

Date: 20 October 2025  
Our ref: 525860  
Your ref: Canterbury District Local Plan – Focused Reg.18



Planning Policy Team  
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**BY EMAIL ONLY**

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Dear Planning Policy Team,

### **Draft Canterbury District Local Plan to 2040 – Focused Regulation 18 Consultation**

Thank you for your consultation on the above dated 09 September 2025 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has reviewed the Draft Focused Regulation 18 Local Plan (hereafter referred to as 'the Draft Plan') together with the Habitats Regulations Assessment (HRA), Sustainability Appraisal (SA) and other relevant supporting evidence documents.

A summary of our advice is provided below, with detailed comments provided in annexes as indicated (following the structure of the Draft Plan). Please note that we have not provided comments on all the policies and strategies but those which have the most influence on issues within our remit. If there are topics not covered in this response where your Authority would particularly value our advice, then please let us know.

#### **Summary of Natural England's Advice**

Natural England welcomes this Draft Plan consultation which focuses on the Council's response to changes in the National Planning Policy Framework (NPPF, December 2024), a number of new allocation policies, changes to some strategic allocations and Gypsy and Traveller policies and allocations. We acknowledge that further evidence which has emerged since the previous consultation which has led to some of these amendments.

Whilst we broadly support the amendments to the preferred spatial strategy, we have provided some recommendations to ensure that negative environmental impacts are avoided or fully mitigated and opportunities for environmental betterment are secured.

We acknowledge that our comments from the previous Local Plan Regulation 18 consultation (our reference 469486, dated 31 May 2024) are being considered by the Council and that necessary amendments will form part of Regulation 19 draft local plan. However, we have re-iterated some comments where we consider they are of relevance to this consultation. We have provided advice, therefore, on opportunities to further optimise positive environmental effects of the Draft Plan through, for example, the enhancement of ecological conservation and connectivity, climate change

resilience, well-designed and deliverable nutrient mitigation schemes and by embedding the use of Natural England's Green Infrastructure (GI) Framework.

**Annexes:**

- Annex 1. Sections 1 and 2 – Aligning the Local Plan with new NPPF requirements / Why the proposals are needed
- Annex 2. Section 3 – Draft Local Plan policies for consultation
- Annex 3. Habitats Regulations Assessment (HRA)

We hope the advice and comments in this letter and accompanying annexes are useful. We remain committed to continuing to work closely with your Authority to help ensure that a sound plan is secured that enables growth in accordance with the principles of sustainable development.

We would welcome the opportunity for further dialogue around matters raised here in more detail, although depending on the nature and scope of such discussion this may need to be on a cost-recovery basis.

We would particularly welcome further discussion on embedding Natural England's GI Strategy Standard within the Local Plan.

If you have any queries relating to the advice in this letter, please contact me on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondence to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours sincerely,

Nancy Warne  
Sustainable Development Senior Officer  
Sussex and Kent Area Team

## **Annex 1: Sections 1 and 2 – Aligning the Local Plan with new National Planning Policy Framework (NPPF) requirements / Why the proposals are needed**

### Section 1: Aligning the Local Plan with new NPPF requirements

#### ***Local Plan period and housing needs***

Natural England notes the amendments to the Local Plan period to 2024/25 to 2042/43 and to the Local Housing Need for the district to 1,215 homes per year to align with the NPPF (December 2024).

#### ***Water infrastructure and delivery***

We note that clauses 1.32 - 1.37 of the Draft Plan describe the Council's approach to addressing requirements in NPPF paragraph 20b) in relation to water infrastructure provision. Whilst we have provided advice in relation to nutrient mitigation as a nature-based solution to enable development in our previous consultation response and later in this letter, we note that this requirement of the NPPF is not a new one.

However, the new NPPF (December 2024) does refer to effective strategic planning across local authority boundaries in relation to the strategic provision of infrastructure, including delivering strategic climate resilience (NPPF Paragraph 24) and a consistent approach to environmental improvement and resilience (NPPF Paragraph 27). We advise, therefore, that the Council will need to consider these new NPPF requirements.

