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1 Introduction

Current Legislation

1.1 In October 2005, the European Court of Justice ruled that the UK had failed to correctly transpose the provisions of Articles 6(3) and (4) of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora – the Habitats Directive – into national law. Specifically, the UK had failed to ensure that land use plans are subject to Appropriate Assessment⁽ⁱ⁾ where they might have a significant effect on a Natura 2000 site (Special Areas of Conservation, SACs and Special Protection Areas, SPAs). It is Government policy (as described in Planning Policy Statement 9: Biodiversity & Geological Conservation) for sites designated under the Convention on Wetlands of International Importance (Ramsar sites) to be treated as having equivalent status to Natura 2000 sites. As such, Appropriate Assessments should also cover these sites.

1.2 The need for Habitat Regulations Assessment is set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by Regulation 48 of the Conservation (Natural Habitats &c) Regulations 1994 (as amended in 2007). The ultimate aim of HRA is to “maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest” (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status.

1.3 The Habitats Directive applies the precautionary principle to protected areas; plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. This is in contrast to the SEA Directive which does not prescribe how plan or programme proponents should respond to the findings of an environmental assessment; it simply says that the assessment findings (as documented in the ‘environmental report’) should be ‘taken into account’ during preparation of the plan or programme. In the case of the Habitats Directive, plans and projects may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

1.4 In order to ascertain whether or not site integrity will be affected, an HRA should be undertaken of the plan or project in question:

Box 1. The legislative basis for Habitat Regulations Assessment

Habitats Directive 1992 Article 6 (3) states that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives.”

Conservation (Natural Habitats &c. Regulations) 1994 (as amended)

Regulation 48 states that:

“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives”.

ⁱ The term Habitat Regulations Assessment (HRA) has also recently come into currency to describe the process and will be used for the remainder of this document.

1.5 Following the European Court ruling, the former Office of the Deputy Prime Minister (ODPM; now CLG) indicated that the regulations implementing the Habitats Directive in the UK would be amended to ensure that HRA explicitly applies to land use plans⁽ⁱⁱ⁾.

1.6 Planning Policy Statement (PPS) 9 states that Ramsar sites (wetlands of international importance) should receive the same protection as designated SACs and SPAs.

Scope and Objectives

1.7 Scott Wilson has been appointed by Dover District Council ("the Council") to assist in undertaking a Habitat Regulations Assessment (HRA) of the potential effects of the Local Development Framework Core Strategy and its Site Allocations DPD on the Natura 2000 network. The role of the Natura 2000 sites (SACs, SPAs, Ramsar) is to provide statutory protection for terrestrial and coastal sites that are of European and global importance as a result of habitats or species contained within them.

1.8 The LDF, alongside the Regional Spatial Strategy (RSS) for the South East, will supersede the current Local Plan (site allocations and generic development control policies) and Kent and Medway Structure Plan (strategic planning framework for the protection of the environment, major transport priorities, and the scale, pattern and broad location of new development including provision for new housing and major economic development across Kent and Medway).

1.9 The first stage of any Habitat Regulations Assessment is a Likely Significant Effect test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the project or plan, either alone or in combination with other relevant projects and plans, likely to result in a significant adverse effect upon European sites?"

1.10 If it can be demonstrated that significant effects on these sites are unlikely, no further assessment is required. The Likely Significant Effect Test is the primary purpose of this report. However, where significant effects cannot be ruled out as unlikely, these impacts are considered further and avoidance and mitigation approaches recommended (the rationale for this approach is set out in section 2.4, below).

1.11 Chapter 2 of this report explains the process by which the HRA has been carried out. Chapter 3 explores the relevant pathways of impact resulting from the issues and options in the Core Strategy and Site Allocation Documents. Chapter 4 summarises the Council's policies and spatial options as presented in these documents; these are listed in detail in Appendix 2.

1.12 Chapters 5-10 are organised on the basis of one chapter per European site, except where multiple sites overlap in a particular geographic area (e.g. Stodmarsh SAC, SPA and Ramsar sites). Each chapter begins with a consideration of the interest features and ecological condition of the site and environmental process essential to maintain site integrity. An assessment of the Core Strategy and Site Allocations Document in respect of each European site is then carried out and avoidance and mitigation strategies proposed where necessary. The key findings are summarised in Chapter 11: Conclusions.

ii The Government previously argued that HRA did not apply to development plans on the basis that "Development in this context does not include development plans, since the plan itself cannot authorize developments that would affect the site" (PPG9: Nature Conservation, 1994).

2 Methodology

Key Principles

2.1 This section sets out the basis of the methodology for the Habitat Regulations Assessment.

2.2 Scott Wilson has adhered to several key principles in developing the methodology – see Table 1.

Table 1. Key principles underpinning the proposed methodology

Principle	Rationale
Use existing information	We will use existing information to inform the assessment. This will include information gathered as part of the SA of the emerging LDF and information held by Natural England, the Environment Agency and others.
Consult with Natural England, the Environment Agency and other stakeholders	We will ensure continued consultation with both Natural England and the Environment Agency for the duration of the assessment. We will ensure that we utilise information held by them and others and take on board their comments on the assessment process and findings.
Ensure a proportionate assessment	We will ensure that the level of detail addressed in the assessment reflects the level of detail in the LDF (i.e. that the assessment is proportionate). With this in mind, the assessment will focus on information and impacts considered appropriate to the local level.
Keep the process simple as possible	We will endeavour to keep the process as simple as possible while ensuring an objective and rigorous assessment in compliance with the Habitats Directive and emerging best practice.
Work in effective partnership	We recognise that there is a lack of formal guidance for undertaking plan level AA. For this reason, it will be particularly important for us to work in partnership with key stakeholders including the Council itself, Natural England, the Environment Agency and others to ensure that the assessment builds on different ideas and has the necessary level of 'buy in'.
Ensure a clear audit trail	We will ensure that the AA process and findings are clearly documented in order to ensure a discernible audit trail.

2.3 It should be noted that there is little experience in applying HRA to the Local Development Framework. The approach that is being followed therefore reflects a combination of current HRA practice as this applies to individual projects coupled with emerging ideas and experience as to how HRA should best be applied to plans.

2.4 The essential elements of the methodology follow those adopted for the HRA of other land use plans, including the draft South East Plan. The level of detail of the assessment, whilst meeting the relevant requirements of the Habitats Regulations, should be 'appropriate' to the level of plan or project that it addresses (see Appendix 1 for a summary of this 'tiering' of assessment).

Screening (Likely Significant Effects)

2.5 The objective of the screening assessment is to determine whether the plan is likely to have a significant adverse effect upon a European site, or not.

2.6 Individual policies/measures within the Plan are evaluated in detail against the site's conservation objectives, considering the environmental conditions necessary to maintain the integrity of the European site.

2.7 If significant adverse effects are considered unlikely, the policy or site can be screened out of the assessment and considered no further. The steps involved are detailed in Box 2.

Box 2. The steps involved in screening an Appropriate Assessment

Screening
1. Make a decision as to whether there is any mechanism by which the plan can affect any European site by altering its environmental conditions, focussing on those sites within the administrative boundary or which may be linked to development within the boundary by a pathway.
2. Determine the reasons for the European designation of these sites.
3. Explore the environmental conditions required to maintain the integrity of the selected sites and become familiar with the current trends in these environmental processes.
4. Gain a full understanding of the Plan and its policies and consider each policy within the context of the environmental processes – could the policy lead to an impact on any identified process?
5. Decide if the identified impact is likely to lead to a significant effect.
6. Repeat for each policy and site allocation.
7. Identify other plans and projects that might affect these sites in combination with the Plan and decide whether there is likely to be a significant effect "in combination". In practice 'in combination' assessments are only really necessary if the plan element in question has been screened out when considered in isolation.

2.8 The Baseline Report (Scott Wilson, October 2007) considered points 1-3 (Box 2) and this Screening Report will develop points 4-7 from this based on the preferred options stage of the LDF.

Appropriate Assessment and mitigation stage

2.9 Figure 1 below outlines the stages of AA according to current draft CLG guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no likelihood of significant adverse effects is demonstrated to remain.

2.10 Project-related AA often requires bespoke survey work and novel data generation in order to accurately determine the significance of adverse effects. In other words, it needs to look beyond the risk of an effect to a justified prediction of the actual likely effect and to the development of avoidance or mitigation measures.

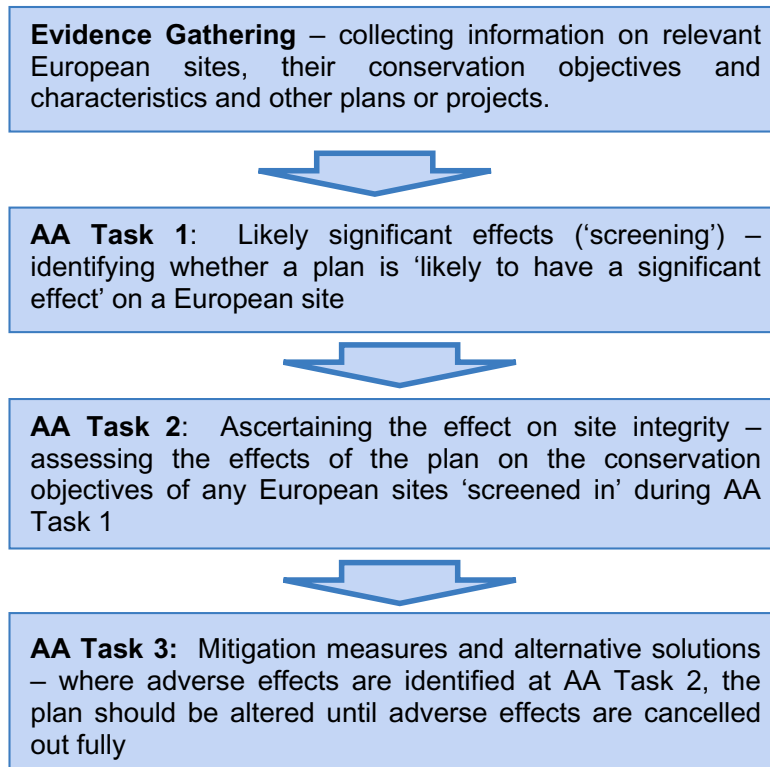


Figure 1: Four-Stage Approach to Habitat Regulations Assessment (Source: CLG, 2006)

2.11 The level of detail concerning developments that will be permitted under Core Strategies (and to an extent, knowledge concerning the sensitivities and vulnerabilities of European sites) is insufficient to make a detailed assessment of significance of effects, beyond the levels of risk identified in preceding sections either practical or reasonable. Therefore, we find it most productive to take a precautionary approach (in the absence of more precise data) and essentially combine AA Stages 2 and 3 of the CLG guidance, assuming that all those impacts identified as 'likely' are actual impacts that will require mitigation. The purpose of this section of the report will therefore be to try and incorporate measures in the development of Preferred Options that would enable the authority to be confident that the Core Strategy and Site Allocations DPD is unlikely to lead to significant adverse effects on European sites.

Confirming other plans and projects that may act in combination

2.12 It is neither practical nor necessary to assess the 'in combination' effects of the Core Strategy within the context of all other plans and projects within Kent. In practice therefore, in combination assessment is only really of relevance when the plan would otherwise be screened out because its individual contribution is inconsequential. For the purposes of this assessment, we have determined that, due to the nature of the identified impacts, the key other plans and projects relate to the additional housing and commercial/industrial allocations proposed for other Kent authorities over the lifetime of the Core Strategy.

2.13 Plans and projects relevant to the pathways identified in AA Task 1 have been identified in order to check whether the LDF could cause significant impacts upon European sites in combination with their policies or activities. Potential impacts of the LDF assessed in AA Task 1 and identified

pathways have been revisited according to this knowledge in order to identify any likely significant effects that may result in combination with the Core Strategy, especially those not previously considered to pose significant risk individually (see AA Task 1 below).

2.14 The South East Plan provides a good introduction to proposals for areas surrounding Dover.

2.15 For the purposes of this assessment, we have reviewed the following documents; other more technical reports and papers are referenced in the text as appropriate:

Author	Document	Relevant contents
Dover District Council (2007)	Core Strategy –Issues and Options	Development within District.
Dover District Council (2007)	Site Allocations Document	Sets out the specific areas for development
Scott Wilson (2007)	Sustainability Appraisal	Background Context
Folkestone and Dover Water (2006)	Strategic Direction Statement: Water for Our Future	Water supplies in the district
Environment Agency (2003)	Stour Catchment Abstraction Management Strategy	Understanding of existing hydrological conditions at Natura 2000 sites.
Kent County Council	Local Transport Plan for Kent 2006-2011	Transport schemes relevant to Dover district
Kent County Council	Vision for Kent (2006)	Community Strategy for Kent to 2026.
Dover District Council	Dover District Community Strategy: 2003-2010	Community Strategy for Dover
South East England Regional Assembly, 2006	The South East Plan. Draft plan for submission to Government. 2006	Housing figures for surrounding Authorities. Other local proposals. General development context for Southeast of England.
Scott Wilson / Levett-Therivel (2006)	Appropriate Assessment of the South East Plan	The Appropriate Assessment for the Regional Spatial Strategy
South East England Regional Assembly, 2006	Sustainability Appraisal of the South East Plan	The Sustainability Appraisal for the Regional Spatial Strategy
JNCC	Natura 2000 Data Sheets, Ramsar citations and component SSSI citations	Data concerning the interest features of European Sites
Kent County Council (2006)	Kent and Medway Structure Plan	Background information
Countryside Agency (2006)	England Leisure Day Visits – the Results of the 2005 Survey	This survey has been used to extract broad patterns of recreational use within England

3 Pathways of Impact

Introduction

3.1 One of the first necessary steps for Evidence Gathering is to develop a 'long list' of European sites potentially affected by the plan and this requires an understanding of the various ways in which land use plans can impact on European sites. Current guidance suggests that the following European sites be included in the long list:

- sites within the authority's boundary; and
- sites shown to be linked to development within the authority's boundary through a known 'pathway' (discussed below)

Briefly defined, pathways are routes by which a change in activity within Dover District can lead to an effect upon a European site. In terms of this second category of European site listed above, CLG guidance states that the AA should be 'proportionate to the geographical scope of the [plan policy]' and that 'an AA need not be done in any more detail, or using more resources, than is useful for its purpose' (CLG, 2006, p.6). As a result, the long list is inevitably limited to those Natura 2000 sites for which recommended mitigation or alternatives to LDF policy can contribute significantly towards the protection of those sites and their nature conservation objectives. The following pathways are likely to require consideration.

