Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Appendix 2

Record of Appropriate Assessment

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PLANNING APPLICATIONS GROUP

RECORD OF APPROPRIATE ASSESSMENT

(UNDER REGULATION 63 OF THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017)

28th July 2021

Adoption date: 2nd September 2021

Item D1

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

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1. Introduction to Habitats Regulations Assessment

Regulation 63 of the Conservation of Habitats and Species Regulations (2017) ('the Habitats Regulations') requires an assessment where a plan or project may give rise to significant effects upon any Natura 2000 sites (also known as 'European sites').

Natura 2000 is a network of areas designated to conserve natural habitats and species that are rare, endangered, vulnerable or endemic within the European Community (EC). This includes Special Areas of Conservation (SAC), designated under the Habitats Directive for their habitats and/or species of European importance; and Special Protection Areas (SPA), classified under the Birds Directive for rare, vulnerable and regularly occurring migratory bird species and internationally important wetlands.

As a matter of national planning policy, the government has chosen to apply the assessment procedures to internationally designated Ramsar sites, even though these are not European Sites as a matter of law.

This document is a record of Habitats Regulations Assessment under the Habitats Regulations considering the implications for the European Sites in view of the development being proposed and in the context of the designated conservation objectives.

The assessment has been undertaken by Kent County Council and is based on the information provided by Kent County Council as part of the planning application (KCC/CA/0136/2021 A28 Sturry Link Road, Sturry, Canterbury), in addition to information used by Canterbury City Council to undertake the Habitats Regulations Assessment for the applications that form the Sturry and Broad Oak strategic housing allocation. These three applications are interlinked, so while Canterbury City Council and Kent County Council have developed and issued separate Habitats Regulations Assessments specific to their planning applications, the relevant information has been shared and joint conclusions reached by each authority.

In accordance with the Habitats Regulations, Kent County Council, as a 'competent authority' under the Habitats Regulations, must be satisfied that the project will not cause an adverse effect on the integrity of any European designated site before it can grant permission for the works.

The European Commission's *Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC* recommends a four-stage approach in carrying out a Habitats Regulations Assessment as follows.

Stage 1 Screening

Determines whether a plan or project, either alone or in combination with other plans or projects, is likely to have a significant effect upon a Natura 2000 site.

If the screening process identifies effects to be significant, potentially significant or uncertain, or if the screening process becomes overly complicated, then the process

must proceed to Stage 2. The process should apply the precautionary principle to ascertain if significant effects are likely.

Stage 2 Appropriate Assessment

Considers the impact on the integrity of the Natura 2000 sites of the project or plan either alone or in combination with other plans or projects with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, it assesses the potential mitigation for those impacts.

Stage 3 Assessment of Alternative Solutions

Examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 sites.

Stage 4 Assessment where no Alternative Solutions Exist and where Adverse Impacts Remain

Assess compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the plan or project should proceed.

Each stage determines whether the next stage in the process is required, e.g. if it is concluded that at the end of Stage 1 there will be no significant effects on the Natura 2000 sites, there is no requirement to proceed to Stage 2.

2. Project

Application Reference:	KCC/CA/0136/2021
Application location:	A28 Sturry Link Road, Sturry, Canterbury
Application description:	Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements.
Applicant:	Kent County Council
HRA date:	July 2021
Linked HRAs:	Linked to the A28 Sturry Link Road application are the Canterbury City Council-submitted applications (CA/20/02826/OUT and CA/18/00868/FOS) for the Sturry and Broad Oak strategic allocation. A separate Habitats Regulations Assessment has been carried out by Canterbury City Council, with the relevant information shared and joint conclusions reached by each authority.

3. Summary of the conclusion of the assessment

A28 Sturry Link Road, Sturry, Canterbury has been considered in light of the assessment requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 by Kent County Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

Having carried out a 'screening' assessment of the project, the competent authority concluded that it would be likely to have a significant effect on:

A. Stodmarsh Special Area of Conservation
B. Stodmarsh Special Protection Area
C. Stodmarsh Ramsar
D. Thanet Coast & Sandwich Bay Special Protection Area
E. Thanet Coast & Sandwich Bay Ramsar

Consequently, an appropriate assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.

A. Following an appropriate assessment in accordance with the Regulations, the competent authority has ascertained that the project would not have an adverse effect on the integrity of Stodmarsh SAC either alone or in combination with other plans or projects.
B. Following an appropriate assessment in accordance with the Regulations, the competent authority has ascertained that the project would not have an adverse effect on the integrity of Stodmarsh SPA either alone or in combination with other plans or projects.
C. Following an appropriate assessment in accordance with the Regulations, the competent authority has ascertained that the project would not have an adverse effect on the integrity of Stodmarsh Ramsar site either alone or in combination with other plans or projects.
D. Following an appropriate assessment in accordance with the Regulations, the competent authority has ascertained that the project would not have an adverse effect on the integrity of Thanet Coast & Sandwich Bay SPA either alone or in combination with other plans or projects.
E. Following an appropriate assessment in accordance with the Regulations, the competent authority has ascertained that the project would not have an adverse effect on the integrity of Thanet Coast & Sandwich Bay Ramsar site either alone or in combination with other plans or projects.

Natural England was consulted on the appropriate assessment and the competent authority's conclusions and has agreed with it (see attached written response dated 19th August 2021).

4. Information used for the assessment

4.1 Scanning and site selection list for European sites that could potentially be affected by the project

Scanning and site selection list for European sites that could potentially be affected by a project		
Types of project	**Sites to scan for and check**	**Names of sites**
1. All projects (terrestrial, coastal and marine)	Sites within which the project is wholly or partly located	None
2. Projects that could affect the aquatic environment	Sites upstream or downstream of the project location in the case of river or estuary sites	None
	Open water, peatland, fen, marsh and other	Stodmarsh SAC

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Scanning and site selection list for European sites that could potentially be affected by a project		
Types of project	**Sites to scan for and check**	**Names of sites**
	wetland sites with relevant hydrological links to the project, irrespective of distance from the project location	Stodmarsh SPA Stodmarsh Ramsar
3. Projects that could affect mobile species	Sites whose qualifying features include mobile species which may be affected by the project irrespective of the location of the project or whether the species would be in or out of the site when they might be affected	Stodmarsh SAC Stodmarsh SPA Stodmarsh Ramsar
4. Projects that could increase recreational pressure on European sites where qualifying features are sensitive to such pressure	European sites within which the project would be wholly or partly located	None
	Such European sites within an agreed zone of influence, or other reasonable and evidence-based travel distance of the project location, that may be affected by local recreational or other visitor pressure generated by the project	Thanet Coast & Sandwich Bay SPA Thanet Coast & Sandwich Bay Ramsar The Swale SPA The Swale Ramsar
	Such European sites within an agreed zone of influence, or other reasonable and evidence-based longer travel distance of the project, which are major (regional or national) visitor attractions such as European sites which are National Nature Reserves where public visiting is promoted, sites in National Parks, coastal sites and sites in other major tourist or visitor destinations	None in addition to those listed above
5. Projects that would increase the amount of development	Sites that are used for, or could be affected by, water abstraction irrespective of distance from the project	None
	Sites used for, or could be affected by, discharge of effluent from wastewater treatment works or other waste management streams serving the project, irrespective of distance from the project	Stodmarsh SAC Stodmarsh SPA Stodmarsh Ramsar
	Sites that could be affected by the provision of new or extended transport or other infrastructure	Stodmarsh SAC Stodmarsh SPA Stodmarsh Ramsar
	Sites that could be affected by increased deposition of air pollutants arising from the proposals, including emissions from significant increases in traffic	Blean Complex SAC
6. Projects which could introduce or increase, or alter the timing, nature or location of disturbance to species	Sites whose qualifying features are potentially sensitive to disturbance, for example as a result of noise, activity or movement, or the presence of disturbing features that could be brought about by the project	Stodmarsh SAC Stodmarsh SPA Stodmarsh Ramsar
7. Projects which could introduce or increase or change the timing, nature or location of light or noise pollution	Sites whose qualifying features are considered to be potentially sensitive to the effects of changes in light or noise that could be brought about by the project	Stodmarsh SAC Stodmarsh SPA Stodmarsh Ramsar
Extract from *The Habitats Regulations Assessment Handbook,* www.dtapublications.co.uk		

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Scanning and site selection list for European sites that could potentially be affected by a project		
Types of project	**Sites to scan for and check**	**Names of sites**

4.2 Qualifying features of the European sites that could potentially be affected by the project

European site	Qualifying features
Stodmarsh SAC	Stodmarsh SAC qualifies under Article 4(4) of the Habitats Directive by supporting the following Annex II species: • Desmoulin's whorl snail *Vertigo moulinsiana*
Stodmarsh SPA	The SPA qualifies under Article 4.1 of the EC Birds Directive by regularly supporting nationally important wintering populations of two Annex I species: • Hen harrier *Circus cyaneus* • Bittern *Botaurus stellaris*
	The SPA qualifies under Article 4.2 of the Directive by regularly supporting breeding populations of the following species: • Gadwall *Anas Strepera* • Bearded tit *Panurus biarmicus*
	The SPA qualifies under Article 4.2 by supporting nationally important wintering populations of the following migratory species: • Gadwall • Shoveler *Anas clypeata* • Bearded tit *Panurus biarmicus*
	The SPA also qualifies under Article 4.2 by regularly supporting an important assemblage of breeding species associated with wetland habitats, including: • Great crested grebe *Podiceps cristatus* • Lapwing *Vanellus vanellus* • Redshank *Tringa totanus* • Snipe *Gallinago gallinago* • Grasshopper warbler *Locustella naevia* • Savi's warbler *Locustella luscinioides* • Sedge warbler *Acrocephalus schoenobaenus* • Reed warbler *Acrocephalus scirpaceus*
	The SPA also qualifies under Article 4.2 of the Birds Directive by regularly supporting an important assemblage of wintering waterfowl, including: • White-fronted goose *Anser albifrons* • Wigeon *Anas penelope* • Mallard *Anas platyrhynchos* • Pochard *Aythya farina* • Tufted duck *Aythya fuligula* • Water rail *Rallus aquaticus* • Lapwing • Snipe
Stodmarsh Ramsar	The Ramsar qualifying features include six British Red Data Book (RDB) wetland invertebrates, two nationally rare and five nationally scarce plant species (a dandelion *Taraxacum hygrophilum*, dittander *Lepidium latifolium*, divided sedge *Carex divisa*, marsh sow-thistle *Sonchus palustris*, rootless duckweed *Wolffia arrhiza*, sharp-leaved pondweed *Potamogeton acutifolius* and whorled water-milfoil *Myriophyllum verticillatum*) and a diverse assemblage of rare wetland birds, including wintering hen harrier, bittern, gadwall and shoveler (Ramsar criterion 2)
Blean Complex	The Blean Complex SAC qualifies under Article 4(4) of the Habitats Directive for its

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European site	Qualifying features
SAC	pedunculate oak and hornbeam forest (Annex I habitat '9160 Sub-Atlantic and medio-European oak or oak-hornbeam forests of the *Carpinion betuli*').
Thanet Coast & Sandwich Bay SPA	The SPA qualifies under Article 4.1 of the EC Birds Directive by supporting a nationally important breeding population of the following species: • Little tern *Sterna albifrons*
	The SPA qualifies under Article 4.1 of the Directive by supporting a nationally important wintering population of the following species: • Golden plover *Pluvialis apricaria*
	The SPA qualifies under Article 4.2 by regularly supporting an internationally important wintering population of the following species: • Turnstone *Arenaria interpres*.
	The site also supports nationally important wintering populations of: • Ringed plover *Charadrius hiaticula*; • Grey plover *Pluvialis squatarola*; • Sanderling *Calidris alba*; and • Lapland bunting *Calcarius lapponicus*.
Thanet Coast & Sandwich Bay Ramsar	Thanet Coast and Sandwich Bay Ramsar site qualifies by supporting 15 British Red Data Book wetland invertebrates (Ramsar criterion 2); and a population of turnstone occurring at levels of international importance (Ramsar criterion 6).
The Swale SPA	The Swale SPA qualifies under Article 4.2 of the Birds Directive as a wetland of international importance by regularly supporting at least wintering 20,000 waterfowl; which includes wintering populations of dark-bellied brent goose Branta bernicla bernicla and dunlin Calidris alpina alpina. The SPA also qualifies under Article 4.2 for its breeding bird assemblage.
The Swale Ramsar	The Ramsar designation recognises nationally scarce plants and at least seven British Red data book invertebrates (Ramsar criterion 2), as well as the internationally important assemblages of waterfowl (Ramsar criterion 5).

