

Response to **Canterbury District Local Plan to 2040**

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Policy C12 – Land north of the University of Kent

I would like to object to **Policy C12** in the strongest possible way.

I recommend that **Policy C12** be removed from the **Canterbury District Local Plan to 2040**.

There are many excellent policy proposals in the Draft Local Plan. Many of these are contradicted by **Policy C12**. The scale of contradiction is breathtaking. As such, either the soundness of the policies (and the sincerity of the policy-proposers) is called into question, or **Policy C12** must be removed.

My response is structured around the following points:

- Evidence for non-allocation of land in the previous Draft Local Plan
- Absence of evidence for Policy C12
- University finances
- Housing needs and housing targets
- Biodiversity
- Ancient Woodland
- University Masterplan
- Contradictions between Policy C12 and the Draft Local Plan
- National Policy (especially NPPF)
- Summary of key points

Evidence for non-allocation of land in the previous Draft Local Plan

In the previous draft of the Local Plan, the University had submitted 6 separate parcels of land, including land to the east of St. Stephens Hill. None of the land was allocated. The reasons include lack of suitable access, car dependence, limited access to services, impact on the landscape. Other reports show congested road networks, impacts on heritage including Scheduled Ancient Monuments, hydrology impacts and flood risks (both surface and sewer), impacts on the rural character of Blean and Tyler Hill, significant negative impacts on the integrity of the Blean Woodland complex and loss of connectivity between the woodlands, significant negative impacts on the Sites of Special Scientific Interest (SSSI) and Conservation Areas, light pollution, geology, historic environment. Other reports make recommendations to protect the land from development, to conserve the green gap between Tyler Hill, Blean and the University, and to promote the land as Biodiversity Opportunity Area (BOA).

All the following documents are found in the [Local Plan Evidence Library](#). As such they constitute supporting documentation for the Draft Local Plan.

[Development Topic Paper Appendix B:](#)

“**SLAA158B:** Suitable access to the site has not been demonstrated to be achievable due to heritage and ecology concerns.”

“**SLAA158C:** There are concerns regarding landscape impact; there is uncertainty about the potential to provide adequate access to the site; and the site is located in an area with limited access to day to day services and public transport therefore future occupiers would be dependent upon private car to access day to day services.”

“**SLAA158D:** There are concerns regarding landscape impact; there is uncertainty about the potential to provide adequate access to the site; and the site is located in an area with limited access to day to day services and public transport therefore future occupiers would be dependent upon private car to access day to day services.”

The [Transport Topic Paper](#) highlights “an issue to the north of the city with considerable congestion around junctions at Hackington Road to the north of the University of Kent and significant increases in traffic flow on Whitstable Road and Tyler Hill Road. For this reason development at University is not currently being pursued within this Local Plan.”

The [Natural Environment and Open Space Topic Paper](#) proposes “Green Gaps between Canterbury & Tyler Hill between Blean & Rough Common.”

The [Strategic Flood Risk Assessment 2024](#) indicates that “there is also a need to highlight flooding problems in the villages of Chestfield and Blean. At both these villages there has been localised flooding in the past due to a combination of causes. 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 for the standing water to go.”

It also indicates that “There has also been flooding from sewers (both foul and surface water) in recent years” in the village of Blean, and that “In the village of Blean the public sewers have a limited capacity to manage heavy rainfall.”

The [Draft Canterbury District Nutrient Mitigation Strategy 2024](#) indicates that the “Sarre Penn and River Wantsum catchments are ‘downstream’ as they discharge into the tidal section of the River Stour which has a backwater effect in a westerly direction through Stodmarsh.”

The huge housing development proposal would negatively impact on the Sarre Penn, and thus affect the nutrient quality of Stodmarsh.

The [Review of Landscape Character Areas 2021](#) recommends to “Conserve the rural character of the landscape ensuring that it continues to play a role in the separation of Rough Common and Blean; the University of Kent and Tyler Hill; and Sturry and Canterbury. Ensure development does not extend north of this area into the more rural Blean landscape.”

And it includes a specific recommendation to “Consider whether a Green Gap is required in this location, as the gap is between the University campus and properties on Canterbury Hill Road, rather than ensuring the separation of two settlements.”

The [Landscape Character and Biodiversity Appraisal 2020](#) recommends The Blean Woodland Complex as a “Biodiversity Opportunity Area (BOA).”

It also focuses on light pollution, suggesting that “Light pollution decreases with distance from the main settlements, however there are only small pockets of dark night skies free from interference from artificial light within the study area, typically in the Blean woodlands.”

It recommends “To maintain, restore, enhance and create woodland and grassland habitat, as part of the woodland and grassland habitat network of the Blean BOA.”

And it recommends to “Maintain the existing narrow single line of development associated with Blean and Tyler Hill villages avoiding backland encroaching towards the woods and maintaining views through gaps in development to the woodland edge.”

It also discusses the Sarre Penn Valley (the stream just north of campus that one crosses on the Crab & Winkle bicycle/footpath), highlighting “Key Sensitivities and Values” and making many recommendations for protection and conservation, including:

“Conserve the open landscape and avoid the further introduction of large scale or incongruous elements, particularly where they are visible over ridgelines and from the Sour valley to the south.”

“Maintain the limited vehicular access to retain rural character and resist proposals for upgrading of tracks and lanes within the area.”

“Maintain the essentially undeveloped character of the area limited to occasional farm buildings.”

