

Canterbury City Council
Council Offices
Military Road
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Our Ref: KT/2006/000189/CS-18/PO1

Sent by email

Date: 15 May 2026

Dear Sir/Madam,

Canterbury City Council Local Plan Regulation 19 – March 2026

Thank you for consulting us on the Canterbury City Council Core Strategy Submission Regulation 19 Draft 2026. We have reviewed the submitted information and find the submission **unsound**.

While the document contains policies we do support, we do **not** support the adoption of the regulation 19 document as provided. It should be amended to address the concerns raised below.

Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the draft, please reconsult us.

Should you have any queries regarding this response, please contact me.

Yours sincerely,

Adam Higman
Sustainable Places Planning Advisor

[Redacted signature]

2. Canterbury

Policy C1 - Canterbury City Centre Strategy

Page 28

Point 10 refers to “existing open spaces, and green and blue infrastructure, such as . . . the River Stour”. We look forward to learning more about the works that are envisaged and how they will be funded. A review of the Riverside Strategy with this in mind might be appropriate.

Policy C4 – Millers Field car park

Page 34

We support this strategy especially with reference to comments relating to improved fish passage through this part of the River Stour.

We refer to comments in a previous consultation where concern was expressed about the potential for increased Artificial Light at Night (ALAN) being cast on to the river and reiterated them here. A lighting strategy for this area should inform development of site C4.

Our previous comments on the Reg 18 which we feel have not been fully addressed:

“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.”

Additionally, we support the inclusion of the requirement to provide compensatory flood storage on a volume per volume, level per level basis.

East Canterbury Strategic Development Area

Policy C15 - Land south of Littlebourne Road

Page 65

We find this policy **unsound**.

Site is for approximately 1700 dwellings Page 62 2.20 ‘Land south of Littlebourne Road and Land South of Bokesbourne lane will deliver high-quality on-site regulated wastewater treatment facilities in line with Policy DS20 to mitigate impacts on the Stodmarsh SAC/SPA/Ramsar site. Should the wastewater treatment facilities discharge to the **Lampden** Stream which feeds into Stodmarsh, additional mitigation measures may be required.’

We are concerned by this Policy which appears to threaten the Lampen Stream with discharges from houses including, possibly, treated wastewater.

The Lampen Stream is currently occupied by beavers, which are fully protected, and has the highest quality water entering Stodmarsh in it. Inappropriate development that is too close to the stream this area must be avoided.

With this in mind, the purpose of the “wetland area around the watercourses associated with the Lampen Stream” in section g must be questioned. This is because, as is made clear in reviews of the function of constructed wetlands e.g. *Can Constructed Wetlands be Wildlife Refuges? A Review of Their Potential Biodiversity Conservation Value* (Zhang et al., MDPI, 2020) the management of these sites is critical to their success and, as yet, has not been shown to be achievable e.g. Ashford Wastewater Treatment Works was constructed with a wetland treatment system but this has been abandoned because it was not delivering sufficient benefit for the cost of managing it.

Wetlands for wildlife should not be used for wastewater treatment. No wetland ever acts to give “multiple benefits including increasing biodiversity, safeguarding Ancient Woodland, mitigating surface water runoff and providing residents with opportunities to connect with nature. As such, if the LPA is suggesting wetlands as a potential option for the “on-site” regulated wastewater treatment facilities this would be an element of this allocation being contrary to Policy DS25 (Supporting biodiversity recovery).

This position is supported by Section 192 of the National Planning Policy Framework (NPPF) which requires plans “to protect and enhance biodiversity and geodiversity” by promoting “the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity”.

This would be unacceptable if it is delivered.

Please also note one misspelling of the *Lampen* stream above.

Policy C16 - Land south of Bekesbourne Lane

Page 70

This site allocation is adjacent to ‘Policy C15 - Land south of Littlebourne Road’ but the policy lacks wording present in C15, *“Secure blue infrastructure opportunities including creating 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;”*.

This again would be subject to the wetlands not being used for wastewater treatment as detailed above in Policy C15 comments.