5. Screening for likely significant effects

In reaching the conclusions of the screening assessment the competent authority took no account of any measures intended to avoid or reduce the potentially harmful effects on any European site.

Stodmarsh SAC	
SAC conservation objectives	With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change: Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: • The extent and distribution of the habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely • The populations of the qualifying species, and, • The distribution of the qualifying species within the site.
Site pressures	• Water quality, particularly nutrient enrichment from phosphorus and nitrogen. • Invasive species such as Crassula spp. (pigmyweeds), forming blankets of vegetation, as well as terrestrial invasive plants affecting riverbank vegetation. • Inappropriate scrub control; scrub encroachment into reedbeds can affect wetland species. • Air pollution resulting in deposition of atmospheric nitrogen which can affect species composition, through increase in vegetation which can tolerate high nitrogen levels. • (from Natural England's Site Improvement Plan)
Site condition	• 2009-11 (updated 2015) Stodmarsh SSSI condition assessment: 61% of site favourable condition; 21.5% unfavourable recovering; 17.5% unfavourable no change. • 2017/18 site review: some site units in unfavourable condition due to existing levels of nitrogen and phosphorus. • March 2019 Natural England's Supplementary advice on Stodmarsh SAC: Evidence that high levels of nitrogen and phosphorus are causing eutrophication in lake parts of the site. • July 2020 Natural England's *Advice on nutrient neutrality for new development in the Stour Valley catchment in relation to Stodmarsh designated sites*: nutrient inputs are currently thought to be caused mostly by wastewater from existing

	housing and agricultural sources which is impacting on the protected habitats and species in the designated site. • Natural England's view is that a likely significant effect on the SAC cannot be ruled out due to the increases in wastewater.		
Qualifying feature	**Possible effects of the project**		
	Construction of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)	**Operation of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)**	**Sturry and Broad Oak strategic allocation sites (CA/20/02826/OUT & CA/18/00868/FOS)**
S1016. *Vertigo moulinsiana*; Desmoulin`s whorl snail (DWS)	1. Dispersal of sediments during earthworks and pollution from spillages and poorly maintained machinery into River Great Stour leads to changes in water quality in the SAC that affects the condition of the swamp vegetation on which DWS depend. 2. Sediment dispersal and/or pollution affects the water quality of the ditches adjacent to the site in which DWS are present 3. Construction machinery directly or indirectly disturbs wetland habitat adjacent to the site in which DWS are present.	1. Bridge affects hydrology and/or flow regime of River Great Stour, leading to effect on SAC. 2. Permanent habitat loss at road footprint, including bridge piers, and associated embankments affects DWS/their habitat. 3. Road drainage discharge (oils) into River Great Stour leads to reduction in water quality that affects the SAC. 4. Road drainage discharge (winter treatment salts) into River Great Stour following winter road salt treatments leads to increase in salinity that affects the SAC. 5. Road drainage discharge (oils) affects the water quality of the ditches adjacent to the site in which DWS are present. 6. Road drainage discharge (winter treatment salts) affects the water quality of the ditches adjacent to the site in which DWS are present.	1. Changes in surface water run-off from the strategic site as a result of the change of use from agricultural to urban land affects quality and quantity of water reaching the SAC. 2. Changes in surface water run-off from the strategic site as a result of the change of use from agricultural to urban land affects quality and quantity of water reaching the functionally linked habitats that support DWS. 3. Foul sewage from the operational strategic site affects water quality in the SAC. 4. Traffic emissions from the strategic site lead to changes in air quality in the SAC.

		7. Works to enhance wetland habitat affects DWS/their habitat.	
Conclusions	**1. Potential likely significant effect** from sediment dispersal and pollution into River Great Stour that affects the SAC. **2. Potential likely significant effect** from sediment dispersal and pollution that affects functionally linked habitat that supports DWS. **3. Potential likely significant effect** from construction machinery that damages or disturbs functionally linked habitat that supports DWS.	**1. No likely significant effect** – bridge is clear span and designed to accommodate 1 in 100-year flood events with a 600mm freeboard and climate change flood levels. **2. No likely significant effect** – areas of habitat loss are unsuitable for DWS, which were recorded 250m east of bridge in habitat that will not be directly affected. **3. Potential likely significant effect** from road drainage discharge (oils) that affects water quality in SAC. Project proposer has provided alternative discharge into attenuation pond to avoid direct discharge into River Great Stour.	**1. Potential likely significant effect** from sediment dispersal and pollution into River Great Stour that affects the SAC. **2. Potential likely significant effect** from sediment dispersal and pollution that affects functionally linked habitats that supports DWS. **3. Potential likely significant effect** as foul sewage cannot be connected to the wastewater treatment works at Sturry due to existing concerns regarding high nitrate and phosphate levels leading to poor water quality within the SAC.

		Change to avoid or reduce harmful effects on the SAC so cannot be taken into account at screening stage. **4. Potential likely significant effect** from increase in salinity that affects water quality in SAC. **5. Potential likely significant effect** from road drainage discharge (oils) that affects water quality in functionally linked habitats that supports DWS. **6. Potential likely significant effect** from increase in salinity that affects water quality in functionally linked habitats that supports DWS. **7. Potential likely significant effect** on DWS in functionally linked habitats as a result of damage or disturbance during wetland habitat works.	**4. No likely significant effect** There are no main roads within 200m of the SAC boundary, and in line with government guidelines[1] traffic emissions can be screened out.

Stodmarsh SPA & Ramsar	
SPA conservation objectives (no conservation objectives specified for the Ramsar site)	With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change: Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: • The extent and distribution of the habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely

[1] Highways Agency (2007) Design Manual for Roads and Bridges (DMRB) Volume 11 Environmental Assessment, Section 3 Environmental Assessment Techniques, Part 1 Air Quality.

	• The populations of the qualifying species, and, • The distribution of the qualifying species within the site.		
Site pressures	Pressures affecting the site relevant to the bird species include: • Pollution to groundwater • Air pollution • Invasive non-native species • Succession of scrub.		
Site condition	The marsh and open water habitats on the site are generally in favourable or unfavourable recovering condition. As for the SAC, lake features within the site have unfavourable condition due to localised nutrient enrichment from nitrogen and phosphorus.		
Qualifying feature	**Possible effect of the projects**		
	Construction of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)	**Operation of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)**	**Sturry and Broad Oak strategic allocation sites (CA/20/02826/OUT & CA/18/00868/FOS)**
Wintering and breeding birds	1. Disturbance and displacement of overwintering birds (i.e. snipe, shoveler, mallard, lapwing, tufted duck and water rail) using functionally linked habitats along the River Great Stour corridor, during construction works (particularly noise and vibration from piling and road surfacing). 2. Loss of habitat for use as site compounds 3. Dispersal of sediments during earthworks and pollution from spillages and poorly maintained machinery into River Great Stour leads to changes in water quality in the SPA/Ramsar. 4. Sediment dispersal and pollution	1. Permanent habitat loss at road footprint, including bridge piers, and associated embankments. 2. Disturbance (traffic noise) and displacement of foraging overwintering birds that are qualifying species of the SPA (snipe and lapwing). 3. Increased risk of bird collision and mortality as a result of bridge and link road.	1. Changes in surface water run-off from the strategic site as a result of the change of use from agricultural to urban land affects quality and quantity of water reaching the SPA/Ramsar. 2. Changes in surface water run-off from the strategic site as a result of the change of use from agricultural to urban land affects quality and quantity of water reaching the functionally linked habitats that support foraging overwintering birds that are qualifying species of the SPA (snipe and lapwing). 3. Foul sewage from the operational strategic site affects water quality in

	affects the water quality of the functionally linked habitats adjacent to the site that supports overwintering birds.		the SPA/Ramsar. 4. Traffic emissions from the strategic site lead to changes in air quality in the SPA/Ramsar. 5. Increased lighting and new sources of significant noise affect foraging overwintering birds that are qualifying species of the SPA (snipe and lapwing) present in the wetland fields to the south of the railway. 6. Increases in recreational pressure and bird disturbance within the SPA/Ramsar from new residents visiting the designated site.
Conclusions	**1. Potential likely significant effect** as a result of displacement of overwintering birds from functionally linked habitats. **2. Potential likely significant effect** as a result of loss of functionally linked habitats that supports overwintering birds. **3. Potential likely significant effect** from sediment dispersal and pollution into River Great Stour that affects the SPA. 4. **Potential likely significant effect** from sediment dispersal and pollution that affects functionally linked habitats that supports overwintering birds.	**1. Potential likely significant effect** – only small amount of permanent habitat loss (approx. 0.6ha) but could result in lse. **2. Potential likely significant effect** as a result of disturbance from traffic noise of significant numbers of snipe present in functionally linked habitats to the east of the link road. **3. No likely significant effect** – limited suitable habitat (for birds associated to the SPA) to the west of the link road. SPA-associated bird species were not recorded making regular flight movements along the river corridor.	**1. Potential likely significant effect** from sediment dispersal and pollution into River Great Stour that affects the SPA. **2. Potential likely significant effect** from sediment dispersal and pollution that affects functionally linked habitats that supports overwintering birds. **3. Potential likely significant effect** as foul sewage cannot be connected to the WasteWater Treatment Works at Sturry due to existing concerns regarding high nitrate and phosphate levels leading to poor water quality within the SPA. **4. No likely significant effect** - There are no main roads within 200m of the

			SPA boundary, and in line with government guidelines[1] traffic emissions can be screened out. **5. Potential likely significant effect** as a result of displacement of overwintering birds from functionally linked habitats. **6. No likely significant effect** – due to: the distance from the strategic site to the SPA; the National Nature Reserve (NNR) which overlaps much of the SPA is managed to restrict visitors to the less sensitive areas; the waterbodies in non-NNR areas are screened from the footpaths; and recreational provision within the strategic site.

