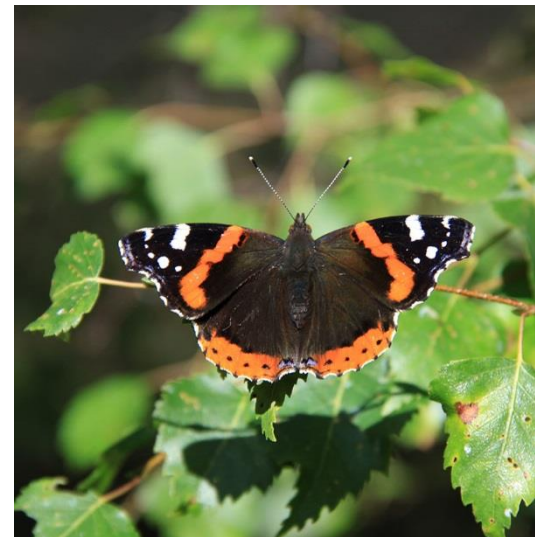




Canterbury City Council

Canterbury District Local Plan (2020-2045) Habitats Regulations Assessment (HRA)

Information to support an initial assessment of the Draft
Canterbury District Local Plan (Regulation 18 Consultation)
against Regulation 105 of the Conservation of Habitats and
Species Regulations 2017



This report was prepared by WSP Environment & Infrastructure Solutions UK Limited (formerly known as Wood Environment & Infrastructure Solutions UK Limited), company registration number 02190074, which is carrying out these services as a subcontractor and/or agent to Wood Group UK Limited – October 2022

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Document revisions

No.	Details	Date
1	Draft	October
2	Final	October

Contents

1.	Introduction	6
1.1	The Canterbury District Local Plan (2020-2045)	6
1.2	Habitats Regulations Assessment	6
1.3	The Purpose of This Report	7
2.	Approach to HRA of the Local Plan	9
2.1	Overview	9
2.2	Guidance	12
2.3	Consultation and Plan Evolution	12
2.4	Study Area	13
2.5	Data Collection	13
2.6	Reviewing the emerging plan	15
2.7	Screening / Assessment of the Local Plan	15
2.8	Notes on Mitigation and Avoidance	17
2.9	Uncertainty and 'Down the Line' Assessment	18
3.	Baseline Summary and Impact Pathways	19
3.1	Effect Pathways and Key Regional Pressures	19
3.2	European Site Summaries	21
	Blean Complex SAC	25
	Stodmarsh sites	25
	Tankerton Slopes and Swalecliffe SAC	27
	Thanet Coast & Sandwich Bay sites	28
	The Swale sites	29
	Outer Thames Estuary SPA	31
	Wye and Crundale Downs SAC	32
	Margate and Long Sands SAC	33
	Parkgate Down SAC	34
	Lydden and Temple Ewell Downs SAC	34
	Sandwich Bay SAC	35
	Folkestone to Etchinghill Escarpment SAC	37
	Dover to Kingsdown Cliffs SAC	38
	Dungeness, Romney Marsh and Rye Bay sites	39
	Medway Estuary and Marshes sites	42
	Essex Estuaries SAC	45
	Foulness (Mid-Essex Coast Phase 5) sites	46
	Thames Estuary and Marshes sites	50
4.	Screening ('Test of Significance')	53
4.1	Screening of European sites	53
	Context	53
	Urbanisation	57
	Water Quality	65
	Flooding/water level management	68
	Effects on functional habitats or species away from European Sites	69
4.2	Screening of Local Plan Components	69
	Review of Draft Site Allocations	69

	Review of Draft Policies in the Local Plan	69
4.3	Screening Summary	73
5.	Appropriate Assessment: Recreational Pressures - Blean Complex SAC, Stodmarsh SPA/Ramsar/SAC, Tankerton Slopes and Swalecliffe SAC, Swale SPA/Ramsar, Thanet Coast & Sandwich Bay Ramsar /SPA, Sandwich Bay SAC	75
5.1	Overview	75
5.2	Summary of Pathway	75
5.3	Baseline	75
5.4	Incorporated mitigation	78
5.5	Assessment	79
6.	Appropriate Assessment: Urbanisation – Stodmarsh SPA/SAC/Ramsar	84
6.1	Overview	84
6.2	Summary of Pathway	84
6.3	Baseline	84
6.4	Incorporated Mitigation	84
6.5	Assessment	84
7.	Appropriate Assessment: Water Quality - Stodmarsh SAC/SPA Ramsar, Thanet Coast & Sandwich Bay Ramsar/SPA, Sandwich Bay SAC	86
7.1	Overview	86
7.2	Water Quality and Nutrient Neutrality Summary of Pathway	86 86
7.3	Baseline	87
7.4	Incorporated Mitigation	88
7.5	Assessment	90
8.	Appropriate Assessment – Atmospheric pollution Blean Complex SAC and Lydden and Temple Ewell SAC	92
8.1	Overview	92
8.2	Summary of Pathway Baseline	92 93
8.3	Incorporated Mitigation	95
8.4	Assessment	96
9.	Summary and Conclusions	98
9.1	Summary	98
9.2	Conclusions	100

Table 4.1	Summary of European site issues in relation to visitor pressure	55
Table 4.2	European sites (and component SSSIs) within 20km of the Canterbury City Council area with A-roads within 200m	59
Table 4.3	Summary of European site issues in relation to air pollution	60
Table 4.4	CCC water resource zones	62
Table 4.5	Summary of European site issues in relation to water resources	64
Table 4.6	Summary of European site issues in relation to water quality	67
Table 4.7	Policy 'types' that can usually be screened out	70
Table 4.8	Colour coding for screening of Local Plan policies	71
Table 4.9	Policy aspects requiring examination through appropriate assessment	71
Table 8.1	Summary of N-deposition and critical loads for Blean Complex SAC, based on APIS	93
Table 8.2	Summary of NO _x concentrations and critical levels for constituent SSSIs, based on APIS	94
Table 8.3	Summary of N-deposition and critical loads for Lydden and Temple Ewell Downs SAC, based on APIS	94
Table 8.4	Summary of NO _x concentrations and critical levels for Lydden and Temple Ewell Downs SAC, based on APIS	95

Figure 2.1	Indicative HRA process for Local Plans	11
Figure 3.1	Location of European Sites	24

Appendix A	European site terminology
Appendix B	Summary of Assessment of Draft Policies
Appendix C	'In Combination' Review of Plans

1. Introduction

1.1 The Canterbury District Local Plan (2020-2045)

- 1.1.1 Canterbury City Council (the Council) adopted the Canterbury District Local Plan 2011-2031 in July 2017. The Council is currently preparing a new Local Plan to cover the period 2020 to 2045. The Council has decided to prepare a new Local Plan to ensure it remains fit for purpose, reflects national planning guidance, delivers local priorities, and meets future needs whilst restoring a five-year supply of deliverable housing sites. Several of the initial non-statutory stages of plan making have already been completed including an issues consultation in Summer 2020 and a Draft District Vision and Local Plan Options consultation in Summer 2021 alongside the ongoing development of a detailed evidence base to guide decision making. The Council has now prepared the Draft Canterbury District Local Plan (2020-2045) (Regulation 18 consultation) as part of the ongoing preparation of the Local Plan.
- 1.1.2 The Council is completing the plan preparation process on the following broad timeline:
- Consultation on Draft Canterbury District Local Plan (Regulation 18 consultation) – Autumn 2022;
 - Preparation and publication of Pre-Submission Draft Local Plan (Regulation 19) – Spring-Autumn 2023;
 - Submission (Regulation 22) and Examination – Autumn 2023-Summer 2024;
 - Adoption - Autumn 2024.

1.2 Habitats Regulations Assessment

- 1.2.1 Regulations 105 and 107 of *The Conservation of Habitats and Species Regulations 2017* (as amended) (the 'Habitats Regulations')¹ transpose the provisions of Articles 6(3) and 6(4) of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive') as they relate to land-use plans in England and Wales. Regulation 105 states that if a land-use plan is "(a) is likely to have a significant

¹ The 2017 Regulations have been amended by the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019* to reflect the UK's exit from the EU, although these largely carried forward the provisions and terminology of the 2017 Regulations and do not fundamentally alter their interpretation. This report therefore primarily refers to the 2017 Regulations and (where appropriate for clarity) the relevant provisions of the Habitats Directive.

effect on a European site² or a European offshore marine site³ (either alone or in combination with other plans or projects); and (b) is not directly connected with or necessary to the management of the site” then the plan-making authority must “...make an appropriate assessment of the implications for the site in view of that site’s conservation objectives” before the plan is given effect.

- 1.2.2 The plan can only be given effect if it can be concluded (following an ‘appropriate assessment’) that the plan “...will not adversely affect the integrity” of a site, unless the provisions of Regulation 107⁴ are met.
- 1.2.3 The process by which Regulation 105 is met is known as Habitats Regulations Assessment (HRA)⁵. An HRA determines whether there will be any ‘likely significant effects’ (LSE) on any European site as a result of a plan’s implementation (either on its own or ‘in combination’ with other plans or projects)⁶ and, if so, whether there will be any ‘adverse effects on site integrity’⁷. The Council has a statutory duty to prepare the Local Plan and is therefore the Competent Authority for an HRA.

1.3 The Purpose of This Report

- 1.3.1 Regulation 105 essentially provides a test that the final plan must pass; there is no statutory requirement for HRA to be undertaken on draft plans or similar developmental stages (e.g. issues and options; preferred options). However, it is accepted best-practice for the HRA of strategic planning documents to be run as an iterative process alongside plan development, with the emerging policies or options reviewed during development to ensure that potentially adverse effects on European sites can be identified at an early stage, and avoided or mitigated through the plan development process. This is undertaken in consultation with Natural England (NE) and other appropriate consultees.
- 1.3.2 The Council has engaged WSP Environment and Infrastructure Solutions UK Ltd (WSP) to undertake a HRA and a separate Strategic Environmental Assessment

² As noted, the 2019 amendment to the Habitats Regulations largely carried forward the provisions and terminology of the 2017 Regulations, and so the term ‘European site’ is currently retained and for all practical purposes the definition is essentially unchanged. European sites are therefore: any Special Area of Conservation (SAC) from the point at which the European Commission and the UK Government agreed the site as a ‘Site of Community Importance’ (SCI) (if this was before 31 Jan 2020); any classified Special Protection Area (SPA); and any candidate SAC (cSAC). However, the term is also commonly used when referring to potential SPAs (pSPAs), to which the provisions of Article 4(4) of Directive 2009/147/EC (the ‘new wild birds directive’) are applied; and to possible SACs (pSACs) and listed Ramsar Sites, to which the provisions of the Habitats Regulations are applied a matter of Government policy (NPPF para. 181) when considering development proposals that may affect them. “European site” is therefore used in this document in its broadest sense, as an umbrella term for all of the above designated sites. Note, it is likely that this term will be supplanted at some point in the future although an appropriate UK-wide alternative has not yet been agreed (e.g. the NPPF in England has adopted the term ‘Habitats sites’ to refer collectively to those sites defined by Regulation 8, whereas the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019* uses the term ‘National Site Network’).

³ ‘European offshore marine sites’ are defined by Regulation 18 of The Conservation of Offshore Marine Habitats and Species Regulations 2017; these regulations cover waters (and hence sites) over 12 nautical miles from the coast.

⁴ Regulation 107 (1) states that “If the plan-making authority is satisfied that, there being no alternative solutions, the land use plan must be given effect for imperative reasons of overriding public interest”. Regulation 107 (2) identifies the reasons referred to in (1) “must be either— (a) reasons relating to human health, public safety or beneficial consequences of primary importance to the environment; or (b) any other reasons which the plan-making authority, having due regard to the opinion of the European Commission, considers to be imperative reasons of overriding public interest”.

⁵ The term ‘Appropriate Assessment’ has been historically used to describe the process of assessment; however, the process is more accurately termed ‘Habitats Regulations Assessment’ (HRA), with the term ‘Appropriate Assessment’ limited to the specific stage within the process.

⁶ Also referred to as the ‘test of significance’.

⁷ Also referred to as the ‘integrity test’.

(SEA)/Sustainability Appraisal (SA). This 'Regulation 18 HRA Report' is intended to accompany the Regulation 18 consultation documentation and provide guidance on the HRA-related issues that will be relevant to both the plan development and the HRA. It includes:

- an outline of the approach and scope of the Local Plan HRA;
- a summary of the environmental and European site baseline, as currently understood, and any known data gaps or environmental aspects subject to ongoing or future studies;
- informal guidance for the Council on any HRA-related issues or risks that may be relevant to the policy design or allocations selection process, and/or which may need to be considered when developing the Local Plan.

1.3.3 As the Local Plan is still under development **this report is not intended to be a formal 'HRA screening'; nor is it a 'draft HRA' or similar.** It will ultimately (with additional data and assessment) form part of the 'draft HRA' that is submitted alongside the Local Plan (Regulation 22 version of the Local Plan) but is primarily intended to assist the Council as it develops its plan and provide an opportunity for consultees to comment on HRA-related issues.

1.3.4 This Regulation 18 HRA Report (this report) has been issued for consultation alongside the Draft Canterbury District Local Plan (Regulation 18 Consultation).

2. Approach to HRA of the Local Plan

2.1 Overview

- 2.1.1 European Commission guidance⁸ and established case-practice suggests a four-stage process for addressing Articles 6(3) and 6(4), and hence Regulations 105 and 107 (see **Box 1**), although not all stages will necessarily be required:

Box 1 – Stages of HRA

Stage 1 – Screening or ‘Test of significance’

This stage identifies the likely effects of a project or plan on a European site, either alone or ‘in combination’ with other projects or plans, and considers whether these effects are likely to be significant. The ‘screening’ test or ‘test of significance’ is a low bar, intended as a trigger rather than a threshold test: a plan should be considered ‘likely’ to have an effect if the competent authority is unable (on the basis of objective information) to exclude the possibility that the plan or project could have significant effects on any European site, either alone or in combination with other plans or projects; an effect will be ‘significant’ simply if it could undermine the site’s conservation objectives. Note that mitigation measures should not be considered at the ‘screening’ stage, in accordance with the **People over Wind** (Court of Justice of the European Union (ECJ) Case C-323/17); this reinforces the idea of screening as a ‘low bar’ and makes ‘appropriate assessments’ more common.

Stage 2 – Appropriate Assessment (including the ‘Integrity test’)

An ‘appropriate assessment’ (if required) involves a closer examination of the plan or project where the effects on relevant European sites are significant or uncertain, to determine whether any sites will be subject to ‘adverse effects on integrity’ if the plan or project is given effect. The scope of any ‘appropriate assessment’ stage is not set, and the assessments will not be extremely detailed in every case (particularly if mitigation is clearly available, achievable, and likely to be effective). The assessments must be ‘appropriate’ to the effects and proposal being considered, and sufficient to ensure that there is no reasonable doubt that adverse effects on site integrity will not occur (or sufficient for those effects to be appropriately quantified should Stages 3 and 4 be required).

Stage 3 – Assessment of Alternative Solutions

Where adverse effects remain after the inclusion of mitigation, Stage 3 examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of European sites. A plan or project that has adverse effects on the integrity of a European site cannot be permitted if alternative solutions are available, except for imperative reasons of overriding public interest (IROPI; see Stage 4).

Stage 4 – Assessment Where No Alternative Solutions Exist and Where Adverse Impacts Remain

This stage assesses compensatory measures where it is deemed that there are no alternatives that have no or lesser adverse effects on European sites, and the project or plan should proceed for imperative reasons of overriding public interest (IROPI). The EC guidance does not deal with the assessment of IROPI, although the IROPI need to be sufficient to override the adverse effects on European site integrity, taking into account the compensatory measures that can be secured (which must ensure the overall coherence of the ‘national site network’).

⁸ *Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (EC 2002).

- 2.1.2 HRAs of local planning documents rarely proceed beyond Stage 2, as alternatives to policies or allocations that adversely affect the integrity of a European site⁹ are almost always available.
- 2.1.3 As noted, it is important to recognise that these stages principally reflect the legislative tests applied to the final, submitted project or plan; there is no statutory requirement for HRA (or these specific stages) to be completed for draft plans or similar developmental stages. Attempting to rigidly apply these steps to the emerging or interim stages of strategic plans is not always appropriate, and often reduces the clarity and usefulness of the HRA as a plan-shaping process for both plan-makers and consultees.
- 2.1.4 In practice, therefore, there is flexibility for the HRA process to be run in a manner that provides maximum benefit for plan-development and sound decision-making, whilst still ultimately meeting the legislative tests.
- 2.1.5 The HRA of the Local Plan therefore employs an iterative and consultative approach to HRA, with outputs tailored to each stage of the plan development and consultation process, and the requirements of the key stakeholders, rather than trying to force the guideline HRA stages on to the emerging plan. The HRA therefore contributes to the plan evidence-base, so assisting with the development of sustainable policies from the beginning of the plan-making process rather than being a purely retrospective ‘test’ applied towards the end.
- 2.1.6 **Figure 2.1** below provides an overview of our preferred approach to the HRA of Local Plans, identifying the relationships between the HRA process / key outputs and the plan development / consultation points (Reg. 18 etc.). Note, this is indicative and additional outputs may be appropriate to support the Council as the plan evolves.
- 2.1.7 In summary, the early stages of the process are relatively iterative and do not look like a ‘formal’ HRA – so, for example, an Issues and Options HRA report does not attempt to ‘screen’ the Issues and Options (partly as these will be too broad for any such assessment to be meaningful, although guidance would be provided to the Council if any options would clearly risk unavoidable adverse effects if pursued), but rather set out the current local baseline and intended scope, discuss potential data gaps, and identify the key HRA-related issues for the Local Plan to address in its development.
- 2.1.8 The HRA reporting aligns more closely with the guideline stages as the Local Plan develops, with the Preferred Options being accompanied by a comprehensive ‘Draft Local Plan HRA’ report that will comprise a detailed ‘screening’ and (probably) ‘appropriate assessment’ of the Preferred Options Draft Plan, setting out the HRA-related evidence and the anticipated conclusion (if the plan were to be adopted as drafted, recognising that the HRA can only be completed for the final, adopted plan). This report would then be updated for subsequent consultation stages to reflect consultation responses and plan amendments.

⁹ Note, the UK European sites are no longer legally part of the ‘Natura 2000’ network of protected sites, with this being replaced in the UK by the ‘national site network’ which comprises all existing SACs and SPAs and any new SACs and SPAs designated under the 2019 Regulations (Ramsar sites do not form part of the network). This also has relevance if compensation measures are required for an adverse effect, as the relevant metric is the overall coherence of the ‘national site network’. The 2019 Regulations establish management objectives for the ‘national site network’ which contribute to the conservation of UK habitats and species that are also of pan-European importance, and to the achievement of their favourable conservation status within the UK.

Figure 2.1 Indicative HRA process for Local Plans



2.2 Guidance

2.2.1 The following guidance has been used during the review and assessment of the Draft Local Plan:

- UK Government (2019). *Appropriate assessment: Guidance on the use of Habitats Regulations Assessment* [online]. Available at: <https://www.gov.uk/guidance/appropriate-assessment> [Accessed September 2022].
- Tyldesley, D. & Chapman, C. (2022). *The Habitats Regulations Assessment Handbook* [online]. DTA Publications Limited. Available at: <https://www.dtapublications.co.uk/handbook/>. [Accessed September 2022].
- EC (2018). *Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*. Commission Notice C(2018) 7621 final, Brussels, 21.11.2018.
- Natural England (2020). *Guidance on how to use Natural England's Conservation Advice Packages in Environmental Assessments*. Natural England, Peterborough.
- European Commission (2018). *Managing Natura 2000 sites - The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*. European Union, 1-86.
- Defra (2012). *The Habitats and Wild Birds Directives in England and its seas: Core guidance for developers, regulators & land/marine managers* [online]. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/82706/habitats-simplify-guide-draft-20121211.pdf. [Accessed September 2022].
- PINS Note 05/2018: Consideration of avoidance and reduction measures in Habitats Regulations Assessment: People over Wind, Peter Sweetman v Coillte Teoranta. [withdrawn].
- SNH (2019). SNH Guidance Note: *The handling of mitigation in Habitats Regulations Appraisal – the People Over Wind CJEU judgement* [online]. Scottish Natural Heritage. Available at: <https://www.nature.scot/sites/default/files/2019-08/Guidance%20Note%20-%20The%20handling%20of%20mitigation%20in%20Habitats%20Regulations%20Appraisal%20-%20the%20People%20Over%20Wind%20CJEU%20judgement.pdf>. [Accessed September 2022].

2.2.2 Additional topic-specific guidance (for example, in relation to the assessment of air quality effects) is identified within the relevant assessment sections.

2.3 Consultation and Plan Evolution

2.3.1 The HRA process is completed alongside the development of the Plan, and the HRA reports issued at each stage of the plan development reflect the assessment and process at that point in time.

2.3.2 The consultations to date are as follows:

- initial consultation on the intended approach to HRA with Natural England, June 2021;
- the Reg. 18 consultation HRA document (this report).

2.3.3 Appropriate HRA reports will be produced to accompany the future plan consultation stages; additional consultations on specific technical aspects are undertaken and documented as required.

2.4 Study Area

- 2.4.1 The zone of influence of a Local Plan varies according to the aspect being considered (for example, noise effects would rarely extend more than a few hundred metres from the source), and so it is not usually appropriate to employ ‘arbitrary’ spatial buffers to determine those European sites that should be considered within an HRA.
- 2.4.2 However, as distance is a strong determinant of the scale and likelihood of most effects, the considered use of a suitably precautionary search area as a starting point for the assessment (based on an understanding of both the likely plan outcomes and European site interest features) has some important advantages. Using buffers allows the systematic identification of European sites using GIS, so minimising the risk of sites or features being overlooked, and ensures that sites for which there are no reasonable impact pathways can be quickly and transparently excluded from any further screening or assessment. It also has the significant advantage of providing a consistent point of reference for consultees following the assessment process, allowing the screening to focus on the potential effects, rather than on explaining why certain sites may or may not have been considered in relation to a particular aspect of the plan.
- 2.4.3 The HRA of the Draft Local Plan considers:
- all European sites within 20km of the Council’s administrative area (see **Table 3.2**);
 - any additional sites that may be hydrologically linked to the Local Plan’s zone of influence; and
 - any additional sites identified by Natural England following the SA Scoping Consultation (particularly in relation to air or water quality, see below).
- 2.4.4 This is considered to be a suitably precautionary starting point for the assessment of the Local Plan. **Note, at the screening stage the assessment essentially assumes that there will be ‘no effect’ (and hence no possibility of ‘in combination’ effects) on European sites not included within the scope.**

2.5 Data Collection

- 2.5.1 The screening and appropriate assessment stages take account of the baseline condition of the European sites and their interest features¹⁰, including (where reported) data on
- the site boundaries and the boundaries of the component SSSIs;
 - the conservation objectives;
 - information on the attributes of the European sites that contribute to and define their integrity;
 - the condition, vulnerabilities and sensitivities of the sites and their interest features, including known pressures and threats;
 - the approximate locations of the interest features within each site (if reported); and
 - designated or non-designated ‘functional habitats’ (if identified).
- 2.5.2 These data are derived from:
- the most recent JNCC-hosted GIS datasets;

¹⁰ The interest features are taken to be the qualifying features; and other site features that may be relevant to site integrity, particularly ‘typical species’ (for SACs) and within-site supporting habitats for SPAs.

- the Standard Data forms for SACs and SPAs and Information Sheets for Ramsar sites;
- Article 12 and 17 reporting;
- the published site Conservation Objectives;
- Supplementary Advice to the conservation objectives (SACO) where available¹¹;
- Site Improvement Plans (SIPs); and
- the supporting Site of Special Scientific Interest's favourable condition tables where relevant and where no SACOs applicable to the features are available.

2.5.3 Note:

- For SPAs, the qualifying features are taken as those identified on the most recent JNCC datasets and citations where these post-date the 2nd SPA Review (i.e. it will be assumed that any amendments suggested by the SPA review have been made) unless otherwise identified to us by NE; any site-specific issues relating to the SPA Review can be addressed in the screening and appropriate assessment of the preferred options (see below).
- The conservation objectives for Ramsar sites are taken to be the same as for the corresponding SACs / SPAs (where sites or feature ecological characteristics are coincident); SSSI Definition of Favourable Condition (FCTs) are used for those features or areas not covered by SAC/SPA designations.

2.5.4 Where possible the site data is used to identify other features that may be relevant to site integrity, particularly '**typical species**' (for SACs), within-site **supporting habitats**, and designated or non-designated '**functional habitats**'.

2.5.5 A '**typical species**' is broadly described by EC guidance as being any species (or community of species) which is particularly characteristic of, confined to, and/or dependent upon the qualifying Annex I habitat feature at a particular site. This may include those species which:

- are critical to the composition or structure of an Annex I habitat (e.g. constant species identified by the National Vegetation Classification (NVC) community classification);
- exert a critical positive influence on the Annex I habitat's structure or function (e.g. a bioturbator (mixer of soil/sediment), grazer, surface borer or predator);
- are consistently associated with, and dependent upon, the Annex I habitat feature for specific ecological needs (e.g. feeding, sheltering), completion of life-cycle stages (e.g. egg-laying) and/or during certain seasons/times; or
- are particularly distinctive or representative of the Annex I habitat feature at a particular site.

2.5.6 Within-site **supporting habitats** are those which support the population(s) of the qualifying species and which are therefore critical to the integrity of the feature.

¹¹ NE has published '*Supplementary advice on conserving and restoring site features*' for most European sites in England which describe in more detail the range of ecological attributes which are most likely to contribute to a site's overall integrity, and the targets each qualifying feature needs to achieve in order for the site's conservation objectives to be met.

2.5.7 **‘Functional habitats’** are generally taken to be habitats or features outside a European site boundary that are important or critical to the functional integrity of the site habitats and / or its interest features. These might include, for example:

- ‘buffer’ areas around a site (e.g. dense scrub areas preventing public access; areas of land that reduce the effects of agricultural run-off; etc.);
- specific features or habitats relied on by mobile species during their lifecycle (e.g. high-tide roosts for waders; significant maternity colonies for bats known to hibernate within an SAC; areas that are critical for foraging or migration; etc).

2.6 Reviewing the emerging plan

2.6.1 The principles¹² of ‘screening’ are applied to the emerging plan and its components (i.e. the policies and allocations) as part of an iterative review process, to ensure that:

- any necessary technical assessments focus on those plan aspects that are likely to result in significant effects on European sites; and
- that the policies of the adopted plan are drafted to provide appropriate overarching safeguards that help (alongside any subsequently identified mitigation) to ensure that the adopted plan will have no significant effects or no significant adverse effects.

2.6.2 The outcomes of the HRA reviews are reported as appropriate at each consultation stage; this reporting may outline anticipated conclusions in relation to specific plan aspects. The outcomes of these reviews are re-visited throughout plan evolution to ensure that they remain robust, and that the overall performance of the plan in relation to the safeguarding of European sites meets expectations.

2.6.3 The reviews are intended to be a coarse filter for identifying potential effect pathways that cannot be self-evidently discounted, and hence those aspects where further investigation (‘appropriate assessment’) is required to determine the scale or nature of any effects and / or any bespoke mitigation that is necessary, rather than detailed assessments in their own right.

2.6.4 The Pre-Submission Draft (Regulation 19) Local Plan consultation will be accompanied by a comprehensive HRA document that will comprise a detailed ‘screening’ and (as necessary) ‘appropriate assessment’ of the plan, setting out the HRA-related evidence and the anticipated conclusion (if the plan were to be adopted as drafted, recognising that the HRA can only be completed for the final, adopted plan).

2.7 Screening / Assessment of the Local Plan

2.7.1 The HRA will include a **‘screening’** of the European sites (excluding those sites and features that are not vulnerable (i.e. both exposed and sensitive) to the outcomes of the plan as well as reviews of the policies and allocations to identify those that cannot have significant effects, alone or in combination, or which cannot be assessed at the plan level e.g. policies that support development or other changes but which are too general to allow any specific assessments of effects (i.e. the locations, scale, quantum etc. are not specified below the geographical level of the plan, assuming that the type of development proposed is not such that significant effects would be unavoidable regardless of these

¹² i.e. exploring whether significant effects on European sites are possible; note, from a strict procedural perspective the tests in Regulation 105 (including the ‘test of significance’) can only be formally applied to the plan intended for adoption and not to its various phases or iterations; therefore the term ‘screening’ is used advisedly when applied to assessments completed at earlier stages of the plan development.

aspects). The screening does not take into account ‘mitigation’, in accordance with ‘People over Wind’ (see below).

- 2.7.2 An ‘**appropriate assessment**’ determines whether any aspect of the plan will have ‘adverse effects on integrity’ for any European sites, taking into account the sites’ conservation objectives and conservation status. Site integrity (in HRA terms) is “*the coherent sum of the site’s ecological structure, function and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated*” (EC Guidance ‘Managing Natura 2000’ (2018)).
- 2.7.3 Where a site or interest feature has a ‘favourable’ conservation status then a ‘no adverse effects on integrity’ conclusion can be reached provided that this status will not be undermined by the plan or project at hand; if the conservation status is ‘unfavourable’ then the plan or project must not reduce the conservation status further or create conditions that would make it more difficult for the site or feature to reach ‘favourable’ conservation status. It should be noted that this is not simply a test of whether there are negative effects; an effect may be negative but not undermine the site’s conservation objectives. The integrity test incorporates the precautionary principle, whereby plans or projects should not be approved unless there is no reasonable scientific doubt that adverse effects on site integrity will not occur¹³.
- 2.7.4 Appropriate assessments are therefore used to provide a more detailed examination of those plan aspects where significant effects are likely, or (commonly) where there is a residual uncertainty which the assessment is intended to resolve or a mitigation measure requires examination. The ‘appropriate assessment’ stage may therefore conclude that the proposals are likely to have an adverse effect on the integrity of a site (in which case they should be abandoned or modified); or that the effects will be ‘significant’ but not adverse (i.e. an effect pathway exists, but those effects will not undermine site integrity, perhaps due to mitigation proposed for inclusion within the plan); or that the effects would, if screening were re-visited, be ‘not significant’ (i.e. the anticipated effect is subsequently shown to be nugatory or *de minimis*¹⁴).
- 2.7.5 The approaches used for appropriate assessments vary according to the sites affected and the effect-pathways.
- 2.7.6 Consideration of ‘**in combination**’ effects is not a separate assessment but is integral to both the screening and appropriate assessment stages (although it should be noted that effects that are nil or nugatory and indistinguishable from background variations cannot operate ‘in combination’ and so can be excluded at the screening stage).
- 2.7.7 There is limited guidance available on the scope of the ‘in combination’ element, particularly with regard to which plans should be considered. However, the assessment should not be limited to plans at the same level in the planning hierarchy and there is consequently a wide range of plans that could have potential ‘in combination’ effects with the Local Plan.
- 2.7.8 The plans identified by the SA will provide the basis for the assessment of ‘in combination’ effects; these plans are reviewed to identify any potential effects and then considered (as necessary) within the screening and appropriate assessment stages. The assessment

¹³ It should be noted that ‘no reasonable scientific doubt’ does not mean ‘absolute certainty’ (which is rarely achievable in any case, particularly at the plan level where detail on specific future developments is often unavailable); sufficient certainty may be achieved through the use of suitably conservative assumptions (e.g. in modelling) or evidence from best-practice elsewhere, taking into account any advice from the relevant statutory bodies. The plan-making authority can then put in place a legally enforceable framework that provides certainty by ensuring that the potential adverse effects identified using the best-available information will not be realised.

¹⁴ In the absence of avoidance or mitigation measures, as per ‘People over Wind’.

does not generally include national strategies, national policy or legislation since the Local Plan must be compliant with these. It is considered that 'in combination' effects are most likely in respect of other regional and sub-regional development plans and strategies.