Urbanisation

3.2 This impact is closely related to recreational pressure, in that they both result from increased populations within close proximity to sensitive sites. Urbanisation is considered separately as the detail of the impacts is distinct from the trampling, disturbance and dog-fouling that result specifically from recreational activity. The list of urbanisation impacts can be extensive, but core impacts can be singled out:

- Increased fly-tipping - Rubbish tipping is unsightly but the principle adverse ecological effect of tipping is the introduction of invasive alien species with garden waste. Garden waste results in the introduction of invasive aliens precisely because it is the 'troublesome and over-exuberant' garden plants that are typically thrown out⁽ⁱⁱⁱ⁾. Alien species may also be introduced deliberately or may be bird-sown from local gardens.
- Cat predation. A survey performed in 1997 indicated that nine million British cats brought home 92 million prey items over a five-month period^(iv). A large proportion of domestic cats are found in urban situations, and increasing urbanisation is likely to lead to increased cat predation. Turner and Meister (1988) found that the mean range of cats was 371m although the maximum range was 1578m^(v).

3.3 Urbanisation effects are considered likely to derive mainly from development and to occur within close proximity of the site. When developing a delivery plan for the Thames Basin Heaths, Natural England identified 400 m from the SPA as the distance within which they felt no new development could be allowed because of the general 'urbanisation' effects (car dumping, noise, cats etc) that would be experienced by the SPA. However, this zone was calculated to relate to a specific European site – to allow for some uncertainty in applying this to other sites and in line with the precautionary

iii Gilbert, O. & Bevan, D. 1997. The effect of urbanisation on ancient woodlands. *British Wildlife* 8: 213-218.

iv Woods, M. et al. 2003. Predation of wildlife by domestic cats *Felis catus* in Great Britain. *Mammal Review* 33,2 174-188

v Turner, Dennis C.; Meister, Othmar. 1988. Hunting behaviour of the domestic cat. Chapter 9 in *THE DOMESTIC CAT: THE BIOLOGY OF ITS BEHAVIOUR* (D.C. Turner & P. Bateson (Eds). Cambridge: Cambridge University Press. pp. 111-121

principle, we have expanded that buffer to 500m. This does not mean that all sites will automatically be adversely affected by development situated within this zone, but does form a convenient indicator of when general urbanisation issues require consideration.

Recreational causes

3.4 All types of terrestrial European site, including woodlands, can be affected by trampling, which in turn causes soil compaction and erosion. Walkers with dogs contribute to pressure on sites through nutrient enrichment via dog fouling and also have potential to cause greater disturbance to fauna as dogs are less likely to keep to marked footpaths. Motorcycle scrambling and off-road vehicle use can cause more serious erosion, as well as disturbance to sensitive species.

3.5 All of the estuaries are extensively used for recreational activity by people from a wide-ranging catchment that includes the whole of Kent and also draw visitors from further afield. Activities of walkers (particularly dog walkers) and water-borne recreation can, if carried out in winter, have a significant disturbing effect upon wintering waterfowl thus increasing energetic expenditure (as birds have to take flight more frequently) and competition on the less disturbed mudflats^(vi).

3.6 The latest England Day Visits Survey^(vii) indicates that people typically travel:

- 10.8 miles (17.2 km) to visit a countryside site for the day;
- 11.3 miles (18.1 km) to visit a woodland site for the day; and
- 16 miles (25.5 km) to visit a coastal site for the day.

3.7 In all cases, more journeys were made by car than on foot. It should be noted that these are generalised figures; individual European sites may draw the majority of their visitors from a much smaller catchment (e.g. Thames Basin Heaths SPA, which draws 96% of its visitors from within 5 km^(viii)) or a much larger one (e.g. the New Forest SAC, for which 55% of visitors are holidaymakers rather than locals^(ix)).

3.8 There is currently an absence of accurate visitor information for specific European protected sites in the vicinity of Dover. The Kent Downs AONB is currently rated as having a 'high' level of visitors, but accurate figures are not known. However, if we take the England Day Visits data (which was based on a phone poll with 23,500 respondents) as broadly 'typical' of the distances that residents of Dover District may travel to visit European sites, this means that all of those sites within these distances could be affected by trampling or (in the case of Special Protection Areas) disturbance of sensitive wildlife as a result of the population increase in Dover District from the 10,000 new homes that is part of the Core Strategy preferred option. Therefore, LDF policies should seek to avoid loss of open space currently available for recreational use, and also provide access to sufficient open space to cope with the increase in residential capacity within the district.

Atmospheric pollution

3.9 Current levels of understanding of air quality effects on semi-natural habitats are not adequate to allow a rigorous assessment of the potential for adverse impacts on the integrity of key European sites.

3.10 The main pollutants of concern for European sites are oxides of nitrogen (NO_x), ammonia (NH₃) and sulphur dioxide (SO₂). NO_x can have a directly toxic effect upon vegetation. In addition, greater NO_x or ammonia concentrations within the atmosphere will lead to greater rates of nitrogen

vi West, A.D., et al. 2002. Predicting the impacts of disturbance on shorebird mortality using a behaviour-based model. *Biological Conservation* 106:3, 319-328

vii Various. 2006. England Leisure Visits: the Results of the 2005 Survey. Countryside Agency

viii Liley, D. et al. 2005. Visitor access patterns on the Thames Basin Heaths. English Nature Research Report, English Nature, Peterborough

ix Forestry Commission. 2005. New Forest Visitor Survey.

deposition to soils. An increase in the deposition of nitrogen from the atmosphere to soils is generally regarded to lead to an increase in soil fertility, which can have a serious deleterious effect on the quality of semi-natural, nitrogen-limited terrestrial habitats, such as the calcareous grasslands found within the district. Sulphur dioxide deposition can lead to acidification of calcareous or mesotrophic habitats and thus a change in their species composition away from calcicolous plant species and towards those which are more typical of acidic habitats.

3.11 Sulphur dioxide emissions are overwhelmingly influenced by the output of power stations and industrial processes that require the combustion of coal and oil. Ammonia emissions are dominated by agriculture, with some chemical processes also making notable contributions. As such, it is unlikely that material increases in SO₂ or NH₃ emissions will be associated with Local Development Frameworks. NOx emissions, however, are dominated by the output of vehicle exhausts (more than half of all emissions). Within a 'typical' housing development, by far the largest contribution to NOx (92%) will be made by the associated road traffic. Other sources, although relevant, are of minor importance (8%) in comparison^(x). Emissions of NOx could therefore be reasonably expected to increase as a result of greater vehicle use as an indirect effect of the LDF.

3.12 According to the World Health Organisation, the critical NOx concentration (critical threshold) for the protection of vegetation is 30 µgm⁻³; the threshold for sulphur dioxide is 20 µgm⁻³. In addition, ecological studies have determined 'critical loads'^(xi) of atmospheric nitrogen deposition (that is, NOx combined with ammonia NH₃). According to the Department of Transport's Transport Analysis Guidance, "Beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant"^(xii).

Diffuse air pollution

3.13 In July 2006, Natural England advised Runnymede Borough Council that their Local Development Framework 'can only be concerned with locally emitted and short range locally acting pollutants'^(xiii). Runnymede Council had previously suggested that as many European habitats are currently in unfavourable condition (partly) as a consequence of air pollution, then any development that resulted in any increase in pollution (taken at its extreme as only one more car journey) would be an adverse effect.

3.14 The implication of Natural England's advice is that any long-range contribution made to 'background' concentrations of NOx or other atmospheric pollutants by the development set out in the LDF, is outside the remit of the HRA for the LDF. The issue of 'long-range' pollution will therefore not be considered within this HRA.

Water resources

3.15 The South East has experienced low rainfall for most of the last few years, including dry winters. Expected climate change trends for the South East are for drier summers, wetter winters, and more extreme events. If the current climate trends continue, it may be impractical in the longer term to preserve wetland habitats characteristic of our former climate but in the short and medium term, it is clear that strenuous efforts to reduce the risk of water stress in European wetland sites should be a priority.

3.16 Although Dover town itself currently obtains most of its water from the River Dour, Sandwich Bay (and the associated SPA and Ramsar site) and Stodmarsh SAC/SPA/Ramsar are hydraulically linked to the River Stour from which water is abstracted to supply settlements in north Dover district (principally Sandwich) as well as Ashford, Canterbury and Thanet, and into which treated sewage

x Proportions calculated based upon data presented in Dore CJ et al. 2005. UK Emissions of Air Pollutants 1970-2003. UK National Atmospheric Emissions Inventory. <http://www.airquality.co.uk/archive/index.php>

xi The critical load is the rate of deposition beyond which research indicates that adverse effects can reasonably be expected to occur

xii www.webtag.org.uk/archive/feb04/pdf/feb04-333.pdf

xiii English Nature (16 May 2006) letter to Runnymede Borough Council, 'Conservation (Natural Habitats &c.) Regulations 1994, Runnymede Borough Council Local Development Framework'

effluent is discharged. Although most abstraction for the Public Water Supply is from groundwater, the chalk and sand geology of this area means there is a strong connection between groundwater and surface water^(xiv).

3.17 The Dour and the aquifers around Dover town are already considered to be overabstracted, so it is likely that abstraction for future development in the District (even in Dover) may draw upon the Stour. Although the Stour is currently considered to have water available, even without the additional water available under the conditions of the Agency's marsh feed licence, development anywhere in the District could have an adverse effect on European sites. This could potentially result from increased salinity of the marshes, increased sedimentation of the river channel due to reduced flows (the Stour features asymmetric flow, with low-tide outflow lagging behind high-tide inflow) and a reduction in the estuarine freshwater available to SPA birds for drinking and bathing^(xv).

Water quality

3.18 Increased amounts of housing or business development can lead to reduced water quality of rivers and estuarine environments. Sewage and industrial effluent discharges can contribute to increased nutrients on European sites leading to unfavourable conditions. In addition, diffuse pollution, partly from urban run-off has been identified during an Environment Agency Review of Consents process, as being a major factor in causing unfavourable condition of European sites.

3.19 The quality of the water that feeds European sites is an important determinant of the nature of their habitats and the species they support. Poor water quality can have a range of environmental impacts:

At high levels, toxic chemicals and metals can result in immediate death of aquatic life, and can have detrimental effects even at lower levels, including increased vulnerability to disease and changes in wildlife behaviour. Eutrophication, the enrichment of plant nutrients in water, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, augmenting the oxygen depleting effects of eutrophication. In the marine environment, nitrogen is the limiting plant nutrient and so eutrophication is associated with discharges containing available nitrogen.

3.20 Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life.

3.21 For sewage treatment works close to capacity, further development may increase the risk of effluent escape into aquatic environments. In many urban areas, sewage treatment and surface water drainage systems are combined, and therefore a predicted increase in flood and storm events could increase pollution risk.

3.22 The corollary of increased abstraction from the Stour is increased discharge of treated sewage effluent, which can result both in greater scour (as a result of greater flow volumes) and in high levels of macroalgal growth, which can smother the mudflats of value to SPA birds.

Coastal squeeze

3.23 Rising sea levels can be expected to cause intertidal habitats (principally saltmarsh and mudflats) to migrate landwards. However, in built-up areas, such landward retreat is often rendered impossible due the presence of the sea wall and other flood defences.

xiv Environment Agency. 2003. The Stour Catchment Abstraction Management Strategy

xv Ravenscroft, N.O.M. and Beardal, C.H. 2003. The importance of freshwater flows over estuarine mudflats for wintering waders and wildfowl. *Biological Conservation*, 113:1, 89-97

3.24 In addition, development frequently takes place immediately behind the sea wall, so that the flood defences cannot be moved landwards to accommodate managed retreat of threatened habitats. The net result of this is that the quantity of saltmarsh and mudflat adjacent to built-up areas will progressively decrease as sea levels rise. This process is known as 'coastal squeeze'. In areas where sediment availability is reduced, the 'squeeze' also includes an increasingly steep beach profile and foreshortening of the seaward zones.

3.25 Along large stretches of the UK coastline, high and low watermarks on the beaches are moving landwards by more than a metre a year. Intertidal habitat loss is mainly occurring in the south and east of the country, particularly between the Humber and Severn. Northwest England, south Wales, the Solent in Hampshire, the southeast around the Thames estuary and large parts of East Anglia are also affected. The south coast has experienced the greatest steepening.

