

Canterbury City Council
Planning Policy

Our ref: KT/2006/000189/CS-16/PO1-L01
Your ref:

Date: 16 October 2025

Sent via email

Dear Planning Team

Draft Canterbury District Local Plan: Focused Consultation 2025 -

Thank you for consulting us on the above. We have the following comments to make which we hope you find useful.

General Comments

The Environment Agency (EA) supports sustainable development that protects and enhances the natural environment, particularly the water environment. We expect all new developments to comply with the National Planning Policy Framework and its supporting guidance; to incorporate robust environmental safeguards and demonstrate a clear commitment to improving ecological outcomes.

Other Key expectations include:

- **Surface Water Management:** No surface water runoff should be discharged directly into watercourses. This is essential to prevent pollution, erosion, and habitat degradation. Sustainable Drainage Systems (SuDS) are the preferred mitigation measure for managing surface water runoff. These systems help to mimic natural drainage, reduce flood risk, improve water quality, and support biodiversity.
- **Water Environment (Water Framework Directive) (England and Wales) Regulations 2017:** Developments must not cause deterioration in waterbody status under these regulations. Waterbodies classified under these regulations will hereafter be referred to as WFD waterbodies. Where possible, developments should actively contribute to the enhancement of the water environment, such as through habitat creation or improved water quality. If relevant for the development, work should be undertaken to complete actions set out within the River Basin Management Plan (RBMP).
- **Buffer Strips:** Buffer strips are vital for intercepting pollutants, reducing erosion, and providing wildlife corridors. These should be incorporated into site designs to protect water quality and support ecological networks.
- **Foul Drainage:** All new developments should aim to connect to the existing mains drainage network. The use of private sewage treatment works or New Appointments and Variations (NAVs) should be avoided.

- **Engagement with Water Companies:** The local council and developers must liaise with the relevant water companies throughout the planning and construction process. This ensures a clear understanding of existing drainage infrastructure and confirms that there is sufficient capacity at the local sewage treatment works to accommodate the proposed development.

By adhering to these principles, we can help safeguard the water environment and contribute to a more resilient and sustainable future.

Nutrient Neutrality

Stodmarsh lies downstream of several waterbodies that are located within the Canterbury District (Whitehall Dyke at Harbledown, Great Stour between Wye and A2, Great Stour between A2 and West Stourmouth, and Lampen Stream). The health of these watercourses has a direct impact on the Stodmarsh, which is a site of exceptional ecological value and multiple designations including Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site, and Site of Special Scientific Interest (SSSI). These watercourses flow through agricultural and urbanised areas before reaching Stodmarsh, carrying with them nutrient loads (primarily nitrogen and phosphorus) from wastewater treatment works and land runoff. Therefore, developments within the wider catchment must be carefully assessed for their potential to contribute to nutrient loading, and robust mitigation strategies must be implemented to ensure compliance with nutrient neutrality requirements and protect the ecological integrity of Stodmarsh.

Section 1 Aligning the Local Plan with new NPPF requirements

1.37

It will be essential to liaise with Southern Water and South East Water will play a vital role in the early planning stages.

Section 3 Draft Local Plan policies for consultation

We would request that in future iterations, a national grid reference to be provided with each potential site allocation to aid in the review process.

Policy N3 – Thanington Recreation Ground

The majority of the site lies in FZ1 and 2 with a small area of FZ3&FZ3b. A detailed FRA will be required to further identify the extent of flood risk on the site. A sequential approach, ensuring appropriate floor levels should allow for safe development without increasing flood risk elsewhere.

Due to its close proximity to the Great Stour between A2 and West Stourmouth waterbody (GB107040019743) all standard comments apply. Furthermore, this waterbody is designated as heavily modified with its designated uses being urbanisation and recreation. Some Reasons for Not Achieving Good status (RNAGs) include urbanisation, sewage discharges and physical modification. Therefore, when planning developments at this site, ways to enhance the water environment and mitigation measures should be identified and implemented where possible.

1a. *'A Park and Ride facility containing approximately 900 parking spaces and associated infrastructure.'*

Land use change poses new pollution risks through surface runoff of contaminants from vehicles (oils, rubber, hydrocarbons, etc). Utilisation of SUDs to be considered

3a. 'Protect and enhance the existing boundary trees, in line with Policy DS21'

There should be the addition within this point, or a separated point also be a point considering what enhancements can be made to the watercourse, as stated within Policy DS19.