As these sites are close to one another and the same watercourses could be affected by the development, it would be beneficial for this wording to be included or reference being added about SuDS. This site allocation has a tributary of the Lampen stream running through it.

Note to LPA - Development in Littlebourne

As Southern Water is aware and as frequently reported by Tim Bostock, *Citizen Science for the Little Stour chalk stream*, the wastewater treatment works at Littlebourne is already over capacity. We would object to any further development in the area unless new facilities are developed by the sewerage undertaker, and the undertaker obtains an appropriate environmental permit. The Little Stour is a precious and threatened chalk stream which is badly stressed by pollution and low flows due to abstraction. The developer would need to note that there is no guarantee an environmental permit would be granted.

Canterbury Urban Area Allocations

Policy C18 - Wincheap Commercial Area

Page 77

We find this policy **unsound** as it conflicts with Section 187 of the NPPF and Policy 22 of this draft document.

The proposal is to extend the commercial area to the northwest and into the Great Stour Ashford to Fordwich Local Wildlife Site which Canterbury City Council should be protecting in line with Policy DS22 - Habitats, landscapes and sites of local importance. There is no justification for the loss of any part of this site especially where it forms part of the river corridor.

Our position is supported by Section 187 of the NPPF which requires “planning policies and decisions” to “contribute to and enhance the natural and local environment by:

- a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)

Policy C31 - Land on the eastern side of Shelford Landfill

Page 104

We find this Policy **unsound** as it is contrary to Section 187 of the NPPF and Policy DS22.

The detail of this policy fails to clearly identify its proximity and therefore the appropriate risk posed to this WFD water body from development at this location that has tributaries of the Great Stour between A2 and West Stourmouth, a WFD waterbody within its red line boundary. It would be preferable for this amended policy to reflect this and make note of potential enhancement or protection of these watercourses as they directly lead into the Great Stour which flows into the Stodmarsh SSSI.

Our position is supported by Section 187 of the NPPF which requires “planning policies and decisions” to “contribute to and enhance the natural and local environment by:

- a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)

Policy C32 – Land at Wincheap Park and Ride **Page 107**

We find this policy **unsound** as it is contrary to Section 187 of the NPPF and Policy DS25 and DS22 of this draft document.

This site has previously been considered for the development of a car park. We objected strongly to the development then as it causes loss of land in the Great Stour Ashford to Fordwich Local Wildlife Site contrary to Policy DS22 and DS25 - Habitats, landscapes and sites of local importance.

We continue to maintain our objection to this development for all the reasons given before. However, the development of the site right up to the river's edge, as proposed, represents significant encroachment and, now that the requirements of Biodiversity Net Gain (BNG) are in force, delivery of 20% BNG for the damage that such a development will cause will be disproportionately high for the Council.

The site is wholly unsuitable for this development, and this policy must be removed from the Local Plan accordingly or be much reduced in area to prevent the harm and damage that it does to the natural environment.

Our position is also supported by Section 187 of the NPPF which requires “planning policies and decisions” to “*contribute to and enhance the natural and local environment by:*

- a. *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);”*

Policy W4 - Land at Brooklands Farm **Page 121**

We find this policy **unsound** as it is contrary to Section 192 of the NPPF and Policy DS25 of this draft document.

The map for this policy fails to show how the Swalecliffe Brook will be protected from the adverse impacts of significant development on both sides of the watercourse. Given the flood risk experienced further downstream, further development and drainage from it will only be damaging for the stream.

The fact that the connectivity arrow across the map passes straight over the Stream suggests that bridges and other structures will be built over it. All crossings of this type prevent light reaching the watercourse, are damaging and so are of concern. As a result, elements of this allocation are contrary to Policy DS25 - Supporting biodiversity recovery.

This position is supported by Section 192 of the NPPF which requires plans “to protect and enhance biodiversity and geodiversity” by promoting “the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity”. Building on, over and within a minimum of 10m (BNG metric margin) does not satisfy this requirement of the NPPF.

