



Littlebourne Parish Council

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Littlebourne Parish Council's response to Canterbury City Council's draft Local Plan to 2045

The enclosed document represents our response to the public consultation for the Draft Local Plan to 2045 document and consisting of comments on: -

1. Littlebourne Policies R14 R15 and R16.
2. The likely adverse effects of the proposed zoning proposals for Canterbury City on Littlebourne residents.
Appendix A: Rapid Landscape and Visual Assessment of R15
Appendix B: Habitat Regulation Assessment of draft Local Plan 2045

1. Littlebourne Policies R14 R15 and R16

1.1. Policy R14 – general comments

1.1.1. **Statement.** Littlebourne Parish Council recognise the requirement for increased delivery of housing in the UK but are concerned over the scale and scope of proposed development in Littlebourne on top of the already substantial recent increases in number of houses and residents. As a further near 50% increase in the number of houses, we feel the Local Plan 2045 represents a disproportionate increase in burden on the village infrastructure and its community which is currently well valued and supported by its residents.

1.1.2. **Use of term Rural Service Centre for Littlebourne.** The definition of Rural service centres is a description and not a strategy. The draft local plan fails to logically explain why the presence of certain village characteristics means the very large and non-proportionate expansion of Littlebourne would be 'sustainable'. We believe that many of the defining elements are already over-stretched. Our school is unable to cater for all local resident needs. The GP surgery is unable to manage for local demand and much consultation for villagers takes place in Bridge and Canterbury despite an adequate physical premises in Littlebourne. The

presence of our local store is valuable, but typical higher local shop prices and inevitably limited selection mean that much food shopping is necessarily undertaken by residents in Canterbury supermarkets. One might assume a definition of a Rural Service Centre to be a kind of relatively complete concept for sustainability even when expanded but the Local Plan does not consider the key issue of employment requirements for Littlebourne expansion. Hundreds of jobs would be needed for the new residents in R15 and R16, but no net increased provision is scoped within the plans. The majority of new needed employment would require travel out of the village with consequent impacts on the constricted village traffic flows.

- 1.1.3. The redrawing of the Littlebourne settlement boundary** is geographically artificial and illogical especially for R15. There is no reasonable sense of infill with these policies which are both outside of the built confines of the village. The combined scale of R15 and R16 is substantial and out of scale with the pattern of development of the village. It would urbanise an area which is undeveloped and rural in nature and encroach substantially into the countryside.
- 1.1.4. Loss of agricultural land.** Both Policy R15 and R16 would lead to a permanent loss of the best Grade 1 (Defra defined) agricultural land. R15 is an especially productive Grade 1 land because it is south facing and with herringbone drainage installed partly with public money in the 1960's.
- 1.1.5. Landscape Harm.** The proposals fail to protect or enhance the valued landscapes and therefore conflict with the National Planning Policy Framework (paragraph 174a).
- 1.1.6. Cycle Route improvements fall short.** Improvements to cycle connectivity, which at present is functionally absent for Littlebourne, would be welcomed but the route sketched to Bekesbourne station is unclear and indirect. A better route might be from R15 along the north border of Howletts zoo along new cycleway direct to the station. However, even with this, the plan fails to aid the dangerous but arguably much more useful cycle access to Canterbury City centre shops or the Canterbury West station with its fast train access to London.
- 1.1.7. Lack of employment options predicate un-sustainable increase in travel.** The provision of 400sqm of business premises in R16 might only just compensate for the removal of current business units required for R16 to be accessible. R14 fails to indicate how the absolute requirement of employment for a likely 50% increase in new residents would be achieved in any sense at a local level and thus fails to fulfil the broader definition of sustainability.

