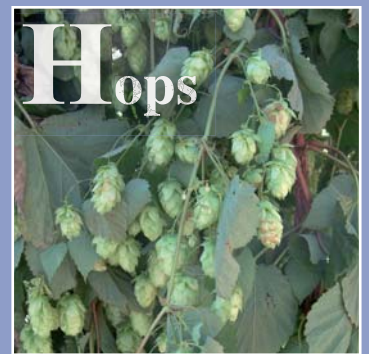
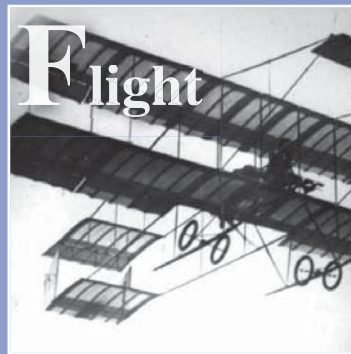
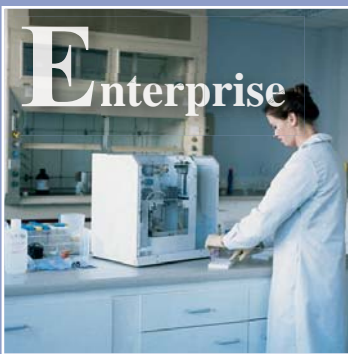


# Bearing Fruits 2031

## The Swale Borough Local Plan

Adopted July 2017



## 4 Setting out our local plan strategy for Swale

**4.1.63** Our policies will ensure the historic environment is central within decision-making at all levels by:

1. Identifying the interrelationship between heritage assets across all policy areas.
2. Identifying a broad strategic overview of heritage assets as most representing the character and distinctiveness of Swale.
3. At the strategic planning level, recognising that heritage, including the integrity, form and character of settlements and historic landscapes have a proper influence upon the distribution of development and the identification of sites.
4. Highlighting the significance of any heritage assets and their settings on development allocations and the response needed from development, supported, where needed, by Masterplans and other supplementary documents.
5. Setting out clear expectations for development within development management policies.
6. Addressing where heritage assets are at risk and taking action to bring them back to viable and appropriate use, especially where they can contribute to regeneration.
7. Considering, when resources allow, preparation of local lists to identify non-designated heritage assets.
8. Using appraisals, management plans, assessments of unknown sites and the evaluation of the character of parks and gardens and landscapes to encourage sensitive regeneration in historic towns and villages and to identify the opportunities for improving them and their settings and landscapes.



Picture 4.1.6 St. Mary of Charity, parish church of Faversham

### Facilitating the sustainable use of minerals and waste

**4.1.64** We recognise that minerals are a finite natural resource essential to support sustainable economic growth and our quality of life. The Council will work with Kent County Council – the minerals and waste planning authority – to identify and safeguard mineral reserves and the rail heads and wharves necessary to ensure the transport, import and export of minerals.

**4.1.65** In the event that reserves are identified on sites allocated for development by this Local Plan, we will ensure that the developer works with the Minerals Planning Authority to ensure the timely working of the site, provided that there is a sustainable and viable outlet for the resource which allows extraction without an unreasonable impact on development coming forward in line with the safeguarding minerals and prior extraction policies contained in the Kent Minerals and Waste Local Plan (see also Chapter 6). The relevant mineral safeguarding areas can also be viewed on a Proposals Map ([River Terrace](#), [Brickearth Swale Areas](#), [Wharfs and Rail Depots](#)).

**4.1.66** In meeting our future waste disposal needs, we will work with Kent County Council in its role as waste planning authority. Swale's strength in the recycling business sectors will be recognised by supporting appropriate opportunities in the right locations, as well as ensuring that all developments play their part in minimising their own construction waste.

### Delivering sustainable development in Swale

**4.1.67** We are pursuing net gains across each of the economic, social and environmental dimensions of sustainable development. Through these themed strategies we have expressed the broad sweep of the Local Plan strategy and how we see our actions and those of others as achieving sustainable development. The strategy avoids significant adverse impacts and we have explored reasonable alternatives. Through our policies we have measures in place to mitigate adverse impacts and compensatory measures when this cannot be achieved. The overall gains for sustainable development are anticipated to be a:

- stronger, responsive and competitive economy, with available land of the right type and in the right place with the infrastructure identified;
- stronger, vibrant and healthier communities, with a realistic supply of housing, with policies creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well being; and
- continued protection and enhancement to our natural, built and historic environments, with our policies helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change.

**4.1.68** Policy ST1 embraces our themed strategy for sustainable development, providing the basis for action and the means to locally determine whether development proposals merit the national presumption in favour of sustainable development. It emphasises the importance of joint working, placing the requirement on all to demonstrate their commitment through specific actions. Any presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the [Habitats and Wild Birds Directives](#) is being considered, planned or determined.

## Policy ST 1

### Delivering sustainable development in Swale

To deliver sustainable development in Swale, all development proposals will, as appropriate:

1. Build a strong competitive economy by meeting identified needs for inward investment and indigenous growth on allocated and suitable sites, including meeting the needs of under-represented sectors;
2. Ensure the vitality of town centres by: strengthening the principal centre role of Sittingbourne; improving the role of Sheerness as the Island's main centre; or consolidating, proportionate to its scale and character, Faversham's role as a centre for the town itself and its local catchment;
3. Support a prosperous rural economy, especially for sustainable farming and tourism, or where enabling communities to meet local needs or benefiting countryside management;
4. Accord with the Local Plan settlement strategy;
5. Offer the potential to reduce levels of out-commuting and support the aims of the Swale Local Transport Strategy;
6. Support high quality communications infrastructure;
7. Deliver a wide choice of high quality homes by:
  - a. meeting the full, objectively assessed need for housing in the housing market area;
  - b. providing housing opportunity, choice and independence with types of housing for local needs; and
  - c. keeping vitality within rural communities with identified housing needs, proportionate to their character, scale and role;
8. Achieve good design through reflecting the best of an area's defining characteristics;
9. Promote healthy communities through:
  - a. location of development to achieve safe, mixed uses and shared spaces;
  - b. rejuvenation of deprived communities;
  - c. the Local Plan implementation and delivery plan and schedule;
  - d. safeguarding services and facilities that do or could support communities;
  - e. maintaining the individual character, integrity, identities and settings of settlements;
  - f. protecting, managing, providing and enhancing open spaces and facilities for sport and recreation; and
  - g. implementing the Swale natural assets green infrastructure strategy;

## 4 Setting out our local plan strategy for Swale

10. Meet the challenge of climate change, flooding and coastal change through:
  - a. promotion of sustainable design and construction, the expansion of renewable energy, the efficient use of natural resources and the management of emissions;
  - b. the management and expansion of green infrastructure; and
  - c. applying planning policies to manage flood risk and coastal change;
  
11. Conserve and enhance the natural environment by:
  - a. applying international, national and local planning policy for: (a) areas designated for their biodiversity (inc. Nature Improvement Areas), geological or landscape importance; and/or (b) priority habitats and populations of protected and notable species;
  - b. using landscape character assessments to protect, and where possible, enhance, the intrinsic character, beauty and tranquillity of the countryside, with emphasis on the estuarine, woodland, dry valley, down-land and horticultural landscapes that define the landscape character of Swale;
  - c. integrating the benefits of ecosystems to society across all policy areas;
  - d. achieving plentiful native landscaping of local provenance in and around developments;
  - e. achieving net gains in biodiversity within and around developments by use of such measures as natural/semi-natural greenspace and the creation of coherent ecological networks;
  - f. avoiding significant harm to biodiversity or, when not possible, adequately mitigating it, or, as a last resort, compensating for it with off-site action at identified Biodiversity Opportunity Areas or other appropriate locations;
  - g. using areas of lower quality agricultural land for significant levels of development (singly or cumulatively) where compatible with other criteria; and
  - h. applying national planning policy in respect of pollution, despoiled, degraded, derelict, contaminated, unstable and previously developed land; and
  
12. Conserve and enhance the historic environment by applying national and local planning policy through the identification, assessment and integration of development with the importance, form and character of heritage assets (inc. historic landscapes).



## 5 Core planning policies

### Introduction

**5.0.1** The Core Policies in this chapter are intended to ensure joined up consideration, across the themes covered, to matters of critical importance to the success of the Local Plan. They apply to all development proposals.

### 5.1 Building a strong, competitive economy

**5.1.1** The [National Planning Policy Framework](#) stresses the Government's commitment to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and meeting the twin challenges of global competition and of a low carbon future.<sup>(5.1)</sup> The planning system is expected to do everything it can to support sustainable economic growth.

**5.1.2** The creation of the [South East Local Enterprise Partnership](#) (SELEP) in April 2011 includes councils and businesses from Kent, Greater Essex and East Sussex. Their aim is to 'create the most enterprising economy in England'. To promote steady, sustained economic growth over the next two decades, the LEP has four objectives:

- secure the growth of the Thames Gateway;
- promote investment in coastal communities;
- strengthen the rural economy; and
- strengthen the competitive advantage of strategic growth locations.

**5.1.3** The Kent Regeneration Framework (2009–2020) is the County Council's overarching assessment of the opportunities and challenges facing Kent over the next ten years. It advocates sustainable regeneration within which businesses can grow and flourish and with a workforce equipped with the skills and learning it needs. The Framework identifies Kent Thames Gateway as a key driver of growth for the county with Swale needing to deliver transformational projects and economic regeneration to assist areas of deprivation.



Picture 5.1.1 Distribution hub at Ridham/Kemsley

**5.1.4** Prior to the recession our economy was growing strongly, dominated by manufacturing and a number of small niche sectors. We are a net exporter of labour mainly to London and adjoining areas of Kent, with some weaknesses in the local labour market, including relatively high unemployment levels, below average skills and lower earnings. Our rates of new business formation are also currently lower than the regional and county averages and have declined more rapidly during the recession. Most of our stock of employment space comprises industrial uses, with very modest amounts of office accommodation, although this has grown in recent years.

**5.1.5** Policy CP 1 supports the goals and objectives of the LEP to strengthen economic development in the Borough. It supports our Local Plan Strategy and addresses the issues highlighted by the Swale Employment Land Review (2010), SHMA Update and Development Needs (2013), Employment land needs in Swale 2014-2031 (2015) and Retail and Town Centre Study (2010) to produce a near comprehensive employment land portfolio to meet needs over the Plan period.

## 5 Core planning policies

**5.1.6** Whilst acknowledging our current stock of existing employment sites and commitments, Policy CP1 supports the need to address qualitative and broad needs at certain parts of the Borough.<sup>(5.2)</sup> It supports our future potential growth sectors (see Statement 2<sup>(5.3)</sup>) and the needs of:

- the manufacturing sub-sectors and their underlying strengths in certain specialist sectors;
- the retail sector;
- the visitor economy (recreation, accommodation and food services);
- growth focused on the natural environment and heritage offer; and
- expansion proposals in the pharmaceutical sector.

**5.1.7** Policy CP 1 confirms and encourages the appropriate development of the following 'Existing Strategic Employment Locations', as identified by the area strategies and within Regeneration and town centre policies as appropriate, at:

- Sittingbourne, Sheerness and Faversham town centres;
- Ridham, Kemsley, Eurolink and the Kent Science Park in the Sittingbourne area;
- Neatscourt and the Port of Sheerness on the Isle of Sheppey; and
- North west Faversham and at the Brewery complex toward the centre of the town.