3.26 Defra's current national assessment is that the creation of an annual average of at least 100 ha of intertidal habitat associated with European sites in England that are subject to coastal squeeze, together with any more specifically identified measures to replace losses of terrestrial and supra-tidal habitats, is likely to be sufficient to protect the overall coherence of the Natura 2000 network. This assessment takes account of intertidal habitat loss from European sites in England that is caused by a combination of all flood risk management structures and sea level rise. The assessment will be kept under review taking account of the certainty of any adverse effects and monitoring of the actual impacts of plans and projects.^(xvi)

Sites scoped into the screening assessment

3.27 Five European sites lie wholly or partly within the Dover boundary:

- Dover to Kingsdown Cliffs SAC
- Lydden & Temple Ewell Downs SAC
- Sandwich Bay SAC
- Thanet Coast and Sandwich Bay SPA
- Thanet Coast and Sandwich Bay Ramsar

3.28 A further six European sites are considered to have links with development within Dover District's boundary via pathways as described above. These are:

- Blean Complex SAC
- Folkestone to Etchinghill Escarpment SAC
- Thanet Coast SAC
- Stodmarsh SAC
- Stodmarsh SPA
- Stodmarsh Ramsar site

xvi Defra. 2005. Coastal Squeeze - Implications for Flood Management.
<http://www.defra.gov.uk/environ/fcd/policy/csqueeze.pdf>



4 Core Strategy and Site Allocations DPD

Introduction

4.1 In order to evaluate potential impacts of the Core Strategy and the Site Allocations Document upon European sites, it is essential to gain a full understanding of the documents. The Core Strategy seeks to establish overall spatial strategy for the district, including the total quantum of development and its broad location. It includes a set of general policies. The Core Strategy also lists four strategic allocations – Dover Wellington Dock, Connaught Barracks, Mid Town and Whitfield Expansion) The purpose of the Site Allocations Document is to allocate sites throughout the district in order to meet the balance of the Core Strategy's requirements.

4.2 For the purposes of this document, we have listed the Core Strategy policies^(xvii) (Core Policies and Development Management Policies) specific site allocation policies^(xviii), and the District Council's perceived options for Spatial Strategy to fulfil these policy objectives as laid out in the Core Strategy in Appendix 2.

Preferred Options and Allocations scoped into the assessment

4.3 All draft policies and Site Allocations were scoped for potential conflicts with European sites. The majority of draft policies could be 'scoped out' as there is no opportunity for any of these policies to result in adverse effects on European sites. The following policies were therefore taken forward for screening, since these are the preferred options that promote development within Dover district in order to achieve the aims set by the Regional Spatial Strategy or govern its distribution. For the same reason, all Site Allocations were taken forward to screening:

- CP1 (Provision for Jobs, Labour Supply and Homes);
- CP2 (Settlement Hierarchy);
- CP3 (Employment Land);
- CP4 (Distribution of Housing Allocations);
- CP6 (Infrastructure);
- CP8 (Dover Wellington Dock);
- CP9 (Mid-Town Area, Dover);
- CP10 (Connaught Barracks, Dover);
- CP11 (Whitfield, Dover);
- DM6 (New Employment Development, Rural); and
- DM29 (Local Shops).

4.4 It should be noted that only policies that had the potential for a negative impact on European sites were scoped for assessment. Those policies that might have a beneficial effect are referred to where appropriate in the following chapters, but were not actually assessed. This is due to the fact the HRA is only concerned with adverse effects.

xvii Dover District Council Core Strategy 2008

xviii Dover District Council Site Allocations Document 2008



5 Dover to Kingsdown Cliffs SAC

Introduction

5.1 This long narrow site covers a large stretch of the south east Dover coast between the towns of Dover and Kingsdown. It support a full zonation of maritime cliff communities found on chalk substrates, reflecting different levels of exposure to wind and salt spray. The most exposed, lowest parts of the cliff face support rockcrevice communities with rock samphire *Crithmum maritimum*, rock sea-lavender *imonium binervosum* and thrift *Armeria maritima*, with the rare hoary stock *Matthiola incana* in places. On more sheltered slopes there is a community restricted to south-facing chalk cliffs characterised by wild cabbage *Brassica oleracea*. There are good paramaritime grassland transitions to chalk grassland. The endangered oxtongue broomrape *Orobanche artemisiae-campestris*, confined in the UK to unstable coastal chalk cliffs of southern England, has a stronghold on this site. The cliffs are internationally important as a stratigraphic reference site for chalk cliff exposures.

Features of European Interest

5.2 The site is designated as a Special Area of Conservation for its:

- Calcareous grassland - dry grasslands and scrublands on chalk or limestone including important orchid sites

Condition Assessment

5.3 During the most recent condition assessment process, 72% of Dover to Kingsdown Cliffs SSSI was judged to be in favourable condition. Most of the unfavourable areas were designated so because of inadequate or inappropriate grazing.

Key Environmental Conditions

5.4 The key environmental conditions that support the features of European interest are:

- Maintenance of grazing
- Low levels of trampling
- Minimal air pollution – nitrogen deposition may cause reduction in diversity, sulphur deposition can cause acidification
- Adequate undeveloped land behind the cliffs to enable managed retreat of the SAC in response to erosion and avoid coastal squeeze
- Absence of direct fertilisation and
- Well-drained soils.

Potential Effects of the Plan

5.5 Increased damage to sensitive plants from recreational trampling and nutrient enrichment from dog fouling is likely to be the key effect.

Urbanisation

5.6 Policy CP10 promotes the use of Connaught Barracks and Fort Burgoyne for employment, residential development, education and tourism. The distance between the area of proposed development and Dover to Kingsdown Cliffs SAC is less than 500m and thus falls within our zone for requiring consideration of the effects of increased urbanisation on the European site. On the one hand, up to 500 dwellings are proposed, which could lead to increased risk of waste/litter dumping or other vandalism on the protected site. On the other hand, the site does lie on the very edge of the 500m buffer and is physically separated from the site by two main roads (the A2 and the A258) – which are likely to form a barrier to casual vandalism, dumping etc. even with a settlement closer than is currently the case. As such, urbanisation effects are considered on balance to be unlikely to significantly increase on the SAC.

Recreational pressure

5.7 Of greater concern, given the requirement for low levels of trampling to maintain site integrity, would be the impact of increased recreation from substantial new development in the district, especially given the proposal to include holiday accommodation at Connaught Barracks/Fort Burgoyne. There is also a possibility of increased dog walking on the site with the associated risk of fertilisation through dog fouling.

5.8 Policy CP4 (Distribution of Housing Allocations) indicates the number of new houses in the District (10,000) that will need to be delivered under the Council's preferred Spatial Option 3. This should not be considered in isolation, but must be set within the context of over 100,000 new dwellings in Kent to be delivered under the South East Plan, including 5,100 in Shepway, 7,200 in Canterbury, 6500 in Thanet and 22,700 in Ashford, the closest districts to Dover. Dover (including Whitfield) is allocated 5,700 new dwellings. This is likely to result in a significant cumulative increase in recreational pressure in the area, which could impact on Dover to Kingsdown Cliffs SAC via increased trampling and nutrient enrichment from dog fouling. If Option 4 were to be adopted this issue would be further exacerbated, as the extent of housing in Whitfield (situated less than 5km from the SAC) would increase from 2,000 to 6,000 homes.

The Connaught Barracks area does already include recreational space in the form of playing fields, which will assist in providing facilities for dog-walkers and dissuade them from excessive use of the protected site. Moreover, the protected site and Connaught Barracks are both linked to open access downland, providing further alternative recreational facilities to walkers/visitors. Areas to the north and west of the proposed development site may be perceived to be more conveniently located for recreation than Dover to Kingsdown Cliffs SAC as they do not involve a need to cross major roads and steep terrain. Nonetheless, the site is used for recreation and as the population increases, so will the pressure.

Air quality

5.9 There are no major roads within 200m of the SAC. As such, increasing nitrogen deposition from deteriorating local air quality due to increased road traffic associated with 10,000 new homes in the District is unlikely to be significant.

Coastal squeeze

5.10 Coastal squeeze is understood to be affecting the SAC as a result of a combination of erosion of habitat through recreational trampling and the natural process of cliff erosion by the sea. This provides added requirement for the need to adequately mitigate against recreational damage to the SAC. However, given the general drive to focus development within and on the margins of existing urban areas, it is unlikely that coastal squeeze will be an issue for this site as a direct consequence of development and the Site Allocations Document does not promote development between the western end of the site and Dover town, less than 300m away.

Avoidance and Mitigation

Recreational pressure

5.11 Spatial Option 4 would appear to be the least favourable option for this particular site, as it would result in substantially greater housing within 5km of the SAC due to a three-fold increase in housing at Whitfield.

5.12 The Core Strategy already includes a number of policies to protect the natural environment. In particular, Policy DM20 states: “development must avoid causing harm to biodiversity”. Therefore, it will be important for the Council to determine that Policy CP10 does not conflict with DM20. This conflict might be avoided by preference for employment usage over holiday accommodation at Connaught Barracks, and by provision of landscape/conservation areas as outlined above. However, the current references are too generic to enable to firm judgment that significant adverse effects are unlikely, without the incorporation of further measures:

- Policy CP10 (Connaught Barracks, Dover) outlines a requirement for a locally equipped play area. Policy DM20 (Biodiversity and Geology) or Policy DM31 (Open Space and Outdoor Recreation Policies) should incorporate standards for provision of new semi-natural greenspace for new developments that ensure that Natural England criteria are met for new development across the district:
 - Provision of at least 2ha of accessible natural green space per 1,000 population
 - No person should live more than 300m from their nearest area of natural green space.
 - There should be at least one accessible 20ha site within 2km from home.
- Supporting paragraph 7.78 of the Core Strategy main text sets out what would be expected in a Masterplan for the Connaught Barracks site, and states that plans should illustrate proposed areas to be set aside for landscaping and nature conservation. A statement of standards and intent to avoid negative impacts Dover to Kingsdown SAC would strengthen this text.
- Any open space created to fulfill the above standards will need to serve a similar recreational function to the European sites from which they are intended to draw recreational users (i.e. primarily dog walking and the appreciation of nature). The policy should also include a note that any new open space would need to be provided in advance of the new development being occupied.
- The overarching policy should also incorporate text to state that where it is considered impractical or inappropriate to provide such open space with new developments, or for all developments of less than 10 dwellings/0.4 ha, or where the open space that would be provided is likely to be of an inappropriate character to deflect users, the Council should require a financial contribution from the developer as an alternative means of provision, which can be used to fund ongoing recreational management (i.e. fencing and signage^(xix)) of the SAC and/or the creation of alternative natural greenspace by the Council.

5.13 Provided that the existing open space (other than the SAC itself) meets these criteria, new open space may not need to be allocated. It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Dover to Kingsdown Cliffs SAC.

xix Precise details of measures to be implemented and the actual scale of any contribution would need to be agreed with Natural England



6 Lydden and Temple Ewell Downs SAC

Introduction

6.1 This SAC lies in Dover District within 500m of the towns of Temple Ewell and Whitfield. This site includes some of the richest chalk grassland in Kent, with outstanding assemblages of plants and invertebrates. A number of rarities include the early spider orchid *Ophrys sphegodes*, burnt orchid *Orchis ustulata*, musk orchid *Herminium monorchis*, and slender bedstraw *Galium pumilum*. An outstanding invertebrate fauna includes typical downland butterflies such as the marbled white *Melanargia galathea*, adonis blue *Lysandra bellargus*, chalkhill blue *L. coridon*, and the rare silver-spotted skipper *Hesperia comma*. Two rare moths, the dew *Setina irrorella* and the straw belle *Aspitates gilvaria* are present as is the rare carthusian snail *Monacha cartusiana*.

Features of European Interest

6.2 The site is designated as a Special Area of Conservation for its:

- Dry grasslands and scrublands on chalk or limestone, including important orchid sites.

Condition Assessment

6.3 During the most recent condition assessment process, 61% of Lydden and Temple Ewell Downs SSSI was judged to be in favourable condition. The remainder was recovering from inadequate grazing regimes. Management Unit 5 of the constituent SSSI is the only part of the SAC that lies within 200 m of the A2. The unit was judged as being in favourable condition during the most recent condition assessment. From examination of the UK Air Pollution System (www.apis.ac.uk) however, it can be seen that the SAC is currently subject to poor air quality.

Table 2. Critical nitrogen loads, rates of nitrogen deposition, NOx concentrations^(xx) and sulphur dioxide concentrations for Lydden and Temple Ewell Downs SAC. Red shading indicates exceedance of thresholds.

Site	Grid reference	Most nitrogen sensitive habitat	Minimum ^(xxi) critical loads (Kg N/ha/yr)	Nitrogen deposition ^(xxii) (Kg N/ha/yr)	Actual NOx concentration (μgm^{-3})	Actual SO ₂ concentration (μgm^{-3})
Lydden and Temple Ewell Downs SAC	TR287447	Calcareous grassland	10	19.3	20.8	6.2

Key Environmental Conditions

6.4 The key environmental conditions that support the features of European interest are:

- Maintenance of grazing;
- Minimal air pollution – nitrogen deposition may cause reduction in diversity, sulphur deposition can cause acidification;
- Absence of direct fertilisation; and
- Well-drained soils.

xx Calculated as NO₂

xxii To a resolution of 5 km

xxi APIS provides a critical load range - on a precautionary basis, this assessment uses the lowest figure in that range

Potential Effects of the Plan

Recreational pressure

6.5 Policy CP4 indicates the number of new houses in the District (10,000) that will need to be delivered under the Council's preferred Spatial Option 3. Dover (including Whitfield) is allocated 5,700 new dwellings. This must be taken within the context of the South East Plan's requirement for over 100,000 new dwellings in Kent, including 5,100 in Shepway, 7,200 in Canterbury, 6,500 in Thanet and 22,700 in Ashford, the closest districts to Dover. Policy CP11 of the Core Strategy specifically considers the residential development of Whitfield, the nearest allocated site to the SAC. The preferred option here involves the building of 1790 new homes to the east of the currently developed area. The increased number of residents is likely to lead to a cumulative increase in recreational pressure on the protected site, which is sensitive to trampling and to direct fertilisation such as would result from dog fouling.