2.8 Notes on Mitigation and Avoidance

- 2.8.1 The development of avoidance or mitigation measures is important to the HRA and plan development process. 'Avoidance measures' are those that are implemented during the iterative plan development process (for example, abandoning a policy or allocation that is likely to have unavoidable adverse effects if implemented)¹⁵; mitigation measures are used where significant effects are identified in order to prevent adverse effects on a site's integrity¹⁶.
- 2.8.2 Avoidance or mitigation measures should aim to reduce the probability or magnitude of impacts on a European site until 'no likely significant effects' or 'no adverse effects on integrity' are anticipated, and they will generally involve the development and adoption of (for example) wording changes to policies, or additional safeguarding policies. Measures must be specific and targeted, and likely to work; it is not appropriate to re-state existing legislation or policy, for example by adding "*and must have no significant effect on any European site*" (or similar) to every policy. The avoidance or mitigation measures should also reflect the limited influence that the Council can exert on non-planning issues, and should not generally exceed requirements set by national planning policy or guidance.
- 2.8.3 The 'People Over Wind' judgment creates some issues for the application of avoidance and mitigation measures in the HRA process, stating that "*...it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects [mitigation] of the plan or project on that site*"; as noted, this contrasts with established practice in this area (based on the 'Dilly Lane' judgment)
- 2.8.4 There is currently little information on the practical implementation of the 'People over Wind' judgment¹⁷, particularly for plan-level HRAs where the assessment process is usually concurrent with plan development and where measures are invariably incorporated into the plan before the formal 'screening' of the final version takes place. Indeed, many 'recommendations' derived from an iterative policy review process might be interpreted as 'avoidance' or 'mitigation' measures if viewed solely in terms of their implications for European sites, making it difficult to distinguish between basic good policy practice and 'mitigation'.
- 2.8.5 For example, generic policies promoting the use of Sustainable Drainage Systems (SuDS); or safeguarding designated sites (including European sites); or requiring that developers ensure utility provision in advance of occupation, are fairly standard inclusions in virtually all land-use plans, but will all act to moderate potential environmental changes that could affect European sites. However, it would clearly be illogical to attempt to screen a hypothetical version of the plan that did not include such policies, particularly if these are included independently of the HRA results.

¹⁵ Note, the term 'avoidance measures' in this context is not synonymous with the representation of 'mitigation' used in the People over Wind judgment; see also para. 2.3.21.

¹⁶ Although it should be noted that not all 'likely significant effects' will require mitigation measures: the effect may be considered to be likely to be significant (i.e. has the potential to undermine the conservation objectives) but may be shown on further examination to be too limited to have any risk of adversely affecting site integrity.

¹⁷ The Planning Inspectorate issued a guidance note (PINS Note 05/2018: *Consideration of avoidance and reduction measures in Habitats Regulations Assessment: People over Wind, Peter Sweetman v Coillte Teoranta*) although this does not provide substantive practical information for LPAs or clear guidance on what might constitute an 'avoidance measure', and the guidance note appears to have been subsequently withdrawn.

- 2.8.6 The broader context of the 'People over Wind' case suggests that the judgment is principally focusing on those instances where specific measures are included or relied on to avoid or mitigate a specific effect that has been identified, and which would otherwise be significant; the judgment argues that the effectiveness of any such measures should be examined through an appropriate assessment stage. It is therefore arguable that an exhaustive examination of a plan's genesis to see if any aspects might count as 'mitigation' for screening purposes is not necessary, or (arguably) consistent with the intent of the Habitats Directive or the 'People over Wind' judgment.
- 2.8.7 Therefore, the screening does not take account of specific measures that are included in response to a specific identified effect on a European site, and which are intended to avoid or reduce that effect. However, generic policy safeguards that would be included regardless of the presence of European sites are essentially just 'the plan' and are not considered to be 'mitigation' unless there is a specific effect or pathway that they are intended or relied on to obviate. Aspects requiring specific investigations to understand the problem (and hence the mitigation requirements), or which rely on established mitigation to avoid an effect, are subject to Appropriate Assessment.

2.9 Uncertainty and 'Down the Line' Assessment

- 2.9.1 For most policies, even at the strategic level, it will be clear if adverse effects are likely at an early stage, and in these instances the policy should not be included within the plan since plans should not include proposals which would be likely to fail the Habitats Regulations tests at the project application stage. For other options, however, the effects may be uncertain and it is therefore important that this uncertainty is addressed either through additional investigation or (if this is not possible) appropriate mitigation measures that provide certainty that the predicted effect will not occur or will not adversely affect site integrity.
- 2.9.2 It is usually possible to incorporate caveats or measures within policy text that are sufficient to ensure that adverse effects will not occur. However, for other policies this may not be possible because there is insufficient available information about the nature of the development that is being proposed through the policy to enable a robust conclusion to be reached. In these instances, it may be appropriate and acceptable for assessment to be undertaken 'down-the-line' at a lower tier in the planning hierarchy. For this to be acceptable, the following conditions must be met:
- the higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas;
 - the lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and
 - HRA of the plan at the lower tier is required as a matter of law or Government policy.
- 2.9.3 This approach is applied as appropriate to the screening and appropriate assessment stages.

3. Baseline Summary and Impact Pathways

3.1 Effect Pathways and Key Regional Pressures

- 3.1.1 The provisions of the Habitats Regulations ensure that ‘direct’ (encroachment) effects on European sites as a result of land use change (i.e. the partial or complete destruction of a European site) are extremely unlikely under normal circumstances, and this will not occur as a result of the Local Plan. Indeed, local plans will generally assist the safeguarding of European sites through their protective policies. However, there will be a number of areas where the direction, controls or influence provided by a plan can result in outcomes that can affect European site interest features.
- 3.1.2 Most potential effect pathways are associated with broad ‘quantum of development’ or population growth aspects, and whilst a local plan is not necessarily the main driver of these effects, they do have a key role in managing them locally through the site allocation process. In this context, the main aspects through which the Local Plan could affect European sites in the study area are:
- through individual allocations or supported developments that are ‘directed’ to a specific location or area; or
 - through ‘in combination’ effects resulting from the cumulative impacts of development associated with the Local Plan and with the plans and programmes of external authorities (such as neighbouring LPAs).
- 3.1.3 In broad terms, the current iteration of the emerging Local Plan includes:
- consideration of the number of homes, employment land and retail floorspace that should be provided for over the plan period (the quantum of growth);
 - policies providing geographical direction for development (typically specific housing and employment site allocations);
 - policies broadly supporting development or other changes, but which do not specify a quantum or location;
 - various development control policies that set out the Council’s tests or expectations when considering proposals, such as safeguarding policies, environmental protection policies or policies relating to design or other qualitative criteria.
- 3.1.4 These aspects could affect European sites on their own, through typical development-related mechanisms operating at the local scale in relation to specific allocations (e.g. noise, lighting, etc.; see **Table 3.1**); or collectively by exacerbating regional pressures (e.g. pressures on water supply).

Table 3.1 Typical effect pathways and environmental changes associated with terrestrial development

Pressure / Threat	Common environmental changes
Hydrological changes	Temperature changes Salinity changes Water flow changes Flood regime changes

Pressure / Threat	Common environmental changes
Pollution and other chemical changes	Non-synthetic and synthetic compound contamination Radionuclide contamination Introduction of other substances (solid, liquid or gas) De-oxygenation Nutrient enrichment Organic enrichment
Physical loss	Physical loss of habitat Physical change to another habitat
Physical damage	Habitat structure changes Changes in suspended solids Siltation rate changes
Other physical pressures	Litter Electromagnetic changes Noise changes Introduction of light Barrier to species movement Death or injury by collision
Biological pressures	Visual disturbance Genetic modification and translocation of indigenous species Introduction or spread of non-indigenous species Introduction of microbial pathogens Exploitation / harvesting of species Removal of non-target species during exploitation / harvesting

3.1.5 Significant effects or significant adverse effects as a result of individual allocations ‘alone’ are typically unlikely as most environmental changes have a limited ‘zone of influence’ (for example, noise effects on species will rarely be significant over 500m from the source based on natural rates of attenuation alone). However, the Local Plan HRA must also consider the potential for development supported by the plan to operate ‘in combination’ both internally (e.g. between allocations) or with external plans and programmes (e.g. cumulative housing growth regionally). ‘In combination’ changes are often of an inherently larger scale or operate over larger areas.

3.1.6 There is obviously a wide range of potential mechanisms and pathways for ‘in combination’ effects depending on the European sites and features. However, there are a few key mechanisms by which local plans (etc.) can operate cumulatively to affect European sites; these are noted below, and provide the broad framework for assessing potential ‘in combination’ effects associated with the Local Plan:

- **Recreational pressure:** Many European sites will be vulnerable to some degree of impact as a result of recreational pressure, although the effects of recreational pressure are complex and very much dependent on the specific conditions and interest features at each site. Local plans can influence recreational pressure through their allocations and associated controls.
- **Urbanisation:** Urbanisation is generally used as a collective term covering a suite of often disparate risks and impacts that occur due to increases in human populations near protected sites. This would include varied aspects such as fly-tipping or vandalism, predation by cats, or the dispersal of invasive species, although the effects of these aspects depend on proximity, accessibility and the interest features of the sites. This is generally only realised where allocations are close to a designated site.
- **Atmospheric pollution:** The most relevant air pollutants to habitats and species (particularly plant species) are the primary pollutants sulphur dioxide (SO₂, typically

from combustion of coal and heavy fuel oils), nitrogen oxides (NO_x, mainly from vehicles) and ammonia (NH₃, typically from agriculture). These pollutants affect habitats and species mainly through acidification and eutrophication. Local Plans will generally have few specific point-sources for air emissions and such emissions would typically be controlled through project-level permissions; the main issue for local plans is the assessment of 'in combination' effects due to air quality changes that might be associated with the quantum of development growth proposed / supported by a Local Plan, particularly in relation to traffic and N-deposition.

- **Water resources and flow regulation:** The exploitation and management of water resources is connected to a range of activities, most of which are not directly controlled or influenced by local plans; for example, agriculture, flood defence, recreation, power generation, fisheries and nature conservation. Much of the water supply to water-resource sensitive European sites is therefore managed through specific consenting regimes that are independent of local plans. Increased housing growth (which is likely to be supported by a local plan) increases demand on public water supply abstractions, some of which are associated with European sites; however, the consenting regimes are subject to HRA and, importantly, water companies are required to produce 25-year Water Resource Management Plans (WRMPs) that take into account predicted population growth and protected sites when considering future water resource provision. It is therefore very unlikely that development within one local planning authority area could have direct and consequential effects on a European site if growth is in line with water company predictions, particularly as most water companies operate conjunctive-use systems that do not rely on single-source provision. This aspect is most typically managed through policy.
- **Water quality:** Most waterbodies and watercourses are affected to some extent by point or diffuse sources of pollutants, notably nitrates and phosphates. Point sources are usually discrete discharge points, such as wastewater treatment works (WwTW) outfalls, which are generally managed through specific consenting regimes that are independent of local plans. In contrast, diffuse pollution is derived from a range of sources (e.g. agricultural run-off; road run-off) that cannot always be easily traced or quantified. Development promoted or supported by local plans is likely to increase demand on wastewater treatment works, and potentially increase run-off which could indirectly affect downstream European sites – although there will inevitably be attenuation as distance from the source increases.

3.1.7 In addition, many European interest features (particularly more mobile animal species) may use or be reliant on non-designated habitats outside of a European site during their life-cycle. Developments some distance from a European site can therefore affect the site integrity if its population of interest features is reliant on habitats being affected by a development. All of the above aspects (recreation, water resources, etc.) can therefore also affect European site integrity indirectly through effects on 'functional habitats' outside of the designated site boundary

3.2 European Site Summaries

3.2.1 As noted, the HRA of the Local Plan will consider potential effects on:

- all European sites within 20km of the Council's administrative area (see **Table 3.2**);
- any additional sites that may be hydrologically linked to the Local Plan's zone of influence; and
- any additional sites identified by Natural England following the HRA Scoping Consultation.

- 3.2.2 This is considered to be a suitably precautionary starting point for the assessment of the Local Plan. This area includes the European sites identified in **Table 3.2**. **Note, at the screening stage the assessment would essentially assume that there will be ‘no effect’ (and hence no possibility of ‘in combination’ effects) on European sites not included within the scope.**

Table 3.2 European sites within study scope (in distance order)

Site	Location relative to the Canterbury City Council Administrative Area
Blean Complex SAC	Woodland site within Canterbury City Council (CCC) area.
Stodmarsh Ramsar	Wetland site within CCC area.
Stodmarsh SAC	Wetland site within CCC area.
Stodmarsh SPA	Wetland site within CCC area.
Tankerton Slopes and Swalecliffe SAC	Grassland site supporting moth species within CCC area.
Thanet Coast and Sandwich Bay Ramsar	Large coastal site partly within the CCC area at Swalecliffe and Herne Bay.
Thanet Coast and Sandwich Bay SPA	Large coastal site partly within the CCC area at Swalecliffe and Herne Bay.
The Swale Ramsar	Coastal and estuarine site within the CCC area at Whitstable.
The Swale SPA	Coastal and estuarine site within the CCC area at Whitstable.
Outer Thames Estuary SPA	Offshore site below MLW; partly within the CCC area at Whitstable Harbour.
Wye and Crundale Downs SAC	Grassland site ~0.7km outside the south-western boundary of the CCC area.
Margate and Long Sands SAC	Marine SAC ~1.1km offshore from the northern CCC boundary.
Parkgate Down SAC	Grassland site ~1.9km outside the southern boundary of the CCC area.
Thanet Coast SAC	Coastal site ~2.6km from the north-eastern boundary of the CCC area.
Lydden and Temple Ewell Downs SAC	Grassland site ~3.3km from the south-eastern boundary of the CCC area.
Sandwich Bay SAC	Coastal embankment ~7.3km east of the CCC area.
Folkestone to Etchinghill Escarpment SAC	Grassland site ~8.1km south of the CCC area.
Dover to Kingsdown Cliffs SAC	Grassland site ~11.1km south-east of the CCC area.
Dungeness, Romney Marsh and Rye Bay SPA	Coastal / offshore site ~13.9km south of the CCC area.
Medway Estuary and Marshes Ramsar	Coastal/estuarine site ~14.2km north-west of the CCC area.

Site	Location relative to the Canterbury City Council Administrative Area
Medway Estuary and Marshes SPA	Coastal/estuarine site ~14.2km north-west of the CCC area.
Dungeness, Romney Marsh and Rye Bay Ramsar	Coastal and wetland site ~17.2km south-west of the CCC area.
Essex Estuaries SAC	Coastal/estuarine site ~17.8km from the CCC area across the Kent/Essex strait.
Foulness (Mid-Essex Coast Phase 5) Ramsar	Coastal/estuarine site ~18.7km from the CCC area across the Kent/Essex strait.
Foulness (Mid-Essex Coast Phase 5) SPA	Coastal/estuarine site ~18.7km from the CCC area across the Kent/Essex strait.
Thames Estuary and Marshes Ramsar	Coastal/estuarine site ~19.2km north-west of the CCC area.
Thames Estuary and Marshes SPA	Coastal/estuarine site ~19.2km north-west of the CCC area.

3.2.3 The location of the sites is shown on **Figure 3.1**.

3.2.4 The following sections provide a summary of the European sites within 20km of the Council area, including a contextual overview of each site; their interest features; their condition; and the current pressures and threats identified for each site¹⁸. These are based on the citations, the Site Improvement Plans (SIPs), information on the condition of the underlying SSSIs, and any supplementary advice provided by Natural England¹⁹. A summary of the conservation objectives is subsequently provided.

3.2.5 Note, to simplify the data presentation some overlapping sites with shared features or other commonalities are addressed together.

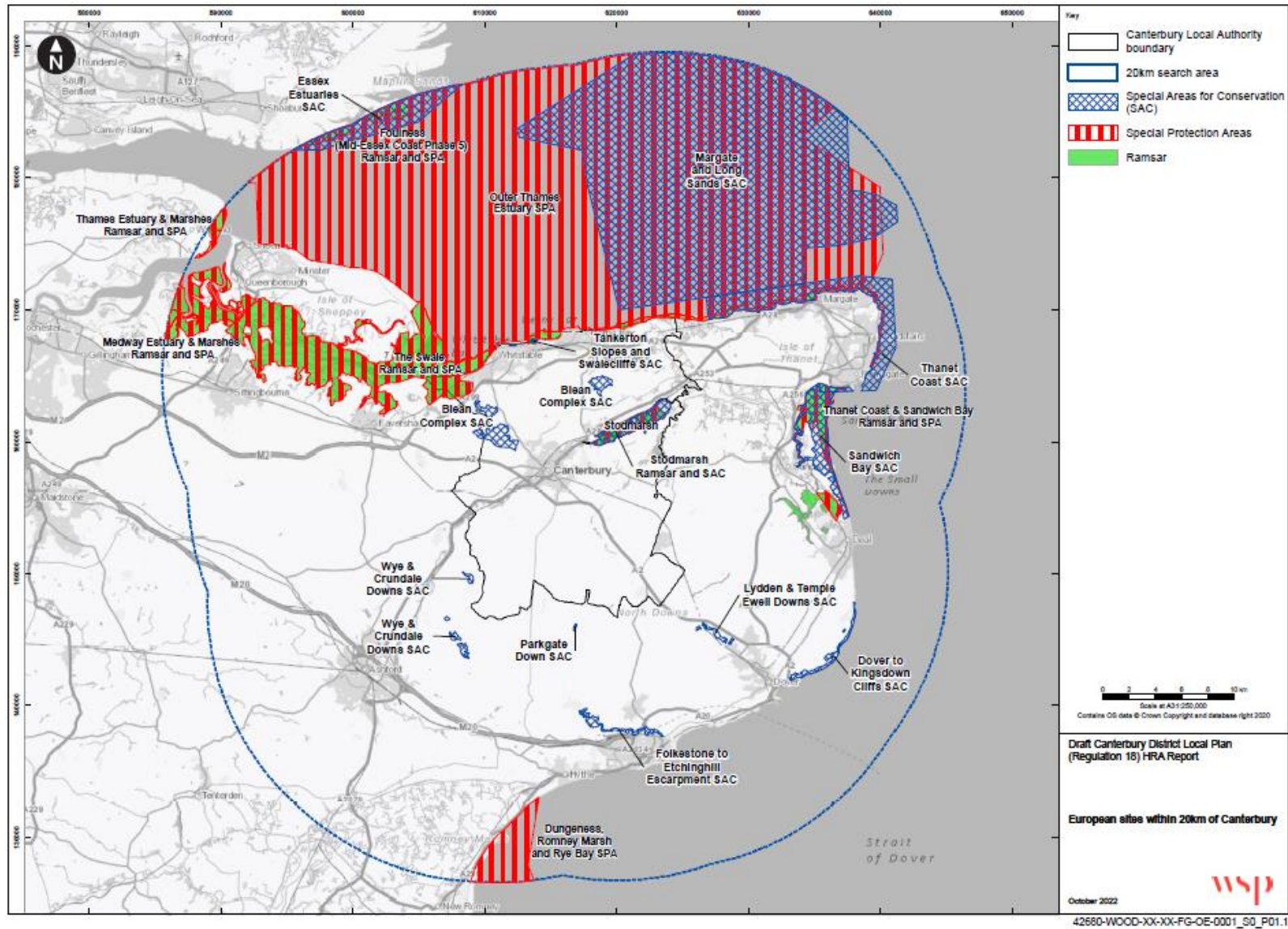
3.2.6 The extent of each site in favourable or unfavourable condition has been estimated using the Natural England condition assessments for the corresponding SSSI units, although it must be noted that the boundaries of the component SSSI units (to which the condition assessments relate) do not always match the European site boundaries exactly (i.e. the SSSIs are often larger) and it is not always possible to split SSSI units to determine the precise area of the European site (or interest feature) that is in each condition category.

3.2.7 The potential mechanisms by which the Local Plan could affect these sites are discussed in **Section 3.1**. There are many factors currently affecting the European sites over which the Local Plan will have no or little influence; analysis of the available European site data and the SSSI condition assessments indicates that the most common reasons for an 'unfavourable' condition assessment of the component SSSI units are due to inappropriate management of some form (e.g. over- or under-grazing, scrub control, water-level management etc.).

¹⁸ The Natural England Site Improvement Plans identify 'pressures', which are factors that are known to be currently affecting a site, and 'threats' which are factors that may not be exerting a pressure at the moment but which have the potential to do so based on local site knowledge.

¹⁹ NE has published '*Supplementary advice on conserving and restoring site features*' for most SACs and SPAs, which describe in more detail the range of ecological attributes which are most likely to contribute to a site's overall integrity, and the targets each qualifying feature needs to achieve in order for the site's conservation objectives to be met.

Figure 3.1 Location of European sites



Blean Complex SAC

Overview

3.2.8 This site comprises an area of ancient broadleaved woodland situated on London Clay across three SSSIs (Church Woods SSSI, Ellenden Wood SSSI, and East Blean SSSI) within the Canterbury City Council (CCC).

Interest Features

3.2.9 The SAC has the following **qualifying features**:

- Sub-Atlantic and medio-European oak or oak-hornbeam forests of the *Carpinion betuli*.

3.2.10 The 'supplementary advice'²⁰ indicates that the '**typical species**' of the site include:

- The constant and preferential plant species associated with the relevant National Vegetation Classification (NVC) communities.
- Flora: Great wood-rush *Luzula sylvatica* and greater stitchwort *Stellaria holostea*.
- Fauna: Heath fritillary butterfly *Mellicta athalea*, Nightingale *Luscinia megarhynchos*, Black Cap *Sylvia atricapilla*, Chiff chaff *Phylloscopus collybita*, Willow warbler *Phylloscopus trochilus*, Great spotted woodpecker *Dendrocopos major*, Garden warblers *Sylvia borin*, Green woodpecker *Picus viridis*, Lesser-spotted woodpecker *Dryobates minor*, Nightjar *Caprimulgus europaeus*, Dormouse *Muscardinus avellanarius*, and Money spider *Walckenaeria mitrata*.

3.2.11 With regard to functional land, there are areas of deciduous woodland, good quality semi-improved grassland and ancient woodland adjacent to the SAC. The importance of habitat 'corridors' and habitat patches to the overall functional integrity of this feature is noted.

Condition, Pressures and Threats

3.2.12 The SSSIs units underpinning the SAC are in 'favourable' or 'unfavourable recovering' condition. The SIP²¹ identifies air pollution as the only threat to site integrity (principally in relation to the oak-hornbeam forests).

Stodmarsh sites

Overview

3.2.13 Stodmarsh comprises one SSSI (Stodmarsh SSSI) and three European sites. The baseline for these three sites is addressed together for clarity and consistency with NE's SIP; the sites are:

- **Stodmarsh Ramsar;**
- **Stodmarsh SAC;**
- **Stodmarsh SPA.**

²⁰ [UK0013697_Blean ComplexSAC_COSA Formal Published 11 Feb 19.pdf](#)

²¹ [141222FINALv1 Blean Complex.pdf](#)

- 3.2.14 Stodmarsh is a wetland that lies within the natural floodplain of Great Stour River and contains a wide range of habitats including open water, extensive reedbeds, scrub and alder carr. The three sites are within CCC area and there is a hydrological relationship with the adjacent Great Stour River.

Interest Features

- 3.2.15 The **Stodmarsh Ramsar** site meets the following **Ramsar criteria**:
- Criterion 2 (Supports vulnerable, endangered, or critically endangered species or threatened ecological communities):
 - ▶ Six British Red Data Book wetland invertebrates. Two nationally rare plants, and five nationally scarce species. A diverse assemblage of rare wetland birds.
- 3.2.16 **Stodmarsh SAC** contains wetland habitats with flood plains supporting rare plants, varied invertebrate fauna with several scarce moths. The **qualifying features** are:
- Desmoulin's whorl snail *Vertigo moulinsiana*.
- 3.2.17 The 'supplementary advice'²² identifies the '**typical species**' associated with the qualifying habitats; these are generally those species that are constants and/or characteristic of the relevant National Vegetation Communities (NVC); no specific fauna are identified.
- 3.2.18 No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity, although the need to maintain or restore the connectivity of the site to its wider landscape through features such as habitat patches, hedges, watercourses and verges is noted.
- 3.2.19 **Stodmarsh SPA** provides wintering and breeding habitats for important assemblages of wetland bird species, particularly wildfowl and waders. The **qualifying features** are:
- Great bittern *Botaurus stellaris* (non-breeding);
 - Gadwall *Anas strepera* (Breeding);
 - Gadwall *Anas strepera* (Non-breeding);
 - Northern shoveler *Anas clypeata* (Non-breeding);
 - Hen harrier *Circus cyaneus* (Non-breeding).
- 3.2.20 The supplementary advice²³ indicates that the within-site **supporting habitats** for the qualifying features include:
- Bittern: scrub-free areas of reed-bed habitat.
 - Gadwall: ditches and bank-side habitats, with an optimal depth <0.25m deep water.
 - Shoveler: poorly drained treeless meadows interspersed with eutrophic shallow, stagnant freshwater pools and lakes, rivers with undisturbed creeks and muddy bottoms usually processing lush emergent and floating vegetation.
 - Hen harrier: reedbeds and an optimal mix of vegetation.
- 3.2.21 With regard to '**functional habitats**', no specific areas of functional land are identified; however:

²² [UK0030283_StodmarshSAC_COSA Stodmarsh Formal Published 21 Mar 19.pdf](#)

²³ [UK9012121_StodmarshSPA Formal Published 25 Jan 19.pdf](#)

- A permeable landscape and habitat linkages to facilitate movement of birds between the SPA and any off-site supporting habitat is considered critical to the breeding success and to adult fitness and survival.

Condition, Pressures and Threats

- 3.2.22 The SSSI units underpinning the SPA, Ramsar and SAC are in 'favourable', 'unfavourable recovering' and 'unfavourable - No change' condition; however, the SIP²⁴ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Water pollution (high nitrogen and orthophosphate levels);
 - Invasive species (*Crassula*);
 - Inappropriate scrub control (high in the reedbed and around the lakes);
 - Air pollution (atmospheric nitrogen deposition).
- 3.2.23 The remaining pressures and threats typically relate to local land management issues that will not be influenced by the Draft Local Plan (overgrazing, scrub control, ditch management, etc.) and the SSSI condition assessments indicates that most of the units that are in 'unfavourable no change' condition have this status due to local land management issues. Also, one unit which is in 'unfavourable -recovering' condition is due to a reduced water supply which has caused a dry reed bed.

Tankerton Slopes and Swalecliffe SAC

Overview

- 3.2.24 The site is a cliff-top lawns rolling gently towards the sea, composed of London Clay and support a tall herb community dominated by the Hog's-fennel (*Peucedanum officinale*), together with areas of neutral grassland also required by the species for egg laying. The site comprises two SSSI: Tankerton Slopes SSSI and Thanet Coast SSSI. The site is within the CCC area.

Interest Features

- 3.2.25 The SAC has the following **qualifying features**:
- Fisher's estuarine moth *Gortyna borelii lunata*.
- 3.2.26 The **supporting habitats** for this feature are rough grassland with an abundance of Hog's-fennel above upper areas of saltmarsh. The 'supplementary advice' does not identify any specific 'typical species' considered to be associated with the site but notes that long coarse grasses species like Cock's-foot (*Dactylis glomerata*), Couch (*Elytrigia spp.*) and False Oat grass (*Arrhenatherum elatius*), are required to fulfil the moth's egg laying requirements.
- 3.2.27 No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity, although the need to maintain or restore the connectivity of the site to its wider landscape through features such as habitat patches, hedges, watercourses and verges is noted.

²⁴ [SIP141030FINALv1.0 Stodmarsh.pdf](#)

Condition, Pressures and Threats

- 3.2.28 The SSSI unit that forms the SAC is in favourable condition but is heavily used by dog walkers and is vulnerable to under-management.

Thanet Coast & Sandwich Bay sites

Overview

- 3.2.29 The Thanet Coast & Sandwich Bay includes three European sites which are addressed together for clarity and consistency with NE's SIP; these are:

- **Thanet Coast and Sandwich Bay Ramsar;**
- **Thanet Coast and Sandwich Bay SPA;**
- **Thanet Coast SAC.**

- 3.2.30 These sites are underpinned by one SSSI (Thanet Coast SSSI). The interest features of these sites are partially coincident or co-dependent, and so the site baselines are considered together in this section.

Interest Features

- 3.2.31 The **Thanet Coast and Sandwich Bay Ramsar** site meets the following **Ramsar criteria**:

- Criterion 2a (Supports vulnerable, endangered, or critically endangered species or threatened ecological communities):
 - ▶ rare species of wetland invertebrates (15 Red Data Book species), a significant number of non-wetland Red Data Book invertebrates occur, as well as a large number of other notable and scarce wetland invertebrate species.
- Criterion 3c (supports internationally important winter populations):
 - ▶ Ruddy turnstone *Arenaria interpres*;
 - ▶ Little Tern *Sterna albifrons*;
 - ▶ Common Ringed Plover *Charadrius hiaticula*;
 - ▶ Black-bellied Plover *Pluvialis squatarola*;
 - ▶ Sanderling *Calidris alba*;
 - ▶ large numbers of passerine birds pass through the site during the spring and autumn migration periods.

- 3.2.32 The **qualifying features** of the **Thanet Coast and Sandwich Bay SPA** are:

- European golden plover *Pluvialis apricaria* (Non-breeding);
- Ruddy turnstone *Arenaria interpres* (Non-breeding);
- Little tern *Sterna albifrons* (Breeding).

- 3.2.33 The supplementary advice does not identify specific within-site **supporting habitats** for the qualifying features of the SPA / Ramsar but these are assumed to be the key habitats of the site, i.e. intertidal mud and sandflats, arable fields, grazing marsh, sand and shingle shores, shallow coastal waters and chalk shores.

- 3.2.34 With regard to '**functional habitats**', no specific areas of functional land are identified; however:
- A permeable landscape and habitat linkages to facilitate movement of birds between the SPA and any off-site supporting habitat is considered critical to the breeding success and to adult fitness and survival.
- 3.2.35 **Thanet Coast SAC** has the following **qualifying features**:
- Reefs;
 - Submerged or partially submerged sea caves.
- 3.2.36 The supplementary advice²⁵ does not identify any typical species. No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of SAC integrity, although the importance of habitat 'corridors' and habitat patches to the overall functional integrity of the site is noted.

Condition, Pressures and Threats

- 3.2.37 The SSSI underpinning the SPA, SAC and Ramsar site is in 'favourable' condition; however, the SIP²⁶ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Changes in species distribution (anthropogenic disturbance);
 - Invasive species (Pacific Oysters and others);
 - Public access/disturbance (dog walkers and vehicles);
 - Hydrological changes (rising water table);
 - Air pollution (atmospheric nitrogen deposition);
 - Water Pollution (insufficiently treated Sewage Treatment Works discharges);
 - Fisheries: commercial marine and estuarine (commercial fishing activities and fishing gear: dredges, benthic trawls and seines).
- 3.2.38 The remaining pressures and threats typically relate to local land management issues that will not be influenced by the Local Plan. In this case, some non-native species are increasing, including the Pacific oyster *Crassostrea gigas*, common mussel and the native oyster *Ostrea edulis*; evidence of bait-digging and suggestions by local people of large-scale removal of cockles and oysters.

The Swale sites

Overview

- 3.2.39 The Swale comprises two National Nature Reserve, one SSSI(The Swale SSSI), three Local Nature Reserve, one MCZ and two European sites. The baseline for these two sites is addressed together for clarity and consistency with NE's SIP; the sites are:
- **The Swale Ramsar;**

²⁵ [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk)

²⁶ [SIP141008FINALv0.1 North East Kent \(Thanet\) \(2\).pdf](#)

- **The Swale SPA.**

3.2.40 The site is a wetland comprising intertidal mudflats, shellbeaches, saltmarshes and extensive grazing marshes. The saltmarshes and mudflats support a high species diversity of plants and invertebrates, including several nationally rare species and is an important habitat for an assemblage of wintering waterfowls and notable breeding bird species. The site is within the CCC area at Whitstable and there is no surface water hydrological connectivity, and so effects on the sites are likely to be weak.

