

By email only to: consultations@canterbury.gov.uk

30 May 2024

Dear Canterbury City Council,

Re: Draft Canterbury District Local Plan to 2040

The RSPB welcomes the opportunity to respond to the Draft Canterbury District Local Plan to 2040. We have reviewed the documents online and have provided comments and recommendations below. Please accept our comments in letter format as opposed to via the online form, as this allows more space for detailed comment.

There is much to support in this draft plan. For example, the laudable aim for 20% biodiversity net gain. The RSPB is also very pleased to see that the potential housing allocation at Canterbury Golf Course, close to a SSSI and important, vulnerable Nightingale and Turtle Dove populations, has not been included in the latest version of the draft Local Plan. On the other hand, we object to Policy C12 in its current form. We also have some feedback on other policies which we hope will add value to the document.

Spatial strategy for the district

We are pleased to see the Blean Woods and Stodmarsh included within paragraph 1.8 of the spatial strategy for the district. We would be keen to see more emphasis placed on the importance of connectivity between key biodiverse areas.

Vision for the district to 2040

We are pleased to see the following paragraph in the vision: *“Our important habitats and landscapes will be restored and enhanced, supporting the recovery of nature, improving environmental resilience and providing significant increases in biodiversity”*.

Environmental Strategy for the District

1.24 As the Canterbury district contains key wildlife habitats, including those of national and international importance, that would be enhanced and better protected by increased connectivity following the Lawton principles, we support the inclusion of: *“The Local Plan provides new opportunities to improve biodiversity and the connectivity of our habitats”*.

Policy SS4 – Movement and transportation strategy for the district

The RSPB is very pleased to see the Eastern Movement Corridor plans have been removed from the earlier version of the draft Local Plan. We are, however, concerned by the possibility of road widening and new roads potentially arising in association with Policy C12.

Policy DS18 – Habitats and landscapes of national Importance

We recommend that Policy DS18 paragraph 6 be amended to align with the National Planning Policy Framework to emphasise the need for avoidance as a strong first preference, followed by mitigation, and compensation only as a last resort.

Policy C12 - Land north of University of Kent

We are opposed to proposed Policy C12 – Land north of the University of Kent, the proposal of a new settlement on rural land to the north of University of Kent’s Canterbury campus. We are unconvinced that it is a sustainable proposal and this policy would contradict other policies set out by the Draft Plan

and Canterbury Council's commitment to biodiversity, including the Council's declaration of a biodiversity emergency. Such a development would impede functional ecological connectivity between the main segments of the ecologically important Blean Woodland Complex and would go against the Lawton principles of a bigger, better and more joined-up landscape. We recommend Policy C12 is removed from the draft Local Plan.

The large number of residential buildings proposed within Policy C12, and the plan to connect the woodlands with these developments (as indicated by the master plan map) will have serious impacts through hugely increased and unsustainable levels of recreational disturbance, such as dog-walking, on sensitive habitats and wildlife at the adjacent Blean Woodland Complex. This includes the Blean's important population of ground-nesting Nightingales, which are susceptible to disturbance, and the impact of pets. This increased pressure will also impact conservation management activities through direct impacts and through increasing the amount of time and resources conservation organisations spend dealing with such impacts, at the expense of habitat management tasks and species conservation.

These buildings and associated infrastructure will preclude improvement of habitat connectivity between the main blocks of Blean's woodland habitats. With Kent's Local Nature Recovery Strategy (LRNS) plan now proceeding at pace, the future will be about increased connectivity and landscape-scale enhancements to habitats and biodiversity, following the Lawton principles, rather than further fragmentation. Policy DS23 would support that approach, stating that *"The council will support projects that restore, enhance, expand and connect the valued woodland habitat of the Blean Woodland Complex, as defined on the policies map, and will work with partners to help achieve these objectives including rewilding, natural regeneration and wider landscape restoration..."*, but Policy C12 would impede this approach.

The Canterbury District Tree and Woodland Strategy Consultation 2022-2045, Consultation Draft October 2022, page iii envisages 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."* The Canterbury Draft Local Plan 2040 reflects this vision in Policies DS21 – supporting biodiversity recovery, and DS23 – the Blean Woodland Complex, yet Policy C12 stands in the way of fully realising these admirable landscape-scale aims and pioneering partnership working. We therefore suggest the Council looks to this exciting future and plans accordingly, by removing Policy C12 from the draft Local Plan.

