

# **Watch Over Adisham's Woods (WOAW) and Barham Downs Action Group (BDAG): Joint Response to Canterbury City Council 2040 Draft Local Plan**

## **Vision for the district to 2040: SUPPORT, WITH COMMENTS**

Overall, we support the vision's emphasis on investment in rural areas alongside ensuring a thriving natural environment.

We particularly welcome the plan to restore and enhance habitats and landscapes, improving environmental resilience and especially the desire to increase biodiversity.

We would qualify that improving biodiversity must not rely solely upon biodiversity net gain metrics. Biodiversity net gain typically is an outcome of development at the expense of existing habitats in local areas, which are established and already proven to support native species, unlike newly-created habitats.

Instead, we would encourage a bold and ambitious scheme of upfront investment in nature recovery, as opposed to funding it through housing schemes, making Canterbury a flagship for nature-first planning policy. The district is already a stronghold for several rare and endangered species of flora and fauna, and we believe that strong investment in nature recovery (including re-introduction of extinct and threatened species, where appropriate) would enable Canterbury to leverage this nature-friendly status to support the district's wider strategic aims.

However, as we outline below, we believe that scheme C17 (Land at Canterbury Business Park) undermines this vision for nature and must be reconsidered if the Local Plan is to follow through on its broader aims outlined in this opening section.

We strongly support the focus on high-quality public transport infrastructure, walking and cycling networks. A shift toward sustainable transport is essential if the strategic objectives around reducing the causes of climate change and improving air quality are to be fulfilled.

However, again, we believe that scheme C17 undermines this vision, due to its unsuitability as a location to be reached by public transport (see below).

Regarding housing policy and sustainable growth, we wish to draw attention to the scope that exists for Canterbury City Council to claim exceptional circumstances in relation to the standard calculation method for designating housing targets. Canterbury's UNESCO World Heritage status, the unique landscape character of the historic city centre and surrounding rural settlements, the significant proportion of the district covered by the Kent Downs National Landscape, the presence of globally-scarce habitats in the form of chalk streams, the unusually high proportion of ancient woodland in the district, the presence of nationally-significant populations of rare

flora and fauna and the prevalence of high-quality agricultural land all provide compelling arguments for claiming exceptional circumstances. Not only would such exceptional circumstances add further weight to the removal of the former Cooting Farm and Aylesham South schemes in the previous draft of the Local Plan, but it would call into question the need for the new C12 policy for the Land North of the University of Kent, which is understandably the cause of much local concern.

Lastly, we wish to highlight our support for two key aspects of the Local Plan and its broader vision that have changed since the previous draft:

#### Removal of Cooting Farm Garden Community: SUPPORT

We strongly support the removal of the Cooting Farm Garden Community (former R1) scheme from the Local Plan for the district. It is essential for the conservation and enhancement of the Ileden and Oxenden Woods SSSI – as well as the remainder of Adisham’s designated ancient woodlands – that this scheme does not return to the plan in any form.

Development at the site originally identified would have resulted in 6 operations identified by Natural England as being ‘likely to damage the special interest’ of the SSSI. The SSSI is home to several nationally and locally rare plant species, including one of the country’s most significant populations of Lady Orchid (a Kent Biodiversity Strategy plant and listed as vulnerable on the GB Red List for Vascular Plant). 16 red listed bird species and 26 amber listed species are also present.

If Canterbury City Council is to achieve the aims set out in Policy SS1, regarding improving biodiversity while protecting and enhancing the district’s network of green infrastructure, the former Cooting Farm scheme must stay out of the district’s Local Plan.

#### Removal of Aylesham South: SUPPORT

We strongly support the removal of the Aylesham South (former R20) scheme from the Local Plan for the district.

The proposed scale of this scheme, and its proximity to the Ileden and Oxenden Woods SSSI, would have been highly likely to result in many of the same operations likely to damage the SSSI’s special interest which were identified for the Cooting Farm scheme. These negative environmental impacts would have been further amplified if both schemes had been included in this new draft of the Local Plan.

**Policy SS1 – Environmental strategy for the district: SUPPORT, WITH COMMENTS**

We support the strategy to preserve and enhance the district’s heritage assets and welcome the recognition of the importance of Conservation Areas for the character and identity of the district (as outlined in 1.22).