The site is adjacent to the Great Stour which, in the Riverside Strategy (<https://www.canterbury.gov.uk/sites/default/files/2024-04/Riverside%20strategy.pdf>), must be "a river and riverside environment managed to promote a rich diversity of wildlife". To this end, while we support the development of the park and ride facility at this site, it needs to be sympathetic to the needs of the river and mindful of the requirement of Biodiversity Net Gain.

As with all development potentially having to find biodiversity units using the Biodiversity Net Gain metric, the best way of developing the site is by leaving a 10m buffer between the river edge and the red line boundary. In this way, no river units will need to be secured on or off site.

If development is proposed within 10m of the river, then we request that we are fully involved in consultations from the outset. This is more important now than in the past as the river corridor is not only being used by otters, only recently returned to Kent but now has a growing population of Eurasian beaver on it too.

We also report that recent research indicates that the type of tarmac used in car parks adjacent to watercourses can affect certain insect species in detrimental ways. The effect is of shiny tarmac attracting female flies, including those of important chalk stream species, to lay eggs on the tarmac surface in error. It is, therefore, best for the areas close to the river to be made of non-reflective tarmac. We can provide information to assist in the specification when needed.

Policy N4 - Land south of Littlebourne Road

1b.iv. 'Provision of a new high quality wastewater treatment works within the site, or in combination with Site N5, which will also provide connectivity for Site N6 and if feasible Site N7'

Development plans were rejected here (for 330 properties) based on the plans to use a package treatment plant rather than connect to mains. Later proposals were approved by the EA on the grounds that main drainage is used. Despite Newnham Valley WWTW's suffering issues of groundwater ingress, through the Water Industry National Environment Programme (WINEP), Drainage & Wastewater Management Plans (DWMPs), and an appropriate growth scheme, we expect these issues and the impacts on the environment to be addressed. If a "new high quality WWTWs" is developed it will need to be a WWTWs and not a package sewage treatment plant. We would want to this new WWTWs managed by Southern Water rather than a NAV.

Comments apply for N4, N6 & N7.

3f. 'Consider opportunities to create a wetland area around the watercourses associated with the Lampen Stream'

We support wetland development when they are self-sustaining systems that do not abstract water from local rivers and streams, as this puts strain on these waterbodies. The Lampen Stream is a WFD designated waterbody (GB107040019790), that already has multiple abstraction licenses along its length. Further discussion with us would be needed when considering this wetland creation.

Policy N8 – Millers Field car park

Development at this site is not desirable for many reasons and we oppose this allocation.

The Great Stour runs on both the northerly and southerly sides of the site so development there would be contrary to the aim in the Riverside Strategy of creating a river and river environment with a rich diversity of wildlife.

The major issue which will need to be addressed is our aspiration to use the southerly channel as a route for migratory fish to pass the sluices at Dean's Mill. If housing/flats are built there then not only will the northerly channel be shaded more than at present but the southerly channel will be exposed to more disturbance including, particularly, artificial light at night (ALAN) which can have significant adverse effects on the movement of fish in rivers.

Beyond the direct concern we have for the river at this location, development of housing at Millers Field will reduce the opportunity that the site offers now for the enjoyment of the riverine environment, something that, in accordance with Section 6 (1) (c) of the Environment Act 1995 we promote.

As for the Thanington site, we wish to be consulted at the earliest possible opportunity about any development here as there are a number of gains that could be delivered in this and other reaches.

The site is located in Flood Zone 2 and 3 with a small area of FZ3b. It is also partially shown to be at risk of flooding from surface water. As a result, a detailed FRA is required to be undertaken. Numerical flood modelling could be undertaken to quantify the risk of flooding more accurately. Given the whole site is at risk the LPA should give careful consideration as to whether this site can pass the Sequential Test. Development will not be acceptable or pass the Exception Test, if development cannot be made safe or appropriate flood compensation cannot be achieved.

