy's aims. 'Enhancement of connectivity' which is confined to the fringes of a housing estate can be no more than a token gesture.

6. Loss of agricultural land

If the proposed development were to proceed, it would lead to a substantial loss of agricultural land. The 2024 amendment of the NPPF requires local authorities to consider the availability of agricultural land for food production.¹⁵ No account has been taken of this in the assessment of the site for Policy C12. Policy DS12 in the Plan, which recognises the importance of agriculture to support the rural economy and commits the council to protecting agricultural land, does not appear to have been applied to the site.

There is an increasing recognition of the importance of UK food security. The combination of geopolitical instability, the volatility of global markets, and the increasing incidence of extreme weather conditions as a result of climate change, are making food supply chains increasingly vulnerable, and the reliance on imported food increasingly risky.

Kent is the garden of England, and Canterbury district has a rich mix of historical knowledge and innovation around food growing and production. Greater support for farming and the allocation of farmland in the district strategy could have huge benefits for the regional economy and local jobs. Given that Kent has recently established a Food Partnership and adopted the Sustainable Food Places framework, any destruction of the best and most versatile farmland for housing is a short-sighted land-use strategy, both in terms of risk and in terms of the long-term economics of the district. As farmers including many from Kent have rightly declared in recent protests, 'No Farmers, No Food, No Future'.¹⁶

¹⁵ NPPF para 181, new footnote 62

¹⁶ <https://www.bbc.co.uk/news/science-environment-68655661>,
<https://kentandsurreybylines.co.uk/business/food-farming-fishing/fairness-for-farmers-dealing-with-the-damage-of-brexit/>

7. Infrastructure and deliverability

There are unanswered questions as to whether adequate provision is made in Policy C12 for the infrastructure needed for the proposed development. These lead to serious doubts about whether the project is deliverable.

Highways improvements

Paragraph 2.16 of Policy C12 says: 'Significant investment in movement and transportation infrastructure is needed to support delivery of the new rural settlement'. The highways improvements include upgrades to Rough Common Road and new slip roads on the A2 to create an all-movement junction. The policy does not specify how these would be delivered, but according to the draft Infrastructure Delivery Plan they would be funded by Section 106 money. Given the scale of the infrastructure needed, the fact they were costed in 2021 before major rises in inflation, and the timing of Section 106 money becoming available from the developer, this raises questions about the deliverability of infrastructure that is described as 'essential' to facilitating development at this site by National Highways (noted in the draft Infrastructure Delivery Plan).

Waste water and flooding

One of the conditions in C12 is 'Provision of new high quality waste water treatment works at an appropriate location within the site'. However, there is no indication of where an 'appropriate location' within the site could be found, given that locations close to housing or amenity open space are unlikely to be popular. There is also no indication of whether and how problems of overflow would be dealt with in increasingly frequent periods of heavy rainfall, or how all of the surface run-off would affect flooding of downstream areas and communities.

There are serious larger questions about the ability of the system to cope with the combination of wastewater and surface water. The *Strategic Flood Risk Assessment (2024)* notes that Blean is one of the places where there has been 'flooding from sewers (both foul and surface water) in recent years' (p.51). That report says: 'Particularly at Chestfield but also to a lesser extent at Blean, the upper soil geology is a thick layer of stiff London Clay with only a thin band of topsoil / soft clay overlying it. During periods of prolonged winter rainfall the soil becomes saturated resulting in water lying on the surface for long periods of time. There has been considerable development in the past at both these villages and many local ditches and field drains have been filled in or inadequately piped resulting in there being nowhere else for the standing water to go' (p.50). It also advises (p.45) that where property is located in close proximity to the Sarre Penn there may be a risk of flooding.

This all suggests that the scoring of the *2023 Sustainability Appraisal of SLAA* is incorrect. Here the site is presumably scored ++ for 'Flood zone' because it is in flood zone 1, but this reflects only the risk of flooding from rivers and the sea. The UK Government Flood Map for Planning indicates high and medium risk of flooding from surface water at this site, particularly in the area where the Community Hub is proposed.

This is confirmed by local people's experience. There has been regular flooding on the Crab and Winkle path, which often renders it impassable for walkers in multiple places. This has been reported to Kent Highways. Local homes have been flooded in recent years. Assessment of the site for flood

risk in C12 therefore needs to be amended to take account of the risk of flooding from surface water, and the implications for infrastructure provision.