- 1.1.8. **Worsen already inadequate sewage capacity.** The proposals for R16 take no account of the poor capacity of existing wastewater (aka sewage) infrastructure and management in our catchment. In Littlebourne and other local villages, these shortcomings already result in regular, persistent and disruptive emergency measures, including pumping of sewage into the Little Stour and tankering of sewage to Canterbury's Wastewater Treatment Works located upstream of Stodmarsh (500 tankers in 2021/22 winter),
- 1.1.9. **Contravene Habitat Regulations.** Tanker deployment (above), in particular, has a significant adverse nutrient effect at the Stodmarsh internationally-designated sites and therefore fails to meet the legal requirements of the Conservation of Habitats and Species Regulations 2017. (Please also see section B)
- 1.1.10. **Increased flood risk to lower Littlebourne.** Lacks a forward plan to address multiple impacts of increasing surface water run-off from urbanisation on flooding along Nargate Street and on the water quality in the Little Stour - a rare example of a chalk stream enjoyed by many local inhabitants.
- 1.1.11. **A257 Traffic Issues.** The A257 is a narrow road in Littlebourne with multiple difficult residential road junctions and congested movement especially during rush hours. We are very concerned over the considerable increase in traffic flow in both directions through Littlebourne not just from the proposed Littlebourne developments but also as a consequence of multiple additional developments proposed along or near the A257 corridor within the draft Canterbury 2045 Local Plan. These may also be added to by further development proposed within the Dover District. Canterbury, being the major city in East Kent, will draw much traffic flow from these estates and although some of this will be travel via the A2, it would be inevitable that much will use the A257 through Littlebourne village centre either to travel to or from Canterbury or as their quickest route to reach the Eastern Movement Corridor. We have concerns over the scale of R1 Cooting Farm and C11-16 Land East of Canterbury. The draft Local Plan 2045 fails to include an adequate assessment of traffic effects of such developments and the Eastern Corridor on the *rural* communities along the A257 such as Littlebourne. The net overall effect of the plan appears to be exporting the congestion and pollution of Canterbury city to its rural villages especially Littlebourne.

1.2. Policy R15 specific comments

- 1.2.1. **Recent Planning Rejection.** This policy envisages up to 300 houses which is nearly 3 times the size of the planning application by the same developers that was comprehensively and appropriately rejected by the Canterbury City Council planning department in September 2021. The

past plan for 115 houses was also rejected by 96% in a poll of Littlebourne villagers and the greater scale of the new plans have received a similar village disbelief and disapproval. The Policy R15 differs little from the rejected application except an even larger scale of development and a through road from The Hill to Bekesbourne Lane – the likely effects and risks of which are not assessed in the draft Local Plan.

R15 does include many criteria which are aimed at some issues raised in the recent smaller plan rejection. However, Littlebourne Parish Council remain concerned that these new provisions (many of which are vaguely worded) will not actually address the fundamental issues of any such a development and its effects on the village or may not be fully honoured in any subsequent final plan agreements.

1.2.2. Hazardous Road Access. The proposal for up to 300 dwellings would potentially equate to approximately 500 extra vehicles at one to two per household (based on numbers from the current Laurels development off The Hill and which appears to be an underestimate of true need). The access to the site as proposed is via a Link road running between the A257 at The Hill and Bekesbourne Lane. This would mean many vehicles moving off the site at peak times onto to either of the stated roads. The A257 is already congested at these times with traffic passing through the village as well as local traffic and likely to be further worsened by the many other developments along the A257. The access onto the A257 as proposed is dangerously close to the top bend on The Hill that has proven speeding problems beyond the 30mph limit as picked up from the local Speedwatch group. It is also within approximately 100 meters of the access road into the 55 dwelling Evenhill Road estate and the 87 dwellings development of The Laurels and would add to the existing problems that those developments contribute. Evenhill Road and The Laurels estate road are both the sole access routes from the A257 to their estates. If such a junction to The Hill is to be progressed the Parish Council would recommend it is of a design to necessarily reduce speeding up and down the Hill. Traffic exiting the site onto the A257 and turning right towards the centre of the village or entering the site from the Canterbury direction will have to brave the traffic flowing out of the city and such speeds and restricted view around the top bend would be a danger. Surveys have shown some drivers exceed the speed limit very significantly – even up to 80mph and this area has been subject to several serious accidents. Traffic coming off the site onto Bekesbourne Lane heading towards the village and the junction with the A257 face a congestion problem and a dangerous turn right heading towards Sandwich and the faster route through to Thanet. Bekesbourne Lane is a narrow local service road with occasional width restrictions as well as a weight limit and has little capacity for a larger amount of extra vehicle movements.