Connected to this, we welcome the mention of the Canterbury District Landscape Character Assessment and Biodiversity Appraisal and its emphasis on the contribution provided by the high-quality rural character of the district to residents’ lives.

While we welcome the recognition of biodiversity loss and the need to address this, we believe the wording around biodiversity net gain should emphasise the importance of maintaining existing habitats unless circumstances are truly exceptional. Existing habitats are proven to support wildlife over a long period of time and it is therefore much more impactful for biodiversity, in the long term, to maintain these. Any new habitats created as part of biodiversity net gain measures should be situated in appropriate locations within the district where they can be monitored and supported (and be of benefit to the district as a whole), rather than being established outside the district as part of carbon offsetting schemes.

Similarly, while we welcome the desire for 20% minimum tree cover for new developments, the emphasis should be on mandating the retention of existing trees and hedgerows, which will have a long-established history of supporting diverse species.

We support the policies of refusing proposals that increase risks of flooding, and for carbon sequestration and low-carbon/renewable energy sources to be supported within all new developments.

**Policy SS2 - Sustainable design strategy for the district: SUPPORT, WITH COMMENTS**

We broadly support the strategy outlined in Policy SS2.

However, we want to highlight that we believe that the most sustainable housing developments are those which are designed to be small, are spread out evenly across existing settlements in the district, occur on brownfield land and/or fill in gaps within existing residential areas (rather than ‘new communities of more than 300 homes’). Such developments would minimise the potential of damaging impacts on existing habitats in the district.

### **Policy SS3 - Development strategy for the district: SUPPORT, WITH COMMENTS**

We broadly support all points of the policy, but believe a clarification on what constitutes 'appropriate' agriculture and viticulture development is needed.

Wine/food production, processing and warehousing units have significant potential to harm the existing rural landscape character of the areas in which they are situated (unlike the crops themselves). In our view – and the view suggested by policies in this plan, including R19, DS12 and DS22 – this would class such developments as 'inappropriate'.

Production, processing and warehousing units may harm landscape character due to their size (e.g. 13 metre-high wine warehousing proposed in planning application CA/22/02055 at Canterbury Business Park), how new buildings may occupy productive agricultural land (e.g. Grade 2 farmland in the case of CA/22/02055), and the increased noise, light and traffic associated with their operations (which, in the case of CA/22/02055, has been assessed by the Kent Downs National Landscape Unit as highly likely to harm the tranquility of the Kent Downs National Landscape).

In general, as such units occupy rural areas, they are more likely to impact on areas with statutory designations, including the Kent Downs National Landscape, SSSIs and Conservation Areas.

We therefore believe, for the sake of these designated landscapes, it is important that the council clarify what 'appropriate' development means in the context of agriculture and viticulture.

### **Policy SS4 - Movement and transportation strategy for the district: SUPPORT, WITH COMMENTS**

We support all points in this policy.

However, we advise the council to include detail on horseriding as a form of travel in this policy. The district's bridleway, byway and road networks are an important source of connectivity for local horseriders, and well-maintained, safe and usable rights of way are a crucial provision for this popular rural recreational activity.

The impact of development on the safety, usability, tranquility and character of the rights of way used by horseriders needs to be considered. For example, Policy C17 in this Draft Local Plan directly impacts on the future usage of bridleway CB324 by horseriders. We would therefore welcome wording that indicates what appropriate access looks like for horesriders and how this may be affected by development.

## **Policy C17 – Land at Canterbury Business Park - Highland Court Farm: OBJECT**

We object in the strongest possible terms to Policy C17.

Our reasons for objecting are as follows:

### Significant negative impacts on ecology of local, district and national importance

A recent ecological baseline assessment undertaken for a planning application at the site, CA/22/02055, indicated the significance of the land at Canterbury Business Park as a habitat for multiple plant and animal species, which are shown to have importance at local, district and national levels.

One of these species is the White Helleborine orchid. This species is nationally rare, listed as Vulnerable on the GB Red List for Vascular Plants, and occurs within the site boundary outlined in this Draft Local Plan. It also occurs on the fringes on bridleway CB324 and would thus be vulnerable to any proposed 'improvements' to this right of way, or other disturbance to the ground surface.