Blean Complex SAC	
SAC conservation objectives	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: • The extent and distribution of qualifying natural habitats: • The structure and function (including typical species) of qualifying natural habitats; and • The supporting processes on which qualifying natural habitats rely.
Site pressures	One of the key pressures on this site is from air pollution, which can result in changes in species composition as a result of nitrogen deposition. The site already exceeds the site relevant critical load for ecosystem protection, according to the Air Pollution Information System (APIS).

[1] Highways Agency (2007) Design Manual for Roads and Bridges (DMRB) Volume 11 Environmental Assessment, Section 3 Environmental Assessment Techniques, Part 1 Air Quality.

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Site condition	The SAC site as a whole is generally classed as being in favourable condition, based on condition monitoring assessments of the SSSI units from 2007 to 2016. Small areas are unfavourable recovering, due to encroachment of *Rhododendron ponticum*.		
Qualifying feature	**Possible effect of the projects**		
	Construction of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)	**Operation of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)**	**Sturry and Broad Oak strategic allocation sites (CA/20/02826/OUT & CA/18/00868/FOS)**
Annex I habitat '9160 Sub-Atlantic and medio-European oak or oak-hornbeam forests of the *Carpinion betuli*'	1. Increased dust and nitrogen deposition on SAC.	1. Emissions generated by traffic using link road lead to increased nitrogen deposition on SAC.	1. Emissions generated by traffic using strategic site leads to increased air pollution that indirectly impacts on the vegetation and soils of the SAC.
Conclusions	**1. No likely significant effect** – distance of SAC from project site.	**1. No likely significant effect** – distance of SAC from project site.	**1. No likely significant effect** – The strategic assessment[1] undertaken in respect of the Canterbury District Local Plan 2017 concluded that there will be no likely significant effect as annual increases in nitrogen are predicted to be less than 1% of the critical load for the Annex I habitat of the SAC.

Thanet Coast	**SPA conservation objectives**

[1] Canterbury City Council (7 November 2014). Blean Complex Special Area of Conservation - Air Quality Assessment. The assessment of the potential air quality impacts of the increase in traffic resulting from the Canterbury District Publication Draft Local Plan 2014 on the Blean Complex Special Area of Conservation. [Published at Appendix 1 of: Canterbury District Local Plan Review Public Examination 2014. Topic Paper no.3: Habitat Regulations Issues.]

& Sandwich Bay SPA & Ramsar			
SPA conservation objectives (none specified for the Ramsar site)	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring: • The extent and distribution of the habitats of qualifying features • The structure and function of the habitats of qualifying features • The supporting processes on which the habitats of the qualifying features rely • The populations of each of the qualifying features, and, • The distribution of the qualifying features within the site.		
Site pressures	Site pressures include: • Outdoor sports and leisure activities, recreational activities causing disturbance. • Groundwater pollution (point and diffuse sources). • Surface water pollution. • Invasive non-native species. • Changes in biotic conditions. • Changes in species distributions.		
Site condition	Condition monitoring assessments on the SSSI units from 2009 indicate that the site is currently in favourable condition.		
Qualifying feature	**Possible effect of the projects**		
	Construction of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)	**Operation of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)**	**Sturry and Broad Oak strategic allocation sites (CA/20/02826/OUT & CA/18/00868/FOS)**
Wintering birds			1. Increases in recreational activity within the SPA/Ramsar from new residents visiting the designated site that leads to increased bird disturbance.
Conclusions	**No likely significant effect** due to distance between link road and SPA	**No likely significant effect** due to distance between link road and	**1. Likely significant effect** as a result of increased recreational activity as strategic site

	boundary (approx. 7.4km)	SPA boundary (approx. 7.4km)	is within the 7.2km zone of influence for the SPA/Ramsar[1].

The Swale SPA & Ramsar			
SPA conservation objectives (none specified for the Ramsar site)	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring: • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely: • The populations of each of the qualifying features, and, The distribution of the qualifying features within the site.		
Site pressures	Pressures on the site include fishing and harvesting aquatic resources, recreational activities, invasive non-native species, and changes in abiotic and biotic conditions.		
Site condition	The SSSI condition assessment indicates that the Swale is currently favourable over 97% of the site, with only 2% of the site classified as being in unfavourable condition.		
Qualifying feature	**Possible effect of the projects**		
	Construction of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)	**Operation of *A28 Sturry Link Road, Sturry* (KCC/CA/0136/2021)**	**Sturry and Broad Oak strategic allocation sites (CA/20/02826/OUT & CA/18/00868/FOS)**
Wintering birds			1. Increases in recreational activity within the SPA/Ramsar from new residents visiting the designated site that leads to increased bird disturbance.
Conclusions	**No likely significant effect** due to distance between link road and SPA boundary (approximately	**No likely significant effect** due to distance between link road and SPA boundary (approximately 8.6km)	**1. No likely significant effect** – the strategic site is outside of the 6km zone of influence for the SPA/Ramsar site[1]

[1] V Hyland Associates Ltd. & Blackwood Bayne Ltd. Strategic Access Management and Monitoring Plan In respect of the Canterbury section of the Thanet Coast and Sandwich Bay SPA, Main Report, Version: Final, November 2017

	8.6km)		

[1] Liley, D. & Fearnley, H. (2011). Bird Disturbance Study, North Kent 2010/11. Footprint Ecology

5.1 Screening summary

It is concluded by the competent authority that the project (including the linked Canterbury City Council applications) would be likely to have a significant effect on Stodmarsh Special Area of Conservation, Stodmarsh Special Protection Area, Stodmarsh Ramsar, Thanet Coast & Sandwich Bay Special Protection Area and Thanet Coast & Sandwich Bay Ramsar.

The following European sites are screened out from further assessment: Blean Complex Special Area of Conservation, The Swale SPA and The Swale Ramsar.

6. Appropriate Assessment

Potential significant impacts for the Sturry Link Road project and for the strategic allocation projects are considered here together.

For clarity: **SLR** = Sturry Link Road project; **SA** = strategic allocation projects.

European Site and qualifying feature(s)	**Potential effect on qualifying feature(s)**	**Potential impact pathways**	**Sensitivities of receptors**	**Source**	**Avoidance and/or mitigation measures**	**Adverse effect on site integrity?**
Stodmarsh SAC S1016. *Vertigo moulinsiana* Desmoulin`s whorl snail (DWS)	Loss of / reduction in suitability of habitat leads to loss of individuals / populations **in SAC**	Changes in water quality	Wetland habitats, and as a result the DWS associated with these habitats, are sensitive to the effects of changes in water quality from sediments and pollution, including surface water and foul water. There is already evidence of eutrophication within Stodmarsh as a result of nutrient enrichment.	**Construction (SLR, SA)** Sediments in surface water run off released into River Great Stour and travels downstream to SAC. Pollution from spillages and poorly maintained machinery released into River Great Stour and travels downstream to SAC. **Operation (SLR, SA)** Road drainage, including	**Construction (SLR, SA)** Implementation of Construction Environmental Management Plan (CEMP, draft in ES Appendix 5.1), (equivalent submitted in relation to SA projects, as reported in Canterbury CC AA) will ensure application of standard mitigation measures with respect to pollution prevention, hours of working and pollution incident response and adherence to guidelines for pollution prevention and best practice measures. CEMP measures include: • Pollution prevention/control measures • Daily machinery inspections • Refuelling in designated areas • Fuels and chemicals stored >10m from watercourses and ditches	None

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
				pollutants from vehicles (i.e. oils) is released into River Great Stour and travels downstream to SAC. Salt and grit applied to the road for winter maintenance enter surface water run-off and is discharged into River Great Stour that travels downstream to SAC. **(SLR)** Salt and grit applied to the road during winter maintenance falls from the bridge deck directly into River Great Stour that travels downstream to SAC. **(SLR)** Flood events lead to release of pollutants and / or salt / grit from southern attenuation pond into River Great Stour that travels downstream to SAC.	• No storage of soils or materials in the flood plain • Use of silt fencing and trenches, and inspections thereof • Monitoring of water quality in River Great Stour / streams and ditches running through strategic allocation site. • Portable toilets (for initial site set up works only) and good quality temporary toilet facilities will be provided for construction worker use to prevent water pollution resulting from worker-generated sewage effluents. The wastewater from these facilities will be tankered off site and disposed of appropriately. **Operation (SLR)** Sustainable Drainage System (SuDS) includes gullies and catch pits along the length of the road with oil interceptors and valves to prevent pollutants from road runoff entering the River Great Stour. Drainage from the bridge will be collected and discharged into the attenuation pond at the southern section of the road. This is located above the floodplain and bunded to be above flood level, with the top of the pond at least 0.378m higher than the max 1% plus climate change flood level. In the unlikely event of flood levels that lead to overtopping of the pond, the amount of floodwater will lead to significant dilution of any pollutants and / or salt / grit present in the pond.	

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
				(SA) Foul water from the operational site that reaches the SAC via the WwTW	Outfalls from the southern attenuation pond will be controlled using a hydrobrake chamber and will pass through an oil interceptor before being discharged into Sturry Dyke that joins the River Great Stour. Drainage from the roundabout and road north of the bridge will be collected into the attenuation pond north of the railway. Runoff will enter a catchpit chamber and pass through an oil interceptor before collecting in the attenuation pond. The water will be pumped into the wetland area north of the railway that serves the 'Land at Sturry' application section of link road. The flow from the wetland will travel via a stream and culvert under the railway line and discharge into the River Great Stour downstream of the DWS. Measures to ensure winter maintenance does not lead to adverse effects: • Surface water run-off will be directed to the attenuation ponds. These will be planted with salt/brackish tolerant plants to encourage take-up of suspended solids • The parapet design for the bridge will incorporate a solid screen to prevent overspill directly into the River Great Stour. This will trap spray on the bridge deck and direct it into the managed surface water run-off.	