We note at clause 1.33 that the Council intends to publish a fully updated Infrastructure Delivery Plan (IDP) alongside the Regulation 19 version of the Local Plan early next year. We would welcome an opportunity to discuss the scope of the IDP ahead of the consultation, to ensure that opportunities for environmental improvement and resilience are fully considered within the IDP.

Natural England acknowledge that the Planning and Infrastructure Bill (PIB) is progressing through the legislative process and that any legislative change, along with any other relevant amendments, including to the NPPF, may need to be reflected in the associated Regulation 19 consultation documents. We welcome the opportunity to provide our comments on these at this stage of the Local Plan.

### Section 2: Why the proposals are needed

We welcome the reference at clause 2.2 of the requirement for local plans to protect our most important greenspaces, landscapes and habitats from inappropriate development whilst ensuring growth is delivered in a coordinated manner. However, we recommend that the wording be strengthened here and suggest the following:

“...while protecting our most important greenspaces, landscape and habitats from inappropriate development ***and maximising opportunities for their enhancement***”.

#### ***New draft site allocations***

We welcome the opportunity to provide our comments on the proposed strategic scale allocation at East Canterbury and the changes to the strategic scale allocation at Merton Park. We have provided detailed comments on these allocations and other new allocations in Annex 2.

We note in clause 2.28 that the majority of the new allocation sites are on brownfield land. Whilst we broadly support the principle of the inclusion of allocation sites on previously developed land to avoid the loss of greenfield agricultural land (in particular, best and most versatile agricultural land), we would caution against an assumption that these sites are of less biodiversity value than greenfield sites. We recommend that will need to be assessed and addressed through Biodiversity New Gain (BNG) and Green Infrastructure strategies and policies for each specific site. We have

provided further comments on this issue in Annex 2.

Furthermore, we note from the Sustainability Appraisal (SA) Report (p18) that significant negative effects are assessed against on land use (SA Objective 11) as development will result in the loss of a substantial area of greenfield land including a number of sites that are classified as the best and most versatile land (BMV: grades 1, 2, and 3a).

We, therefore, reiterate our comments from the previous consultation response when we advised that a district-wide provision within policy in respect of the protection of BMV agricultural land is required in the Draft Plan in order to be consistent with NPPF (2024) paragraph 187 a).

In our previous consultation response, we expressed significant concerns regarding impacts to the Blean Complex SAC in relation to Policy C12 - Land north of University of Kent. We welcome, therefore, at clauses 2.33 and 2.34 that the Council has now deleted Policy C12 due to, amongst other considerations, ecological impacts including the potential direct loss of ancient woodland.

We note at clause 2.35 that there are no suitable sites for a freestanding settlement and that this element is now proposed to be removed from the district spatial growth strategy, but that the rest of the preferred strategy remains the same. Whilst we broadly support this strategy, we would refer you to our detailed comments on the site allocation policies in Annex 2 below, including our comments on the Gypsy and Traveller sites and policies, and Commercial and Transport allocations.

## Annex 2: Section 3 – Draft Local Plan policies for consultation

We welcome the opportunity to provide our comments on the new draft site allocations, including the proposed strategic scale site allocation at East Canterbury, small- and medium-sized brownfield land sites and Gypsy and Traveller site allocations and the re-consultation on the draft strategic scale allocation at Merton Park. We provide the following comments on issues which have the most influence within our remit.

### ***Landscape and green infrastructure***

We support the requirement for a green and blue infrastructure strategy for the sites (which supports the National Planning Policy Framework (NPPF) 188 "...plans should...take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure..." and 96. c) "...provision of safe and accessible green infrastructure").

However, we recommend strengthening this policy wording, for example by requiring that the

"... green and blue infrastructure strategy for the site **shall**:"

This comment applies to the site allocation policies that have a landscape and green infrastructure element, i.e. N1, N3, N4, N5, N6, N7, N8, N10, N19, N20, N21, N23, N25, N26, N27, N28, N29, N30, N31, N32, N33 and N34.

We also recommend use of the Green Infrastructure (GI) Strategy Standard (from Natural England's GI Framework), which says that a GI strategy should set out how development will deliver the 15 GI Principles and the GI standards (and as set out in related LP policies), including how the GI will be managed, maintained and monitored for a minimum of 30 years.