Interest features

3.2.41 **The Swale Ramsar** site meets the following **Ramsar criteria**:

- Criterion 2 (Supports vulnerable, endangered, or critically endangered species or threatened ecological communities):
 - ▶ Scarce plants, invertebrates and one gull species (4 GB Red Book plants; seven Red Data Book invertebrates; and 1 gull species from CITES Appendix I).
- Criterion 5 (Assemblages of international importance):
 - ▶ Species with peak counts in winter: 77,501 waterfowl (5 year peak mean 1998/99-2002/2003).
- Criterion 6 (Species/populations occurring at levels of international importance):
 - ▶ Ringed plover *Charadrius hiaticula* (spring/autumn);
 - ▶ Black-tailed godwit *Limosa limosa islandica* (winter);
 - ▶ Eurasian wigeon *Anas penelope* (winter);
 - ▶ Northern pintail *Anas acuta* (winter);
 - ▶ Northern shoveler *Anas clypeata* (winter).

3.2.42 **The Swale SPA** has the following qualifying features:

- Dark-bellied brent goose *Branta bernicla bernicla* (Non-breeding);
- Dunlin *Calidris alpina alpina* (Non-breeding);
- Breeding bird assemblage (Breeding);
- Waterbird assemblage (Non-breeding).

3.2.43 For the SPA, the supplementary advice²⁷ documents indicate that within-site **supporting habitats** for the qualifying features include:

- Breeding bird assemblage: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh.
- Dark-bellied brent goose: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh, seagrass beds as well as grassland and arable fields.
- Dunlin: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh, intertidal mussel beds.
- Waterbird assemblage: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh, seagrass beds, intertidal mussel beds.

²⁷ [Marine site detail \(naturalengland.org.uk\)](https://naturalengland.org.uk)

- 3.2.44 With regard to '**functional habitats**', no specific areas of functional land are identified; however:
- A permeable landscape and habitat linkages to facilitate movement of birds between the SPA and any off-site supporting habitat is considered critical to the breeding success and to adult fitness and survival.

Condition, Pressures and Threats

- 3.2.45 The SSSI underpinning the SPA is in 'favourable' condition; however, the SIP²⁸ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Coastal squeeze (sea level rise);
 - Public access/disturbance (boating and watersports, walking and fishing);
 - Invasive species (sea squirt, pacific oyster, pennywort, crassula, parrots feather and *Spartina anglica*);
 - Vehicles: illicit (often bikes);
 - Fisheries: commercial marine and estuarine (dredging of shellfish);
 - Air pollution (atmospheric nitrogen deposition).

Outer Thames Estuary SPA

Overview

- 3.2.46 The site contains areas of shallow and deeper water, with high tidal current streams and a range of mobile sediments, including several shallow sandbanks, are underpinned by a network of eleven SSSIs and overlaps with seven Ramsar sites, nine SPA, two NNR, eight SAC, five MCZ and one LNR. Is partly within the CCC area at Whitstable Harbour and has no hydrological connectivity with the CCC area.

Interest Features

- 3.2.47 The SPA has the following **qualifying features**:
- Red-throated diver *Gavia stellata* (Non-breeding);
 - Common tern *Sterna hirundo* (Breeding);
 - Little tern *Sternula albifrons* (Breeding).
- 3.2.48 The supplementary advice documents²⁹ indicate that the within-site **supporting habitats** for the qualifying features include:
- Red-throated diver: subtidal sand, subtidal coarse sediment, subtidal mixed sediments, subtidal mud, circalittoral rock and water column.
 - Common tern: shallow subtidal waters and on land, islands, beaches and inland bodies of freshwater.

²⁸ <http://publications.naturalengland.org.uk/publication/6270737467834368>

²⁹ [Designated Sites View \(naturalengland.org.uk\)](http://publications.naturalengland.org.uk/publication/6270737467834368)

- Little tern: shallow coastal waters and intertidal sandbank.

3.2.49 With regard to 'functional habitats', no specific area of functional land are identified; however:

- A permeable landscape and habitat linkages to facilitate movement of birds between the SPA and any off-site supporting habitat is considered critical to the breeding success and to adult fitness and survival.

3.2.50 Therefore, land-use in the areas outside and (particularly) between the SPA units is important to site integrity.

Condition, Pressures and Threats

3.2.51 The SSSIs units underpinning the SPA are predominantly in 'favourable' or 'unfavourable recovering' condition. Units in 'unfavourable no change' or 'unfavourable declining' condition are categorised as such primarily due to local land management issues (undergrazing of grasslands or water pollution). The SIP³⁰ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:

- Fisheries: commercial marine and estuarine (commercial fishing activities).

3.2.52 The remaining pressures and threats typically relate to local land management issues that will not be influenced by the Local Plan (land management, invasive species, local hydrology / ditch management, etc.).

Wye and Crundale Downs SAC

Overview

3.2.53 This SAC contains different habitats including species-rich grassland, neutral grassland, scrub and woodland on chalk, and calcareous fen-meadow. The grassland and woodland support an assemblage of rare plants and invertebrates. Part of the site is important for its fossil remains and geomorphological interest. Also, contains one SSSI, Wye and Crundale Downs SSSI. This site is approximately 0.7km outside the south-western boundary of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

3.2.54 The SAC has the following **qualifying features**:

- Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco Brometalia*) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites).

3.2.55 The 'supplementary advice'³¹ indicates that the '**typical species**' of the site include:

- The constant and preferential plant species associated with the relevant NVC communities.
- For the calcareous grassland feature:
 - ▶ Flora: tor-grass *Brachypodium pinnatum* and erect brome *Bromus erectus*.

³⁰ [SIP150518FINALv1.0 Outer Thames Estuary.pdf](#)

³¹ [UK0012831 Wye and Crundale DownsSAC COSA Formal Published 11 Feb 19.pdf](#)

- Flora: the assemblage of vascular plants including Late Spider Orchid *Ophrys fuciflor*, Early Spider Orchid *Ophrys sphegodes*, Dwarf Milkwort *Polygala amarella*, Lady Orchid *Orchis purpurea*, Man Orchid *Aceras anthropophorum*, Burnt-tip Orchid *Orchis ustulate*, Musk Orchid *Herminium monorchis*, Greater Broom-rape *Orobanche rapum-genistae*.

3.2.56 No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity, although the need to maintain or restore the connectivity of the site to its wider landscape through features such as habitat patches, hedges, watercourses and verges is noted.

Condition, Pressures and Threats

3.2.57 The SSSI underpinning the SAC is in 'unfavourable- recovering' condition. However, the SIP³² identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:

- Overgrazing (livestock and rabbits);
- Inappropriate scrub control;
- Air pollution (atmospheric nitrogen deposition).

3.2.58 The remaining pressures and threats typically relate to local land management issues that will not be influenced by the Local Plan (forestry and woodland management, invasive species).

Margate and Long Sands SAC

Overview

3.2.59 Margate and Long Sands SAC comprises a number of sandbanks slightly covered by seawater at all times, with mud and gravel sediments, and the upper crests of some of the larger banks dry out at low tide. Overlapping the SAC there are on SPA, one SAC and one MCZ.

3.2.60 This site is approximately 1.1km offshore from the northern CCC boundary and has a hydrological connection with the CCC area as it is a downstream receptor.

Interest Features

3.2.61 The SAC has the following **qualifying features**:

- Sandbanks which are slightly covered by sea water all the time.

Condition, Pressures and Threats

3.2.62 The SIP³³ identifies one pressure to site integrity, commercial fishing activities.

³² [SIP150306FINALv1.0 Wye and Crundale Downs.pdf](#)

³³ [SIP150518FINALv1.0 Margate and Long Sands.pdf](#)

Parkgate Down SAC

Overview

3.2.63 Parkgate Down SAC comprises grassland, a wide range of typical chalk downland plants and an assemblage of orchids in a broad-leaved deciduous woodland. This site is underpinned by Parkgate Down SSSI. The site is approximately 1.9km outside the southern boundary of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

3.2.64 The SAC has the following **qualifying features**:

- Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco Brometalia*) (* important orchid sites).

3.2.65 The 'supplementary advice'³⁴ indicates that the '**typical species**' of the site include Tor-grass *Brachypodium pinnatum*, Erect brome *Bromus erectus*, Monkey orchid *Orchis simia*, Late Spider Orchid *Ophrys fuciflora*, Lady Orchid *Orchis purpurea*, Musk Orchid *Herminium monorchis* and Slender bedstraw *Galium pumilum*.

3.2.66 No areas of '**functional land**' are identified in relation to this site, and the site does not support interest features (including mobile species) that will be functionally dependent on habitats outside the site boundary.

Condition, Pressures and Threats

3.2.67 The SSSI underpinning the SAC is in 'favourable' condition; however, the SIP³⁵ identifies several threats to site integrity, the following of which may be potentially influenced by the Local Plan:

- Habitat fragmentation (small size and relative isolation);
- Air pollution (atmospheric nitrogen deposition).

Lydden and Temple Ewell Downs SAC

Overview

3.2.68 Lydden and Temple Ewell Downs SAC comprises chalk grassland, with assemblages of plants and invertebrates and broad-leaved deciduous woodland. This site is underpinning Lydden & Temple Ewell Downs SSSI and Lydden Temple Ewell NNR.

3.2.69 The site is approximately 3.3km from the south-eastern boundary of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

3.2.70 The SAC has the following **qualifying features**:

³⁴ [UK0030338_Parkgate Down SAC COSA_Formal Published 11 Feb 19.pdf](#)

³⁵ [SIP150306FINALv1.0 Parkgate Down.pdf](#)

- Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (* important orchid sites).

3.2.71 The 'supplementary advice'³⁶ identifies that the '**typical species**' of the site are:

- characteristic of the following National Vegetation Classification (NVC) communities: CG4 *Brachypodium pinnatum* grassland and CG5 *Bromus erectus-Brachypodium pinnatum* grassland.
- Vascular plant assemblage including: Early Spider Orchid *Ophrys sphegodes*, Musk Orchid *Herminium monorchis*, Burnt-tip Orchid *Orchis ustulate*, Fragrant Orchid *Gymnadenia conopsea*, Autumn Ladies-tresses *Spiranthes spiralis*, Slender Bedstraw *Galium pumilum*.
- Fauna: Silver spotted Skipper *Hesperia comma* and Wart-biter Bush Cricket *Decticus verrucivorus*.

3.2.72 No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity, although the need to maintain or restore the connectivity of the site to its wider landscape through features such as habitat patches, hedges, watercourses and verges is noted.

Condition, Pressures and Threats

3.2.73 The SSSI underpinning the SAC is in 'favourable' condition; however, the SIP³⁷ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:

- Overgrazing (rabbits);
- Public access/ disturbance (dog walking);
- Air pollution (atmospheric nitrogen deposition).

Sandwich Bay SAC

Overview

3.2.74 Sandwich Bay SAC comprises an extensive fixed dune grassland, with a rare species such as fragrant evening-primrose *Oenothera stricta*, bedstraw broomrape *Orobanche caryophyllacea*, sand catchfly *Silene conica* and lizard orchid *Himantoglossum hircinum*; and in the seaward edge has embryonic shifting dune communities, with strandline species on the seaward edge and sand-binding grasses inland. This site is underpinning Sandwich Bay to Hacklinge Marshes SSSI and the boundary overlaps with Thanet Coast SAC, Thanet Coast and Sandwich Bay SPA and Thanet Coast and Sandwich Bay Ramsar. Additionally, it is in proximity to the Thanet Coast MCZ.

3.2.75 The site is approximately 7.3km east of the CCC area and has a hydrological connection with the CCC area as it is a downstream receptor through the Stour River.

Interest Features

3.2.76 The SAC has the following **qualifying features**:

³⁶ [UK0012834_Lyddon And Temple Ewell Downs SAC_COSA Formal Published 11 Feb 19.pdf](#)

³⁷ [SIP150306FINALv1.0 Lydden Temple Ewell Downs.pdf](#)

- Annex I habitats that are a primary reason for selection of this site:
 - ▶ Embryonic shifting dunes;
 - ▶ Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes");
 - ▶ Fixed coastal dunes with herbaceous vegetation ("grey dunes"), noting that this is a priority feature;
 - ▶ Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*).
- Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:
 - ▶ Humid dune slacks.

3.2.77 The 'supplementary advice'³⁸ indicates that the '**typical species**' of the site include:

- For the **embryonic shifting dunes** feature:
 - ▶ Flora: *Cakile maritima* – *Honckenya peploides* (strandline) and *Elytrigia juncea* (embryo dune).
- For the **Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes")** feature:
 - ▶ Flora: Marram grass *Ammophila arenaria*.
- For the **Fixed coastal dunes with herbaceous vegetation ("grey dunes")** feature:
 - ▶ NVC community types: *Ammophila arenaria-Festuca rubra*, *Festuca rubra-Galium verum*, *Carex arenaria-Cornicularia aculeata*, *Carex arenaria-Festuca ovina-Agrostis capillaris*.
 - ▶ Vascular plant assemblage: Narrow leaved birds foot trefoil, Divided sedge, Long bracted sedge, Fragrant evening primrose, Sand catchfly *Silene conica*.
 - ▶ Lizard orchid *Himantoglossum hircinum*.
 - ▶ Bedstraw broomrape *Orobanche caryophyllacea*.
- For the **Dunes with *Salix repens* ssp. *Argentea* (*Salicion arenariae*) and *Humid dune slacks*** features:
 - ▶ NVC community types: *Salix repens-Bryum pseudotriquetrum*, *Salix repens-Campyllum stellatum*, *Salix repens-Calliargon cuspidatum*, *Salix repens-Holcus lanatus* and *Potentilla anserina-Carex nigra*.

3.2.78 No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity, although the need to maintain or restore the connectivity of the site to its wider landscape through features such as habitat patches, hedges, watercourses and verges, as well as soft eroding cliffs, dunes and offshore sandbanks is noted.

³⁸ [UK0013077_SandwichBaySAC_COSA_Formal_Published_11_Feb_19.pdf](#)

Condition, Pressures and Threats

- 3.2.79 The SSSI underpinning the SAC is in 'favourable' condition; however, the SIP³⁹ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Changes in species distributions (decline in the overwintering turnstone);
 - Invasive species (Pacific Oysters and others);
 - Public access/disturbance (dog walkers);
 - Hydrological changes (rising water table);
 - Air pollution (atmospheric nitrogen deposition);
 - Water pollution (insufficiently treated Sewage Treatment Works discharges);
 - Fisheries: commercial marine and estuarine (commercial fishing activities and fishing gear).
- 3.2.80 The remaining pressures and threats typically relate to local land management issues that will not be influenced by the Local Plan (vehicles along the top of the beach).

Folkestone to Etchinghill Escarpment SAC

Overview

- 3.2.81 Folkestone to Etchinghill Escarpment SAC is a chalk grassland area, hosting the priority habitat type 'orchid rich sites', an assemblage of rare plants species and a diverse insect fauna including a number of nationally rare flies, moths and butterflies. Part of the site is important also for its fossil remains. The site is underpinning one SSSI, Folkestone to Etchinghill Escarpment SSSI.
- 3.2.82 This site is approximately 8.1km south of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

- 3.2.83 The SAC has the following **qualifying features**:
- Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (* important orchid sites).
- 3.2.84 The 'supplementary advice'⁴⁰ identifies that the '**typical species**' of the site are:
- NVC communities: CG4 Tor-grass *Brachypodium pinnatum* and CG5 *Bromus erectus* -*Brachypodium pinnatum*.
 - Important orchid assemblage: early spider-orchid *Ophrys sphegodes*, late spider-orchid *O. fuciflora* and burnt-tip orchid *Orchis ustulate*.
 - Fauna: Adonis Blue *Polyommatus bellargus*.
- 3.2.85 The supplementary advice notes the importance of additional areas of lowland calcareous grassland, good quality semi-improved grassland, and areas of deciduous woodland that

³⁹ [SIP141008FINALv0.1 North East Kent \(Thanet\) \(3\).pdf](#)

⁴⁰ [UK0012835_FolkestoneToEtchinghillEscarpmentSAC_COSA Formal Published 11 Feb.pdf](#)

are connected to the SAC, for the maintenance of SAC integrity (Dover to Kingsdown Cliffs SAC, Lydden and Temple Ewell Downs SAC, Folkstone Warren SSSI, Alkham, Lydden and Swingfields Woods, Lypne Escarpment SSSI, Otterpool Quarry SSSI and Great Shuttlesfield SSSI).

Condition, Pressures and Threats

- 3.2.86 The SSSI unit underpinning the SAC is in 'favourable' condition; however, the SIP⁴¹ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Undergrazing (Scrub/woodland encroachment and a dominance of Tor grass);
 - Inappropriate scrub control (existing incentives insufficient);
 - Air pollution (atmospheric nitrogen deposition).

Dover to Kingsdown Cliffs SAC

Overview

- 3.2.87 Dover to Kingsdown Cliffs SAC includes chalk cliffs, cliff-top grasslands and broad shingle beach as habitats. Supports different grassland species and some nationally rare plants such as early spider orchid *Ophrys sphegodes* and oxtongue broomrape *Orobanche artemisiae-campestris*. The invertebrate fauna is rich and there are numerous breeding sea birds along the cliffs. The site is underpinning one SSSI, Dover to Kingsdown Cliffs SSSI.
- 3.2.88 The site is approximately 11.1km south-east of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

- 3.2.89 The SAC has the following **qualifying features**:
- Annex I habitats that are a primary reason for selection of this site:
 - ▶ Vegetated sea cliffs of the Atlantic and Baltic Coasts.
 - Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:
 - ▶ Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (* important orchid sites).
- 3.2.90 The 'supplementary advice'⁴² indicates that the '**typical species**' of the site include:
- For the **Vegetated sea cliffs of the Atlantic and Baltic Coasts** feature:
 - ▶ NVC types: MC1 - *Crithmum maritimum* - *spergularia rupicola*, MC4 - *Brassica oleracea*, MC8 - *Festuca rubra* - *Armeria maritime*, MC11 - *Festuca rubra* – *Daucus carota* *sudsp gummifer*.

⁴¹ [SIP150108FINALv1 Folkestone to Etchingill.pdf](#)

⁴² [UK0030330 DoverToKingsdownCliffsSAC_SACO_Formal_Published_11_Feb_19_\(1\).pdf](#)

- For the **Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)** feature:
 - ▶ NVC types: CG4 *Brachypodium pinnatum* and CG5 *Bromus erectus -Brachypodium pinnatum*.
 - ▶ Vascular plant assemblage: Early Spider Orchid *Ophrys sphegodes*, Ox-tongue broomrape *Orobanche artemisiae-campestris*, Meadow Clary *Salvia pratensis*, Nottingham Catchfly *Silene nutans*, Slender Bedstraw *Galium pumilum* and Burnt Orchid *Orchis ustulata*.

3.2.91 No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity, although the need to maintain or restore the connectivity of the site to its wider landscape through features such as habitat patches, hedges, watercourses and verges is noted.

Condition, Pressures and Threats

- 3.2.92 The SSSI unit underpinning the SAC is in 'favourable' condition; however, the SIP⁴³ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Inappropriate scrub control (private areas insufficiently managed);
 - Undergrazing (private areas insufficiently grazed);
 - Air pollution (atmospheric nitrogen deposition).

Dungeness, Romney Marsh and Rye Bay sites

Overview

- 3.2.93 Dungeness, Romney Marsh and Rye Bay comprises two SSSIs (Dungeness, Romney Marsh and Hastings Cliffs to Pett Beach SSSI), one MCZ, one NNR, two SACs, one Ramsar and two LNR. The baseline for the two sites is addressed together for clarity and consistency with NE's SIP; the sites are:
- **Dungeness, Romney Marsh and Rye Bay SPA;**
 - **Dungeness, Romney Marsh and Rye Bay Ramsar.**
- 3.2.94 The site comprises a large area of coastal and marine landscape, forming a barrier of extensive coastal shingle beaches and sand dunes across an area of intertidal mud and sand flats. Is located approximately 13.9km south of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

- 3.2.95 The **qualifying features** of the **Dungeness, Romney Marsh and Rye Bay SPA** are:
- Great bittern *Botaurus stellaris* (Non-breeding);
 - Bewick's swan *Cygnus columbianus bewickii* (Non-breeding);
 - Northern shoveler *Anas clypeata* (Non-breeding);

⁴³ [SIP141219FINALv1.0 Dover to Kingsdown Cliffs SAC.pdf](#)

- Eurasian marsh harrier *Circus aeruginosus* (Breeding);
- Hen harrier *Circus cyaneus* (Non-breeding);
- Pied avocet *Recurvirostra avosetta* (Breeding);
- European golden plover *Pluvialis apricaria* (Non-breeding);
- Ruff *Philomachus pugnax* (Non-breeding);
- Mediterranean gull *Larus melanocephalus* (Breeding);
- Sandwich tern *Sterna sandvicensis* (Breeding);
- Common tern *Sterna hirundo* (Breeding);
- Little tern *Sterna albifrons* (Breeding);
- Aquatic warbler *Acrocephalus paludicola* (Non-breeding);
- Waterbird assemblage.

3.2.96 The **Dungeness, Romney Marsh and Rye Bay Ramsar** site meets the following **Ramsar criteria**:

- Criterion 1 (contains representative, rare, or unique examples of natural or near-natural wetland types):
 - ▶ Annual vegetation of drift lines and the coastal fringes of perennial vegetation of stony banks (Ramsar wetland type E – sand, shingle or pebble shores).
 - ▶ Natural shingle wetlands: saline lagoons (Ramsar wetland type J – coastal brackish/saline lagoons), freshwater pits (Ramsar wetland type K – coastal freshwater lagoons) and basin fens (Ramsar wetland type U – non-forested peatlands).
- Criterion 2:
 - ▶ It supports threatened ecological communities: assemblages of bryophytes, vascular plants and invertebrates that are listed as priority species in the UK Biodiversity Action Plan (BAP) or specially protected under the Wildlife and Countryside Act 1981.
 - ▶ It supports vulnerable, endangered or critically endangered species: greater water-parsnip, Warne's thread-moss, water vole, aquatic warbler, great crested newt, medicinal leech, a ground beetle, marsh mallow moth and De Folin's lagoon snail.
- Criterion 5 (Assemblages of international importance):
 - ▶ 34,957 individual waterbirds (5 year peak mean 2002/3 – 2006/7).
- Criterion 6 (Species/populations occurring at levels of international importance):
 - ▶ Mute swan *Cygnus olor* (winter);
 - ▶ Shoveler *Anas clypeata* (winter).

3.2.97 The supplementary advice⁴⁴ indicates that the within-site **supporting habitats** for the qualifying features are:

- Aquatic warbler: Coastal reedbeds and Freshwater and coastal grazing marsh.

⁴⁴ [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk)

- Avocet: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal sand and muddy sand, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*), Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Bewick's swan: freshwater and coastal grazing marsh.
- Bittern: Coastal lagoons, Coastal reedbeds and Freshwater and coastal grazing marsh.
- Common tern: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal mixed sediments, Intertidal sand and muddy sand.
- Golden plover: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal rock, Intertidal sand and muddy sand, Intertidal seagrass beds, Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Hen harrier: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Coastal reedbeds, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal rock, Intertidal sand and muddy sand, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*), Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Little tern: Coastal lagoons, Intertidal mixed sediments, Intertidal sand and muddy sand.
- Marsh harrier: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Coastal reedbeds, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal rock, Intertidal sand and muddy sand, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*), Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Mediterranean gull: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Infralittoral rock, Intertidal biogenic reef: mussel beds, Intertidal mixed sediments, Intertidal mud, Intertidal sand and muddy sand, Intertidal stony reef, *Spartina* swards (*Spartinion maritima*).
- Ruff: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal rock, Intertidal sand and muddy sand, Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Sandwich tern: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal sand and muddy sand, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*).
- Shoveler: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Coastal reedbeds, Freshwater and coastal grazing marsh, Intertidal mixed sediments, Intertidal mud, Intertidal sand and muddy sand, *Spartina* swards (*Spartinion maritima*).

- Waterbirds assemblage: intertidal rock, Intertidal coarse sediment, Intertidal sand and muddy sand, Intertidal mud, Intertidal mixed sediments, Intertidal seagrass beds, Intertidal biogenic reef: mussel beds, Intertidal stony reef, Coastal lagoons, Freshwater and coastal grazing marsh and Saltmarsh, which comprises of the following features: Salicornia and other annuals colonising mud and sand, Spartina swards (*Spartinion maritimae*), and Atlantic salt meadows (*Glauco-puccinellietalia maritimae*).

3.2.98 With regard to '**functional habitats**', no specific area of functional land is identified; however:

- The foraging range of Common tern is known to extend up to 30 kilometres from their nest sites.
- The foraging range of Little tern is known to extend up to 11 kilometres from their nest sites.
- The foraging range of the Mediterranean gull is known to extend up to 20 kilometres from their nest sites.
- The foraging range of the Sandwich tern is known to extend up to 54 kilometres from their nest sites.

Condition, Pressures and Threats

3.2.99 The SSSIs units underpinning the SPA and Ramsar are in 'favourable', 'favourable-recovering', 'unfavourable-no change' and 'unfavourable-declining' condition. Threats identified include:

- Vehicles: disturbance to bird species (wintering) from illicit vehicle use.
- Invasive species: Garden escapees, Crassula and Red Valerian can outcompete and smother native species.
- Inappropriate scrub control: On natural pit wetlands on the shingle ridges (within RSPB reserve) would result in a loss of fen species due to overshadowing of the wetlands. Reduce suitable nesting and foraging habitat.
- Public access/disturbance (boating and watersports, dog walking and fishing);
- Inappropriate water levels: Water levels across the grazing marsh areas potentially impact habitats supporting birds using the site. Feeding and roosting areas in Winter. Breeding areas for waders, reedbed birds and sea birds.

Medway Estuary and Marshes sites

Overview

3.2.100 Medway Estuary and Marshes comprises one SSSI (Medway Estuary and Marshes SSSI) and two European sites. The baseline for these two sites is addressed together for clarity and consistency with NE's SIP; the sites are:

- **Medway Estuary and Marshes SPA;**
- **Medway Estuary and Marshes Ramsar.**

3.2.101 The site is a wetland comprising grazing marshes, intertidal flats and saltmarshes. Provides habitat for important assemblages of wildfowls and waders, plants and

invertebrates. The site is approximately 14.2km north-west of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

3.2.102 **Medway Estuary and Marshes SPA** has the following **qualifying features**:

- Dark-bellied brent goose *Branta bernicla bernicla* (Non-breeding);
- Common shelduck *Tadorna tadorna* (Non-breeding);
- Northern pintail *Anas acuta* (Non-breeding);
- Pied avocet *Recurvirostra avosetta* (Breeding);
- Pied avocet *Recurvirostra avosetta* (Non-breeding);
- Ringed plover *Charadrius hiaticula* (Non-breeding);
- Grey plover *Pluvialis squatarola* (Non-breeding);
- Red knot *Calidris canutus* (Non-breeding);
- Dunlin *Calidris alpina alpina* (Non-breeding);
- Common redshank *Tringa tetanus* (Non-breeding);
- Little tern *Sterna albifrons* (Breeding);
- Waterbird assemblage;
- Breeding bird assemblage.

3.2.103 The **Medway Estuary and Marshes Ramsar** site meets the following **Ramsar criteria**:

- Criterion 2a (Supports vulnerable, endangered, or critically endangered species or threatened ecological communities):
 - ▶ Several nationally scarce plants, twelve BRDB species of wetland invertebrates and a significant number of non-wetland BRDB species.
- Criterion 3a (Assemblages of international importance):
 - ▶ Assemblage of waterfowls (greater than 20,000 birds).
- Criterion 3c (Species/populations occurring at levels of international importance over winter):
 - ▶ Dark-bellied Brent Goose *Branta bernicla*;
 - ▶ Dunlin *Calidris alpina alpina*;
 - ▶ Grey Plover *Pluvialis squatarola*;
 - ▶ Knot *Calidris canutus*;
 - ▶ Pintail *Anas acuta*;
 - ▶ Redshank *Tringa tetanus*;
 - ▶ Ringed Plover *Charadrius hiaticula*;
 - ▶ Shelduck *Tadorna tadorna*.

- 3.2.104 The supplementary advice⁴⁵ documents indicate that the within-site **supporting habitats** for the qualifying features include:
- Dark-bellied brent goose: intertidal mud, intertidal sand and muddy sand, salt marsh, grazing marsh as well as arable fields and grassland habitats.
 - Shelduck: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh, coastal lagoons.
 - Pintail: Intertidal mud, Intertidal sand and muddy sand, Saltmarsh, Freshwater and coastal grazing marsh, Coastal lagoons, Intertidal mixed sediments, Intertidal coarse sediment and Intertidal rock.
 - Avocet: intertidal mud, intertidal sand, muddy sand, Intertidal coarse sediment, Saltmarsh, Freshwater and coastal grazing marsh, Coastal lagoons and Intertidal mixed sediments.
 - Ringed plover: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh.
 - Grey plover: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh.
 - Knot: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh.
 - Dunlin: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh.
 - Redshank: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh, standing water.
 - Little tern: coastal lagoons, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal sand and muddy sand.
 - Waterbird assemblage: intertidal mud, intertidal sand and muddy sand, saltmarsh, grazing marsh.
 - Breeding bird assemblage: Intertidal mud, Intertidal sand and muddy sand, Saltmarsh, Freshwater and coastal grazing marsh, Coastal lagoons, Intertidal coarse sediment and Intertidal mixed sediments.
- 3.2.105 With regard to 'functional habitats', no specific areas of functional land are identified; however:
- A permeable landscape and habitat linkages to facilitate movement of birds between the SPA and any off-site supporting habitat is considered critical to the breeding success and to adult fitness and survival.

Condition, Pressures and Threats

- 3.2.106 The SSSI unit underpinning the SAC is in 'Unfavourable-recovering' condition; however, the SIP⁴⁶ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Coastal squeeze (sea level rise);
 - Public access/disturbance (boating and watersports, walking and fishing);

⁴⁵ [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk)

⁴⁶ [SIP141009FINALv1.0 Greater Thames Complex \(1\).pdf](#)

- Invasive species (sea squirt, pacific oyster, pennywort, crassula, parrots feather and *Spartina anglica*);
- Vehicles: illicit (often bikes);
- Fisheries: commercial marine and estuarine (dredging of shellfish);
- Air pollution (atmospheric nitrogen deposition).

Essex Estuaries SAC

Overview

- 3.2.107 Essex Estuaries comprises the major estuaries of Colne, Blackwater, Crouch and Roach rivers, which consist in a coastal plain estuarine system with associated open coast mudflats and sandbanks. The site contains five distinct SPAs, seven SSSIs and one MCZ.
- 3.2.108 The site is approximately 17.8km from the CCC area across the Kent/Essex strait and has no hydrological connectivity with the CCC area.

Interest Features

- 3.2.109 The SAC has the following **qualifying features**:
- Annex I habitats that are a primary reason for selection of this site:
 - ▶ Estuaries;
 - ▶ Mudflats and sandflats not covered by seawater at low tide;
 - ▶ Salicornia and other annuals colonizing mud and sand;
 - ▶ Spartina swards (*Spartinion maritimae*);
 - ▶ Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*);
 - ▶ Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*).
 - Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:
 - ▶ Sandbanks which are slightly covered by sea water all the time.
- 3.2.110 The 'supplementary advice'⁴⁷ indicates that the '**typical species**' of the site include:
- For the **Salicornia and other annuals colonizing mud and sand** feature:
 - ▶ Flora: Sea Aster *Aster tripolium*, Common saltmarsh-grass *Puccinellia maritima*, Glasswort *Salicornia* species, Herbaceous seepweed *Sueada maritima*, Sea purslane *Halimione portulacoides*, Ephemeral salt-marsh vegetation with *Sagina maritima*.
 - For the **Spartina swards (*Spartinion maritimae*)** feature:
 - ▶ Flora: Small cordgrass *Spartina maritima*, Smooth cord grass *S. alterniflora* and *Arthrocnemum perenne*.
 - For the **Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)** feature:

⁴⁷ [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk)

- ▶ Flora: Transitional low-marsh vegetation with *Puccinellia maritima* annual *Salicornia* species and *Suaeda maritima*; and *Eleocharis uniglumis* salt-marsh community.
- For the **Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*)** feature:
 - ▶ Flora: Shrubby sea-blite *Suaeda vera*, Chickenclaws *Sarcocornia perennis*, Sea lavender *Limonium* species and saltbush *Atriplex* species.

3.2.111 No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity, although the need to maintain or restore the connectivity of estuarine features to surrounding rivers, freshwater, marine and coastal habitats is noted.