This development will require new associated infrastructure development (C12, paragraph 2.16). This will further add to the harmful impacts of the proposed development on the adjacent Blean Woodland Complex through construction and operation of roadbuilding and road expansion, such as Rough Common Road, through habitat loss and fragmentation, roadkill, noise, dust, air pollution, nitrogen enrichment and road runoff. The site will have limited access to day-to-day services and be heavily car-dependent, as assessed in the Strategic Land Availability Assessment (SLAA), and creating access has not been shown to be achievable due to ecology and heritage concerns ([Development topic paper Appendix B - Summary of Strategic Land Assessment and Sustainability Appraisal Outcomes.xlsx \(live.com\)](#)). There is also the risk of flooding and the spread of toxins and nutrients associated with that, as well as increased light pollution impacts which will be difficult to mitigate fully once in place. It is also unclear how the proposed development allocation would achieve 20% biodiversity net gain. To minimise the footprint of such a scheme, we would suggest that the proposed development should instead be sited where existing developments and infrastructure are already close by.

Policy C12 contradicts Policy DS23 (paragraph 4) in that “*Development affecting the Blean Woodland Complex should provide opportunities for biodiversity improvement within the identified Biodiversity Opportunity Areas*”. Should development at this location proceed, the latter policy would be very difficult to achieve. Policy C12 as it stands would in several ways detrimentally impact the Local Wildlife Sites, SSSIs and SACs that combine to form the Blean Woodland Complex and would prevent the opportunity for landscape-scale connectivity, so it should be removed from the Local Plan.

Policy W4 – Land at Brooklands Farm

We have concerns about this site allocation, as the proposal stands currently. The cumulative impact of housing locally will result in greater and potentially unsustainable recreational pressure on the woodlands of the Blean Woodland Complex across the A299. The woodlands that make up the Blean Woodland Complex (as defined by Policy DS23) are likely to experience increased degradation due to an increase of recreational use of the woods, including dogs and traffic on local roads. This may contradict Policy DS23. We have similar concerns about Convict’s Wood Local Wildlife Site, its ancient woodland flora and woodland birds, regarding issues such as increased recreational disturbance and dog-walking, dog fouling and trampling affecting flora, and dog flea and tick treatments affecting freshwater habitats, or from the creation of walking and cycling infrastructure, for example. This would be against draft policy DS19 “*proposals for development likely to have an adverse effect either directly or indirectly, on Local Wildlife Sites ...will only be permitted where the justification for the proposals clearly outweighs any harm to the intrinsic nature conservation*”. Further, predation of wildlife by pets poses a significant threat to the bird life within the local wildlife site and the isolation of Convicts Wood could impact on its ecological integrity.

Policy R5 – Bread and Cheese Field

We are pleased to see h), turtle dove policy, here.

Policy R17 – Broad Oak Reservoir and Country Park

The RSPB suggests adding the phrase ***as well as new wildlife habitat*** at the end of this introductory paragraph to make clear it is one of the key aims, to read: “*The provision of leisure facilities on the site is a unique offering for the district and allows the site to deliver both functional and recreational benefits for local communities **as well as new wildlife habitat***”. This is important, particularly given the location so close to the Blean Woods complex.

In R17 2. Design and layout: the RSPB suggest wording along the following lines: ***clear zonation will be mapped to establish areas set aside for biodiversity, areas for biodiversity with limited and low-impact access, and areas for full access, including recreation and water sports.***

R17 2 c) places water sports facilities at the eastern end and this is helpful in that it provides opportunities to create wildlife-friendly areas, less intensively used by people, in the northern, western and/or southern areas, and we suggest wording could be added here to this effect.

R17 3. Landscape and green infrastructure – we broadly agree with the clauses here, such as b) the requirement for 20% biodiversity net gain (BNG). In addition, there needs to be wording about including areas with no or minimal recreational disturbance to maximise the value for wildlife and enable BNG.