Alternate options (not proposed) for a site entrance road lower down The Hill could also have major problems by conflicting with busy road

junctions – the entrance to the Laurels estate and Jubilee Road – and would be similarly unsuitable for the narrow A257. Any consideration of a sole access from Bekesbourne Lane to R15 would be un-tenable due to the scale of traffic increase along this narrow country lane.

If R15 goes ahead, the proposed ‘link road’ from The Hill to Bekesbourne road within the site should be of a quality of size and separation from housing to avoid it being permanently prevented from becoming part of any eventual and more desirable true relief road for Littlebourne.

1.2.3. Landscape impact. The site proposed lies in the North Kent Fruit Belt Character Area. This is characterised as having well enclosed, medium scale field patterns. Rolling quiet and picturesque. Traditional elements such as hops and orchards are characteristic giving way to arable. The visual unity is described as being generally coherent. Although there are no landscape designations as such, the land is representative of the key characteristics of the landscape character area within which it lies. The landscape is valued not only by being part of wider countryside but because of its juxtaposition to the built confines of Littlebourne, the way in which it contributes to the setting of the village and the significance and importance of the surrounding countryside to those who live, work in and visit the village. The importance of the site as the closest part of countryside adjacent to the village, as part of the wider rural landscape within which Littlebourne is located, together justify the conclusion that this is a valued landscape which should be protected and enhanced in accordance with paragraph 174a of the National Planning Policy Framework. We consider no version of an estate could avoid major and harmful impact on the landscape views from either the land itself or from the current Littlebourne conservation area.

Please also see **Appendix A** for a detailed review of the Landscape and Visual Impact Assessment.

1.2.4. Effect on Littlebourne Conservation Area. The proposed R15 site adjoins the south-western boundary of the Littlebourne Conservation Area. Opposite the site is the Grade II listed Coachman’s Cottage and immediately to the north the Grade II listed Holly Lodge. The proposals risk harm to this conservation area and to the designated heritage assets.

1.2.5. Existing Inadequate Sewage System. The existing old village foul sewer system already represent a risk both to the integrity of designated sites of international importance which are protected under the Habitats Regulations and the Stour Valley Floodplain (East) ie the diversity of habitats adjacent to the Little Stour chalk stream protected under the Natural Environment and Rural Communities Act 2006 listed as of ‘principal importance’ under S41. Please also see **Appendix B** for a detailed review of this assessment.

Policy R15 requires a high quality wastewater treatment works on site but there is no detail of where the outflow of such works would drain. We do not support R15 but if this site is to go ahead despite the here listed concerns we recommend because of the extreme importance of this aspect of any development that the details of the sewage system and outflow must not be left to be part of reserved matters and should be clearly described in full detail within any outline planning application. We have concerns over the long-term reliability and economic viability of such small local systems, which in any case of failure or inadequate maintenance would have devastating consequences on the ecology of the Little Stour rare chalk stream in the village and, downstream, risk the Stodmarsh Nature reserve. Any move to downgrade the onsite proposals to using existing village sewage system would risk considerably worsening the consequences of the poor capacity of existing old wastewater (aka sewage) infrastructure and management in our catchment. In Littlebourne these shortcomings already result in regular, persistent and disruptive emergency measures, including pumping of sewage into the Little Stour and tankering of sewage to Canterbury's Wastewater Treatment Works located upstream of Stodmarsh. There were 500 tankers from Littlebourne and other local Little Stour valley villages in the 2021/22 winter – not just expensive but burdensome to the lower village. Tanker deployment (above), in particular, has a significant adverse nutrient effect at the Stodmarsh internationally-designated sites and therefore fails to meet the legal requirements of the Conservation of Habitats and Species Regulations 2017.

