

Your ref: development options regulation 18
Our ref: reg18devtoption100417

26th May 2017

For the attention of
Catherine Smith, Planning Policy Manager
by email



Dear Catherine,

Medway Council Local Plan 2012- 2035 Development Options Regulation 18 Consultation

Thank you for inviting us to comment upon your Development Options Report and Interim Sustainability Appraisal. Kent Wildlife Trust welcomes the opportunity to contribute to the process.

Development Options and Lodge Hill

The inclusion of Chattenden Woods and Lodge Hill Site of Special Scientific Interest as a development site is of extreme concern to Kent Wildlife Trust. This is a unique, nationally important site that should be valued for its contribution to the nation's, and Medway's, natural heritage.

The Interim Sustainability Appraisal Report states that Lodge Hill is included “...based on the extent of Previously Developed Land on the potential development site, and the council's view that a satisfactory mitigation and compensation package could be implemented.” (Paragraph 4.16). Regardless of the facts of these matters, neither the encouragement of re-use of previously developed land nor the presumption in favour of sustainable development apply to Sites of Scientific Interest as set out in the National Planning Policy Framework (NPPF)¹. The Sustainability Appraisal process should be an independent, fact-based process that informs the development of the Local Plan in line with the NPPF, and the current approach to it risks the Local Plan being found unsound.

Furthermore, it is not enough to demonstrate that the benefits of development outweigh the impacts on the SSSI, but rather that the benefits that are specific to that location (compared to the alternatives) outweigh the impacts². It would appear that the Council is relying upon the Inquiry into the Lodge Hill planning application to undertake this task for it. At best this risks delays to the Local Plan process, and at worst it risks the Local Plan being found unsound.

The inclusion of Lodge Hill in all four development scenarios does not consider “all reasonable alternatives”, as is a requirement of the Sustainability Appraisal process. In paragraph 4.62 of the Interim Sustainability Appraisal it states: “*In testing the broad locations and approaches for potential growth, consideration will be given to the capacity of areas to accommodate additional development, if Lodge Hill should not be supported through the Public Inquiry process.*” It is not sufficient to state that capacity will be “modified” in each scenario should Lodge Hill not proceed through the Public Inquiry. A large development site such as Lodge Hill, with a suggested capacity of up to 5000 dwellings and associated community infrastructure, will have a profound impact upon housing figures. An additional four scenarios should be provided without Lodge Hill.

¹ NPPF paragraph 111 and paragraph 14 respectively.

² NPPF paragraph 118



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It is very difficult to offer any firm comments on the four scenarios provided, as the diagrams and figures provided are not easy to compare to one another. It would have been much more useful if the diagrams represented the scale or quantum of development being proposed for each location in each of the four suggested scenarios. Scenario detail would have been easier to understand if it had been tabulated, rather than descriptive. The lack of clarity regarding the quantum of development each option has the potential to contribute to the OAN is unhelpful, and we would expect such figures to be presented prior to the draft plan publication.

Capstone Valley

Inappropriate development within the Capstone Valley has the potential to impact upon the ancient woodland and other important habitats, as well as compromise the role the valley plays as a green link between the North Downs and Medway Towns, Darland Banks Local Wildlife Site and Local Nature Reserve and Capstone Country Park. There are also opportunities within the valley to enhance its role as a green link and area of wildlife value in its own right. Piecemeal development of the valley should be avoided, and any development the Council allocates for the area should be designed in the context of the whole valley, with impacts on important habitats avoided and the green infrastructure through the valley enhanced through appropriate habitat restoration and creation.

Policy Approaches

As the document does not at this stage include any detailed policy or specific site allocations, we would like to make some more general comments regarding biodiversity content.

Kent Wildlife Trust welcomes the “policy approach” to Strategic Access Management and Monitoring, page 63, in order to protect and enhance spaces of international and national importance. We would recommend that the next version of Medway’s Local Plan should continue to have a specific policy in relation to this.