Condition, Pressures and Threats

- 3.2.112 The SSSIs units underpinning the SAC are predominantly in 'favourable' or 'unfavourable recovering' condition. Units in 'unfavourable no change' or 'unfavourable declining' condition are categorised as such primarily due to local land management issues (birds population declining). The SIP⁴⁸ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Coastal squeeze (rising sea levels);
 - Public access/disturbance (land- and water-based activities);
 - Fisheries: commercial marine and estuarine (commercial fishing activities and Bottom towed fishing gear);
 - Planning permission: general;
 - Changes in species distribution (decline in waterbird species may be due to climate change);
 - Invasive species (Pacific oyster, American whelk tingle, Slipper limpet and *Spartina* sp.);
 - Fisheries: recreational marine and estuarine (Recreational bait digging);
 - Air pollution (atmospheric nitrogen deposition).

Foulness (Mid-Essex Coast Phase 5) sites

Overview

- 3.2.113 Foulness (Mid-Essex Coast Phase 5) comprises one SSSI (Foulness SSSI), one SPA, one SAC, one Ramsar and one MCZ. The baseline for these two sites is addressed together for clarity and consistency with NE's SIP; the sites are:
- **Foulness (Mid-Essex Coast Phase 5) SPA;**
 - **Foulness (Mid-Essex Coast Phase 5) Ramsar.**
- 3.2.114 The site comprises estuaries and intertidal sand and silt flats including several islands, shingle and shell beaches and extensive areas of saltmarsh. It supports nationally rare

⁴⁸ [SIP150401FINALv1.0 Essex Estuaries.pdf](#)

plants, as well as nationally and internationally important populations of various species of breeding, migratory and wintering waterbirds.

Interest Features

3.2.115 The **qualifying features** of the **Foulness (Mid-Essex Coast Phase 5) SPA** are:

- Dark-bellied brent goose *Branta bernicla bernicla* (Non-breeding);
- Hen harrier *Circus cyaneus* (Non-breeding);
- Eurasian oystercatcher *Haematopus ostralegus* (Non-breeding);
- Pied avocet *Recurvirostra avosetta* (Breeding);
- Ringed plover *Charadrius hiaticula* (Breeding);
- Grey plover *Pluvialis squatarola* (Non-breeding);
- Red knot *Calidris canutus* (Non-breeding);
- Bar-tailed godwit *Limosa lapponica* (Non-breeding);
- Common redshank *Tringa tetanus* (Non-breeding);
- Sandwich tern *Sterna sandvicensis* (Breeding);
- Common tern *Sterna hirundo* (Breeding);
- Little tern *Sterna albifrons* (Breeding);
- Waterbird assemblage.

3.2.116 The **Foulness (Mid-Essex Coast Phase 5) Ramsar** site meets the following **Ramsar criteria**:

- Criterion 1 (Site containing extent and diversity saltmarsh habitat):
 - ▶ 3,237 ha, that represents 70% of the saltmarsh habitat in Essex and 7% of the total area of saltmarsh in Britain.
- Criterion 2 (Supports vulnerable, endangered, or critically endangered species or threatened ecological communities):
 - ▶ Nationally-rare and nationally-scarce plant species and British Red Data Book invertebrates.
- Criterion 3 (species/populations consider internationally important):
 - ▶ saltmarsh plant communities.
- Criterion 5 (Assemblages of international importance):
 - ▶ Species with peak counts in winter: 82148 waterfowl (5 year peak mean 1998/99-2002/2003).
- Criterion 6 (Species/populations occurring at levels of international importance):
 - ▶ Common redshank *Tringa totanus tetanus* (spring/autumn);
 - ▶ Dark-bellied brent goose *Branta bernicla bernicla* (winter);
 - ▶ Eurasian oystercatcher *Haematopus ostralegus ostralegus* (winter);
 - ▶ Grey plover *Pluvialis squatarola* (winter);

- ▶ Red knot *Calidris canutus islandica* (winter);
- ▶ Bar-tailed godwit *Limosa lapponica lapponica* (winter).

3.2.117 The supplementary advice documents⁴⁹ indicate that the within-site **supporting habitats** for the qualifying features include:

- Dark-bellied brent goose: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal sand and muddy sand, Intertidal seagrass beds, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*), Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*), Subtidal seagrass beds.
- Hen harrier: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Coastal reedbeds, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal rock, Intertidal sand and muddy sand, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*), Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Oystercatcher: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal biogenic reef: mussel beds, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal rock, Intertidal sand and muddy sand, Intertidal seagrass beds, Intertidal stony reef, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*), Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Avocet: intertidal mud, intertidal sand and muddy sand, intertidal coarse sediment, intertidal mixed sediments, freshwater and coastal grazing marsh and saltmarsh.
- Ringed plover: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal biogenic reef: mussel beds, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal rock, Intertidal sand and muddy sand, Intertidal seagrass beds, Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Grey plover: saltmarsh, mudflats, cockle banks and grazing marsh.
- Knot: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal reedbeds, Freshwater and coastal grazing marsh, Intertidal biogenic reef: mussel beds, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal rock, Intertidal sand and muddy sand, Intertidal seagrass beds, Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Bar-tailed godwit: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal rock, Intertidal sand and muddy sand, Intertidal seagrass beds, Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritima*).
- Redshank: Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal biogenic reef: mussel beds, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal mud, Intertidal rock, Intertidal sand and muddy sand, Intertidal seagrass beds, Mediterranean and thermo-

⁴⁹ [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk)

Atlantic halophilous scrubs (*Sarcocornetea fruticosi*), *Salicornia* and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritimae*).

- Sandwich tern: Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*), Coastal lagoons, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal sand and muddy sand, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*).
- Common tern: Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*), Coastal lagoons, Freshwater and coastal grazing marsh, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal sand and muddy sand, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*).
- Little tern: Coastal lagoons, Intertidal coarse sediment, Intertidal mixed sediments, Intertidal sand and muddy sand.
- Waterbird assemblage: large areas of saltmarsh, tidal creeks, delphs, cockle banks and sandflats, intertidal mud/sandy sediments including seagrass beds and tidal creeks.

3.2.118 With regard to ‘**functional habitats**’, specific areas of functional land are identified:

- Dark-bellied brent goose: Access to functionally-linked non-SPA grassland and agricultural land may be important.
- Hen harrier: for the species, the habitat to feed is grassland/grazing marsh, but is not within this site, so this feature is reliant on a mosaic of habitats including grazing marsh, grassland with scattered scrub, rough margins and saltmarsh available throughout the suite of SPAs that make up the Mid-Essex coastal sites and functionally-linked arable land.
- Ringed plover: *Breeding ringed plover use shingle, pebble and cockle shell beaches/spits for breeding, and saltmarsh and intertidal areas for feeding. In this site, these habitats are located in close proximity and suitable habitat is also available for the feature to feed, nest and roost offsite within adjacent SPAs* (English Nature, 2000)⁵⁰

Condition, Pressures and Threats

3.2.119 The SSSIs units underpinning the SPA are in ‘favourable’, ‘unfavourable-recovering’, ‘unfavourable-no change’ and ‘unfavourable-declining’ condition. The SIP⁵¹ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:

- Coastal squeeze (rising sea levels);
- Public access/disturbance (land- and water-based activities);
- Fisheries: commercial marine and estuarine (commercial fishing activities and Bottom towed fishing gear);
- Planning permission: general;
- Changes in species distribution (decline in waterbird species may be due to climate change);

⁵⁰ <http://publications.naturalengland.org.uk/file/3117443>

⁵¹ [SIP150401FINALv1.0 Essex Estuaries \(2\).pdf](#)

- Invasive species (Pacific oyster, American whelk tingle, Slipper limpet and *Spartina* sp.);
- Fisheries: recreational marine and estuarine (Recreational bait digging);
- Air pollution (atmospheric nitrogen deposition).

Thames Estuary and Marshes sites

Overview

3.2.120 Thames Estuary and Marshes comprises two SSSIs (Mucking Flats and Marshes SSSI and South Thames Estuary and Marshes SSSI), one Ramsar and one MCZ. The baseline for these two sites is addressed together for clarity and consistency with NE's SIP; the sites are:

- **Thames Estuary and Marshes SPA;**
- **Thames Estuary and Marshes Ramsar.**

3.2.121 Thames Estuary and Marshes is a wetland comprising intertidal habitats, saltmarsh, coastal grazing marshes, saline lagoons and chalk pits. The site provides support to different wetland birds, plants and invertebrates species. The site is approximately 19.2km north-west of the CCC area and has no hydrological connectivity with the CCC area.

Interest Features

3.2.122 The **qualifying features** of the **Thames Estuary and Marshes SPA** are:

- Hen harrier *Circus cyaneus* (Non-breeding);
- Pied avocet *Recurvirostra avosetta* (Non-breeding);
- Ringed plover *Charadrius hiaticula* (Non-breeding);
- Grey plover *Pluvialis squatarola* (Non-breeding);
- Red knot *Calidris canutus* (Non-breeding);
- Dunlin *Calidris alpina alpina* (Non-breeding);
- Black-tailed godwit *Limosa limosa islandica* (Non-breeding);
- Common redshank *Tringa totanus* (Non-breeding);
- Waterbird assemblage.

3.2.123 The **Thames Estuary and Marshes Ramsar** site meets the following Ramsar criteria:

- Criterion 2 (Supports vulnerable, endangered, or critically endangered species or threatened ecological communities):
 - ▶ 20 British Red Data Book invertebrates and populations of the GB Red Book.
- Criterion 5 (Assemblages of international importance):
 - ▶ 45,118 waterfowl (5 year peak mean 1998/99-2002/2003).
- Criterion 6 (Species/populations occurring at levels of international importance):
 - ▶ Black-tailed godwit *Limosa limosa islandica* (spring/autumn);

- ▶ Dunlin *Calidris alpina alpina* (winter);
- ▶ Red knot *Calidris canutus islandica* (winter).

- 3.2.124 The supplementary advice⁵² indicates that the within-site **supporting habitats** for the qualifying features are principally: coastal lagoons, coastal reedbeds, freshwater and coastal grazing marsh, intertidal mixed sediments, intertidal sand and muddy sand, Salicornia and other annuals colonising mud and sand, *Spartina* swards (*Spartinion maritimae*).
- 3.2.125 With regard to **'functional habitats'**, specific areas of functional land are identified:
- Black-tailed godwit: they use habitats outside of the SPA boundary, such as at Holehaven Creek SSSI.
- 3.2.126 Therefore, land-use in the areas outside and (particularly) between the SPA units is important to site integrity.

Condition, Pressures and Threats

- 3.2.127 The SSSIs units underpinning the SPA and Ramsar are in 'favourable', 'favourable-recovering', 'unfavourable-no change' and 'unfavourable-declining' condition. The SIP⁵³ identifies several pressures and threats to site integrity, the following of which may be potentially influenced by the Local Plan:
- Coastal squeeze (sea level rise);
 - Public access/disturbance (boating and watersports, walking and fishing);
 - Invasive species (sea squirt, pacific oyster, pennywort, crassula, parrots feather and *Spartina anglica*);
 - Vehicles: illicit (often bikes);
 - Fisheries: commercial marine and estuarine (dredging of shellfish);
 - Air pollution (atmospheric nitrogen deposition).

Conservation Objectives

- 3.2.128 The Conservation Objectives and Supplementary advice documents for the SACs and SPAs benchmark Favourable Conservation Status (FCS) for each feature. Guidance⁵⁴ from the UK Statutory Nature Conservation Bodies (SNCBs) provides a broad characterisation of FCS, stating that it "*relates to the long-term distribution and abundance of the populations of species in their natural range, and for habitats to the long-term natural distribution, structure and functions as well as the long-term survival of its typical species in their natural range. It describes a situation in which individual habitats and species are maintaining themselves at all relevant geographical scales and with good prospects to continue to do so in the future*".

⁵² [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk)

⁵³ [SIP141009FINALv1.0 Greater Thames Complex \(2\).pdf](#)

⁵⁴ JNCC (2018). *Favourable Conservation Status: UK Statutory Nature Conservation Bodies Common Statement* [online]. Available at: <https://data.jncc.gov.uk/data/b9c7f55f-ed9d-4d3c-b484-c21758cec4fe/FCS18-InterAgency-Statement.pdf> [Accessed September 2022].

- 3.2.129 The conservation objectives for the sites noted above have been revised by Natural England in recent years to improve the consistency of assessment and reporting. As a result, the high-level conservation objectives for all sites are effectively the same:
- 3.2.130 For SACs:
- *“With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’...), and subject to natural change; ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring [as applicable to each site];*
 - ▶ *The extent and distribution of the qualifying natural habitats;*
 - ▶ *The extent and distribution of the habitats of qualifying species;*
 - ▶ *The structure and function (including typical species) of the qualifying natural habitats;*
 - ▶ *The structure and function of the habitats of qualifying species;*
 - ▶ *The supporting processes on which the qualifying natural habitats rely;*
 - ▶ *The supporting processes on which the habitats of qualifying species rely;*
 - ▶ *The populations of qualifying species; and,*
 - ▶ *The distribution of qualifying species within the site.”*
- 3.2.131 For SPAs:
- *“With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the ‘Qualifying Features’...), and subject to natural change; ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:*
 - ▶ *The extent and distribution of the habitats of the qualifying features;*
 - ▶ *The structure and function of the habitats of the qualifying features;*
 - ▶ *The supporting processes on which the habitats of the qualifying features rely;*
 - ▶ *The population of each of the qualifying features; and*
 - ▶ *The distribution of the qualifying features within the site.”*
- 3.2.132 The conservation objectives for Ramsar sites are taken to be the same as for the corresponding SACs / SPAs, where sites and feature ecological characteristics are coincident; where Ramsar sites or features do not coincide with an SPA or SAC the conservation objectives for the corresponding SSSI are referred to. The conservation objectives are considered when assessing the potential effects of plans and policies on the sites; information on the sensitivities of the interest features also informs the assessment.
- 3.2.133 As noted, NE has published ‘*Supplementary advice on conserving and restoring site features*’ for most sites which describe in more detail the range of ecological attributes which are most likely to contribute to a site’s overall integrity, and the minimum targets each qualifying feature needs to achieve in order to meet the site’s conservation objectives. These are considered at the screening and appropriate assessment stages, as necessary.

4. Screening ('Test of Significance')

4.1 Screening of European sites

Context

- 4.1.1 The European sites considered at the screening stage are set out in **Table 3.2**. This includes all European sites within 20km of the Council's Administrative Area and any additional sites that may be hydrologically linked to the Local Plan's zone of influence and potentially exposed to significant effects, or which have been identified by Natural England during scoping consultations.
- 4.1.2 Sites or interest features within a study area can often be excluded from further assessment at an early stage in the assessment process ('screened out') because the plan or project will self-evidently have either 'no effect' or 'no significant effect' on these sites (i.e. the interest features are not sensitive to the environmental changes associated with a plan or project; or will not be exposed to those changes due to the absence of any reasonable impact pathways); or, if both exposed and sensitive, the effects of the environmental changes will clearly be inconsequential to the achievement of the conservation objectives.
- 4.1.3 The following sections summarises the likely pressures and resultant screening of the European sites and their interest features based on the baseline data summarised in **Section 3** and the policies and proposals of the Draft Local Plan. It should be noted that this aspect of the screening process is a 'low bar', with sites, aspects or features only 'screened out' if they will self-evidently be unaffected by the Draft Local Plan (i.e. it is aiming to identify those aspects that will clearly have 'no effect' or 'no significant effect' (alone or in combination) due to an absence of impact pathways). It does not attempt a detailed quantification if significant effects via particular pathway cannot be simply or self-evidently excluded (this is completed at an 'appropriate assessment' stage, when mitigation is also accounted for).
- 4.1.4 When screening it is appropriate to assume that all relevant lower-tier consents and permissions (etc.) will be correctly assessed and controlled, and that any activities directly or indirectly supported by the Local Plan will adhere to the relevant legislative and regulatory requirements and all normal best-practice (e.g. it would be inappropriate to assume that normal controls on, for example, the installation of a new discharge to a watercourse would not be correctly followed). The screening also recognises that there are some aspects over which the Canterbury District Local Plan will have no control.

Screening at the Regulation 18 Stage

- 4.1.5 The screening tests are strictly applied to the final, submitted plan and not to emerging or developmental stages; any 'screening conclusions' set out in the following sections are necessarily provisional, therefore, based on the plan as currently conceived; however, they are intended to be robust should the plan be adopted as currently drafted. In some cases there may be data gaps or uncertainties associated with policy implementation, and some baseline studies are being updated by the Council (see below); however, it does indicate those aspects that may require specific consideration when designing policy and selecting preferred options, and those that would appear to have a low probability of affecting European sites or features.

- 4.1.6 It should be noted that the Council is completing various reports and studies to update the environmental baseline for the Local Plan, some of which will be relevant to the HRA baseline including:
- Nutrient Mitigation Strategy;
 - Transport and air quality modelling;
 - Ongoing mitigation strategies and monitoring in relation to the Strategic Access Management and Monitoring (SAMM) Strategy for the North Kent sites and Thanet Coast and Sandwich Bay SPA;
- 4.1.7 Additional studies will be undertaken or co-opted as required depending on the impact pathways that are identified during the plan development process; these might include new or ongoing regional investigations, or studies relating to specific allocation sites.
- 4.1.8 Note, **for European sites not identified in Table 3.2 the final HRA will almost certainly conclude that there will be ‘no effect’ (and hence no possibility of ‘in combination’ effects) on these sites due to the absence of reasonable pathways for effects.** This is based on initial assessments of the emerging plan and will be reviewed as the plan is developed, but is a robust conclusion based on the currently available information. Sites not noted in **Table 3.2** are not therefore considered further in this report.

Recreational Pressure

- 4.1.9 Many European sites will be vulnerable to some degree of impact as a result of recreational pressure, although the effects of recreational pressure are complex and very much dependent on the specific conditions and interest features at each site. For example: some bird species are more sensitive to disturbance associated with walkers or dogs than others; some habitats will be more sensitive to trampling or mechanical disturbance than others; some sites will be more accessible than others.
- 4.1.10 The most typical mechanisms for recreational effects are through direct damage of habitats, or disturbance of certain species. Damage will most often be accidental or incidental, but many sites are particularly sensitive to soil or habitat erosion caused by recreational activities and require careful management to minimise any effects (for example, through provision and maintenance of ‘hard paths’ (boardwalks, stone slabs etc.) and signage to minimise soil erosion along path margins).
- 4.1.11 Disturbance of species due to recreational activities can also be a significant problem at some sites, although the relationship (again) is highly variable and depends on a range of factors including the species, the time of year and the scale, type and predictability of disturbance. Most studies have focused on the effects on birds, either when breeding or foraging. For example, a long-term monitoring project by Natural England on the Thanet Coast has found that turnstones (a shoreline-feeding waterbird) are particularly vulnerable to disturbance from dogs, which interrupts their feeding behaviour and can prevent them from gaining sufficient body fat for overwintering or migration. Finney *et al.* (2005), meanwhile, noted that re-surfacing the Pennine Way significantly reduced the impact of recreational disturbance on the distribution of breeding Golden plover, by encouraging walkers to remain on the footpath.
- 4.1.12 In contrast, some species are largely unaffected by human disturbance (or even benefit from it) which can result in local or regional changes in the composition of the fauna. The scale, type and predictability of disturbance is also important; species can become habituated to some disturbance (e.g. noise), particularly if it is regular or continuous. Unpredictable disturbance is most problematic.

- 4.1.13 Most recreational activities with the potential to affect European sites are ‘casual’ and pursued opportunistically (e.g. walking, walking dogs, riding) rather than structured (e.g. organised group activities or trips to specific discrete attractions), which means that it can be difficult to quantify or predict either the uptake or the impacts of these activities on European sites and (ultimately) harder to control or manage effects. It also means that it is difficult to explore in detail all of the potential aspects of visitor pressure at the strategy level. However, it is possible for plans and strategies to influence recreational use of European sites through the planning process, for example by increasing the amount of green space required within or near developments if potentially vulnerable European sites are located nearby.
- 4.1.14 Visitor surveys are often sought to determine whether public access is having a significant or significant adverse effect on a site, although in practice they rarely assist in quantifying the scale or ecological significance of any effects; rather, they typically assume that the site is being (or will be) significantly affected by visitor pressure and then provide a semi-quantitative basis for setting radii for policy interventions (such as developer contributions) that are intended to ensure that possible adverse effects do not occur or can be mitigated. Probably the most common metric used for ‘buffer zones’ or ‘zones of influence’ is the distance within which approximately 70 - 75% of visitors live; these have been determined for several sites around the UK where visitor pressure is considered significant enough to warrant policy-based interventions. In general, for most inland terrestrial sites these ‘zone of influence’ distances (i.e. those within which ‘significant’ effects may occur) are less than 10km, and typically in the range 6 – 8km. Some sites (typically coastal sites or ‘national attraction’ sites) have larger distances but these are almost always less than 20km⁵⁵. These values can be used if sites are potentially vulnerable to visitor pressure but bespoke buffers have not been developed unless evidenced zone of influences have been identified. For example, for the Swale SPA as part of the North Kent Strategic Access Management and Monitoring Strategies (SAMMs) a zone of influence of 6km has been identified and in relation to the Thanet Coast and Sandwich Bay SPA a 7.2km has been identified as reflected in the current 2017 Local Plan policy.

Table 4.1 Summary of European site issues in relation to visitor pressure

Site	Notes	Screen in?
Blean Complex SAC	Access to the site is managed via footpaths and by the Woodland Trust. Recreation levels at Blean Complex SAC are not currently a particular concern, due to the current access management and educational programme on this site. However, it is screened in given the ZOI buffer distances.	Yes
Stodmarsh Ramsar / SAC/ SPA	Visitor pressure is not identified as an issue affecting the site, and the wetland nature of the site and controlled access ensures visitor pressure is appropriately managed; increasing the population of Canterbury is likely to increase the number of visitors to this site, but, due to the controls, this will not increase damage to the habitats supporting the SAC / Ramsar interest features, or increase direct disturbance of the SPA features.	Yes
Tankerton Slopes and Swalecliffe SAC	Access to the site is available by footpaths and the site is vulnerable to visitor pressure due to its location within Herne Bay, although it is a small site that will not attract significant additional recreation.	Yes
Thanet Coast & Sandwich Bay Ramsar /SPA	The main current threat to the integrity of these sites is the disturbance of feeding and roosting waders, notably overwintering turnstones, by recreational activities	Yes

⁵⁵ It is worth noting, however, that visitor pressure ‘zone of influence’ distances very often reflect local population distribution as much as (if not more than) the inherent ‘attractiveness’ of the site to visitors.

Site	Notes	Screen in?
	(particularly dog walking, although other activities, such as kite sailing, are thought to have local impacts). The relationship between the habitat condition and the status of the SPA / Ramsar bird interest features is complex, and effects on the habitats will not always directly and negatively affect these features. The main Local Plan issue for this site is potential for recreational use of the beaches to increase in suitable weather conditions. The district lies within the identified zone of influence and is considered within an existing Strategic Access Management and Monitoring Strategy. All residential development within 7.2km of the sites could result in an adverse effect on the integrity of the SPA as a result of increased recreational pressure.	
Thanet Coast SAC	The marine and intertidal nature of the interest features and their locations ensure that they are neither particularly exposed or sensitive to recreational pressure. Any effects are not likely to be significant, although the measures required for the Thanet Coast and Sandwich Bay SPA / Ramsar will also benefit the SAC.	No
Swale Ramsar/ SPA	Recreational pressure is considered a significant issue at these sites. The district lies within the identified zone of influence and is considered within an existing Strategic Access Management and Monitoring Strategy. All residential development within 6km of the sites could result in likely significant effects on the SPA as a result of increased recreational pressure.	Yes
Outer Thames Estuary SPA	The site is partly located within the boundary of the district boundary at Whitstable Harbour but the interest features will not be exposed to disturbance effects due to the Draft Local Plan, or effects that are within the control of the Council. Likely significant effects (alone or in combination) are not identified	No
Wye and Crundale Downs SAC	Visitor pressure is not identified as a pressure or threat for this site; public access is limited with much of the site in private ownership. Risks associated with recreational pressure are minimised by active management. The closest point of the SAC is 0.7km from the CCC boundary (and further from the nearest proposed allocations) and so significant effects (alone or in combination) are not identified.	No
Margate and Long Sands SAC	This marine SAC is approximately 1.1km offshore from the northern coast of the CCC area. It is designated for its sub-tidal sandbanks. It will not be exposed or sensitive to the likely effects of the CCC plan (no effects likely, and so no potential for 'in-combination' effects to occur).	No
Parkgate Down SAC	Visitor pressure is not identified as a pressure or threat for this site; public access is managed by Kent Wildlife Trust (KWT) to oversee access restrictions however there is public access to the site. Given the location at 1.9km to the south west of the district with proposed allocations substantially further away (4.8km) the site is screened out.	No
Lydden and Temple Ewell Downs SAC	The site is approximately 3.3km from the CCC area. However, visitor pressure is known to be an issue for the site that relies on mitigation that needs to be considered through appropriate assessment. Visitor surveys were undertaken by Blackwood Bayne Ltd on behalf of Dover District Council in July and August 2021 to identify a zone of influence. This survey identified a ZOI of 2.53km within which 75% of visitors travelled to site with the average straight-line distance travelled to site 2.91km. Prior to this, a visitor survey identified that 75% of visitors to the site travelled within 4km of the SAC (reported in the Dover Local Plan HRA Report). Given the ZOI as distance from nearest proposed allocation (5.7km) the site is screened out.	No
Sandwich Bay SAC	Sandwich Bay SAC is approximately 7.3km east of the CCC area at its closest point. However, visitor pressure is known to be an issue for this coastal site that relies on mitigation and that the site needs to be considered through appropriate assessment.	Yes
Folkestone to Etchinghill	Located approximately 8.1km south of the CCC area with allocations substantially further away. Visitor pressure is not identified as an issue for the site. Likely significant effects (alone or in combination) are not identified.	No

Site	Notes	Screen in?
Escarpment SAC		
Dover to Kingsdown Cliffs SAC	Located approximately 11.1km south-east of the CCC area. Visitor pressure is not recognised as an issue for the site. The SAC is predominantly managed by the National Trust who have committed to an extensive programme of on-site visitor management and mitigation measures. Visitor surveys reported in the Dover Local Plan HRA identify that the average distance travelled to the site was 32.14km. However, 52% of the visitors were from within Dover district. Given the distance to the Dover to Kingsdown Cliffs SAC from the District, and visitor survey evidence that shows most visits are from within the Dover district, the contribution of growth in Canterbury is not considered to provide additional visitors to provide a significant uplift in visitors, given the availability of other coastal sites within the district. The nearest proposed allocation is Aylesham South is 13km from the site. Overall, likely significant effects (alone or in combination) are not identified.	No
Dungeness, Romney Marsh and Rye Bay SPA / Ramsar	Located 13.9km south of the CCC area. This SPA and Ramsar supports qualifying wetland bird species, which are susceptible to impacts from terrestrial and water-based recreational activities. Given the distance between the District and the European site, and due to the presence of similar coastal sites within the District it is considered unlikely for impacts from recreation as a result of proposed development in the Local Plan to significantly affect the SPA and Ramsar. Additionally, a Sustainable Access and Recreation Management Strategy for Dungeness has been prepared by Folkestone and Hythe and Rother District Councils. Significant effects (alone or in combination) are not identified.	No
Medway Estuary and Marshes SPA / Ramsar	Recreational pressure is considered a threat to the site. The zone of influence considered within an existing Strategic Access Management and Monitoring Strategy is outside the district. Overall, likely significant effects (alone or in combination) are not identified.	No
Essex Estuaries SAC	Public access / disturbance is identified as a threat from land- and water-based activities. However, the site is approximately 17.8km from the CCC area at its closest point (across the Kent/Essex straight) and so significant effects due to visitors originating from new development in the CCC area are not identified. A Recreational disturbance Avoidance & Mitigation Strategy (RAMS) has been prepared by Essex County Council.	No
Foulness (Mid-Essex Coast Phase 5) Ramsar and SPA	Public access / disturbance is identified as a threat from land- and water-based activities. However, the site is approximately 18.7km from the CCC area at its closest point (across the Kent/Essex straight). The Essex Coast Recreational Avoidance and Mitigation Strategy (RAMS) identified a Zone of Influence of 13.1km. Significant effects due to visitors originating from new development in the CCC area are not identified.	No
Thames Estuary and Marshes Ramsar and SPA	Public access / disturbance is identified as a threat from land- and water-based activities. However, the site is approximately 19.2km from the CCC area at its closest point. The Essex Coast Recreational Avoidance and Mitigation Strategy (RAMS) identified a Zone of Influence of 8.1km. Significant effects due to visitors originating from new development in the CCC area are not identified.	No

Urbanisation

- 4.1.15 Urbanisation is generally used as a collective term covering a suite of often disparate risks and impacts that occur due to increases in human populations near protected sites. Typically, this would include aspects such as fly-tipping or vandalism, although the effects of these aspects again depend on the interest features of the sites: for example, predation of some species by cats is known to be sizeable (Woods *et al.* 2003) and can be potentially significant for some European sites. Recreational pressure is arguably one type of effect associated with urbanisation, although this is usually considered separately

as it is less closely associated with proximity; as a broad guide, urbanisation effects are more likely when developments (etc.) are within a few hundred metres of a designated site, whereas people will typically travel further for recreation.

- 4.1.16 Where sensitive sites are involved, development buffers of around 400m are typically used to minimise the effects of urbanisation: for example, Natural England has identified a 400m zone around the Chichester and Langstone Harbours SPA within which housing development should not be located due to the potential effects of urbanisation (particularly, the risk of chick predation by cats, which cannot be mitigated). Similarly, LPAs near the Thames Basin Heaths SPA have adopted a 400m zone around the SPA boundary where there is a presumption against new residential development as the impact on the SPA is considered likely to be adverse.
- 4.1.17 Urbanisation effects as a result of the Local Plan will not occur for the majority of European sites due to the separation distances. However, the site associated with Policy R12 – Bread and Cheese Field which allocates approximately 150 new dwellings is within 180m of the Stodmarsh SAC/SPA/Ramsar at its closest point. Therefore, Stodmarsh SAC/SPA/Ramsar has been screened in for potential significant effects in relation to urbanisation.

Atmospheric Pollution

- 4.1.18 A number of pollutants have a negative effect on air quality; however, the most significant and relevant to habitats and species (particularly plant species) are the primary pollutants sulphur dioxide (SO₂, typically from combustion of coal and heavy fuel oils although this has declined substantially), nitrogen oxides (NO_x, mainly from vehicles) and ammonia (NH₃, principally from agriculture), which (together with secondary aerosol pollutants⁵⁶) are deposited as wet or dry deposits. These pollutants affect habitats and species mainly through acidification and eutrophication.
- 4.1.19 Acidification increases the acidity of soils, which can directly affect some organisms and which also promotes leaching of some important base chemicals (e.g. calcium), and mobilisation and uptake by plants of toxins (especially metals such as aluminium).
- 4.1.20 Air pollution contributes to eutrophication within ecosystems by increasing the amounts of available nitrogen (N)⁵⁷. This is a particular problem in low-nutrient habitats, where available nitrogen is frequently the limiting factor on plant growth, and results in slow-growing low-nutrient species being out-competed by faster growing species that can take advantage of the increased amounts of available N.
- 4.1.21 Overall, in the UK, there has been a significant decline in SO_x and NO_x emissions in recent years and a consequential decrease in acid deposition. In England, SO_x and NO_x have declined by 97% and 72% respectively since 1970 (Defra, 2018) which is the result of a switch from coal to gas, nuclear and renewables for energy generation, and increased efficiency and emissions standards for cars. These emissions are expected to decline further in future years with the transition to electric vehicles. In contrast, emissions of ammonia have remained largely unchanged; they have declined by 10% in England since 1980 (Defra, 2018), but since 2008 have started to increase slightly.
- 4.1.22 The effect of SO_x and NO_x decreases on ecosystems has been marked, particularly in respect of acidification; the key contributor to acidification is now thought to be deposited nitrogen, for which the major source (ammonia emissions) has not decreased significantly.