- 1.2.6. **Flood Risk to the lower Littlebourne Village.** In the recent past and notably when ground water levels have been high and the Nailbourne has run, the lower parts of Littlebourne (Nargate street, The Green and eastern end of the High Street) have been subject to floods significantly affecting local residential properties and parts of the Littlebourne House care home complex. Policy R15 (and R16) lack a cogent forward plan to address multiple impacts of increasing surface water run-off from urbanisation on flooding along Nargate Street and on the water quality in the Little Stour - a rare example of a chalk stream enjoyed by many local inhabitants. Such water-related issues will become far more significant because of a near 50% increase in village population and the effects of climate change. Both factors may result in greater flows of both surface water and wastewater. The Local Plan must address the potential increased risk to residential property and carefully consider how substantial housing development and associated water-based pollution can be kept consistent with stated objective of habitat protection and biodiversity enhancement by 20% during implementation.

1.3. Policy R16 specific comments

- 1.3.1. **Waste water management.** It is implied that no on-site facility will be provided and therefore that there is an expectation to join the main

sewerage system running down Court Hill and Church Road. We are concerned that this could further over-burden the poor capacity of sewage handling pipework for the village and risk more river pollution or disruptive tankering. Please see Appendix B. In the absence of significant sewage system upgrading, this site could considerably worsen the consequences of the poor capacity of existing old wastewater (aka sewage) infrastructure and management in our catchment. In Littlebourne these shortcomings already result in regular, persistent and disruptive emergency measures, including pumping of sewage into the Little Stour and tankering of sewage to Canterbury's Wastewater Treatment Works located upstream of Stodmarsh. There were 500 tankers from Littlebourne and other local Little Stour valley villages in the 2021/22 winter – not just expensive but burdensome to the lower village. Tanker deployment (above), in particular, has a significant adverse nutrient effect at the Stodmarsh internationally-designated sites and therefore fails to meet the legal requirements of the Conservation of Habitats and Species Regulations 2017.

1.3.2. Access and Transportation. R16 simply proposes road access onto Court Hill (realistically this would be the only viable road access). On the assumption that the majority of R16 residents' vehicle journeys would be via the A257, we have concerns particularly on the effects of increased traffic on the narrow residential Jubilee Road and the very tight junction between Nargate Street and The High Street (A257). The prime and likely access to the site would be via Jubilee road both during construction and afterwards. Jubilee road has already a problem with HGV use accessing local farms and a small industrial estate as it has no weight restriction. It has a large number of cars parked along it as many houses have no off-road parking thus causing width restrictions along its length. Congestion is already very evident on this road, particularly on the school run times. Alternative access via Church Road leads past the local junior school, congested already at peak times with student drop off and pickup, to a junction with Nargate Street which on turning right towards the village centre has a 7.5 tonne weight limit and is a narrow street also with on road parking and a very narrow access onto the A257. With 50 houses it would lead to an additional 75 to 100 vehicles accessing these narrow local service roads. There is little to no traffic assessment studying the impact of these draft development proposals along with other developments along the A257 corridor from the proposed Eastern Movement corridor City outwards. Local knowledge of the existing problems would indicate that the traffic movements through and around the village would be detrimental to the village.

2. Effect of Canterbury Zoning Proposals on Littlebourne Residents

2.1. Zoning will be detrimental particularly to rural residents of Canterbury District. Whilst recognising a desire to decrease non-public vehicle through traffic and consequent pollution within Canterbury City centre, we are concerned that access to onward fast rail service at Canterbury West,

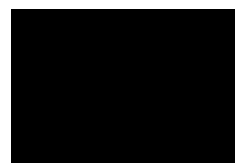
secondary health centres, shops, leisure and entertainment etc by our residents would be inhibited significantly. We understand that a similar zoning proposal is envisaged for Oxford but is otherwise experimental in the UK. Oxford is quite different to Canterbury in having exceptionally well-developed cross-city bus services and which run sufficiently late in the evening to be a reasonable option for some not to use a private vehicle. Private vehicle use remains the only practical transport for many who live in Canterbury District rural villages which either have no buses or where people are unable to manage them through age or disability. The zoning proposal would absolutely require the proposed establishment of a circular road system to reach other zones by vehicle be in place before it is enacted together with adequate cross-city bus services. However, the proposed eastern movement corridor, if it ever achieves enough funding for its build, is lengthy and would increase journey distances and times, and thereby could increase traffic pollution. We suggest that the zoning proposal is shelved until it is reworked to address the needs of the rural communities in the Canterbury District including Littlebourne.