### Statement 2

#### Swale's future potential growth sectors

- General and advanced manufacturing, engineering,
- Distribution;
- Agriculture/ forestry/woodland;
- Financial/business services,
- Environmental technologies (low carbon sector);
- Healthcare/biotechnology;
- ICT, media/telecommunications;
- Construction:
- Retail/leisure, cultural activities, tourism, hotels and catering and boat repair.

**5.1.8** Future growth depends on attracting inward investment, developing the sectors where there are already established strengths and stimulating growth of smaller scale home-grown firms (inc. creating a positive climate to encourage school and higher education leavers to base new businesses in Swale). We also need to diversify into higher value manufacturing, logistics and distribution and the environmental sectors, all of which offer potential that can build on the area's strengths.

**5.1.9** Agriculture is also an important economic sector and the industry needs to keep pace with the changing context brought about by climate change, food security, global markets, major food retailers and changing legislation/guidance.<sup>(5.4)</sup>

### Statement 3

#### The importance of Swale's agricultural sector

- Swale has 37,000 ha of land; of which 23,000 ha is farmed and approximately 15,000 ha (around 70%) is classified as best and most versatile (BMV).
- For arable farming (e.g. winter wheat), the output from BMV land is estimated at £900 – £1,300 per ha. The estimated gross margins are between £4.9 and £9.5 million.
- For soft fruits, the output from BMV land is estimated at £43,000 – £109,000 per ha. The estimated gross margins are between £1.5 and £66 million.
- These Gross margins are similar (but not equivalent) to Gross Value Added (GVA), and are worth between 0.3% and 3% of the £2 billion of GVA in Swale.
- It is estimated that there are between 1,250 and 2,500 FTE jobs in agriculture and food and drink manufacture in Swale. This represents approximately 3 - 5% of the 47,400 FTE jobs in Swale.
- BMV can also provide other 'ecosystem services' benefits such as flood water storage, ecological and landscape values.

Value of Best and Most Versatile Agricultural Land in Swale October 2015. Efec for Swale Borough Council.

**5.1.10** As a Borough with a woodland resource, there is also potential employment through its better management, both for woodland products and as a renewable energy source. <sup>(5.5)</sup>

**5.1.11** Policy CP 1 safeguards for future use the employment potential of existing land or buildings, but acknowledges the desirability of releasing older, poorer performing industrial sites to other uses. This safeguarding includes both land or buildings in current employment use or allocation, land where planning permission has expired or other vacant land and premises where their potential for employment remains relevant. For sites not considered suitable or viable, the Council must be convinced that evidence points to wider, fundamental and deep seated structural problems with the site, rather than shorter term difficulties caused by a particular economic context. This is important where allocations and committed employment sites have been made on the basis of a particular economic and/or locational need to serve the plan period.

**5.1.12** Given the outstanding environment in Swale, Policy CP 1 seeks to expand our potential for sustainable rural tourism to benefit local communities and raise awareness and support for conservation of the environment. There is an important link between the quality of environment (both historic and new) and economic development, in particular the area's ability to attract investment, jobs and population. Swale's historic environment has the potential to play a significant role in supporting enterprise, especially in helping under-performing parts of Swale to transform themselves, such as at Sittingbourne town centre and Sheerness. Also important is our current portfolio of principal tourism assets (see Statement 4), with Policy CP 1 supporting their growth and, if necessary, their protection from inappropriate development proposals.

## 5 Core planning policies

### Statement 4

#### Swale's principal tourism assets and potential

- Coast - beaches, cliffs, lively seaside resorts including holiday parks and amusements, wild landscapes and marshes, Saxon Shore Way, Church Marshes, bird life and quiet sailing waters. The Isle of Sheppey is unique within Kent.
- Countryside - downland, valleys, woodlands, orchards, parkland, narrow lanes, picturesque villages and houses and a network of foot and cycle paths (including a National Cycle Route) and bridleways.
- Built heritage - a great range of heritage assets reflecting its Roman and Medieval legacy, its naval and maritime history and its industrial and agricultural past.
- Fruit Heritage - the National Fruit Collection, and 'fruit' celebrations.
- Festivals – such as the Faversham International Hop Festival.
- Market Town of Faversham. A small historic Cinque Port town, lively town centre, unexploited creek and marshland, a multi-faceted town with links to the countryside.
- Unspoilt villages.
- Industrial heritage - gunpowder, naval, brewing, aviation, 'defence of the realm', sailing barges, brick and paper-making.
- Naval and aviation history, sustainable rural tourism e.g. walking/cycling, other outdoor activities and sustainable accommodation at Faversham and Sheerness
- Food and drink - high quality restaurants, pubs and local food suppliers.
- Accommodation - small number of hotels, pubs with rooms, guest houses and bed and breakfast establishments.



Picture 5.1.2 Leysdown beach

**5.1.13** For our town centres and the retail and leisure sectors, our Local Plan Strategy indicates that there is a need for further comparison (non-food) floorspace to help claw back expenditure lost to other centres.

**5.1.14** We cannot anticipate every business opportunity. Policy CP 1 indicates a series of 'Priority Locations' where, when demonstrated that an existing employment location or allocation is unsuitable or unavailable for the development in question, appropriate sites will be considered. For such proposals, the Local Plan Strategy and environmental quality should not be compromised. The 'Priority Locations' are:

- the extension of an existing employment site;
- where benefits to deprived communities can be achieved;
- well related to either the A249, A2, Sittingbourne Northern Relief Road or A299 Thanet Way; and
- the re-use of heritage assets or where delivering significant benefits to the conservation of landscape or biodiversity.

**5.1.15** Some of our businesses will be at the front line of climate change, either by being potentially affected by future natural processes or offering potential for the Borough to be a focus for low carbon technologies. Policy CP 1 supports improved resilience and new business opportunities.

**5.1.16** Swale is a net exporter of labour, with a net outflow of 10,293 working commuters amounting to 16% of the resident workforce.<sup>(5.6)</sup> Whilst reducing the level of out-commuting will be challenging, Policy CP 1 is supportive of proposals able to realistically deliver a reduction in commuting out of the Borough, especially for those sectors currently the focus of out-commuting.



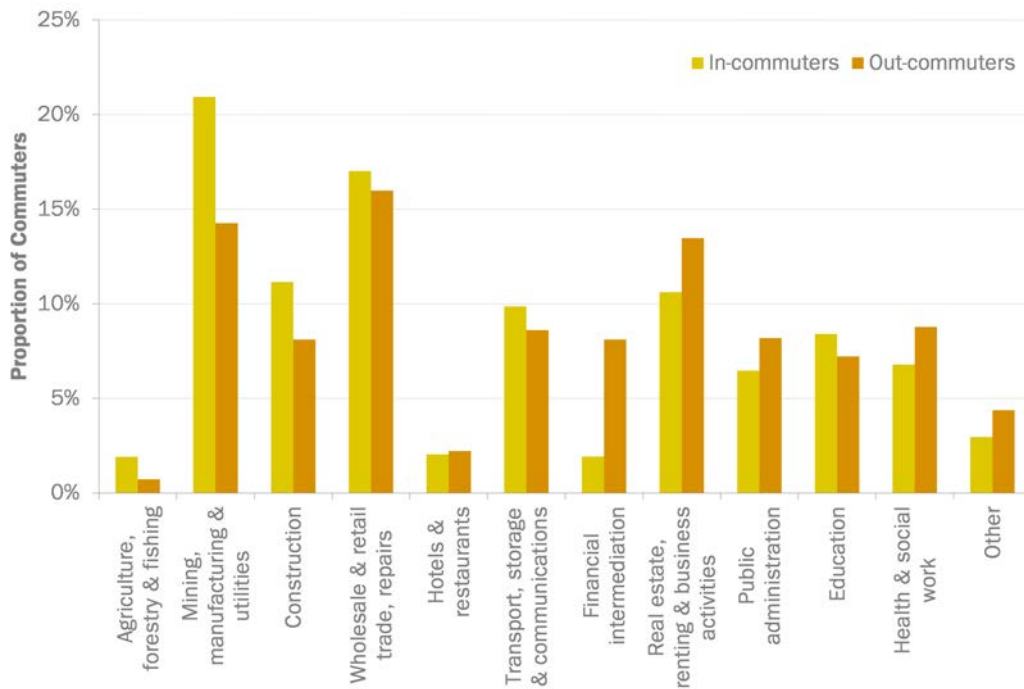


Figure 5.1.1 Swale commuting flows by sector

**5.1.17** Unemployment benefit levels in Swale in July 2014 were about 2.4%, above the south east average of 1.4%.<sup>(5.7)</sup> Against the Kent average, Swale has a comparable economic activity rate, but a lower proportion of workers at higher skill levels and below average earnings.<sup>(5.8)</sup> Improving the skills performance of the local labour supply is needed. Policy CP 1 supports the use of development funding though the use of the Community Infrastructure Levy or S106 agreements to support job training.

**5.1.18** High speed Internet connectivity is important to encourage economic growth, especially in the rural areas. All new development will be required to provide for access to this technology regardless of location.

## Policy CP 1

### Building a strong, competitive economy

Actions by public, private and voluntary sectors shall work towards the delivery of the Local Plan economic strategy. Development proposals will, as appropriate:

1. Stabilise losses of jobs and/or floorspace within the manufacturing sector or exploit competitive strengths in the Swale economy including uplifting sectors related to the visitor economy and expansion of the pharmaceutical and science sectors;
2. Bring forward an increase in homegrown business creation and inward investment, including those able to encourage younger people to retain their skills within Swale;
3. Secure additional non-food retail/leisure growth, taking account of committed schemes and existing centres and provide flexibility over uses in town centres to enable them to respond to the challenges they face;
4. Encourage educational facilities or an expansion of vocational learning, developing links between institutions and the private sector or work-based learning at key locations;
5. Contribute to the delivery of a comprehensive land portfolio for the Borough by:
  - a. safeguarding and maximising the potential of identified 'Existing Strategic Employment Sites';
  - b. bringing forward the stock of existing committed employment sites for industrial use; and

## 5 Core planning policies

- c. addressing qualitative issues with new provision at Local Plan allocations to support established industrial markets, additional office space, the release of poorer quality locations and the broader upgrade of the supply; or
  - d. managing existing and future employment potential by upgrading older industrial areas.
6. Be supported when including sectors that are under-represented in Swale that may potentially enable a reduction in commuting out of the Borough;
  7. Avoid proposals that would result in the diminishing of existing employment sites and allocations where appropriately located and suitable, viable for users under normally functioning economic conditions or required to meet the identified needs for the plan period;
  8. Address future challenges to the agricultural and woodland/forestry industries with sustainable and appropriate proposals to create new markets and greater resilience;
  9. Safeguard or enhance Swale's 'Principal Tourism Assets' and consolidate or widen the Borough's tourism potential, particularly where embracing principles of sustainable tourism;
  10. Focus large scales of development where they utilise the strategic and primary road networks;
  11. Support sectors attractive to the local population who would otherwise out-commute for work;
  12. Facilitate the delivery of digital infrastructure, including access to high speed Internet connectivity from all new developments;
  13. Create resilience in existing businesses to forecast changes in flood risk, climate change and natural processes or lead to an expansion of businesses in the low carbon sectors; or
  14. Provided the Local Plan strategy is not significantly compromised and sites cannot be found within criterion 5, meet unanticipated needs on appropriate sites within one or more of the following 'Priority Locations':
    - a. the extension of an existing employment site;
    - b. where benefits to deprived communities can be achieved;
    - c. sites well related to the A249, A2, Sittingbourne Northern Relief Road or A299 Thanet Way; or
    - d. re-use of heritage assets or where delivering significant benefits to the conservation of landscape or biodiversity.