Policy R17 needs to include specific policy wording here about requiring mitigation for lost Nightingale and Turtle Dove habitat, given that there are several territories of these declining birds, mainly to the north of the reservoir area in the vicinity of the northern end of Mayton Lane, that will be lost to the water. In addition to habitat requirements, recreational disturbance impacts would need to be taken into account for the mitigation area/s. We suggest adding to R17: ***Assessment of***

the proposals on nightingale and turtle dove habitats. Protection, enhancement and restoration of nightingale and turtle dove habitats will be considered, and suitable mitigation where necessary, consistent with RSPB guidance.

Open space, natural and historic environment - Habitats of international importance

The RSPB is pleased to see recreational impacts addressed in 6.48. The RSPB is pleased to see the importance of functionally linked land recognised, and the need to follow the mitigation hierarchy in 6.49.

Policy DS18 – Habitats and landscapes of national Importance

We support this policy generally but would like to see the wording adjusted to make it clear that avoidance is the preferred option, whereas compensation, as per the National Planning Policy Framework, is very much a last resort. We would like to see areas functionally linking important habitats recognised in Policy.

Policy DS19 – Habitats, landscapes and sites of local Importance

We seek more information on what sort of development proposal would outweigh harm to a locally designated site, what the threshold would be to justify that, and in what ways site design could avoid negative impacts. If this is alluding to energy generation schemes, then these should not come at a cost to biodiversity, which is also, quite rightly, the subject of an emergency declaration by the Council.

We agree with Kent Wildlife Trust's views that the word 'biodiversity' should be included in DS19 paragraph 3 "*... only be permitted where they conserve and, where appropriate, enhance the special qualities and biodiversity of the landscape.*" and Policy DS19 paragraph 3a "*...or protect, the local landscape character, biodiversity and its special qualities*".

Policy DS21 – Supporting biodiversity recovery

We support the aim to secure 20% biodiversity net gain (BNG) on all new developments in the district.

We suggest that DS21 (Paragraph 1a) be amended to ensure that the planting of trees and/or creation of woodland is not at the detriment of other important habitats such as flower-rich grassland, or low nutrient open ground habitats such as lowland dry acid grassland.

To help **Swifts**, a UK red list species, we recommend adding as policy to DS21 that *Swift bricks should be provided in all new developments (residential and commercial) in the district of 5m or greater in height to the eaves*. Guidance could follow Brighton and Hove's swift brick policy: [Swift Guidance.pdf \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk) Built-in swift bricks are preferred to external swift boxes as they are integrated into the building, cannot be removed, provide better temperature control and require less maintenance. Unless circumstances make the swift brick impractical, this system should be chosen over external swift boxes. The RSPB is happy to advise further on this if requested.

We suggest a policy on **Turtle Dove**, as Kent supports approximately a third of the UK's breeding birds and Canterbury is a focus of conservation action for this red listed species. Due to its specific habitat requirements, for scrubby nesting habitat, seeds to eat in more open foraging areas, and accessible freshwater, Turtle Dove can often miss out on suitable mitigation. We suggest that development proposals that would impact Turtle Doves in the Canterbury district should adhere to the mitigation hierarchy of the National Planning Policy Framework, with avoidance being the highest option. All proposals for development close to or within Turtle Dove habitat would be encouraged to retain, enhance and restore Turtle Dove habitat and plan to minimise additional disturbance to those

areas. While we would welcome a more detailed policy (for which [please see below](#)), a simple condensed version could read: *Assessment of the proposals on turtle dove habitats. Protection, enhancement and restoration of turtle dove habitats is to be considered, consistent with RSPB guidance.*

Turtle Dove - suggested detailed policy

Development proposals that would impact Turtle Doves in the Canterbury district should adhere to the mitigation hierarchy of the National Planning Policy Framework, with avoidance being the highest option. All proposals for development close to or within Turtle Dove habitat would be encouraged to enhance and restore Turtle Dove habitat and plan to minimise additional disturbance to those areas.