⁵⁶ Secondary pollutants are not emitted, but are formed following further reactions in the atmosphere; for example, SO₂ and NO_x are oxidised to form SO₄²⁻ and NO₂⁻ compounds; ozone is formed by the reaction of other pollutants (e.g. NO_x or volatile organic compounds) with UV light; ammonia reacts with SO₄²⁻ and NO₂⁻ to form ammonium (NH₄⁺).

⁵⁷ Nitrogen that is in a form that can be absorbed and used by plants.

Indeed, eutrophication from N-deposition (again, primarily from ammonia) is now considered the most significant air quality issue for many habitats.

- 4.1.23 The Local Plan proposals may indirectly contribute to local air pollution and wider diffuse pollution. In practice, the principal source of air pollution associated with the Local Plan will be related to changing patterns of vehicle use due to the promotion of new development (since the Local Plan does not provide for any new significant point-sources).
- 4.1.24 The Department of Transport's *Transport Analysis Guidance*⁵⁸ states that "beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant" and therefore this distance is typically used to determine the potential exposure of the European sites to any local effects associated with the Local Plan. Environment Agency (EA) guidance (EA, 2007) also states that "Where the concentration within the emission footprint in any part of the European site(s) is less than 1% of the relevant long-term benchmark (EAL, Critical Level or Critical Load), the emission is not likely to have a significant effect alone or in combination irrespective of the background levels".
- 4.1.25 Highways England's *Design Manual for Roads and Bridges* (DMRB) sets out an approach for assessing the effect of emissions from specific road schemes on designated sites; this suggests that a quantitative air quality assessment may be required if a European site is within 200m of an affected road and the predicted change in annual average daily traffic (AADT) is over 1,000.
- 4.1.26 This approach has some limitations when considering the effects of a Local Plan (rather than a specific road scheme) although in the absence of any other specific guidance or thresholds it has typically been applied to main roads⁵⁹ within 200m of a European site, with case law⁶⁰ indicating that changes in AADT on particular roads should be determined 'in combination' with other plans and projects.
- 4.1.27 GIS analysis suggests that the following European sites have component units within 200m of an A-road that is within 20km of the CCC area:

Table 4.2 European sites (and component SSSIs) within 20km of the Canterbury City Council area with A-roads within 200m

European site(s)	Relevant SSSIs and A roads
Blean Complex SAC	<ul style="list-style-type: none"> • Church Woods SSSI <ul style="list-style-type: none"> ▶ A290 • Ellenden Wood SSSI <ul style="list-style-type: none"> ▶ A290
Thanet Coast and Sandwich Bay Ramsar; Thanet Coast and Sandwich Bay SPA; Thanet Coast SAC	<ul style="list-style-type: none"> • Thanet Coast SSSI <ul style="list-style-type: none"> ▶ A28 in Margate

⁵⁸ See <http://www.dft.gov.uk/webtag/documents/expert/unit3.3.3.php#013>; accessed 15/06/14.

⁵⁹ i.e. trunk roads, A-roads and most B-roads. Changes in the number of vehicles using minor roads in the region will be too small to meaningfully assess using the industry standard approaches to AADT modelling that can be applied at the strategy-level (i.e. without substantial additional data collection including field monitoring at specific locations – this may be appropriate for a specific development or allocation but not for traffic-growth generally).

⁶⁰ *Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority* [2017] EWHC 351.

European site(s)	Relevant SSSIs and A roads
Thanet Coast and Sandwich Bay Ramsar; Thanet Coast and Sandwich Bay SPA; Thanet Coast SAC	<ul style="list-style-type: none"> Sandwich Bay to Hacklinge Marshes SSSI <ul style="list-style-type: none"> A299 in Ramsgate
Thanet Coast and Sandwich Bay Ramsar; Thanet Coast and Sandwich Bay SPA; Sandwich Bay SAC	<ul style="list-style-type: none"> Sandwich Bay to Hacklinge Marshes SSSI <ul style="list-style-type: none"> A256 in Great Stonar
Thanet Coast and Sandwich Bay Ramsar	<ul style="list-style-type: none"> Sandwich Bay to Hacklinge Marshes SSSI <ul style="list-style-type: none"> A258 at Finglesham
Lydden and Temple Ewell Downs SAC	<ul style="list-style-type: none"> Lydden and Temple Ewell Downs SSSI <ul style="list-style-type: none"> A2 north-west of Dover
Dover to Kingsdown Cliffs SAC	<ul style="list-style-type: none"> Dover to Kingsdown Cliffs SSSI <ul style="list-style-type: none"> A2 in Dover
Folkestone to Etchinghill Escarpment SAC	<ul style="list-style-type: none"> Folkestone to Etchinghill Escarpment SSSI <ul style="list-style-type: none"> A20/M20 at Folkestone
Dungeness, Romney Marsh and Rye Bay SPA; Dungeness, Romney Marsh and Rye Bay Ramsar	<ul style="list-style-type: none"> Dungeness, Romney Marsh and Rye Bay SSSI <ul style="list-style-type: none"> A259 at Dymchurch / St. Mary's Bay
Dungeness, Romney Marsh and Rye Bay Ramsar	<ul style="list-style-type: none"> Dungeness, Romney Marsh and Rye Bay SSSI <ul style="list-style-type: none"> A2070 at Hamstreet
Medway Estuary and Marshes Ramsar; Medway Estuary and Marshes SPA; The Swale Ramsar; The Swale SPA	<ul style="list-style-type: none"> Medway Estuary and Marshes SSSI <ul style="list-style-type: none"> A249 at the Sheppey Crossing The Swale SSSI <ul style="list-style-type: none"> A249 at the Sheppey Crossing

- 4.1.28 The remaining European sites not included in **Table 4.2** are **screened out** from further assessment as they will not be exposed to significant effects from air quality changes associated with the Local Plan on the basis of the 20km / 200m criteria. See **Table 4.3** for the screening.
- 4.1.29 The Council has undertaken VISUM transport modelling to inform the emerging plan.⁶¹ However, at this stage further Annual Average Daily Flow (AADF) data from road office statistics for Kent⁶² has been used to understand existing conditions. Through the combination of the VISUM modelling and baseline conditions, connectivity to the road network and likely contribution to an increase in AADT a preliminary screening has been undertaken.

Table 4.3 Summary of European site issues in relation to air pollution

Site	Notes	Screen in?
Blean Complex SAC	Supporting habitats for the qualifying features are considered sensitive; site units within 200m of a road likely subject to an AADT increase of >1000 in combination.	Yes

⁶¹ Jacobs for Kent County Council (2022) Canterbury Local Plan – Canterbury Local Plan: Preferred Strategic Growth Local Plan Option

⁶² <https://roadtraffic.dft.gov.uk/#10/51.1974/0.7423/basemap-localauthorities-countpoints> Annual Average Daily Flow is defined as the 'Number of vehicles that travel past the count point (in both directions) on an average day of the year'.
<https://roadtraffic.dft.gov.uk/downloads>

Site	Notes	Screen in?
Stodmarsh Ramsar / SAC/ SPA	Site units not within 200m of an A-road.	No
Tankerton Slopes and Swalecliffe SAC	Site units not within 200m of an A-road.	No
Thanet Coast & Sandwich Bay Ramsar /SPA	The distance and / or connectivity and orientation of the relevant road relative to the CCC area will ensure that CCC's contribution to any 'in combination' increases in AADT over 1000 is likely to be negligible in relative and absolute terms.	No
Thanet Coast SAC	The qualifying features are not sensitive to air quality effects.	No
Swale Ramsar/ SPA	The distance and / or connectivity and orientation of the relevant road relative to the CCC area will ensure that CCC's contribution to any 'in combination' increases in AADT over 1000 is likely to be negligible in relative and absolute terms.	No
Outer Thames Estuary SPA	Site units not within 200m of an A-road.	No
Wye and Crundale Downs SAC	Site units not within 200m of an A-road.	No
Margate and Long Sands SAC	Site units not within 200m of an A-road.	No
Parkgate Down SAC	Site units not within 200m of an A-road.	No
Lydden and Temple Ewell Downs SAC	Site units are within 200m of the A2. Site units are sensitive to air quality and the road is well linked to Canterbury District. Although the contribution to additional vehicle related emissions from the further development proposed in the Draft Local Plan is likely to be modest, the site has been screened in on a precautionary basis in terms of in combination effects in relation to Dover district.	Yes
Sandwich Bay SAC	The distance and / or connectivity and orientation of the relevant road relative to the CCC area will ensure that CCC's contribution to any 'in combination' increases in AADT over 1000 is likely to be negligible in relative and absolute terms.	No
Folkestone to Etchinghill Escarpment SAC	The distance and / or connectivity and orientation of the relevant road relative to the CCC area will ensure that CCC's contribution to any 'in combination' increases in AADT over 1000 is likely to be negligible in relative and absolute terms.	No
Dover to Kingsdown Cliffs SAC	The distance and / or connectivity and orientation of the relevant road relative to the CCC area will ensure that CCC's contribution to any 'in combination' increases in AADT over 1000 is likely to be negligible in relative and absolute terms.	No
Dungeness, Romney Marsh and Rye Bay SPA / Ramsar	The distance and / or connectivity and orientation of the relevant road relative to the CCC area will ensure that CCC's contribution to any 'in combination' increases in AADT over 1000 is likely to be negligible in relative and absolute terms.	No
Medway Estuary and Marshes SPA / Ramsar	The distance and / or connectivity and orientation of the relevant road relative to the CCC area will ensure that CCC's contribution to any 'in combination' increases in AADT over 1000 is anticipated to be negligible in relative and absolute terms.	No

Site	Notes	Screen in?
Essex Estuaries SAC	Site units not within 200m of an A-road.	No
Foulness (Mid-Essex Coast Phase 5) Ramsar and SPA	Site units not within 200m of an A-road.	No
Thames Estuary and Marshes Ramsar and SPA	Site units not within 200m of an A-road.	No

Water Resources

- 4.1.30 The exploitation and management of water resources is connected to a range of activities, most of which are not directly controlled or influenced by the Draft Local Plan; for example, agriculture, flood defence, recreation, power generation, fisheries and nature conservation. Much of the water supply to water-resource sensitive European sites is managed through specific consenting regimes that are independent of the Draft Local Plan.
- 4.1.31 It is clear that development supported or managed by the Draft Local Plan is likely to increase demand for water, which could indirectly affect some European sites in the study area. When assessing the potential effects of increased water demand it is important to understand how the public water supply (PWS) system operates and how it is regulated with other water resource consents.
- 4.1.32 Potable water in the CCC area is supplied primarily by South East Water and Southern Water with a small area by Affinity Water. The broad characteristics of the supply areas (defined as Water Resource Zones) that coincide with CCC are summarised in **Table 4.4**.

Table 4.4 CCC water resource zones

Supplier	Water Resource Zone	Supply Summary
Southern Water	Eastern Area WRZ	Most of its supply from groundwater (75%) with the remainder from the River Medway, River Stour or pipeline transfer from the Kent Medway WRZ.
South East Water	WRZ8 (Ashford)	The zone is comprised of groundwater (various boreholes) and bulk transfers (from Southern Water).
Afinity Water	WRZ7 (Dour)	Abstracting of 90% of water supply from Chalk boreholes, with the remaining 10% supplied from the shallow gravel aquifer of the Dungeness peninsula.

- 4.1.33 However, the supply network is complex and so direct and specific supply relationships cannot necessarily be made; it is rarely possible or appropriate to identify a particular 'source' for water supply to a specific area. Consequently, direct effects on specific European sites as a result of development within the CCC area cannot necessarily be identified or quantified.

- 4.1.34 More importantly, the water resources planning process helps to ensure that growth in water demand does not affect European sites. The *Water Industry Act 1991*, as amended by the *Water Act 2003* and *Water Act 2014*, requires that all water companies must publish a Water Resources Management Plan (WRMP) that sets out their strategy for managing water resources across their supply areas over the next 25 years and beyond. WRMPs use calculations of Deployable Output (DO) to establish supply/demand balances; this enables water companies to identify those WRZs with potential supply deficits over the planning period⁶³. The calculations account for any reductions in abstraction that are required to safeguard European sites⁶⁴ and so the WRMP process (with other regulations) helps ensure (as far as is achievable) that future changes in demand will not affect any European sites⁶⁵.
- 4.1.35 The water companies accounted for the growth predicted by CCC and other LPAs in forecasting for their current (2019) WRMPs. The 2019 WRMPs were subject to HRA, which concluded that they would have no adverse effects on any European sites, including those water-resource sensitive sites and features within the Local Plan HRA study area.
- 4.1.36 The WRMPs provide the best estimate of future water resource demand, and therefore it is reasonable to assume that the growth predicted within the Local Plan can be accommodated without significant effects on any European sites due to PWS abstractions, assuming that the WRMP and its HRA reach this conclusion. Furthermore, since the WRMPs explicitly account for the growth predicted by the Council and other LPAs⁶⁶, 'in combination' effects between the Local Plan and the WRMP are unlikely to occur. Having said that, the Local Plan can obviously help manage demand and promote water efficiency measures through its policy controls.
- 4.1.37 The water companies are currently preparing their next WRMPs (2024) with consultation on emerging proposals expected in late 2022. The WRMPs (and their HRAs) may not be finalised prior to the intended consultation on the Pre-submission Draft Local Plan (Reg. 19) by autumn 2023 or possibly by submission of the Local Plan in Summer 2024; however, draft versions of the WRMP will have been publicly consulted on at that point, and the supply-demand deficit (as it relates to CCC) should be evident. Based on the previous WRMP it is likely that growth within CCC will not adversely affect any European sites through water resource pressures, although this will necessarily be reviewed as the Local Plan and the 2024 WRMP are developed.

⁶³ Forecasts are completed in accordance with the Water Resources Planning Guidelines (published by the Environment Agency) and take into account (inter alia) economic factors (economic growth, metering, pricing), behavioural factors (patterns of water use), demographic factors (population growth, inward and outward migration, changes in occupancy rate), planning policy (LPA land use plans), company policies (e.g. on leakage control and water efficiency measures) and environmental factors, including climate change. The WRMP therefore accounts for these demand forecasts based on historical trends, an established growth forecast model and through review of local and regional planning documents.

⁶⁴ For example, sustainability reductions required by the Review of Consents (RoC) or the Environment Agency's Restoring Sustainable Abstractions (RSA) programme. It should be noted that, under the WRMP process, the RoC changes (and non- changes to licences) are considered to be valid over the planning period. This means that the WRMP (and its underlying assumptions regarding the availability of water and sustainability of existing consents) is compliant with the RoC and so the WRMP can only affect European sites through any new resource and production-side options it advocates to resolves deficits, and not through the existing permissions regime.

⁶⁵ Calculations of DO include for Target Headroom (precautionary 'over-capacity' in available water) to buffer any unforeseen variation in predicted future demand; the WRMP is also reviewed on a five-yearly cycle to ensure it is performing as expected and to account for any variations between predicted and actual demand.

⁶⁶ Defra/ EA guidance on WRMPs requires that forecast population and property figures be based, wherever possible, upon plans published by local authorities (including 'adopted', 'emergent', 'consultation' and 'draft' local plans).

- 4.1.38 As it is not possible to identify specific effects on specific sites that are directly related to growth supported by the Local Plan (due to the integrated nature of the water network), the screening conclusion is not completed on a site-by-site basis.

Table 4.5 Summary of European site issues in relation to water resources

Site	Notes	Screen in?
Blean Complex SAC	Oak-hornbeam forests are not considered to be water-resource sensitive features and therefore will not be affected by increased residential development within the CCC area.	No
Stodmarsh Ramsar / SAC/ SPA	The site features are water resource-sensitive, and potentially vulnerable to increased abstraction (although this is not currently affecting the site). However, the WRMP2019 for Southern Water (SW) will not have any significant effects on this site (based on the HRA of SW's WRMP), and therefore growth within the district can be accommodated. The CCC plan will have no significant effect on this aspect, although policies should allow for the early identification of infrastructure requirements.	No
Tankerton Slopes and Swalecliffe SAC	The feature is not water resource-sensitive (the food plant, hog's fennel, is a coastal plant favouring moist conditions) and the Draft Local Plan will have no effect on this aspect.	No
Thanet Coast & Sandwich Bay Ramsar /SPA	The Ramsar habitat features are water resource sensitive, and potentially vulnerable to increased abstraction (although this is not currently affecting the site). However, the WRMP2019 for SW will not have any significant effects on this site, based on its HRA, and therefore growth within Canterbury can be accommodated. The Canterbury Local Plan will have no significant effect on this aspect, although policies allow for the early identification of infrastructure requirements to ensure sufficient provision for water supply is made.	No
Thanet Coast SAC	The qualifying features are not sensitive to effects on water resources.	No
Swale Ramsar/ SPA	The site is not hydrologically connected to the CCC area and so will not be affected by the outcomes of the Draft Local Plan.	No
Outer Thames Estuary SPA	The features are not water resource sensitive.	No
Wye and Crundale Downs SAC	The feature is not water resource sensitive.	No
Margate and Long Sands SAC	The features are not water resource sensitive.	No
Parkgate Down SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Lydden and Temple Ewell Downs SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Sandwich Bay SAC	Some of the dune features (e.g. humid dune slacks) are water-level sensitive terrestrial ecosystems, although current abstraction and discharge permits are not having an adverse effect on the site, based on Review of Consent data. Furthermore, source protection zones for the abstractions that partly supply Canterbury do not intersect the most sensitive areas of the site. It is therefore considered that the CCC plan is unlikely to affect the SAC via this mechanism.	No

Site	Notes	Screen in?
Folkestone to Etchinghill Escarpment SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Dover to Kingsdown Cliffs SAC	The calcareous dry grassland and scrub feature is not a water-resource sensitive feature and so will not be affected by population growth within the CCC area. Vegetated sea cliffs are theoretically water-resource sensitive (partly dependent on cliff seepages often associated with local aquifers). However, abstraction in the Dover area supplies a limited part of the district in WRZ7 with no proposed allocations and so screened out.	No
Dungeness, Romney Marsh and Rye Bay SPA / Ramsar	The feature and has no hydrological connectivity with the CCC area.	No
Medway Estuary and Marshes SPA / Ramsar	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Essex Estuaries SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Foulness (Mid-Essex Coast Phase 5) Ramsar and SPA	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Thames Estuary and Marshes Ramsar and SPA	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No

Water Quality

- 4.1.39 The majority of the district flows into the River Stour catchment which discharges into the River Stour. European sites associated with Stodmarsh (SAC/SPA/Ramsar) have been identified as sites that are in unfavourable condition due to excessive nutrients (such that 'nutrient neutrality' is being deployed or considered as mitigation) in recent NE advice to LPAs⁶⁷).
- 4.1.40 Most waterbodies and watercourses in the county are affected to some extent by point or diffuse sources of pollutants, notably nitrates and phosphates from agriculture. Point sources are usually discrete discharge points, such as wastewater treatment works (WwTW) outfalls, which are generally managed through specific consenting regimes that are independent of the Local Plan. Diffuse pollution is derived from a range of sources (e.g. agricultural run-off; road run-off) that cannot always be easily traced or quantified.

⁶⁷ Letter from NE to LPA Chief Executives and Heads of Planning, 16 March 2022; Re. Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites.

- 4.1.41 Development promoted or supported by the Local Plan is likely to increase demand on wastewater treatment works and potentially increase non-agricultural run-off.
- 4.1.42 Sewerage and wastewater treatment for the CCC area is provided by Southern Water. Wastewater from the CCC area is treated at 7 wastewater treatment works (WwTW):
- Canterbury WwTW;
 - Chatham WwTW;
 - Dambridge WwTW;
 - Herne Bay WwTW;
 - Newnham Valley Preston WwTW;
 - Swalecliffe WwTW;
 - Westbere WwTW.
- 4.1.43 Drainage and Wastewater Management Plans (DWMP) set out how water companies intend to extend, improve and maintain a robust and resilient drainage and wastewater system. They will take a long-term view, setting out a planning period that is appropriate to the risks, covering a period of at least 2025 to 2050. Southern Water has consulted on an initial DWMP setting out draft proposals to address identified drainage and wastewater risks in the area.⁶⁸
- 4.1.44 Run-off from impermeable surfaces can have considerable effects on waterbodies and watercourses, and is a notable issue in both urban and rural areas. Development has traditionally sought to capture and divert rain and run-off to the nearest watercourse or treatment facility as quickly as possible, and extensive drainage networks have been developed to facilitate this. However, as developed areas have increased so have the total volumes and flow rates of run-off. This has two principal effects: firstly, impermeable surfaces provide very little resistance to the mobilisation and transport of pollutants within run-off; and secondly, flow rates and volumes often exceed the capacity of the receiving drains or watercourses, causing localised flooding or the operation of combined sewer overflows (CSOs)⁶⁹. The effect of run-off from developed areas can be mitigated or reduced by the use of Sustainable Drainage Systems (SuDS) and by increasing the area of permeable surfaces (both natural and artificial) within developed areas. These measures offer effective attenuation by reducing the volumes of surface run-off. They also increase the retention of pollutants and, in the case of some SuDS, can allow for treatment of pollutants.
- 4.1.45 With regard to European sites, the principal water quality concerns relate to the Stodmarsh SAC/SPA/Ramsar sites, which have been identified as sites where ‘nutrient neutrality’ is required for developments within the catchment i.e. that developments can only proceed if they can demonstrate a zero net increase in nutrient levels within the catchments of the affected sites⁷⁰. However, it should also be recognised that the water quality effects of the Local Plan are ultimately either controlled by existing consents

⁶⁸ Current risks in the Stour catchment are outlined here: <https://www.southernwater.co.uk/dwmp/stour-catchment/problem-characterisation-stour>

⁶⁹ All sewerage pipes have a certain capacity, determined by the size of the pipe and the receiving water treatment works. At times of high rainfall, this capacity can be exceeded, with the risk of uncontrolled bursts. CSOs provide a mechanism to prevent this, by allowing untreated sewerage to mix with surface water run-off when certain volumes are exceeded. This is then discharged to the nearest watercourse.

⁷⁰ Natural England (2022) Nutrient Neutrality: A summary guide and frequently asked questions. Available online <http://publications.naturalengland.org.uk/publication/6248597523005440>

regimes (which must undergo HRA) or have diffuse ‘in combination’ effects that are difficult to quantify, and so the HRA process typically aims to ensure that suitable mitigating policy that will minimise the impacts of plan-supported development on water quality generally is provided.

Table 4.6 Summary of European site issues in relation to water quality

Site	Notes	Screen in?
Blean Complex SAC	Oak-hornbeam forests are not considered to be water-resource sensitive features and therefore will not be affected by increased residential development within the CCC area.	No
Stodmarsh Ramsar / SAC/ SPA	Natural England May 2020 advice states that best available up-to-date evidence is that some of the designated site units are in unfavourable condition due to existing levels of nutrients (both P and N). Stodmarsh is a site for which achieving ‘nutrient neutrality’ has been advocated by NE.	Yes
Tankerton Slopes and Swalecliffe SAC	The feature is not water resource-sensitive (the food plant, hog’s fennel, is a coastal plant favouring moist conditions) and the Draft Local Plan will have no effect on this aspect.	No
Thanet Coast & Sandwich Bay Ramsar /SPA	The Ramsar habitat could potentially affect some features of these sites (particularly the Ramsar habitats) through diffuse pollution and discharges from WTWs, and through direct run-off and other discharges.	Yes
Thanet Coast SAC	Some reef features are potentially sensitive to water quality changes, particularly if this results in eutrophication or smothering although the tidal fluxes attenuate local effects to some extent. Impacts from WwTW discharges are very unlikely (these enter the sea via long sea outfalls (LSOs) and so effects on this feature are only really possible from diffuse pollution or local point sources such as CSOs or unconsented discharges	No
Swale Ramsar/ SPA	The site is not hydrologically connected to the CCC area and so will not be affected by the outcomes of the Draft Local Plan. Water quality is not identified as a threat in the SIP.	No
Outer Thames Estuary SPA	The site receives discharges from the CCC area which may affect prey species, although this effect is not likely to be significant. Water quality effects associated with pollution from shipping could also affect the SPA. However, there are no likely effects from shipping as a result of the Draft Local Plan.	No
Wye and Crundale Downs SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Margate and Long Sands SAC	Not exposed to water quality changes associated with the plan with broad protective measures as employed.	No
Parkgate Down SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Lydden and Temple Ewell Downs SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Sandwich Bay SAC	The site is approximately 7.3km east of the CCC area but has a hydrological connection with the CCC area as it is a downstream receptor through the River Stour.	Yes

Site	Notes	Screen in?
Folkestone to Etchinghill Escarpment SAC	The feature is not water resource sensitive and has no hydrological connectivity with the CCC area.	No
Dover to Kingsdown Cliffs SAC	Not exposed to water quality changes associated with the plan.	No
Dungeness, Romney Marsh and Rye Bay SPA / Ramsar	Not exposed to water quality changes associated with the plan.	No
Medway Estuary and Marshes SPA / Ramsar	Not exposed to water quality changes associated with the plan.	No
Essex Estuaries SAC	Not exposed to water quality changes associated with the plan.	No
Foulness (Mid-Essex Coast Phase 5) Ramsar and SPA	Not exposed to water quality changes associated with the plan.	No
Thames Estuary and Marshes Ramsar and SPA	Not exposed to water quality changes associated with the plan.	No

Flooding/water level management

- 4.1.46 The implementation of the European Floods Directive (Directive 2007/60/EC) in England and Wales is being co-ordinated with the Water Framework Directive. Catchment Flood Management Plans (prepared by the EA), Shoreline Management Plans (prepared by coastal local authorities and the EA), River Basin District Flood Risk Management Plans (prepared by the EA) and Local Flood Risk Management Strategies set out long term policies for flood risk management. The delivery of the policies from these long-term plans will help to achieve the objectives of these plans and the RBMPs.
- 4.1.47 Development supported by the Draft Local Plan is unlikely to significantly alter regional flood risk levels, but may exacerbate the effects of local flooding. Run-off from impermeable surfaces can have considerable effects on waterbodies and watercourses, meaning that flow rates and volumes often exceed the capacity of the receiving drains or watercourses. This can lead to local water quality impacts on European sites. The effect of run-off from developed areas can be mitigated or reduced by the use of SuDS and by increasing the area of permeable surfaces (both natural and artificial) within developed areas. However, no European sites are considered to be exposed to potential changes in flood risk that may result from the Draft Local Plan.

Effects on functional habitats or species away from European Sites

- 4.1.48 The provisions of the Habitats Regulations ensure that ‘direct’ (encroachment) effects on European sites as a result of land use change (i.e. the partial or complete destruction of a European site) are extremely unlikely under normal circumstances, and this will not occur as a result of the Local Plan. However, many European interest features (particularly more mobile animal species) may use or be reliant on non-designated habitats outside of a European site during their life-cycle. Developments some distance from a European site can therefore have an effect on the site if its population of interest features is reliant on the habitats being affected by a development and sufficient numbers are exposed to the environmental changes. All of the above aspects (recreation, water resources, etc.) can therefore also affect European site integrity indirectly through effects on functional habitats outside of the designated site boundary.
- 4.1.49 With regard to the European sites within the study area, this is only a potential issue for the **Stodmarsh Ramsar and SPA** given Policy R12, which has been screened in for urbanisation. The qualifying feature of the SAC (Desmoulin’s whorl snail) will not be affected.

4.2 Screening of Local Plan Components

Review of Draft Site Allocations

- 4.2.1 The proposed allocation sites (housing, employment, retail, etc.) within the draft Local Plan have been reviewed to identify those which (if developed) could result in significant effects on a European site that are not obviously avoidable with the standard project-level measures that would be required to meet existing regulatory regimes. The assessment largely focuses on the identification of specific effects that might be associated with specific allocations (and which may therefore require the inclusion of allocation-specific mitigation within the plan) rather than the broader ‘quantum of development’ effects⁷¹. The risk of effects is obviously strongly dependent on how a particular development is implemented at the project stage and in most cases potential effects can be avoided using best-practice and standard scheme-level avoidance measures which do not necessarily need to be specified for each allocation.
- 4.2.2 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 (see **Appendix B**).
- 4.2.3 There are minor residual uncertainties related to allocation R12 Bread and Cheese Field, Hersden due its proximity to Stodmarsh SAC/SPA/Ramsar. These aspects are explored further in **Section 6**.

Review of Draft Policies in the Local Plan

- 4.2.4 When considering the likely effects of a policy, it is recognised that some policy ‘types’ cannot usually result in impacts on any European sites. Different guidance documents suggest various classification and referencing systems to help identify those policies that can be ‘screened out’ on that basis; the general characteristics of these policy types are summarised in **Table 4.7**.

⁷¹ Effects due to the overall quantum of development are essentially a within-plan ‘in combination’ effect and are considered in relation to specific European sites in Section 4.3.

Table 4.7 Policy ‘types’ that can usually be screened out

Broad Policy Type	Notes
General statements of policy / aspiration	The European Commission recognises* that plans or plan components that are general statements of policy or political aspirations cannot have significant effects; for example, general commitments to sustainable development. This may include policies that support development or other changes but which are too general (e.g. locations, scale, quantum etc. not specified below the geographical level of the plan) to allow any specific assessments of effects, provided that the type of development proposed is not such that significant effects would be unavoidable regardless of location etc.
General design / guidance criteria or policies that cannot lead to or trigger development	A general ‘criteria based’ policy expresses the tests or expectations of the plan-making body when it comes to consider proposals, or relates to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design; requirements for affordable homes; etc); however, policies with criteria relating to specific proposals or allocations should not be screened out.
External plans / projects	Plans or projects that are proposed by other plans or permissions regimes and which are referred to in the plan being assessed for completeness (for example, Highways Agency road schemes; specific waste development proposals promoted by a County Minerals and Waste Plan; DCO applications being advanced separately from the plan at hand); however, these would be considered as part of the plan-level ‘in combination’ assessment.
Environmental protection policies	Policies designed to protect the natural or built environment will not usually have significant or adverse effects (although they may often require modification if relied on to provide sufficient safeguards for other policies).
Policies which make provision for change but which could have no conceivable effect	Policies or proposals that cannot affect a European site (due to there being no impact pathways and hence no effect; for example, proposals for new cycle path several kilometres from the nearest European site; criteria for a development’s appearance; etc.) or which cannot undermine the conservation objectives, either alone or in combination, if impact pathways exist.

* EC, 2000, Managing Natura 2000 sites: the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC April 2000 at 4.3.2

4.2.5 It must be noted that it is inappropriate to uncritically apply a policy classification tool (as in **Table 4.7**) to all policies of a certain type. There will be some occasions when a policy or similar may have potentially significant effects, despite being of a ‘type’ that would normally be screened out. Moreover, many policies will have a number of elements to them which may meet different criteria.

4.2.6 The criteria in **Table 4.7** were applied to a review of the draft policies within the Local Plan to identify the following broad policy groups:

- **‘No effect’** policies: policies that will have ‘no effect’ (i.e. policies that, if included as drafted, self-evidently would not have any effect on a European site due to the type of policy or its operation; for example, a policy controlling town centre shop signage; a policy setting out sustainable development criteria that developments must meet). Note that ‘no effect’ policies cannot have in-combination effects.
- **‘No likely significant effect’** policies: policies where impact pathways exist but the effects will not be significant (alone or in-combination).
- **‘Likely significant effect’** policies: policies where the precise effects on European sites (either alone or in combination) are uncertain or significant, or where measures have been incorporated into the policy to mitigate potential effects, and hence require additional investigation (appropriate assessment). Note that further investigation will often demonstrate that there is no significant effect or allow the suitability of any incorporated mitigation measures to be confirmed.

- 4.2.7 Reflecting these policy groups, a colour coding system (see **Table 4.8**) has been used for the purposes of screening the Local Plan policies in **Appendix B**.

Table 4.8 Colour coding for screening of Local Plan policies

	No effect or no LSE – policy will not or cannot affect any European sites and can therefore be screened out (subject to a brief review of the final policy prior to adoption).
	Policies with mitigating/moderating elements that do not have significant effects but which are relied on (at least in part) to ensure that significant or significant adverse effects from specific pathways do not occur; these are examined through AA.
	Policies that have potential pathways for effects that require examination through appropriate assessment; note, this does not imply such policies will have adverse effects or even (potentially) significant effects; rather it is an assessment flag.