### 5.2 Promoting sustainable transport

**5.2.1** Transportation will play a key role in the delivery of the Local Plan strategy. An efficient transport network which has good connectivity with the regional and national network is vital in helping the Borough to realise its economic potential. At the local level, easy access to employment, education, shops, services and facilities is important in creating inclusive and prosperous communities. The transport network needs to strike a balance between providing adequate capacity for current and future residents and business needs, whilst minimising any negative environmental, social and health impacts. This can be achieved through improvements to the capacity of the highway network and through provision of an integrated sustainable transport network.

**5.2.2** This Core Policy therefore deals with matters relating to public and private modes of transport, cycling and walking; reducing the need to travel; and the infrastructure needed for efficient transport operation.

**5.2.3** The National Planning Policy Framework (NPPF) continues the core principle of sustainable development, through means such as using technology to reduce the need to travel, using planning policies and decisions to actively manage patterns of growth to make the fullest use of public transport, walking and cycling and focusing significant developments in areas which are or can be made sustainable. Only if the residual cumulative impacts of development are 'severe' when all of these policy measures have been explored and exhausted, is there a reason to prevent development on transport grounds. 'Severe' in terms of the NPPF is not defined.



Picture 5.2.1 Modern bus in Sittingbourne High Street

**5.2.4** Transport policies have an important role to play in facilitating development and also in contributing to wider sustainability and health objectives. It is nevertheless recognised that different policies and measures will be needed in different communities and that sustainable transport solutions will vary between urban and rural areas.

**5.2.5** Key national objectives for transport policy are therefore:

- working with relevant transport providers and neighbouring authorities to develop strategies for viable infrastructure necessary (including for the growth of ports) to support sustainable development;
- ensuring that opportunities for sustainable transport have been taken up to minimise the need for major new transport infrastructure to support reductions in greenhouse gas emissions and to reduce congestion;
- ensuring that the necessary improvements can be undertaken as far as possible within the transport network and are cost effective at mitigating the significant impacts of development;
- achieving safe and suitable access to sites for all people and goods; and
- designing developments to prioritise pedestrian and cycle access and give access to high quality public transport facilities.

**5.2.6** The NPPF also gives the option for local planning authorities to develop their own vehicle parking standards. Currently, Swale uses Kent County Council standards for development management, which are intended to be reviewed post adoption of the Local Plan. The exception to this is the work in hand for rationalisation of car parking as part of the Sittingbourne town centre regeneration plans.

**5.2.7** The Department for Transport Circular 02/2013: [Strategic Road Network and the delivery of sustainable development](#) (September 2013) relates specifically to the impact of proposed development on the strategic road network (SRN) which is operated, maintained and improved by Highways England on behalf of the Department for Transport. The SRN play an important part in enabling and sustaining economic prosperity as part of wider sustainable development objectives, with Highways England ensuring the continued safe operation of the network.

**5.2.8** For the SRN, development proposals are likely to be acceptable if they can be accommodated within the existing capacity of a section (or link or key junction) of the relevant part of the network; or they do not increase the demand for use of that section which is already operating over capacity, taking account

## 5 Core planning policies

of any mitigation and/ or capacity enhancement measures which may be proposed. Generally, development should only be prevented or refused where the residual cumulative impacts of development are severe. Safety of the SRN is the key consideration for judging impact of proposed development.

**5.2.9** The key issues for the Local Plan are to promote development patterns which minimise the need to travel; encourages the use of sustainable means of transport and minimises journey lengths for everyday activities such as work, education, shopping and leisure. Capacity on the SRN is limited and additions are difficult, costly and time consuming, so these measures are integral to the local plan approach to reducing the potential for congestion on the SRN.

**5.2.10** The Circular states that capacity enhancements and infrastructure necessary to deliver strategic growth should be identified through the Local Plan. Where this is identified as necessary, Highways England will work with delivery agencies to assess the suitability, viability and deliverability of such proposals (including funding arrangements). If the need and deliverability is confirmed when balanced against other environmental and practical considerations, it may be considered for inclusion in the Highways England forward programme of works.

**5.2.11** The objectives of the Circular are reflected throughout the Local Plan in terms of its overall development strategy, land allocations and general policies for guiding design, layout and access, they are supported by and influence complementary plans, projects and funding programmes of the transport providers, highway authorities and the Local Economic Partnership (for Kent, Essex and East Sussex).

**5.2.12** The following paragraphs examine the Swale transport network and the current approach to local transport strategies and plans which the Council has been working on in partnership with the various transport agencies.

### Swale Transport Network

**5.2.13** The SRN within Swale consists of the M2 (with junctions 5, 6 and 7 serving the Borough) and the A249 corridor from M2/J5 north to Sheerness. The motorway runs east - west through the Borough and carries international as well as national and local traffic. It is designated as part of the Trans-European Transport network. Junction 5 is already operating over capacity in peak hours and development within Swale inevitably affects and is in turn affected by this. Faversham is served by M2 Junctions 6 and 7. Junction 7 also serves Canterbury and the Thanet towns and is nearing capacity at peak times, and will be further affected by current development proposals at Faversham and major new development being pursued through the adjacent Canterbury City Council, Thanet and Dover Local Plans. The issues with the SRN capacity in the Swale area remain significant and although public funding has now been confirmed for M2/J5, this will not commence until 2019-20 at the earliest and is unlikely to be completed until 2024. Junctions linking the local network to the SRN, particularly within the A249 corridor, may also be at capacity and will need public funding support to mitigate the issues and provide capacity to support planned growth and further investment in the area.

**5.2.14** The local road network is overseen and maintained by Kent County Council. Whilst there are local issues with peak time congestion and air quality issues and traffic domination of the public realm, particularly at Sittingbourne Town Centre, these have been eased by the opening of the Milton Creek section of the Sittingbourne Northern Relief Road (SNRR).

**5.2.15** During 2011, Swale saw the completion of two major schemes including the Milton Creek section of the SNRR which now provides a direct link from the A249 to the Eurolink Business Estate. This has reduced journey times for freight traffic and reduced congestion in Sittingbourne Town Centre, which enables further regeneration and traffic calming there.

**5.2.16** The Queenborough and Rushenden Relief Road was also completed and provides a link to the A249 on Sheppey and opens up large new areas for regeneration in the Queenborough and Rushenden area, not least of which are expected new developments at Neatscourt, and in the longer term, expansion at the Port of Sheerness. This complements the major benefit of the A249 Sheppey Crossing to the Island

opened in 2006. However, these schemes have highlighted a remaining local pinch point at the junction of Barton Hill Drive/Lower Road, Minster, where replacement of the existing traffic signals with a roundabout would relieve local congestion and facilitate better access to the eastern side of Sheppey.

**5.2.17** A Quality Bus Partnership has been established and is led by Kent County Council Highways, with regular meetings and input from bus operators in the area and Swale Borough Council. This has the objectives of improving services and expanding use of buses in the Borough and liaison on the progress and proposals of the Local Plan so that bus provision is made from the earliest stages of new development.

**5.2.18** High speed domestic rail services have reduced journey times to central London (St Pancras, twice hourly service) to 53 minutes from Sittingbourne and 62 minutes from Faversham. These services offer easy access to central London employment opportunities via a sustainable mode of transport. There is also a good (twice hourly) service through the Borough to London Victoria, with stations at Faversham, Teynham, Sittingbourne, Newington and a branch line to Sheerness, which will have direct services to London Victoria in the morning and evening peaks operating from January 2015.

**5.2.19** The preliminary commuting statistics from the 2011 Census are difficult to compare directly with the 2001 results due to the difference in the way people working at home or with no fixed workplace have been counted. Although there has been an increase in the numbers of people both living and working in the Borough, its degree of self-containment declined in percentage terms between 2001-2011. The percentages of those Swale workers commuting to all other Kent districts has though remained fairly constant. The most popular Kent destinations continue to be Medway, Canterbury and Maidstone. London continues to be the most popular commuting destination, although showing only a small increase since 2001.

**5.2.20** The way in which people access work does seem to be showing increased reliance on car travel, with an increase from 60% to 70% using the car to get to work. The exception appears to be London commuting, where the proportion driving has remained fairly constant at 38%, train at 46% and bus at 11%. Car commuting journeys to Maidstone and Medway increased in both absolute numbers and as a percentage of journeys. Commuting to Canterbury from Swale increased in terms of absolute numbers, but the proportion of those made as car journeys stayed at around 77% with a slight increase in train use.

**5.2.21** These results perhaps also reflect the 2011 Census results for car ownership in Swale. The proportion of households with one or more cars available has increased to just under 80%, which is an increase on 2001 figures and now makes Swale identical to the Kent average. Kent car ownership as a whole is higher than the national average (80% of households compared with 74% nationally). The rate of increase in car ownership in Swale has been twice the national rate of increase over this period.

**5.2.22** The commuting data therefore suggests that there has been an increase in out commuting, particularly by car, to other Kent districts, with Medway, Maidstone and Canterbury being the most popular destinations. London commuting has risen only slightly, and whilst car commuting has also increased in absolute terms on this route, train and bus use have maintained their proportionate share of commuters. These figures therefore suggest increasing pressure on the strategic and interurban road network.

### Transport Strategies and Plans in Swale

**5.2.23** Following the Chancellor's Autumn Statement announcements of 2014, Highways England published their Delivery Plan 2015-2020 (September 2015), which includes major improvement to the M2/J5 junction within the national roads programme. However, the M2/J5 improvement will not be completed until 2024, due to the lead in time needed for the design and scale of construction work. A start date of 2019-20 has been estimated.

**5.2.24** Kent County Council (KCC), as local transport authority, has produced a 20 year transport delivery plan Growth without Gridlock (originally published in 2010 and currently being updated). This sets out the strategic transport priorities for Kent and Medway over the next 20 years and is to be supported by a local

## 5 Core planning policies

transport strategy for Swale. Swale is recognised in Growth without Gridlock in Kent and Medway as part of the Kent Thames Gateway growth area which has a key role in the prospects for economic growth and regeneration in this area, particularly at Sittingbourne and Sheerness Port.

**5.2.25** Key schemes identified to address the accessibility, connectivity and capacity issues in Swale which present challenges for the delivery of growth include:

- Sittingbourne Central Area Regeneration transport interventions;
- the extension of the Sittingbourne Northern Relief Road to the A2 (Bapchild link) to the east of the town;
- the A249 at Grovehurst, Key Street and Bobbing junctions;
- addressing capacity of M2/Junction 5 and M2/Junction 7 (also identified as a cause for concern by Highways England);
- provision of a roundabout at Lower Road/ Barton Hill Drive A2500 to facilitate better access to eastern Sheppey;
- the A2 corridor from Teynham through Sittingbourne to Newington.

**5.2.26** The Kent Local Transport Plan (LTP) April 2011 sets out Kent County Council's priority areas for transport interventions and investment over a 5 year period. These priorities are grouped under the five main themes of :

- Growth without Gridlock
- A Safer and Healthier County
- Supporting Independence
- Tackling a Changing Climate
- Enjoying Life in Kent

**5.2.27** The current edition focuses on the period 2011 - 2016 and notes that the modelling work undertaken for this Local Plan was incomplete at the time the LTP was finalised.