Flooding across the development area: Tyler Hill Road (2020), Tyler Hill (2021), Blean (2024)

Policy C12 envisages provision of ‘a comprehensive, coordinated and multi-scale sustainable urban drainage network, including a linear park with integrated SUDS components running through the development using the existing valley formation running through the centre of the site.’ We have taken advice from a hydrologist, who warned: ‘SUDS is great in theory, but in practice contractors cut corners. Ideally through SUDS not a drop of sewage should enter the surface streams. All of it should be treated in hydrological seepage into soils, as a means of filtration and self-improvement, and if that is insufficient, used for off-stream wetland applications with aeration.’ Another drainage expert advised: ‘Geological maps confirm that the bedrock is London Clay with superficial deposits of Head material (Gravel, Sand, Silt & Clay) so soakaways and field drainage systems are unlikely to work satisfactorily.’ Consequently, there are serious doubts about the effectiveness of SUDS for this site.

Primary Schools

Another element of infrastructure provision which should be carefully examined is the demolition and relocation of Blean Primary School and the construction of a further new primary school. The suggested new secondary access would cut across the site of Blean Primary School, requiring a new school to be built on the allocated site, and pupils and staff to move location mid-way through construction of the new ‘rural settlement’.

The relocation of Blean Primary School has been identified as essential in order to make this site viable. It is highly unusual to attempt to relocate a successful, viable school during its working lifetime. We have consulted with the Department for Education and they have no record of this having been done before to make way for a new access road. In the last 14 years only 22 schools in England have applied to sell off their playing fields, a good indicator of a school moving or being relocated - and approval has only been given for 19 applications. Moving a primary school is therefore a highly unusual thing to do, with few previous examples on which to base best practice and to assess impact.

An Educational Impact Assessment has not been produced to assess how the C12 proposal would affect the school. We note that Policy C12 requires that the new facility should be provided prior to

the occupation of 25% of the houses, but also that the land currently occupied by the old school cannot be redeveloped until the new school is provided. The Sustainability Appraisal itself notes 'Uncertainties around practical timings between the loss and reprovision.'

Blean Primary School is an Outstanding 2-form entry school, the only Outstanding primary in this part of Kent. Its educational record is in part due to its size and its location. There has been no assessment of the likely consequences of moving it to a less convenient location on a housing development and, more importantly, of the possible impact of the disruption on pupils and staff. There are also unanswered questions about its relation to the proposed new 3FE primary school adjacent to the community hub in the new development itself. The result would be two primary schools in close proximity. Would they compete? Would they amalgamate? If so, which of the sites would be chosen and which would be abandoned? How would the decisions be made, and when? Would a much larger amalgamated school be acceptable or desirable? There appears to have been no attempt to anticipate the implications.

Primary healthcare

Policy C12 makes no provision for any new primary healthcare facilities. It merely refers in passing to 'proportionate contributions for primary healthcare and other necessary off-site community infrastructure'. Tyler Hill at present has no functioning GP service, and provision in Blean is sporadic. It is open on only three days a week for a few hours, mainly for physiotherapy appointments. If no new primary healthcare provision is made, the lack of it will simply further increase travel, probably by car, into Canterbury.

Impact on Local Businesses

Site C12 may also have a knock-on effect on the viability of existing communities and their infrastructure. Blean residents are rightly concerned that a new 'stand-alone' settlement will compete with existing local businesses and services, threatening local people's livelihoods. This would run counter to the commitment in the Local Plan to 'resist the loss of existing community facilities and services', and to 'support local communities and the district's rural economy'.¹⁷ Rather than building new settlements in Canterbury District, it would be preferable to find sites where new houses can be built in an integrated way within existing communities.

A policy that is undeliverable

These concerns about the inadequacy of provision for the necessary infrastructure need to be viewed in conjunction with the concerns raised previously about the lack of adequate access, and the difficulty of meeting the conditions built into Policy C12 for the protection of heritage, open space, landscape and biodiversity. And on top of this are the financial consequences likely to arise not only from the costs of new road infrastructure, the new waste water treatment works, and the relocation of Blean Primary School, but also from the need for compulsory purchase to facilitate the highways improvements on Rough Common Road, and the real possibility of claims from residents for compensation for planning blight, surface flooding, and the like. Taken together, these add up to huge doubts about the viability of the proposal.