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
					Where changes to the SuDS have been made since the application submission, the most up-to-date, and agreed, approaches are detailed in the *Report to inform Habitats Regulations Assessment Rev 03*. These will be incorporated into the Surface Water Drainage Strategy. **Operation (SA)** Surface Water Drainage Strategy for both strategic allocation sites will replicate existing drainage patterns and ensure surface water passes through attenuation/treatment features prior to discharging from the site. Landscape Strategies and Ecological Management Plans will provide a framework for mitigation and management in perpetuity (details in Canterbury City Council's Appropriate Assessment, as approved following consultation with Natural England) To avoid the discharge of foul water that could result in increased nutrients within the SAC, nutrient neutrality equivalent to 195 dwellings has been demonstrated, alongside Package Treatment Plants for subsequent dwellings, with ability to connect to mains sewage network when the wastewater treatment works have capacity and treatment levels that ensure no adverse effects on the integrity of the SAC. Full details are in Canterbury City Council's Appropriate Assessment, as approved following consultation with Natural England	

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
	Loss of / reduction in suitability of habitat leads to loss of individuals / populations (**in functionally linked habitats**)	Loss of functionally linked habitats	The distribution and numbers of DWS in ditches in the fields adjacent to the proposed bridge has reduced from initial surveys in 2015 to most recent surveys in 2019. Likely a result of drying out of the habitat. The DWS are now only known to be present in one ditch in this area and are therefore at high risk of local extinction.	**Construction (SLR)** Damage to habitat caused by construction vehicles / operatives. **Operation (SLR)** Inappropriate works to improve/create wetland habitat leads to DWS habitat damage	**Construction (SLR)** Adherence to Construction Environmental Management Plan (CEMP) (as outlined above) with specific measures for DWS: • Sensitive areas for DWS clearly delineated and signposted, an exclusion zone around ditches occupied by DWS. • Toolbox talks for site workers includes protected species and exclusion zones. Designated haul routes (indicated on Figure 1.3 ES) will be established for plant and materials. These will avoid the location of the DWS between the river and the railway line. **Operation (SLR)** Wetland creation/improvement works undertaken to method statement (outlined in section 6.2.1 of the *Report to inform Habitats Regulations Assessment Rev 03*) that will ensure the conservation status of the functionally linked DWS population is improved.	None
		Changes in water quality	As detailed above, DWS distribution has already contracted and the population is at high risk of local extinction. Wetland habitats, and as a result the DWS	**Construction (SLR)** Sediments released during earth works enter surface water run-off and are discharged into adjacent ditch system Pollution from spillages and poorly maintained	**Construction (SLR, SA)** Implementation of Construction Environmental Management Plan. *As shown above for Stodmarsh SAC > Loss of / reduction in suitability of habitat leads to loss of individuals / populations in SAC > Changes in water quality (impact pathway).* **Operation (SLR)** Sustainable Drainage System (SuDS) includes	None

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
			associated with the habitats, are sensitive to the effects of changes in water quality from sediments and pollution.	machinery released into ditch system **Operation (SLR)** Road drainage, including pollutants from vehicles (i.e. oils), discharges into adjacent ditch system. Salt and grit applied to the road for winter maintenance enter surface water run-off and are discharged into the ditch system. Salt and grit applied to the road during winter maintenance falls from the bridge deck onto the habitat below, entering the ditch system. Flood events lead to release of pollutants and / or salt / grit from the attenuation ponds into the DWS ditch system.	gullies and catch pits along the length of the road with oil interceptors and valves to prevent pollutants from road runoff entering the adjacent ditch system. No pathway for surface water run-off from the bridge deck and southern section of road (including southern attenuation pond) to the adjacent ditch system. The southern pond is approx. 320m from the DWS ditch, crossing two forks of the River Great Stour. It is highly unlikely that saline water released from the southern pond during an extreme flood event could travel to the DWS ditch and cause an adverse effect, not least because of the dilution of the level of salinity and that during an extreme flood event affecting the DWS habitat, the DWS would likely be washed downstream. Drainage from the roundabout and road north of the bridge will be collected into the attenuation pond north of the railway. Runoff will enter a catchpit chamber and pass through an oil interceptor before collecting in the attenuation pond. The water will be pumped into the wetland area north of the railway (and east of the DWS ditches) that serves the 'Land at Sturry' application section of link road. The flow from the wetland will travel via a stream and culvert under the railway line and discharge into the River Great Stour downstream of the DWS. The northern pond is situated outside of the	

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
					functional floodplain of the River Great Stour and above the modelled maximum flood level for 1 in 1000-year storm event. The risk of the northern pond flooding is assessed as low. Measures to ensure winter maintenance does not lead to adverse effects: • Surface water run-off will be directed to the attenuation ponds. These will be planted with salt/brackish tolerant plants to encourage take-up of suspended solids. • The parapet design for the bridge will incorporate a solid screen to prevent overspill directly into wetland and ditch network. This will trap spray on the bridge deck and direct it into the managed surface water run-off. Where changes have been made since the application submission, the most up-to-date, and agreed, approaches are detailed in the *Report to inform Habitats Regulations Assessment Rev 03.* **Operation (SA)** Surface Water Drainage Strategy for both strategic allocation sites will replicate existing drainage patterns and ensure surface water passes through attenuation/treatment features prior to discharging from the site. Landscape Strategies and Ecological Management Plans will provide a framework for mitigation and management in perpetuity (details in	

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
					Canterbury City Council's Appropriate Assessment, as approved following consultation with Natural England). The east-west section of the Link Road that is within the strategic allocation will have a separate SuDS to the rest of the strategic allocation area and will be discharged through the culvert to the east of the DWS ditches and discharge into the River Great Stour downstream of the DWS functionally linked habitat.	
Stodmarsh SPA & Ramsar site bittern, gadwall, shoveler, waterbird assemblage	Loss of / reduction in suitability of habitat leads to loss of individuals / populations **in SPA**	Changes in water quality	Wetland habitats, and as a result the birds dependent on these habitats, are sensitive to the effects of changes in water quality from sediments and pollution. There is already evidence of eutrophication within Stodmarsh as a result of nutrient enrichment	**Construction (SLR, SA)** Sediments in surface water run off released into River Great Stour and travels downstream to SPA. Pollution from spillages and poorly maintained machinery released into River Great Stour and travels downstream to SPA.	**Construction (SLR, SA)** Implementation of Construction Environmental Management Plan. *As shown above for Stodmarsh SAC > Loss of / reduction in suitability of habitat leads to loss of individuals / populations in SAC > Changes in water quality (impact pathway).*	
	Loss of habitat / reduction in suitability of habitat (**in**	Loss of functionally linked habitats.	Floodplain and wet grassland south of the railway are used by qualifying bird species, with snipe, shoveler, mallard,	**Construction (SLR)** Temporary loss of habitats as a result of site clearance for enabling works and site compounds.	**Construction (SLR)** Designated haul routes (indicated on Figure 1.3 ES) will be established for plant and materials to restrict construction impacts. Geogrid will be used in areas of soft ground around the river to avoid compaction and degradation of habitat.	None

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
	functionally linked habitats that supports birds that are qualifying features of the SPA & Ramsar site)		lapwing, tufted duck and water rail recorded during bird surveys. Loss of habitat could result in permanent displacement away from the SPA and the land adjacent to the bridge which is considered functionally linked habitats for snipe (as a result of numbers recorded during bird surveys).	**Operation (SLR)** Permanent habitat loss (approx. 0.6ha) as a result of bridge piers and associated embankments.	Habitat along the haul routes will be reinstated in accordance with submitted method statement (Ecological Addendum Appendix F). Two shallow scrapes will be created to mitigate for the temporary loss of floodplain grazing marsh as a result of the haul routes (and for temporary displacement of birds as a result of construction noise disturbance – see below). **Operation (SLR)** The scrapes created during construction will be retained in the long term, alongside wider wetland improvement work to be carried out in land south of the railway line (in association with Land at Sturry application).	
		Changes in water quality affecting functionally linked habitats	Bittern and gadwall recorded breeding downstream of the site	**Construction (SLR, SA)** Pollution from spillages and machinery released into River Great Stour that affects downstream water quality.	**Construction (SLR, SA)** Implementation of CEMPs. *As shown above for Stodmarsh SAC > Loss of / reduction in suitability of habitat leads to loss of individuals / populations in SAC > Changes in water quality (impact pathway).*	None
	Bird disturbance (**in functionally linked habitats**)	Noise, vibrations and lighting	Birds are sensitive to increased levels of noise and visual disturbance. This may be of sufficient magnitude or duration	**Construction (SLR, SA)** Disturbance of birds using wet grassland and reedbed habitats along River Great Stour during construction activities,	**Construction (SLR)** Implementation of CEMP. *As shown above for Stodmarsh SAC > Loss of / reduction in suitability of habitat leads to loss of individuals / populations in SAC > Changes in water quality (impact pathway).* Specific measures relating to bird disturbance:	None

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
			to disturb their feeding and breeding behaviour, potentially leading to effects on populations. The 2014/15 wintering bird surveys recorded a peak count of 95 snipe. 2017 surveys recorded a peak count of 74 snipe, this latter reported to correspond to approximately 22% of the SPA population.	particularly piling and carriageway surfacing. **Operation (SLR)** Traffic noise on the road and bridge lead to disturbance and displacement of birds.	• Sensitive areas for overwintering birds clearly delineated with appropriate signage. • Toolbox talks for site workers includes protected species and exclusion zones. • Sound reduced compressors used, with sealed covers kept closed when in use. • Ancillary pneumatic percussive tools fitted with mufflers or silencers. • Plant equipment and machinery in intermittent use shut down during intervening periods of non-use or throttled down to minimum where shut down is impracticable. • Unattended plant equipment operating outside normal working hours should be powered by electricity. • Plant equipment with directional noise characteristics directed away from sensitive receptors • Static machines sited as far away as possible from sensitive receptors and/or behind temporary screens. Piling for the bridge foundations will avoid winter months (November – early March inclusive, as indicated by wintering bird survey results). Carriageway surfacing is considered to be the noisiest construction activity and is likely to result in temporary displacement of foraging birds. Given the extent of suitable foraging habitat for wintering birds	

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
					within the SPA compared to the fields in the vicinity of the link road, it is concluded that temporary displacement from the fields in the vicinity of the link road will not result in an adverse effect on integrity of Stodmarsh SPA and Ramsar. Two shallow scrapes will be created to mitigate for the temporary displacement of birds as a result of construction disturbance (and temporary loss of floodplain grazing marsh as a result of the haul routes), providing additional favourable habitat during construction works. **Construction (SA)** Implementation of CEMP measures to minimise noise disturbance, as stated in Canterbury City Council's Appropriate Assessment, approved following consultation with Natural England. **Operation (SLR)** The new road will introduce a new, continuous noise source. Given the apparent habituation of the bird species to the adjacent railway noise, the road noise is considered unlikely to result in an adverse effect on site integrity as it comprises a lower level of disturbance (e.g. than construction noise), to which birds may also become habituated. The scrapes created during construction will be retained in the long term, alongside wider wetland	

European Site and qualifying feature(s)	Potential effect on qualifying feature(s)	Potential impact pathways	Sensitivities of receptors	Source	Avoidance and/or mitigation measures	Adverse effect on site integrity?
					improvement work to be carried out in land south of the railway line (in association with Land at Sturry application), improving the habitat suitability for wintering birds and providing some level of mitigation for the low level noise disturbance. There will be no street lighting on the viaduct to avoid light spill onto the river corridor **Operation (SA)** As stated in Canterbury City Council's Appropriate Assessment, approved following consultation with Natural England, the implementation of the Lighting Strategy will ensure lighting impacts are avoided.	
European Site and qualifying feature(s)	**Potential effect on qualifying feature(s)**	**Potential impact pathways**	**Sensitivities of receptors**	**Source**	**Avoidance and/or mitigation measures**	**Adverse effect on site integrity?**
Thanet Coast & Sandwich Bay SPA and Ramsar site Breeding little tern	Bird disturbance	Recreational activity	Birds are sensitive to increased levels of noise and visual disturbance. This may be of sufficient magnitude or duration to disturb their feeding and breeding behaviour, potentially	**(SA)** Residents of new dwellings in strategic site	**(SA)** Canterbury City Council has produced a Strategic Access, Management and Monitoring Plan[1] for the Thanet Coast and Sandwich Bay SPA and Ramsar Site that will be applied to development within the identified Zone of Influence. Elements within the Plan are: • Ongoing monitoring and surveys of the SPA /Ramsar, particularly with regard to visitors and bird numbers, which will be linked to the	None

[1] V Hyland Associates Ltd. & Blackwood bayne Ltd. Strategic Access Management and Monitoring Plan In respect of the Canterbury section of the Thanet Coast and Sandwich Bay SPA, Main Report, Version: Final, November 2017

Wintering golden plover, turnstone, ringed plover, grey plover, sanderling, Lapland bunting			leading to effects on populations.		wardening programme • Wardening of the SPA/Ramsar • Signage and interpretation • Increased education of site users. The suite of strategic mitigation measures are being delivered through the Thanet Coast Project, run by Thanet District Council working in partnership with conservation organisations in East Kent, to ensure that development, considered in-combination, does not have an adverse effect on the integrity of the European sites. A per-dwelling tariff has been calculated using the total cost of delivering the mitigation measures in-perpetuity and the planned number of additional dwellings expected to be built in Canterbury District. Evidence must be submitted by the applicant showing that a mitigation contribution payment will be made through a s106 agreement where Heads of Terms have been agreed and the agreement will be signed prior to any permission being granted.	