6.6 If Option 4 were to be adopted this issue would be further exacerbated, because up to 4000 further homes would be required at Whitfield. Options 1 and 2 also incorporate significant levels of housing development within Dover, which will lead to increased recreational use of sites including Lydden and Temple Ewell Downs SAC.

Urbanisation

6.7 This scale of development that would be within 200m of the Natura 2000 site would potentially have serious negative impact on Lydden and Temple Ewell Downs SAC through urbanisation (fly-tipping, vandalism). This could be exacerbated if combined with recreation (trampling and nutrient enrichment), and air pollution (traffic movements).

Air quality

6.8 The Site Allocation Document Policy 13 seeks to safeguard land for the dualling of the A2 between the Duke of York roundabout and Lydden Hill, a stretch of trunk road that passes within 200m of the protected site. The site already suffers from poor air quality, and increased traffic movement on the A2 will lead to even greater levels of nitrogen deposition. The indirect effect of this could be a decline in quantity and diversity of specialised flora and fauna present. Employment and housing development within Dover will almost certainly lead to increased traffic on the A2. Part of residential development at Whitfield (Policy CP11) would be a new link between the A2 and A256. Dependent on location, this could either alleviate or increase air pollution at the site.

Future development plans at Whitfield

6.9 Although not currently the Council's favoured approach, it is understood that there is a realistic prospect (Option 4 of the Council's Spatial Options) of up to 4,000 new homes being developed to the west of Whitfield following early review of the adopted Core Strategy. Based on current information it would be advisable to not to promote development on such a scale within such close proximity to the European site until proposals are more advanced and more detailed ecological assessment of likely impacts is possible at the time of review. Associated with this possible westwards extension, the Council has indicated that it intends to explore and test the possibility of diverting the A2 to the north of Whitfield in greater detail in 2008, in order to better inform the submission version of the LDF documents. This further investigation would cover transport, landscape, sustainable urban extension, noise, air quality and biodiversity issues. The Council have developed a traffic model that will enable road transport effects to be forecast, and from this, air quality effects can be modelled. This issue will therefore be re-explored when this document is refreshed at the Submission Stage.

Avoidance and Mitigation

Recreational pressure

6.10 Spatial Option 4 would appear to be the least favourable option for this particular site, as it would result in substantially greater housing within 1km of the SAC due to a three-fold increase in housing at Whitfield.

6.11 The Core Strategy already includes a number of policies to protect the natural environment. In particular, Policy DM20 states: “development must avoid causing harm to biodiversity”. However, the current references are too generic to enable to firm judgment that significant adverse effects are unlikely, without the incorporation of further definite measures:

- Policy DM20 (Biodiversity and Geology) or Policy DM31 (Open Space and Outdoor Recreation Policies) should incorporate standards for provision of new semi-natural greenspace for new developments that ensure that Natural England criteria are met for new development across the district:
- Provision of at least 2ha of accessible natural green space per 1,000 population
- No person should live more than 300m from their nearest area of natural green space.
- There should be at least one accessible 20ha site within 2km from Any open space created to fulfill these standards will need to serve a similar recreational function to the European sites from which they are intended to draw recreational users (i.e. primarily dog walking and the appreciation of nature). The policy should also include a note that any new open space would need to be provided in advance of the new development being occupied.
- The overarching policy should also incorporate text to state that where it is considered impractical or inappropriate to provide such open space with new developments, or for all developments of less than 10 dwellings/0.4 ha, or where the open space that would be provided is likely to be of an inappropriate character to deflect users, the Council should require a financial contribution from the developer as an alternative means of provision, which can be used to fund ongoing recreational management (i.e. fencing and signage) of the SAC and/or the creation of alternative natural greenspace by the Council.

6.12 Provided that the existing open space (other than the SAC itself) meets these criteria, new open space may not need to be allocated. It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Lydden & Temple Ewell Downs SAC.

Urbanisation

6.13 Many of the measures to offset recreational pressure (i.e. the provision of alternative recreational facilities and greenspace) may help to reduce the general urbanisation pressure on the SAC. However, the benefits of alternative open space will be limited since with urbanisation issues physical proximity is the issue. From a purely ecological point of view, it would therefore be preferable if development at Whitfield did not encroach south of the current line of the A2. If this measure was adhered to and the A2 remained in place, it is likely that the A2 would form a significant barrier to casual urban encroachment of the SAC.

6.14 Given that the main urban issues on this site would be littering and fires^(xxiii), a further method of controlling urbanisation would be to include a policy that enables developer contributions to be obtained to enable the Council to contribute to the management of urban impacts on Lydden and Temple Ewell Downs SAC. Such a policy would enable the Council to contribute to the installation of fencing, wardens and/or increased surveillance to control the ‘urbanisation’ impacts of the increase in households within close proximity to the site as a result of the Whitfield development.

xxiii Since it is not a location for vulnerable ground-nesting birds, cats are not an issue

Air quality

6.15 Current levels of understanding of air quality effects on semi-natural habitats or usage of particular major roads by residents of particular districts are not adequate to allow a rigorous assessment of the potential for adverse impacts on the integrity of key European sites.

6.16 However, even if development under the Core Strategy and Site Allocations DPD would (in the absence of mitigation) contribute to a significant deterioration in local air quality at the SAC as a result of increased traffic on the local roads, there are several measures already built into the Core Strategy that would seek to mitigate such effects by reducing the scale of the impact as far as possible.

6.17 In particular, the Core Strategy includes policy DM15 (Location of Development and Travel Demand) that aims to ensure that developments that would generate high levels of travel (e.g. Whitfield) will only be permitted where locations will be well served by a range of transport options.

6.18 Moreover, there is scope for atmospheric deposition on Lydden & Temple Ewell Downs to actually be reduced as a result of development at Whitfield, if the rerouting of the A2 to the north of the town (as being considered by the Council) were to proceed. That must however be set against the Site Allocations Policy 13 which safeguards land around the A2 with the specific purpose of dualling the road – this could either result in greater traffic movements on this road (and therefore greater nitrogen deposition) or alternatively permit gridlock to be alleviated (in which case atmospheric deposition on the SAC might actually decrease).

6.19 The Core Strategy discusses the need for a new road link between the A2 and A256 if this option were to be chosen. Development on this scale at Whitfield requires great care in location of road diversions in order to avoid deterioration in air quality on the SAC, which would be likely to result in a loss of biodiversity. Therefore a scheme to alleviate levels of traffic using the A2 past the site would be beneficial. The effectiveness of such a link road would be dependent on it branching from the A2 to the west of Lydden to Temple Ewell Downs SAC.

6.20 Due to this uncertainty, some further measures are necessary in order to strengthen this position and enable the Council to claim that significant adverse effects of the Core Strategy are unlikely:

- Policy DM15 should be strengthened to make specific reference to the need to alleviate pressure on the A2 in the vicinity of Lydden and Temple Ewell Downs SAC.
- Any development that could give rise to a material increase in traffic flows on the A2 within 200m of Lydden and Temple Ewell Downs SAC should be subject to appropriate assessment, including consideration of their air pollution impacts on the European site as part of the planning application.
- The Council should seek an improvement in air quality in the district so that there is a significant reduction in the number of days of medium and high air pollution by 2026;
- An application for commercial premises or a housing development of more than 10 units can be required to demonstrate that alternatives to road transport are being utilised wherever practical and will minimise the distance necessary, including the number and length of vehicle journeys;
- Where a new development will have a significant impact upon the trunk road network, it will require a transportation assessment including a travel plan. In cases where there is no extra network or infrastructure capacity, mitigation will be expected to support transportation improvements directly linked to the new development.

6.21 All of these measures could be built into an enhanced and strengthened DM15. Policy DM21 of the Core Strategy advocates the need to establish pollution risk and methods to control this. The measures outlined above should be taken into consideration in light of this policy.

6.22 It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Lydden and Temple Ewell Downs SAC.

7 Thanet Coast and Sandwich Bay

Introduction

7.1 The East Kent coast consists of two Special Areas of Conservation (Thanet Coast SAC and Sandwich Bay SAC), a Special Protection Area (Thanet Coast and Sandwich Bay SPA) and a Ramsar site of the same name. Thanet Coast SAC lies immediately north of the District, with the northern boundary of the District coast being concurrent with the southern boundary of the SAC. Sandwich Bay SAC occupies much of the Dover District coastline from the north-east tip (north of Great Stonar) down to Deal. The Special Protection Area and Ramsar site cover the majority of both Special Areas of Conservation.

7.2 The designated coastline consists of a long stretch of rocky shore, adjoining areas of estuary, sand dune, maritime grassland, saltmarsh and grazing marsh. The site holds important numbers of Turnstone *Arenaria interpres*, and is also used by large numbers of other migratory birds as they make landfall in Britain in spring or depart for continental Europe in autumn – however these other bird species are not technically covered by the SPA designation.

Features of European Interest

Table 3. The SAC and SPA interest features for Thanet Coast and Sandwich Bay

Site	SAC / SPA Interest Features
Thanet Coast & Sandwich Bay SPA	Populations of European importance of the following migratory species: <ul style="list-style-type: none"> • Turnstone Thanet Coast SAC Reefs
Thanet Coast SAC	<ul style="list-style-type: none"> • Sea caves Sandwich Bay SAC
Sandwich Bay SAC	<ul style="list-style-type: none"> • Shifting dunes - The embryonic shifting dunes at Sandwich Bay are representative of this habitat type in southeast England. The seaward edge of the north of this site displays a good sequence of embryonic shifting dune communities and there is a clear zonation within the dune habitat, with strandline species on the seaward edge and sand-binding grasses inland. Lyme-grass <i>Leymus arenarius</i> is extremely sparse and sand couch <i>Elytrigia juncea</i> is the dominant sand-binding species. • Shifting dunes along the shoreline with marram - Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (marram) occurs along the seaward edge of the northern half of this extensive dune system. It is representative of shifting dune vegetation in southeast England, a region where the habitat type is very restricted in its distribution. Although the area of this habitat type is small by comparison with other listed sites, the shifting dune vegetation contains a good range of characteristic foredune species including sea bindweed <i>Calystegia soldanella</i>, sea spurge <i>Euphorbia paralias</i> and sea-holly <i>Eryngium maritimum</i>.

Site	SAC / SPA Interest Features
	<ul style="list-style-type: none"> • Dune grassland – Sandwich Bay is a largely inactive dune system with a particularly extensive representation of fixed dune grassland, the only large area of this habitat in the extreme south-east of England. The vegetation is extremely species-rich and the site has been selected because it includes a number of rare and scarce species, such as fragrant evening-primrose <i>Oenothera stricta</i>, bedstraw broomrape <i>Orobanche caryophyllacea</i> and sand catchfly <i>Silene conica</i>, as well as the UK's largest population of lizard orchid <i>Himantoglossum hircinum</i>. • Dunes with creeping willow - The small area of dunes with <i>Salix repens ssp. argentea</i> (creeping willow) found at Sandwich Bay is of interest as it is the only example found in the dry south-east of England and is representative of this habitat type in a near-continental climate. • Humid dune slacks

Features of International Interest: Ramsar criteria

Table 4: Ramsar site criteria

Site	Ramsar criteria 2, 6
Thanet Coast & Sandwich Bay	<p>Supports 15 British Red Data Book wetland invertebrates.</p> <p>Species occurring at levels of international importance:</p> <ul style="list-style-type: none"> • Turnstone

Condition Assessment

7.3 During the most recent condition assessment, Natural England judged 75% of the principal constituent SSSI of the Thanet Coast and Sandwich Bay (Sandwich Bay to Hacklinge Marshes SSSI) to be in favourable condition. Parts of the site were unfavourable, largely through issues related to inappropriate grazing, choking of waterways and some levels of eutrophication.

Key Environmental Conditions

7.4 The following key environmental conditions were identified for all the sites:

- Sufficient space between the site and development to allow for managed retreat of intertidal habitats and avoid coastal squeeze
- No dredging or land-claim of coastal habitats
- Unpolluted water
- Absence of nutrient enrichment
- Absence of non-native species

- Maintenance of freshwater inputs
- Balance of saline and non-saline conditions
- Minimal disturbance
- Minimal activities that alter sediment characteristics

Potential Effects on the Plan

Recreational pressure

7.5 Policy CP4 indicates the number of new houses in the District (10000) that will need to be delivered under the Council's Preferred Spatial Option 3. Deal, Sandwich and rural areas are allocated 4300 new dwellings. Due to the large distances that people will travel to visit coastal sites for the day (typically 25km according to the most recent England Day Visits survey), most of Dover District will fall within the catchment of Thanet Bay SAC, Sandwich Bay SAC, and Thanet and Sandwich Bay SPA/Ramsar. This will result in a significant increase in recreational pressure in the area, and could impact on via dune erosion, physical damage to marine habitat from water sports (e.g. power boats), nutrient enrichment through dog fouling and bird disturbance (walkers, dogs, horses, water sports).

7.6 Although Policy 23 of the Site Allocation Document will create business development close to Sandwich Bay SAC, and Thanet and Sandwich Bay SPA and Ramsar sites these are unlikely to contribute to increased recreational pressure on the European site, being non-residential.

7.7 There are also proposed in the RSS for the South East over 100,000 new dwellings in Kent, including 5,100 in Shepway, 7,200 in Canterbury, 6,500 in Thanet and 22,700 in Ashford, the closest districts to Dover, all of which could contribute extra recreational visits to the sites such that any overall effect is likely to be cumulative and successful mitigation may therefore require a more strategic multi-authority approach. Moreover, timing and location of development of the site should be checked to ensure no in combination effect with construction of the East Kent Access Phase 2 road to the north. However, the SSSI unit closest to the proposed developments (Unit 46) is an isolated block of 13.5 hectares of lowland grassland. As such, its capacity to absorb increased visitor numbers is limited.