¹⁷ Policy R19, p.152

When members of the public have raised questions in the current consultation period about how the issues can be addressed and how the conditions in the policy can realistically be met, they have been told that they will be addressed when a site-specific planning application is submitted. Policy C12 requires that a Masterplan should be provided at that stage. If it reveals that a development attempting to meet all the conditions in full cannot be viable, this will be too late. Canterbury City Council planners will then be faced with a dilemma: either to accept a development that fails to meet essential conditions, or to accept a shortfall of 2,000 dwellings in meeting the housing target.

8. Process and procedures

We would like to highlight serious shortcomings in the procedures that have been followed for bringing forward this policy.

Housing targets

In recent months, revisions to the NPPF and statements by government ministers have encouraged local authorities to explore the relevance of 'exceptional circumstances' when arriving at a housing needs assessment and housing targets. Organisations such as CPRE Kent and ACRA have drawn attention to a range of significant factors including demographic trends - the drop off in population growth in the district, and the high proportion of students in the local population - as well as Canterbury's situation as a World Heritage Site, surrounded and hemmed in by an Area of Outstanding Natural Beauty to the south and internationally protected woodland to the north and east. These features severely constrain the scope for sustainable development and make it a prime candidate for 'exceptional circumstances'.

Government statements have made it clear that they expect some planning authorities to put forward cases for taking into account special circumstances of this kind, but CCC officers have refused to explore the opportunity to do so. As a consequence the current draft of the Local Plan is predicated on unrealistic housing targets, and we submit that this has been a main driver for the inclusion of the C12 site in order to make up the numbers, despite the acknowledged significant negative impacts of such a development. We maintain that a serious attempt should now be made to rethink such an approach.

Lack of work on brownfield sites and change of use

Despite the stated preference for brownfield over greenfield sites, both in the NPPF and in the draft Local Plan, there has been no proactive search for brownfield sites. Statements by Council officers have been limited to the assertion that additional brownfield sites 'have not come forward' and a dependence on a Brownfield Land Register, rather than proactive work on finding either brownfield sites or opportunities for change of use. In view of the extreme sensitivity of this and other potential greenfield sites, it is right and proper that all the possibilities for brownfield development should have been thoroughly and actively explored before extensive development of greenfield sites is held to be unavoidable. This does not appear to have been done.

Lack of consultation with local communities

With respect to Policy C12, we submit that there have been failings in the procedures prior to and during the consultation period.

In the previous iteration of the draft Local Plan, the corresponding policy C26 for this location was rejected, and the following statement was made: 'The council will continue to work with the University, key stakeholders and the local communities to explore opportunities for sensitive development in this area...' There has been no such engagement with the local communities prior to the new proposal being brought forward.

The University's agents, Avison Young, held one set of meetings with each of the Parish Councils in 2021, where the plan discussed was to relocate all of the university car parks to the edge of their site and build on their current positions.¹⁸ The meetings were held with the Chairs of the three parish councils and residents were not invited. Avison Young were informed that the plan would have a negative response from the residents. Nothing has been carried out in terms of the Council working with local communities to explore opportunities for sensitive development in this area.

We also take issue with highly misleading statements regarding the community's response to development proposals. In the February 2024 *Sustainability Appraisal Report* it is asserted that, in the previous consultation, the proposal for Land North of the University of Kent 'received less negative comments than Cooting Farm'.¹⁹ The reason it received fewer negative comments is that it was not put forward for acceptance, whereas Cooting Farm was. The relative numbers of negative comments should not have carried any weight in this case.

In that same paragraph it is asserted that 'the site promoters have actively been engaging with the Council and other parties', and that 'at this stage, stakeholders and statutory consultees have not identified any major issues'. The fact is, however, that prior to the publication of the draft Local Plan there had very limited engagement with residents or Parish Councils (see above) - the primary stakeholders and statutory consultees. In particular, the Governors of Blean Primary School were not involved in the C12 proposal as it was being drafted, and were not made statutory consultees in the process - something which would have been appropriate and expected given the proposed major impact on the school and the rare and untested nature of such a move. All this is in sharp contrast to the 'active engagement' with the site promoters. We submit that this imbalance in engagement is procedurally improper.

Inappropriate lobbying by the University of Kent

There has in fact been intensive lobbying of Canterbury City Council by the University of Kent and by their planning consultants, Avison Young. A Freedom of Information request answered under the Environmental Information Regulations (EIR2004) showed that between January 2022 and the present, members of the University of Kent management team and senior officers at Canterbury City Council met 14 times. Some of these meetings are referred to as '6 Weekly Catch Up Meetings'. None of these meetings was minuted and only one agenda has been provided. 'Economic Realities' is one of the agenda points included in the agenda written by Avison Young and sent to CCC, suggesting that the University's economic difficulties were a matter for discussion.

