
Representations on the Canterbury District Local Plan (Regulation 19)

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Hello

As a Canterbury resident, I would like to make the following representations on the Canterbury District Local Plan (Regulation 19):

The NPPF (Dec. 25 p24) states development should be restricted where “the policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area” citing examples such as SSSIs, designated heritage assets and irreplaceable habitats. The Draft Canterbury District Local Plan (Mar 26) itself recognises the proposed development may harm such assets. For example:

- SSSI at Stodmarsh: The council’s Appendix D Draft Canterbury District Nutrient Mitigation Strategy states “In the Stour Valley River catchment in East Kent, developments could adversely affect the Stodmarsh complex, which is designated a Site of Special Scientific Interest, Special Protection Area, Special Area of Conservation and Ramsar site.” It moreover states “through onsite mitigation it is **not** possible to achieve nutrient neutrality” and proposes the development of nutrient treatment wetlands alongside the Stour. Many of these proposed sites are labelled as only *potentially* suitable and are also located upstream of large scale developments such as Policy C10 Merton Park, making it unlikely they will be able to achieve their intended purpose. Furthermore, the Stour is a rare example of a chalk stream, which is already a priority habitat and a proposed candidate for irreplaceable habitat status. It ought to be protected from development not developed for wastewater treatment.
- Designated heritage asset Canterbury Cathedral (UNESCO World Heritage Site): As recognised in the Canterbury Landscape Character Assessment and Biodiversity Appraisal (Oct 2020), the Nackington Farm area, which is the site of the proposed Policy C10 Merton Park development, has a raised elevation providing stunning views of the cathedral. It recommends these views should be preserved. The NPPF (Dec. 25 p95) states plans ought to consider a heritage site’s setting and buffer zone. Appendix I: Appraisal of Area Policies – Canterbury I(a) mentions the need for a site-specific Landscape and Visual Impact Assessment (LVIA) but it is unclear if this has been done. Appendix I: Appraisal of Area Policies – Canterbury I(a) states “Policies C10, C15, C16 would create/encourage large scale development on the edge of Canterbury’s existing built environment. Such development could have effects on local landscapes and townscape, as the development in such places can cause a change to landscape character, especially due to their size” and “while the policy requirements would reduce and soften these effects over time, they are not expected to fully remove significance.” Large scale development

in this area is likely to ruin such views and detract from the cathedral's rural backdrop, permanently changing its character.

- Potential irreplaceable habitats affected: The orchards in the proposed C10 Merton Park policy are of significant age, with some trees estimated at 100 years old. It is possible they meet the criteria for veteran tree status, making this an irreplaceable habitat. Also, if chalk streams are accorded irreplaceable habitat status, much of the Draft Plan may need revisiting, as it is likely to cause harm to the Stour through, eg, nutrient load, sewage discharge, and proposed development of wastewater treatment wetlands alongside its banks.

Due to harm to such sites, the current Draft Plan is inconsistent with national policy, making it unsound. Development in this area is inappropriate and should be restricted or re-sited.

The NPPF (Dec. 25 p56) states "To support the effective and efficient use of land the development plan should, at the most appropriate level: a. Identify ways of accommodating as much as possible of the development required in the area on previously developed land" and yet the Draft Plan itself concedes much of the proposed development will be on greenfield sites, for example Appendix I: Appraisal of Area Policies – Canterbury I(a) states "Policies C10, C11, C14, C13, C15, C16 and C30 would see the development of mainly greenfield land." Therefore the current Draft Plan is inconsistent with national policy, making it unsound.

Instead of development, areas affected by Policy C10, particularly the orchards and adjacent Lime Kiln Road playing area, ought to be designated as Local Green Space. It is of demonstrable significance to the local community as demonstrated by the Save Wincheap Orchards campaign and meets all of the following criteria in the NPPF (Dec. 25 p76):

"Local and neighbourhood plans may designate land as Local Green Space where this would safeguard green areas of particular value to the local community. Local Green Space should be limited to situations where the land concerned is: a. In close proximity to the community it serves; b. Demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c. Local in character and not an extensive tract of land."

Developing such a site rather than preserving it is inappropriate and unjustified, and therefore unsound.

The NPPF (Dec. 25 p29) section CC2: Mitigation of climate change states proposals should "Contribute to the creation or restoration of habitats which can act as carbon stores, such as through woodland planting and peatland restoration, while avoiding harm to habitats which can act as important carbon stores" and yet the Draft Plan Policy C10 is likely to cause the removal of thousands of trees (the orchards and associated mature hedgerows and boundary trees). Therefore the Draft Plan is inconsistent with national policy, making it unsound.

The NPPF (Dec. 25 p90) section N2: Improving the natural environment states "1. To contribute positively to the natural environment and support nature's recovery development proposals should: a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply)" yet this does not appear to have been done, particularly for Policy C10, Merton Park:

- The area is hydrologically linked via the Stour catchment area to the Stodmarsh Ramsar/SAR site and yet does not appear to be included in the Habitats Regulation Assessment.
- The C10 Policy area impacts on a chalk stream priority habitat (the Stour) via wastewater management and nutrient load etc, yet there is no mention of chalk streams within the whole of the Draft Plan.
- Biodiversity assessment for C10 in Appendix G Site assessment Appendix C Site scoring matrix contains “?” indicating “Where a box is coloured but also contains a ‘?’, this indicates uncertainty over whether the effect could be a minor or significant effect...A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.” The Local Plan does not appear to have sufficiently explored the environmental significance of this site.
- The area N4 Nackington Farm, site of Policy C10 Merton Farm, was not considered in the Appendix D Baseline Analysis of Biodiversity, and yet is home to several priority species, such as sky lark, linnet, tree sparrow, hornet robber fly, many of which are dependent on open countryside areas and therefore cannot be conserved through habitat mitigation/creation measures within suburban areas, such as that of the proposed development.
- The area also includes priority habitat (mature hedgerows) and established orchards with veteran trees, which cannot be replaced or reproduced once destroyed.
- The Policy C10 achieved a significant negative score for SA Objective 5 “To conserve and enhance the landscapes of the District for people and wildlife” in Appendix I: Appraisal of Area Policies – Canterbury I(a), meaning there will be demonstrable harm caused to the environment by development in this area.
- Local Plan policies specifying a Net Biodiversity Gain of 20% for large developments such as a C10 Merton park appear to have been reneged, eg as stated in QuinnWR0918 Icen Projects on behalf of Quinn Estates (Sophie Innes)_Redacted page 5: ‘Following previous representations on the matter, it is recognised and appreciated that the updated Policy N1 has removed the specific reference to achieving 20% BNG’

Therefore the Local Plan has not properly considered the environmental qualities of the land proposed for development, and is therefore inconsistent with national policy, making it unsound.

The NPPF (Dec. 25 p56) states land use policies should “optimise the use of allocated sites through... Improv[ing] access to the countryside p56”. However, the proposed developments as C10 and C11 will *reduce* access to the countryside. These are currently arable/greenfield sites, which can be safely and easily accessed by residents, including children, without having to cross major roads etc via the Wincheap area. The proposed developments will remove this countryside, meaning residents will have to travel further to access open countryside, potentially by car. As this site is largely bordered by busy roads, such as the A2 and Nackington Road, access to the fields beyond is more difficult and dangerous, especially for children. The plan is therefore unsound.

Yours sincerely,
Rachel Witherow