Urbanisation

7.8 Policies 17 and 18 of the Site Allocation Document propose 200 and 290 new houses respectively at locations within 500m of Thanet Coast and Sandwich Bay Ramsar site. This increases the risk of urbanisation effects such as fly-tipping, introduction of alien species, and cat predation on the protected site.

Water quality

7.9 Policies 17 and 18 of the Site Allocation Document coupled with development elsewhere in north Dover (such as that promoted by allocation policies 22, 23 and 24) and surrounding authorities (i.e. Thanet), will also contribute to increased wastewater discharges into the Stour, which ultimately drains to the European sites. This is likely to result in an increase in nutrients leading to a decrease in quality, given that eutrophication is already noted as an issue on the sites.

7.10 Avoiding an adverse effect is largely in the hands of the water companies (through their investment in future sewage treatment infrastructure) and Environment Agency (through their role in consenting effluent discharges).

7.11 Policies DM21 (Pollution) and DM22 (Groundwater Source Protection Zones) constrain development in relation to water quality issues. This does not deal specifically with the significant issue of nutrient enrichment due to effluent discharges. However, the most important role that can be played by the LDF with regard to this issue is for a policy to be drafted that ensures that development

within the district keeps pace with the provision of necessary sewage treatment infrastructure, in order to avoid placing excessive demands upon an overburdened sewage treatment system. This is already clearly set out in Policy CP6 (Infrastructure).

Water resources

7.12 Development beyond the immediate vicinity of Dover town will require a supply of water from the catchment of the River Stour, as the River Dour and aquifers around Dover are currently considered to be over-abstracted, while the Stour has water available. Thanet Coast and Sandwich Bay are part of the Stour catchment. Water diversion for domestic and industrial use has led to adverse effects on the Ramsar site, affecting freshwater inputs, sedimentation patterns and the balance between saline and fresh water. The development of 1600 new homes at Deal, 500 at Sandwich and a proportion of 2200 in relevant rural locations will increase demands on water supply from the Stour catchment, which also supplies water to the districts of Thanet, Canterbury and Ashford. The River Stour features asymmetric flow with low-tide outflows lagging significantly behind high-tide inflow. Therefore increased abstraction could have particular impact on low-tide outflow if flow rate is further reduced.

Coastal squeeze

7.13 The habitats and species protected by the SAC, SPA and Ramsar sites are likely to be subject to inundation as a result of rising sea levels. Therefore it is important that aspects of the LDF do not contribute to coastal squeeze. The proposals for development within habitat that could accommodate managed retreat are small in character or already within developed areas (most relevant policies 22, 23, 31, 35) and so are unlikely to contribute significantly to coastal squeeze.

Avoidance and Mitigation

Recreational pressure

7.14 The large recreational catchment that might be expected of a coastal site such as the Thanet Coast and Sandwich Bay, coupled with the development of 10,000 homes across Dover District (particularly including development of almost 500 houses within 500m of the Thanet Coast and Sandwich Bay Ramsar site) increases the likelihood of recreational pressure on the site.

7.15 The Core Strategy already includes a number of policies to protect the natural environment. In particular, Policy DM20 states: "development must avoid causing harm to biodiversity". The Site Allocations policies that promote specific developments also include some reference to open space:

- Policy 35 of the Site Allocation Document proposes a development at Worth. This will comprise only 15 units, and is unlikely to have significant negative impact through recreational pressure on the protected site. However, the policy does include a plan to create a nature reserve on farmland close by which will have clear benefit in providing recreational facility for the people of Sandwich and Deal, thus helping mitigate against the increased pressure on Natura 2000 sites through development in the district.
- Policy 18 of the Site Allocations Document includes retention of open space of undefined area to the west of the development site. Where any open space that would be provided is likely to be of an inappropriate character to deflect users from Thanet Coast and Sandwich Bay Ramsar, the Council should require a financial contribution from the developer as an alternative means of provision, which can be used to fund ongoing recreational management of the Ramsar site.
- Policy 23 of the Site Allocation Document will create the potential for increased recreational use of the Sandwich Bay SAC and Thanet Coast and Sandwich Bay SPA and Ramsar site. There is a caveat in this policy that development must not harm nature conservation interests, and that a riverside walk and cycle route is provided; this could play a role in directing recreational users to less sensitive areas.

7.16 However, for clarity, and in order to make a firm judgment that significant adverse effects are unlikely, the following additional measures should be included:

- Policy DM20 (Biodiversity and Geology) or Policy DM31 (Open Space and Outdoor Recreation Policies) should incorporate standards for provision of new semi-natural greenspace for new developments that ensure that Natural England criteria are met for new development across the district:
 - Provision of at least 2ha of accessible natural green space per 1,000 population
 - No person should live more than 300m from their nearest area of natural green space.
 - There should be at least one accessible 20ha site within 2km from home.
- Crucially, a proportion of this open space will need to serve a similar recreational function to Thanet Coast & Sandwich Bay SPA/SAC in order to attract people who might otherwise use the site. While this will be possible to an extent, many of the recreational uses are inherently water based and no alternative sites can be provided. The Council will therefore also need engage with other Kent authorities and Natural England to input into managing recreation and monitoring disturbance within and around Thanet Coast and Sandwich Bay. Dover District's contribution should be commensurate with its relative contribution to the increased populations of Dover, Shepway, Canterbury, Thanet and Ashford, since the district can only be considered responsible for mitigating its own likely contribution to any "in combination" effect.

7.17 Provided that the existing open space (other than the SAC/SPA itself) meets these criteria, new open space may not need to be allocated. It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Thanet Coast and Sandwich Bay SAC/SPA.

- A Developer Contributions policy would enable a levy to be placed on developers that could enable Dover Council to contribute to the partnership. A policy within the Core Strategy (ideally DM20) should allow for this option. However, whatever method is decided upon for funding local authority contributions must be agreed across the whole east Kent area (in order to avoid putting some authorities at a disadvantage) and this report is therefore not the place to go into further details.
- Kent County Council is proposing highways improvement (East Kent Access Phase 2) that will involve work adjacent to Thanet Coast SAC, Sandwich Bay SAC, and the SPA and Ramsar sites. Although not within the remit of the Dover district LDF, it is worth noting that appropriate assessment of the South East Plan recommended full appropriate assessment of this scheme due to potential disturbance of birds using the sites. In view of this, it will be important to ensure that Dover district policies leading to development near to and/or increased recreational use of these sites (most obviously, CP4, SAD 23) do not contribute to any 'in combination' effect during the East Kent Access Phase 2 construction.
- The protected sites and existing public footpaths are separated from the industrial site by the river. This limits recreational access, and it would be advisable that the new footpath/cycleway to be delivered near to Thanet Coast & Sandwich Bay SAC/SPA/Ramsar site under Site Allocations Policy 23 is located on the west bank of the river.

Water quality

7.18 The only additional measure to be proposed is that the Council should establish in preparing the submission stage Core Strategy that there is already sufficient sewage treatment infrastructure capacity to meet the growth that is proposed for the short-term.

Water resources

7.19 Policies 17, 18, 22, 23 and 35 in the Site Allocation Document all have implications for water resources and water quality in the area. Given that the River Stour is the catchment area and it drains into Sandwich Bay, development is inextricably linked to the welfare of the site.

7.20 To improve development efficiency in relation to water, policy DM3 sets out expectations for new development to meet standards in Eco Homes certification system, or alternative, including the need to incorporate water efficiency measures. We would recommend that consideration is given to a policy that requires all new developments to meet the "Code for Sustainable Homes". The Code for Sustainable Homes has benefits because it has minimum requirements of water efficiency for every different rating. This compares favourably to BREEAM/EcoHomes for which it is not necessary to incorporate water efficiency measures to achieve a rating. In terms of standards that should be achieved, we would suggest a staged approach to be carried out over the next ten years. This would equate to a requirement for all developments to achieve at least a 3 star rating up to 2013, at least a 4 star rating up to 2016 and a 6 star rating after this date.

7.21 The Stour is currently considered to have water available, but it is essential that Dover district is able to demonstrate that it is doing as much as possible to husband water resources. A policy should be incorporated that ensures that development will be phased in order to keep pace with the development of new water resources i.e. that development cannot occur until sufficient water supply is available. Policy CP6 requires infrastructure to keep pace with development plans, and this would be therefore be an ideal place to incorporate such a policy. It is also essential that the Council consult with the water company to ascertain that there are sufficient resources to meet development proposed for immediate or short-term delivery.

7.22 The Stour catchment also supplies Canterbury, Ashford and Thanet, creating further resource demands, and so consultation with water companies and the Environment Agency as early as possible in development planning is recommended.

Urbanisation

7.23 The development of almost 500 houses within 500m of the Thanet Coast and Sandwich Bay Ramsar site increases the likelihood of urbanisation pressures on the site.

7.24 An additional method of controlling urbanisation would be for the Council to contribute to the management of urban impacts on Thanet Coast and Sandwich Bay. This could be achieved by a development contributions policy as described in para 7.38. Such a policy would enable the Council to contribute to the installation of fencing, wardens and/or increased surveillance to control the 'urbanisation' impacts of the increase in households within close proximity to the site as a result of the nearby new development. Where residential properties adjoin or provide a clear means of access to a protected site, fencing or other landscaping to prevent pet incursions is an option that should be considered. This will also help screen wildlife from human disturbance.

7.25 It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Thanet Coast and Sandwich Bay SAC/SPA/Ramsar site.

8 Blean Complex SAC

Introduction

8.1 This is a complex of woodlands of which East Blean Woods SSSI lies within 5.5km of Dover district, but more than 15km from the nearest urban area (Sandwich). The SAC is one of the best remaining examples of primary deciduous woodland in the wider Blean Woods complex north of Canterbury. The wood comprises mixed coppice with oak standards, sweet chestnut coppice and also a small plantation of Scots pine. The diverse ground flora includes some species indicative of a long history of woodland cover. Also of interest is the insect fauna, particularly the moths and butterflies.

Features of European Interest

8.2 The site is designated as a SAC for its oak-hornbeam forests. Hornbeam *Carpinus betulus* coppice occurs interspersed with pedunculate oak *Quercus robur* stands and introduced sweet chestnut *Castanea sativa*. Great wood-rush *Luzula sylvatica* is locally dominant in the woodland, and the characteristic greater stitchwort *Stellaria holostea* is found in more open patches. The stands have traditionally been managed as coppice, and are one of the British strongholds for the heath fritillary butterfly *Mellicta athalea*.

Condition Assessment

8.3 In the most recent condition assessment, 88.2% of the East Blean Woods SSSI was judged to be in favourable condition. The remainder was unfavourable due to issues relating to woodland management.

Key Environmental Conditions

8.4 The key environmental conditions that support the features of European interest are:

- Low levels of trampling
- Maintenance of coppice management
- Minimal air pollution
- Absence of direct fertilisation and
- Well-drained soil

Potential Effects of the Plan

8.5 Development in the Dover district may result in increased recreational pressure but on this particular site recreational use is easily manageable and is not considered to put the survival of the qualifying features at risk. There are no major roads within 200m of the site, so increasing nitrogen deposition from deteriorating local air quality is less likely to be significant. Therefore there is no feasible means by which the Dover district Core Strategy or Site Allocations Document could contribute directly to any impact on the key designated features for this site other than 'in combination' with other plans.



9 Folkestone to Etchinghill Escarpment SAC

Introduction

9.1 This long narrow site lies on a steep escarpment in a heavily urbanised environment being both situated on the outskirts of Folkestone and bisected by the A20, a major traffic route in southeast Kent. It is approximately 800 m to the west of Dover District and approximately 1 km from the nearest Dover settlement, the village of Capel-le-Ferne. It is approximately 7km at its closest from the nearest significant urban area in the district (Dover itself).

9.2 The site is one of the largest remaining areas of unimproved chalk downland in Kent. Three nationally rare plants listed on Schedule 8 of the Wildlife and Countryside Act 1981 and specially protected by law, are present; late spider orchid *Ophrys fuciflora*, early spider orchid *Ophrys sphegodes* and bedstraw broomrape *Orobanche caryophyllacea*. The site supports a diverse insect fauna including a number of nationally rare flies, moths and butterflies. Of special interest is the annulet moth *Gnophos obscuratus* which is noted for its different genetic colour forms. This is the only known locality in Britain for the form *fasciata*. In addition the nationally rare straw belle moth *Aspitates gilvaria* is found here. Among the butterflies the locally uncommon adonis blue *Lysandra bellargus* and small blue *Cupido minimus* are two species with a restricted distribution.

Features of European Interest

9.3 The site is designated as a Special Area of Conservation for its dry grasslands and scrublands on chalk or limestone, including important orchid sites.

Condition Assessment

9.4 During the most recent condition assessment process, 73% of Folkestone to Etchinghill Escarpment SSSI was judged to be in favourable condition. Only 3% was unfavourable and declining due to undergrazing. However, from examination of the UK Air Pollution System (www.apis.ac.uk) it can be seen that the SAC is currently suffering from poor air quality.

Table 5. Critical loads, rates of nitrogen deposition, NO_x concentrations and sulphur dioxide concentrations for Folkestone to Etchinghill Escarpment SAC. Red shading indicates exceedance of thresholds.