¹⁸ https://media.www.kent.ac.uk/se/24163/BT_130341_Masterplan_editorial_mag_SynopsisV4.pdf

¹⁹ *Sustainability Appraisal Report* (February 2024) para 5.6.64

In the December 2023 *Sustainability Appraisal of SLAA*, representatives of Avison Young are quoted as asserting: 'There is an unignorable economic need for the Sites to be delivered, to ensure the future success of the University... When teamed with the significant economic pressures which the UoK is facing (and the requirement for the Local Plan to address these), the case to allocate Sites BCD for housing-led development within the Local Plan is clearly compelling... The scoring within the SA SLAA currently fails to take account of Sites BCD's role in sustaining UoK's economic future.'²⁰

The financial difficulties experienced by the University of Kent are not a legitimate planning consideration. The Local Plan has no requirement to address any economic pressures of the University's own making. In fact, the University should be reminded of its requirement to conform to its own stated objectives on Community, Sustainability and Biodiversity, and to the Objects enshrined in its Charter as an educational institution. It is entirely inappropriate that an attempt has been made to put pressure on Canterbury City Council to accept the University's financial difficulties as a justification for development.

Questions over the availability of the land for development

Many local residents remember the sale of the land to the University in 2006 and recall that the University bought the land in question from the Eastbridge Hospital Trust. There was a fuss at the time because at least one of the Trustees, Hazel McCabe, believed the sale breached the Trust's own covenants, which confined any sale of the Trust's land to farmers for the purposes of agriculture. She subsequently resigned both as a Trustee and as a City Councillor as she believed this should have precluded any sale of land to the University unless the University was itself going to use the land for agriculture, which it has done until now (via tenant farmers).

Many people remember a covenant or agreement having been put on the land, to ensure that it could only be used by the University for agriculture or for educational purposes. We have searched the Deeds, which are unclear, but which we note may have been changed at the point when multiple parcels of land were rolled into one large title called 'Three Parcels of Land'. We have submitted an FOI to the University, asking to see all documents relating to the original sale.

Absence or unavailability of essential information

Vital information has not been provided either before or during the consultation period. Consultees have not been provided with a Transport Assessment for the Draft Local Plan as a whole. For site C12 there has been neither a Transport Assessment nor a full Environmental Assessment. The adopted Local Plan 2017, policy EMP7, requires that significant development proposals at the University be subject to updating of the University's Transport Impact Assessment and a review of the University Travel Plan. These have not been produced in relation to site C12 either.

Both a Transport Assessment and a full Environmental Assessment for the proposed development are essential, given that the SLAA identified 'significant negative effects on transport highways (large-scale car-dependent development)' and 'significant negative effects on Biodiversity, Geology, Landscape, Water and Historic environment'. The absence of this essential information has made a fully informed response to the consultation impossible.

²⁰ *Sustainability Appraisal of SLAA* (December 2023) Appendix A, pp.116-7

In terms of the consultation process, Parish councillors have also raised the question of what measures were being undertaken by CCC to enable local residents without internet access to engage effectively with the process. Although a hard copy of the questionnaire can be obtained by phoning the Council, and a letter can be sent, all the supporting documentation, such as policy documents, supporting strategies, and records of meetings and submissions, which pertain to the consultation process are only available online. Our experience in rural parishes is that between 10% and 15% of our elderly population is digitally disengaged. They have been particularly disadvantaged by the lack of information.

In short, whereas the site promoters have been attempting to bring improper pressure to bear and have had private access to the process, local residents have been severely disadvantaged. Essential steps have not been followed. Vital information has not been available to members of the public, or indeed to Council officers and Councillors. In these circumstances it would be wrong for this policy to be taken forward.

9. Conclusions and suggestions

We have shown that Policy C12 for a development of 2,000 dwellings on Land north of the University of Kent is in direct conflict with many of the strategic objectives and policies of both the adopted Local Plan 2017 and the Draft Local Plan. We have shown that many of the conditions in Policy C12 cannot be met, and therefore it is not deliverable.