The [Draft Canterbury Tree and Woodland Strategy Consultation 2022](#) sets out a Vision to be achieved by 2045, recommending that:

“The wider Blean complex will be a showcase for South East England for innovative rewilding and restoration of ecological functioning woodland. Partners, planners and landowners will be working together to maximise the landscape and biodiversity benefits of woodland at this unique scale.”

and

“The woodlands of The Blean could be expanded to form an even larger continuous block of woodland. There are numerous small and fragmented woodlands in this area, including some isolated and small remaining ancient woodlands.”

To sum up: the impacts of the proposal were deemed too adverse; and the land, by the Council’s own assessment, was deemed unsuitable for allocation. Indeed, The [Sustainability appraisal of strategic land availability assessment 2022](#) summarises that in relation to the University land, there were “significant and minor negative impacts and when reviewed alongside the SLAA there are concerns that *these impacts cannot be suitably addressed*” (my emphasis).

Despite this body of evidence and despite the recommendations for land preservation and conservation, the plans for the land to the north of the University have returned in the latest [Draft Local Plan](#). The former parcels B, C & D are now combined as **SLAA319**, and they are detailed as **Policy C12**. The scale of the proposal is staggering.

In order to justify its re-inclusion, one would assume that a substantial body of fresh evidence has been provided for consultation.

Not so.

Where is the evidence?

Absence of evidence for Policy C12

Whilst the previous Development Topic Paper listed a number of reasons for the non-allocation of the land, the recent [Development Topic Paper Feb 2024](#) (section 4.38. p.28) lists just one reason for the non-allocation of the land: “The sites were not considered for allocation in the Regulation 18 draft Local Plan (2022) as a freestanding community as there was no suitable access point identified.”

This is misleading. There are many reasons.

In the public meetings about the Local Plan, Officers then repeated this misleading statement, suggesting repeatedly that the land was not allocated owing to lack of access.

Of course, with the new access points identified off the Whitstable Road and through the Blean School, it is suggested that the issues have now been resolved. The issues have not been resolved. They are far more than simply access.

And they still stand.

Recall that the SA 2022 suggested that *“these impacts cannot be suitably addressed”* and that *“it is considered that the potential for significant negative effects on landscape (identified in site assessments) remain.”*

In the latest [Sustainability Appraisal](#), the reasons for previous non-allocation of the University land are laid out. *“There is the potential for new development to result in adverse environmental effects (and in some cases, significant negative effects).”*

However, the SA continues, *“it is anticipated that the potential adverse effects could be mitigated or reduced at the project level.”*

Elsewhere it states that *“Any landscape effects would need to be minimised and mitigated for as far as possible.”*

Where is the evidence to show minimisation and mitigation? How are we to judge?

The SA also suggests that *“Following the review of technical evidence to address matters of suitability and availability, it was concluded that the site was suitable, available and achievable.”*

Where is this technical evidence? Why has it not been made public?

The [Habitat Regulations Assessment of Regulation 18 draft Local Plan 2024](#) indicates that *“traffic and air quality assessments have been completed by the University of Kent to support its proposed allocation.”*

In the same report, it states that *“the air quality assessment data associated with the University of Kent allocation provides evidence that the air quality changes due to traffic growth linked to the CCC Local Plan provisions are likely to be negligible.”*

Where is this air quality assessment data? Where are these traffic and air quality assessments? Why have they not been made public? How are we supposed to judge their accuracy and viability or to evaluate the likelihood of negligible impacts?

The controversial Canterbury Circulation Plan in the previous draft of the Local Plan proposed bypasses to the east of Canterbury through the Old Park & Chequers Wood (SSSI) and to the west as ‘significant upgrade to Rough Common Road.’ *These plans were abandoned owing to overwhelming objections and clear contradictions with policy both national and local.*

Whilst the plans for the ‘Eastern Movement Corridor’ have been mercifully abandoned, the western leg has reappeared buried in Policy C12 as “upgrades” and “improvements” to Rough Common Road and “an all-movement junction at A2 Harbledown through the provision of additional slip roads.”

This is the same thing! The plans have not been removed. The only thing that has changed (mercifully) are the terribly destructive plans to extend the bypass as articulated in Policy C26 in the Draft Local Plan to 2045 (Oct 2022): “how the area could help to facilitate a northern movement corridor to complete the outer ring of the Canterbury Circulation Plan.” The major infrastructure projects at Rough Common and Whitstable Road are exactly the same.

[By claiming proudly](#) that previous damaging and unpopular policy proposals, such as the Eastern Movement Corridor and the Circulation Plan, have been removed, whilst retaining this exceptionally damaging proposal, this looks to be a clear effort to mislead the public.

This project would have huge impacts on the village of Rough Common, reducing weight restrictions, increasing traffic, noise, and pollution, reducing air quality, reducing street parking, and effectively dividing the village in two halves. How can this be assessed with no plans provided?

For appropriate Reg 18 consultation, the plans should be a) provided and b) appraised in the Sustainability Appraisal. But where are the plans, and where is the appraisal?

The most extensive details of these plans I have found are in the [Draft Infrastructure Delivery Plan](#): “Development at Land to the north of University of Kent, will require a new coast-bound on-slip and London-bound off-slip at the A2 Harbledown junction, together with associated upgrades to Rough Common Road. The addition of these slip roads will create an all-movement junction at Harbledown and will allow traffic to access the new settlement from the strategic road network, without travelling through the city centre.”

That is all the information we have been given.

Where are the plans for upgrading the Rough Common Road?