To further strengthen your policy wording, we recommend that the allocation sites' green and blue infrastructure strategies set out how the development will deliver the GI Framework's 15 GI principles and the GI standards locally. One example would be to require a % increase in tree canopy cover; for which the Urban Canopy Tree Cover standard in Natural England's GI Framework would be a useful basis and can also be used for policy monitoring and evaluation.

We recommend that the Council refers to the further information and guidance on the GI Framework which is available here: [Green Infrastructure Home](#). This includes detailed guidance for developing GI strategies and policies: [Green Infrastructure Framework Process Guide for Local Planning Authorities](#). We would welcome further discussion with the Council on this matter.

### ***Ecological enhancement and connectivity***

We welcome the consideration of enhancements to habitats, green corridors and ecological connectivity in the green and blue infrastructure strategies for allocation sites including N1 (3e), N4 (3c, 3f, 3g), N5 (3c, 3f), and N32 (3d). However, in order for these environmental gains to effectively support the development of your Local Nature Recovery Strategy as detailed in policy DS19 in the draft Regulation 18 Local Plan (May 2024), we recommend that these policies are strengthened so that opportunities **shall** be secured, rather than "should be incorporated where possible" or "consider[ed]".

Similarly, where a plan area contains irreplaceable habitats, such as ancient woodland, ancient and veteran trees, there should be appropriate policies to ensure their protection. Natural England is happy to see that where ancient woodland has been identified within an allocation site (including N4, N5, N29 and N32), its protection and enhancement has been included in the green and blue infrastructure strategies. However, we recommend that these policies are strengthened so that protection, enhancement and improved connectivity **shall** be secured, rather than "should be incorporated where possible" or "consider[ed]".

This would then better align these allocation policies to NPPF paragraphs 187 and 192, as well as

the provisions of your own draft Regulation 18 Local Plan (May 2024) policies DS18 'Habitats and landscapes of national importance' and DS21 'Supporting biodiversity recovery'.

Natural England and the Forestry Commission have produced [standing advice](#) on ancient woodland, ancient and veteran trees which we refer you to for further advice.

### ***Policy N4 - Land south of Littlebourne Road and N5 - Land south of Bekesbourne Lane***

In addition to the advice above, Natural England has further comments regarding the green and blue infrastructure strategies of allocation sites N4 and N5.

As the headwaters of the Lampen stream are partially located on land covered by allocation policies N4 and N5, Natural England notes that there is an opportunity to help restore the headwaters of the Lampen Stream through careful consideration of management of surface water and placement of natural features. This could help improve both water quantity and quality in the catchment and provide greater resilience to effects of climate change, by helping regulate water during periods of high and low rainfall, which in turn will provide greater resilience to the supporting aquatic ecosystems.

Natural England therefore particularly supports the identified green corridor along the eastern boundary of allocation policy N4, which overlaps with an upper reach of the Lampen Stream. To better realise this headwater restoration opportunity within the policy and better reflect the integration of water-based features that benefit both people and nature, we recommend that the opportunity corridor is labelled as a blue and green corridor. We also advise that policy 3) f) should be strengthened to:

~~Consider~~ **Secure** opportunities to create a wetland area around the watercourses associated with the Lampen Stream in the south due to the multiple benefits including increasing biodiversity, safeguarding Ancient Woodland, mitigating surface water runoff and providing residents with opportunities to connect with nature."

Please note, we have provided further comments on these strategic scale site allocations in Annex 3, in our comments on the HRA.

### ***Kent Downs National Landscape***

The plan area includes the Kent Downs National Landscape. In our response to the previous Regulation 18 Draft Local Plan (May 2024), Natural England advised that Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act (LURA) 2023 has come into force. This places a new duty on relevant authorities in exercising or performing their functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty ('National Landscape') in England, to seek to further the statutory purposes of the area.

The duty applies to local planning authorities and other decision makers in taking planning decisions on development and infrastructure proposals, as well as to other public bodies and statutory undertakers. It is, therefore, relevant to the Local Plan making process. We refer you to our previous response (our reference 469486, dated 31 May 2024) for more detailed advice regarding impacts to the Kent Downs National Landscape and the new landscape duty.