Site	Grid reference	Most nitrogen sensitive habitat	Minimum critical loads (Kg N/ha/yr)	Nitrogen deposition (Kg N/ha/yr)	Actual NO _x concentration (µgm ⁻³)	Actual SO ₂ concentration (µgm ⁻³)
Folkestone to Etchinghill Escarpment SAC	TR235378	Calcareous grassland	10	19.3	23.6	8.6

Key Environmental Conditions

9.5 The key environmental conditions that support the features of European interest are:

- Maintenance of grazing;
- Low levels of trampling;

- Minimal air pollution – nitrogen deposition may cause reduction in diversity, sulphur deposition can cause acidification;
- Absence of direct fertilisation; and
- Well-drained soils.

Potential Effects of the Plan

Recreational pressure

9.6 Policy CP4 indicates the number of new houses in the District (10000) that will need to be delivered under the Council's Preferred Spatial Option 3. Dover (including Whitfield) is allocated 5700 new dwellings. Given the typical distances that people will travel to utilise a countryside site for the day (17km according to the most recent England Day Visits Survey), new developments throughout south Dover may contribute cumulatively to this pressure. Moreover, development in Dover must be considered within the context of South East RSS plans for over 100000 new dwellings in Kent, including 5100 in Shepway, 7200 in Canterbury, 6500 in Thanet and 22700 in Ashford, the closest districts to Dover.

9.7 All of this new development is likely to result in a significant increase in recreational pressure in the area, and could impact on Folkestone to Etchinghill Escarpment SAC via increased trampling and nutrient enrichment through dog fouling. If Option 4 were to be adopted this issue would be exacerbated. Options 1 and 2 also incorporate significant levels of housing development within Dover.

Air quality

9.8 The A20 lies within 200m of the site, so increasing nitrogen deposition from deteriorating local air quality as a result of increased traffic in Dover (when considered cumulatively with the surrounding authorities and the projected expansion of Dover Port) is likely to occur.

Avoidance and Mitigation

Recreational pressure

9.9 The Core Strategy already includes a number of policies to protect the natural environment. In particular, Policy DM20 states: "development must avoid causing harm to biodiversity". However, the current references are too generic to enable to firm judgment that significant adverse effects are unlikely, without the incorporation of further definite measures:

- Policy DM20 (Biodiversity and Geology) or Policy DM31 (Open Space and Outdoor Recreation Policies) should incorporate standards for provision of new semi-natural greenspace for new developments that ensure that Natural England criteria are met for new development across the district:
 - Provision of at least 2ha of accessible natural green space per 1,000 population
 - No person should live more than 300m from their nearest area of natural green space.
 - There should be at least one accessible 20ha site within 2km from home.

- Any open space created to fulfill these standards will need to serve a similar recreational function to the European sites from which they are intended to draw recreational users (i.e. primarily dog walking and the appreciation of nature). The policy should also include a note that any new open space would need to be provided in advance of the new development being occupied.
- The overarching policy should also incorporate text to state that where it is considered impractical or inappropriate to provide such open space with new developments, or for all developments of less than 10 dwellings/0.4 ha, or where the open space that would be provided is likely to be of an inappropriate character to deflect users, the Council should require a financial contribution from the developer as an alternative means of provision, which can be used to fund ongoing recreational management (i.e. fencing and signage) of the SAC and/or the creation of alternative natural greenspace by the Council.

9.10 Provided that the existing open space (other than the SAC itself) meets these criteria, new open space may not need to be allocated. It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Folkestone to Etchinghill Escarpment SAC.

Air quality

9.11 Even if development under the Core Strategy and Site Allocations DPD would (in the absence of mitigation) contribute to a significant deterioration in local air quality at the SAC as a result of increased traffic on the local roads, there are several measures already built into the Core Strategy that would seek to mitigate such effects by reducing the scale of the impact as far as possible.

9.12 In particular, the Core Strategy includes policy DM15 (Location of Development and Travel Demand) that aims to ensure that developments that would generate high levels of travel will only be permitted where locations will be well served by a range of transport options.

9.13 Due to this uncertainty, some further measures are necessary in order to strengthen this position and enable the Council to claim that significant adverse effects of the Core Strategy are unlikely:

- Policy DM15 should be strengthened to make specific reference to the need to alleviate pressure on the A20 in the vicinity of Folkestone to Etchinghill Escarpment SAC.
- Any development that could give rise to a material increase in traffic flows on the A20 within 200m of Folkestone to Etchinghill Escarpment SAC should be subject to appropriate assessment, including consideration of their air pollution impacts on the European site as part of the planning application.
- The Council should seek an improvement in air quality in the district so that there is a significant reduction in the number of days of medium and high air pollution by 2026;
- An application for commercial premises or a housing development of more than 10 units can be required to demonstrate that alternatives to road transport are being utilised wherever practical and will minimise the distance necessary, including the number and length of vehicle journeys;
- Where a new development will have a significant impact upon the trunk road network, it will require a transportation assessment including a travel plan. In cases where there is no extra network or infrastructure capacity, mitigation will be expected to support transportation improvements directly linked to the new development.

9.14 All of these measures could be built into an enhanced and strengthened DM15. Policy DM21 of the Core Strategy advocates the need to establish pollution risk and methods to control this. The measures outlined above should be taken into consideration in light of this policy.

9.15 It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Folkestone to Etchingill Escarpment SAC.

10 Stodmarsh SAC, SPA and Ramsar

Introduction

10.1 This wetland site located in the Stour valley contains a wide range of habitats including open water, extensive reedbeds, scrub and alder carr which together support a rich flora and fauna. The vegetation is a good example of a southern eutrophic flood plain and a number of rare plants are found here. The invertebrate fauna is varied and several scarce moths have been recorded in recent years. The site is also of ornithological interest with its diverse breeding bird community. Two rare British birds Cetti's warbler and bearded tit, regularly breed in nationally significant numbers. The site is approximately 600 m from the boundary of Dover District at its closest, but more than 10km from the nearest urban part of the district (Sandwich).

Features of European Interest

10.2 The site is designated as a SAC for its population of Desmoulin's whorl snail (*Vertigo moulinsiana*). A sizeable population of Desmoulin's whorl snail lives beside ditches within pasture on the floodplain of the River Stour, where reed sweet-grass *Glyceria maxima*, large sedges *Carex spp.* and sometimes common reed *Phragmites australis* dominate the vegetation. Stodmarsh is a south-eastern outlier of the main swathe of sites supporting the species and is important in confirming the role of underlying base-rich rock (chalk) as a factor determining this species' distribution. The site is also designated as a Special Protection Area for the following wintering species:

- Bittern *Botaurus stellaris*, 2 individuals representing at least 2.0% of the wintering population in Great Britain (5 year peak count, 1987/8-1991/2)
- Hen Harrier *Circus cyaneus*, 9 individuals representing at least 1.2% of the wintering population in Great Britain (5 year peak count, 1987/8-1991/2)

Features of International Interest: Ramsar criteria

10.3 Table 6 details how Stodmarsh meets the Ramsar criteria.

Table 6. Ramsar site criteria

Site	Ramsar criterion 2
Stodmarsh	Supports six British Red Data Book wetland invertebrates, two nationally rare plants, and five nationally scarce species. A diverse assemblage of rare wetland birds.

Condition Assessment

10.4 In the most recent condition assessment, 81% of Stodmarsh was considered to be in favourable condition. The remainder was unfavourable due to lack of scrub control.

Key Environmental Conditions

- Maintenance of sufficient water to support marginal/marsh vegetation and high water quality for Desmoulin's whorl snail
- Minimal recreational disturbance

- Maintenance of grazing regime
- Maintenance of water supply
- Absence of nutrient enrichment

Potential effects of the Plan

10.5 The part of the site that supports the snail is inaccessible to recreation, while access to other parts of the site (of greater value for birds and other wetland features) is considered to be manageable, so this is unlikely to be an issue associated with the Dover Core Strategy or Site Allocations Document. However, other issues do arise.

Water resources

10.6 Although the River Stour as it flows through Stodmarsh is tidal (the tidal limit is at Fordwich), Natural England previously expressed concern that drawdown of water from the site as a result of increased abstraction may mean that insufficient water will be retained within the ditch system to support the marginal vegetation that the Desmoulin's whorl snail requires. The River Stour features asymmetric flow with low-tide outflows lagging significantly behind high-tide inflow. Therefore increased abstraction could have particular impact on low-tide outflow if flow rate is further reduced. The development of 1600 new homes at Deal, 500 at Sandwich and a proportion of 2200 in relevant rural locations will increase demands on water supply from the Stour catchment, which also supplies water to the surrounding districts of Thanet, Canterbury and Ashford, where development will also be taking place.

Water quality

10.7 Policies 17 and 18 of the Site Allocation Document coupled with development elsewhere in north Dover (such as that promoted by allocation policies 22, 23 and 24) and surrounding authorities (i.e. Thanet), will also contribute to increased wastewater discharges into the Stour, which ultimately drains to the European site. This is likely to result in an increase in nutrients in the site leading to a decrease in quality.

10.8 Avoiding an adverse effect is largely in the hands of the water companies (through their investment in future sewage treatment infrastructure) and Environment Agency (through their role in consenting effluent discharges).

10.9 Policies DM21 (Pollution) and DM22 (Groundwater Source Protection Zones) constrain development in relation to water quality issues. This does not deal specifically with the significant issue of nutrient enrichment due to effluent discharges. However, the most important role that can be played by the LDF with regard to this issue is for a policy to be drafted that ensures that development within the district keeps pace with the provision of necessary sewage treatment infrastructure, in order to avoid placing excessive demands upon an overburdened sewage treatment system. This is already clearly set out in Policy CP6 (Infrastructure).

Avoidance and Mitigation

10.10 The major effects of the Dover district Core Strategy on Stodmarsh will be through water resources and water quality. Given that Stodmarsh lies within the Stour catchment area, development is inextricably linked to the welfare of the site. The Stour is currently considered to have water available, but policy CP6 should be applied such that it ensures that development will be phased in order to keep pace with the development of new water resources i.e. that development cannot occur until sufficient water supply is available. This approach is critical to the well-being of Desmoulin's whorl snail, one of the species responsible for designation of the SAC, and Ramsar, and is reliant on a sufficiently high water table to support appropriate vegetation. The SPA supports bird species that

are also affected by water levels (e.g. bittern). The Stour catchment also supplies Canterbury, Ashford and Thanet, creating further resource demands, and so consultation with water companies and the Environment Agency as early as possible in development planning is recommended.

Water quality

10.11 The only additional measure to be proposed is that the Council should establish in preparing the submission stage Core Strategy that there is already sufficient sewage treatment infrastructure capacity to meet the growth that is proposed for the short-term.

Water resources

10.12 Policies 17, 18, 22, 23 and 35 in the Site Allocation Document all have implications for water resources and water quality in the area. Given that the River Stour is the catchment area and it drains into Sandwich Bay, development is inextricably linked to the welfare of the site.

10.13 To improve development efficiency in relation to water, policy DM3 sets out expectations for new development to meet standards in Eco Homes certification system, or alternative, including the need to incorporate water efficiency measures. We would recommend that consideration is given to a policy that requires all new developments to meet the "Code for Sustainable Homes". The Code for Sustainable Homes has benefits because it has minimum requirements of water efficiency for every different rating. This compares favourably to BREEAM/EcoHomes for which it is not necessary to incorporate water efficiency measures to achieve a rating. In terms of standards that should be achieved, we would suggest a staged approach to be carried out over the next ten years. This would equate to a requirement for all developments to achieve at least a 3 star rating up to 2013, at least a 4 star rating up to 2016 and a 6 star rating after this date.

10.14 The Stour is currently considered to have water available, but it is essential that Dover district is able to demonstrate that it is doing as much as possible to husband water resources. A policy should be incorporated that ensures that development will be phased in order to keep pace with the development of new water resources i.e. that development cannot occur until sufficient water supply is available. Policy CP6 requires infrastructure to keep pace with development plans, and this would be therefore be an ideal place to incorporate such a policy. It is also essential that the Council consult with the water company to ascertain that there are sufficient resources to meet development proposed for immediate or short-term delivery.

10.15 The Stour catchment also supplies Canterbury, Ashford and Thanet, creating further resource demands, and so consultation with water companies and the Environment Agency as early as possible in development planning is recommended.

10.16 It is considered that if the above measures can all be incorporated, the Core Strategy and Site Allocations DPD could be concluded as being unlikely to lead to a significant adverse effect upon Stodmarsh SAC/SPA/Ramsar site.



11 Conclusions

European sites

11.1 Of the eleven European protected sites identified in the Baseline report, the Dover Core Strategy Issues and Options and Site Allocations Document could potentially affect ten (the two DPD's were able to be screened out entirely with regard to the Blean Complex SAC).

11.2 The major pathways of impact are through recreation, water resources and water quality. Sites for which we have been unable to conclude that adverse effects are unlikely as a result of increased recreational pressures resulting from the Core Strategy and Site Allocations Document are:

- Dover to Kingsdown Cliffs SAC
- Lydden to Temple Ewell Downs SAC
- Thanet Coast SAC
- Sandwich Bay SAC
- Thanet Coast and Sandwich Bay SPA
- Thanet Coast and Sandwich Bay Ramsar
- Folkestone to Etchinghill Escarpment SAC

11.3 Sites for which we have been unable to conclude that adverse effects are unlikely as a result of reduced water resources or water quality resulting from the Core Strategy and Site Allocations Document are:

- Thanet Coast SAC
- Sandwich Bay SAC
- Thanet Coast and Sandwich Bay SPA and Ramsar site
- Stodmarsh SAC SPA and Ramsar site

11.4 In addition to the above, we are unable to rule out as unlikely air quality effects on Lydden to Temple Ewell Downs SAC or Folkestone to Etchinghill Escarpment SAC, nor have we been able to do so for urbanisation effects at Lydden to Temple Ewell Downs SAC, or Thanet Coast and Sandwich Bay SAC/SPA and Ramsar site.