Where are the plans for the all-movement junction at Harbledown? Where will this junction be? Will there be compulsory purchase of Kent College’s lands, or of the orchards and farmland beneath Bigbury? What are the impacts?

Where is the traffic modelling?

Where is the “updated Preliminary Transport Assessment” that has informed the plans, as stated in the [Sustainability Appraisal of the Strategic Land Availability Assessment - December 2023](#)?

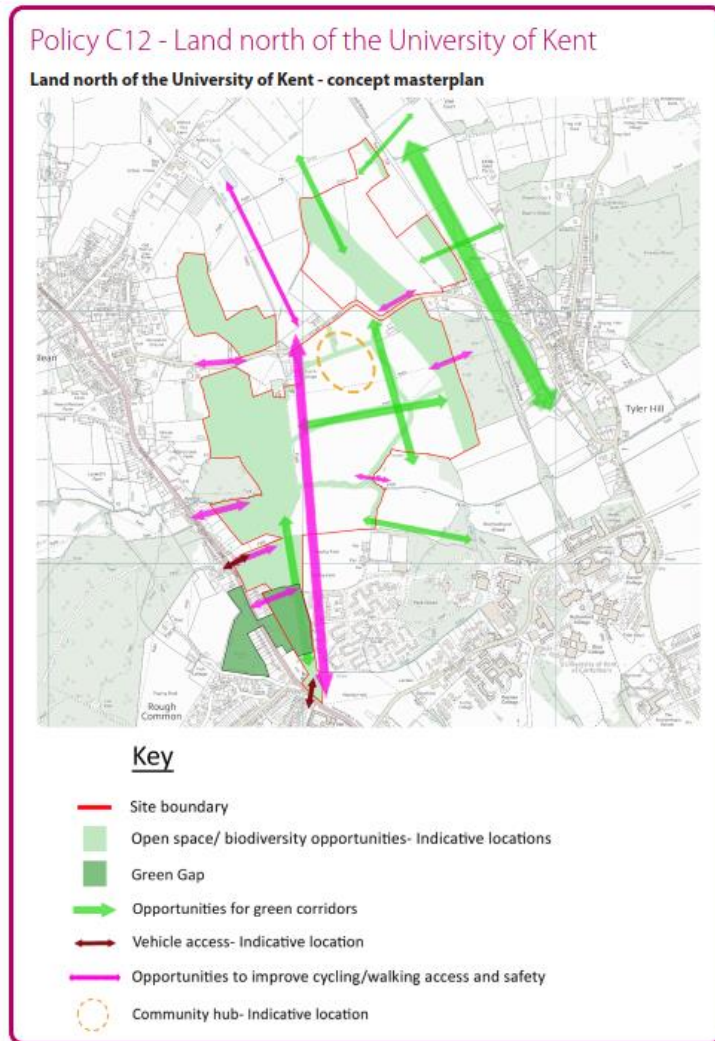
The plans are not made available. They are not even drawn up as individual policies in the Local Plan.

The evidence behind the plans is not available.

The sustainability appraisal has either been carried out and is not available or – more likely – has not been carried out at all.

How can anyone be expected to respond to plans of such magnitude with no evidence? This is inadequate and cannot be considered meaningful consultation.

And what of the on-site development of the University land? The rough map provided in the Draft Local Plan for Policy C12 is impossible to interpret, and what little information provided is unclear and contradictory. Under no circumstances can this diagram be considered appropriate for consultation. This so-called concept masterplan is insultingly inadequate.



Why, for example, are the access roads presented as tiny brown arrows simply indicating where they meet the existing road network? Where are they supposed to go from there? Should the southerly access road then continue through the Kent Community Oasis Garden, through West Oast Farmhouse – a recently-refurbished listed building – past the Oaks Day Nursery? Will it then continue down and across the Sarre Penn valley on a new bridge/causeway? Will it join with the other access road? If so, where?

How on earth is anyone supposed to consult meaningfully with such a poor diagram?

Likewise, the southerly vehicle access near Kent College is through a site of “Open space / biodiversity opportunities – Indicative locations”, through a “Green Gap” and through a site of “Opportunities for green corridors.” This makes no sense. A road clearly contradicts these “opportunities.”

The “green corridor” stretching east-west from Brotherhood Wood runs through land belonging to a different landowner. It is not University land. How will that be negotiated?

How can we meaningfully be consulted on such paucity of information? There is no concrete information to appraise, only promises and an appeal to the public’s faith in the “fresh evidence.”

Furthermore, the Sustainability Appraisal suggests that the previous appearance of the University Land “received less negative comments than Cooting Farm” in the last round of consultation. This is highly misleading, as the land was not allocated – although it was held in reserve – and therefore *there was no sustainability appraisal and no call for response*. This is again not meaningful consultation.

This is significant. The first time the Parish Councils heard of the plans was with the release of the Local Plan Reg 18 consultation in March 2024. There was no preliminary consultation or even forewarning.

In my own case, when enquiring in February 2023 to the University Director of Governance and Assurance about the possible return of the university land in the Local Plan and for any new evidence, I was given little information and was told via email (that I can provide if required) that “These representations are commercially confidential.”

I was also told “We understand that elements of the University’s representations will be published by Canterbury City Council (alongside other comments received by the Council during its consultation) in advance of the Local Plan’s Examination in Public in due course.”

Which elements were being referred to, and have they been published?

I repeatedly asked relevant Councillors over the course of 2023 whether the University northern land holdings were going to be submitted in the next LP draft. On each occasion I was given either no answer or vague responses about it being ‘likely’ or ‘unlikely.’