There is also no mention of preventing deterioration of this WFD water body or enhancing it during development. Developers should be directed to the River Basin Management Plans. There is also mention of a drainage strategy to reduce flood risk to nearby properties, however there is no mention of a drainage strategy to reduce runoff.

The site allocation of 1,400 new dwellings fails to consider the implications of how wastewater will be treated. While the Canterbury overview section mentioned new purpose built WWTW for that area, there is not mention of this being the case for Whitstable, and there is nothing say they will connect to mains drainage either.

A stronger level of protection is needed here than what currently seems to be in place.

Policy W10 - Land at Beresford Road **Page 137**

Our previous comments to Reg 18:

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.

We are disappointed this site remains in Reg 19 submission. Given the risk from tidal, fluvial and surface water flooding, it is extremely unlikely this site will pass the Exception Test which will mean development will not be acceptable. A site-specific FRA may not meet the requirements of the exception test – eg. cannot be made safe.

Herne Bay Town Centre **Policy HB10 – Land to the west of Bullockstone Road** **Page 160**

The detail of this policy fails to clearly identify its proximity and therefore the appropriate risk posed to this WFD water body, developers should be directed to the River Basin Management Plans.

Policy R3 – Chartham Paper Mill **Page 177**

Development at this site has the potential to deliver significant gains for riparian biodiversity and wildlife.

Demolition of the mill buildings and removal of sluice gates under the mill would “daylight” the river creating a continuous open channel for fish, riparian mammals including otter and beaver to migrate along the Great Stour – using the river as a natural corridor. This concept is supported by section 192 (b) of the current NPPF which aims to restore and enhance “priority habitats, ecological networks and the protection and recovery of priority species”.

However, for maximum gain to be achieved, the site boundary must be set back by a minimum of 10m from the river. In this way, significant BNG could be achieved at the site. Plans that do not include a satisfactory margin will be unacceptable to us. This matter will be addressed at application stage.

Our previous comments on Reg 18:

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 lower lying 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 policy must be re-worded for clarification purposes to state that development at this site will be reliant on the results of detailed numerical flood risk modelling.

While the site remains in FZ3b, the site will not be suitable for the uses currently proposed.

Section 2:ii – floor levels

In addition, this section of the policy should be re-worded to explicitly state that “floor levels will need to be raised above both fluvial and surface water flooding following the freeboard allowances to be included in Policy DS23.”

Policy R15 - Land adjacent to Valley Road Page 205

While parts of this site are distant from the river, a long section of it – the block running in a southerly direction – appears to be immediately beside it. While the river might not flow for years at a time, developers must be reminded that it is an ephemeral river, is designated main river in that area and must be treated as a river especially in the context of BNG.

Accordingly, this land cannot include the necessary 10m margin required by BNG for it to be developed without incurring significant penalties in terms of BNG units (BNGu).

The allocation, therefore, must be reconsidered and redrawn without the block and riparian margin of the stream in it.

Policy R23 - Land to the south of Sturry Road

Page 222

In light of its existing use as a treatment area for leachate from the Sturry Road landfill, what is proposed will happen to the leachate currently treated in a reed bed at a site near TR1717259668?

Developers will need to consider this at application stage.

Policy DS12 – Net zero carbon ready and water efficiency

Page 255

We support this policy, however, for clarification purposes we recommend the following amended wording below.

We welcome the proposal to support tighter standards for water efficiency, however we would highlight the Defra target to reach 110 litres per person per day by 2050 (also included in South East Water's latest WRMP). If this is to be achieved, then new housing will need even lower values to offset older, less efficient properties.

We recommend the following wording:

“5. Proposals for new residential development must improve on the design water consumption higher water efficiency standard as set out in the latest edition of the Building Regulations (currently 110 litres per person per day, Building Regulations 2015 Edition) or subsequent updates. A higher water efficiency standard of 100 litres/person/day for residential development should be delivered where possible.”