Policies and site allocations

11.5 All Preferred Options within the Core Strategy and all Site Allocations were scoped for potential conflicts with European sites. The majority of preferred options in the Core Strategy could be scoped out as there is no scope for any of these policies to result in adverse effects on European sites. The following policies were taken forward for screening, since these are the preferred options that promote development within Dover district or govern its distribution:

- CP1 (Provision for Jobs, Labour Supply and Homes); CP2 (Settlement Hierarchy);
- CP3 (Employment Land);
- CP4 (Distribution of Housing Allocations);

- CP6 (Infrastructure);
- CP8 (Dover Wellington Dock);
- CP9 (Mid-Town Area, Dover);
- CP10 (Connaught Barracks, Dover);
- CP11 (Whitfield, Dover);
- DM6 (New Employment Development, Rural); and
- DM29 (Local Shops).

11.6 For the same reason, all Site Allocations were taken forward to screening. Ultimately, none of these policies or site allocations could be screened out of the assessment, largely due to the potential for cumulative impacts on European sites. However, it is considered that only a small number of policies (DM20 or DM31, CP6, DM3 and DM15 and Site Allocations policy 18) need to be altered in order for the Habitats Regulations Assessment to conclude that the Core Strategy and Site Allocations DPD's are unlikely to lead to a significant adverse effect on European sites. The recommended amendments are set out below.

Avoidance and mitigation measures

11.7 As detailed in Section 2.3, the level of detail concerning developments that will be permitted under LDF's (and to an extent, knowledge concerning the sensitivities and vulnerabilities of European sites) is insufficient to make a detailed assessment of significance of effects, beyond the levels of risk identified in preceding sections either practical or reasonable. Therefore, we find it most productive to take a precautionary approach (in the absence of more precise data) and essentially combine AA Stages 2 and 3 of the CLG guidance, assuming that all those impacts identified as 'likely' are actual impacts that will require mitigation. The purpose of this section of the report is therefore to try summarise the measures that should be incorporated into the Submission Stage Core Strategy and/or Site Allocations DPD to enable the Council to be confident that they have gone as far as they can to ensuring that significant adverse effects on European sites as a result of the Core Strategy and Site Allocations DPD are rendered unlikely.

11.8 The Core Strategy's specific biodiversity-related policies (essentially DM20) are in themselves appropriate, but with regard to HRA the Core Strategy as a whole could be strengthened by the following further references:

Recreational pressure

- Policy DM20 (Biodiversity and Geology) or Policy DM31 (Open Space and Outdoor Recreation Policies) should incorporate standards for provision of new semi-natural greenspace for new developments that ensure that Natural England criteria are met for new development across the district:
 - Provision of at least 2ha of accessible natural green space per 1,000 population
 - No person should live more than 300m from their nearest area of natural green space.
 - There should be at least one accessible 20ha site within 2km from home.
- Any open space created to fulfill these standards will need to serve a similar recreational function to the European sites from which they are intended to draw recreational users (i.e. primarily dog walking and the appreciation of nature). The policy should also include a note that any new open space would need to be provided in advance of the new development being occupied.

- The policy should also incorporate text to state that where it is considered impractical or inappropriate to provide such open space with new developments, or for all developments of less than 10 dwellings/0.4 ha, or where the open space that would be provided is likely to be of an inappropriate character to deflect users, the Council should require a financial contribution from the developer as an alternative means of provision, which can be used to fund ongoing recreational management (i.e. fencing and signage^(xxiv)) of the SAC and/or the creation of alternative natural greenspace by the Council elsewhere within the district.
- Kent County Council is proposing highways improvement (East Kent Access Phase 2) that will involve work adjacent to Thanet Coast SAC, Sandwich Bay SAC, and the SPA and Ramsar sites. Although not within the remit of the Dover district LDF, it is worth noting that appropriate assessment of the South East Plan recommended full appropriate assessment of this scheme due to potential disturbance of birds using the sites. In view of this, it will be important to ensure that Dover district policies leading to development near to and/or increased recreational use of these sites (most obviously, CP4, SAD 23) do not contribute to any 'in combination' effect during the East Kent Access Phase 2 construction.
- It would be advisable that the new footpath/cycleway to be delivered near to Thanet Coast & Sandwich Bay SAC/SPA/Ramsar site under Site Allocations Policy 23 is located on the west bank of the river.
- Site Allocations Policy 18 would benefit from the following amendments:
 - ii. Development is sited so that the area to the west is retained for open space. The extent and character of this space will be sufficient to deflect excess recreational use of the nearby Ramsar site.
 - vii. Any landscaping throughout the site should improve biodiversity value, and the development should seek to avoid negative impact on biodiversity of the nearby Ramsar site.

Urbanisation

- Policy DM20 or DM31 should allow for financial developer contributions where open space cannot be provided; in addition to assisting with recreational pressure by enabling greater management of European sites, such a policy would enable the Council to contribute to the installation of fencing, wardens, increased surveillance etc. to control the 'urbanisation' impacts of the increase in households within close proximity to Dover to Kingsdown Cliffs SAC, Lydden to Temple Ewell Downs SAC, or Thanet Coast and Sandwich Bay Ramsar site.
- Specifically relating to Site Allocations Policy 23, careful locating of the proposed riverside walk/cycle path would help to control adverse effects upon the Thanet Coast and Sandwich Bay SPA/SAC.
- In order to avoid urbanisation of Lydden & Temple Ewell Downs SAC development at Whitfield should not encroach south of the A2.

Water quality

- The only additional measure to be proposed is that the Council should establish in preparing the submission stage Core Strategy that there is already sufficient sewage treatment infrastructure capacity to meet the growth that is proposed for the short-term.

xxiv Precise details of measures to be implemented and the actual scale of any contribution would need to be agreed with Natural England.

Water resources

- To improve development efficiency in relation to water, policy DM3 (Construction Standards) sets out expectations for new development to meet standards in Eco Homes certification system, including the need to incorporate water efficiency measures. We would recommend that consideration is given to a policy that requires all new developments to meet the “Code for Sustainable Homes” Excellent standard or equivalent. The Code for Sustainable Homes has benefits because it has minimum requirements of water efficiency for every different rating. This compares favourably to BREEAM/EcoHomes for which it is not necessary to incorporate water efficiency measures to achieve a rating. In terms of standards that should be achieved, we would suggest a staged approach to be carried out over the next ten years. This would equate to a requirement for all developments to achieve at least a 3 star rating up to 2013, at least a 4 star rating up to 2016 and a 6 star rating after this date.
- The Stour is currently considered to have water available, but it is essential that Dover district is able to demonstrate that it is doing as much as possible to husband water resources. A policy should be incorporated that ensures that development will be phased in order to keep pace with the development of new water resources i.e. that development cannot occur until sufficient water supply is available. Policy CP6 requires infrastructure to keep pace with development plans, and this would be therefore be an ideal place in incorporate such a policy.

Air quality

11.9 Policy DM15 (Location of Development and Travel Demand) should be amended to include further measures to enable the Council to be confident that they have gone as far as they can to ensuring that significant adverse effects on European sites as a result of the Core Strategy and Site Allocations DPD are rendered unlikely:

- Policy DM15 should be strengthened to make specific reference to the need to alleviate pressure on the A2 in the vicinity of Lydden to Temple Ewell Downs SAC or A20 in the vicinity of Folkestone to Etchinghill Escarpment SAC.
- Any development that could give rise to a material increase in traffic flows on the A2 within 200m of Lydden and Temple Ewell Downs SAC or A20 within 200m of Folkestone to Etchinghill Escarpment, should be subject to appropriate assessment, including consideration of their air pollution impacts on the European site as part of the planning application.
- An application for commercial premises or a housing development of more than 10 units can be required to demonstrate that alternatives to road transport are being utilised wherever practical and will minimise the distance necessary, including the number and length of vehicle journeys;
- Where a new development will have a significant impact upon the trunk road network, it will require a transportation assessment including a travel plan. In cases where there is no extra network or infrastructure capacity, mitigation will be expected to support transportation improvements directly linked to the new development.

11.10 The Council should also seek an improvement in air quality in the District so that there is a significant reduction in the number of days of medium and high air pollution by 2026.

11.11 It is important to note that EC Guidance on mitigation measures for impacts on European sites (Appendix 3) not only requires the detail of the method and delivering organisation and timescale, but also a mechanism for monitoring the efficacy of such measures. This mechanism could be enshrined within the Core Strategy itself under a specific ‘Monitoring’ policy which could not only cover the HRA mitigation measures, but also the delivery of the LDF and its commitments as a whole.

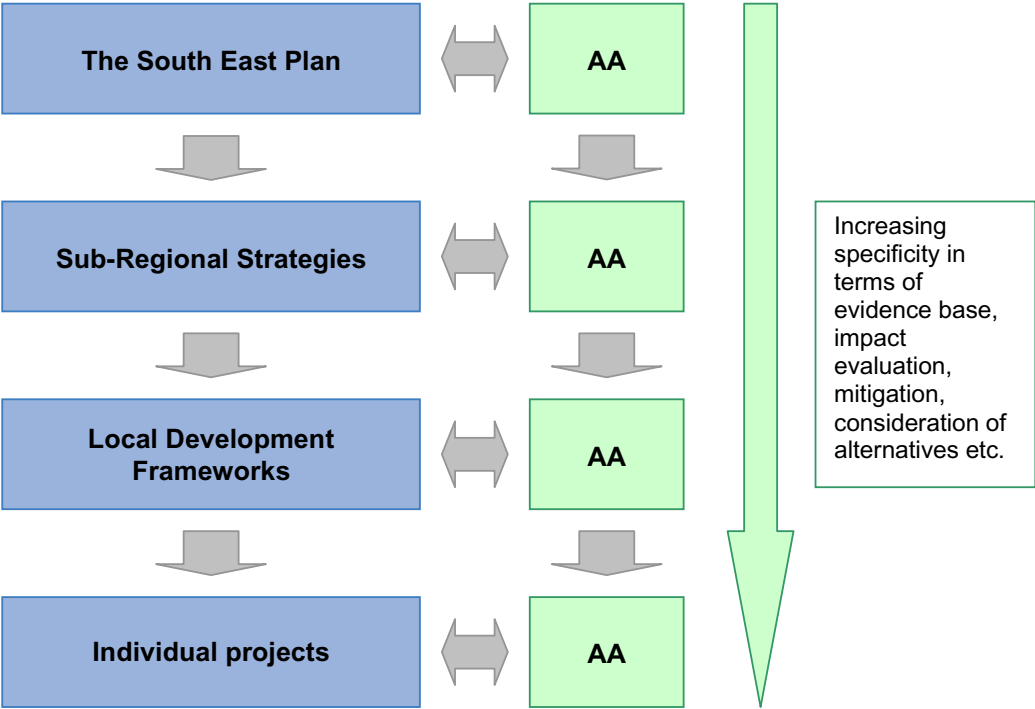
11.12 With the above identified measures incorporated, it is possible to state that the Core Strategy and Site Allocations DPD are unlikely to lead to significant adverse effects on European sites.

Next steps

11.13 Once the recommended changes have been incorporated into the Core Strategy, this assessment will be refreshed in order to cover the submission stage of the two DPDs and ensure that this report is up to date.



Appendix 1. 'Tiering' In Habitat Regulations Assessment





Appendix 2. Core Strategy and Site Allocations

1 Table 1. Core Policies and Development Management Policies within the Core Strategy

Objective Reference	Policy	Summary
CP1	Provision for Jobs, Labour Supply and Homes	Provision for job growth of 4000, 3800 labour increase, 250,000 m ² employment land, 10000 new homes/housing by 2026
CP2	Settlement Hierarchy	Defines locations and functions of settlements in district. Dover = secondary regional centre. Deal = district centre. Sandwich = rural service centre
CP3	Employment Land	Around 250,000 square metres of employment development floorspace
CP4	Distribution of Housing Allocations	New Housing: Dover: 5,700 Deal: 1,600 Sandwich: 500 Rural: 2,200
CP5	Housing Quality and Mix	Residential development will address i. The forecast increase in the number of people aged over 65 and over 85 ii. The forecast decrease in average household size iii. The need for affordable housing Proposals at Dover should also demonstrate contribution to raising quality and market perception.
CP6	Infrastructure	Development will not be permitted unless the necessary infrastructure to support it is either already in place, or there is a reliable mechanism to ensure that it will be provided at the time it is needed.