Why the secrecy?

A project of this magnitude must require greater transparency, evidence, proper sustainability appraisal, local engagement, iterative processes, and a far lengthier period for consultation.

University finances

How has Policy C12 appeared, after its non-allocation in the previous draft? What has changed between the previous Regulation 18 Local Plan Consultation and the present?

The latest Sustainability Appraisal explains that: “The site promoters have actively been engaging with the Council and other parties, and as such have provided evidence in regard to suitable access and possible transport mitigation, assessment of impact on ancient woodland and, at this stage, stakeholders and statutory consultees have not identified any major issues.” The “site promoters” refers to the University, and this engagement has been taking place since the announcement of the non-allocation of the land in July 2022 and December 2023, with no public engagement, scrutiny or transparency.

The [Sustainability Appraisal of the Strategic Land Availability Assessment - December 2023](#) details the consultation submissions of key stakeholders, in particular Avison Young, an international real estate company acting on behalf of the University.

Avison Young “Stated that they do not agree with the Sustainability Appraisal’s assessment of Sites BCD’s suitability for redevelopment. The Sustainability Appraisal should state (especially in light of UoK’s latest submitted evidence):

- That Sites BCD are a suitable and sustainable development opportunity which should be allocated within the emerging Local Plan.
- That the access strategy options set out within the Preliminary Transport Assessment appear workable.
- *That there is an unignorable economic need for the Sites to be delivered, to ensure the future success of the University* (and to ensure that its significant contribution to Canterbury’s economy is sustained). (my emphasis)
- Stated that when considered in comparison with the alternatives, the SLAA/Sustainability Appraisal evidence suggests that Sites BCD should be considered as a preferable housing allocation site on suitability, availability and achievability grounds. *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. (my emphasis)

- In addition, further to submission of UoK's latest technical/environmental evidence (notably the updated Preliminary Transport Assessment), we consider that Sites BCD should score more favourably within the above matrix (and when compared with some of the other alternative sites identified above)."

In a public meeting in the Guildhall on 29th April 2024, the Council Officer affirmed that the financial situation of any landowner does not *and cannot* play a part of the land allocation.

Quite evidently, as documented, Avison Young, representing the University of Kent, have put pressure on the District Council that the University's finances are key to the land allocation.

Staff at the University of Kent may well consider that the selling of the land is strictly necessary in order to safeguard the institution's financial situation.

With no evidence, no business case, no figures, no breakdown, no forecast, and no transparency, how can we judge this? By selling the land the University would receive a one-off cash injection that would serve simply to pay off some of the loans (or even the interest), with no guarantee of any change to the institutional dynamics. There is *certainly* no indication that this land sale would protect jobs, departments or programmes, any more than the closure of Philosophy, Religious Studies, Anthropology and the other programmes will protect jobs, departments or programmes. The land would be gone, and so no more value could ever be gained, and with the huge housing development the university would transform from a rural campus to a semi-urban environment.

Housing needs and housing targets

Recent all-staff communication from the Office of the Vice Chancellor of the University of Kent: '[Supporting the District Local Plan to 2040](#)' states that "Like many areas of the UK, Canterbury has a critical need for more housing stock for current and future generations – we have a responsibility to support this where we can, with our allocation allowing under-utilised land on our estate to be put forward to the wider benefit of the area."

This is misleading for two reasons.

Firstly, as illustrated in Avison Young's consultation response, it is the financial situation of the University, and not its "responsibility" that has driven the proposals.

Secondly, and importantly, the housing target is not based upon genuine need, but upon out-of-date population growth projections and developer-led lobbying. This is the case not just for Canterbury but across England.

Here, again, the Council's own documentation provides the evidence for lower growth rates than have been used to calculate the housing target. The [Housing Needs Assessment](#) of 2021 states that "The latest population projection from the Office for National Statistics (ONS), the 2018-based projection (ONS-18), estimates an 8% increase in Canterbury's population to 2040. This is *lower* than the earlier 2014-based population projection (ONS-14), which projects a 15% increase."

Please note: the Government's Standard Methodology algorithm used to calculate the District's Housing Need is still using the ONS data from 2014. At a Local Plan public consultation meeting on 21 May 2024 the Council Officers said that they "100% disagree with the use of the 2014 ONS figures." Why, therefore, can the numbers not be considered accurately and appropriately?

The HNA continues: "Over the 2020–2040 plan period, the latest 2018-based population projection from ONS projects an 8% increase in Canterbury's population. When viewed by sub-geography, population growth is projected in all areas but Canterbury City, where the population is projected to decline by 12% by 2040."

Canterbury is already committed to 15,168 new dwellings, implying a population increase of between 41,000 and 46,000. The total including the new plan is 24,514 dwellings, which would imply a consequent population increase of between 66,000 and 74,000 and a growth of over 60%.

Therefore the “much needed housing” that we hear from politicians, journalists, Councillors and Council Officers is not accurate in many parts of the country, and certainly not in the Canterbury District.

In relation to the housing target for the Canterbury District, I refer to the [Discussion Paper](#) published by ACRA (Alliance of Canterbury Residents Associations) written by former Councillor Dave Wilson. It breaks down the Housing Needs Assessment, the housing target, and supply and delivery rate, and the lobbying power of developers.

My own summary is that the housing target of the District is over-inflated, and that University’s recent appeal to “a critical need for more housing stock” is a smokescreen for what is quite clearly a financial incentive.

