

**Issue 16 Policies ENV 1 – 15 specifically ENV1, ENV3a and ENV8**

**Statement: We contend that the Policy is Unsound and not Positively Prepared.**

**ENV1... Ref ALP 2162 and MCLP 892:**

1. In terms of previous comments, we seek to make ENV1 more proactive and positive.
2. The proposed edges of major developments are often the last things to be considered and may even be forgotten as developers move on.
3. Displacement of wildlife is an important consideration, and in many cases of large developments, edge treatment and creation of wildlife opportunities can be put in place, before building work begins. This can give a softer edge and allow for the longer establishment of planted trees and hedging.
4. Landowners should be encouraged to plant woodland and create meadows in BOA areas as a proactive measure to enhance local biodiversity.
5. The paragraph in the Policy beginning...*“ Development should avoid significant harm to locally identified biodiversity assets, including Local Wildlife Sites, Local Nature Reserves and the Ashford Green Corridor as well as priority and locally important habitats and protected species.”* must include lesser designated areas such as BOAs as these are equally important.
6. Shadoxhurst is in the Low Weald Woodland BOA and with a SSSI and Local Wildlife Sites, we are very keen to retain the village and Parish as an important area for wildlife.
7. The Local Plan also needs to include and develop ‘Rural Green Corridors’ as well as protecting the Ashford Green Corridor highlighted in LP Policy ENV2 and map on page 342. In Shadoxhurst, we can see that as urban development approaches our village, the Ashford Green Corridor will need to be extended and include parts of our Parish. Indicative lines of future additional corridor opportunities are shown on the LP map. Mammals don’t respect boundaries and some forward thinking is required as to how rural green corridors can be delineated. Until this work is continued, we consider that the Plan remains unsound.
8. To us, this is already an issue, in that Tally Ho Road is a continuous ribbon of housing on the south side, from Stubbs Cross in Kingsnorth Parish all the way into the village. Infill along this road has eliminated any opportunity to retain a Green Corridor.
9. The green corridor that connects the fields on the north side of Tally Ho Road through to the proposed Discovery Park that separates Chilmington Green with the proposed Court Lodge development is a key green space and corridor that must be protected. Part of this is already under threat as a planning application for part of Omission Site WS12 will soon be validated and made public. Without this Rural Green Corridor protected, a whole swathe of land will become a no-go area for wildlife.
10. Our comment in MCLP 892 was misconstrued as the words ‘parish plan’ were picked up in the response as having no relevance or weight. The change in wording was the important thing and is repeated below to make the Plan sound.

### How can the Plan be made sound?

11. The fifth paragraph to include the words in bold: Development should avoid significant harm to locally identified biodiversity assets, including Local Wildlife Sites, Local Nature Reserves, **Biodiversity Opportunity Areas**, and the Ashford Green Corridor **and important Rural Green Corridors** as well as priority and locally important habitats and protected species.
12. The final paragraph to include the words in bold: Opportunities for the management, restoration and creation of habitats in line with the opportunities identified for the Biodiversity Opportunity Areas (BOAs) and targets set out in the Kent Biodiversity Strategy will be supported **and encouraged**.

### ENV3a... MC72, MCLP 891

1. In the response to one of our residents suggesting the need for a Landscape Protection Policy (LPP), MC71, MCLP 430, ABC (Page 133/4) suggested that *"...proposals shall demonstrate particular regard for "any non-designated, locally-identified, significant landscape features justified in a Parish Plan or equivalent document"*.
2. This response is repeated on page 136 to a similar suggestion of an LPP from a number of respondents (SPC included). It further states *"In addition the Plan, which should be read as a whole, contains a range of environmental policies to protect green spaces, rural landscapes and wildlife areas of the borough."*
3. And yet in the response to ENV1 paragraph 10 above (page 132), we were told that *"Parish Plans do not form part of the statutory development plan and any designations included within them are therefore not afforded the same weight as the designations listed in Policy ENV1."*
4. Policy ENV3a j) now states: *"Any non-designated, locally-identified, significant landscape features justified in a Parish Plan or equivalent document."* We are confused as to the messages here.
5. With respect to the comment 2 above that *"...the Plan, which should be read as a whole..."*, our experience when dealing with developers and planning applications, is that they tend to look at policies in isolation and pick arguments to address them one at a time. The weight given may or may not be interpreted evenly across relevant policies. So the comment *"read as a whole..."* is idealistic.
6. We do however see much merit in having an LPP to fill in the gaps of ENV3a. If this should take the form of a 'Parish Plan' then ABC need to clarify this point to every single Parish and ask them to apply this as part of the Local Plan. However, we do not see this as likely, and so ENV3a needs to be strengthened by the application of an LPP to give it the same weight as the other Local Plan policies.
7. We are very aware of the initiative by Aldington and other Saxon Shore Parishes to develop a workable LPP and this is headed by Peter Bretts and Associates (PBA). We fully support and endorse this initiative. We have already submitted as a Statement and accompanying

Appendix under Issue 10 Housing policies (Week 3 Session 5) that set out our own ideas for an LPP that supports the Aldington/PBA initiative.

8. We have re-submitted this under Issue 16 in case the matter did not get discussed under Issue 10. (This is written prior to the Week 3 hearing.)
9. What makes the Plan **Unsound** in this connection is the lack of consideration to the cumulative effects of significant development in neighbouring Parishes. Over 7,000 houses will be built nearby and any argument for a 'need to build' in Shadoxhurst must be well off the mark.
10. Similarly, the Plan policies take no account of cumulative development within the settlement. There must be a policy for accepting a measured level of growth that will not destroy the character and sense of place, nor impose such an amount of development, that urbanises any village settlement.
11. Furthermore, the impact on loss of green space, green buffers and green corridors must be taken into account and given full weight.

#### **How can the Plan be made sound?**

12. ENV3a is a critical Policy for all rural settlements and it must be right. It must, we believe have the addition of a Landscape Protection Policy to fill in gaps. This will necessitate Parishes drawing up information and a character assessment of the settlement so that these can be given due protection.
13. Measured settlement growth must be taken into account when making decisions as well as assessing cumulative effects of other developments.
14. Such a policy can also underpin ENV5, particularly where rural lanes are being damaged by increasing HGV use.

#### **ENV8... MC75, MCLP 893:**

1. Here we asked for a change in wording to include developments of 5 or more houses. This was noted in the ABC response and related to conditioning of permitted applications. However, we would argue that there are cumulative effects involving a number of smaller applications which can build up, without addressing the important infrastructure improvement requirements. At which points is the camel's back broken, and which developer, and importantly, which householders are at the rough end of a creaking infrastructure fracture?
2. In Shadoxhurst we have seen a substantial increase in development as detailed at other points of the examination, including minor and major development, but there have been no improvements to the supply of electricity or potable water, nor any work done to the sewerage system.

#### **How can the Plan be made sound?**

3. Wording changed to: "**All proposals for new development of five or more dwellings** must be able to...etc."