Policy DS15 - Infrastructure Delivery

Page 262 (Section 5)

We support this policy. It includes a requirement for sufficient sewerage infrastructure to be secured before development reaches specified occupancy thresholds.

The LPA should note that the Drainage & Wastewater Management Plans (DWMPs) states that:

The Canterbury Planning Authority should work proactively with Southern Water to understand both the potential impacts of development on the receiving water environment and the feasibility and timing of any necessary upgrades. The Canterbury Planning Authority should work proactively with Southern Water to confirm that appropriate capacity upgrades are planned, funded, and deliverable within the required timescales. If such upgrades cannot be secured, the LPA should consider whether alternative WWTWs with sufficient capacity are available, or

whether alternative development locations or phasing are necessary to avoid further deteriorating water environment conditions.

We encourage Canterbury Planning Authority, Southern Water Services and South East Water to ensure that emerging development plans and major development proposals identify, assess, and plan for the water and wastewater infrastructure needed to support growth. Early engagement is essential to ensure that anticipated development is reflected in water company business plans and future investment programmes. In line with paragraph 20 of the National Planning Policy Framework (NPPF), strategic policies should set out an overall strategy for the pattern, scale, and design quality of development and make adequate provision for wastewater infrastructure.

The current policies make no reference to the existence or importance of Drainage & Wastewater Management Plans or Drainage Strategy Framework.

In line with internal water quality policy and external guidance ([PPG for Water Supply, Wastewater and Water Quality ref ID: 34-020-20140306](#)) and Building Regulations Approved Document H), we would oppose non-mains disposal in sewerage areas without adequate justification on cost/benefit or practicability grounds.

Policy DS20 - Habitats of international importance Page 273

We support that there should be consideration of wastewater drainage for new developments and avoiding the negative impacts. For parts a and b of section 8, it is not clear if the wastewater treatment facilities are going to be part of the existing sewerage system or something separate.

This may be site dependant and be in part covered by part d.

We support the use of SuDS as mentioned in parts b and c. Developers should be consulting with water companies to ensure that are able to connect to mains drainage and avoid discharging to water bodies whenever possible. The section only appears to mention connecting to treatment works rather than the network.

Policy DS23 – Flood Risk Page 284 - Para 2 B

“Exemptions from Sequential Test: ... **Proposals within the City and Town Centres**” We find this part of this policy **unsound** for the following reasons which is supported by paragraph 174 of the NPPF.

Whilst it is appreciated town centre development will be looked upon favourably, we would advise exempting all sites in FZ/3 from the sequential test with caution. Many town centre sites will be in built up areas wholly within the floodplain and providing appropriate floodplain compensation may prove impossible or make the site unviable. Level for level, volume for volume storage will be required; stilts and voids will not be acceptable. If this policy is to remain, we would suggest the requirement for compensation is made clear.

We support the exclusion of sites 100% in FZ3b from this policy.

Page 284 - Para 2 D

“Development on previously developed land;”

We find the proposal to exempt all pre-developed land from the Sequential Test **unsound**. This is also not mentioned or supported by the Level 1 Strategic Flood Risk Assessment (SFRA, Jan 2026).

This would be against national policy and contrary to the aim of the SFRA which is to steer new development to areas of the lowest risk of flooding regardless of the brownfield/ greenfield status of the site (NPPF, Para 174). Whilst it is appreciated other material planning considerations may favour pre-developed land, when assessing flood risk, all sites not already allocated in the Local Plan, should be evaluated via the Sequential Test unless they meet specific exemption criteria outlined in NPPF.

Policy DS23 must also include a recommendation for freeboard levels above design flood level, being a minimum of 600mm, with a possible reduction to 300mm only where there is a high level of certainty. All allocated sites should comply with this freeboard advice.

Policy DS24 - Sustainable Drainage and Water Quality
page 284

We support this policy. It is especially strong for groundwater protection and also

- Follows the drainage hierarchy
- Section 2: SuDS are prioritised
- Section 3: does not compromise WFD objectives and the consideration of the impact of development on surface water and groundwater systems and the inclusion of mitigation measures.

