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**Our ref:** KT/2006/000189/CS-  
14/PO2-L01  
**Your ref:** Regulation 18  
**Date:** 03 June 2024

Dear Planners

Thank you for consulting us in regards to this Local Plan Main Modifications Consultation

We would like to submit the following comments and recommendations in regards to the documents provided for review.

### **Groundwater and Contaminated Land**

#### Open Space Strategy 2023 to 2040

This document informs policy DS24 in the Local Plan. GWCL have no comments to make on this.

#### Sustainable Design Guide

Section 3.5.1 - this section makes note of ground source heat pumps (GSHP). Permitting requirements for GSHPs should be considered now that heat has been added as a pollutant in the Environmental Permitting Regulations.

Section 4.2 - we would recommend inclusion in the final paragraph of 'groundwater protection' during construction.

Section 5.2 - the use of greywater for toilet flushing is encouraged, but greywater should not be discharged to the environment (e.g. via surface water systems), unless authorised by an environmental permit.

### **Flood Risk**

Where development is proposed within Flood Zone 3b, the starting point is that development should be restricted to those development types that fall within the category of Essential Infrastructure. If other categories of development are proposed, a site-specific flood risk assessment will be required to demonstrate, through detailed modelling, that FZ3b can be avoided whilst still opening up land on the site suitable for other categories of development. The FRA shall inform the sequential approach to the layout of the site by locating the most vulnerable elements in the lowest risk areas, thereby avoiding development within the functional floodplain, Flood Zone 3b. The FRA will need to demonstrate that development can be made

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safe, without increasing flood risk elsewhere, taking account of all forms of flooding.

In addition:

- i. Floor levels should be raised above the design flood level (with an appropriate allowance for climate change) , including the Environment Agency's recommended additional freeboard requirements where practicable;
- ii. Flood resistance and resilience measures must be included. Suitable mitigation (i.e. compensatory flood storage, floodable voids) should be provided where development would displace surface water to ensure no increase in risk of flooding to the surrounding area;
- iii. The Sequential Approach should also be applied to the internal layout of buildings, in particular where floor levels cannot be raised

NB Following the August 2022 update of the NPPF Practice Guide the definition of FZ3b has been changed to land having a 3.3% or greater annual probability of flooding.

### **Fisheries, Biodiversity and Geomorphology**

Much of the document relates to habitats and species that are not in the remit of the Environment Agency.

However, the National Planning Policy Framework, December 2023, defines wildlife corridors as “areas of habitat connecting wildlife populations”. This definition absolutely applies to rivers and river corridors as well.

Green infrastructure as defined in the NPPF and repeated in <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx> is “a network of multi-functional green and blue spaces and other natural features, urban and rural, which etc.”.

The draft strategy refers to both green corridors and wildlife corridors but, apart from fleeting reference to the Riverside Strategy, which is only concerned with the Great Stour, the draft strategy does not mention any of the other rivers in the District. Given that there are a number of chalk streams – incredibly rare in the world – this is a significant omission that should be addressed with much more detail on the other rivers in the District being given.

In addition, where corridors are mentioned in “Building for a Healthy Life” (no page number as none are given in the document!), the importance of corridors for movement – fish migration – cannot be stressed enough and consideration should be given to protection of rivers for fish and other riparian species, for example, bats.

Finally, Objective 5 “Maximise contributions to biodiversity and Local Nature Recovery networks” fails to mention rivers at all despite the fact that there will be actions in the Local Nature Recovery Strategy that will focus on rivers as they form very important networks in their own right.

Please review the text of the first strategic action for the Delivery of Objective 5 as it appears to be missing a word:

Currently:

1. On a minimum of 15 open spaces, the Canterbury Pollinator Action Plan will be used to promote opportunities to maximise the creation and maintenance of pollinator friendly.

Should this not read:

1. On a minimum of 15 open spaces, the Canterbury Pollinator Action Plan will be used to promote opportunities to maximise the creation and maintenance of pollinator friendly **areas / zones / spaces**.

## **Land And Water**

We provide the following general comments regarding the Canterbury District Local Plan to 2040 for this stage of consultation, in regards to changes or clarifications we wish to see implemented:

- To ensure that provisions are made during developments so that all appropriate steps are taken to prevent pollution to the environment.
- All materials that could be hazardous to water quality must be stored in suitable areas, more than 8m away from any watercourse, away from site traffic and in containers which are fit for purpose. The storage of materials must be protected from vandalism or other unauthorised access.
- Any washing of vehicles or equipment will only take place in controlled areas. No watercourse will ever be used for the washing of equipment and wash waters will not be discharged into the water environment. The wash water will be treated and discharged to an approved location.
- At source, all re-fuelling plants will take place in an appropriate bunded area more than 8m away from a watercourse. This will include an impervious base and where possible interceptor drains. An adequate supply of spill kits will be kept at all construction sites and any fuel bowsers are to be double skinned or have a bund. Vehicles and equipment are never to be left unattended during re-fuelling.
- All pumps, generators and similarly fuelled equipment must be placed on drip trays or in a bunded area. Drip trays must be positioned more than 8m away from any watercourse or drain.
- All valves, hoses and associated re-fuelling equipment must be regularly inspected to ensure that they are still in a suitable condition. This equipment must be specified to be protected from vandalism and unauthorised interference and must be required to be turned off and securely locked when not in use.
- All tanks or drums of fuel, oil, grease, chemicals, and all other hazardous material must be kept in a secure, bunded area with an impervious base. These will be clearly marked as to their contents and are only ever to contain the substance for which the tank was designed or supplied. Any spillages or leaks are to specified to have to be dealt with promptly and all waste disposed

of in an appropriate manner. IT must be made clear that before any tank is removed or perforated, all contents and residues will be emptied by a competent operator for safe disposal at a licensed facility.

- All bunds or interceptors must be adequate for the amount of spillage that could happen in a worst-case scenario and will be designed to applicable standards. All bunds should be required to have a capacity of at least 110% of the tank volume and must be inspected daily.
- All contracting staff (including sub-contractors) who are involved in fuel handling must be required to be given training in the correct procedures for handling this and other potentially polluting material in an appropriate manner and, if required, site specific procedures will be developed that all relevant staff must adhere to when handling such material. Staff will also need to be trained in the proper use of spill kits. A note that we should be contacted on the 24-Hour incident hotline in the event of an actual or potential pollution to water should be included in this advice.
- No discharges of poisonous, noxious, or polluting matter should be allowed, including the mobilisation of silt.

### **Groundwater and Hydrology**

We welcome that Canterbury Council have included our previous comments on water efficiency. The only change we would suggest at this stage is regarding the use of 'should' rather than 'will' for 10 homes in policy DS6, where 'will' has been used for <10 homes.

#### **Policy DS6**

For proposals for ten or more homes, water systems **should/will** be designed to achieve a per capita consumption of 90 litres person per day.

Proposals for fewer than ten homes **will** be required to meet 90 litres per person per day unless it can be robustly demonstrated that this would not be technically feasible.

In section 2.2 'Other legislation/policy', the document could include a reference to the Water Resources Management Plans published by South East Water and Southern Water which forecast future demand for water in their supply areas over the next 50 years and outline options to improve supplies, reduce leakage and reduce demand per capita. South East Water supply most of the area covered by Canterbury Council and their options include a new reservoir at Broad Oak.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on via the email below.

Yours sincerely,

**Mr Adam Blake**  
**Planning Advisor**