6.1 Appropriate Assessment conclusion

The competent authority (Kent County Council) undertook an objective scientific assessment of the implications of the project on the qualifying features of Stodmarsh SAC, Stodmarsh SPA, Stodmarsh Ramsar, Thanet Coast & Sandwich Bay Special Protection Area and Thanet Coast & Sandwich Bay Ramsar. In summary:

Construction effects on Stodmarsh SAC, Stodmarsh SPA and Stodmarsh Ramsar will be managed throughout the construction period by adherence to measures set out in a Construction Environmental Management Plan (CEMP), including the specified measures to prevent and minimise impacts to water quality, and timing of works to avoid sensitive periods for birds.

The project incorporates the specified design solutions within the CEMP, drainage design and bridge deck parapet to avoid and minimise potential for impacts to water quality in functionally linked habitats adjacent to the development footprint and in Stodmarsh SAC, Stodmarsh SPA and Stodmarsh Ramsar during construction and operation of the project.

The operational impacts on qualifying features of Stodmarsh SAC, Stodmarsh SPA and Stodmarsh Ramsar in functionally linked habitats adjacent to the development footprint will be further mitigated by the creation and enhancement of wetland habitats.

The operational effects on Thanet Coast & Sandwich Bay SPA and Thanet Coast & Sandwich Bay Ramsar as a result of the linked projects will be mitigated with a financial contribution to the implementation of Canterbury City Council's Strategic Access, Management and Monitoring Plan.

It was ascertained that the project will have no effect on the European sites. As such, an adverse effect in combination with other plans and projects is ruled out.

6.2 Mitigation measures

The competent authority considered the manner in which the project was to be carried out and any conditions and restrictions that it could impose on any authorisation before concluding the integrity test. Should planning permission be granted, the below mitigation measures will be imposed on the project by way of conditions.

- Construction Environmental Management Plan, including all measures specified in the Appropriate Assessment and *Report to Inform Habitats Regulations Assessment – Section 6.1.2 – 6.1.19*, and particularly no piling November to early March inclusive.
- Sustainable Drainage System implemented through Surface Water Management Plan and monitoring of efficacy (including all measures specified in the Appropriate Assessment and *Report to Inform Habitats Regulations Assessment – Section 6.1 and Appendix A*)
- Bridge parapet with solid screens to prevent spray/run-off overspilling (*Report to Inform Habitats Regulations Assessment – Section 6.1 and Appendix A*)

- Habitat creation, including long-term management and monitoring:
    - Creation of scrapes prior to construction works commencing (*Report to Inform Habitats Regulations Assessment – Section 6.2* and *Ecological Addendum Figure A11.12*)
    - Wetland creation/improvement works (for Desmoulin's whorl snail habitat) in accordance with agreed method (*Report to Inform Habitats Regulations Assessment – Section 6.2*)
    - Monitoring of Desmoulin's whorl snail population in functionally linked habitats

Avoidance and mitigation measures relating to the linked applications, as outlined in the Habitat Regulations Assessment for those projects, will be secured by Canterbury City Council, the competent authority for those projects.

7. Integrity Test

Following the appropriate assessment and the consideration of all mitigation measures, Kent County Council, the competent authority, was able to ascertain that the project would not adversely affect the integrity of any European site.

8. References and Reports

In reaching the conclusion of the assessment the competent authority took the following documents into account:

Letter from Thomas Scott-Heagerty, Natural England to Helen Edwards Kent County Council dated 19th August 2021 (consultation response to Kent County Council's Appropriate Assessment).

Environmental Statement Update April 2021

Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment (AA) Statement. Canterbury City Council. September 2020.

Letter from Nathan Burns, Natural England to Ceri Williams, Canterbury City Council dated 29th September 2020 (consultation response to Canterbury City Council's Appropriate Assessment).

Report to inform Habitats Regulations Assessment, Issue 03. Amey. February 2020. (note that sections 6.1.21 – 6.1.24 have been superseded. Up-to-date information on the measures to achieve total phosphorous neutrality are included in the Canterbury City Council Habitats Regulations Assessment.)

A28 Sturry Link Road, Canterbury. ES Addendum. Amey. September 2019.

A28 Sturry Link Road, Canterbury. Environmental Statement. Appendix 5.1: Construction Environmental Management Plan. Amey. February 2019.

A28 Sturry Link Road, Canterbury. Environmental Statement. Appendix 11.1: Baseline Ecology Report. Amey. December 2018.

Managing Natura 2000 sites (The Provision of the Article 6 of the Habitats Directive 92/43/EEC). European Commission. 2000.

Advice on nutrient neutrality for new development in the Stour Valley catchment in relation to Stodmarsh designated sites. Natural England. July 2020.

Item D1

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Date: 19 August 2021

Our ref: 361638

Your ref: KCC/CA/0136/2021

Helen Edwards
Kent County Council

BY EMAIL ONLY

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Dear Helen Edwards

Planning consultation: Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements. Location: A28 Sturry Link Road, Sturry, Canterbury

Thank you for your consultation on the above dated 28 July 2021 which was received by Natural England on the same day.

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

Comment on Habitats Regulations Assessment (HRA) Appropriate Assessment (AA)

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of the Stodmarsh Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site (subsequently referred to as the Stodmarsh designated sites in this letter).

As set out in our previous response issued 22 July 2021(357660) the key mitigation measures required for this application are the following:

- The implementation of a site sensitive Construction Environmental Management Plan (CEMP)
- Avoidance of road runoff entering Desmoulin's whorl snail habitat (alone and incombination) for the Link Road and the associated housing development. This is required for the functionally linked population, the habitat to be created by the enhancement measures, and that within the designated site.
- Road drainage for the associated housing to be separated from the general SuDS drainage for these schemes. This was necessary as the road drainage system from the housing development is also subject to winter maintenance. We note that the Link Road and housing development's road drainage will be connected and discharge to the east of the functionally linked habitat.
- Attenuation ponds to be located outside of the floodplain and to be constructed to avoid overtopping. This is of considerable importance as flooding/overtopping events could wash salt directly into the snail's habitat to the south of the attenuation pond.
- The maintenance/monitoring of the drainage systems and attenuation ponds will need to
  be provided in perpetuity to ensure ongoing efficacy.

- The creation and maintenance of bridge parapet to prevent viaduct overspill into Desmoulin's whorl snail habitat.
- Attenuation ponds to be profiled and planted with saline tolerant species (to be agreed with Natural England) and designed in order to maximise the potential for saline uptake before discharge into the Stour.
- The implementation and management of proposed wetland creation and habitat improvement works in accordance with Section 6.2.1 of the Information to Inform the appropriate assessment
- The creation and management of shallow scrapes to mitigate for loss of habitat for functionally linked interest feature bird species
- The timings of noisy works outside of the winter months in order to mitigate for noise disturbance
- The implementation of proposed Sustainable Drainage Systems (SuDS)
- The implementation of an appropriate interest feature sensitive lighting strategy

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Having now considered the competent authority's appropriate assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advice is as follows.

Construction phase impacts

We concur with your authority's conclusions of no adverse effect on the integrity of the Stodmarsh designated sites resulting from the construction phase of development.

This is provided that, as detailed in your HRA AA;, the following actions are taken;

- the mitigation measures that are part of the proposed Construction Environmental Management Plan (CEMP).
- the creation of the two shallow scrapes required to mitigate for temporary loss of floodplain grazing habitat and temporary displacement of birds are appropriately secured in any planning permission given.
- The timings of percussive piling avoids winter months to mitigate for noise disturbance to overwintering birds.

Operational phase impacts on *Vertigo moulinsiana* Desmoulin`s whorl snail (DWS)

We concur with your authority's conclusions of no adverse effect on the integrity of the Stodmarsh SAC during the operational phase of development with respect to the interest feature of DWS. This is provided that, as detailed in your HRA AA, surface water runoff from the road scheme is treated by the proposed Sustainable Drainage System (SuDS), and discharging into upstream of DWS habitat is avoided. In summary the requirements include:

- Implementation of SuDS with planting of appropriate salt tolerant species
- Implementation of proposed wetland creation and improvement works
- Creation of bridge parapet to prevent overspill into DWS habitat
- Attenuation ponds located above the floodplain of the River Great Stour, and bunded above the flood level to prevent overtopping

These mitigation measures must be monitored and maintained in perpetuity and appropriately secured in any planning permission given.

Operational phase impacts on Stodmarsh SPA & Ramsar birds

We concur with your authority's conclusions of no adverse effect on the integrity of the Stodmarsh SPA and Ramsar Site in the operational phase of development with respect to interest feature bird species.

This is provided that, as detailed in your HRA AA, the two scrapes created during the construction phase are retained in perpetuity alongside the proposed wider wetland improvement/creation work and the proposed lighting strategy implementation are appropriately secured in any planning permission given.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Should the proposal significantly change please consult with Natural England again. If you have any queries relating to the advice in this letter please contact me at thomas.scottheagerty@naturalengland.org.uk

For new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Thomas Scott-Heagerty

Lead Advisor – Sussex & Kent Area Team

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Appendix 3

Sturry Parish Council Representation

Item D1

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

SPC response to KCC/CA/0136/2021

Contents

Introduction

The impact of the proposals in this application upon the Parish of Sturry will include changes in the patterns of vehicular traffic movement, changes in the way pedestrians are accommodated in the region of the Sturry rail crossing, landscape, ecology, noise levels and air quality. The impact on landscape and ecology will be principally in the area around the proposed viaduct, the impact on patterns of traffic movement, accommodation of pedestrians, noise levels and air quality will be to the whole of the residential area between the junction at Sweechgate and the proposed new roundabout where the viaduct meets the existing A28 on Sturry Road. In compiling this response Sturry Parish Council has made every effort to present a balanced view of the proposals in KCC/CA/0136/2021 and to represent the views of Parish residents.

Background

A previous application for this scheme, KCC/CA/0091/2019 was refused by Kent County Council. The reasons for refusal were:

"The development makes inadequate provision for public transport infrastructure, contrary to policies T1 and T3 of the Canterbury District Local Plan, 2017.