Objective Reference	Policy	Summary
CP7	River Dour, Dover	Development proposals that affect the setting of the River Dour should, wherever possible, ensure that they create an active river frontage, improve public access and enhance wildlife interest.
CP8	Dover Wellington Dock	Planning permission for a mixed use scheme consisting of, retail (A1), restaurants and cafes (A3), drinking establishments (A4), residential (C3) and, if viable, offices (B1) and hotel (C1) at the Dover Wellington Dock area, will be permitted subject to provisos.
CP9	Mid-Town Area, Dover	The Mid Town area, is allocated for mixed use development of C3 uses (residential development), A1 uses (shops), A3 uses (restaurants and cafes), A4 (Drinking establishments), D1 (Non-residential institutions), D2 (Assembly and Leisure) and the redevelopment of South Kent College subject to provisos. Including provision of open spaces and enhanced riverside usage (including walking and cycling).
CP10	Connaught Barracks, Dover	Connaught Barracks is allocated for residential development subject to provisos including the sustainable future of a Local Nature Reserve;
CP11	Whitfield, Dover	Proposals for the expansion of Whitfield, should cover the whole of the development area. The Council will permit proposals with provisos. It must be demonstrated that there are community and environmental benefits with the Scheme.
DM1	Development Proposal conditions	<p>Proposals for development will only be permitted if they:</p> <ul style="list-style-type: none"> i. Are appropriate to their context ii. Take opportunities to enhance the distinctiveness of a place through careful design and use of materials iii. Promote social inclusion iv. Can adapt to changing circumstances v. Minimise the use of natural resources and maximise energy efficiency vi. Reduce opportunities for crime vii. Ensure adequate privacy and amenity for occupants and neighbours

Objective Reference	Policy	Summary
DM2	Maximising Density	Development proposals should maximise density provided they remain consistent with the character of their locality and can meet functional requirements.
DM3	Construction Standards	All applications for construction works should demonstrate how standards of sustainable construction that significantly exceeds the Building regulations will be reached. In addition, schemes that would create 15 or more dwellings should gain at least a very good rating under the Eco Homes certification system, or any future equivalent.
DM4	Development Boundaries	Development will not be permitted on land outside the urban boundaries and rural settlement confines shown on the proposals map unless specifically justified by other development plan policies.
DM5	Redevelopment	Permission for changes of use or redevelopment of land and buildings currently or last in use for employment purposes will only be granted if it can be demonstrated that they are no longer suitable for employment use.
DM6	New Employment Development (Rural)	<p>Permission for new employment development in the rural area or for the expansion of an existing business will be given subject to provisos.</p> <p>In all cases development should be within rural settlement confines unless it can be demonstrated that no suitable site exists.</p>
DM7	Rural Building Use	Permission will be given for the re-use or conversion of structurally sound, permanent buildings within Rural Service Centres and in Villages for employment, tourist accommodation or residential uses. Elsewhere in the rural area permission will be given for employment or tourist accommodation uses. Permission for residential use will not be given unless employment or tourist accommodation uses are demonstrated to be not appropriate or viable and the building is well related to a Rural Service Centre or a Village.
DM8	Affordable Housing	The Council will seek applications for residential developments of 15 or more dwellings to provide 30% of the total homes proposed as affordable homes and for developments under 15 homes to make a financial contribution towards the provision of affordable housing.
DM9	Rural Exception Schemes	Permission for affordable housing schemes in the rural area beyond village confines will be granted subject to provisos.
DM10	Gypsies and Travellers	Should the need for additional gypsy and traveller accommodation be identified the Council will allocate sites to meet the need through the production of a Gypsy and Traveller Site Allocations Document.

Objective Reference	Policy	Summary
DM11	Replacement Dwelling in the Countryside	<p>Proposals for replacement dwellings in the countryside will only be permitted if the existing dwelling is:</p> <ul style="list-style-type: none"> i. a permanent structure in lawful residential use ii. capable of continued residential use, and iii. of no architectural or historic value and its replacement: <ul style="list-style-type: none"> i. will not harm the character of the countryside ii. is appropriate in its siting, scale and site coverage having regard to the existing dwelling, and iii. is appropriate in its style, form and use of materials
DM12	Accommodation for Dependent Relatives	<p>Accommodation for dependent relatives will only be permitted if:</p> <ul style="list-style-type: none"> i. it is designed and located so as to revert to single family accommodation as part of the main dwelling once the use has ceased ii. it is of a size and design appropriate to the needs of the intended occupant
DM13	Accommodation for Dependent Relatives	<p>Self-contained temporary accommodation for dependent relatives will only be permitted if:</p> <ul style="list-style-type: none"> i. a need can be established ii. it would not be practicable to extend the main dwelling on the site iii. it would be of a size appropriate to the needs of the intended occupant iv. the temporary accommodation would not adversely affect the character of the area v. there would be no loss of amenity to local residents

Objective Reference	Policy	Summary
DM14	Residential Institutional Buildings	Permission for residential institutions will be given subject to provisos.
DM15	Location of Development and Travel Demand	Development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies. Development that would generate high levels of travel will only be permitted within the urban areas in locations that are, or can be made to be, well served by a range of means of transport.
DM16	Roadside Services	Permission will not be given for new roadside services sites. Proposals for additions and extensions to existing sites on the primary road network will be permitted provided that they would serve an identifiable need.
DM17	Telecommunications	<p>Proposals for telecommunications development will be permitted subject to provisos.</p> <p>There must be no conflict with policies to protect the environment; or when such conflict does occur it must be reduced to acceptable levels through design measures.</p> <p>When such conflict cannot be resolved through design measures, there are no practicable alternatives, such as resiting or mast sharing, and there is a technical or legal requirement for a telecommunications facility that outweighs that to protect the environment. then proposals will be permitted.</p>
DM18	Protection of the Countryside	<p>Development which would result in the loss of, or adversely affect, the countryside will only be permitted if it is:</p> <ul style="list-style-type: none"> i. justified by the needs of agriculture; or ii. justified by a need to sustain the rural economy or a rural community; and iii. it cannot be accommodated elsewhere
DM19	Landscape Character	Development that would harm the character of the landscape will not be permitted.
DM20	Biodiversity and Geology	Development must avoid causing harm to biodiversity and geological interests. In addition, opportunities should be taken to restore, enhance or add to those interests through design and landscaping and/or management measures, associated with the development of individual sites.

Objective Reference	Policy	Summary
DM21	Pollution	<p>The quality of the District's air, water and land shall be protected and where necessary improved. Proposals for development should establish whether:</p> <ul style="list-style-type: none"> i. the development site is subject to pollution and, if so, its nature and extent and the means of remediation ii. the development would be subject to pollution from an external source and, if so, its extent and nature and the means of dealing with it in a way that can allow the development to proceed iii. the development would cause pollution either on or off site and, if so, how this would be controlled within acceptable levels.
DM22	Groundwater Source Protection Zones	<p>Within Groundwater Source Protection Zones, the following will not be permitted in Zones 1 and 2 unless adequate safeguards against possible contamination are provided:-</p> <ul style="list-style-type: none"> i. septic tanks, storage tanks containing hydrocarbons or any chemicals, or underground storage tanks; ii. proposals for development which may include activities which would pose a high risk of contamination unless surface water, foul or treated sewage effluent, or trade effluent can be directed out of the source protection zone; iii. proposals for the manufacture and use of organic chemicals, particularly chlorinated solvents; iv. oil pipelines; v. storm water overflows; vi. activities which involve the disposal of liquid waste to land; <p>In addition, the following will not be permitted in a Zone 1 unless adequate safeguards are provided:-</p> <ul style="list-style-type: none"> i. new graveyards or farm waste storage areas; ii. new foul or combined sewerage systems.

Objective Reference	Policy	Summary
DM23	Ponds and Lakes	Development that would result in a loss in the quantity or quality of lake or pond water, or adversely affect the setting or nature conservation value of a lake or pond, will not be permitted.
DM24	Historic Parks and Gardens	Permission will not be given for development proposals that would adversely affect the character, fabric, features, setting, or views to and from the District's Historic Parks and Gardens.
DM25	Shopfronts	Permission for new shopfronts and alterations to existing shopfronts will only be given if the proposals respect the composition, materials and detailed design of the building and street in which they are located.
DM26	Security Shutters and Grilles	Permission for external security shutters and grilles on shopfronts and other commercial buildings will not be granted if they would detract from the character and appearance of the building and the area in which they would be located.
DM27	Town Centres and Shopping Frontages	<p>Within the ground floor of premises in the Dover and Deal primary shopping areas permission will only be given for:</p> <ul style="list-style-type: none"> i. A1, A3, and A4 uses in the Primary Shopping Frontages ii. A1, A2, A3, A4 and A5 uses in the Secondary Shopping Frontages
DM28	Town Centres and Shopping Frontages	Within the ground floor of premises in the Sandwich secondary shopping frontage permission will only be given for A1, A2, A3, A4 and A5 uses.
DM29	Local Shops	<p>Proposals for local shops or extensions to local shops will be permitted:</p> <ul style="list-style-type: none"> i. within the urban areas and in rural settlements where consistent with the Settlement Hierarchy ii. on development sites for employment uses
DM30	Retention of Rural Shops and Pubs	Planning permission will only be granted for the change of use of a rural shop or pub if its loss would not harm the economic and social viability of the community that it serves or, if such harm would occur, it has been adequately demonstrated that the use is no longer commercially viable and genuine and adequate attempts to market the premises for retail purposes or as a pub (as appropriate) have failed.

Objective Reference	Policy	Summary
DM31	Open Space and Outdoor Recreation Policies	<p>Proposals for development that would result in the loss of open space will not be permitted unless:</p> <ul style="list-style-type: none"> i. there is no identified qualitative or quantitative deficiency in public open space in terms of outdoor sports sites, children's play space or informal open space, or ii. where there is such a deficiency the site is incapable of contributing to making it good, or iii. where there is such a deficiency the site is capable of contributing to making it good, a replacement area with at least the same qualities and equivalent community benefit, including ease of access, can be made available, or iv. in the case of a school site the development is for educational purposes, or v. in the case of small-scale development it is ancillary to the enjoyment of the open space, and vi. in all cases except point 2, the site has no overriding visual amenity interest, environmental role, cultural importance or nature conservation value.

2 Table 2 presents sub-regions within Dover district and specific locations selected to fulfil development land provisions outlined in the Core Strategy.

Objective Reference	Policy	Summary
Policy 1	Dover	St James Street
Policy 2	Dover	York Street
Policy 3	Dover	White Cliffs Business Park
Policy 4	Dover	Old Park Barracks
Policy 5	Dover – Housing	Affordable Housing
Policy 6	Dover – Housing	Coombe Valley
Policy 7	Dover – Housing	Buckland Hospital

Objective Reference	Policy	Summary
Policy 8	Dover – Housing	Buckland Paper Mill
Policy 9	Dover – Housing	Charlton Green Sorting Office
Policy 10	Dover – Housing	Cherry Tree Avenue
Policy 11	Dover – Housing	Petrol Station, Whitfield
Policy 12	Dover – Housing	Girl Guides Hall, Whitfield
Policy 13	Dover – Safeguarding Sites	A2 works
Policy 14	Deal	Minter's Yard
Policy 15	Deal	Albert Road
Policy 16	Deal	Marlborough Road
Policy 17	Deal - Housing	NW of Sholden
Policy 18	Deal - Housing	Between Deal and Sholden
Policy 19	Deal - Housing	Station Road, Walmer, Deal
Policy 20	Deal - Housing	North Barracks
Policy 21	Deal - Community Facilities	Cannon Street
Policy 22	Sandwich	Pfizer Expansion Land
Policy 23	Sandwich	Sandwich Industrial Estate
Policy 24	Sandwich - Housing	Land to W of St Bart's Road and S of Woodnesborough Road
Policy 25	Sandwich - Safeguarding Sites	Richborough Power Station
Policy 26	Rural areas	Snowdown Colliery
Policy 27	Rural areas	Tilmanstone Spoil Tip

Objective Reference	Policy	Summary
Policy 28	Rural areas	Eastry Hospital
Policy 29	Rural areas - Housing	S of Sandwich Road, Ash
Policy 30	Rural areas - Housing	S of New Dover Road, Capel le Ferne
Policy 31	Rural areas - Housing	Eastry Court Farm, Eastry
Policy 32	Rural areas - Housing	Boyes Lane, Goodnestone
Policy 33	Rural areas - Housing	S of Upper Street, Kingsdown
Policy 34	Rural areas - Housing	Sandwich Road, Woodnesborough
Policy 35	Rural areas - Housing	E of Jubilee Road, Worth
Policy 36	Rural areas - Housing	Bisley Nurseries, Worth

3 Table 3 outlines the Council's overall options for achieving a spatial strategy. The Council perceives Option 4 to be the "best" option, but is a long-term objective (cannot be achieved by 2026). Therefore, the Council's preferred option is Option 3.

OPTION	1	2	3	4
Summary	Low growth	Medium Low Growth	Medium High Growth	High Growth
Population	Less BUT more elderly people	2600 increase More elderly people	6700 increase Many more elderly people	15600 increase 1200 more elderly people 4300 more workers
Travel	Labour shortage of 9400-12400 Some increased in-commuting	Labour shortage of 6400-9500 Some increased in-commuting	Labour shortage of 3700-6700 Some increased in-commuting	No increased in-commuting

OPTION	1	2	3	4
Houses	6100 brownfield 3100 Dover 900 Deal 300 Sandwich 1700 Rural	8100 (including 1500 greenfield) 3600 Dover 1100 Deal 500 Sandwich 1900 Rural 900 Whitfield	10000+ (including 3400 greenfield) 3700 Dover (1800 greenfield) 1600 Deal (800 greenfield) 500 Sandwich (100 greenfield) 2200 Rural (1400 greenfield) 2000 Whitfield	14000 (including 7400 greenfield) 3700 Dover 1600 Deal 500 Sandwich 2200 Rural 6000 Whitfield
Shopping space	Increase of 40000m ²	Increase of 43000m ²	Increase of 46000m ²	Increase of 51000m ²
Comments	Reflects proposals in submitted SE Plan	Reflects SE Plan panel report recommendations	Dover Pride Regeneration Strategy	Dover Pride Regeneration Strategy but in a shorter timeframe Involves changes to A2

Appendix 3 - EC Advice on AA Mitigation Measures

- List each of the measures to be introduced
- Explain how the measures will avoid the adverse impacts on the site
- Explain how the measures will reduce the adverse impacts on the site

Then, for each of the listed mitigation measures:

- provide evidence of how they will be secured and implemented and by whom;
- provide evidence of the degree of confidence in their likely success;
- provide a timescale, relative to the project or plan, when they will be implemented;
- provide evidence of how the measures will be monitored, and, should mitigation failure be identified; and
- how that failure will be rectified.

Source: European Commission, 2001