- 4.2.8 It should be noted that the inclusion of a policy in the 'yellow' category does not mean that significant effects are inevitable since in many instances the assessments reflect uncertainties that need to be explored through further analysis (and it would be possible to undertake an appropriate assessment stage and still conclude (following a further screening) that there will be no significant effects).
- 4.2.9 The review considers the policies collectively and individually, and so takes the non-specific cross-cutting protective policies within the plan into account although cross-cutting or overarching policies are not relied on where specific mitigation for specific effects is considered necessary for the policy (this is particularly relevant for policies that provide broad or non-specific support for development but which are screened out because they do not define or direct particular developments or activities; in these instances the plan's protective policies will form a key part of the overall decision-making process). The review also considers any internal tensions within the plan that may be relevant to HRA.
- 4.2.10 In summary, the vast majority of the planning policies contained in the draft Local Plan are categorised as 'no effect' or 'no significant effect' policies (see **Appendix B**). However, the policies in **Table 4.9** are explored further through appropriate assessment.

Table 4.9 Policy aspects requiring examination through appropriate assessment

Policies	Screening rationale
SS1 Environmental Strategy for the district	The policy sets out the strategic approach to the protection and enhancement of the environment, including indicating the range of open spaces to be provided, the protection of green and blue infrastructure, and the achievement of 20% biodiversity net gain. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to habitats which are intended to minimise effects on designated sites and which have therefore been considered as part of the appropriate assessment.
SS3 Development Strategy for the district	The policy will set the overall scale of housing and employment development to be provided within the period 2020 to 2045 and provides general criteria relating to the distribution of development and its location.
SS5 Infrastructure Strategy for the district	The policy sets out the strategic approach to the provision of infrastructure protection including the range of open spaces to be provided, and a reservoir at Broad Oak. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to habitats which are intended to minimise effects on designated sites and which have therefore been considered as part of the appropriate assessment.

Policies	Screening rationale
C2, C5-C23, (allocation specific policies)	Policies relate to specific allocations and their locations; these are unlikely to affect any sites alone but will contribute to 'in combination' effects.
C24 Land to the south of Sturry Road	Proposed strategic wetland. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements in relation to nutrient neutrality which are intended to minimise effects on Stodmarsh and which has therefore been considered as part of the appropriate assessment.
W2, W4-W10	Policies relate to specific allocations and their locations; these are unlikely to affect any sites alone but will contribute to 'in combination' effects.
HB4-HB10	Policies relate to specific allocations and their locations; these are unlikely to affect any sites alone but will contribute to 'in combination' effects.
R1-R11, R13-R25 (allocation specific policies)	Policies relate to specific allocations and their locations; these are unlikely to affect any sites alone but will contribute to 'in combination' effects.
R12 Bread and Cheese Field	The associated site allocation is c. 180m from Stodmarsh SAC/SPA/Ramsar. Potential LSE alone and 'in combination'.
R26 Broad Oak Reservoir and Country Park	Proposed allocation. The policy sets out criteria for development of the site. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements in relation to nutrient neutrality which may offset minimise effects on Stodmarsh and which has therefore been considered as part of the AA.
DS8 Business and Employment Areas	Support for employment in existing employment locations identified.
DS9 Education and associated development	The policy sets out general planning principles that will be applicable to the University of Kent campus.
DS14 Active and sustainable travel	The policy sets out the Council's intention to promote walking and cycling which is consistent with the Council's Movement Hierarchy. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to shifts from car use that may be relied on to minimise effects on air quality sensitive sites and which have therefore been considered as part of the appropriate assessment.
DS15 Highways and parking	The policy sets out general criteria for highways and parking provision. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to shifts from car use that may be relied on to minimise effects on air quality sensitive sites and which have therefore been considered as part of the appropriate assessment.
DS16 Air Quality	The policy sets out general criteria for the avoidance of pollution and protection of air quality. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to air quality and which are intended to minimise effects on designated sites and which have therefore been considered as part of the appropriate assessment.

Policies	Screening rationale
DS17 Habitats of international importance	<p>The policy requires new development which may have a significant effect on the ecological integrity of Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar to clearly demonstrate that any potential adverse effects are fully mitigated. The policy requires new residential development within the two identified Zones of Influence (Thanet Coast and Sandwich Bay SPA 7.2km and the Swale SPA 6km) to comply with the relevant Strategic Access Management and Monitoring Strategy or Strategies (SAMMs). The policy requires new development to not have an adverse effect on the integrity of Stodmarsh SAC/SPA/Ramsar site and requires applicants to comply with Nutrient Mitigation Strategies and to demonstrate that the requirements of the Habitats Regulations will be met, such as by applying the advice on Nutrient Neutrality issued by Natural England.</p> <p>Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to recreational pressure and which are intended to minimise effects on the European sites and which have therefore been considered as part of the appropriate assessment.</p>
DS21 Supporting biodiversity recovery	<p>The policy seeks to protect existing green and blue infrastructure and ensure that major development delivers new green infrastructure and non-major developments incorporate blue and green infrastructure proportionately. The policy requires a 20% biodiversity net gain plan to demonstrate how this will be achieved in new development. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / and which are intended to minimise effects which have therefore been considered as part of the appropriate assessment.</p>
DS23 The Blean Woodland Complex	<p>The policy seeks to protect the Blean Woodland Complex from harmful development and to secure enhancement of the landscape, ecology or setting of the Blean Complex. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / and which are intended to minimise effects on the Blean complex and which have therefore been considered as part of the appropriate assessment.</p>
DS24 Publicly accessible open space and sports	<p>The policy sets out standards for the provision of open space within new development. General statement of policy / General design / guidance criteria; no pathway for effects. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements which are intended to ensure appropriate open space provision that could minimise effects on recreation and which have therefore been considered as part of the AA.</p>
DM16 Water Pollution	<p>The policy seeks to protect water quality. The policy requires development to not compromise Water Framework Directive objectives and development to not have an adverse impact on water dependent protected sites or species. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to water discharges and which are intended to minimise effects on protected sites which have therefore been considered as part of the appropriate assessment.</p>

4.3 Screening Summary

4.3.1 In is anticipated (based on the available data and the plan as currently conceived) that a formal screening would conclude that there will be either no effects or no significant effects alone or in combination on the interest features of the following sites:

- Wye and Crundale Downs SAC;
- Margate and Long Sands SAC;

- Parkgate Down SAC;
- Folkestone to Etchinghill Escarpment SAC;
- Dover to Kingsdown Cliff SAC;
- Dungeness, Romney Marsh and Rye Bay sites;
- Medway Estuary and Marshes sites;
- Essex Estuaries SAC;
- Foulness (Mid-Essex Coast Phase 5) sites;
- Thames Estuary and Marshes sites.

4.3.2 The interest features of the following European sites may be exposed and sensitive to effects from the Draft Local Plan 'in combination' with other plans and programmes:

- Blean SAC (recreational pressure, air quality);
- Stodmarsh SAC/SPA and Ramsar (recreational pressure, urbanisation, water quality and nutrient neutrality);
- Tankerton Slopes and Swalecliffe SAC (recreational pressure);
- Swale SPA/Ramsar (recreational pressure);
- Thanet Coast & Sandwich Bay Ramsar SPA (Recreational pressure and water quality);
- Sandwich Bay SAC (recreational pressure);
- Lydden and Temple Ewell Downs SAC (air quality).

4.3.3 These potential effects are examined through more detailed 'appropriate assessments' (Sections 5 – 8) which provide indicative conclusions and identify potential data gaps (based on the available data and the plan as currently drafted).

5. Appropriate Assessment: Recreational Pressures - Blean Complex SAC, Stodmarsh SPA/Ramsar/SAC, Tankerton Slopes and Swalecliffe SAC, Swale SPA/Ramsar, Thanet Coast & Sandwich Bay Ramsar /SPA, Sandwich Bay SAC

5.1 Overview

- 5.1.1 The screening has indicated that the interest features of the **Blean Complex SAC, Stodmarsh SPA/SAC/Ramsar, Tankerton Slopes and Swalecliffe SAC, Thanet Coast & Sandwich Bay Ramsar /SPA, Sandwich Bay SAC** and **Swale SPA** may be vulnerable (i.e. exposed and sensitive) to environmental changes associated with the implementation of the Local Plan in relation to visitor pressure. Elements of these sites may also be vulnerable to other elements and will be covered in subsequent sections of this Report.

5.2 Summary of Pathway

- 5.2.1 Proposed development allocations in close proximity to a designated site can significantly increase the number of visits made to a site, as can population growth regionally. Most recreational activities with the potential to affect European sites are 'casual' and pursued opportunistically (e.g. walking, walking dogs, riding) rather than structured (e.g. organised group activities or trips to specific discrete attractions), which means that it can be difficult to quantify or predict either the uptake or the impacts of these activities on European sites and (ultimately) harder to control or manage effects.
- 5.2.2 Damage of habitats or disturbance of species due to recreational activities can be a significant problem at some sites, although the relationship is highly variable and depends on a range of factors including the habitats, the species, the time of year and the scale, type and predictability of disturbance.

5.3 Baseline

Blean Complex SAC

- 5.3.1 The Blean Complex SAC is designated for its oak-hornbeam woodland habitat, The SIP⁷² identifies air pollution as the only threat to site integrity (principally on relation to the oak-hornbeam forests). Natural England's Supplementary Advice⁷³ note indicates that existing

⁷² [141222FINALv1 Blean Complex.pdf](#)

⁷³ <http://publications.naturalengland.org.uk/publication/5635542456729600>

recreation is not currently a particular concern, due to the current access management and educational programme on this site. However, the woodland habitat is susceptible to disturbance from recreational activities, which result in compaction of soil, particularly around ancient and veteran trees and damage to woodland. The site is located north west of the city of Canterbury although there are no allocations within 500m.

Stodmarsh SPA/ Ramsar

- 5.3.2 The SPA and Ramsar site support qualifying wetland bird species, which are susceptible to impacts from recreational disturbance from activities, such as walking and dog walking. However, dogs are not allowed on the sign-posted 'Short Circuit Nature Trail' and the 'Nature Trail Extension'. Most of the site is managed as a National Nature Reserve (NNR) with stewardship agreements. The SIP⁷⁴ identifies several pressures and threats to site integrity, but recreational pressure is not one of these. Similarly, no issues in relation to recreational pressures are identified in the SSSI condition assessments.

Tankerton Slopes and Swalecliffe SAC

- 5.3.3 Tankerton Slopes and Swalecliffe SAC is a small site east of Whitstable. The SSSI unit that forms the SAC is in favourable condition but is heavily used by dog walkers and is vulnerable to under-management. The sites are sloped and contain tall grassland and hogs-fennel plants making them unfavourable and difficult for people to access, especially when compared with the well-maintained paths and amenity grassland adjacent to the site. The site is also actively managed by the Council.

Thanet Coast & Sandwich Bay Ramsar/SPA, Sandwich Bay SAC

- 5.3.4 The Thanet Coast and Sandwich Bay SPA follows the coast around the north-eastern tip of Kent. It consists of a long stretch of rocky shore, adjoining areas of estuary, sand dune, maritime grassland, saltmarsh and grazing marsh. The SPA is designated for three species: Golden Plover *Pluvialis apricaria* (non-breeding) Turnstone *Arenaria interpres* (non-breeding) and Little Tern *Sterna albifrons* (breeding). The Conservation Objectives include avoiding deterioration of their habitats and any significant disturbance. Recreational disturbance is recognised as a key threat to the Turnstone with reduction in numbers identified in 2013 and 2014 surveys⁷⁵. The SAC is designated for its sand dune habitats, which are sensitive to direct damage (trampling, erosion etc.) and localised eutrophication (e.g. associated with dog faeces).
- 5.3.5 The Strategic Access Management and Monitoring Strategy, in respect of the Thanet Coast and Sandwich Bay SPA (SAMMS),⁷⁶ considers the impacts of increases in recreation activities resulting from additional housing allocations on the Thanet Coast and Sandwich Bay SPA qualifying species and outlines monitoring and mitigation to reduce the recreation impact on qualifying species in particular the Turnstones. Implementation of the SAMMS included commission of surveys in 2019 which identify that Turnstone numbers remain low and further monitoring is recommended whilst visitor surveys are repeated once every five years.⁷⁷

⁷⁴ [SIP141030FINALv1.0 Stodmarsh.pdf](#)

⁷⁵ Thanet Coast Turnstone (*Arenaria interpres*) Monitoring January – February 2014 A Report to Natural England by Ian Hodgson On behalf of Sandwich Bay Bird Observatory Trust (SBBOT)

⁷⁶ Blackwood Bayne and Val Hyland (2014) Strategic Access Management and Monitoring Strategy 2014 – In respect of the Thanet Coast and Sandwich Bay SPA.

⁷⁷ Footprint Ecology (2019) Thanet Coast & Sandwich Bay SPA Bird and Visitor Surveys (January to February 2019).

Swale SPA and Ramsar

- 5.3.6 The Swale SPA and Ramsar site is designated for its breeding and overwintering wildfowl populations, important wetland and coastal habitats and their associated assemblages of plants and invertebrates. The Conservation Objectives for the site include avoiding the deterioration of the habitats of the qualifying features and the significant disturbance of those qualifying features. The Thames and Medway Estuaries, also internationally designated wildlife sites, lie close by. This flat open landscape of grazing marsh and intertidal mudflats stretching from the River Thames estuary in the west to the Swale Estuary in the east are together known as the North Kent Marshes. The estuaries are close to highly populated areas of Kent and recreation disturbance is an important issue.
- 5.3.7 The Swale SPA is recognised as being subject to recreational pressure and studies have shown recreational activities to cause disturbance impacts to birds. The declines in birds have been detected at the SPA level. The Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMMS)⁷⁸ has been prepared that to resolve disturbance issues to wintering birds on the North Kent Marshes focusing on the protected sites (Thames Estuary and Marshes SPA/Ramsar Site, Medway Estuary and Marshes SPA/Ramsar Site, and The Swale SPA/Ramsar Site) and their internationally important bird interest features. The SAMMS seeks to resolve disturbance issues for wintering birds.
- 5.3.8 Key elements within the SAMMS are:
- A North Kent Coast Dog Project;
 - Wardening/Visitor Engagement;
 - New Access Infrastructure;
 - Parking (Strategic Review and Changes to Parking);
 - Codes of Conduct;
 - Interpretation/signage;
 - Work with local club/group;
 - Refuge;
 - Enhancement of existing sites to create hub;
 - Enhancement to existing GI away from SPA;
 - Enforcement;
 - Monitoring.
- 5.3.9 The underpinning visitor studies found that 75% of recreational visitors to the North Kent coast originate from within 6km of the SPA and Ramsar Site. Existing Local Plan policies requirements for this with reference to proposals within the 6km zone of influence adhering to the requirements of the SAMMS and providing contributions.
- 5.3.10 The strategic mitigation measures outlined in the SAMMS are being delivered through the Bird Wise⁷⁹ project, which is a partnership of local authorities and conservation

⁷⁸ Footprint Ecology (2014) Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy

⁷⁹ <https://northkent.birdwise.org.uk/about/>

organisations in North Kent. The Bird Wise project has developed the North Kent Mitigation Strategy to develop the strategic approach to mitigating impacts.⁸⁰

5.4 Incorporated mitigation

5.4.1 The preparation of the strategic and cross boundary Thanet Coast and Sandwich Bay SPA SAMMS and the Thames, Medway and Swale Estuaries (North Kent) SAMMS to provides existing mitigation to ensure residential development within the zones of influence and require developer contributions for new dwellings built toward monitoring and management⁸¹. The SAMMS were agreed with Natural England and incorporated into Policy SP6 of the Adopted Local Plan.

5.4.2 The following policy measures in the Draft Local Plan embed the requirement to comply with the established SAMMS, which include mitigation measures and provision of open spaces, and additionally set out requirements for the provision of amenity/open space provision as a means to mitigate demand for recreation that affects designated sites:

- Policy SS1 Environmental Strategy for the district ensures that “*Provision is made for a range of new open spaces and sports and recreation facilities including a minimum of: 105.93ha of natural and semi natural open space; and 63.93ha of amenity open space (including green corridors); and 21.51ha of parks and gardens; and 440ha Broad Oak Reservoir Country Park; 50ha Womenswold Country Park.*”
- Policies C6- C9 in total provides 55ha of new publicly accessible open space within South West Canterbury site allocations. Policies C12 – C15 to provide 40.34ha of new publicly accessible open space.
- Policy DS17 – Habitats of international importance requires that: “Proposals for development (plan or project) which may have a significant adverse effect on the integrity of a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site, alone or in combination with other plans or projects, will not be permitted.

Where a plan or project’s effects on a SAC, SPA or Ramsar site, alone or in combination, cannot be screened out during Habitat Regulations Assessment, an Appropriate Assessment in line with the Habitats Regulations 2010 (as amended) will be required.

Any development (plan or project) considered likely to have a significant adverse effect on a SAC, SPA or Ramsar site will need early consultation with the council and any other appropriate statutory consultee or authority as to the likely impacts and to identify appropriate mitigation as necessary.”

“In the event that the council is unable to conclude that there will be no adverse effect on the integrity of any internationally designated site, the plan, or project will be refused unless the tests of no alternative sites and the imperative reasons of overriding public interest in accordance with Regulation 62 of the Habitats Regulations 2010 (as amended) are proven.”

“All proposals for new residential development within the two identified Zones of Influence (Thanet Coast and Sandwich Bay SPA 7.2km and the Swale SPA 6km) will

⁸⁰ Bird Wise North Kent Strategic Access for Management and Monitoring Scheme (SAMMS) Board (2018) North Kent Mitigation Strategy <https://northkent.birdwise.org.uk/wp-content/uploads/2018/02/Mitigation-Strategy.pdf>

⁸¹ The rates can be found here: <https://www.canterbury.gov.uk/planning-and-building/community-infrastructure-levy-and-planning-obligations/planning-obligations-for-development-affecting-special-protection-areas/>

be required to comply with the relevant Strategic Access Management and Monitoring Strategy or Strategies (SAMMs) in order to mitigate against the likely in-combination effects of increased recreational disturbance from new development on the overwintering bird populations for which Thanet Coast and Sandwich Bay SPA and the Swale SPA are designated.”

Additionally: “A financial contribution will be required in line with the tariff(s) towards the in-perpetuity Strategic Access Management and Monitoring Strategy or Strategies. This will be secured and collected via a S106 ahead of the commencement of the development.” Whilst it continues: “Developments for other uses that would increase recreational activity causing disturbance to qualifying species will be assessed on a case by case basis under the Habitat Regulations and may be required to make full or partial contributions towards one or both SAMMs if appropriate.”

- Policy DS21 Supporting biodiversity recovery requires: for all major development “1e). That publicly accessible open space has been designed and integrated as part of the overall strategy, taking full advantage of the potential for multiple benefits including increased physical activity, enhanced play, wildlife, sustainable urban drainage, tree planting and landscape provision;... g) *That the fragmentation of existing and proposed habitats and open spaces, within and adjacent to the site, has been avoided by maintaining, creating, extending or enhancing ecological networks, green corridors, and Public Rights of Way. These connections should be managed over the long term as natural havens for wildlife and, where appropriate, multifunctional for leisure, amenity and recreational use supporting pedestrian and cycle movement.”*
- Policy DS24 – Publicly accessible open space and sports requires new housing and mixed use schemes “*to deliver the following quantum of each category of publicly accessible open space provision in accordance with the specified quantity standards”.*

Additionally, the policy requires: “As a minimum, development proposals should make appropriate space available to meet the quantity standards within the site as set out below: Developments of 7.5ha or greater will be required to provide all typologies in full within the site; Developments of between 3.5ha and 7.4ha will be required to provide all typologies in full within the site, except outdoor sports and allotments; Developments of less than 3.4ha and flatted schemes will be expected to provide green corridors and, where appropriate, amenity green space within the site only. Where the quantity standards are not met in full by open space provision within the site, the council will secure appropriate financial contributions towards qualitative improvements to existing off-site open spaces, and on-going maintenance, to ensure the impact of the development is fully mitigated. The council has prepared an Open Spaces Calculator to help applicants quantify such contributions.”

Additionally it requires that “Proposals for development for more than 300 homes will be required, for the total on-site open space provision, to: Obtain the relevant designation (either Town / Village Green, Fields in Trust or Local Nature Reserve) for the open space from the relevant body; and Transfer the freehold ownership of the open space to the council (or to the Parish Council); and Establish an endowment fund to cover the on-going management and maintenance of the open space in perpetuity.”

5.5 Assessment

- 5.5.1 The Draft Local Plan includes a range of policies that seek to either provide open space or ensure open space is provided commensurate with new development, including specific requirements set out in allocation policies. The provision of alternative natural green space and green infrastructure represents an important aspect of mitigation for non-coastal European sites.

Thanet Coast & Sandwich Bay Ramsar/SPA, Sandwich Bay SAC

- 5.5.2 The Draft Local Plan includes the following policies and allocations for residential development that are within the 7.2km zone of influence of the Thanet Coast & Sandwich Bay Ramsar/SPA:
- Policy SS3 – Spatial Strategy;
 - Policy W2 – Whitstable Harbour;
 - Policy W4 – South Whitstable;
 - Policy W5 – Land at Brooklands Farm with approximately 1,300 new dwellings allocated;
 - Policy W6 – Land South of Thanet Way with approximately 270 new dwellings allocated;
 - Policy W7 – Land at Golden Hill with approximately 120 new dwellings allocated;
 - Policy W8 – Bodkin Farm with approximately 250 new dwellings allocated;
 - Policy W9 – St Vincent’s Centre with approximately 10 new dwellings allocated;
 - Policy W10 – 37 Kingsdown Park with approximately seven new dwellings allocated;
 - Policy R3 – Blean;
 - Policy R4 – Land at Mill Field with approximately 36 new dwellings allocated;
 - Policy HB4 – Land to the west of Thornden Wood Road with approximately 150 new dwellings allocated;
 - Policy HB5 – Land comprising nursery industrial units and former Kent Ambulance Station with approximately 40 new dwellings allocated.
 - Policy HB8 – Altira with approximately 70 new dwellings allocated;
 - Policy HB9 – Former metric site with approximately 12 new dwellings allocated;
 - Policy HB10 – Eddington Business Park with a limited amount of residential development supported although primarily an employment development;
 - Policy R11 – Hersden
 - Policy R12 – Bread and Cheese Field with approximately 150 new dwellings allocated;
 - Policy R13 – Land at Hersden with approximately 18 new dwellings allocated
 - Policy R17 – Sturry
 - Policy R18 – Land north of Popes Lane with approximately 110 new dwellings;
 - Policy R24 – Land at Goose Farm, Shalloak Road with approximately 26 new dwellings allocated;
 - Policy R25 – Land fronting Mayton Lane with approximately 8 new dwellings allocated
 - Policy R27 – Land at Church Farm with approximately 17 new dwellings allocated
- 5.5.3 New development for residential linked with these policies will be required to contribute to the Strategic Access Management and Monitoring Strategy (SAMMS) in respect of the Thanet Coast and Sandwich Bay SPA. The mechanism is through the provision of developer contributions via S.106 agreements. The mitigation required by the SAMM

provides for a range of mitigation and avoidance strategies that ensure that no there are adverse effects on the integrity of the designated sites from new residential development in the Canterbury area. Policy DS17 goes further and requires that “*Developments for other uses that would increase recreational activity causing disturbance to qualifying species will be assessed on a case by case basis under the Habitat Regulations and may be required to make full or partial contributions towards one or both SAMMs if appropriate.*”

- 5.5.4 Public access to the SAC dune systems is limited by the number of public footpaths and the presence of private golf clubs, which ensure that there are access restrictions. The growth of Canterbury will likely increase visitor numbers to the site, although it is likely that any increase will be relatively easily to manage since the dune habitats are not ‘access land’ under the Countryside and Rights of Way Act 2000, and the effects will generally be local to the existing ProWs and Permissive Paths; the absence of open access limits the exposure of the interest features to effects associated with visitor pressure. The requirement under Policy DS17 to comply with the SAMMS would ensure that wardening is provided which would help manage this site. Policies in the Draft Local Plan such as DS21 relating to green infrastructure and DS24 regarding open space provision will also help minimise additional pressures.
- 5.5.5 Therefore, at this stage it can be preliminarily concluded that the Draft Local Plan provides sufficient protective policy provisions, with additional wording, to ensure no adverse effects on the integrity of the Thanet Coast & Sandwich Bay Ramsar/SPA, Sandwich Bay SAC as a result of increased recreational pressure from new residential development stemming from the Draft Local Plan.

Swale SPA and Ramsar

- 5.5.6 The Draft Local Plan includes the following policies and allocations for residential development that are within the 6km zone of influence of the Swale SPA/Ramsar:
- Policy SS3 – Spatial Strategy;
 - Policy W2 – Whitstable Harbour;
 - Policy W4 – South Whitstable;
 - Policy W5 – Land at Brooklands Farm with approximately 1,300 new dwellings allocated;
 - Policy W6 – Land South of Thanet Way with approximately 270 new dwellings allocated;
 - Policy W7 – Land at Golden Hill with approximately 120 new dwellings allocated;
 - Policy W8 – Bodkin Farm with approximately 250 new dwellings allocated;
 - Policy W9 – St Vincent’s Centre with approximately 10 new dwellings allocated;
 - Policy W10 – 37 Kingsdown Park with approximately seven new dwellings allocated;
 - Policy R3 – Blean;
 - Policy R4 – Land at Mill Field with approximately 36 new dwellings allocated;
 - Policy HB4 – Land to the west of Thornden Wood Road with approximately 150 new dwellings allocated;
 - Policy HB5 – Land comprising nursery industrial units and former Kent Ambulance Station with approximately 40 new dwellings allocated.

- 5.5.7 New development for residential development linked with these policies will be required to contribute to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMMS) delivered through the Bird Wise North Kent Mitigation Strategy through Draft Local Plan Policy DS17 – Habitats of international importance. The mechanism is through the provision of developer contributions via S.106 agreements. The mitigation required by the SAMMS provides for a range of mitigation and avoidance strategies that ensure that there are no adverse effects on the integrity of the designated sites from new residential development in the Canterbury area. Policy DS17 goes further and requires that “*Developments for other uses that would increase recreational activity causing disturbance to qualifying species will be assessed on a case by case basis under the Habitat Regulations and may be required to make full or partial contributions towards one or both SAMMs if appropriate.*”
- 5.5.8 Therefore, at this stage it can be preliminarily concluded that the Draft Local Plan provides sufficient protective policy provisions to ensure no adverse effects on the integrity of the Swale SPA and Ramsar as a result of increased recreational pressure from new residential development stemming from the Draft Local Plan.

Stodmarsh SPA/SAC/Ramsar

- 5.5.9 Policy R12 identifies a site allocation at Bread and Cheese Field, Hersden. The site is c. 180m north of Stodmarsh. Visitor surveys undertaken in 2011 by the RSPB (reported in a HRA supporting planning permission for adjacent site submitted to the Council in 2022) found that the vast majority of visitors to Stodmarsh were occasional day visitors and those with particular interest in birds and wildlife, with no visitors living within 2km of the site⁸². Based on this evidence, proximity would not appear to be a key factor in visitor numbers. Additionally, the SAC designated feature (Desmoulin’s whorl snail *Vertigo moulinsiana*) is located in a part of the site that is inaccessible to visitors whilst other features (wetland) are within areas where strict visitor access is strictly controlled by designated paths.
- 5.5.10 The Policy measures included within R12 provide onsite open space, whilst other policies in the plan protect green infrastructure (DS17) and provide open space (DS21). Whilst broad draft policies require provision of open onsite provision from other site allocation policies. On this basis, it can be concluded at this preliminary stage, that the Draft Local Plan will have no adverse effects on the integrity of Stodmarsh SPA/Ramsar/SAC in relation to recreational pressure.

Blean Complex SAC and Tankerton Slopes and Swalecliffe SAC

- 5.5.11 These are well managed sites within the district, and recreational pressure is not identified as a threat to these sites. The provision of open space commensurate with planned growth and allocations will reduce any additional effects on these sites.
- 5.5.12 Policy DS21 will support green infrastructure provision whilst Policy DS24 will provide policy provisions to ensure open space, including natural and semi-natural open space, is provided commensurate with new development proposed, which will ensure broader open space needs linked to new development within the district will be met. Allocation policies include provision for the inclusion of open space with standards.
- 5.5.13 On this basis, it can be concluded at this preliminary stage, that the overall housing growth associated with the Draft Local Plan will have no adverse effects on the integrity of

⁸² RSPB (2011) North Kent Visitor Survey – Non-RSPB Site Report referenced in HRA supporting application ref: CA/22/01584 prepared by Aspect Ecology

the sites due to increased recreational pressure, alone or in combination, due to the mitigation provided by the Draft Local Plan policy framework

6. Appropriate Assessment: Urbanisation – Stodmarsh SPA/SAC/Ramsar

6.1 Overview

6.1.1 A potential significant effect has been identified for Stodmarsh SPA/SAC/Ramsar from urbanisation in relation to Policy R12 – Bread and Cheese Field which is allocated for approximately 150 new dwellings and located approximately 180m to the north of the Stodmarsh site boundary. Effects from recreational pressures and water quality are assessed in separate sections of this Report.

6.2 Summary of Pathway

6.2.1 Urbanisation can affect designated habitats through direct loss, the impacts of fly-tipping or vandalism, or through cat predation. Urbanisation effects are more likely when developments are within a few hundred metres of a designated site, whereas people will typically travel further for recreational purposes.

6.3 Baseline

6.3.1 Urbanisation is not identified as a pressure or threat to Stodmarsh site integrity. No specific non-designated areas of land outside the site boundary are identified as being functionally important to the maintenance of site integrity.

6.4 Incorporated Mitigation

6.4.1 The proposed Policy R12 explicit requires provision of open space incorporating “1.42ha of natural and semi- natural; (ii) 0.80ha of amenity green space (including green corridors); (iii) 0.28ha of parks and gardens; (iv) 0.20ha of play facilities including: (1) 0.09ha of fixed play areas with LAP and LEAP facilities; and (2) 0.11ha of NEAPs and destination play facilities. (v) 0.31ha of outdoor sports; and (vi) five allotment plots (0.13ha).”

6.5 Assessment

6.5.1 There would be no direct habitat loss of Stodmarsh under the site proposed in Policy R12 of the Draft Local Plan. The proposed site allocation is physically separated from the Stodmarsh site by a fenced railway line which runs to the south of the site along the entire boundary. Westbere WwTW is also present between the proposed site allocation and the Stodmarsh site.

6.5.2 A number of planning applications have granted to the east of the proposed allocation including a development of 250 houses and various other neighbourhood centre uses which is located along the railway boundary to Stodmarsh.⁸³ A HRA was undertaken for

⁸³ CA//16/00404 Hoplands Farm Island Road Hersden Westbere CT3 4HQ Outline planning application for a neighbourhood extension for the creation of up to 250 houses including affordable housing, neighbourhood centre (comprising Class A1 foodstore (400sq.m), Class D1 medical centre (380sq.m), Class D1 dentist (150sq.m), Class A1 pharmacy (150sq.m), Class D1 nursery (120sq.m) and Class A1 convenience retail (360sq.m)), commercial estate

that application. NE were satisfied with the mitigation included (including open space to the southern boundary). The application noted that “*given the spatial separation of the Proposed Development from the SPA/Ramsar, the partial barrier formed to movement of cats by the railway line (which is fully fenced, together with an electrified rail present along the majority of its length), the low proportion of habitat within the SPA/Ramsar likely to be at risk of cat predation and the distribution and vulnerability of specific interest species within Stodmarsh, it is considered that the Proposed Development is unlikely to result in significant adverse effects on SPA/Ramsar species as a result of cat predation.*”⁸⁴ Additionally, NE confirmed that it was satisfied cat predation was not likely to have a significant adverse effect on SPA bird interest.⁸⁵

- 6.5.3 At this stage, given the separation from the Stodmarsh sites, incorporated measures, the lack of presence of habitat and species that are likely to be at risk from cat predation, the barriers to movement between the site and Stodmarsh sites, a preliminary conclusion is that there will be no adverse effects on integrity in relation to urbanisation.