The development fails to demonstrate that the navigation of the Great Stour River will not be compromised by the construction of the viaduct, contrary to policy LB13 of the Canterbury District Local Plan, 2017

The proposed alterations at the A291/A28 junction make inadequate provision for local traffic."

Sturry Parish Council objected to this application. Our objection was supported by the third reason for refusal, namely, that the proposed alterations at the junction of the A291 and A28 make inadequate provision for local traffic. It was disappointing that none of our other objections were considered material as they pointed out non-compliance with statutory requirements, good practice and guidance.

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The Proposal

The original proposal has been amended to take account of concerns raised by Natural England over the impact of the scheme on the Stodmarsh Nature Reserve. This has entailed minor alterations to the management of water run-off and ecological mitigation associated with the viaduct and widening of the Shalloak Road junction. The arrangement proposed for the A291/A28 junction has been amended to remove the ban on Canterbury bound traffic on the A28 turning left into Sturry village. The Environmental Statement Non-Technical Summary States

"1.4.4 It should be noted that for the new application, the layout of the link road from the A28 Sturry Road to the A291 Sturry Hill Road remains largely unchanged from that submitted in 2019 in the original planning application. There have been some minor changes to the drainage with an additional attenuation pond provided to the north of the railway, and a minor change in the extent of the red line boundary at the west to accommodate widening on the Shalloak Road. The red line boundary also now includes land for ecological enhancements."

We are satisfied that the second reason for refusal ***"The development fails to demonstrate that the navigation of the Great Stour River will not be compromised by the construction of the viaduct, contrary to policy LB13 of the Canterbury District Local Plan, 2017"*** has been addressed by the new application.

The first reason for refusal ***"The development makes inadequate provision for public transport infrastructure, contrary to policies T1 and T3 of the Canterbury District Local Plan, 2017."*** has not been addressed and the third reason, "***The proposed alterations at the A291/A28 junction make inadequate provision for local traffic"*** has only been partly addressed.

Impact on Sturry Parish

The table below sets out in broad terms how the various impacts of the scheme are distributed within the parish

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Table 1

	Changes in Traffic	*Accommodation of pedestrians*	*Landscape*	*Ecology*	*Noise pollution*	*Air pollution*
Sweechgate and Shalloak Road	Positive – reduction in traffic flow	Positive – easier crossing of the road	No impact	No impact	Positive – reduction in traffic flow	Positive – Reduction in traffic flow
Sweechgate to Sturry Hill Junction	Negative – becomes a more attractive route than Shalloak Road, plus additional traffic from new development in Broad Oak	Negative – increase in traffic flow will make pedestrian crossing more dangerous with poorer walking environment	No impact	No impact	Negative – increase in traffic flow	Negative – increase in traffic flow
Sturry Road (north) Junction to Junction of A291 with A28	Negative – large additional traffic flow from A28	Negative – increase in traffic and loss of pavement – far more dangerous with poorer walking environment	No impact	No impact	Negative large increase in traffic flow	Negative – large increase in traffic flow
Junction of A291 and A28	Negative- complications of increasing the amount of traffic turning right	Negative – crossing will be more complicated and take longer	Negative – more visually intrusive signage and traffic lights	No impact	Negative – more stopping, starting and acceleration of traffic	Negative - more stopping, starting and acceleration of traffic
Sturry rail crossing to proposed round about at Perryfields	Positive – traffic diverted to Sturry Hill and new development in Sturry	Positive – will be easier to cross and better walking environment	No impact	No impact	Positive – less traffic flow	Positive - less traffic flow
New major development in Broad Oak	No impact	No impact	No impact	No impact	No impact	No impact
New major development in Sturry	Negative – the viaduct will draw Canterbury - bound through traffic through residential area	Negative – increase in traffic will make crossing more dangerous with poorer walking environment	Negative – visual intrusion of viaduct – especially on PROW CB61	No impact	Negative – accommodation of high levels of through traffic	Negative - accommodation of high levels of through traffic
A28 Island Road	Uncertain	Uncertain	No impact	No impact	Uncertain	Uncertain
Viaduct	NA	Negative - more complicated to walk along A28 and poorer walking environment. Viaduct will not be a pleasant walking environment.	Negative – very intrusive construction in designate area of high landscape value.	Negative – potential for wide ranging impact and success of mitigation uncertain.	Negative at roundabout with A28 at Perryfields – more stopping/starting and acceleration of traffic	Negative at roundabout with A28 at Perryfields – more topping/starting and acceleration of traffic
Sturry Estate	Negative – rat running	Uncertain	No impact	No impact	Negative – rat running	Negative – rat running

High negative impact | Moderate negative impact | Impact Uncertain | Positive impact

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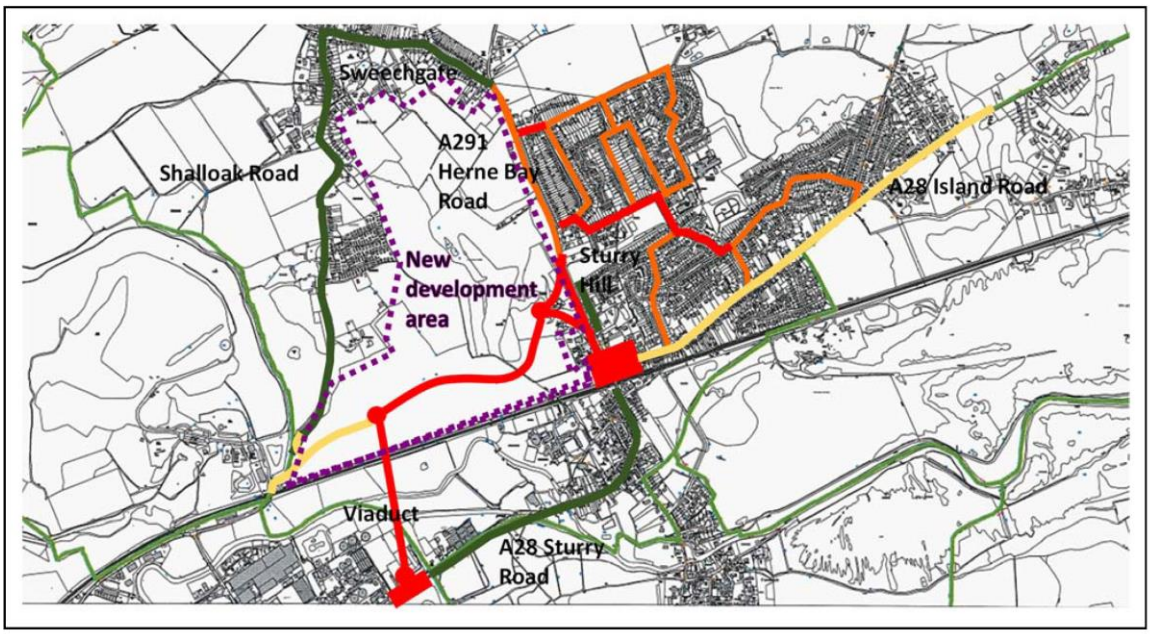
Figure: **Plan of areas in Sturry Parish showing expected impact of the Link Road proposals**



Expected cumulative impact of the Link Road proposals

- Areas of worst negative impact
- Areas of moderate negative impact
- Areas where impact is uncertain
- Areas of positive improvement

Note : The areas of the estate affected will be largely due to rat running to avoid detouring around the proposed roundabout inside the new development and to avoid the proposed traffic lights. The worst affected areas will be around the pinch point adjacent to the recreation ground and the junctions with the A291.

Table is based on knowledge of the existing situation, experience of the effect of recent and anticipated additional traffic flow through Sturry and Broad Oak from proposed new development and road building in Hersden and Herne.

It is evident from the table and plan that the impact of the proposal varies from place to place in both type and magnitude. Considering the balance of impacts, the overall impact is negative and while the proposal would benefit some areas of Sturry and Broad Oak, this should be considered against the resulting environmental damage in other areas. It is evident that the chief beneficiaries are those living outside the parish whose objective is to get through the village as quickly as possible en route to Canterbury and destinations beyond. This benefit will only materialise if congestion is actually relieved and depends on KCC and CCC introducing a new road infrastructure which will inevitably encourage greater use of vehicles and increase levels of noise and air pollution in defiance of all current and vitally important government targets for reducing emissions.

The Sturry Link Road, apart from relieving congestion at Sturry Rail crossing, was intended to enable full development of the Land at Sturry. The highway arrangements made have failed to ensure pedestrian safety at the point where the diverted A28 and A291 traffic leaves Sturry Hill and enters the new development. To follow a safe route up and down Sturry Hill, pedestrians will need to make an approximately 600m long detour into the new development area. In all probability, residents will take one of three other choices:
to chance crossing two separate major traffic streams without the benefit of any traffic controls,
to avoid walking and undertake more journeys by car or
to stay at home and be isolated from the services and social contact they need.
We are disappointed that this this area has not been included in the planning application and no proposals brought forward to remedy the situation. To many residents this represents a travesty of good planning which is contrary to 110 of the National Planning Policy Framework and 5.8 of the Canterbury and District Transport Strategy 2014 – 2031. As the Highways Authority for this area it is Kent County Council's responsibly to require that new development provides a safe, convenient environment for pedestrians.

The Transport Assessment says
3.4.2 "A footway is present on the western side of the A291 Sturry Hill until the junction with Sweechgate to the north of Sturry. The footway is of reasonable width and of fairly good quality. Close to Popes Lane there is also a footway on the eastern side. No formal crossing facilities are located here but just north of Popes Lane are dropped kerbs and an island refuge which provides a crossing point to access the bus stops further north on either side of the road. For bus passengers walking from the north to these bus stops, it is unlikely they would walk past the bus stop in order to cross at this location."

This represents the situation as it is now, it does not give a true account of the situation that will exist at the time when any of the proposed changes contained in this application are implemented. This new situation is relevant to the application and should have been mentioned in the Transport Assessment.

Public transport

The reasons for refusal are not specific about which aspect of public transport infrastructure provision is inadequate. Those who attended the KCC Planning Committee of March 2021 will be aware that this was in relation to the lack of any bus lane on the coast-bound carriageway of the viaduct, reasons for needing this were given at the Committee meeting. This lack of provision has not been addressed in the new proposal. In addition, the proposal needs to consider the railway infrastructure at the Sturry level crossing since this is responsible for the high levels of peak time congestion at the junction of the A291 and A28. We acknowledge that the new application includes a briefing note on the situation and possible future plans of Network Rail. We

disagree with the conclusion of this Note that the timescale for future improvements makes a case for building the Link Road, it especially doesn't make the case for the proposed changes to the junction of the A291 and A28.

Sturry Level Crossing – junction of the the A291 and A28

Fig 17 in the Transport Assessment shows that the capacity of the level crossing is not currently exceeded and while there are delays, especially at peak times, the length of these delays could be significantly reduced by modifications to the platforms and signalling at the rail station.