White Helleborine occurs in small numbers in woods to the south of Adisham parish. It is one of the rarest plants in our parish and the neighbouring parish of Bekesbourne with Patrixbourne. These outlying colonies, including the one at Highland Court, are significant for the long-term sustainability of the larger local population, as they expand its geographic range and genetic diversity, making the population of this vulnerable plant as a whole more resilient.

We are therefore greatly concerned at the risk to this valuable colony that would result from further development at Canterbury Business Park, and its implications for supporting the broader local population of these plants, including in Adisham's woods.

Furthermore, the nationally rare Lady Orchid, a Kent Biodiversity Strategy Species and listed as Vulnerable on the GB Red List for Vascular Plants, was recorded this year less than 500 metres from the site boundary. This marks a significant movement of the species south from the Ileden and Oxenden Woods SSSI. Further development and Highland Court would reduce the possible sites where this nationally important species could become established and form a new colony.

Like Adisham's woods, the proposed development site is also home to legally-protected bats and dormice, while great crested newts are also well-known to occur. The bat population in particular is identified as being of district-level importance. The circadian rhythms of bats are highly susceptible to disturbance through lighting and noise, which affects a wide range of their behaviours. The industrial operations associated with wine warehousing and production facilities at the site would cause such disturbances at all times of day and night.

There is already significant light pollution generated by Canterbury Business Park, with bright lighting visible from miles away throughout the night. We are therefore greatly concerned about the impacts that increased artificial lighting associated with development would have for the future of bat populations in the area, including in Adisham's ancient woods.

The dwindling population of great crested newt at the site, identified by the aforementioned ecological baseline assessment, is judged to be 'locally important'. This species has statutory protection precisely due to the historic loss of habitat that continued encroachment by development has caused. Surely the priority should be protecting the habitat of this struggling population rather than potentially wiping out the population completely.

For these reasons, the policy outlined in C17 sits in direct opposition to the statements on preserving and enhancing biodiversity outlined in the broader vision for the district at the start of this Draft Local Plan, as well as policies SS1, DS18, DS19 and DS21.

### Harm to the character of the Kent Downs National Landscape and Highland Court Conservation Area

National Landscapes (along with National Parks) have the highest status of landscape protection and planning decisions should protect and enhance valued landscapes in a manner commensurate with their statutory status (Paragraph 174, National Planning Policy Framework). Major developments, according to the NPPF, can only be justified in 'exceptional circumstances'. The kind of development indicated in this draft Local Plan does not meet the criteria of exceptional circumstances as defined in the NPPF.

Principle SD8 of the Kent Downs AONB Management Plan states: "proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated". It is therefore instructive that the Kent Downs National Landscape Unit has vociferously opposed the recent planning application for a 'winery' on a large area of the site allocation for development in this draft plan (CA/22/02055).

We wholeheartedly support the Kent Downs National Landscape Unit in their opposition to this form of development at Canterbury Business Park. Proposed landscape enhancement could never mitigate the impacts of converting rural, former agricultural fields into an industrial site. Some of the wine warehousing and production buildings included in application CA/22/02055 rise up to 13 metres in height (about the same height as the Clocktower on St. George's Street in Canterbury). The additional number of vehicle movements resulting from the

development would take the local number far above the baseline of the National Landscape, to the further detriment of tranquility. This loss of tranquility has added significance, given that the popular North Downs Way recreational route (part of the Via Francigena European pilgrimage route) lies adjacent to the site.

Some of the woods within our remit in Adisham lie within the National Landscape and several more lie within the 'setting' of the National Landscape, only 800 metres away from the site in question. Further development at Canterbury Business Park would set a dangerous precedent for planning decisions in what is supposed to be a quintessentially rural environment. We are already facing sporadic development of large buildings by owners of woodland plots in/adjacent to the National Landscape. This proposal would add to a pattern of urbanisation that is severely undermining the status of the National Landscape in this vicinity. This contradicts Policy SS1's statements in relation to the significance of the rural landscape character of the district and Conservation Areas.