Biodiversity

The [Sustainability Appraisal Report Regulation 18 2024](#) indicates “Significant negative effects were assessed for biodiversity (SA Objective 3). The location includes Ancient Woodland and is within 400m of Blean Complex Special Area of Conservation (SAC), West Blean and Thornden Woods Site of Special Scientific Interest (SSSI), Church Woods SSSI and Blean Woods National Nature Reserve (NNR). Blean Pastures Local Wildlife (LWS) is also located within the site.”

It also states that: “Cumulatively, development will result in the loss of a substantial area of greenfield land including a number of sites that are classified as grades 1, 2 or 3 agricultural land (land in grades 1, 2 and 3a is classified as the best and most versatile agricultural land. In consequence, there is the potential for significant negative effects on land use (SA Objective 11).”

It also states that: “5.6.36. Significant negative effects were also assessed for landscape (SA Objective 5) due to the potential for change in character of the site and open countryside in this location, which is also a green gap.”

A new requirement of the NPPF (National Planning Policy Framework) is for 10% minimum biodiversity net gain on all new developments. Canterbury City Council has placed a minimum of 20%, which is to be applauded.

Policy C12 will therefore need to provide 20% BNG uplift.

BNG is a complex affair, and a universal metric is employed to assess the biodiversity value of the land in order to assess the uplift. One way in which the metric can be gamed is by undervaluing the pre-development biodiversity and overvaluing the post-development. This maximises the uplift.

The [Sustainability Appraisal of Strategic Land Assessment Availability - Appendix C - matrix of sites 2023](#), an important document for the consultation, summarises the section on Biodiversity: “No biodiversity evidence but within an orange area for Great Crested Newts.”

This is shockingly inaccurate. The fields adjacent to the Church of St Damian and St Cosmus is a precious and important breeding site for skylarks, a red-listed species of bird. Elsewhere in the site recent ecological surveys and resident observations have recorded nightingales, nightjars, turtle doves, various species of bat, slow worms, and countless varieties of small mammals and invertebrates. It is astonishing to see the statement suggesting ‘no biodiversity.’

No plans have been presented in Policy C12 to suggest how biodiversity, or connectivity between the woodlands, could be improved by the building of 2000 homes, new roads, a new community hub, etc.

Furthermore, the [Habitat Regulations Assessment of Regulation 18 draft Local Plan 2024](#) a document of the latest draft of the Local Plan suggests that “Landscape and Green Infrastructure requires that no residential development take place within 400m of the Blean Woods SAC.”

The same document also indicates that the “University of Kent allocation includes land within approximately 200m of the Church Woods SSSI at its closest point.”

These two statements are in contradiction. Either the land is to be protected or the Landscape and Green Infrastructure policy is invalidated.

Again, without evidence, we are invited to respond simply to promises of “mitigation,” “compensation” and “enhancements.” We are expected to respond based on faith alone. This is not meaningful consultation.

Ancient Woodland

In relation to the impact on ancient woodland, we read in the [Natural Environment and Open Space Topic Paper Feb 2024](#) that: “Based on ancient woodland mapping information provided by Natural England, the proposed new settlement at Land north of the University of Kent (Policy C12) includes two small parcels of ancient woodland.”

These two parcels are identified in the University of Kent’s [Woodland Management Strategy](#) as West Triangle Wood (W10b) and Long Thin Wood (W8b), and they noted as remnants of ancient woodland of “high quality ecological resource.” Importantly, they are identified in the [Natural England Open Data Geoportal](#) as “Ancient & Semi-Natural Woodland.”

The Topic Paper continues: “The western parcel will be retained, as demonstrated in the draft policy concept masterplan so it is not expected that the western parcel will lose or suffer deterioration of ancient woodland or ancient or veteran trees.”

This is certainly not demonstrated in the concept masterplan! No road is indicated. Therefore this statement is factually untrue and is indicative of the level of misrepresentation and inaccuracy of the whole of Policy C12.

It is also not credible. Ancient woodlands are unique and precious environments whose networks extend far beyond the tree boundaries. New roads passing adjacent to ancient woodlands severely impact their health and integrity, severing the connectivity between one woodland parcel and another. To cite the [Woodland Trust’s written evidence to Parliament](#) (Feb 2023): “In our experience, too often the creation of new roads and the widening of existing roads leads to further fragmentation, loss and deterioration of wildlife habitat, including irreplaceable habitats such as ancient woodland and veteran trees.”

If a new road crosses the Sarre Penn valley from near the Oaks Day Nursery into the fields beneath St Damian & St Cosmus, it will run alongside the West Triangle Wood. The government guidance on [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions](#) recommends that “For ancient woodlands, the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.”

Therefore, unless the new road passes through the grass sports pitches of the University and down through the centre of the field between the Sarre Penn and the sports pitches (which we do not know as the concept

masterplan does not show), it will not accord with government guidelines. Even then, the woodland would still suffer deterioration owing to the nearby presence of a road, the construction disturbance and the new housing development. Once again, the assurance in the Topic Paper is inaccurate and misleading.

But what of the other parcel of ancient woodland?

“The applicant has undertaken an assessment of historic maps, which sought to establish if Long Thin Wood meets the definition of ancient woodland.”

Did I read that correctly? The University of Kent is actively seeking to downgrade the classification of an ancient woodland? The same institution whose Woodland Management Strategy identified a “sub-community of *anemone nemorosa*” in this precise woodland? Wood anemones spread over long periods of time through rhizome networks. As such, they are indicator species of ancient woodland. Is the University planning to undermine its own studies and contravene its own woodland strategies? What is the point in carrying out these surveys if they are treated with such disdain?

