

Representation to the Regulation 19 Examination of the Draft Canterbury District Local Plan (2042/43)

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Site C10

1. Conflict with National Policy Planning Framework: Biodiversity, Irreplaceable Habitats, and BNG (Unsound)

- **Loss of Priority Habitat:** The traditional orchards on Site C10 are designated as a UK Biodiversity Action Plan (BAP) Priority Habitat. Planning policies must contribute to and enhance the natural environment by minimising impacts on biodiversity. Allocation of C10 contradicts this national directive.
- **Irreplaceable Habitat Loss:** Independent wildlife and avian audits classify this specific orchard ecosystem as an irreplaceable habitat. The NPPF states that allocations causing the loss of irreplaceable habitats should be refused unless there are "wholly exceptional reasons". No such exceptional justification has been evidenced.
- **Unviable Biodiversity Net Gain (BNG) Baseline:** Due to the exceptionally high baseline ecological value of the existing orchard, achieving a genuine, on site 10% (or 20% local plan target) Biodiversity Net Gain is virtually impossible if the site is developed at this scale. The plan fails to demonstrate a realistic mechanism to meet mandatory statutory BNG thresholds without destroying local ecology.
- **Conflict with Policy DM15:** The scale of the proposed artificial light footprint will introduce a severe "sky glow". This breaks critical local wildlife corridors and fragments nocturnal habitats, further invalidating the plan's baseline ecological thinking.

2. Flawed Evidence Base & Severe Infrastructure Constraints (Unsound & Ineffective)

- **Very Severe Highway Safety and Access Constraints:** The plan identifies only three vehicular access points, all of which are unsuitable:

Hollow Lane: Extremely narrow and contains a Primary School, posing an immediate safeguarding and traffic safety risk to children.

Homersham: A heavily traffic calmed residential street populated by families; ill equipped for heavy construction and intensified residential vehicles.

Birch Road: Contains the area's only dedicated children's playground, creating severe conflict between heavy traffic and vulnerable road users.

- **Unresolved Conflict with the Wincheap Gyratory System:** The proposed transport strategy introduces a severe systemic conflict. The proposed gyratory will mean only traffic approaching from Canterbury will be able to turn left into Hollow Lane. Traffic approaching from Ashord or the new A2 slip Road will be diverted around the back of Wincheap (Simmons Road) and then around Wincheap Roundabout, back onto Wincheap High Street, after which traffic can then turn left into Hollow Lane. To bypass this loop, traffic will naturally move onto Homersham, overwhelming a quiet residential street, escalating local safety hazards, increasing noise, increasing pollution and a rapid decrease in air quality.

- **Failure of Active Travel & "Bus First" Strategy:** While the "bus first" principle is supported conceptually, the Local Plan provides no legal or financial mechanisms to guarantee operational bus routes from day one of occupancy. Furthermore, surrounding arterial links, including Nackington Lane and Hollow Lane, lack continuous footways and segregated cycle lanes. Deprived of safe active travel routes, the site will inevitably become highly car dependent, directly undermining Canterbury's overarching sustainable transport strategy and the NPPF's core sustainability principles.
- **Education Deficit:** There are no planned new secondary schools within Canterbury to absorb the pupil yield from Site C10. Existing schools are heavily over subscribed. This omission compromises educational delivery and guarantees an escalation in long distance "school run" car journeys, multiplying peak hour congestion and further deteriorating air quality.

3. Legal Non-Compliance & Environmental Risk (Not Legally Compliant)

- **Absence of Nutrient Neutrality Strategy:** Site C10 sits within the Great River Stour catchment area, which drains into the internationally protected Stodmarsh Nature Reserve. The Local Plan fails to present a legally binding, fully secured strategy to achieve nutrient neutrality for this allocation. Proceeding without a verified, functional mitigation framework violates Natural England guidelines and the Conservation of Habitats and Species Regulations, exposing the entire Local Plan to a Judicial Review.
- **Water Scarcity and Infrastructure Deficiencies:** South East Water reservoirs across Kent are facing critical baseline deficits driven by accelerating climate change. Simultaneously, the whole water network is experiencing competing demands from emerging, highly intensive data centres and solar farm cleaning. The Local Plan fails to provide clear evidence that a sustainable, long term water supply exists to support an allocation of this magnitude alongside critical commercial infrastructure.
- **Flooding, Wastewater Capacity, and Viability Failure:** The heavy clay geology of Site C10 significantly reduces the amount of water that can be absorbed. Even with Sustainable Drainage Systems (SuDS), surface water runoff will increase, directly putting more pressure on sewage flooding via an already overwhelmed combined sewer system. A new Wastewater Treatment Works remains uncostered. Additionally, the required pipeline infrastructure relies entirely on securing access across unacquired third-party land.

4. Failure of Deliverability and Viability (Unsound)

- **Erosion of Community Benefit (S106):** Due to the costs of the required highway alterations, wastewater upgrades, and ecological mitigation, the financial viability of this site is likely to be compromised. Vital infrastructure upgrades, the promised sports hub, and mandatory affordable/social housing quotas will become unviable, entirely eliminating the stated public benefit of the allocation.

Proposed Modifications Required to Make the Plan Sound

To rectify these extensive failures of soundness and compliance, the following modifications are formally requested:

1. **Reduction of Housing Density / Capacity:** Significantly lower the maximum permissible housing numbers on Site C10 to match the proven, highly constrained capacity of the local highway network and water infrastructure. To maintain the health of residents without increasing air pollution.

2. **Mandatory Alternative Access Route:** Amend the policy wording to state that development cannot commence until a dedicated, alternative strategic access route is fully investigated, funded, and secured, completely bypassing Hollow Lane, Homersham, and Birch Road.
3. **Compulsory Retention of Community Orchard:** Introduce a legally binding planning condition within the allocation policy specifying that a substantial, legally protected portion of the existing orchard must be retained in perpetuity as a non developed Community Orchard to preserve biodiversity, sustain wildlife corridors, and offset BNG deficits.
4. **Grampian Conditions for Infrastructure:** Insert Grampian conditions requiring that nutrient neutrality, Day One bus service provisions, wastewater treatment pipe easements, and safe, continuous active travel linkages are fully secured and operational prior to the commencement of any residential construction or occupation.