On behalf of Littlebourne Parish Council



LPC Parish Clerk

11th January 2023



LPC Chairman

11th January 2023

Appendix A:

Landscape and Visual Assessment of Policy R15 (The Hill, Littlebourne)

(Richard Andrews, December 2022)

A recent application for the development of far fewer houses than the Draft Local Plan would allocate under Policy R15 was refused as recently as September 2021. One of the reasons for refusal was “The proposed development is located outside of any settlement and is not identified as suitable for residential development within the Canterbury District Local Plan 2017 and as such, if allowed, would result in an **unsustainable...urbanisation of the countryside.**” The associated Officer’s Report stated that “the introduction of a development of this size ...would urbanise and dilute the verdant setting of the village experienced upon entry into Littlebourne from the west, **adversely impacting the rural landscape character of the settlement.**” It also states: “the effect of changing the site from open rural land to suburban housing would alter the rural setting of the Littlebourne Conservation Area. As such the proposal would **fail to preserve or enhance the setting of the conservation area**”.

***COMMENT:** The site and its rural context has not changed since September 2021. If development of 115 houses was seen as ‘not suitable’ and ‘unsustainable urbanisation of the countryside’ only last year, how can allocation for c.300 houses under draft Policy R15 (more than double what was refused in 2021) be any different in the professional opinion of Canterbury Council’s planners and in the minds of the planning committee members? This would make a mockery of Canterbury’s recent planning decisions and undermine the process.*

The **current Local Plan (2017)** includes the following relevant statements and policies related to Landscape:

Paragraph 10.1: "One of the City Council's objectives is to protect and enhance the countryside, acknowledging its own intrinsic value, the diversity of its landscapes, heritage and wildlife and recognising that a high quality rural environment contributes to the economic, social and cultural well-being of the District."

***COMMENT:** Draft Policy R15 directly acts against this stated objective in Paragraph 10.1 of the current Local Plan.*

Paragraph 10.18 "The Landscape Character and Biodiversity Appraisal (Draft 2012) will be adopted as Supplementary Planning Guidance and will be used as a material consideration when determining applications for development within the rural areas".

Policy LB4 "In considering development proposals, the City Council will take every opportunity to reinforce, restore, conserve or improve, as appropriate, the landscape character of the area in which development is proposed. Development will be permitted if...development would safeguard or strengthen tranquillity, features and patterns that contribute to the landscape character and local distinctiveness of the area; ...The **development should have regard to the Canterbury Landscape Character and Biodiversity Appraisal** to identify the character areas and features affected."
In the previous Landscape Character and Biodiversity Appraisal (2012), the recommended strategy for the ‘Littlebourne Fruit Belt’ was to **"conserve and improve" this typical character**. It also says that the **arable areas are generally more visually sensitive** due to their lack of screening vegetation.

Where these open areas coincide with the ridgelines, the sensitivity is the greatest. The guidance advised the Council to resist unsympathetic land uses on visually sensitive ridgelines.

Draft Policy DS22 of the Draft Local Plan refers specifically to the Canterbury Landscape Character Assessment and Biodiversity Appraisal (2020), which provides the following guidance for development in this landscape character area:

- Avoid urban fringe uses which detract from the otherwise simple pattern of the landscape and rural setting to the historic Canterbury City.
- Conserve the rural character of the landscape ensuring that it continues to play a role in the separation of Canterbury City with outlying villages to the east, and the separation of Bekesbourne / Patrixbourne and Littlebourne.

The Canterbury Landscape Character and Biodiversity Appraisal (2020) lists the relevant "Littlebourne Fruit Belt's" key characteristics as:

- **Gently rolling landform** with deep loamy soils.
- Encompassing most of the Littlebourne, Bekesbourne and Woolton Farm and Little Barton Farm Conservation Areas, providing some **rural setting to their associated historic buildings**.
- Strong **field pattern** created by **windbreaks and crops**.