Due to its close proximity to the Great Stour between A2 and West Stourmouth waterbody (GB107040019743) all standard comments apply. Furthermore, this waterbody is designated as heavily modified with its designated uses being urbanisation and recreation. Some Reasons for Not Achieving Good status (RNAGs) include urbanisation, sewage discharges and physical modification. Therefore, when planning developments at this site, ways to enhance the water environment and mitigation measures should be identified and implemented where possible. While trees are mentioned in section 3a, there should also be a point considering what

enhancements can be made to the watercourse as stated within Policy DS19. Furthermore, this site is close to water on all sides, so SuDS will be key on this site to mitigate the effects of surface water runoff.

Policy N22 Beresford Road

The SFRA states during the 1 in 100 year return period event including climate change, the site could flood up to depths of 0.4m from the Gorrell Stream. In the event of a breach of the tidal defences the site could flood to 1m and the site is also at high risk of surface water flooding. Given the whole site is at risk the LPA should give careful consideration as to whether this site can pass the Sequential Test. Development will not be acceptable or pass the Exception Test, if development cannot be made safe or if appropriate flood compensation cannot be achieved.

Policy N30 – Land to the west of Bullockstone Road

3.43 *Two sites are proposed for allocation in Chartham and will deliver a range of housing to meet local needs. Land at Chartham Papermill is a predominantly brownfield site in the centre of the settlement. It is proposed for regeneration to provide residential development, as well as new local shopping and community facilities which will benefit new and existing residents. Development will reflect the heritage of the site and be designed in keeping with the Chartham conservation area.'*

Brownfield regeneration must carefully be undertaken to manage surface runoff and prevent contaminants entering the Stour.

Policy N31 – Chartham Paper Mill

A large proportion of the site is shown to be affected by flooding and lies within the functional floodplain. The SFRA suggests when sensitivity testing is applied to the flood levels predicted under the 1 in 50 year return period, only the lowerlying areas of the site, particularly in the western half are expected to be affected. However, given the extent of the site that is currently shown to lie within FZ3b, the site should fail the Sequential Test. In order for development to be accepted on this site, detailed numerical modelling needs to be undertaken (and reviewed by the EA) to demonstrate a significantly reduced area of FZ3b. If the LPA is minded to allocate this site in the Local Plan it should be acknowledged that until such time modelling confirms a revised and reduced extent of functional floodplain, development will be restricted to the vulnerability classifications as outlined in Table 2.2

This development site has the WFD designated waterbody of the Great Stour between Wye and A2 waterbody (GB107040019742) running through the centre. The overall classification for this waterbody is Moderate. Furthermore, there is another tributary of the Stour running along the southern perimeter of the site (not clearly depicted on the map provided), though not a formally designated under WFD, it is still protected under the regulations. All standard comments apply. While green infrastructure is mentioned in section 3, there should be specifics about works that could be completed on the waterbody to enhance the water environment.

Redevelopment of Chartham Paper Mill creates a very significant opportunity for largescale river restoration work, the removal (or reduction) of river obstructions to the passage of fish and, possibly, generation of Biodiversity Net Gain credits through the

work. Given the cost of Statutory BNG credits, below, this work could be of great value to other developers elsewhere on the Stour.

Policy N35: Gypsy and Traveller Accommodation

Caravans, mobile homes and park homes intended for permanent residential use are classed as Highly Vulnerable and **should not be permitted in FZ3**. The Environment Agency would object to any applications for new gypsy and traveller sites in FZ3. Application of the Exception Test will be required for any such proposals in FZ2 (Table 2 PPG)

1i. *'The site is capable of being provided with on-site services such as water supply, sewage disposal and power supply'*

More detail is needed on how these on-site services will be implemented. All new developments should aim to connect to the existing mains drainage network. The use of private sewage treatment works, or New Appointments and Variations (NAVs) should be avoided due to long-term maintenance and environmental risks. Further detail on how wastewater will be managed on each site allocation would be beneficial in future iterations.