An additional factor to consider is that the site lies within the Highland Court Conservation Area. This land, associated with the neighbouring Grade II\* listed Higham Court, has historically retained its character as a verdant rural landscape of continued agricultural use. Indeed, within the Conservation Area itself, there is only one large building associated with the industrial park. In their comments on planning application CA/22/02055, Historic England stated their concerns that the proposed wine warehousing would block views of the Grade II\* listed Higham Park, as well as risking significant harm to the historic environment due to artificial lighting and traffic noise.

Given that Policy SS1 highlights the importance of Conservation Areas as heritage assets contributing to the character and identity of the district, C17 sits in opposition to the broader environmental strategy outlined in this draft Local Plan.

### Transport and traffic

It is unrealistic to expect that improved walking and cycling connections will have any significant impact on how the vast majority of workers/visitors to Canterbury Business Park access the site, given its isolated, rural location served by country lanes.

Similarly, the need for the access and transport strategy for the site to provide an assessment demonstrating connectivity to the existing highway network and mitigation to minimise use of private cars does not go far enough, given the inherent limitations posed by a site positioned at a distance from existing settlements and transport hubs and only accessed via narrow country lanes.

Users of these existing roads already compete with car and lorry traffic associated with the site, having to pull over regularly into narrow lay-bys. Further traffic

generated by construction and use of newly developed areas of the site would have detrimental impacts on road safety. Meanwhile, any attempt to widen and expand the road system to accommodate traffic increases would add further to the negative environmental impacts already mentioned above.

### Existing brownfield land available at Canterbury Business Park

A significant area of brownfield land, formerly occupied by Gomez, is currently for sale at Canterbury Business Park. This land and its facilities would provide ample room for the proposed 'viticulture hub', without damaging the heritage assets and productive agricultural land associated with the historic character of the site, nor the ecological interest.

If Canterbury City Council wishes to adhere to its vision of preserving and enhancing the high-quality rural landscape of the district, prioritising the re-use of the vacant Gomez land should be the priority over allocating productive greenfield land for development.

### **Policy R19 – Countryside: NEUTRAL**

We support the desire to only support housing development that protects the rural character and appearance of the countryside, and the recognition of the cumulative impacts that successive developments can have on landscape and heritage. We also welcome the emphasis on protecting green infrastructure, open spaces and recreational opportunities in the countryside.

However, we want to highlight the inconsistency between what is stated in Point 2 of this policy and Policy C17. We fail to see how the harms caused by the types of development proposed for Canterbury Business Park can ever be appropriately mitigated, given that the site impinges on two areas designated for landscape and heritage interest (relating to tranquility, views, continuity of use as productive farmland), the Highland Court Conservation Area and the Kent Downs National Landscape. This observation is supported by comments from statutory consultees (Historic England, Natural England, Kent Downs National Landscape Unit) in the recent planning application CA/22/02055 for wine warehousing and production units at Canterbury Business Park.

We also believe that many elements of 'viticulture' as a sub-sector of agricultural development have not been adequately accounted for here. While vineyards may feel in keeping with rural landscapes, the warehousing and industrial production units associated with wine production are extremely conspicuous in their surrounding landscapes. The proposed warehousing in the recent planning application CA/22/02055 at Canterbury Business Park is 13 metres in high, eclipsing any of the



existing structures and the treelines surrounding the site. Significant additions to noise, lighting and traffic are also to be expected from these structures, in quiet rural areas where such additions have greater impact.

We therefore believe that the council should re-assess their support for 'viticulture' as blanket term for an agricultural sub-sector and instead specify support for agriculture development that will itself have the lowest impact on landscape character (i.e. rather than development where adverse impacts would be 'mitigated').

We also believe that the council should specify that such developments would not normally be approved in the Kent Downs National Landscape, due to the potential for significant harm to the character of a designated landscape.

### **DM18 – Light pollution and dark skies: SUPPORT, WITH COMMENTS**

We support all principles outlined in this policy.

However, we wish to highlight how Policy C17 would be directly contributing to a lighting scheme that is already 'visually detrimental to its immediate or wider setting or landscape' at Canterbury Business Park. C17 would operate in direct opposition to the principles outlined in DM18.

As we outlined in our response to C17, this will likely have a significant adverse impact on regionally important populations of bats, whose circadian rhythms are particularly sensitive to artificial light, and will have a detrimental impact on the landscape character of a tranquil, unsettled area of rural land between Adisham, Bekesbourne and Bridge.