(comprising Class B1 business floorspace (up to 5572sq.m), Class D1 apprenticeship centre (616sq.m) and Class D1/D2 community building (up to 672sq.m)), parish parkland and associated access, parking, amenity space and landscaping. An numerous reserved matters applications.

⁸⁴ Quinn Estates and Invicta Properties Ltd Hoplands Farm, Westbere Environmental Statement: Volume 1, Main Text

⁸⁵ Aspect Ecology for Quinn Estates Ecological Baseline Assessment ES Appendix 11.1

7. Appropriate Assessment: Water Quality - Stodmarsh SAC/SPA Ramsar, Thanet Coast & Sandwich Bay Ramsar/SPA, Sandwich Bay SAC

7.1 Overview

7.1.1 The screening has indicated that the interest features of the Stodmarsh SPA, SAC and Ramsar and Thanet Coast & Sandwich Bay Ramsar /SPA, Sandwich Bay SAC and Swale SPA may be vulnerable (i.e. exposed and sensitive) to environmental changes associated with the implementation of the Local Plan in relation to water quality. With regards to Stodmarsh this is specifically with regard to the need for 'nutrient neutrality'.

7.2 Water Quality and Nutrient Neutrality

Summary of Pathway

7.2.1 Poor water quality due to nutrient enrichment from elevated nitrogen (N) and phosphorus (P) levels is one of the primary reasons for freshwater habitats and estuaries being in unfavourable condition. Typically, available P is the limiting factor on plant growth in freshwater aquatic systems (for which a significant source is treated wastewater), whereas in estuarine and marine systems available N is usually limiting (for which a significant source is agricultural run-off). The principal concern in relation to the Draft Local Plan is increased nutrient discharges from wastewater. NE has identified freshwater and estuarine European sites that it considers to be in unfavourable condition due to excessive nutrients⁸⁶; these include Stodmarsh SAC/SPA/Ramsar (N and P). As noted, the majority of the CCC area is within the catchment of the River Stour.

7.2.2 Water quality, particularly nutrient neutrality, has been a key issue during the plan development process. Whilst the current position reflects that outlined by NE in its March 2022 letter to Chief Planning Officers, there remains some uncertainty over the future approach to this aspect. However, the Ministerial Statement in July 2022⁸⁷ identifies that a new statutory duty will be placed on water and sewerage companies in England to upgrade wastewater treatment works to the highest technically achievable limits by 2030 in nutrient neutrality areas whilst funding will be available to support mitigation projects, including wetland creation. In consequence, it is likely that the requirements for any policy-based mitigation will alter prior to adoption of the final plan; the measures and assessment below therefore reflect the current iteration of the plan. In particular, there is a strong possibility that additional obligations will be imposed on water companies in relation to the treatment of wastewater in catchments affected by eutrophication, which would likely alter the delivery balance for nutrient neutrality (from developers to water companies).

⁸⁶ November 2020 "Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to Stodmarsh Designated Sites - For Local Planning Authorities"

Letter from NE to LPA Chief Executives and Heads of Planning, 16 March 2022; Re. Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites.

⁸⁷ <https://questions-statements.parliament.uk/written-statements/detail/2022-07-20/hcws258>

7.3 Baseline

Stodmarsh SAC/SPA/Ramsar

- 7.3.1 The SSSI unit underpinning the SPA, Ramsar and SAC are in ‘favourable’, ‘unfavourable recovering’ and ‘unfavourable - No change’ condition. The NE 2020⁸⁸ advice states that best available up-to-date evidence has identified that some of the designated site units are in unfavourable condition due to existing levels of nutrients (both P and N) and are therefore at risk from additional nutrient inputs. Several of the nature reserve lakes at Stodmarsh are in a state of eutrophication (an unfavourable conservation status).
- 7.3.2 CCC⁸⁹ has identified five WwTWs that treat sewerage from the area that discharge to the River Stour catchment:
- Canterbury (Sturry) WwTW;
 - Herne Bay (Great Stour) WwTW;⁹⁰
 - Westbere WwTW;
 - Chartham WwTW; and
 - Newnham Valley Preston WwTW.
- 7.3.3 All WwTW have discharge Dry Weather Flow (DWF) permits. The DWMP Baseline Risk and Vulnerability Assessment (BRAVA) identifies a there is a risk of DWF permits being exceeded at Canterbury, Herne Bay, Newnham Valley Preston and Chartham. potential existing risk of discharges from overflow at Herne Bay WwTW.
- 7.3.4 In addition, the Stour catchment is susceptible to diffuse agricultural pollution. However, modelling of source apportionment shows that the majority of the phosphorus load at permit is from WwTWs whilst urban diffuse pollution in the catchment is larger than the total combined phosphorus loading from farming sources.⁹¹
- 7.3.5 The catchments of interest in the Canterbury area are the Lower Stour, the Little Stour and Wingham, as well as part of the Stour Marshes (Sarre Penn and River Wantsum).

Thanet Coast & Sandwich Bay Ramsar/SPA, Sandwich Bay SAC

- 7.3.6 The SPA and Ramsar supports qualifying bird species, whilst the SAC supports sand dune habitats which are reliant on coastal and estuarine habitat. Some of the non-avian Ramsar features are associated with the lower reaches of the Great Stour, and the nearby marshes. As noted previously, there is hydrological connectivity to the district and could be affected by proposed growth within the district. The SSSI underpinning the SPA, SAC and Ramsar site is in ‘favourable’ condition; however, the SIP⁹² identifies several pressures including water pollution (insufficiently treated Sewage Treatment Works discharges).

⁸⁸ <https://www.ashford.gov.uk/media/13dgnfyu/stodmarsh-nutrient-neutral-methodology-november-2020.pdf>

⁸⁹ [Stodmarsh and Water Quality](#)

⁹⁰ The advice doesn't restrict new development on some sites in the villages to the south and east of Herne Bay.

⁹¹ <https://www.ashford.gov.uk/media/13dgnfyu/stodmarsh-nutrient-neutral-methodology-november-2020.pdf>

⁹² [SIP141008FINALv0.1 North East Kent \(Thanet\) \(2\).pdf](#)

7.4 Incorporated Mitigation

- 7.4.1 The provision of wastewater treatment capacity in the Stour catchments is a statutory obligation on Southern Water, and it is required to comply with all relevant discharge consents. Southern Water are preparing a DWMP that will seek to address identified issues and risks. The Local Plan contributes to the wastewater treatment planning process by providing certainty for Southern Water (through the allocations process) but does not (and cannot) directly influence or control Southern Water's plans for service delivery.
- 7.4.2 The Draft Local Plan adopts a policy-led mitigation approach to this aspect, to ensure that this potential issue is appropriately considered at the site level when developments are bought forward.
- 7.4.3 However, the Draft Local Plan does also set out a range of mitigation measures that go beyond policy-led mitigation to address water quality and nutrient neutrality. This includes identification of a requirement to deliver onsite WwTW for a range of allocations in the Canterbury and rural area and the safeguarding of land for strategic wetland to mitigate the residual P and N generated by development within this plan as part of the, following the outcomes of the Canterbury District Nutrient Mitigation Strategy.
- 7.4.4 The Draft Local Plan policies that are designed to prevent or moderate impacts on receptors due to changes in water quality include the following:
- Policies C6; C7; C12; C13; R15; : these policies require the provision of onsite wastewater treatment facilities with associated large sites.
 - Policy C14: Requires the associated site to connect to one of the new onsite wastewater treatment facilities being provided on C12 or C13.
 - Policy C24 - Land to the south of Sturry Road: Sets out provision for strategic wetland immediately upstream of the Stodmarsh wetland.
 - Policy R26 - Broad Oak Reservoir and Country Park: The policy sets out requirements for 77ha reservoir with country park facilities.
 - Policy DS6 – Sustainable design: requires that *“To maximise water efficiency of new residential development in the district: For proposals for ten or more homes the water systems should be designed to achieve a per capita consumption of 90 litres per person per day; and For smaller proposals designs should aim to achieve a per capita consumption of 90 litres per person per day. In all cases they must meet 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); and Proposals should demonstrate how the design will be achieved using the methodology set out in the Building Regulations, with the design performance presented as part of the Sustainability Statement.”*
 - Policy DS17 - Habitats of international importance: sets out requirements *“Proposed development for new overnight accommodation within the Stour Catchment, or where sewage from a development will be treated at a Wastewater Treatment Works that discharges into the River Stour or its tributaries will need to ensure that it will not have an adverse effect on the integrity of Stodmarsh SAC/SPA/Ramsar site.*
- Applicants will be required to comply with the relevant Nutrient Mitigation Strategies and to demonstrate that the requirements of the Habitats Regulations will be met, such as by applying the advice on Nutrient Neutrality issued by Natural England:*
- *A) Proposals for more than 300 homes must provide high quality on-site wastewater treatment facilities with permit levels no greater than 0.1mg/l for P and 15mg/l for N,*

together with an on-site SUDS design which removes a minimum of 50% of P and N from the surface water;

- *B) Proposals for between 150 and 300 homes must examine all available opportunities for integrating high quality on-site wastewater treatment facilities within the site to minimise the levels of P and N associated with foul water from the site. These developments must integrate an on-site SUDS design which removes a minimum of 50% of P and N from the surface water;*
- *C) All other developments must integrate an on-site SUDS design which removes a minimum of 50% of P and N from the surface water;*
- *D) All developments should examine opportunities to connect sewerage infrastructure to existing or planned high quality on-site wastewater treatment facilities within the locality;*
- *E) The council will apply (a) and (b) flexibly where the proposal is for redevelopment or regeneration of a wholly brownfield site.*

In addition to the allocated wetland at Policy C24, land is safeguarded for the delivery of strategic wetlands to mitigate the residual P and N generated by development within this plan as part of the Canterbury District Nutrient Mitigation Strategy. Any proposals which would prejudice the delivery of wetlands within the safeguarded area, as identified on the Policies Map, will be refused.

The council will work with its partners including Natural England and the Environment Agency to develop and implement a mitigation credits scheme to enable development to proceed while ensuring no adverse impact on the integrity of Stodmarsh SAC/SPA/Ramsar site."

- *Policy DS20 – Flood risk and sustainable drainage: this requires that "All proposals for development should include identified drainage provision suitable for the proposal and its location, taking account of advice and guidance from Kent County Council, the Lead Local Flood Authority. All proposals should integrate sustainable drainage systems (SuDs), incorporating naturalistic solutions into the design and soft landscaping of the development."*
- *Policy DM15 - Sustainable drainage: This requires that proposals have "a) achieved to the City Council's stipulated greenfield runoff rates, mimic natural flows and drainage pathways and ensure that surface water run-off is managed as close to its source as possible. In exceptional circumstances, evidence will be required to justify why the stipulated greenfield runoff rates cannot be achieved and that appropriate measures have been undertaken to achieve as close as possible... g) Ensured that there is adequate treatment of surface water flows, such that there is no diminution in quality of any receiving watercourse;... j) Considered and, where appropriate, provided multiple benefits, such as providing or enhancing wetland habitat, biodiversity, landscapes, and improving amenity, access, open space and water quality."*
- *Policy DM16 - Water Pollution: this requires that "Any new development should not compromise Water Framework Directive objectives, and will ensure that the water environment does not deteriorate, both during construction and during the lifetime of the development." And that "Development will not be permitted where it would: Prejudice the quality or quantity of surface or groundwater; or Have an adverse impact on groundwater protection zones or drinking water safeguard zones; or Have an adverse impact on water dependent protected sites or species."*

7.5 Assessment

Stodmarsh

- 7.5.1 As noted, the issues for Stodmarsh relate to achieving nutrient neutrality. The July 2022 Ministerial Statement⁹³ stated that mitigation accredited through the Nutrient Mitigation Scheme with funding available to pump prime mitigation projects, including wetland. The Council has developed a Stodmarsh Draft Nutrient Mitigation Strategy⁹⁴ which explores the potential means to mitigate increases in nutrient loading from new development including nutrients contained in surface water runoff and an increase in wastewater flows to any of the WwTW in the Stour catchment. The Strategy employs the NE Nutrient Budget Calculator⁹⁵ and associated guidance⁹⁶ for the Stour Management Catchment. The nutrient budget has been calculated on the existing allocations and anticipated housing allocations under the emerging Local Plan. The Strategy sets out a nutrient budget for the entire district as follows:
- A total increase in nutrient loading has been calculated as 2,920kg of Phosphorus (P) and 22,055kg of Nitrogen(N). The Strategy includes a range of mitigation onsite measures:
 - ▶ Foul water treatment for large development sites onsite;
 - ▶ Surface water treatment (SuDS).
- 7.5.2 Following the implementation of these measures the combined residual overall, nutrient budget to year 2045 at 10,558kgN and 1,177kgP. There is also potential for offsetting from other projects. This includes retrofitting of existing housing stock. The strategy identifies the Broad Oak Reservoir (identified in the South East Water WRMP19 and allocated in Policy R26) as another way of potentially reducing the nutrient load in the downstream catchment. The strategy identifies an estimate of nutrient reductions as 145kg TP/year and 5,617kg TN/year.
- 7.5.3 The Strategy also identifies the potential use of strategic wetland to offset the nutrient budget. Draft Local Plan Policy C24 includes land safeguarded for wetland (although below the overall nutrient reduction requirement identified in the Draft Nutrient Management Strategy). This has been developed to mitigate any increases in nutrient loading from new development including nutrients contained in surface water runoff and an increase in wastewater flows to any of the WwTW in the Stour catchment.
- 7.5.4 The Strategy note on a preliminary analysis with the current permit limit (2.0mg/l of TP) suggests 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.
- 7.5.5 The Strategy notes that future upgrades to Southern Water WwTWs will reduce the nutrient budget, through lowering of the Total Phosphorus (TP) permit limit. Southern Water have identified the investment requirements for each catchment and for Canterbury WwTW recognise the need for investment to address nutrient neutrality⁹⁷. Further analysis will be required as the Draft Local Plan progresses, including considerations on the

⁹³ <https://questions-statements.parliament.uk/written-statements/detail/2022-07-20/hcws258>

⁹⁴ Water Environment Ltd (2022) Draft Stodmarsh Nutrient Mitigation Strategy Canterbury

⁹⁵ Natural England Nutrient Neutrality Budget Calculator – Stodmarsh SAC and Ramsar

⁹⁶ Natural England Nutrient Budget Calculator Guidance Document – Stodmarsh SAC and Ramsar – Issue 1 v1 March 2022

⁹⁷ Southern Water DWMP <https://www.southernwater.co.uk/media/4258/stour-wastewater-systems.pdf>

outcomes of the Water Industry National Environment Programme (WINEP) study, when this is reported.

- 7.5.6 The effects of run-off from developed areas can be mitigated or reduced by the use of Sustainable Drainage Systems (SuDS) and by increasing the area of permeable surfaces (both natural and artificial) within developed areas. These measures are included within the policy provisions of the plan (Policies DS20, DM15 and DM16).
- 7.5.7 In strict terms from an HRA perspective the incorporated mitigation is appropriate for effects that cannot be precisely determined at the Draft Local Plan level, since it prevents adverse effects occurring by requiring that developers to demonstrate nutrient neutrality (either through specific mitigation measures, or by demonstrating for smaller-scale schemes) that NE's conditions for discharging to ground can be met. It is also possible that some growth in this area will need to rely on strategic mitigation within the catchment for which 'nutrient credits' can be purchased, and so it may be appropriate for the plan to demonstrate that this is achievable (particularly in relation to P, as offsetting this is through (for example) agricultural conversion is substantially more challenging than it is for N).
- 7.5.8 Therefore, whilst further and additional assessment is required with regards to achieving nutrient neutrality for the Local Plan and its HRA, the currently available evidence suggests that nutrient neutrality is achievable for the quantum of development proposed within the Stour catchment using the standard measures accepted by NE. A provisional conclusion at this stage is that there will be no adverse effects on integrity.

Thanet Coast and Sandwich Bay SPA and Ramsar and Sandwich Bay SAC

- 7.5.9 Some of the non-avian Ramsar features are associated with the lower reaches of the Great Stour, and the nearby marshes. With Development promoted or supported by the Local Plan is likely to increase demand on WwTW, and potentially increase run-off which could indirectly affect some European sites. The provision of WwTW is the responsibility of Southern Water. The provision of Draft Local Plan incorporated measures include a range of measures alongside this, to reduce the water that will enter WwTW (Policy DS6) through the application of water efficiency measures to achieve 90 litres per person per day.
- 7.5.10 Additionally, Policy DS20: Flood Risk and Sustainable Drainage is in place to ensure that flood risk is managed responsibly and sustainably and to minimise the risk of flooding from surface water run-off through the provision of measures, such as Sustainable Urban Drainage Systems (SuDS). Policy DM15: Sustainable Drainage would provide further detailed requirements for provision of SuDS whilst Policy DM16: Water Pollution would ensure development avoids adverse impact on the integrity of water dependent protected sites or species.
- 7.5.11 Thus, the policies ensure that there is in-built mitigation in the Draft Local Plan to protect these European sites from impacts arising from water quality.

8. Appropriate Assessment – Atmospheric pollution Blean Complex SAC and Lydden and Temple Ewell SAC

8.1 Overview

8.1.1 The screening has indicated that the interest features of the Blean Complex SAC and Lydden and Temple Ewell SAC may be vulnerable (i.e. exposed and sensitive) to environmental changes associated with the implementation of the Local Plan in relation to atmospheric pollution.

8.2 Summary of Pathway

8.2.1 The Local Plan proposals may indirectly contribute to local air pollution and wider diffuse pollution. In practice, the principal source of air pollution associated with the Local Plan will be related to changing patterns of vehicle use due to the promotion of new development (since the Local Plan does not provide for any new significant point-sources).

8.2.2 Highways England's *Design Manual for Roads and Bridges* (DMRB) sets out an approach for assessing the effect of emissions from specific road schemes on designated sites; this suggests that a quantitative air quality assessment may be required if a European site is within 200m of an affected road and the predicted change in annual average daily traffic (AADT) is over 1,000.

8.2.3 This approach has some limitations when considering the effects of a Local Plan (rather than a specific road scheme) although in the absence of any other specific guidance or thresholds it has typically been applied to main roads⁹⁸ within 200m of a European site, with case law⁹⁹ indicating that changes in AADT on particular roads should be determined 'in combination' with other plans and projects.

8.2.4 At this stage further modelling is required to identify the likely AADT increases associated with the Local Plan. The Council has undertaken modelling of the transport using VISUM¹⁰⁰ and air quality within the context of the Air Quality Management Areas (AQMA) within the District. This shows improvements to air quality associated with the Canterbury AQMA. Given the need for further modelling two locations have been preliminary screened in for assessment

- A290 near the Blean Complex;

⁹⁸ i.e. trunk roads, A-roads and most B-roads. Changes in the number of vehicles using minor roads in the region will be too small to meaningfully assess using the industry standard approaches to AADT modelling that can be applied at the strategy-level (i.e. without substantial additional data collection including field monitoring at specific locations – this may be appropriate for a specific development or allocation but not for traffic-growth generally).

⁹⁹ *Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority* [2017] EWHC 351.

¹⁰⁰ Jacobs for Kent County Council (2022) Canterbury Local Plan Canterbury Local Plan – Preferred Strategic Growth Local Plan Option

- A2 within 200m of the Lydden.

Baseline

Blean Complex SAC

- 8.2.5 The Blean Woods Complex SAC is sensitive to Nitrogen deposition. The SAC is closely related to the A290 at three points, Ellenden Wood at Pean Hill and Church Wood at Blean Common and Tile Kiln Hill. Overall, approximately 1.1 % of the SAC area is within 200m of an 'A' or 'B' road, although this figure includes East Blean Woods, which is not within 200m of an affected road. The following Church Woods, Blean SSSI units (which overlap the SAC) are within 200m of the A290:
- Unit 1 – A290 lies within 180m to the east;
 - Unit 7 – A290 lies within 110m to the east;
 - Unit 10- A290 lies within 145 m to the east;
 - Unit 11 – A290 lies within 60m to the east.
- 8.2.6 The following Ellenden Wood SSSI units are within 200m of the A290:
- Unit 4 – A290 within 30m to the east;
 - Unit 5 – A290 within 70m to the east.
- 8.2.7 The SAC site as a whole is generally classed as being in favourable condition, based on condition monitoring assessments of the SSSI units. Small areas are unfavourable recovering, due to encroachment of *Rhododendron ponticum*.
- 8.2.8 Information on the air quality baseline for the site can be obtained from the Air Pollution Information Service (APIS) in the absence of site-specific monitoring data. The APIS Nitrogen critical load and critical level data for the site habitats are provided in **Tables 8.1**, although it should be noted that APIS uses proxies for some habitats and does not always provide critical loads for habitats where available-N is not a limiting factor (e.g. most lowland aquatic systems). **Table 8.2** sets out the NOx for the constituent SSSIs.

Table 8.1 Summary of N-deposition and critical loads for Blean Complex SAC, based on APIS

SAC Habitat	APIS Broad Habitat Class	Critical Loads (kg N/ha/yr)	Current N-deposition (kg N/ha/yr)		
			Max	Min	Mean
Sub-Atlantic and medio-European oak or oak-hornbeam forests of the Carpinion betuli	Meso- and eutrophic Quercus woodland	15-20	30.4	28.6	29.8

Table 8.2 Summary of NO_x concentrations and critical levels for constituent SSSIs, based on APIS

SSSI site	APIS Broad Habitat Class	Critical Levels (µg/m ³)	Current NO _x concentration (µg/m ³)		
			Max	Min	Mean
Church Woods	Broad-leaved, mixed and yew woodland (Quercus spp.-Betula spp.-Deschampsia flexuosa woodland) Broad-leaved, mixed and yew woodland (Quercus robur - Pteridium aquilinum - Rubus fruticosus woodland)	30 (annual); 75 (24hr)	13.81	10.97	11.39
Ellenden Wood	Broad-leaved, mixed and yew woodland (Quercus spp.-Betula spp.-Deschampsia flexuosa woodland) Broad-leaved, mixed and yew woodland (Quercus robur - Pteridium aquilinum - Rubus fruticosus woodland)	30 (annual); 75 (24hr)	13.57	11.05	11.53
East Woods	Broad-leaved, mixed and yew woodland (Quercus spp.-Betula spp.-Deschampsia flexuosa woodland) Broad-leaved, mixed and yew woodland (Quercus robur - Pteridium aquilinum - Rubus fruticosus woodland)	30 (annual); 75 (24hr)	12.19	10.98	11.07

8.2.9 The exceedance of the identified critical load for Nitrogen means, when applying the precautionary principle, that there may already be an impact on the favourable status of the SAC in the future. The Blean Complex SAC components are currently identified as being mainly in favourable status, despite a significant critical load exceedance. This may be because of a delayed response to nitrogen deposition or may be because its status may still be judged as favourable despite some impacts of nitrogen.

Lydden and Temple Ewell Downs SAC

8.2.10 The SAC supports calcareous grassland. Sections of the SAC lies within 200m of the A2 between Canterbury and Dover. This qualifying habitat is susceptible to atmospheric deposition of nitrogen associated with vehicular emissions. The following SSSI units that comprise the SAC are located as follows:

- Unit 1 – A2 lies within 170m to the north;
- Unit 2 – A2 lies within 190m to the east;
- Unit 5 – the A2 lies 100m to the north-east of the SAC.

8.2.11 The APIS critical load and critical level data for the site habitats are provided in **Tables 8.3 and 8.4**,

Table 8.3 Summary of N-deposition and critical loads for Lydden and Temple Ewell Downs SAC, based on APIS

SAC Habitat	APIS Broad Habitat Class	Critical Loads (kg N/ha/yr)	Current N-deposition (kg N/ha/yr)		
			Max	Min	Mean
Calcareous grassland	Sub-atlantic semi-dry calcareous grassland	15-25	15.7	14.9	15.2

Table 8.4 Summary of NO_x concentrations and critical levels for Lydden and Temple Ewell Downs SAC, based on APIS

SAC Habitat	APIS Broad Habitat Class	Critical Levels (µg/m ³)	Current NO _x concentration (µg/m ³)		
			Max	Min	Mean
Calcareous grassland	Sub-atlantic semi-dry calcareous grassland	30 (annual); 75 (24hr)	12.09	11.03	11.54

8.3 Incorporated Mitigation

8.3.1 The potential for effects on European sites due to air quality is difficult for a Local Plan to specifically mitigate, since the decision to travel by car outside the LPA area is typically made in the context of regional and national travel conditions rather than local provision of sustainable travel options. However, the promotion of sustainable transport is woven throughout the Draft Local Plan, particularly via the following policies:

- Policy SS4 - Movement and Transportation Strategy for the district: States that *“Working with partners, including Kent County Council, the council will deliver a comprehensive programme of sustainable transport infrastructure measures to improve neighbourhoods, accommodate new growth and to facilitate a significant shift to low carbon and active travel journeys, particularly for short trips.”*

Additionally: “New development should be designed to help improve the air quality of the district as a whole. Sustainable transport measures, such as the provision of electric charging infrastructure, shared transport initiatives, improved active travel connectivity as well as green infrastructure such as green roofs and walls, hedges and street trees will help to reduce air pollution and exposure in line with Policy DS16.”

- Policy DS13 - Movement Hierarchy: Requires that *“Proposals for new development should align with the council’s Movement Hierarchy which seeks to prioritise active and sustainable travel options in all new developments, to minimise additional trips made by private vehicle, contribute to improvements in air quality and carbon emissions and support active and healthy lifestyles.”*
- Policy DS14 - Active and sustainable travel: Requires that *“Proposals for development must demonstrate how they will maximise high quality walking and cycling connectivity both within the site and to local facilities, open spaces and public transport networks including bus and rail.”*
- Policy DS15 - Highways and parking: Requires that *“Proposals for development will be refused where: a.)The development design and transport strategy does not follow the Movement Hierarchy”.*
- Policy DS16 - Air Quality: Requires that *“Proposals for major development in the district will be required to undertake an emissions mitigation assessment and cost calculation in line with the council’s air quality guidance to demonstrate that the development will be air quality neutral and will not lead to a net increase in emissions.”*

Additionally, “Proposals for non-major development will be expected to show how emissions have been minimised through the design of the scheme.”

“Development which has an unacceptable impact on air quality, including sensitive receptors, will be refused.”

- Policy DS23 - The Blean Woodland Complex: Requires that *“Proposals for development that would result in the loss, deterioration or damage to the character, ecology and integrity of the Blean Complex will be refused.”* Whilst it continues: *“Proposals for development on land surrounding the Blean Complex, including from Clowes Wood south to the University Campus on Giles Lane, will need to ensure that development does not adversely affect the landscape, ecology or setting of the Blean Complex by virtue of its design, layout or scale.”*

8.3.2 These policy measures will help moderate the effects of the plan but will not necessarily mitigate or offset potential changes in air quality in their entirety.

8.4 Assessment

8.4.1 There is a need for some modelling information on the projected changes from NO_x deposition/N-deposition arising from development. The current Draft Local Plan policy wording supports sustainable transport and reduced emissions from vehicular traffic. As the Local Plan will be implemented the shift to zero and low emission vehicles can also be expected with the sale new diesel and petrol vehicles to be banned from 2030. It should be noted that the background rate of N-deposition from vehicles has been declining for some years and is expected to decrease substantially over the plan period with the shift to electric vehicles, based on the UK Air Quality Plan for Nitrogen Dioxide and government predictions¹⁰¹; incorporating allowances for expected background air quality improvements into any assessments is in accordance with IAQM guidance (IAQM 2020)¹⁰².

8.4.2 It should also be noted that concentrations and deposition of traffic-generated pollutants do not decline linearly with distance from the road; typically, air pollution levels fall sharply within the first 20 – 30m before declining more slowly with increased distance. For example, for example, recent air quality modelling by WSP (as Wood E&IS UK Ltd) of a new link road at an MoD establishment in the UK found that an AADT increase of ~7,000 increased nitrogen deposition by 0.21 kg N/ha/yr at the worst receptor point (at the immediate kerbside), and that by 25m from the road the increase in N-deposition was zero. Concentrations and deposition will also be affected by physical parameters, such as local topography or vegetation structure.

Blean Complex SAC

8.4.3 The Blean Complex SAC was subject to appropriate assessment for atmospheric pollution as part of the HRA of the 2017 Canterbury Local Plan. The allocations and proposals contained in the existing 2017 Canterbury District Local Plan were assessed as not having a likely significant effect on Blean Complex SAC¹⁰³. However, further air quality modelling is required for the Draft Local Plan to specifically inform a conclusion with regard to Blean

¹⁰¹ Air quality plan for nitrogen dioxide (NO₂) in UK (2017): <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>

¹⁰² This notes that *“To assume no improvement over a 15 or 20 year period, would effectively ignore the more stringent legal requirements for vehicle NO_x emission standards to be achieved under real world driving conditions, trends in new vehicle registrations and ongoing government and international initiatives to improve air quality through reductions in emissions”*

¹⁰³ Canterbury District Local Plan review Public Examination 2014 Topic Paper no 3 Habitat Regulations Issues sets out the assessment of air quality impacts.

Complex SAC. Therefore, at this stage, potential likely significant effects cannot be ruled out.

- 8.4.4 However, as noted above, given the Draft Local Plan policy measures and the ongoing broader national measures that will reduce emissions from transport (including a ban on new internal combustion engine cars from 2030) it is considered that, with further evidence and modelling, that a preliminary conclusion could be drawn of no adverse effects on the integrity of the site as the preparation of the plan proceeds.

Lydden and Temple Ewell Downs SAC

- 8.4.5 There are sections of the SAC that lie within 200m of the A2 between Dover and Canterbury. This comprises a total proportion of circa 2.5% of the SAC. Air quality modelling undertaken in neighbouring Dover District Council which supports their Local Plan HRA, as part of the Local Plan Regulation 19 Draft¹⁰⁴, leads to a conclusion of no adverse effect on integrity. Given that the Dover District is the most likely to generate in-combination effects with Canterbury this would suggest that there are likely to not be adverse effects. However, further transport and air quality modelling will be required to confirm the provisional conclusions.

¹⁰⁴ LUC for Dover District Council (2022) Dover District Council Dover District Local Plan (Reg 19) Habitats Regulations Assessment Final report

9. Summary and Conclusions

9.1 Summary

- 9.1.1 Canterbury City Council (The Council) is currently preparing a new Local Plan for the Canterbury City Council (CCC) area. Regulation 105 of the Habitats Regulations states that if a land-use plan is “(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects); and (b) is not directly connected with or necessary to the management of the site” then the plan-making authority must “...make an appropriate assessment of the implications for the site in view of that site’s conservation objectives” before the plan is given effect. The process by which Regulation 105 is met is known as HRA. An HRA determines whether there will be any ‘likely significant effects’ (LSE) on any European site as a result of a plan’s implementation (either on its own or ‘in combination’ with other plans or projects) and, if so, whether these effects will result in any adverse effects on the site’s integrity. The Council has a statutory duty to prepare the Local Plan and is therefore the Competent Authority for an HRA.
- 9.1.2 This ‘Regulation 18 HRA Report’ is intended to accompany the Draft Canterbury District Local Plan (2020-2045) (Regulation 18 consultation) and provide guidance on the HRA-related issues that will be relevant to both the plan development and the HRA; it provides an initial assessment of the Draft Local Plan based on the best currently available data, but as the Local Plan is still under development it is not intended to be, or replicate, a formal ‘HRA screening’; nor is it a ‘draft HRA’ or similar. It will ultimately (with additional data and assessment) form part of the ‘draft HRA’ that is submitted alongside the Regulation 19 version of the Local Plan but is primarily intended to assist the Council as it develops its plan and provide an opportunity for consultees to comment on HRA-related issues. Additional data collection is likely to be required prior to submission of the Local Plan for examination.
- 9.1.3 The HRA completed to date indicates that the vast majority of the Draft Local Plan policies and proposed site allocations will have ‘no effect’ (either alone or in combination) on any European sites, typically because either they are policy types that do not make provision for changes or because they relate to sites that are a considerable distance from the European sites (with no known pollutant or effect pathway).
- 9.1.4 An initial ‘screening’ exercise (recognising that ‘screening’ conclusions can only be formally reached for the final plan) indicated that the interest features of the following European sites may be exposed and sensitive to effects from the Local Plan Update ‘in combination’ with other plans and programmes:
- Blean Complex SAC;
 - Stodmarsh sites (SAC/SPA/Ramsar);
 - Tankerton Slopes and Swalecliffe SAC;
 - Thanet Coast and Sandwich Bay sites (SPA/Ramsar/SAC);
 - The Swale SPA and Ramsar;
 - Lydden and Temple Ewell Downs SAC.
- 9.1.5 Other sites within the study scope (sites within 20km and / or downstream from the CCC area) are unlikely to be exposed to potentially significant effects as a result of the plan.