The Topic Paper suggests that “Therefore, current evidence would suggest that Long Thin Wood does not meet the NPPF definition of ancient woodland.” This is clearly not accurate.

There are other indicator species. The [2002 publication](#) of The Blean Research Group shows that Brotherhood Wood and adjacent parcels contain “several ancient woodland indicator plants including yellow archangel, wood spurge, woodrush, wood anemone, bluebell and wood millet.” According to the Topic Paper, “the applicant has undertaken an assessment of historic maps” in which “the evidence did not find any ancient trees within the woodland.” Ancient trees are not the only indicator of ancient woodland. Either the applicant is unaware of this, in which case they are not qualified to make ecological assessments, or they are strategically selecting the evidence to fit their objectives. In either case this assessment is poor and misrepresentative.

Furthermore, the Topic Paper suggests that “An Arboricultural Impact Assessment found that no veteran trees would be affected by the access road proposed for the site.” Where is this Assessment? Why has it not been presented for consultation? If they are able to assess the impact of the road, does that imply that the route of the road has been mapped? If so, what is the route, and why has it not been presented for public consultation?

The Topic Paper is quite evidently failing in its duty of due diligence in claiming that the woodland does not meet the NPPF definition of ancient woodland.

Across the nation there is a concerted effort to protect ancient woodland and to ensure that the classification is robust and meaningful. It is galling to think that the University of Kent, the home of the Durrell Institute of Conservation & Ecology, is strategically seeking to question classification so as to push forward with this damaging development proposal.

It is equally galling that Canterbury City Council, in contradiction to its Declaration of Biodiversity Emergency, would blithely hope that “any impacts on the woodland must be minimised. If deemed necessary, the council would also expect adequate mitigation and compensation measures and an implementation plan, in line with the policy requirements.”

If this were not bad enough, the Topic Paper adds that “If necessary, there is clear potential for a suitable compensation strategy to be devised that mitigates the loss of the ancient woodland.”

Loss? Ancient woodland, as defined by [government regulation](#), “takes hundreds of years to establish and is defined as an irreplaceable habitat.” It cannot be replaced. It is irreplaceable. There is nothing misleading about that. It is enshrined in countless instruments of legislation. No “compensation strategy” can substitute

the loss of ancient woodland. We cannot afford to lose more ancient woodland. The woodland deserves all the protection it can get, not downgraded classification, minimisation, mitigation and compensation.

Furthermore, both parcels of woodland are identified on the [Canterbury City Council TPO map](#) with Tree Preservation Orders. As the [national legislation](#) indicates, “A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity.”

Where is the protection? No organisation, whether a university or a local authority, should be actively seeking to downgrade the classification of an ancient woodland and to lessen its ecological value so as to downplay the ecological harms of a proposed policy. What was the point in declaring a Biodiversity Emergency if this is the direction of travel?

On this alarming – and frankly depressing – basis, Policy C12 should be withdrawn from the Local Plan.

University Masterplan

The [Development Topic Paper](#) suggest that “it is important to support the growth plans of the universities, having consideration for their masterplans.”

The [Local Plan Sustainability Appraisal report Appendix C \(Feb 2024\)](#) Indicates that “Where appropriate, the new Local Plan should consider potential development option in the masterplan”

In the public meeting at the Guildhall on 29th April 2024 the Council Officer declared that Policy C12 dovetails with the University Masterplan.

This is not accurate. Policy C12 completely contradicts The Canterbury Campus Framework Masterplan. Please see the [Masterplan full version](#) (238 pages) or the [Synopsis version](#) (24 pages) to see how radically Policy C12 departs from the earlier vision as outlined in the Masterplan.

In particular, the Masterplan has many relevant sections relating to the Sarre Penn valley, the fields around St Damian & Cosmus, and the relationship with Blean complex. There are specific proposals around Heritage Principles, Landscape and Biodiversity, Landscape Enhancements. Of the latter, it is worth citing the following proposals:

“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. Perhaps even the Turtle Dove and Brown Hare, two of the England’s rarest farmland species, could be attracted to the campus.”

There is no mention of skylark, turtle dove or brown hare in any of the documents relating to recent Policy C12, and there is no possible way this ambition could be realised with the scale of development proposed.

Additionally, the Masterplan envisages protection for the Sarre Penn valley with the following safeguards:

- *No additional vehicle entry points are proposed in this character area to avoid placing any additional traffic loads onto Tyler Hill Road to the north*
- *This area is protected as part of the Blean Farmlands as an area of high landscape value*
- *The valley is overlooked on all sides and it would be difficult to screen parking in this area*
- *Rainwater run-off from car parks would threaten the biodiversity of the existing stream*

Again, these concepts are starkly at odds with the proposals of Policy C12. Whilst the Masterplan may not be part of the Local Plan evidence library, the University should be held to these ambitions, which are,

genuinely, commendable. There is abundant reason for maintaining these ambitions spelled out in the Masterplan. This is where a more creative outlook is called for.

Contradictions between Policy C12 and the Draft Local Plan

The **Spatial strategy for the district** indicates that “Wherever possible, the council will prioritise the redevelopment of previously developed land and this plan includes a range of brownfield allocations as part of a brownfield-first approach.”