### **DS11 – Tourism development: NEUTRAL**

While we support the elements of this policy highlighting how new tourism developments must be appropriately accessible by public or active transport, we are concerned that Policy C17 in this same Draft Local Plan does not meet these criteria.

'Appropriately accessible' should mean that developments located in areas where it is unrealistic that people will travel to them other than by private car are not supported – and Canterbury Business Park is one such location. It is not enough to say that the council will support development 'that takes all reasonable opportunities to maximise accessibility by sustainable and active travel'. If it is unrealistic that such sustainable travel will take place, then maximising opportunities will make little difference to whether visitors travel sustainably or not.

We are also concerned in Point 3 that 'appreciation and conservation' will only be 'encouraged' for environmental or agricultural focused tourism initiatives. Being

located in rural areas, such tourism initiatives are more likely to impact on areas with statutory designation such as the Kent Downs National Landscape, Conservation Areas and SSSIs (as Policy C17 does). Given the significance of these designated sites for landscape character and biodiversity – as highlighted elsewhere in this Draft Local Plan – it should therefore be mandatory that such tourism developments conserve and enhance the landscapes they are in.

**Policy DS12 – Rural economy: SUPPORT, WITH COMMENTS**

We support all three points outlined in the policy, and particularly welcome the desire to protect the best and most versatile agricultural land for the long term.

However, we believe that ‘protecting the rural character of the area’ and ‘protecting the best and most versatile agricultural land’ should be mandatory requirements for any development that falls under the category of rural economy.

We would welcome clarification on what ‘appropriate mitigation’ of adverse impacts on landscapes should look like, particularly in light of how proposals associated Policy C17 (e.g. recent planning application CA/22/02055) have been assessed by Historic England, Natural England and the Kent Downs National Landscape Unit as likely to cause significant harm to the historic interest and landscape character of the Highland Court Conservation Area and Kent Downs National Landscape.

We would also welcome further detail in the section on loss of agricultural land, given that developments associated with agricultural industry on farmland can still effectively result in the loss of productive land, as the land may be occupied by buildings rather than being used to grow food.

The land designated for development in C17, for example, is Grade 2 agricultural land, which is assessed to be ‘Very Good Quality’. The development of industrial units associated with wine production on currently usable, very good quality farmland will reduce the overall area of productive arable land available for growing food, undermining domestic food sustainability. It also would undermine the versatility of land that could currently be used to grow many different types of food, replacing it with industrial buildings.

**DS18: Habitats and landscapes of national importance: SUPPORT, WITH COMMENTS**

We support all points in this policy.

However, we believe that Policy C17 directly contradicts Point 1 of this policy, DS18, as there are no exceptional circumstances that justify the development of a viticulture hub at Canterbury Business Park.

There is no compelling evidence as to why wine production, warehousing and tourism facilities need to be located in the Kent Downs National Landscape. Indeed, the Kent Downs National Landscape Unit, responding to planning application CA/22/02055 associated with the site at Canterbury Business Park, stated: “The need is based on the aspiration of the businesses involved rather than any specific national need for this type of facility, nor are there any exceptional circumstances that justify the harm to the AONB.”

We would encourage the council to write into this section of the plan that they will engage directly with the Kent Downs National Landscape Unit, and other statutory consultees associated with landscapes/habitats of national importance, at a pre-planning stage, to decide together whether developments in such areas are truly needed and truly pass the legal tests that justify development in such areas. This unfortunately has not happened in the case of Policy C17.

**DS19: Habitats, landscapes and sites of local importance: SUPPORT**

We support all points in this policy.

**DS21: Supporting biodiversity recovery: SUPPORT**

We support all points in this policy, and particularly the hierarchy identified for Biodiversity Net Gain, which puts the most value on avoiding/minimising biodiversity impacts and on-site net gain provision.

**DS22: Landscape character: SUPPORT, WITH COMMENTS**

We support all points in the policy.

However, we wish to highlight that this policy is directly contravened Policy C17. Statutory consultees have identified that development associated with the site in question (planning application CA/22/02055) will cause significant harm to the special and distinctive character of the Kent Downs National Landscape and Highland Court Conservation Area.

We therefore ask that the council remove (and if not, review or amend) Policy C17, due to its contravention of this Policy DS22.