Fig 17 Transport Assessment

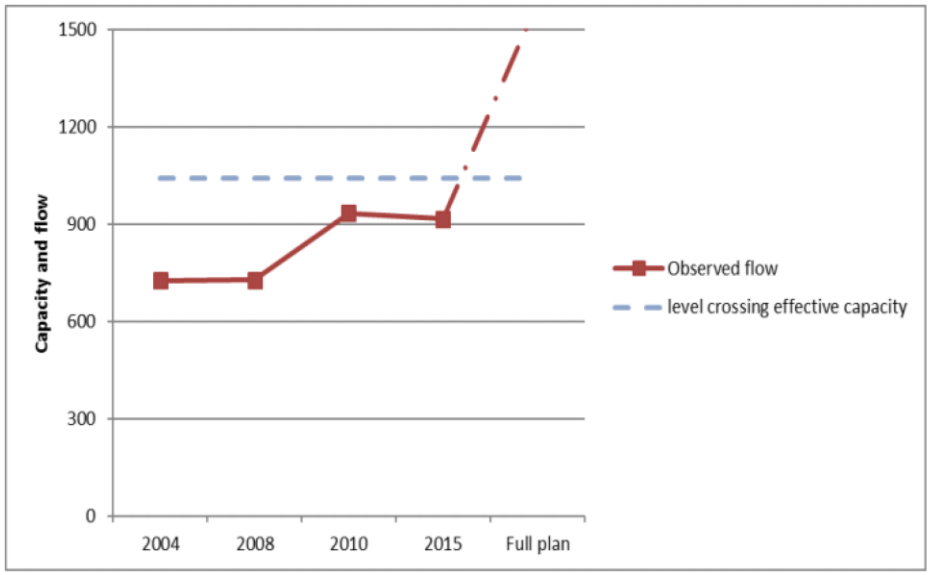


Figure 17 Sturry level crossing – link flow vs capacity (AM peak) – with forecast flows

Recording traffic flow only goes up to 2015 so there is currently no measurement of traffic flow. We note that the intention is not to alter this junction until after the Link Road and development in Sturry and Broad Oak is completed. The traffic flow needs to be measured again and a further assessment of the crossing capacity made when this development is completed and the improvements to rail infrastructure have been implemented. Only then should a decision be made as to whether the alterations to this junction should go ahead.

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Request from Sturry Parish Council

We ask that if this application is granted it is subject to a condition which requires implementation of the junction alterations to take place only after improvements in the rail infrastructure are completed and a subsequent new traffic assessment is carried out to test their effectiveness in reducing congestion.

The reasons for this are:

1. As things stand, the design of the junction allows traffic to turn left from the eastbound A28. This is a welcome improvement, however, the introduction of traffic lights introduces possibly insurmountable difficulties in bringing the signalling and crossing closures into sync to avoid sequential delays in both directions, to traffic needing to use the crossing.

2. Inconvenience to pedestrians caused by the need, in some instances, to operate four sets of pedestrian lights will be a severe deterrent to use of the formal crossing arrangements and will encourage pedestrians to take the far less safe option of crossing during gaps in the traffic. The poor pedestrian arrangement supposedly to improve safety is likely be counterproductive. Daily essential journeys by pedestrians are the ones that matter. The 2017 traffic census at the level crossing records a weekday average of pedestrian movement over the crossing of 725, (Design and Access Statement June 2021) This approximates to the number of people who will daily have to negotiate an arrangement which will profoundly affect their ability and willingness to undertake journeys on foot and their confidence in doing so.

3. Traffic travelling west along the A28 will no longer be able to U turn to access the Co-Op car park. This is currently a very well used route and its removal will deter continued use of the Co-Op by some of its regular customers, this in turn will affect the viability of the shop and put one of our most vital retail facilities at risk. It will also encourage more traffic through the residential estate as customers of the Co-Op coming from the east will tend to divert to enable them to approach the shop from the north.

   The same problems will be experienced by residents of Sturry Court Mews who will no longer be able to access their homes from the east.

Route currently available to customers of the Co-Op and residents of Sturry Court Mews. This route will be removed by the proposed junction re-design so that these premises can only be accessed by vehicles from the north and south.

Station forecourt
There is insufficient room in the forecourt for people to turn if it is full of cars and this necessity needs to be removed.

Comments from residents

In addition to the comments above Sturry Parish Council have received the following direct comments from members of the public.

Comment 1
"Just reading the planning application for light control at the Sturry junction. I use this road all of the time and people are ok at not stopping on the tracks. But from time to time people do end up accidentally on the tracks for a few seconds as traffic stops for people to turn in or out of the shop or busses crossing the junction. If we add lights to this junction then we would increase the amount of time cars have to wait coming from Canterbury. If one car stops quicker than the car behind was expecting then cars may accidentally end up stopped on the track. As the traffic lights will be very close to the track then this will increase the likelihood of this situation happening. I think that it is very dangerous especially as some trains do not stop at Sturry and could be travelling very fast. I'm less concerned about the pedestrian access and more concerned about the risk of a major accident. I very much hope that traffic lights are not installed on this junction.

Not sure what the process is around making comments. But my name is [redacted] and I live in Fairview Gardens. Please feel free to email me if you would like further explanation of why I feel this is an issue."

"I suppose that the proposed changes:- "The A28 through Sturry gets congested because the level crossing interrupts traffic. The new road would allow traffic to avoid the level crossing and improve access to Sturry station." Implies a problem, that the level crossing causes congestion and that the station is inaccessible.

Comment 2
"The proposed solution does not address these problems. Traffic lights at the station junction will increase congestion, i.e. traffic stopped in one direction or the other for 60 minutes every hour; the present level of stopped traffic due to the crossing is just 10 minutes every hour (94 train movements per day). Access to the station has not changed, i.e. if a passenger buys a ticket from the machine to a destination towards London and then crossing barrier descends, access to the appropriate platform is denied.

In the light of climate change, which is becoming an all too apparent global threat as I type these words, different solutions need to be found to non-active travel. This proposal is a white elephant of a project that could quite possibly be redundant before it is completed. It is the time to rethink Canterbury's transport systems and build something to replace use of private cars.

As to the pressure of extra housing on the transport system the solution is quite simple. Please suggest to the developers that as they need to cram in so many houses (slums of the future) that already the provision for

attached gardens are minimal. So if the developers didn't provide car parking space or garages as well, they could build even more homes and discourage extra congestion on roads leading into Canterbury."

I leave you to draw the conclusion that this email is to protest the sanity of Canterbury City Council's Sturry Link Road planning proposals."

Comment 3

"Junction on Herne Bay Hill will not work for pedestrians.

The traffic junction will not work for the amount of traffic generated by the new housing and the increase in traffic from the flyover and Link Road would back up either end of the existing roads."

Comment 4

"To Whom It May Concern

Further to the flyer posted through our letterbox, I have the following comments to make in relation to the Sturry bypass and more importantly the lack of a wider scheme around the entire Sturry village.

Firstly, it's great to see imminent improvements to the road infrastructure approaching Sturry. Whilst the current planned scheme will bring partial benefits to Sturry, it lacks a wider solution to the village itself, and I do not see the current scheme delivering any improvements Sturry desperately needs.

What the village ultimately needs is a further link road around the north of the village (Broad Oak junction with Herne Bay Road heading north of Popes Lane and connecting to Island Road at Westbere). In this respect, I enclose your plan with thick black line indicating where I feel the remaining bypass should be constructed.

The completion of this second phase will bring huge benefit to the local community including:

- Reduced carbon footprint as it will alleviate traffic backing up Island Road everyday during peak hours.
- Reduced road traffic accidents along Island Road. I can safely say that I estimate 90% of daily traffic use along Island Road between Fairview Avenue and Babs Oak Hill speed well in excess of 40mph limit. The footpaths here are also very narrow. It is s game of chance that to date, nobody has been killed here. In the short-term this section of road desperately needs traffic calming like Canterbury City Council have done on Whitstable Road.
- Positive impacts on people's health through reduced vehicle emissions due to idle queueing traffic.

The cost of the second phase can quite easily be funded by all the developers identified in the next local plan.

It's really a no brainer and a second phase must go ahead."

Comment 5

"Dear Sir,

I have received an up-date of Sturry plan to divert traffic from centre of the village.
I cannot believe we are still peddling this utter waste of money which will do nothing to relieve the increasing traffic on the A28. What is required is a proper by-pass starting on the A28 in the area of Perry's Garage , Westbere and proceeding north of Hawe Lane/Popes Lane with a round-a-bout junction with the Herne Bay Road in the gap between Sturry and Broad Oak then proceeding south and over the railway to join the Sturry Road. This is would benefit everyone, local residents and through traffic whilst leaving the centre of the village undisturbed. We should stand firm and insist this and nothing but this will be accepted."

Comment 6

"Dear Sir/Madam,

I have seen a report today that shows quite blatantly that this "flyover" is a mistake. I wish to register my opinion that this is a total waste of rate payer's money.

A gentleman called [redacted] has taken stock of what is going on at the crossing and shown the whole of Broad Oak, Sturry and Hersden that this plan is ludicrous, not only that but it stinks of some company getting a "back hand". Please, please stop this before it's too late.

If my email has come to the wrong dept and there is a petition to sign please would you be kind enough to let me know.

Kind regards and many Thanks "

Comment 7

"We are disturbed at the proposal to build a viaduct across the river when this will destroy the otter holt that exists there. Given the level of protection these animals supposedly have there is no way that this scheme should go ahead. Any environmental study done should be totally independent, not paid for by the builders who obviously have a vested interest in it going ahead. From what we have seen, the environmental study was carried out in 2019, therefore well out of date. "

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Appendix 4

Additional Highways and Transportation comments: Implications for the highway network of permission not being given for the viaduct

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Additional comments received from KCC Highways and Transportation Officer setting out the implications for the highway network of permission not being granted for that part of the Sturry Link Road which includes the viaduct subject of this application.

Forecasting Assumptions without Viaduct

- Development on Land at Sturry and Land at Broad Oak are consented.
- The wider Local Plan is delivered up to 2031.
- The Link Road Road between Herne Bay Road and Shalloak Road will be delivered in accordance with the approved plans.
- The viaduct across the railway and Great Stour river will not be delivered.
- Both level crossings will remain open and provide the only means of crossing the railway line in the locality. However, it is assumed that downtime at the crossings will remain as existing, despite the risk that Network Rail will increase downtime to manage safety risks in the future.
- No modification (signalisation) of the Island Road/Sturry Hill junction will be in place.

The implications of this scenario have been modelled using the VISSIM microsimulation model, updated and rebased to 2019 and forecasting the 2031 situation, responding to comments from the previous committee.

Overall Network Performance without Viaduct

- In both peak hours, the network performance is notably worse without the viaduct.
- The viaduct was forecast to carry over 1,200 vehicles per hour in the busiest periods. Without it, traffic has to rely on the Broadoak and Sturry level crossings. Modelling suggests these crossings and approach corridors will be congested, leading to additional delay and lengthening of the peak period.
- The link road alone [without the viaduct] is unable to accommodate forecast growth without severe impact. It performs significantly worse than the previous forecasts, confirming the original position that the viaduct is critical infrastructure to support the Local Plan growth.
- In the afternoon peak hour without the viaduct, every vehicle travelling through the network is forecast to incur, on average, a 10 minute delay (over and above expected travel times which for the study area should typically be less than 5 minutes).
- In the more congested morning peak hour, this forecast average delay per vehicle is close to 20 minutes; approaching double that of the forecast scenario with the viaduct.
- In the morning peak hour, average speeds through the network which excludes the viaduct are forecast to drop to less than 6mph.