The Sustainability Appraisal of the Strategic Land Availability Assessment Dec 2023 describes SLAA319: “102.3ha predominately greenfield with a small section of brownfield site.” The description of this brownfield site is misleading, as it refers to the existing Blean School, and is proportionally tiny. Therefore the whole site is greenfield.

On this basis Policy C12 should be removed.

Policy SS1 - Environmental strategy for the district rules that “Proposals that increase the risk of flooding will be refused.” The [Strategic Flood Risk Assessment 2024](#) (cited above) lists a number of flood risks in the village of Blean.

On this basis Policy C12 should be removed.

Policy R1 - Rural service centres suggests that Blean has a GP surgery. This is not the case. It also suggests that “To the south, designated Green Gap separates Blean and Canterbury.” This is precisely the Green Gap that will be negatively impacted by Policy C12. Therefore this designation either is rendered meaningless, or Policy C12 should be removed.

Policy R19 - Countryside outlines that “new housing development will only be supported where it protects the rural character and appearance of the countryside and: (a) it represents appropriate infill development within the Villages and Hamlets identified in Policy SS3.”

and

“The council will protect the network of valued open spaces, green infrastructure and sports and recreation opportunities that exist within the countryside and will resist development which affects the openness of designated green gaps which would erode the separation between, or the character or setting of, individual settlements.”

On these bases Policy C12 should be removed.

Policy DS12 - Rural Economy. “The council will seek to protect the best and most versatile agricultural land for the longer term.” Policy C12 would result in the loss of large swathes of agricultural land.

On this basis Policy C12 should be removed.

Policy DS17 - Habitats of international importance assures protection of habitats and safeguards against further nutrient impact on the Stodmarsh Ramsar wetland. As the Nutrient Mitigation Strategy indicates, the Sarre Penn and Wantsum discharge into the Stour and affect Stodmarsh.

On this basis Policy C12 should be removed.

Policy DS18 - Habitats and landscapes of national importance

Policy C12 goes against almost every policy item of DS18, particularly in relation to the integrity of SSSI’s, loss and damage to irreplaceable habitat, impact on protected and priority species, such as great crested newts. No mitigation measures have been presented, primarily because there is no mitigation for the impacts on these priority species.

On this basis Policy C12 should be removed.

Policy DS19 - Habitats, landscapes and sites of local importance. “Within the designated green infrastructure spaces, as defined on the policies map, or sites provided as biodiversity net gain or safeguarded for biodiversity net gain through a Local Nature Recovery Strategy, only proposals that protect or enhance these spaces and their function will be permitted.” Policy C12 would neither protect nor enhance the green spaces, instead it will create significant negative impacts, as identified in the SA.

On this basis Policy C12 should be removed.

Policy DS21 - Supporting biodiversity recovery contains a number of strict restrictions for major developments, including:

That “existing open space, notable ecological features, and green and blue infrastructure, including ancient woodland, species rich or non improved grassland, hedgerows, trees, wetlands and river corridors, are conserved, enhanced, connected, and, where possible, extended.”

That “Consideration, and inclusion where appropriate, of opportunities for improving connectivity of habitats in strategically important Biodiversity Opportunity Areas and the emerging Local Nature Recovery Strategy.”

And that “As a minimum proposals must: (a) Retain existing trees and hedgerows, and where possible increase tree cover and hedgerows; (b) Ensure green and infrastructure provision is in-keeping with the local landscape character of the area; (d) Mitigate for and adapt to the effects of climate change; (e) Mitigate, and wherever possible avoid, any habitat fragmentation; (g) Retain, protect and enhance notable ecological features of conservation value such as ancient woodland, semi improved grassland, hedgerows, trees, wetlands, river corridors and other water bodies, and habitats that offer breeding or feeding sites of local importance to populations of protected or targeted species.”

With the limited available plans for Policy C12, but focussing on the loss of ancient woodland (Long Thin Wood), the negative impact on the Sarre Penn river system, the fragmentation of woodland and the loss of connectivity, the disregarding of the recommendation for a BOA or a LNR, and the loss of habitat of rare and protected species, it is clear that Policy C12 will contradict most of the ambitions of Policy DS21.

On this basis Policy C12 should be removed.

Policy DS22 - Landscape character. “Proposals for development should demonstrate that they are informed by, and are sympathetic to, the landscape, and where appropriate seascape, character of the locality. Proposals will be expected to take every opportunity to reinforce, restore, conserve or improve, as appropriate, the landscape character of the area in which development is proposed.”

There is no evidence that Policy C12 is sympathetic to the landscape, nor to the character of the locality.

Policy DS22 affirms that proposals for development must satisfy “the sensitivity of a particular landscape” and “conserves and/or enhances what is special or distinctive about landscape character.” “The development retains, integrates or enhances distinctive local natural, semi-natural, historic or cultural features;” and “The development avoids harm to the landscape.” Policy C12 fails on almost every item of this policy.

On these bases Policy C12 should be removed.

Policy DS23 - The Blean Woodland Complex. How is one to judge this? “Proposals for development on land surrounding the Blean Woodland Complex, including Policy C12 - Land north of University of Kent and Policy R17 - Broad Oak Reservoir and Country Park, will need to ensure that development does not adversely affect

the landscape, ecology or setting of the Blean Woodland Complex and should be designed to provide the best outcomes for the Complex.”

No evidence has been provided, for the simple reason that the development would inevitably impact negatively on the integrity, connectivity and ecological health of the Blean Complex. To suggest otherwise is unreasonable.

On this basis Policy C12 should be removed.

National Policy

Policy C12 does not conform with the standards set out in the NPPF.