**5.2.28** It is expected that the LTP will be updated and it is no longer a funding bidding document. Instead, new regional administration of funding streams in the context of the new Local Enterprise Partnership (for Essex, Kent and East Sussex, Thurrock, Medway and Southend on Sea) are currently the mechanism under which bidding and prioritising for transport schemes has taken place. Funding for the first tranche payments of Local Growth Funding (LGF) was heavily oversubscribed and the only Swale infrastructure scheme to receive support was the Central Sittingbourne regeneration proposals. The Council has worked with Kent County Council on Round 3 LGF bidding submissions and has successfully secured funding for the A2500 Lower Road/ Barton Hill Drive junction improvements.

**5.2.29** The Council will seek to plug significant gaps in transport infrastructure funding through use of the Community Infrastructure Levy, the pooling of Section 278 contributions for more strategic scale projects and will continue to support bids for other forms of funding. However, the viability assessment for the plan suggests that there is likely to be very little headroom to set a CIL charge which would secure all of the transport infrastructure needed to support the development strategy for the whole plan period, even as

proposed. More ambitious levels of growth would be likely to exceed the capacity of the SRN within the short to medium term and there is little prospect of suitable mitigation being put in place during the early years of the plan period to accommodate that.

**5.2.30** Kent County Council Highways have also worked with the Council to produce a detailed Local Transport Strategy (LTS) where current transport priorities are reflected. This will support and reflect the policies and specific development proposals in the local plan. This also contains a comprehensive list of transport infrastructure improvements which are not all directly related to Local Plan development proposals. These are nevertheless identified and could be supported either from public funds and or development contributions arising from proposals which may directly impact on them. To identify and support additional mitigations to the local transport network, which may be required toward the end of the plan period, Swale and Kent County Councils will work together to update the Local Transport Strategy.

### Swale Transport Modelling

**5.2.31** Multi modal strategic transport modelling was undertaken during drafting of the local plan to reflect the development strategy and proposals of this plan, which have re-used the earlier modelling work reflecting changes to the preferred land use allocations, most notably in Sittingbourne Town Centre. However, this has not had the benefit of being able to use the latest (2011) Census data on commuting as it was not published in time for the modelling work. Moreover, it has not been possible to upgrade the model to reflect in detail the transport movements arising from additional development proposals which have now been confirmed in the Faversham area. The promoters have had to undertake detailed assessments to satisfy the highway authorities as part of the planning application process. High level conclusions may be drawn from the model as to the potential impacts of the development strategy upon the strategic network and this will need to be supplemented with additional research in respect of the A249 junctions and the A2 corridor. Improvements to the County road network will be identified through an updated Local Transport Strategy. More detailed transport assessments will be needed to assess the local impacts of development proposals and appropriate mitigation work on or off site (as set out in Policy DM 6).

**5.2.32** The main findings of the modelling work undertaken to date and supplemented with Kent Highways and Highways England research indicate that:

- the level of growth anticipated as a result of the local plan development strategy will result in additional pressures on the highway network with traffic growth of some 35% over the base year and some further investment in the network will be necessary;
- congestion levels on the Kent Highways part of the network will accordingly increase, and some parts of the network, such as the A2 corridor between Teynham and Newington may require mitigation to support local plan development;
- congestion is likely to increase at M2/Junction 5, given the increase in traffic arising from the proposed development strategy. As the junction is currently operating over capacity, some form of mitigation will be required going forward. This is now included in the Highways England national road programme for commencement in 2019-2020. Further work is ongoing as to the nature of the improvements which are needed. The Local Plan proposals, particularly for increased residential development will exacerbate the problems in the short term. Highways England have also indicated that regard will need to be given to the impact of a higher development target on the A249 junctions which link the SRN to the local road network. The need for and delivery of any necessary improvements will be reflected in the Implementation and Delivery Schedule and the Local Transport Strategy supporting the Plan.
- following changes to the land uses expected in central Sittingbourne, the final A2 link section of the Sittingbourne Northern Relief Road (SNRR) is no longer imperative to enable this regeneration to proceed (the bridge section having relieved the worst of the town centre congestion). Instead this road will function as part of a local distributor network rather than a bypass to the town. However, the

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final section of the SNRR will relieve congestion on the A2 to the east of the town centre, open up opportunities for regeneration and re-design of the town centre itself, achieve an alternative route in case of incidents and reduce traffic flows running on Lomas Road;

- the Local Transport Strategy also identifies the need for some junction improvements to the A249 as a result of the local plan proposals at Grovehurst and Key Street;
- a modest modal shift to bus transport was predicted (confirmed by census commuting data, and bus services are well used by school and college students, although this does not show up in Census data) although this is from a low base and more could be done through local initiatives and policy to extend and improve the quality of services to new and existing development;
- a small increase in rail transport was indicated by the earlier modelling (and the trend supported by 2011 Census results). Whilst no major changes to services are anticipated (other than direct London services from Sheppey from January 2015), significant improvements to Sittingbourne station, the bus interchange and car parking are planned as part of the central area regeneration.

### Investment in the Transport Network

**5.2.33** The need for development to be well integrated with transport supports the approach taken by the Local Plan development strategy. Most new development is focused at the main urban areas, making best use of the existing or planned improvements to the transport network, looking to achieve a balance between new employment and housing provision and minimising the need to travel where possible. The development strategy is focused on promoting development at the most sustainable locations, or those which allow for greater use of sustainable modes of transport.

**5.2.34** The capacity of the SRN is nevertheless a critical consideration for Swale. The Council has worked with Highways England since the inception of the plan to understand the transport implications of the scale and patterns of development options for Swale, as well as the cumulative and individual impacts of Local Plan proposals upon the ability of the SRN and relevant junctions to accommodate the forecast traffic flows in terms of capacity and safety.

**5.2.35** At the level of the SRN, peak hour congestion at M2/Junction 5 was the subject of earlier modelling work undertaken by Highways England and Kent County Council and is borne out by the latest research. This junction is over capacity in peak hour and Highways England is satisfied that the major improvements scheduled in its Delivery Plan 2015-2020 represent dissolution of a major constraint for the medium term and supports the development strategy focusing on the western end of the Borough.

**5.2.36** This Local Plan continues to focus on Sittingbourne as the main urban area, with strategic allocations for housing and employment proposed to the north west and north east of the town. This utilises existing capacity on the A249 and the built and anticipated sections of the SNRR. The Grovehurst and Key Street interchanges with the A249 are nearing capacity and will require improvement to accommodate traffic arising from development proposed in the Local Plan. The impact on the Bobbing junction of further land allocations will also need to be evaluated. Suitable interim mitigation will be provided through strategic development allocations in the plan impacting on these junctions. S.278 or S.106 contributions will be pooled towards both interim mitigation and more major long term improvement schemes, the latter of which will also require support from public funding.

**5.2.37** The central Sittingbourne regeneration plans and housing allocations will deliver new shopping, leisure, housing and eventually civic uses to the town centre. The opening of the Milton Creek section of the Sittingbourne Northern Relief Road has been an important step in removing industrial and freight traffic from the town centre. Further improvements involving traffic calming, the pedestrian environment, and a completely revised bus train interchange are in hand as part of the town centre regeneration scheme, with the development partners' masterplan at an advanced stage of preparation. As part of the regeneration, the layout and operation of roads within the town centre will be fundamentally altered and traffic calmed and, as stated, there will be a new bus/rail interchange. A grant of £2.5m was secured from the SELEP



Local Growth Fund to assist with this. The work will include not only traffic based highway infrastructure, but also improvements to the bus, walking and cycling networks. This will be incorporated into the design and layout of development proposals and within supporting transport assessments and travel plans, both for the town centre and for other developments proposed around the town.

**5.2.38** The benefits of the SNRR in distributing local traffic will be best realised with its extension to the A2 in the Bapchild area (and may have a complementary role to any Sittingbourne Southern Relief Road if pursued at a future date). The SNRR was the subject of an unsuccessful bid in the first round of submissions to the SELEP Local Growth Fund, but funding will continue to be pursued through this route, as well as through developer contributions (or Community Infrastructure Levy). To support this longer term objective, retention of a safeguarded area of search for a potential route is identified by Policy AS 1.

**5.2.39** Faversham is well served by rail links westbound and is well placed in respect of M2 Junctions 6 and 7 although J7 is also nearing capacity. Local Plan allocations, the subject of planning applications, have undertaken Transport Assessments of cumulative impacts and these have been found to be acceptable. Major allocations in the Canterbury City Council Local Plan (plus those as yet unconfirmed in the Thanet and Dover plans) will also impact Brenley Corner M2/Junction 7, and the Council has supported Highways England proposals for minor improvements here. However, there are no proposals to improve this junction beyond minor developer funded mitigations and this may limit the quantum of development possible in the absence of major improvement. Should this limitation be deemed necessary, the Council is of the view that this would be an appropriate course of action, given the Local Plan development strategy focusing on the western part of the Borough and on committed infrastructure improvements there. Bus service links to the wider rural areas are patchy. The scales of development proposed at Faversham are not as significant as elsewhere in the Borough, and are situated in close proximity to Junction 6, the town and local services. Transportation improvements here will therefore concentrate on the quality of the bus, cycle and walking networks.

**5.2.40** The Isle of Sheppey has benefited from the construction of the new Sheppey Crossing, which has already brought significant investment and regeneration to the western part of the Island. The recently completed Rushenden Link Road capitalises on this and opens up further regeneration land. The Local Transport Strategy identifies a need for improvements on the A2500 Lower Road, where congestion will worsen with the build out of residential allocations in the Minster area. There is a regular train service between Sittingbourne and Sheerness (with direct Sheerness to London services to be introduced from January 2015), although the eastern part of the Island still has a limited road network and public transport services.

**5.2.41** Key transport infrastructure requirements in Sheppey will therefore focus on mitigating local congestion on the highway network, measures to support regeneration and expansion of the Port, improvement of the quality of the rail services, improved bus stop infrastructure, bus flags and timetables and improved walking and cycling routes.

**5.2.42** Within the Borough's rural areas, access is generally by narrow rural roads and a modest public transport service. Scope to improve the rural highway network is limited, so improved public transport options will be the main means of improving accessibility for residents of rural communities. A number of cycle routes are also planned through rural areas (in addition to the national cycle route already established through Swale), the most extensive of these is on the Isle of Sheppey, where leisure routes will be extended to link communities across the Island.

**5.2.43** Strategic transport modelling indicated only a small modal shift from car based to bus or rail based public transport and the Local Plan and associated Local Transport Strategy clearly has a role to play in maximising any opportunities to achieve this as development proposals come forward. A Quality Bus Partnership between the Kent Highways Service, Swale Borough Council and the local bus service providers has already been established. Bus use will be encouraged through application of Policy DM 6 to all suitable proposals to maximise access to bus services, for example through careful design of key allocation sites

## 5 Core planning policies

(such as North West Sittingbourne and Teynham). The implementation of the central Sittingbourne regeneration will also facilitate major improvements in bus/rail interchange in the town centre, which may also encourage increased use of rail commuting.

**5.2.44** Policy DM 6 also prioritises the integration of facilities for walking and cycling into the location design and layout of new developments to facilitate access to local services and facilities. There is also an important link here with the local plan objective of promoting an integrated approach to healthy environments which enable and encourage such activity.

**5.2.45** The Port of Sheerness has access to deep water berths which makes it a suitable location for wind turbine manufacture and assembly and planning permission already exists for this use. The Port operator is also preparing a Masterplan which will look 20-30 years ahead. Potential exists for longer term expansion for further berthing facilities, subject to appropriate consideration of designated biodiversity sites. Should major and wide impacting proposals come forward more quickly than expected, a Local Plan Review will be triggered. Ridham Dock also offers a smaller but nevertheless useful port facility.