However, we have the following further comments to make on policies in this Draft Plan.

### ***District-Wide Strategic Policy***

We support the policy requirement for proposals in the Kent Downs National Landscape, including the siting of Gypsy and Traveller pitches, to further the conservation and enhancement of the natural beauty of the designation area, including tranquillity (clause 3.51).

All Gypsy and Traveller sites assessed in the SA were assessed as having significant negative effects on biodiversity and either neutral or negative effects on landscape (Table 5-15). We advise that further details of any design and mitigation measures proposed will be required for sites within or in the setting of the Kent Downs National Landscape to ensure that the sites further the statutory purposes of the area.

### ***Policy N34 – Barnham Layby***

We note that allocation policy N34 proposes a lorry parking layby facility wholly within the Kent Downs National Landscape.

We advise that a robust justification should be provided to demonstrate the need for the development and the Sustainability Appraisal (SA) should test alternatives including consideration of meeting the need outside of the National Landscape. We advise that the assessment of alternatives should demonstrate that the site is the most sustainable option.

The SA has assessed the allocation as having significant negative effects on landscape due to its location within the Kent Downs National Landscape, as well as significant negative effects on biodiversity and land use (Table 5-14). We advise that without further details on the design and any mitigation measures proposed for the layby facility, then it is currently difficult to fully ascertain the potential impact of the allocation on the Kent Downs National Landscape, and whether the allocation would allow your authority to further the conservation and enhancement of the area.

We advise that if landscape impacts from the development are unavoidable, mitigation and/or compensation measures should seek to enhance the landscape and further the statutory purposes of the area. Any measures proposed should be effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management plan. We therefore recommend engagement with the Kent Downs National Landscape Unit regarding this matter.

### **Annex 3: Habitats Regulations Assessment (HRA)**

We are pleased to see that your Authority is adopting accepted best practice by running the HRA as an iterative process alongside the development of your new Local Plan. We note that, as the Local Plan is still in progress, this HRA document does not constitute a formal 'HRA Screening'. Accordingly, all findings at this stage should be considered preliminary.

Natural England has already provided detailed comments in our previous Regulation 18 consultation response (May 2024, our reference 469486) and subsequent correspondence. In addition to our previous comments, we provide the following advice. We would welcome the opportunity for further dialogue around matters raised here in more detail, although depending on the nature and scope of such discussion this may need to be on a cost-recovery basis.

#### ***Functionally Linked Land***

Natural England previously advised that, when assessing potential impacts of the loss of functionally linked land, the HRA screening needs to also consider impacts to Desmoulin's whorl snail associated with Stodmarsh Special Area of Conservation (SAC) and curlew associated with The Swale Ramsar. We note that these have been screened in for this Draft Plan and are therefore satisfied that the notified features that could be affected by the loss of functionally linked land have been considered (Table 4-5). A preliminary assessment of the potential for the allocation sites in this Draft Plan to provide functionally linked land has been carried out (Appendix C – Functional Land Review Summary). We recommend that this is carried out for all allocation policies in advance of the Regulation 19 consultation.

#### ***Water Quality***

We note that impacts to Stodmarsh SPA, SAC and Ramsar via water quality impacts have been screened in. In addition to our previous comments (May 2024) we provide the following advice.

#### ***Section 5.2.13 of 2025 HRA and Policy DS17 – Relating to On-site SuDS Design and Nutrient Reduction***

Natural England advises that, according to current best practice outlined in the [CIRIA C815 SuDS guidance](#), systems designed in accordance with this guidance can typically achieve nutrient reductions of up to 30%. To exceed this threshold, particularly to meet the minimum 50% nitrogen reduction from surface water required by Policy DS17, bespoke nutrient reduction calculations will be necessary. This may involve the use of enhanced treatment systems, such as constructed wetlands, which must be appropriately designed and evidenced.

Natural England recommends that this technical distinction be reflected in the supporting text for Policy DS17, to ensure clarity and alignment between policy expectations and achievable design standards.