Kent Wildlife Trust commends Medway Council for its policy on “Securing strong Green Infrastructure” (page 65). This is in line with National policy and it should serve the function of maintaining connectivity and providing ecological resilience between protected spaces and the broader countryside at a landscape scale³. We note that the Council intends to publish a Green Infrastructure Framework to support the Local Plan. The next stage of preparation of the Local Plan should include a policy clearly referring to this Green Infrastructure Framework and its relationship to the Local Plan. Medway Council should also ensure that an appropriate financial mechanism is provided. The NPPF does emphasise that the planning system should, “minimise impacts on biodiversity and provide net gains in biodiversity where possible.”⁴ We recommend that Medway Council make reference to the Kent Biodiversity Strategy⁵ in setting appropriate actions and targets for achieving this in the development of their Local Plan documents.

Unfortunately the statement “*A high level of protection from damaging impacts of development will be given to Sites of Special Scientific Interest and Ancient Woodland*” is undermined by Medway’s support for development at Lodge Hill and Chattenden Woods SSSI. At present the Council are at risk of making the same mistakes that resulted in the withdrawal of the previous attempt at a Local Plan,

³ The NPPF states in paragraph 117, that “planning policies should plan for biodiversity at a landscape-scale across local authority boundaries” and “identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation”.

⁴ NPPF, paragraph 109, page 25.

⁵ <http://www.kentnature.org.uk/assets/files/Nat-Env/Kent-Biodiversity-Strategy-final.pdf>

and we would remind them that the inspector stated “...in considering the balance to be struck between all the dimensions of sustainable development I am not persuaded that the social and economic benefits that would flow from development on this site would outweigh the harm to a site of national importance for biodiversity.”

Kent Wildlife Trust is concerned about the reference in this policy “Securing strong Green Infrastructure (page 65) which states: “The council will consider the need to protect the special features of...Local Wildlife Sites and Local Nature Reserves.” This is not strong enough policy wording; active protection of sites of County importance, such as Local Wildlife Sites or Roadside Nature Reserves, is vitally important in order to maintain and enhance the green infrastructure network and protect biodiversity and delivery the aims of the NPPF with regard to biodiversity⁶. We would recommend that Medway should have a specific, separate policy in relation to the protection and enhancement of sites of county importance, such as Local Wildlife Sites and Roadside Nature Reserves. This would better support development management decision-making, as local sites in Kent are increasingly under threat, from both direct and indirect impacts of development, including increased recreational pressure.

The next stage of plan-making should also make policy provision for the protection and enhancement of biodiversity within its allocated sites. This should include clear “development principles” on sites of higher biodiversity value or adjacent to more sensitive sites for nature conservation. Reference should be made to county Biodiversity Opportunity Areas⁷ and Kent Wildlife Trust would recommend referring to these in the policy detail. Ashford’s Local Development Framework and its Area Action Plans are a good example of where biodiversity objectives have been included within site-specific “development principles”. Kent Nature Partnership has also produced guidance against which policies can be assessed⁸.

Kent Wildlife Trust understands that a key driver to this plan is the projected significant increase in population of 21.8% in Medway during the timeframe for this plan, alongside economic growth. It is essential that in planning for this projected increase in population, the natural environment is not compromised, in accordance with the NPPF Core Planning Principles.⁹

Sustainability Appraisal Documents

Table 2 (Sustainability framework) of the Sustainability Appraisal Interim Report does not include any indicators that would allow the monitoring of the plan against national and local biodiversity policies. We therefore support the statement in the Sustainability Appraisal Scoping Report that Medway recognises there is an evidence gap in this respect, and that the Council will seek other means to gather information (Paragraph D.14). We recommend that the Council engage with the Kent Nature Partnership on this matter, in assessing their monitoring needs and information availability.

Thank you for involving us in the development of this Local Plan. We look forward to commenting on future stages of development.

Yours sincerely

Greg Hitchcock
Thames Gateway Officer

⁶ NPPF, paragraphs 109 and 114, for example.

⁷ <http://kentbap.org.uk/kent-boas/>

⁸ <http://www.kentnature.org.uk/planning-policy-advice.html>

⁹ NPPF reference, paragraph 17, Core Planning Principles “Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework”.