### Car Parking Strategy

**5.2.46** A car parking strategy is being prepared as part of the central Sittingbourne regeneration masterplan. The regeneration plans have precipitated a major review of land use and car parking rationalisation. The regeneration plans will allow for the redevelopment of some car parks for alternative uses and the redevelopment of surface car parking at the Forum centre for a 310 space multi-storey car park. There will also be a re-designation of other more peripheral car parks for long and short stay. The net results of the strategy will be to provide for at least current peak demand plus that likely to arise from the proposals for new retail and leisure development and build in some capacity for potential future phases of regeneration. Further town centre capacity could be added through Network Rail adding a deck to their commuter car parking which would reduce the demand for long stay spaces in the Council operated car parks. This could afford further capacity for expansion, if needed to serve medium to longer term development strategies, alongside local plan policies to reduce car use by linking new residential areas to public transport through bus, cycling and walking routes.

**5.2.47** At Faversham and Sheerness, no major new town centre developments are currently proposed which would necessitate a major review of car parking strategy within this local plan.

**5.2.48** Policy DM 7 and the Local Transport Strategy set out the intention to review and implement a broader vehicle parking strategy and standards for Swale, to respond to the significant increase in car ownership in the recent past. In the interim, the framework for Swale parking standards is retained as set out in Kent County Council Vehicle Parking Standards.

### Summary of Key Transport Network Improvements

**5.2.49** The following transport network schemes are seen as necessary to support growth and the full implementation of the Local Plan strategy:

- medium term improvements to M2/Junction 5 via Highways England national road delivery programme project commencing 2019-2020;
- A249/Key Street junction improvements;
- A249/Grovehurst junction improvements (including pedestrian and cycle way links between new development allocations at North West Sittingbourne and Iwade and to employment areas at Ridham);
- A249/ Bobbing junction may also need to be re-assessed as part of the A249 corridor together with Key Street and and Grovehurst;

- Mitigation may be required at key points on the County highways network, particularly within the A2 corridor between Teynham and Newington, to support new development and complement improvements to the A249 corridor junctions;
- the final (Bapchild) section of Sittingbourne Northern Relief Road, the detail of which will be addressed via Policy AS 1;
- Sittingbourne town centre road layout, traffic management and calming measures, and car parking arrangements to support regeneration developments (some funding already secured from the SELEP Local Growth Fund);
- improvements to the A2500 Lower Road, Sheppey;
- other highway network improvements, (not necessarily associated with new development proposals) to resolve existing issues as set out in the Local Transport Strategy;
- continue to support the Quality Bus Partnership and work with rail transport operators to promote use of public transport through enhancement of services and terminals;
- provision of walking and cycling routes to link new and existing communities to local services, facilities and public transport; and
- implement a new car parking strategy for Sittingbourne and review car parking standards across the rest of the Borough.

**5.2.50** More detail of the means of delivery of these schemes is set out in the infrastructure delivery schedule. The Council will continue to work in partnership with Kent County Council, developers and the Highways Agency to secure funding for key transport infrastructure and will also pursue preparation of a Community Infrastructure Levy, which will enable pooling of developer contributions towards major infrastructure schemes. The viability assessment for the Local Plan nevertheless indicates that the headroom for this is limited and there will be many competing priorities for any levy raised.

**5.2.51** Whilst the development strategy of the Plan and supporting Transport Strategy is focused on locating development where the supporting transport can be provided in the most sustainable way, the Borough also has a rich heritage of rural lanes which contribute greatly to amenity. These may come under pressure with inappropriate development proposals. The issues are considered in the context of Policy DM26.

## Policy CP 2

### Promoting sustainable transport

New development will be located in accordance with Policy ST 1 to Policy ST 7, Local Plan allocations, approved Neighbourhood Plans and Community Right to Build initiatives, which minimise the need to travel for employment and services and facilitate sustainable transport. Actions by the public, private and voluntary sector will adopt an integrated approach to the provision of transport infrastructure. Development proposals will, as appropriate:

1. Contribute to transport network improvements, where capacity is exceeded and or safety standards are unacceptably compromised, with particular emphasis on those identified in the Infrastructure Delivery Schedule;

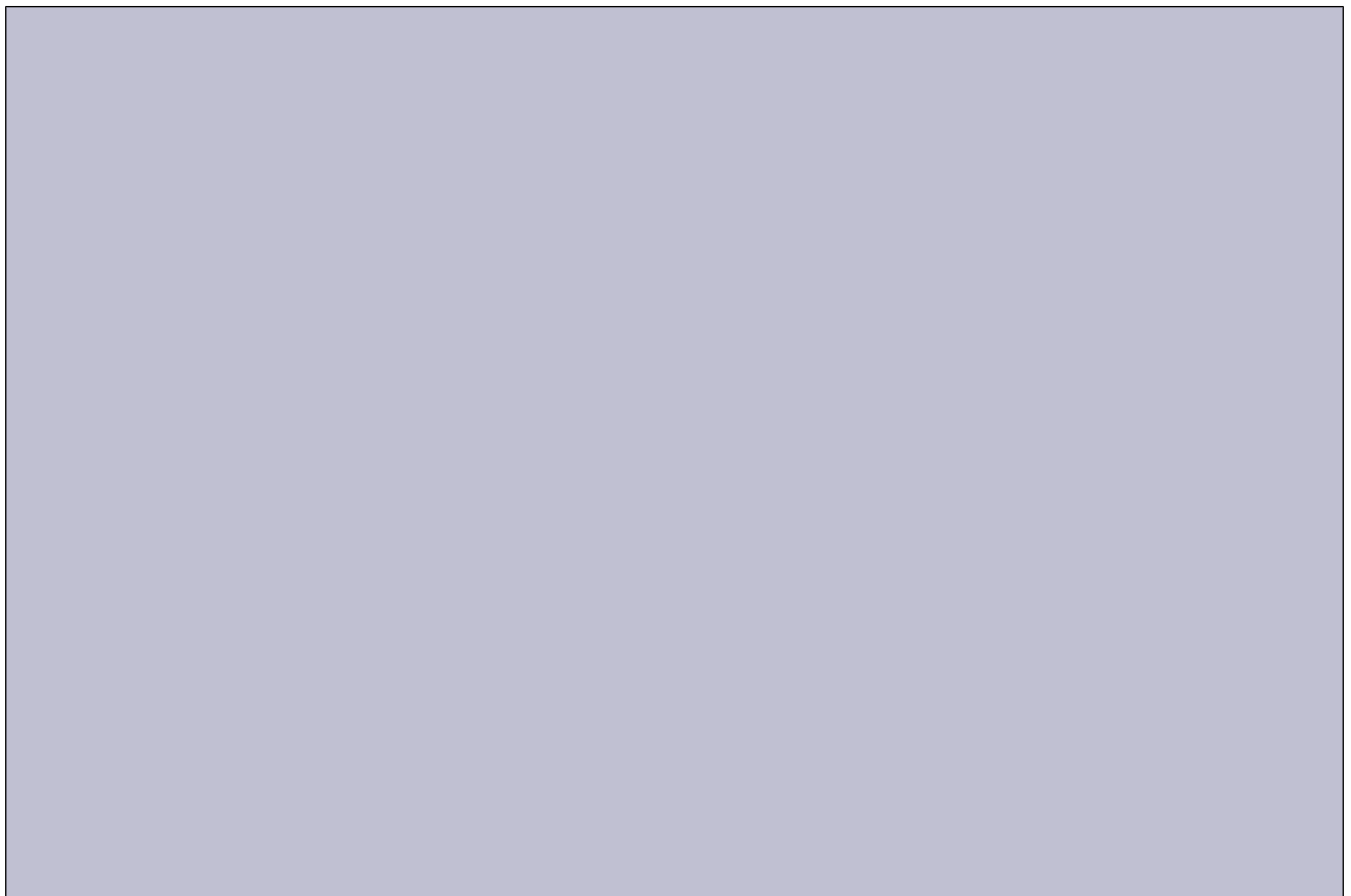
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2. Make best use of capacity in the network by working together with transport providers to improve the transport network in the most sustainable way, and extending it where necessary, as demonstrated by Transport Assessments and Travel Plans in support of development proposals;
3. Support the provision of major new transport infrastructure in accordance with national and local transport strategies;
4. Maintain and improve the highway network at key points to improve traffic flows and respond to the impact of new development and regeneration, as set out in the Local Transport Strategy;
5. Improve safety, through measures such as adequate parking, lighting and traffic management schemes;
6. Achieve alternative access to all services through promoting access to sustainable forms of transport particularly bus, cycling and rail transport and improving interchange between them from the earliest stages of development;
7. Provide integrated walking and cycling routes to link existing and new communities with local services and facilities, public transport and the Green Grid network; and
8. Facilitate greater use of waterways for commercial traffic, where this would not have an unacceptable adverse environmental impact, through working with the Port of Sheerness and other bodies.

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### 5.6 Conserving and enhancing the natural environment - providing for green infrastructure

**5.6.1** Our diverse and outstanding natural assets are the defining characteristics of Swale. Policy CP 7 considers how natural assets should be considered across a range of issues; more specifically how together their protection, enhancement and management can contribute to our own quality of life, as well as benefiting the natural environment.

**5.6.2** The NPPF looks to the planning system to contribute to and enhance the natural environment by:

- protecting and enhancing it;
- recognising the wider benefits of ecosystem services in supporting society's needs;
- minimising impacts on biodiversity and providing net gains in places affected by development proposals;
- establishing coherent and resilient ecological networks; and
- preventing and mitigating pollution.<sup>(5.25)</sup>

**5.6.3** The NPPF defines green infrastructure as a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.<sup>(5.26)</sup> It expects local planning authorities to set out a strategic approach in their Local Plans which should plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure, including those at the coast.<sup>(5.27)</sup>

**5.6.4** As well as providing the attractive environments within which people will want to live, work and invest, green infrastructure has the following multiple benefits to the health and wellbeing of both people and nature.<sup>(5.28)</sup>

- new open space and facilities to increase participation in sport and recreation;
- connections with our natural environment;
- new and enhanced habitats for biodiversity, including when the mitigation of adverse development impacts arising from development becomes necessary;
- resilience and adaptation of species and habitats to climate change;
- the opportunity to manage the risks to those in vulnerable areas such as from flooding;
- the conservation and enhancement of valued landscapes, spaces and heritage;
- counters to the effects of noise and pollution; and
- a safe network of car free routes linking home, work, school and areas of recreation.

**5.6.5** These multiple benefits of green infrastructure can attract new investment, raise land and property values by enhancing their amenity value, as well as helping businesses to retain a skilled and highly motivated workforce because of the attractive living and working environment created. This, in turn, supports Swale's economic ambitions.

**5.6.6** Conserving and enhancing the Borough's outstanding natural environment is at the heart of a Local Plan strategy which seeks to create more robust ecological and landscape structures and reverse the decline in the quality and diversity of our landscapes and biodiversity. In assessing the impacts of development upon the natural environment, the Council will recognise and value our ecosystems for the wider services they provide to society, such as for food, water, flood mitigation, disease control, recreation and, importantly, health and well-being. Whilst it will safeguard the network of national and natural asset designations in the Borough, across all areas, designated or not, we will expect the use of landscape character and biodiversity assessments to drive natural asset focused developments. Where possible, all development proposals should seek to achieve a net-gain in biodiversity.