- The proposed access points are dangerous and unworkable.
- The transport implications are in direct conflict with the Plan's transport strategy and with the commitment to prioritise public transport, walking and cycling, and reduce the dependence on car use.
- Policy C12 would involve a substantial loss of valuable open space, and lead to the coalescence of settlements.
- It would involve the loss of a valued and distinctive landscape and substantial harm to multiple heritage assets, which are closely linked to their landscape setting.
- It would run counter to the Council's commitment to protect biodiversity, and would mean the abandonment of the Council's policy to extend and improve connectivity of the Blean Woodland Complex.
- It would lead to a permanent loss of Grade 2 and 3 agricultural land.
- The assessment of flood risk on the site is incorrect, with implications for the whole site.
- There are serious deficiencies in the provision for necessary infrastructure, including provision for dealing with waste water, for the two new schools, and for primary healthcare.
- The decision-making process has involved inadequate engagement with local communities, improper lobbying by the site promoter, and the absence of essential information.

We also conclude that Policy C12 does not meet the NPPF requirements for plan-making to be:

- prepared positively, in a way that is aspirational but deliverable;
- shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.

Accordingly we object to this policy and ask that it be withdrawn.

Alternative approaches

It is not for us to propose an alternative site allocation to replace this one. We do know that there are sites which have been previously judged suitable, are not included in this latest draft of the Local Plan, and could be considered for reinstatement. However, we also draw attention to other approaches which should be properly explored.

Along with organisations including CPRE Kent, ACRA and the Canterbury Society, we encourage the Council to make use of recent advice from Government ministers that the standard method for assessing housing targets is an advisory starting-point, not mandatory, and that local authorities are encouraged to put forward their own approach where there are exceptional circumstances. As the Minister for Housing has stated, 'while we are clear that we need more houses in this country... they have to go in the right places... we have to accept that not every area, every place or every landscape is appropriate for building on.'²¹ There is a strong case for applying this advice to Canterbury's situation as a World Heritage Site surrounded by an Area of Outstanding Natural Beauty to the south and an internationally designated Special Area of Conservation including SSSIs to the north, and for revising the housing numbers in the draft Local Plan.

We also encourage the Council to take a more proactive approach to the search for brownfield and change-of-use sites. In particular we suggest bringing forward plans for residential development in the urban regeneration opportunity areas identified in Policies C4 and C21, including the soon-to-be-vacated CCC offices in Military Road, as well as empty retail premises in the city centre. We recognise that the development of these Canterbury brownfield sites would depend on tackling successfully the problem of waste water and its impact on water quality in the Stodmarsh National Nature Reserve.²² We anticipate that the government grant to KCC for nutrient neutrality mitigation will facilitate this.²³

A positive vision for this land

An alternative vision for the land north of the University of Kent would build on the one already identified in the *Canterbury Landscape Character Assessment and Biodiversity Appraisal* for this area. It is a vision which is presented in the University's *Canterbury Campus Framework Masterplan* of April 2019, where the Sarre Penn Valley is described as:

'a great asset to the campus in providing a green setting to the north of the University as well as a more rural landscape character... [It] provides a punctuation in the landscape between the campus and the outlying villages of Blean and Tyler Hill...

'The masterplan proposals therefore maintain the overall agricultural landscape... Many opportunities exist to ecologically enhance this land in terms of biodiversity and showcase the principles of sustainable farming. In keeping with local strategies, the ambition is for Skylarks and Yellowhammers to be singing from every field and hedgerow respectively.'

²¹

<https://hansard.parliament.uk/commons/2024-01-23/debates/AD440671-52A7-4FD0-9F85-3C40B88BF776/RevisedNationalPlanningFramework>

²² Policy SS1, para 3: The council will work with its partners to support and sustain the full recovery of the Stodmarsh Nature Reserve designated site and to meet its targets for water quality

²³ <https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2832>

Dropping the proposal to build 2,000 houses on this site and returning to something closer to the Masterplan principles outlined above would allow for uses that could maximise the environmental and biodiversity potential of the land. Kent Wildlife Trust, RSPB Kent and the Woodland Trust are already committed to the Wilder Blean Initiative, an ambitious plan to restore and expand the Blean Woodland Complex through rewilding, working with local landowners, and potentially buying areas of land.

That initiative could be complemented by some of the land being retained for agricultural purposes, whilst substantial areas could be developed as a habitat bank - available to provide the Biodiversity Net Gain required for sites elsewhere - or for Woodland Carbon Code and nutrient offsets.²⁴ All of these would generate recurring income streams for the University.

The final version of the University's 2019 Masterplan was arrived at after thorough consultation with local residents and stakeholders. We urge the University of Kent - and Canterbury City Council - to look again at this important document, written just five years ago, and build on that vision.

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<https://www.gov.uk/government/news/further-housing-credits-for-nutrient-mitigation-scheme-announced>