#### ***Additional Guidance on Nutrient Mitigation***

Natural England wish to signpost published guidance on design principles for nutrient mitigation which are not currently referenced on your authority's nutrient mitigation webpage. These include:

- [Nutrient Neutrality and Mitigation: A summary guide and frequently asked questions - NE776](#)
- [NECR544 Nutrient Mitigation Tool - NECR544](#)
- [Information on Nature Based Solutions as Nutrient Mitigation - NBS2024](#)
- [NECR590 Edition 1 Enhanced Drainage Ditch Management: A framework approach for nutrient neutrality - NECR590](#)

- [NECR591 Edition 1 Enhanced Drainage Ditch Management: A framework approach for nutrient neutrality \(Annex A\) - NECR591](#)

#### ***Policy N4 - Land south of Littlebourne Road and N5 - Land south of Bekesbourne Lane***

Natural England notes that allocation Policies N4 and N5 propose provision of a new on-site high quality wastewater treatment work(s) (WwTW). As these allocations lie within the hydrological catchment of the Lampen Stream, should the WwTW(s) discharge into this catchment, there is a risk that an increase in flows and changes in water quality (to the Lampen Stream which feeds into Stodmarsh) could result in likely significant effects to designated ditch and reedbed features of Stodmarsh.

Further consideration of these potential impacts will need to be considered at the planning stage and may require additional mitigation measures to ensure that adverse effects on Stodmarsh is avoided.

Natural England advise that the supporting text for policy allocations N4 and N5 make consideration to this risk, whilst also outlining that mitigation hierarchy (as set out in paragraph 193 of the NPPF, December 2024) should be followed in the event of likely significant effects being identified.

#### ***Air Quality***

Natural England previously advised in our letters dated 30 January 2023 (our reference 410619) and 31 May 2024 (our reference 469486) that the potential threat from ammonia (NH<sub>3</sub>) should be included as a typical effect pathway and environmental change assessed through the Local Plan HRA. We are pleased that ammonia has been included in the HRA screening for this Draft Plan.

Natural England recognise the Local Plan HRA is yet to be supported by a complete air quality assessment. We advise your authority that this will need to be completed by the Regulation 19 stage of the Plan process, whereby the complete air quality assessment can be considered appropriately through your Local Plan HRA.

We would expect the plan to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on European sites and Sites of Special Scientific Interest (SSSIs). The environmental assessment of the plan (SA and HRA) should also consider any detrimental impacts on the natural environment and suggest appropriate avoidance or mitigation measures where applicable.

We refer you to our previous comments for further advice regarding the assessment of air quality impacts for the Local Plan HRA, SA and updated policies.

#### ***Recreational Disturbance***

Natural England agrees with the screening decisions set out in Table 4-1 Summary of European site screening in relation to visitor pressure. We concur with the conclusions and recommendations in the appropriate assessments that the incorporated policy measures will provide sufficient safeguards to ensure that recreational pressure does not adversely affect Blean Complex SAC, Tankerton Slopes and Swalecliffe SAC and the Stodmarsh designated sites as a result of the Plan.

As previously advised, we recommend that large developments in close proximity to the Thanet Coast and Sandwich Bay designated sites and The Swale designated sites may also require mitigation above and beyond the strategic solutions (Thanet Coast Strategic Access Management and Monitoring Plan (SAMM) and North Kent Marshes SAMM respectively). We advise that the possible need for additional on-site measures should be included within the policy wording of the relevant policies.

Furthermore, we advise that any potential impacts of commercial and transport developments, such as hotel accommodation (Draft Plan clause 2.31) will need to be fully considered and appropriate avoidance and mitigation measures secured as required. Potential impacts could include recreational disturbance from tourism to European sites.

### ***Policy Review***

We note that a summary of the HRA conclusions for allocation sites has been set out in Table A-2 – Policy review (Appendix A). This states that all Gypsy and Traveller Pitches (N35) have no likely significant effect on European sites and are therefore screened out.

We would advise that through the regularisation and intensification of existing sites, it is possible for developments to have likely significant effects on designated sites. For example, water quality impacts to the Stodmarsh sites may need to be considered for sites within the nutrient neutrality catchment. We advise that impacts to designated sites from Gypsy and Traveller Accommodation should be assessed in the HRA, alongside other site allocation policies.