## 5 Core planning policies



Picture 5.6.1 Elmley Marshes

mitigation and compensation of development schemes elsewhere in Kent and further afield when such actions cannot be taken closer to the point of impact and where such measures are not detrimental to the integrity of the Borough's own natural assets.

### The Swale natural assets and green infrastructure network and strategy

**5.6.9** Creating a natural assets and green infrastructure network and strategy draws upon a considerable number of sources of evidence. These are outlined in Appendix 1. As well as informing the strategy, use of these documents in the preparation of development proposals and in partnership working is strongly encouraged.

**5.6.10** A natural assets and green infrastructure network for Swale has been defined and mapped from this evidence base, comprising two main broad elements. These are:

1. The existing network: comprising open space, the principal public footpath network and landscape and biodiversity designations. This forms the basis of maintaining and enhancing the existing level of assets in the face of future change; and
2. The future network shows where the network might be extended on a strategic scale, for example:
  - as a result of an assessment of sports or open space needs;
  - where biodiversity may need to change and or migrate as a result of future climate change;
  - where habitats and landscapes are lost as a result of development that may need to be mitigated or compensated for in locations such as Biodiversity Opportunity Areas; and
  - where there are obvious gaps that can be filled to make for a more comprehensive and cohesive network.

**5.6.11** As a result of identifying the network, a Natural Assets and Green Infrastructure Strategy has been created as a basis for both protecting and enhancing the existing network and for its future expansion over the lifetime of the Local Plan and beyond (see Picture 5.6.2). It highlights locations where there is either existing planned long term strategic activity or where it is expected that future strategic initiatives and emphasis will be placed. It is intended to be a strategy to guide both the consideration of development proposals and partnership working. It should be noted that the Strategy Map serves only to illustrate the broad approach to the protection and enhancement of the network at a strategic scale and is not representative of the boundaries of actual land parcels or initiatives. Site specific proposals are therefore expected to refer to source material and undertake their own assessments in order to demonstrate the

**5.6.7** Part of avoiding impacts and achieving net gains for biodiversity is mitigation and, as a last resort, compensation. Development proposals must safeguard what is important, introduce new features and mitigate the remaining impacts, including use of compensation where unacceptable harm remains or where a net gain in biodiversity can be achieved. In such cases the Council will use existing, and develop new mechanisms to ensure adequate compensation.

**5.6.8** The Council also considers that Swale has the potential to become a centre for habitat creation as part of co-operation with other Councils. We will encourage the use of land here to potentially act as a receptor for

most appropriate contribution towards the overall strategy. At present, the strategy map is not a full representation of assets and opportunities within the main urban areas and the Council will undertake urban green infrastructure studies when resources permit.

**5.6.12** To ensure the co-ordinated implementation of the strategy, Policy CP 7 seeks to maintain the integrity of the green infrastructure network and co-ordinate its enhancement. It sets out the expectations for new provision to achieve benefits across the economic, social and environmental components of sustainable development.

#### **Potential adverse impacts on European designated wildlife sites**

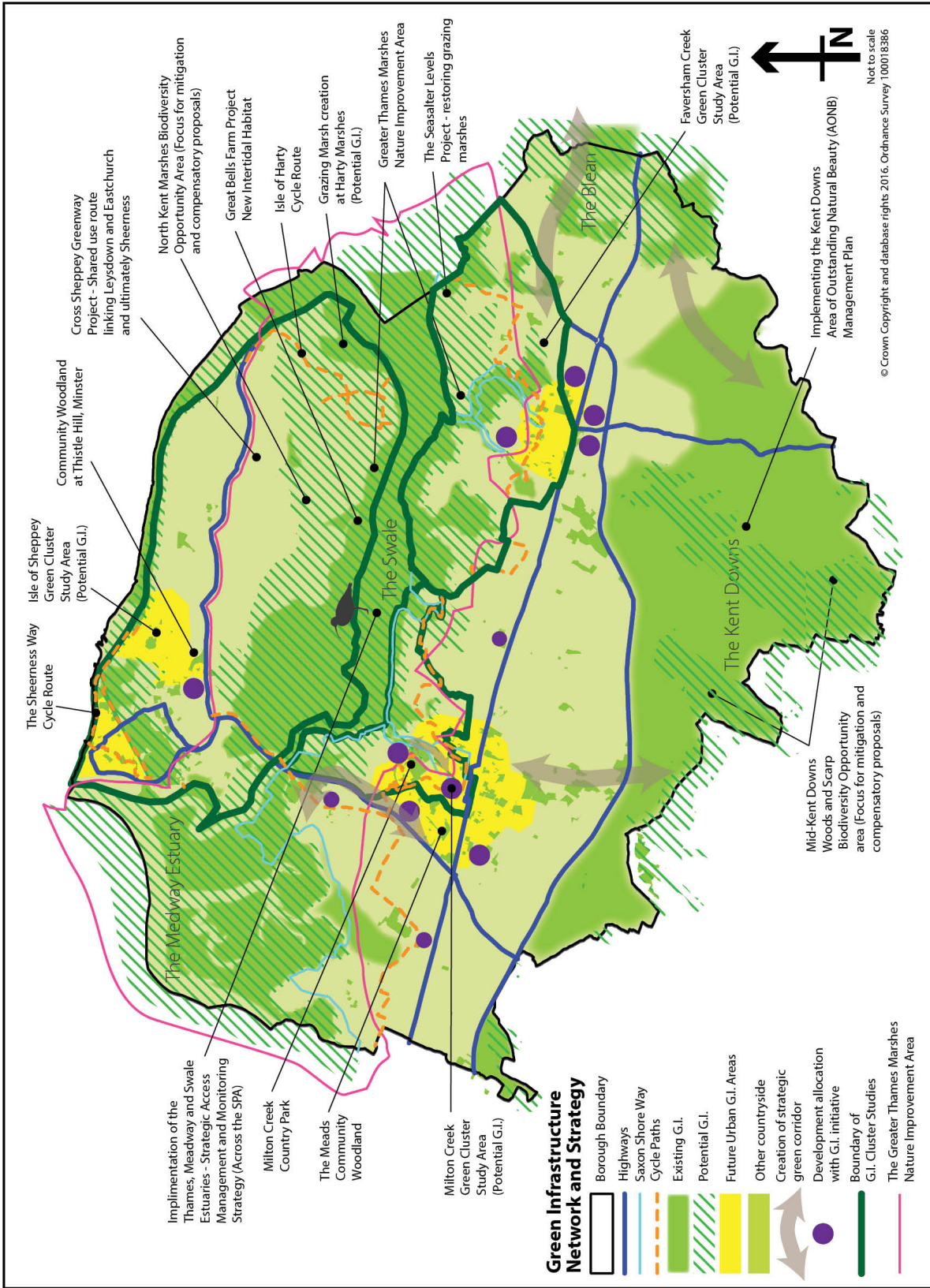
**5.6.13** A particular issue where the strategy and Policy CP 7 will play a key part is where potential adverse impacts on European designated wildlife sites are identified, for example, as a result of increased recreational pressures on bird habitats on the North Kent Marshes. These are matters affecting both the preparation of the Local Plan and for relevant development projects, both of which are required to comply with the Habitats Regulations Assessment process.

**5.6.14** As explained in Chapter 4, CP 7 and Policy DM 28, partners are putting in place a Strategic Access Management and Monitoring Strategy (SAMMS) that shall include the measures needed to mitigate growth. This shall also include a mechanism to ensure that residential development financially contributes toward mitigation measures, such as wardening, management or habitat creation that shall, in turn, be informed by the Green Infrastructure Strategy Map. The SAMMS will be used to support the determination of planning applications and inform any Local Plan review and the Council's Community Infrastructure Levy.

**5.6.15** To address the issue in both the short and longer terms, Policy CP 7 requires management and containment of pressures. Where mitigation and/or compensation is required, it must be provided in an appropriate way either as a result of the cumulative impact of Plan proposals or individual development proposals. An integral part of the SAMMS will be the monitoring of the effectiveness of the measures put in place through the tariff payments. If this monitoring highlights areas where changes to the mitigation measures are required, these will be implemented by the Partnership.



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Picture 5.6.2 Natural Assets and Green Infrastructure Network and Strategy

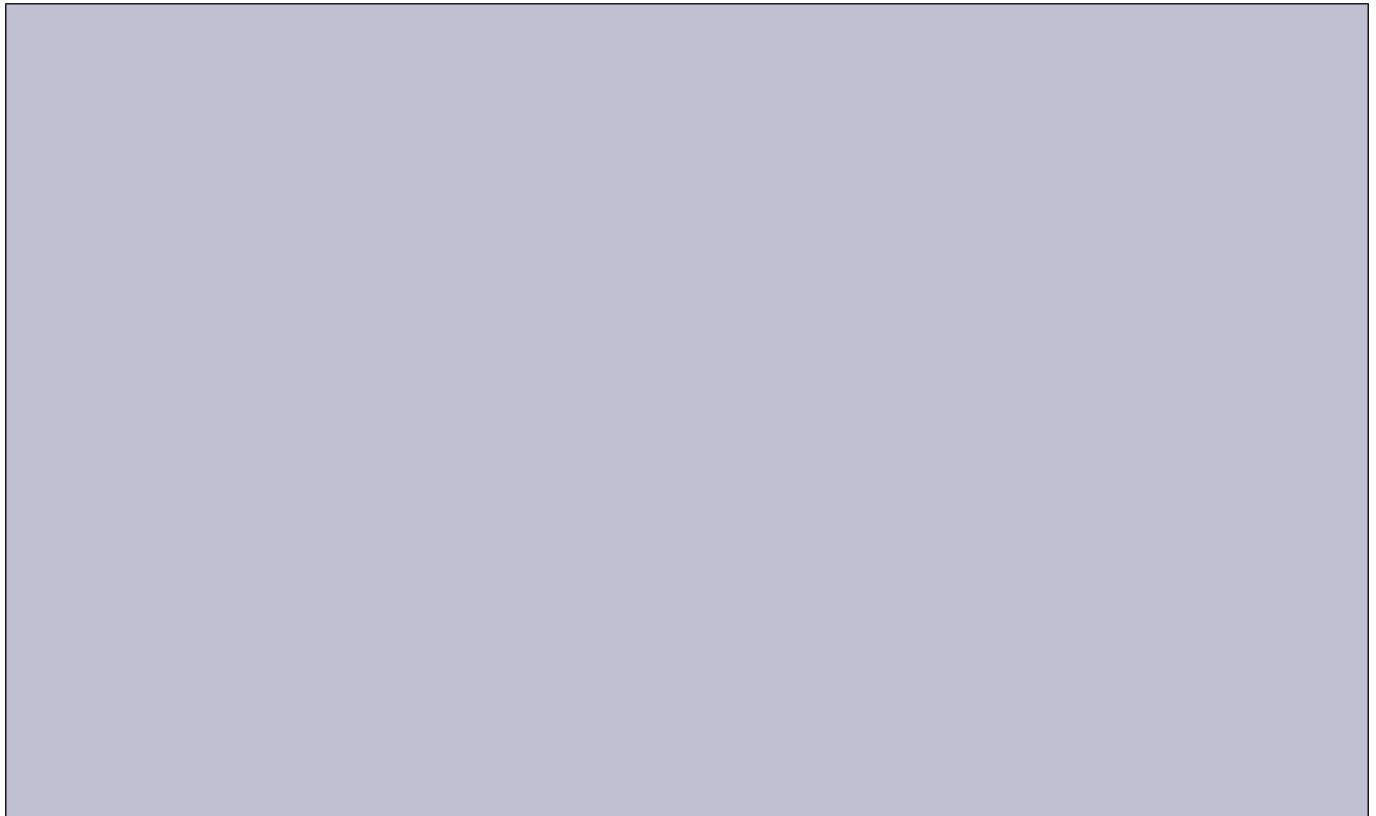
## Policy CP 7

### Conserving and enhancing the natural environment - providing for green infrastructure

The Council will work with partners and developers to ensure the protection, enhancement and delivery, as appropriate, of the Swale natural assets and green infrastructure network and its associated strategy. Development proposals will, as appropriate:

1. Recognise and value ecosystems for the wider services they provide, such as for food, water, flood mitigation, disease control, recreation, health and well-being;
2. Protect the integrity of the existing green infrastructure network as illustrated by the Natural Assets and Green Infrastructure Strategy Map, having regard to the status of those designated for their importance as set out by Policy DM24 and Policy DM28;
3. Where assessment indicates that it is necessary to enhance and extend the network (including when management, mitigation and/or compensatory actions are required to address adverse harm), be guided by the Green Infrastructure Network and Strategy Map, prioritising actions toward identified Biodiversity Opportunity Areas;
4. Ensure that there is no adverse effect on the integrity of a SAC, SPA or Ramsar site, alone or in combination with other plan and projects, as it would not be in accordance with the aims and objectives of this Local Plan;
5. Require the completion of project specific Habitats Regulations Assessment, in accordance with Policy DM28, to ensure there are no likely significant effects upon any European designated site. For residential sites within 6km of an access point to any of the North Kent Marshes, development must contribute to its Strategic Access Management and Monitoring Strategy;
6. Contribute to the objectives of the Nature Partnerships and Nature Improvement Areas in Kent;
7. Make the enhancement of biodiversity and landscape as their primary purpose;
8. Promote the expansion of Swale's natural assets and green infrastructure, including within new and existing developments, by:
  - a. delivering a high standard of design quality to maximise the social, economic, health and environmental benefits of green infrastructure;
  - b. providing a focus for social inclusion, community development and lifelong learning;
  - c. taking into account the guidelines and recommendations of relevant management plans and guidance, Biodiversity Action Plans and Supplementary Planning Documents;
  - d. contributing to the protection, conservation and management of historic landscapes, archaeological and built heritage assets;
  - e. achieving, where possible, a net gain of biodiversity;
  - f. providing new recreational facilities in accordance with Policy DM17, exploiting opportunities to link urban and countryside areas and to create new footpath and cycle links;
  - g. taking account of and integrating with natural processes, such as flood risk and utilising sustainable urban drainage; and
  - h. including proposals to 'green' existing and proposed developed areas by increasing opportunities for nature in domestic gardens, streets and buildings, including street trees and in and around formal open spaces and sports provision.

## 7 Development management policies



### 7.2 Promoting sustainable transport

#### Managing transport demand and impacts

**7.2.1** This policy is designed to support the National Planning Policy Framework core principles of managing patterns of growth to make the best possible use of public transport, walking and cycling and focusing development in sustainable locations. It also supports the NPPF's objective in respect of climate change and reducing greenhouse gas emissions. This development management policy focuses on how the demand for transport will be addressed at the level of specific sites and network improvements.

**7.2.2** The NPPF states that all developments which generate significant amounts of movement (to be determined by local criteria) should be supported by a Transport Assessment which will consider:<sup>(7.8)</sup>

- whether the opportunities for sustainable transport mode have been taken up, depending on the nature and location of the site (taking account of whether or not it is a rural location);
- whether safe and suitable access to the site can be achieved for all people; and
- what improvements can be undertaken within the transport network which can effectively limit the significant impacts of the development.

**7.2.3** Developers will therefore need to ensure that their proposals are located and designed so as to minimise the need to travel in accordance with Policy CP 2 and that opportunities to connect with and maximise the use of, public transport, cycling and walking are taken wherever appropriate. This will include provision for:

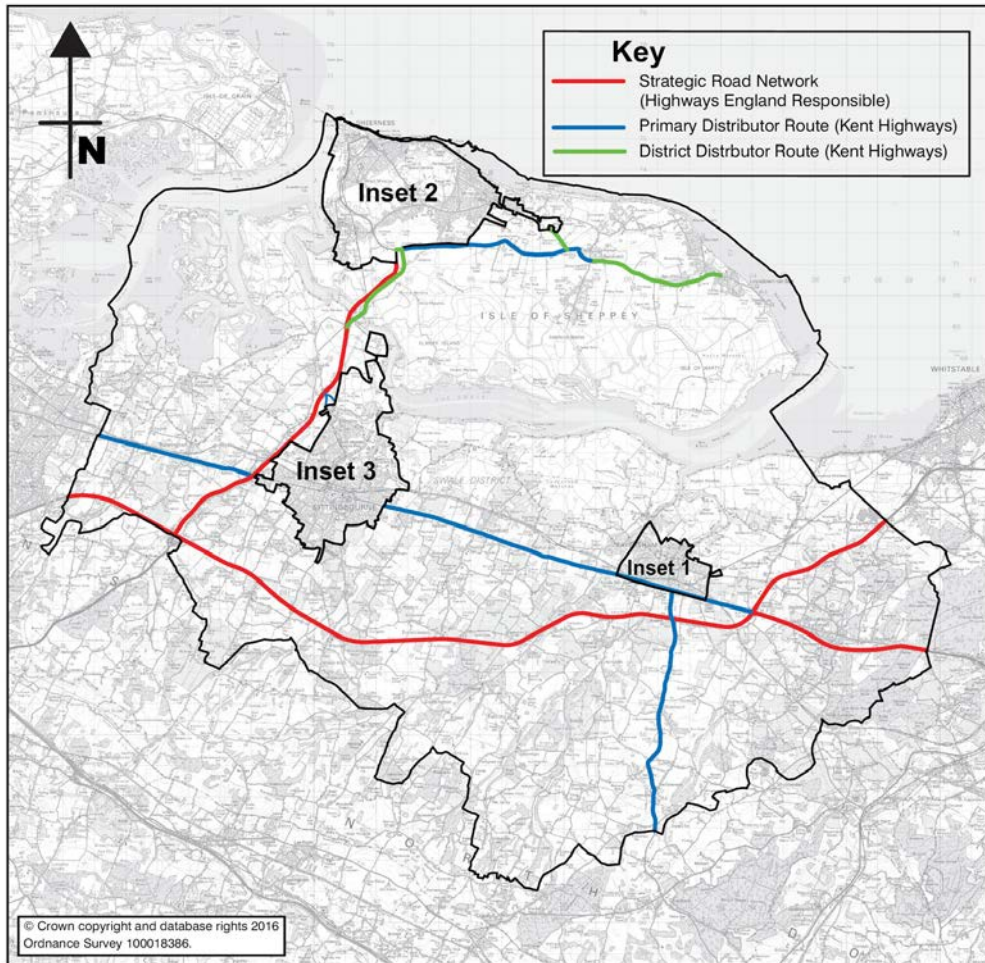
- efficient delivery of goods and supplies;
- prioritising pedestrian, cycle and access to high quality public transport facilities and minimise conflicts with vehicular traffic;
- considering the needs of people with disabilities by all modes of transport; and
- incorporating facilities for charging plug-in and other ultra low emission vehicles.

**7.2.4** Development or redevelopment can impact on the safe operation and capacity of the highway network. Consequently, the Council will expect, where appropriate, an appraisal of the traffic impacts of the development as part of an overall transport assessment. This may also include a Travel Plan. Developers will need to demonstrate that the existing highway network has sufficient capacity to accommodate the proposed development, or alternatively, that access and capacity can be provided in a cost effective way.

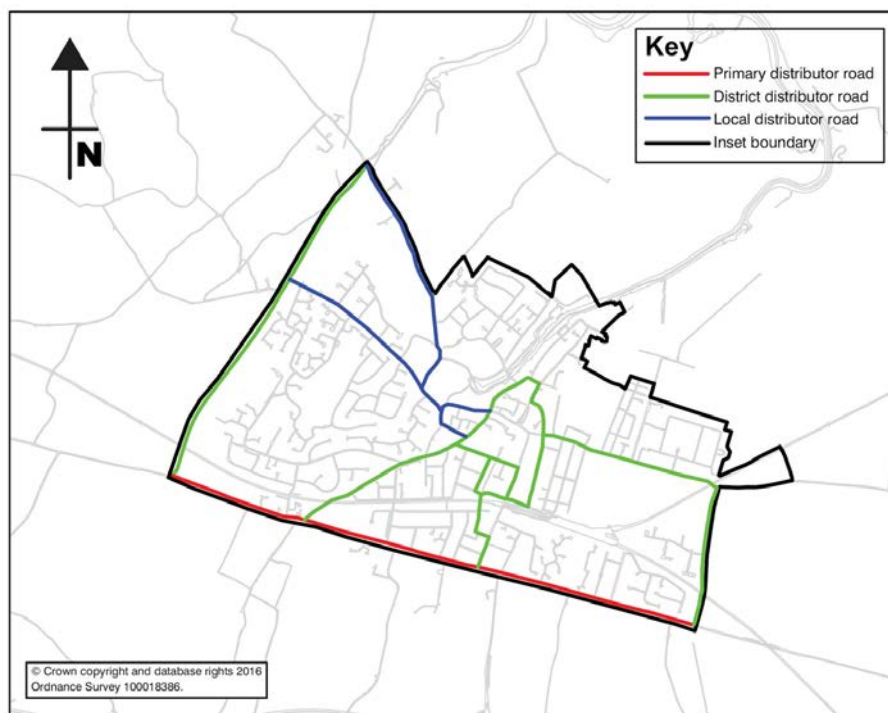
**7.2.5** Where improvements can be made, the developer will either be required to undertake the works or make a financial contribution towards them (either via S.106 or, when adopted, the Community Infrastructure Levy). Such improvements may need to be undertaken before development becomes operational.

**7.2.6** Direct access to the strategic road network and primary road network shown on Map 7.2.1 will generally be avoided. In line with national policy, new direct access to the strategic road network will only be considered in the event of serving strategic development proposed through a local plan review. The Insets (Maps 7.2.2 - 7.2.4) show the Urban Road Hierarchy for Faversham, the Sheerness area and Sittingbourne respectively.