Why Does The Network Struggle Without the Viaduct? AM Peak

- In the morning peak, demand is predominantly towards the City Centre from the east and north, such that the Island Road/Sturry Hill junction is a key bottleneck. This issue is existing, but is notably compounded in the scenario without the viaduct.
- The consented link road was designed to facilitate the viaduct delivery and to be supported by signal control at Island Road/Sturry Hill. It is not designed, nor is it forecast to function effectively, in isolation.

- Key issues with this scenario are:
    - More traffic from the north crosses at Sturry level crossing due to the lack of the viaduct;
    - The link road is expressly designed to discourage use of Shalloak Road and deter traffic from 'rat-running' through Broad Oak. In the absence of the viaduct this further displaces traffic on to Herne Bay Road and to the Sturry level crossing;
    - The link road is designed with a roundabout in close proximity to Island Road to encourage traffic to re-route from the A28 through Sturry. Without the viaduct or signal control of the Island Road junction, this arrangement creates more congestion;
    - Even without the viaduct, the link road encourages some traffic from the A28 to turn right to the north at Island Road, particularly when the level crossing closes. With no signal control scheme, this additional conflicting movement creates further congestion.
- The combination of queuing on Herne Bay Road; the level crossing closures; increased right turn movement from Island Road and the proximity of the new roundabout, leads to the road network rapidly becoming congested. Queues 'loop' around the roundabout and block back on themselves at the Island Road, creating a technical '*gridlock'* situation bringing the traffic to standstill.

Why Does The Network Struggle Without the Viaduct? PM Peak

- Canterbury has two road corridors (known as 'radial' routes) in the east; the A28 (Sturry Road) and Broad Oak Road. Both serve for access to the City Centre, although the A28 does so more for areas to the south and Broad Oak Road for areas to the north.
- Traffic leaving the City switches between these two radial routes depending on overall destinations (see image). For instance, those heading towards Herne Bay will often converge towards the Broad Oak Road radial route, if necessary 'switching' from the A28 (shown in red).
- This 'switching' between the radial routes occurs on a very limited number of 'connecting' roads, due to the presence of the river and railway line. These are Kingsmead, Vauxhall Road and Sturry level crossing, which are constrained and already suffer congestion.
- The overall link road proposal is intended to enhance the northern Broad Oak Road radial route to reduce demand on the A28 at Sturry; supported by a new connecting road in the form of the viaduct.
- In the scenario without the viaduct, the enhancement of the 'Broad Oak Road' radial link occurs but without the vital benefit of a new connecting road.
- The result is significantly increased pressure on Vauxhall Road, which is unable to accommodate the demand due to numerous business activities, accesses, including mini-roundabouts. In the modelled scenario congestion rapidly forms on Vauxhall Road, most notably southbound, creating queues that, early in the peak hour, extend back to Broad Oak Road, across the level crossing and onto Shalloak Road and the new link road.

Wider Implications

- Loss of £5.9m SELEP investment into Kent

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- £23.5m loss of developer contribution at risk
- Loss of new bus lane and cycle route
- Increased rat running through Broad Oak village
- Lost opportunity to mitigate accident cluster sites
- Loss of contributions towards Education
- Worsening congestion
- Increased incidents and severity of blocking back over rail crossings

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Appendix 5

Kent and Medway Economic Partnership Letter to Head of Planning

Item D1

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KMEP Kent & Medway Economic Partnership

A partnership between the business community and local government
& a federated arm of the South East Local Enterprise Partnership

Sharon Thompson
Head of Planning Applications
Kent County Council
Sessions House
County Hall
Maidstone
ME14 1XQ

17 August 2021

Dear Head of Planning Applications

Planning Application for Sturry Link Road

As Chairman of Kent and Medway Economic Partnership (KMEP), I am writing in support of the Sturry Link Road proposal to be discussed by the KCC planning committee on 2nd September 2021. I would be grateful if the views of KMEP could be taken into consideration during the determination of the planning application.

The KMEP Partnership secured £5.9m of Local Growth Funding (LGF) towards this project, however there are time-critical conditions attached to this funding.

If planning consent is not granted for the Sturry Link Road by the 10th September, this LGF funding will be reallocated on this date to other projects on the South East Local Enterprise Partnership's pre-agreed project pipeline. The vast majority of the £5.9m will be invested in Essex County Council, Southend-on-Sea Council and Thurrock Council's areas - namely £1.65m will be invested in the University of Essex's Parkside project; £1.6m will be invested in Southend Airport Business Park, £1m invested in widening the A13 to Southend; £621k in other Essex projects; only £475k will be retained within Kent and Medway.

Whilst it has been possible to secure extensions to the planning deadline in the past, this is not feasible on this occasion. The SELEP Local Growth Fund period ends in September 2021.

We have experienced the loss of SELEP's LGF funding in the past. To give one example, £10.2m of LGF funds were allocated to KCC's A28 Chart Road project in Ashford. Due to a developer not providing a bond in a timely manner, Kent County Council had to repay the LGF funding, and SELEP chose to reallocate the LGF to other projects from East Sussex to Essex.

This has presented the scenario where Kent County Council must choose between not providing the much-needed highway infrastructure, or the county council must use its own funding to make up the difference which I know is challenging in the present fiscal climate. To date, KCC has not been able to secure any alternative funding sources for the A28 Chart Road project, so the houses are being built, but the infrastructure has not been provided.

This is what concerns me most. The loss of funding if Sturry Link Road planning consent is not granted, whilst most unfortunate, is not my overriding concern.

The partnership selected the Sturry Link Road project, above other alternative projects, because KMEP has always believed in investing in infrastructure first, and in considering the impact of new developments on existing local residents and communities.

I am sure planning committee members will be aware of residential developments that have been built, where the houses come first, and then the infrastructure follows at a later date, or is not provided at all in the most unfortunate of scenarios. The media contains many stories of residents who have moved into new housing developments to find that core infrastructure (whether it be a GP's surgery, school place, or transport connectivity) is missing.

I fear this scenario could be true for the Sturry and Broad Oak developments.

Canterbury City Council must deliver against its local plan allocations. Sturry and the Broad Oak developments will deliver 630 homes and 456 homes respectively, and are two key sites within the local plan. The Canterbury City Council Planning Committee met on 9th February and agreed each residential development should be built. Planning consent for the houses was granted. I am not a planning expert, but from my understanding, this means that in excess of 1,000 homes will be built irrespective of the decision made by KCC's planning committee.

The difference made by KCC's planning committee will be the extent of the infrastructure provided to support the new residents, in addition to delivering strategic highway improvements that are identified in the county council's Local Transport Plan.

The application before KCC is for the missing link or viaduct section between the A28 and the permitted housing development, the latter of which permitted the majority of the Sturry Link Road. If the KCC planning committee grants this final part of the Sturry Link, the new

residents will be supported by a new road, a primary school, a secondary school and community facilities (such as a GP surgery). It also provides the infrastructure that was deemed necessary in the City Council's adopted Local Plan and will provide wider strategic highway benefits in the Canterbury area.

Conversely, if the KCC planning committee refuses the application, then the traffic from the consented housing developments will have to access the A28 via the A291 Herne Bay Road and over the Sturry Railway Crossing – a well-recognised congestion hotspot or the equally unsatisfactory Shalloak Road. A primary school will be funded, however, the reallocation of the LGF, will mean that the secondary school and community facilities will not be directly funded in all likelihood. Consequently, the growth in the number of residents in the area will put pressure on the existing infrastructure (such as GP surgeries) and existing residents living in the surrounding area will suffer a detriment.

I would also like to clarify the reasons why KMEP selected this project, above other proposals back in 2015. KMEP was, and remains convinced, that the Sturry Link Road is required to support economic growth in the county, and for residents' safety. Transport infrastructure plays a vital role in driving economic growth by improving the links that help to move goods and people around, and the transport system must be efficient but also resilient and responsive to infrequent and unexpected pressures.

The A28 corridor, which runs through Sturry, is not efficient, nor is it resilient and responsive to unexpected pressures.

The A28 is the main route from Canterbury city centre to the Thanet district and to Herne Bay. The A28 route passes over the Sturry level crossing on the Thanet to Ashford International line which serves Canterbury via Canterbury West. The line has both classic and High-speed (HS1) domestic services.

The A28 through Sturry gets congested because the level crossing interrupts traffic when closed. On average, six trains pass each hour resulting in five or six level crossing activations of
approximately 2.5-3 minutes in length. Effectively the level crossing is closed for almost one out of every three minutes.

Approximately 20,000 vehicles per day use the level crossing at Sturry, so the closure of the road for circa 18 minutes per hour results in significant congestion and poor journey-time reliability, as well as residents living in proximity to the level-crossing experiencing poor air quality as vehicles idle waiting for the crossing to open. Kilometre long queues are regularly reported in the press. The number of vehicles is expected to grow further when the additional 1,000+ houses are built.

Item D1

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Granting planning permission for the viaduct section of the Surry Link road would ensure that traffic generated from the new consented housing at Sturry and Broad Oak would be able to avoid the level crossing, by means of an alternative bridge, and improve access to Sturry station, thereby allowing the free flow of traffic. The removal of this bottleneck will also improve residents safety, and address the poor highway design that results in the current accident cluster at A291/Sweechgate, which I understand is a material consideration.

I would therefore urge you to look favourably on the proposal and thank you for your consideration.

Yours sincerely

Geoff Miles
Chairman of the Kent & Medway Economic Partnership
South East Local Enterprise Partnership Federated Board Chairman
Chairman of the Kent & Medway Business Advisory Board

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

Appendix 6

Summary of Members site visit

Item D1

Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury – CA/21/01854 (KCC/CA/0136/2021)

1. A group of Planning Application Committee Members visited Sturry on the 15th July 2021 to acquaint themselves with the location of the proposed link road, its surroundings and the related highway alterations. Members were accompanied by the Head of Planning, Sharon Thompson, Principal Planning Officer Paul Hopkins and the case officer Helen Edwards.

2. The key features pointed out to Members on the visit were the location of the proposed roundabout on the A28 and the route of the viaduct across the river and railway line; the junction of the A28/A291 in Sturry village; the new access points for the 'Land at Sturry' development along Sturry Hill; and the location of the proposed road widening along Shalloak Road. Members' attention was also drawn to the heights of existing bridges over the river in the locality and the locations of the permitted housing schemes at 'Land at Sturry' and 'Broad Oak'. Members were able to walk along the A28 to see the proposed elements on this road and were driven round the wider area by coach – this being down Sturry Hill, through the A28/A291 junction and across the Sturry level crossing, along the A28, along Vauxhall Road, through the Broad Oak crossing, up Shalloak Road and along Sweechgate to return to Sturry Hill.

3. The Members in attendance were: Mr Marsh, Mr Chittenden, Mr Wright, Mrs Binks, Mr Simkins, Mr Booth, Mr Cole, Mr Crow-Brown, Mr Harman and Mr Richardson.