***COMMENT:** Policy R15 is not in keeping with current and proposed local planning policy, in particular because the site is on land rising up the valley side towards a visually-prominent ridgeline overlooking the village of Littlebourne (see Figures 1 to 3 below). This visual prominence has been made more so by the recent felling of approximately 80 mature trees along the site's eastern boundary shelterbelt. The allocation of c.300 new houses into rural agricultural land here will do the opposite of "safeguard or strengthen the tranquillity and patterns" of what is currently a farmed rural landscape with relatively open views to three sides.*

(Photographs (Figures 1-3) provided on next pages)



Figure 1 *View of proposed development site from the south looking north. Note slope gradient, rising to from east to west to a prominent ridge overlooking the village, with typical landscape features of the “South Canterbury and Littlebourne Fruit Belt”.*



Figure 2 View from bottom (east) of proposed development site looking across the site uphill towards prominent ridge and shelterbelt/windbreak trees (western boundary of proposed site).



Figure 3 View from ridge (west side of site) overlooking proposed development site and the village beyond. Note that many village houses in the background are obscured by tree leaves due to the summer season. These would be much more visible in the late autumn, winter and early spring period. Also note distant views to the ridge on the other side of the Little Stour valley (right of photo).

Appendix B

Habitat Regulation Assessment of the Draft Local Plan 2045

(Timothy Bostock, Littlebourne, Nov 2022.)

Summary

This paper focuses on a combination of uncertainty, doubt and concern expressed by the Local Plan expert consultants (WSP 2022), whilst also considering new evidence provided through local research and citizen science. The focus here is mainly on Policies R15 and R16 although strategic mitigation aspects are relevant to the Plan as a whole.

The conclusion drawn is that the **Draft Local Plan is unlikely to be able to meet the requirements of the Conservation of Habitats and Species Regulations 2017 as amended**. In particular, uncertainty remains as to whether achieving and sustaining nutrient neutrality is economically viable and/or technically feasible for the scale of development proposed and given current weaknesses in wastewater management infrastructure and management.

The Local Plan cannot defer such strategic matters of legal consequence to later planning stages because in its current form and with current knowledge the **Plan is not legally deliverable and therefore should not be adopted**.

The following sections address the range of strategies discussed in the draft Local Plan aimed at tackling polluting nutrients. It discusses the shortcomings of and risks associated with these strategies in light of the nature and extent of the problem specific to the Stour Valley Floodplain (East). While the comments apply to the Plan in general, the specific cases of Policies R15 and R16 are considered.

1. Nutrient Pollution from Policies R15 and R16 (off The Hill and Court Hill, Littlebourne)

The following information is relevant to known contamination pathways that the water-based polluting nutrients, Phosphorus (P) and Nitrogen (N) take from these proposed development allocations. Policies R15/R16 represent a severe risk both to:

- a) the integrity of designated sites of international importance which are protected under the Habitats Regulations and to
- b) the Stour Valley Floodplain (East) i.e. the diversity of habitats adjacent to the Little Stour chalk stream protected under the Natural Environment and Rural Communities Act 2006 listed as of 'principal importance' under S41.

The Conservation of Habitats and Species Regulations 2017 (as amended - aka Habitats Regulations-HRA) of the Draft Local Plan (WSP 2022) identifies a risk to Stodmarsh SAC/SPA/Ramsar site from phosphorus and nitrogen contained in household sewage/wastewater. The above-mentioned Littlebourne Policies R15/16 are relevant in this regard given that wastewater arising in the village and from elsewhere in the Nailbourne/Little Stour catchment finds its way into Stodmarsh Sites through two routes:

- First, there is a suspected tidal backwash effect from water discharging downstream of Stodmarsh (Little Stour confluence), as noted in Canterbury City Council's 'Draft Nutrient Mitigation Strategy' (Water Environment Ltd, 2022).