Policies N1, N2, N3, N5, N8, N9, N16, N17, N19, N31, N32

These proposal sites are located within source protection zones 1 (inner zone), 2 (outer zone) and 3 (total catchment). Any development proposals within SPZs and other high groundwater vulnerable areas (e.g. on principal aquifers) should have regard to groundwater protection guidance [Groundwater protection - GOV.UK](https://www.gov.uk/guidance/groundwater-protection). Some activities are prohibited within SPZ 1, and all proposals are subject to higher levels of scrutiny when located within SPZs. Please refer to [Groundwater protection position statements - GOV.UK](https://www.gov.uk/guidance/groundwater-protection-position-statements) for details. In particular, additional risk assessments and mitigation measures are required for proposals in SPZ 1 including any drainage/infiltration to ground.

All developments should ensure adequate wastewater infrastructure is provided prior to any occupation and that capacity is available within the mains network

Strategic Flood Risk Assessment

Level 1

2.5 We support the use 1/50 year return period for indicative Functional Floodplain.

8.5.5 We support the advice given on freeboard levels – minimum 600mm, with a possible reduction to 300mm only where there is a high level of certainty

Policy Recommendations

Policy 1 should clarify that sites in town centre and commercial areas that have been identified as Functional Floodplain cannot be considered to have passed the Sequential Test. Where the SFRA identifies sites to fall in the indicative functional floodplain, further detailed model data is likely to be required in order to determine the extent of FZ3b. All the time a site is classified as FZ3b development is highly restricted to the vulnerability classifications as outlined in Table 2.2.

Reference could also be made to changes to Paragraph: 027 of the PPG *Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.*

Policy recommendation 3 – we support the requirement for assessment of wave overtopping.

Level 2

Support following approach to functional floodplain, in particular *'the extent of the functional floodplain should be checked against the most contemporary available data as part of any sitespecific FRA'*. However further detailed modelling may also be required

We also support the approach where less than 10% of a site is shown to be functional it will not be considered to be wholly within FZ3b. In these circumstances the sites themselves should be sequentially tested with all development avoided in FZ3b

We are pleased to see sites that have been identified as *'could be affected by flooding when the future impacts of climate change are taken into consideration'*, have been flagged with a recommendation further investigation is carried out as part of a site specific FRA

Site Specific Advice – Compensatory Flood Storage

The SFRA's required actions /recommended mitigation measures for sites within FZ3 states compensatory storage / floodable voids should be provided. We would wish to see this revised to state that volume for volume and level for level compensation is required with advice that voids are not normally an acceptable form of floodplain compensation

The use of stilts and voids is not true floodplain compensation, but rather mitigation of risk by design. True level for level and volume for volume compensation should replace lost floodplain storage without changing the flooding mechanisms. The use of stilts reduces the impact of the development but does not guarantee that the floodplain will be retained in the same way as a true level for level and volume for volume compensation scheme and therefore does not guarantee that the development will not increase flood risk.

This view is supported by PPG Para 049:

Whilst the use of stilts and voids below buildings may be an appropriate approach to mitigating flood risk to the buildings themselves, such techniques should not normally be relied upon for compensating for any loss of floodplain storage. This is because voids do not allow water to freely flow through them, trash screens get blocked, voids get silted up, they have limited capacity, and it is difficult to stop them being used for storing belongings or other materials.

Additional Comments - flood storage compensation

Throughout the Focused Consultation (Reg 18) document the advice regarding compensatory storage refers to the use of floodable voids.

We would wish to see this revised to state that volume for volume and level for level compensation is required with advice that voids are not normally an acceptable form of floodplain compensation

The use of stilts and voids is not true floodplain compensation, but rather mitigation of risk by design. True level for level and volume for volume compensation should replace lost floodplain storage without changing the flooding mechanisms. The use of stilts reduces the impact of the development but does not guarantee that the floodplain will be retained in the same way as a true level for level and volume for volume compensation scheme and therefore does not guarantee that the development will not increase flood risk.

This view is supported by PPG Para 049:

Whilst the use of stilts and voids below buildings may be an appropriate approach to mitigating flood risk to the buildings themselves, such techniques should not normally be relied upon for compensating for any loss of floodplain storage. This is because voids do not allow water to freely flow through them, trash screens get blocked, voids get silted up, they have limited capacity, and it is difficult to stop them being used for storing belongings or other materials.

If you have any queries, please do not hesitate to contact me.

Yours faithfully

Ms Jennifer Wilson
Planning Specialist

[Redacted signature]