Policy DS25 - Supporting biodiversity recovery
Page 287

We support many of the actions and much of the content of this policy but are concerned that insufficient recording of the biodiversity enhancements of the district is proposed.

While future development will need (in most cases) to provide BNGu at 10% statutory and 10% local level for grant of planning permission, there are historic enhancements which have been delivered under previous regimes and for a range of types of permission which it does not appear are recorded and so protected from development.

This is very obvious from the failure of the Council to properly protect the site on the junction of Vauxhall Road and Broad Oak Road (near TR1631659803 and CT11ZN) where compensation for damage caused by the Richborough Connection Project was provided but subsequently destroyed by construction of the Audi garage a

couple of years later. The tiny remains of this site are now threatened by the Council's plans to construct a path in the river margin – contrary to numerous local and national policies – that will remove the site.

All enhancements from all development, past and future, need to be added to the same database and protected for perpetuity.

Chapter 7 Development Management

Point 7.5

Policy DM4 - Reducing Waste and Supporting the circular economy

Page 309

We support this policy.

Policy DM16 - Contamination unstable Land

page 319

We support this policy. It provides an appropriate framework for managing land contamination and is in line with national guidance.

Policy SS1 - Environmental Strategy for the district

Page 330

We support this strategy but would prefer to see rivers, streams and other watercourses specifically mentioned with other green infrastructure and it not be merely limited to reference to sustainable drainage systems.

This strategy should also refer to the work of the Kentish Stour Countryside Partnership with respect to the Stour Valley Restore Project (<https://kentishstour.org.uk/major-projects/stour-valley-restore/>) given that this project is going to have the potential to deliver many beneficial outcomes.

Policy SS2 – Sustainable Design Strategy for the district

Page 333

Point 4 d. promotes processes that connect “communities to nature by supporting wildlife conservation, biodiversity and environmental” etc. The importance of connecting wildlife sites to each other, a key Lawton Principle, within the urban environment should be re-iterated here. Failure to ensure that designs provide those connections will mean that, very quickly, green areas within developments will become degraded.

Point 7 promotes the provision of open green space. This should not necessarily be considered to be providing the corridors that connect wildlife areas with each other. For example, a playing field will not connect hedges and woodland areas, instead it will remain an impassible barrier to most wildlife.

Policy SS5 – Movement and Transportation Strategy for the district

Page 350

We find this policy **unsound**. This policy includes reference to the inappropriately sited park and ride scheme for Wincheap. Please refer to our comments on Policy C32.

Policy SS6 – Infrastructure Strategy for the District

Page 353

Regarding 'increased level of housing growth' the Water Resource Management Plan of the local water company (South East Water) is based on expected housing growth prior to publication in 2024, including the additional water from the new reservoir at Broad Oak. We recommend close liaison with South East Water to ensure that planned housing growth is located where additional water is available to supply new development.

Strategic Flood Risk Assessment (SFRA):

We have reviewed the updated SFRA and are content with the methodology and conclusions. We do however have the following comments:

SFRA Level 1 (dated: Jan 2026, by: eps)

8.5.4 Page 80

Advice on freeboard levels should revert to previous draft. The current national advice from the Environment Agency is a minimum 600mm above design flood level, with a possible reduction to 300mm only where there is a high level of certainty. This should be applied to all site allocations.

Policy Recommendation 1:

Page 98

Whilst it is appreciated town centre development will be looked upon favourably, we would advise against exempting all sites in FZ/3 from the sequential test. Many town centre sites will be in built up areas wholly within the floodplain and providing appropriate floodplain compensation may prove impossible or make the site unviable. Level for level, volume for volume storage will be required; stilts and voids will not be acceptable.

SFRA Level 2 (dated: Feb 2026, by: eps)

Chartham Paper Mill

Page 73

Policy still needs to make it clear that numerical modelling has yet to be reviewed by the Environment Agency. Until such time as a site-specific FRA demonstrates the site to be outside FZ3b, development will be restricted to uses permitted as outlined in NPPF.