- Second, and arguably of far great significance, the regular use of tankers to remove untreated sewage from Littlebourne and other villages to Canterbury WwTW located upstream of Stodmarsh.

In regard to the latter, during increasingly frequent wetter periods of the year Newnham Valley WwTW is unable to cope with high volume sewage flows. High seasonal flows are caused by excessive groundwater infiltration along much of the network which creates a risk of sewer flooding in Littlebourne and other low lying villages along the catchment. This results in regular “emergency measures” taken by Southern Water during these periods. Emergency measures can last many months owing to the persistence of high groundwater levels in the chalk aquifer and have become a ‘new normal’ in recent years. Although Southern Water have undertaken a rolling programme of work in an attempt to remedy the groundwater infiltration, data has shown that its effect has been limited.

Information on tankering into Canterbury WwTW and the Great Stour has recently been provided under a Freedom of Information request to Southern Water. Data for 2019/21 shows around **10,000 tons of raw sewage transported to Canterbury by some 500 tankers**. This places significant quantities of Littlebourne’s wastewater directly upstream of Stodmarsh, ensuring that wastewater from the Newnham Valley catchment and Littlebourne in particular, contributes directly to the nutrient enrichment problems associated with the Stodmarsh sites and therefore jeopardises the achievement of nutrient neutrality.

Capacity (‘headroom’) issues at both Newnham Valley and Canterbury WwTW were analysed in detail in KCC’s recent report “Kent Water for Sustainable Growth” (KWfSG, 2017). Although these issues were seen as surmountable through investment in new treatments and equipment, the context under which the report was considered was entirely different. In this case, the total new housing stock was assumed to be **just 117 dwellings by 2031 for the whole of the Nailbourne/Little Stour catchment**. Evidently this level of development is now far exceeded by the current Local Plan under which some 30-50 times this number of new houses are under consideration. Even considering this previously assumed minimal growth of 117 dwellings for the entire catchment by 2031, Newnham Valley WwTW will still **have a -47% capacity shortfall** (KWfSG report). Newnham Valley’s current dry weather flow (DWF) permit is 2371m³/day, while the actual flow is 3457m³/day (or assumed 3492m³/day after 117 dwellings growth). Further, there are no Phosphate permit conditions in existence for these WwTW nor for Dambridge works which drains into the Little Stour via the Wingham River.

Southern Water’s Drainage and Wastewater Management Plan (2012) referenced by WSP also provides population growth estimates from 2020 to 2050 which are considerably lower than those envisaged under the Local Plan. For example, DWMP data for Wingham Dambridge WwTW indicate 10% growth (or ca 2400 people); for Newnham Valley a 24% estimate (by 1838 people) is used.

In regard to WSP’s HRA report, there is only weak recognition of these facts. Using BRAVA data, the report notes that there is “a risk of dry weather flow (DWF) permits being exceeded at Canterbury and Newnham Valley Preston”, whereas in fact these are already far exceeded as noted above. Further, the HRA report notes that “virtually all of the proposed allocations will self-evidently have no significant effects alone due to their location, the absence of impact pathways, and their distance from the nearest European sites” (Appendix B). Yet in the case of R15 and R16 we have presented conclusive evidence of direct and contributory impact pathways. As a consequence, the WSP assessment **falls short in weighing up the risks from future nutrient flows on Stodmarsh and other key catchment sites, associated with new development**. An Appropriate Assessment under the Habitats Regulation would be an essential next step in any final evaluation of the Local Plan.

The above discussion and conclusions are also relevant to the following section that addresses mitigation routes presented by the Local Plan.

2. Strategic Mitigation through Constructed Wetlands

In order to mitigate nutrient pollution impacts from Policy R15/R16 and other development allocations in the Draft Plan, the Local Plan adopts a policy-led approach to mitigate nutrient impacts on Stodmarsh and ensure that this issue is appropriately considered at the site level as developments are brought forward. Most of these measures are incorporated in the Draft Local Plan and include the provision of efficient onsite wastewater treatment plants for sites greater than 300 homes, water use efficiency measures, SUDS, etc..