9.1.6 The sites and aspects noted above have therefore been examined through an 'appropriate assessment' stage to ensure that proposals coming forward under the Local Plan either avoid affecting designated sites entirely (no significant effect) or will not adversely affect site integrity where potential effect pathways remain. Site integrity (in HRA terms) is "*the coherent sum of the site's ecological structure, function and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated*" (EC Guidance 'Managing Natura 2000' (2018)).

9.1.7 In summary:

- **Visitor/Recreational Pressures:** The screening has indicated that the interest features of Blean Complex SAC, Stodmarsh SPA/Ramsar/SAC, Tankerton Slopes and Swalecliffe SAC, Swale SPA/Ramsar, Thanet Coast & Sandwich Bay Ramsar /SPA, Sandwich Bay SAC may be vulnerable (i.e. exposed and sensitive) to environmental changes associated with increased visitor pressure. With regards, Swale SPA/Ramsar, Thanet Coast & Sandwich Bay Ramsar /SPA the Draft Local Plan references mitigation developed in relation to the relevant Strategic Access Management and Monitoring (SAMM) in Policy DS17; this reflects the best data currently available and is considered to be a fundamentally scalable approach that will allow a preliminary conclusion of 'no adverse effects' to be reached. Incorporated mitigation measures relating to open space are considered appropriate to reach a similar conclusion for the remaining sites.
- **Water quality:** The Council is committed to the nutrient neutrality requirements outlined by NE and have developed the Draft Nutrient Mitigation Strategy and included mitigating policies to ensure that developments are 'nutrient neutral' to ensure that adverse effects on Stodmarsh SAC/SPA and Ramsar do not occur. Southern Water also has statutory responsibilities in this regard. Further assessment is required for nutrient neutrality issues. The Council also includes measures to address water quality more broadly Thanet Coast and Sandwich Bay sites (SPA/Ramsar/SAC). These policy protections will be effective, although some additional evidence collection and further development of the Nutrient Mitigation Framework will be required as the plan preparation progresses.
- **Air Quality:** Development within the CCC and associated traffic growth will (in combination with other local plans) result in potentially significant increases in traffic (>1,000 AADT) at roads within 200m of the Blean Complex. Whilst the Draft Local Plan may contribute to increases on the A2 within Lydden and Temple Ewell Downs SAC. Additional modelling (traffic and potentially air quality) will be required to quantify this precisely. However, despite increased traffic volumes, over the plan period NOx concentrations and nitrogen deposition rates could be reasonably expected to decrease due to the anticipated reductions in vehicle emissions as the proportion of electric vehicles grows within the overall vehicle fleet, and traffic growth associated with local plans will not alter this trajectory substantively. It is recognised that the potential for effects on distant European sites due to air quality is difficult for a Local Plan to specifically mitigate, since the decision to travel by car outside the LPA area is typically made in the context of regional and national travel conditions rather than local provision of sustainable travel options; however, the mitigating policies included in the Draft Local Plan reflect mitigation advocated by NE for these effects, and are consistent with policies included in other local plans for LPAs near the relevant SACs.
- **Urbanisation:** Stodmarsh SAC/SPA/Ramsar was screened in for potentially effects of urbanisation related to the draft site allocation linked to draft policy R12. At this stage, given the separation from the Stodmarsh sites, incorporated measures, the low proportion of the site that is likely to be at risk from cat predation, the barriers to movement between the site and Stodmarsh sites, a preliminary conclusion is that there will be no likely significant effect in relation to urbanisation.

9.2 Conclusions

- 9.2.1 The HRA conclusions are necessarily preliminary, being dependent on the future development of the Local Plan and additional data collection. At this preliminary stage a conclusion of 'no adverse effects' could be reached for the Draft Local Plan. It will be necessary to review any further evidence and any changes that are made to the Local Plan at Regulation 19 and prior to adoption (and following additional data collection in relation to air quality and nutrient neutrality) in order to ensure that the HRA conclusions remain applicable.

Appendix A

European site terminology

Name	Abbreviation	Notes
Special Area of Conservation	SAC	Designated under the EU <i>Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora</i> , and implemented in the UK through the <i>Conservation of Habitats and Species Regulations 2017</i> , and the <i>Conservation (Natural Habitats, & c.) Regulations (Northern Ireland) 1995</i> (as amended).
Sites of Community Importance	SCI	Sites of Community Importance (SCIs) are sites that have been adopted by the European Commission but not yet formally designated by the government of each country. Although not formally designated they are nevertheless fully protected by <i>Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora</i> , the <i>Conservation of Habitats and Species Regulations 2017</i> , and the <i>Conservation (Natural Habitats, & c.) Regulations (Northern Ireland) 1995</i> (as amended).
Candidate SAC	cSAC	Candidate SACs (cSACs) are sites that have been submitted to the European Commission, but not yet formally adopted as SCIs. Although these sites are still undergoing designation and adoption they are still fully protected by <i>Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora</i> , the <i>Conservation of Habitats and Species Regulations 2017</i> and the <i>Conservation (Natural Habitats, & c.) Regulations (Northern Ireland) 1995</i> (as amended).
Possible SACs	pSAC	Sites that have been formally advised to UK Government, but not yet submitted to the European Commission. As a matter of policy the Governments in England, Scotland and Wales extend the same protection to these sites in respect of new development as that afforded to SACs.
Draft SACs	dSAC	Areas that have been formally advised to UK government as suitable for selection as SACs, but have not been formally approved by government as sites for public consultation. These are not protected (unless covered by some other designation) and it is likely that their existence will not be established through desk study except through direct contact with the relevant statutory authority; however, the statutory authority is likely to take into account the proposed reasons for designation when considering potential impacts on them.
Special Protection Area	SPA	Designated under <i>EU Council Directive 79/409/EEC on the Conservation of Wild Birds</i> (the 'old Wild Birds Directive') and <i>Directive 2009/147/EC on the Conservation of Wild Birds</i> (the 'new Wild Birds Directive', which repeals the 'old Wild Birds Directive'), and protected by Article 6 of <i>Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora</i> . These directives are implemented in the UK through the <i>Wildlife & Countryside Act 1981</i> (as amended), the <i>Conservation of Habitats and Species Regulations 2017</i> , the <i>Wildlife (Northern Ireland) Order 1985</i> , the <i>Nature Conservation and Amenity Lands (Northern Ireland) Order 1985</i> and <i>The Conservation (Natural Habitats, &C.) (Northern Ireland) Regulations 1995</i> (as amended) and the <i>Offshore Marine Conservation (Natural Habitats & c.) Regulations 2007</i> .
Potential SPA	pSPA	These are sites that are still undergoing designation and have not been designated by the Secretary of State; however, ECJ case law indicates that these sites are protected under Article 4(4) of <i>Directive 2009/147/EC</i> (which in theory provides a higher level of protection than the Habitats Directive, which does not apply until the sites are designated as SPAs), and as a matter of policy the Governments in England, Scotland and Wales extend the same protection to these sites in respect of new development as that afforded to SPAs, and they may be protected by some other designation (e.g. SSSI).

Name	Abbreviation	Notes
Ramsar		<p>The <i>Convention on Wetlands of International Importance especially as Waterfowl Habitat</i> (Ramsar Convention or Wetlands Convention) was adopted in Ramsar, Iran in February 1971. The UK ratified the Convention in 1976. In the UK Ramsar sites are generally underpinned by notification of these areas as Sites of Special Scientific Interest (SSSIs) (or Areas of Special Scientific Interest (ASSIs) in Northern Ireland). Ramsar sites therefore receive statutory protection under the <i>Wildlife & Countryside Act 1981</i> (as amended), and the <i>Nature Conservation and Amenity Lands (Northern Ireland) Order 1985</i>. However, as a matter of policy the Governments in England, Scotland and Wales extend the same protection to listed Ramsar sites in respect of new development as that afforded to SPAs and SACs.</p>

Appendix B

Summary of Assessment of Draft Policies

Key

■	No effect or no LSE – policy will not or cannot affect any European sites and can therefore be screened out (subject to a brief review of the final policy prior to adoption).
■	Policies with mitigating/moderating elements that do not have significant effects but which are relied on (at least in part) to ensure that significant or significant adverse effects from specific pathways do not occur; are examined through AA.
■	Policies that have potential pathways for effects that require examination through appropriate assessment; note, this does not imply such policies will have adverse effects or even (potentially) significant effects; rather it is an assessment flag.

Table 9.1 Spatial Strategy

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy SS1	Environmental Strategy for the district	No adverse effects	The policy sets out the strategic approach to the protection and enhancement of the environment, including indicating the range of open spaces to be provided, the protection of green and blue infrastructure, and the achievement of 20% biodiversity net gain. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to habitats which are intended to minimise effects on designated sites and which have therefore been considered as part of the AA.
Policy SS2	Sustainable Design Strategy for the district	No LSE	The policy sets out the strategic approach to ensuring sustainable communities within the district. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy SS3	Development Strategy for the district	Uncertain (i/c)	The policy will set the overall scale of housing and employment development to be provided within the period 2020 to 2045 and provides general criteria relating to the distribution of development and its location. There are 'in combination' issues in relation to nutrient neutrality, air quality and recreational pressure which are being examined through appropriate assessment.
Policy SS4	Movement and Transportation Strategy for the district	No LSE	The policy sets out overall approach to delivering movement and transport strategy and transport infrastructure improvements.
Policy SS5	Infrastructure Strategy for the district	No adverse effects	The policy sets out the strategic approach to the provision of infrastructure protection including the range of open spaces to be provided, and a reservoir at Broad Oak. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to habitats which are intended to minimise effects on designated sites and which have therefore been considered as part of the AA.

Table 9.2 Canterbury

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy C1	Canterbury City Centre Strategy	No LSE	The policy sets out objectives that development within City centre should be consistent with and criteria for development. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy C2	43 to 45 St George's Place	Uncertain (i/c)	Proposed allocation. The policy sets out criteria for development of the site. The examination of individual allocations is underway; however, none are likely to have adverse effects alone due to scale and location relative to the nearest European sites (except for R12 in relation to Stodmarsh); however, there are 'in combination' issues in relation to nutrient neutrality, air quality and recreational pressure which are being examined through appropriate assessment.
Policy C3	Canterbury City Centre Regeneration Opportunity Areas	No LSE	Proposes city centre regeneration areas which may come forward for regeneration and environmental improvement within plan period.
Policy C4	Canterbury Urban Area	No LSE	Proposes overall all approach to the Canterbury Urban Area which may come forward for regeneration and environmental improvement within plan period.
Policy C5	South West Canterbury	As C2	Proposed broad policy referencing allocation of development envisaged in C6-C10.
Policy C6	Land at Merton Park	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C7	Land to the North of Hollow Lane	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C8	Milton Manor House	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C9	Land to North of Cockerling Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C10	South West Canterbury Link Road	As C2	Proposed safeguarding of South west Link Road. The policy sets out criteria for development of the site.
Policy C11	East Canterbury	As C2	Proposed broad policy referencing allocation of development envisaged in C12-C16.
Policy C12	Land South of Littlebourne Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C13	Land south of Bekesbourne Lane	As C2	Proposed allocation. The policy sets out criteria for development of the site.

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy C14	Land north of Bekesbourne Lane at Hoath Farm	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C15	Canterbury Golf Course	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C16	Canterbury Eastern Movement Corridor	As C2	Proposed safeguarding of Eastern Movement Corridor. The policy sets out criteria for development of the site.
Policy C17	Becket House	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C18	Land at Station Road East	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C19	Land at the Former Chaucer Technology School	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C20	Land at Folly Farm	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C21	Land at Canterbury Business Park	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C22	Land on the eastern side of Shelford Landfill	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C23	Wincheap Commercial Area	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy C24	Land to the south of Sturry Road	No adverse effects	Proposed strategic wetland. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements in relation to nutrient neutrality which are intended to minimise effects on Stodmarsh and which has therefore been considered as part of the AA.
Policy C25	Canterbury Urban Area Regeneration Opportunity Areas	No LSE	Supports regeneration of areas within regeneration opportunity areas. Does not allocate development.
Policy C26	Land north of University of Kent	No LSE	Supports sensitive development but does not trigger development.

Table 9.3 Whitstable

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy W1	Whitstable Town Centre Strategy	No LSE	The policy sets out objectives that development within Whitstable town centre should be consistent with and criteria for development. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy W2	Whitstable Harbour	As C2	Proposed broad location. The policy sets out criteria for development of the site.
Policy W3	Whitstable Urban Area	No LSE	The policy sets out objectives that development within the Whitstable urban areas should be consistent with and criteria for development.
Policy W4	South Whitstable	As C2	Proposed broad policy referencing allocation of development envisaged in W5-W7.
Policy W5	Land at Brooklands Farm	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy W6	Land South of Thanet Way	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy W7	Land at Golden Hill	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy W8	Bodkin Farm	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy W9	St Vincent's Centre	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy W10	37 Kingsdown Park	As C2	Proposed allocation. The policy sets out criteria for development of the site.

Table 9.4 Herne Bay

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy HB1	Herne Bay Town Centre Strategy	No LSE	The policy sets out objectives that development within Whitstable town centre should be consistent with and criteria for development. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy HB2	Herne Bay Town Centre Regeneration Opportunity Areas	No LSE	Sets out broad areas for regeneration Herne Bay Town Centre.
Policy HB3	Herne Bay Urban Area	No LSE	The policy sets out objectives that development within the Whitstable urban areas should be consistent with and criteria for development.
Policy HB4	Land to the West of Thornden Wood Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy HB5	Land comprising Nursery Industrial Units and former Kent Ambulance Station	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy HB6	Hawthorn Corner	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy HB7	Former Gas Holder Site	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy HB8	Altira	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy HB9	Former Metric Site	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy HB10	Eddington Business Park	As C2	Proposed allocation. The policy sets out criteria for development of the site.

Table 9.5 Rural Areas

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy R1	Land at Cooting Farm	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R2	Rural Service Centres	As C2	Proposed broad policy referencing allocation of development envisaged in R3-R19.
Policy R3	Blean	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R4	Land at Mill Field	As C2	Proposed allocation. The policy sets out criteria for development of the site.

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy R5	Bridge	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R6	Great Pett Farmyard	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R7	Chartham	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R8	Land to the West of Rattington Street	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R9	Land at Ashford Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R10	Milton Manor Concrete Batching Plant	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R11	Hersden	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R12	Bread and Cheese Field	Uncertain	Proposed allocation. The policy sets out criteria for development of the site. The associated site is within 400m of the Stodmarsh SAC/SPA/Ramsar
Policy R13	Land at Hersden	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R14	Littlebourne	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R15	The Hill, Littlebourne	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R16	Land north of Court Hill	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R17	Sturry	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R18	Land North of Popes Lane	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R19	Land at The Paddocks, Shalloak Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R20	Aylesham South	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R21	Local Service Centres	As C2	Proposed broad policy referencing allocation of development envisaged in R22-R27.
Policy R22	Land west of Cooting Lane and south of Station Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy R23	Land adjacent to Valley Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R24	Land at Goose Farm, Shalloak Road	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R25	Land fronting Mayton Lane	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R26	Broad Oak Reservoir and Country Park	No adverse effects	Proposed allocation. The policy sets out criteria for development of the site. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements in relation to nutrient neutrality which may offset minimise effects on Stodmarsh and which has therefore been considered as part of the AA.
Policy R27	Land at Church Farm	As C2	Proposed allocation. The policy sets out criteria for development of the site.
Policy R28	Countryside	No LSE	The policy sets out the approach to the management of proposals for new housing, employment, community facilities and services within the countryside. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.

Table 9.6 District Wide Strategic Policies

LP policy ref.	LP Draft Policy Name	HRA Summary	Notes
Policy DS1	Affordable housing	No LSE	The policy sets out the requirements for affordable housing in terms of the overall level of provision, location within new development, and tenure. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DS2	Housing mix	No LSE	The policy sets out the requirements for housing mix and dwelling size and types. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DS3	Estate regeneration	No LSE	The policy supports regeneration of existing areas where they would result in a benefit to the local community, providing a mix of new homes and an improved local environment with to meet local needs.
Policy DS4	Rural housing	No LSE	Residential development designed to meet the identified housing needs of local people unable to meet their own needs in the housing market will be permitted on areas adjacent to Urban Area, Rural Service Centre or Local Service Centre on Rural

LP policy ref.	LP Draft Policy Name	HRA Summary	Notes
			Exception Sites and entry-level exception sites. The policy sets out criteria for relevant proposals. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DS5	Specialist housing provision	No LSE	The policy sets out criteria relating to the provision of specialist accommodation. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DS6	Sustainable design	No LSE	The policy sets out a range of requirements for qualifying new developments relating to sustainable design and construction.
Policy DS7	Infrastructure delivery	No LSE	The policy sets out the approach to the delivery of a wide range of infrastructure, including transport, utility services, community and health facilities. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DS8	Business and Employment Areas	Uncertain (i/c)	Support for employment in existing employment locations identified.
Policy DS9	Education and associated development	Uncertain (i/c)	The policy sets out general planning principles that will be applicable to the university of Kent campus.
Policy DS10	Town centres and community facilities	No LSE	The policy sets out general retail planning principles that will be applicable across the district. The policy sets out the hierarchy of centres within the district. The policy sets out criteria for managing development within centres and for managing proposals for proposals outside of town centres.
Policy DS11	Tourism development	No LSE	The policy sets out general criteria for proposals for tourism related uses in the district. General statement of policy / General design / guidance criteria; no pathway for effects.
Policy DS12	Rural economy	No LSE	The policy sets out general criteria for proposals for economic uses in the rural area. General statement of policy / General design / guidance criteria; no pathway for effects.
Policy DS13	Movement Hierarchy	No LSE	The policy sets out the Council's Movement Hierarchy to prioritise active and sustainable travel in new development. General statement of policy / General design / guidance criteria; no pathway for effects.
Policy DS14	Active and sustainable travel	No adverse effects	The policy sets out the Council's intention to promote walking and cycling which is consistent with the Council's Movement Hierarchy. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating'

LP policy ref.	LP Draft Policy Name	HRA Summary	Notes
			elements / criteria that would need to be met in relation to shifts from car use that may be relied on to minimise effects on air quality sensitive sites and which have therefore been considered as part of the AA.
Policy DS15	Highways and parking	No adverse effects	The policy sets out general criteria for highways and parking provision. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to shifts from car use that may be relied on to minimise effects on air quality sensitive sites and which have therefore been considered as part of the AA.
Policy DS16	Air Quality	No adverse effects	The policy sets out general criteria for the avoidance of pollution and protection of air quality. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to air quality and which are intended to minimise effects on designated sites and which have therefore been considered as part of the AA.
Policy DS17	Habitats of international importance	No adverse effects	<p>The policy requires new development which may have a significant effect on the ecological integrity of Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar to clearly demonstrate that any potential adverse effects are fully mitigated. The policy requires new residential development within the two identified Zones of Influence (Thanet Coast and Sandwich Bay SPA 7.2km and the Swale SPA 6km) to comply with the relevant Strategic Access Management and Monitoring Strategy or Strategies (SAMMs). The policy requires new development to not have an adverse effect on the integrity of Stodmarsh SAC/SPA/Ramsar site and requires applicants to comply with Nutrient Mitigation Strategies and to demonstrate that the requirements of the Habitats Regulations will be met, such as by applying the advice on Nutrient Neutrality issued by Natural England.</p> <p>Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to recreational pressure and which are intended to minimise effects on the European sites and which have therefore been considered as part of the AA.</p>
Policy DS18	Habitats and landscapes of national importance	No LSE	The policy seeks to avoid material harm to biodiversity and/or geodiversity or secure mitigation where this is not possible. The policy also protects the integrity of designated and proposed designated sites, including nationally designated sites. Protective policy.
Policy DS19	Habitats, landscapes and sites of local importance	No LSE	The policy sets out protection of local landscapes, sites and habitats of importance, including Green Gaps. Protective policy.

LP policy ref.	LP Draft Policy Name	HRA Summary	Notes
Policy DS20	Flood risk and sustainable drainage	No LSE	The policy sets out criteria for managing development within flood risk areas and attenuation of flood risk.
Policy DS21	Supporting biodiversity recovery	No adverse effects	The policy seeks to protect existing green and blue infrastructure and ensure that major development delivers new green infrastructure and non-major developments incorporate blue and green infrastructure proportionately. The policy requires a 20% biodiversity net gain plan to demonstrate how this will be achieved in new development. Protective policy; no pathway for effects. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / and which are intended to minimise effects which have therefore been considered as part of the AA.
Policy DS22	Landscape Character	No LSE	The policy sets out general criteria for the protection of landscape character. Safeguarding policy that cannot lead to or trigger development. General design / guidance criteria.
Policy DS23	The Blean Woodland Complex	No adverse effects	The policy seeks to protect the Blean Woodland Complex from harmful development and to secure enhancement of the landscape, ecology or setting of the Blean Complex. Protective policy; no pathway for effects. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / and which are intended to minimise effects on the Blean complex and which have therefore been considered as part of the AA.
Policy DS24	Publicly accessible open space and sports	No adverse effects	The policy sets out standards for the provision of open space within new development. General statement of policy / General design / guidance criteria; no pathway for effects. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria which are intended to ensure appropriate open space provision that could minimise effects and which have therefore been considered as part of the AA.
Policy DS25	Renewable energy and carbon sequestration	No LSE	The policy sets out criteria for proposals relating to renewable and low carbon energy generation and carbon sequestration. It does not allocate specific areas for such development.
Policy DS26	Historic environment and archaeology	No LSE	The policy sets out criteria for development affecting designated or non-designated heritage assets and/or their settings. General statement of policy / General design / guidance criteria; no pathway for effects.

Table 9.7 Development Management Policies

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy DM1	Conversion of existing rural buildings	No LSE	The policy sets out criteria relating to the conversion of existing rural buildings. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM2	Residential garden land	No LSE	The policy sets out criteria relating to the proposals for development of domestic gardens. General statement of policy / General design / guidance criteria; no pathway for effects.
Policy DM3	Housing in multiple occupation (HMOs)	No LSE	The policy sets out criteria relating to the HMOs. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM4	Reducing waste and supporting the circular economy	No LSE	The policy sets out criteria relating to waste generation from new development. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM5	Parking design	No LSE	The policy sets out criteria relating to parking provision. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM6	Extensions and alterations to existing buildings	No LSE	The policy sets out criteria relating to extensions and alteration to existing buildings. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM7	Health and Crime Impact Assessments	No LSE	The policy sets out criteria relating to undertaking health and crime assessments. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM8	Shopfronts	No LSE	The policy sets out criteria relating to the design of shopfronts. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM9	Advertisements	No LSE	The policy sets out criteria relating to control of advertisements. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM10	Residential annexes and ancillary accommodation	No LSE	The policy sets out criteria relating to the design of residential annexes and ancillary accommodation. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy DM11	Residential design	No LSE	The policy sets out criteria relating to the design of residential development. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM12	Non-residential design	No LSE	The policy sets out criteria relating to the design of non-residential development. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM13	Biomass technology	No LSE	The policy sets out criteria relating to biomass criteria. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM14	Flood risk	No LSE	The policy sets out criteria for managing development within flood risk areas and attenuation of flood risk. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM15	Sustainable drainage	No LSE	The policy sets out criteria for managing drainage development. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM16	Water Pollution	No adverse effects	<p>The policy seeks to protect water quality. The policy requires development to not compromise Water Framework Directive objectives and development to not have an adverse impact on water dependent protected sites or species.</p> <p>Protective policy; no pathway for effects. Strictly the policy is a 'no LSE' policy as it does not itself trigger development although the policy includes 'mitigating' elements / criteria that would need to be met in relation to water discharges and which are intended to minimise effects on protected sites which have therefore been considered as part of the AA.</p>
Policy DM17	Noise pollution and tranquillity	No LSE	The policy sets out criteria for integration of noise insulation and reducing noise pollution. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.
Policy DM18	Light pollution and dark skies	No LSE	The policy sets out criteria for light pollution and dark skies. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.

LP policy ref.	LP Policy Name	HRA Summary	Notes
Policy DM19	Contamination and unstable land	No LSE	The policy sets out criteria for development on sites which may have contamination. General statement of policy / General design / guidance criteria or policies that cannot lead to or trigger development.

Appendix C

'In Combination' Review of Plans

Table 9.7 Plans and programmes considered for potential 'in combination' effects with the Draft Canterbury District Local Plan at this preliminary stage

Plan	Summary	Preliminary Plan HRA conclusions*	Potential for i/c effects?	Notes / Assessment
Dover District Local Development Framework - Core Strategy (adopted February 2010)	Allocates a number of strategic sites and contains the Core Policies and Development Management Policies to guide the future development of the district to 2026.	No adverse effects	Yes	The Core Strategy HRA concludes that the Council has taken all possible steps to avoid an adverse effect on European sites as a result of the Submission version of the Core Strategy. With regard to the CCC plan, individual allocations in the CCC and DDC plans will not interact to affect European sites although they will both contribute to the overall quantum of development regionally which has the potential to significantly affect Lydden Downs and Ewell Temple SAC through 'in combination' effects on air quality. The CCC HRA at this preliminary stage demonstrates that there will be no adverse effects 'in combination'.
Dover District Local Development Framework - Land Allocations Plan (2015)	The Land Allocations Local Plan identifies and allocates specific sites for employment, retail and housing development to deliver the aims of the Core Strategy.	No adverse effects	Yes	As above.
Dover District Local Plan (In preparation)	The Local Plan will replace the Core Strategy and Land Allocations plan and set out strategic, site allocation and development management policies to meet and manage the District's housing, employment and other land use needs, as well as protect and conserve the District's natural, cultural and historic assets up to 2040. The draft Local Plan sets out a requirement for 10,998 homes to 2040.	In preparation; Reg 19 drafts of the HRA suggest 'No adverse effects'	Yes	The plan and its HRA are being prepared and is at Regulation 19 stage. The Regulation 19 Appropriate Assessment ruled out adverse effects on Stodmarsh SPA and Ramsar, Thanet Coast SAC, Blean Complex SAC in relation to recreational pressures. The AA also ruled out adverse effects on the integrity of Lydden and Temple Ewell Downs SAC in relation to air quality. The CCC HRA at this preliminary stage demonstrates that there will be no adverse effects 'in combination'.

Plan	Summary	Preliminary Plan HRA conclusions*	Potential for i/c effects?	Notes / Assessment
Thanet Local Plan (2020)	The Local Plan guides development and regeneration decisions and investment over the period 2018 to 2031. It seeks to deliver a minimum of 5,000 jobs across the District during the Plan period to 2031.	No adverse effects	Yes	The HRA screening found that significant effects on the Thanet Coast and Sandwich Bay SPA, Thanet Coast and Sandwich Bay Ramsar and (to a lesser extent) Sandwich Bay SAC could not be screened out due to recreation pressure on Thanet Coast and Sandwich Bay SPA and Thanet Coast and Sandwich Bay Ramsar. The HRA concluded that the Thanet Coast Strategic Access Management and Monitoring Plan (SAMM) will ensure the plan will not adversely affect site integrity. It concludes that there will be no adverse effects on any European sites as a result of the Thanet plan, alone or in combination. The CCC HRA at this preliminary stage demonstrates that there will be no adverse effects 'in combination'.
Swale Borough Publication Draft Local Plan (2017)	The draft Local Plan for the period 2022 to 2038 is currently under review. The adopted Local Plan set out the requirement for 14,966 dwellings in the period 2014-2031. The draft Local Plan sets out the requirement to allocate an additional 6,290 dwellings in the period 2022-2038.	No adverse effects	Yes	The Appropriate Assessment for the draft local plan concluded no adverse effect on the integrity of Swale SPA and Ramsar with regard to the requirement to comply with the Bird Wise North Kent SAMM and the requirement for site specific project HRAs for particular land allocations. The screening concluded no LSE on Blean Complex with regard to air quality. The CCC HRA at this preliminary stage demonstrates that there will be no adverse effects 'in combination'.
Ashford Local Plan (2019)	The Local Plan sets out the vision objectives and policies to support development up to 2030. The plan makes provision for 16,872 new dwellings between 2011 and 2030 and 63ha of employment land between 2014 and 2030.	No significant effects	Yes	The HRA report concludes that there will be no likely significant effects on the assessed European sites either alone or in combination and further appropriate assessment is not required.
Folkestone & Hythe Core Strategy Review (2022)	The Local Plan sets out the spatial vision, objectives, development strategy and a series of over-arching strategic policies that will guide the scale, location and type of development in the District until 2037. The Local Plan sets out a housing requirement of 13,284.	No significant effects	Yes	The HRA Appropriate Assessment considered found no adverse effects in relation to air pollution and recreational on Folkestone and Etchinghill Escarpment SAC, and in relation to recreational pressure and functional offsite loss on Dungeness SAC, SPA, or Ramsar.

Plan	Summary	Preliminary Plan HRA conclusions*	Potential for i/c effects?	Notes / Assessment
Southern Water Resources Management Plan	Water companies in England and Wales are required to produce a Water Resources Management Plan that sets out how they aim to maintain water supplies over a 25-year period. The Southern Water WRMP demonstrates how, in the medium to long term, it is intended to develop new resources, tackle leakage and use water sensibly through metering and water efficiency campaigns. The long term strategy is to increase the robustness of the water resources network to climate change. The plan is required to be updated every five years with the next update in 2024. Southern Water are currently engaging with customers and stakeholders as they prepare to update their plan for 2024.	No significant effect	No	Southern Water's WRMP for the next 25 years explicitly accounts for any reductions in abstraction that are required to safeguard European sites (see Section 3) and for the growth predicted by CCC and other LPAs in its forecasting. Therefore, the future water resource requirements of Canterbury are factored into the abstraction regime, such that they will not affect European sites (i.e. the growth provided for by the Canterbury Local Plan is in line with SW predictions and will not increase water resources pressure on any European sites, alone or in combination).
South East River Basin District: River Basin Management Plan.	A RBMP is a strategic plan which gives everyone concerned with the river basin district a measure of certainty about the future of water management in that district. It will include objectives for each water body and a summary of the programme of measures necessary to reach those objectives. The RBMP is a high level plan that identifies potential measures for river basin management but does not identify precisely where and how the programme of measures will be implemented.	No significant effect	No	The plans will be complementary and the policies within both plans do not create a scenario where there is insufficient flexibility at the project stage to allow significant effects to be avoided.
Local Transport Plan 4: Delivering Growth without Gridlock (2016-2031)	The LTP sets KCCs vision for its transport network and services.	No significant effects	No	The CCC reflects the transport plan; landscape or strategy-level effects will not occur; effects of individual projects will be prevented by policy controls within both documents.

Plan	Summary	Preliminary Plan HRA conclusions*	Potential for i/c effects?	Notes / Assessment
Kent Minerals and Waste Local Plan 2013-2030 (early partial review) (2020)	<p>Includes a spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development. The Local Plan sets out the long term Spatial Vision and Strategic Objectives for Kent's minerals and waste; the delivery strategy; two areas where strategic mineral and waste development is likely to occur; and the DM policies that will be used when the County Council makes decisions on planning applications; the framework to enable annual monitoring of the policies within the Plan.</p>	<p>No significant effects</p>	<p>No</p>	<p>The Minerals Plan HRA did not identify LSEs, alone or in combination with other plans or projects for any sites with the exception of effects on Dungeness, Romney Marsh & Rye Bay SPA & Ramsar site. "This AA has concluded that, as the Lydd Quarry and Allens Bank Extension site will not be allocated, there would be no residual adverse effects predicted on the conservation objectives of the features of any European sites, as a result of the KMSP, either alone or in-combination with any other plans or projects. In addition, the minor wording changes to the policies relating to Norwood Quarry Extension, as a result of the Early Partial Review, do not result in any changes to the conclusions of the initial HRA screening for the KMWLP." No likely significant effects possible.</p>