The European Turtle Dove is the only long-distance migratory dove species in Europe. Turtle Dove numbers have declined dramatically in the UK, with the population declining by 99% between 1967 and 2000 and being on the Red list of Birds of Conservation Concern since 1996. Kent is a stronghold for Turtle Doves, supporting approximately a third of the UK's breeding birds. Canterbury retains important breeding habitat for Turtle Doves and has been a focus for conservation action. To halt the decline and support the recovery of the Turtle Dove population it is essential that suitable habitat for them is maintained, enhanced and restored, with priority on retaining existing Turtle Dove habitat.

Turtle Doves have three key habitat requirements to support successful breeding:

1. **Suitable nesting habitat** of thick woody vegetation; particularly tall, dense and thorny broadleaved scrub, or tall and wide hedgerows.
2. **Availability of seeds** from low growing wild (particularly arable) plants and spilt crops in areas of low vegetation with a high proportion of bare ground.
3. **Accessible water** for drinking and bathing due to their almost exclusive low moisture diet of seeds. Importantly, a key measure of breeding success is that the food source and drinking locations are within a 300m radius of the nesting habitat.

Planning applications should be supported by appropriate ecological information, including (i) a data search for Turtle Dove records, (ii) breeding bird surveys should ensure Turtle Doves are included following best practise guidance (e.g. at least two surveys between mid-May to the end of July within the first two hours of sunrise), (iii) assessment should be made of suitable nesting habitat for Turtle Doves within and adjacent to the site. Turtle Doves can be difficult to detect and therefore, if suitable Turtle Dove breeding habitat is available it should be assumed that birds may be present.

Development proposals should:

- Consider both direct loss of habitat and indirect impacts of disturbance as part of any assessment of the impact of the development on Turtle Doves.
- Avoid developing on existing high quality nesting habitat, as this can take 10-15 years to create.
- Retain foraging habitat and drinking sites close to suitable nesting habitat.
- Provide appropriate mitigation if impacts on Turtle Dove habitat, including increased disturbance, are unavoidable.
- Provide appropriate management of retained habitat.
- Enhance retained hedgerows to create suitable Turtle Dove habitat and consider net gain contributions towards turtle dove habitat (either on-site or to a strategic allocation).

For further guidance on the above please visit [Operation Turtle Dove](http://www.operationturtledove.org) (www.operationturtledove.org)

Policy DS23 – The Blean Woodland Complex

The RSPB is pleased that there is a specific policy for this important woodland complex. This policy reflects our long term ambitions for this area, within our partnership with the Kent Wildlife Trust and The Woodland Trust, as we seek to enhance and restore the Blean Woodland Complex for biodiversity and people.

We are concerned that this policy is still focussed on designated areas rather than emphasising the need for a landscape-scale approach and including connecting land which would improve the resilience of the Blean Complex for biodiversity. Rough Common, for example, is a green gap and represents an opportunity to plan for the future through functionally connecting the fragments of the Blean complex.

We support paragraph 1, that states *“The council will support projects that restore, enhance, expand **and connect the valued woodland habitat of the Blean Woodland Complex**, as defined on the policies map, and will work with partners to help achieve these objectives including rewilding, natural regeneration and **wider landscape restoration**.”* Policy DS23 Paragraph 5 is, however, concerning to us, as proposals for development in the immediate area, particularly Policy C12, jeopardise the eNGO partnership’s long-term aims for the Blean Complex, especially regarding connectivity and expansion of the important habitats there. Policy C12 may contradict D23 paragraph 1.

*Regarding Policy DS23, paragraph 3 “Proposals for development that would result in the loss, deterioration or damage to the character, ecology, **connectivity and integrity** of the Blean Complex SAC will be refused”,* this policy should be adjusted to remove “SAC” so as to refer to the entire Blean Woodland Complex, including Local Wildlife Sites and connecting land, not only the SAC/SSSI.

Policy C12 may also contradict the proposed aim of DS23 paragraph 4 *“Development affecting the Blean Woodland Complex should provide opportunities for biodiversity improvement within the identified Biodiversity Opportunity Areas”*. It is difficult to see how this policy could be achieved if the potential development is to go ahead north of the University of Kent.

We hope that our comments and suggestions are helpful and constructive. Please do not hesitate to contact me should you have any questions or wish to discuss any of our comments.

Yours sincerely,

Joseph Beale
RSPB Conservation Officer, Kent and Essex