A further essential mitigation approach is the provision of a large area of “strategic, constructed wetlands”. The HRA of the Draft Local Plan (WSP 2022), recognises that such strategic mitigation may be required for some housing development and that nutrient credits could be purchased as part of this strategy. The complex calculations for nutrient budgets and mitigation are addressed under the Mitigation Strategy’s Appendix. These show that nutrient neutrality / mitigation will be achieved using a mix of the policy-led measures and strategic approach using constructed wetlands (roughly 50:50 as far as can be seen from available data).

Included in the Local Plan is Policy C24 - which allocates 15 Hectares (Ha) for the construction of such as strategic wetland. However, the Local Plan is misleading in that it states that this 15Ha C24 wetland will “deliver strategic mitigation”. As explained below, it would more appropriately have stated that the 15Ha C24 wetland will “deliver about 10% of strategic mitigation”.

The discrepancy in land area here (ca 90% remaining requirement for constructed wetland) is mentioned only in passing in the later Section 6 - *Habitats of International Importance*: where it notes that “In addition to the allocated wetland at Policy C24, land is **safeguarded** for the delivery of strategic wetlands” (my highlighting). No further information or detail is proffered by the Local Plan on the nature of such “safeguarded” land, nor on the means of initially acquiring and subsequently managing it in perpetuity.

Significantly, the Mitigation Strategy makes an understated reference to the LP’s strategic wetland approach as being “**challenging**”.

It appears that this confusion or obfuscation over land area is introduced by the WSP paper which suggests that the land at C24 is sufficient. Para 7.5.4 of the paper notes that “a 10ha constructed wetland can remove more than 1,500 kg of P yearly, which is greater than the calculated mitigated budget. The site safeguarded under Policy C24 totals 15ha”, a statement which is clearly aimed as suggesting C24’s 15Ha site is sufficient to meet strategic mitigation requirements.

This statement is, however, cut and pasted directly from the Mitigation Strategy paper and is either a misinterpretation or potentially a numerical error: further explanation is needed to conclude which. The context in which the Mitigation Strategy raises this (para 4.32) is in regard to a potentially highly controversial suggestion that effluent from Canterbury WwTW be passed directly into the constructed wetlands. Furthermore, the phosphorus reduction data used by the Mitigation Strategy is inconsistent with their earlier analyses which correctly follow NE’s meta study analysis which indicate removal rates are in fact some ten times lower than the quoted 1500kg/year. For information, the NE meta data show that constructed wetlands have similar appearance and function to natural marshes, and result in median P removal rates of ca. 1.2 g/m²/year - i.e.

12kg/Ha/year or 120kg/10Ha/year, or 180kg/year for the proposed constructed wetland at C24. **Thus C24 would be of an inadequate size. Some 100-150Ha would be more appropriate.**

Several major conclusions can be drawn from this brief analysis:

First, there are **significant inconsistencies in the available data and advice** provided by the various consultancies contracted by CCC for this analysis.

Second, although Policy C24 includes land safeguarded for wetland, this is considered by the HRA as being **well below the overall nutrient reduction requirement identified in the Draft Nutrient Management Strategy**. The HRA points out that the Local Plan apparently falls short of demonstrating this measure is achievable.

Third, even recognising the last point, there is no indication of the **feasibility for Canterbury City Council to identify, acquire and maintain in perpetuity (at great cost), sufficient land** to comply with the real needs for strategic nutrient mitigation through constructed wetland systems.

Finally, the implication of this is to reinforce the **doubts over the real-world ability of the Local Plan to tackle nutrient neutrality** or indeed derive mitigation approaches that will deliver the LP targets related to environmental protection and sustained improvements in biodiversity. Demonstrating that this is achievable seems to ignore the fact that this would be a necessary part of an Appropriate Assessment under the Habitats Regulations. **The HRA notes that “additional assessment is required with regards to achieving nutrient neutrality for the Local Plan and its HRA.**



Figure 4 Tankering from Nargate Street, Littlebourne



Figure 5 ***Tankering from Nargate Street, Littlebourne***