In the section “Preparing and reviewing plans,” Sections 31-33, the NPPF states that:

‘The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned.’

This has not been the case with Policy C12, where evidence for mitigation of the many significant negative impacts outlined has not been provided.

‘Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued.’

This again has not been the case with Policy C12. The significant adverse impacts cannot be avoided.

‘Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).’

This has not been the case with Policy C12, where suitable mitigation measures have not been provided for consultation.

Section 35 states that:

‘Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

*c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.’*

Policy C12 has not been positively prepared. Local parish councils were given no forewarning ahead of the latest Reg 18 consultation. There was no opportunity to consult on the proposals in the previous consultation as **Policy C26 – Land north of University of Kent** was proposed only in reserve. Furthermore, it was reserved as part of the “northern movement corridor to complete the outer ring of the Canterbury Circulation Plan.” This plan has been removed.

Policy C12 has not been justified. Any proportional evidence has not been provided.

Policy C12 is not effective. No evidence has been provided.

Policy C12 is not consistent with national policy. By the recommendations of CCC’s own reports, the significant negative impacts cannot be mitigated.

As part of the planning guidance, the government provides guidelines on the preparation of Sustainability Appraisals for Local Plans: The [Strategic Environmental Assessment and Sustainability Appraisal](#):

‘A sustainability appraisal is a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

This process is an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have. By doing so, it can help make sure that the proposals in the plan are appropriate given the reasonable alternatives. It can be used to test the evidence underpinning the plan and help to demonstrate how the tests of soundness have been met. Sustainability appraisal should be applied as an iterative process informing the development of the plan.

Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a plan during its preparation. More generally, section 39 of the Act requires that the authority preparing a plan must do so “with the objective of contributing to the achievement of sustainable development”.

Policy C12 fails on these counts. There has not been evidence provided for ‘mitigating any potential adverse effects that the plan might otherwise have.’ Consequently, there has been no testing of the evidence underpinning the plan, nor any demonstration how the tests of soundness have been met.

Policy C12 has not been an iterative process. The lands were previously not allocated, and consequently were not consulted on in the previous Reg 18 consultation. There has been no iterative consultation with any parish councils, residents associations, Friends groups, etc. Indeed, as my own blocked inquiries to both the University and Councillors over 2023 revealed, it has been secretive.

Lastly, and importantly, the local planning authority has NOT carried out an appropriate sustainability appraisal of the proposal. Where is the assessment of the proposed new A2 slip-roads? Where is the assessment of the proposed upgrades to Rough Common Road? Where is the assessment of the proposed access roads to the development? Where is the evidence of the impacts to biodiversity, to heritage, to geology, to waste water, etc.?

Policy C12 does not contribute to the achievement of sustainable development.

The same government guidance provides guidelines for habitat impacts:

‘An appropriate assessment, under the Conservation of Habitats and Species Regulations 2017 (as amended), identifies whether a plan or project is likely to have a significant effect on a habitats site, either alone or in

combination with other plans or projects. This assessment must determine whether significant effects on that site can be ruled out on the basis of objective information.

If the conclusion is that the plan is likely to have a significant effect on a habitats site then an appropriate assessment of the implications of the plan for the site, in view of the site's conservation objectives, must be undertaken. If the plan is determined to require an appropriate assessment then it will normally also require a Strategic Environmental Assessment.'

The Sustainability Appraisal Report Regulation 18 2024 of the Local Plan indicates "significant negative effects" on a number of factors. There has been no appropriate assessment provided for consultation, nor a Strategic Environmental Assessment.

Policy C12 should therefore be removed.

Lastly, the Government provides [guidance for Viability](#):

'It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers.'

The plan makers have not acted in collaboration with the local community. The drafting has not been iterative and informed. On grounds of viability, Policy C12 should therefore be removed.

Summary

The proposed development of the land north of the University, Policy C12, is enormous and exceptionally impactful. The scale of development, including the major road infrastructure upgrades, would have significant negative impacts in countless aspects, most of which are documented in reports provided by CCC in the Local Plan Evidence Library. The land was not allocated in previous drafts for very sound reasons. The land has now put forward for allocation based upon no evidence, misleading statements (such as no biodiversity, or no deterioration of ancient woodland) and vague and woefully unrealistic promises of mitigation and compensation. The process has been secretive. Key stakeholders, such as parish councils, residents groups, organisations such as Kent Wildlife Trust or the RSPB, have had no forewarning and no opportunity to engage prior to the latest Reg 18 consultation.

Canterbury City Council [is proud to acknowledge](#) that previous damaging and unpopular policy proposals, such as the Eastern Movement Corridor and the Circulation Plan, have been removed.

Whilst removing these policy proposals is commendable, it is maddening to see Policy C12, a proposal as destructive and ill-considered as the erstwhile Eastern Bypass, added. Not only that, but to see the return of the Western Movement Corridor – for that is what it is – return with no detail, no scrutiny, no concept masterplan, no evidence, and no consultation (and no possibility for consultation, given the lack of information) is quite frankly insulting. Please can we now add Policy C12 to this list of bad policies removed?

My conclusion, as with so many others who have responded to the consultation, is that Policy C12 contradicts many other policies of the Draft Local Plan, goes against numerous recommendations of the Local Plan supporting evidence, and ultimately fails to conform to the tests of soundness articulated in the NPPF and other national guidance and legislation. As such Policy C12 should be removed from the Local Plan.

William Rowlandson
Monday 3rd June 2024