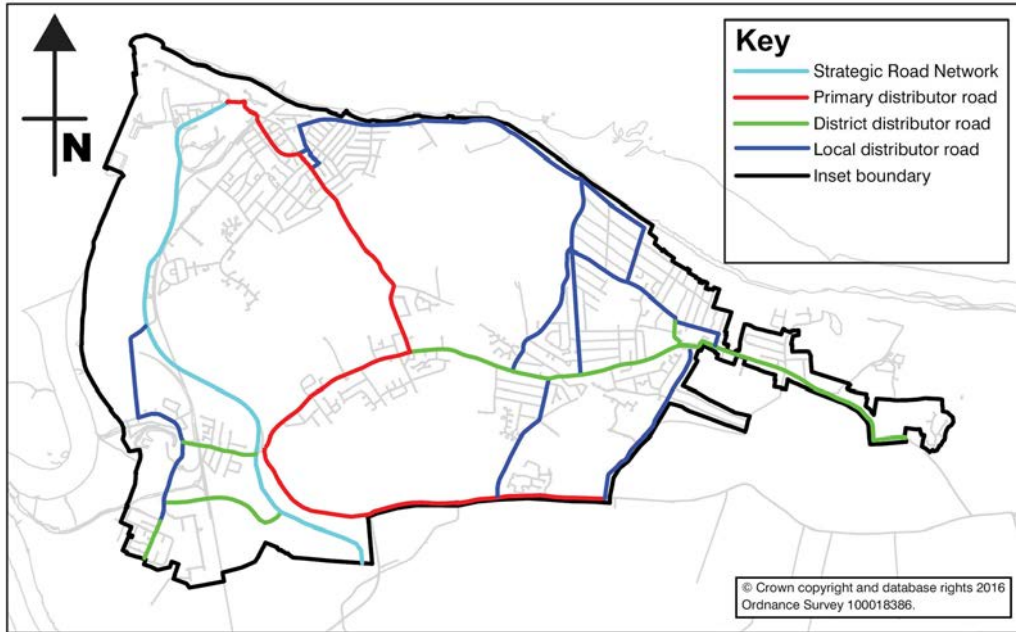
7 Development management policies



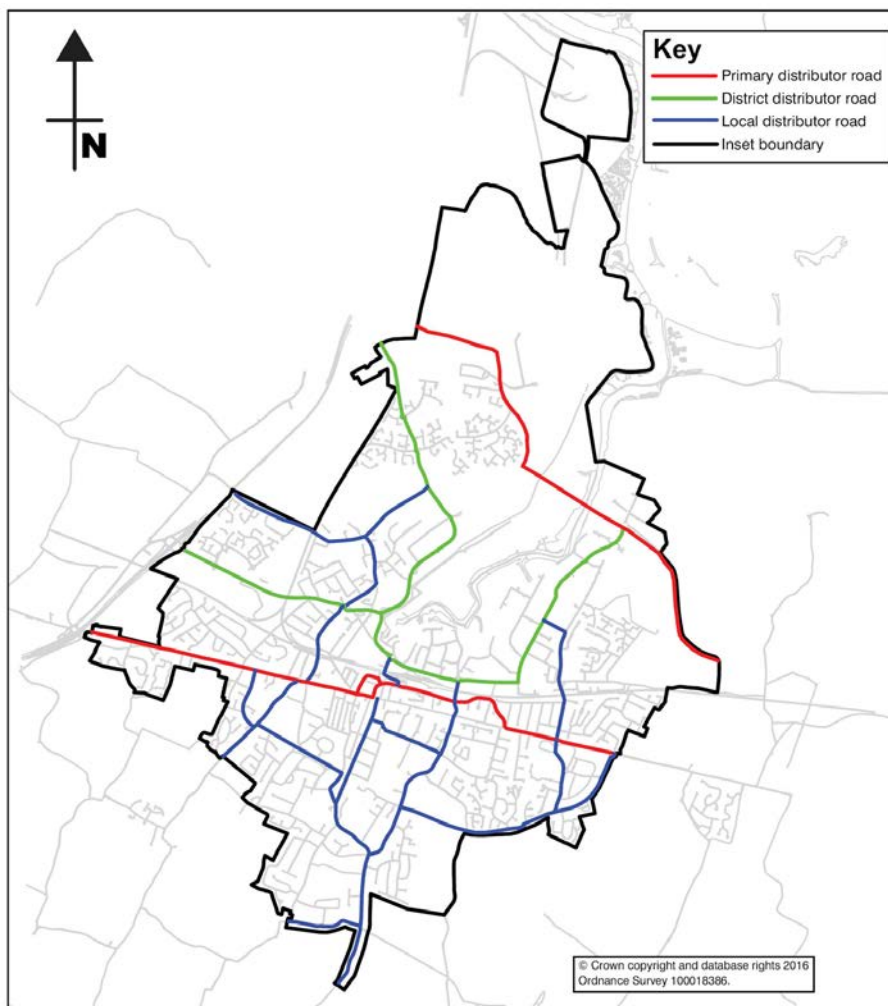
Map 7.2.1 Swale Inter Urban Road Hierarchy



Map 7.2.2 Urban road hierarchy for Faversham (Inset 1)



Map 7.2.3 Urban Road Hierarchy for the Sheerness area (Inset 2)



Map 7.2.4 Urban road hierarchy for Sittingbourne (Inset 3)

**7.2.7** The NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe and cannot be mitigated by off site improvements to the

## 7 Development management policies

transport network.<sup>(7.9)</sup> Whilst 'severe' is not defined by the NPPF, Circular 2/2013 states that continued safe operation of the network is the prime consideration in terms of the operation of the strategic road network.<sup>(7.10)</sup>

**7.2.8** The environmental and air quality impacts of any transport aspects of development are an integral part of their likely acceptability and the Council will pay close attention to these issues when considering any proposals, having regard to the residual cumulative impact of development schemes.

**7.2.9** In order to ensure that more sustainable patterns of development and transport are achieved, promotion of cycling and the needs of pedestrians should be a priority consideration in the design of new development. This is not only a consideration for the site layout itself, where the aim should be to improve permeability within the site, but also the links out of the site to access surrounding services and facilities. Measures to reduce traffic speed in residential areas should be integral to the design and layout. Existing public rights of way through a development site should be retained on their established routes unless there are exceptional reasons to agree an alternative and or it can be demonstrated to the satisfaction of the Council and Kent County Council Public Rights of Way Access that change to the network would enhance its recreational value.

**7.2.10** The Council is keen to enhance and extend public transport services by ensuring that there is a good relationship between the location of development and the public transport network. Consequently, development proposals will be expected to have regard to the relationship of the proposal with public transport services and to promote access to them, particularly in the early stages of development. This could involve providing new or better located stopping points, integrating the footpath and cycleway network with public transport services, providing vouchers or complementary season tickets to residents or workers. On larger developments, contributions could be made towards new or improved services. Developers are strongly encouraged to consult with local bus operators at an early stage in formulating their plans. The Council will expect to see the implementation of public transport services from the very start of development to set sustainable transport patterns.

**7.2.11** The Council recognises the important contribution rail and water transport can make to the movement of freight and for other commercial purposes and the potential to help reduce the amount of heavy goods road traffic. It is therefore important that existing provision is safeguarded, including those facilities identified in the Kent Minerals and Waste Local Plans. Some established companies in Swale already have links to the rail freight network. The Council is keen to encourage greater use of rail and water transport and will usually support development which proposes this. The Port of Sheerness already has deep water wharfage, which could be used more intensively if the planning consent for manufacture and assembly of wind turbines at the Port is implemented. The potential for extending the deep water wharfage remains a longer term possibility for the Port. Ridham Dock provides a more limited, but valuable facility. Opportunities to intensify use of these facilities and provide interchanges with the national rail network will generally be supported, subject to the avoidance of any significant adverse environmental impacts on internationally designated sites.

### Policy DM 6

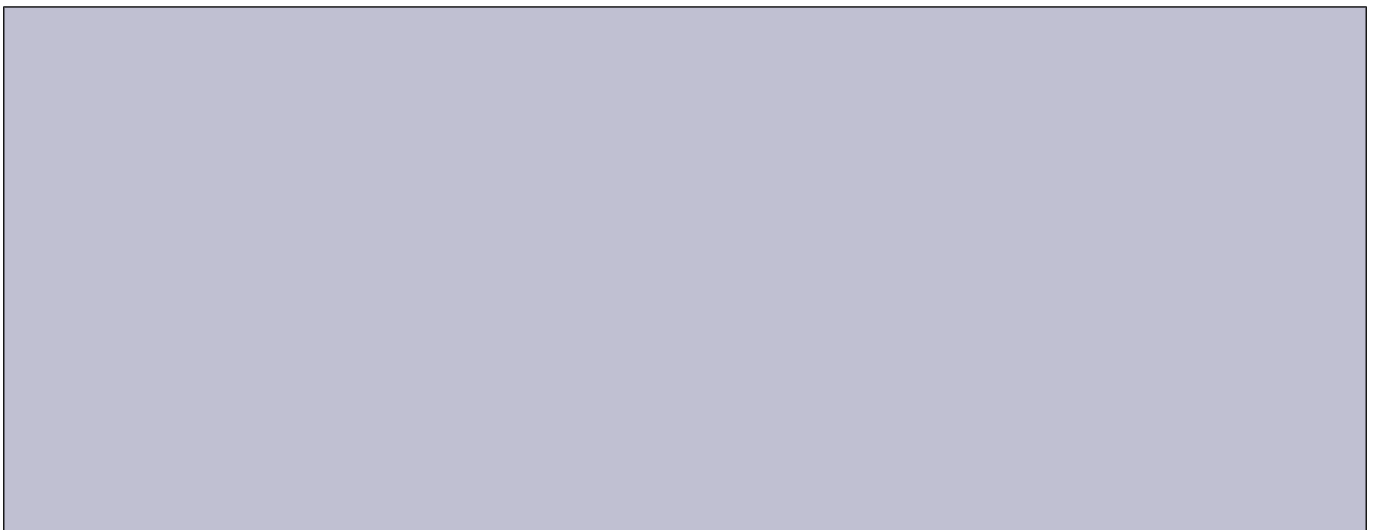
#### Managing transport demand and impact

1. Development proposals generating a significant amount of transport movements will be required to support their proposal with the preparation of a Transport Assessment (including a Travel Plan), which will be based on the Council's most recent strategic modelling work. The Highways Agency may also require a Transport Assessment if development is deemed to impact on the strategic road network.
2. In assessing impacts on the highway network, development proposals will:
  - a. demonstrate that opportunities for sustainable transport modes have been taken up;

- b. ensure that where the residual cumulative impact of development on traffic generation would be in excess of the capacity of the highway network and/or lead to a decrease in safety, environmentally acceptable improvements to the network are agreed by the Borough Council and the Highway Authority and provided. Such works will be carried out by the developer or a contribution made towards them in accordance with Policy CP 6. If such works cannot be carried out and the residual cumulative impacts of development are severe, then the development will be refused.
  - c. avoid the formation of a new direct access onto the strategic or primary distributor route network where possible, or unless identified by the Local Plan. Other proposals for new access onto the networks will need to demonstrate that they can be created in a location acceptable to the Borough Council and appropriate Highway Authority. Proposals involving intensification of any existing access onto a strategic, primary or other route will need to demonstrate that it is of a suitable capacity and safety standard or can be improved to achieve such a standard;
  - d. integrate air quality management and environmental quality into the location and design of, and access to, development and, in so doing, demonstrate that proposals do not worsen air quality to an unacceptable degree especially taking into account the cumulative impact of development schemes within or likely to impact on Air Quality Management Areas; and
  - e. not result in the loss of usable wharfage or rail facilities.
3. The location, design and layout of development proposals will demonstrate that:
- a. priority is given to the needs of pedestrians and cyclists, including the disabled, through the provision of safe routes which minimise cyclist/pedestrian and traffic conflict within the site and which connect to local services and facilities;
  - b. existing public rights of way are retained, or exceptionally diverted, and new routes created in appropriate locations;
  - c. access to public transport is integrated into site design and layout where appropriate;
  - d. the safe and efficient delivery of goods and supplies and access for emergency and utility vehicles can be accommodated; and
  - e. it includes facilities for charging plug-in and other ultra low emission vehicles on major developments.







## 7.4 Requiring good design

### General development criteria

**7.4.1** In seeking to achieve high quality design or the conservation and enhancement of the natural and built environment, the Council sets criteria against which planning applications can be considered. Inclusion in a single policy can usefully limit their detailed repetition in the wording of other policies. Policy DM 14 is therefore a useful starting point for anyone considering making a planning application and will help ensure that important matters, such as sustainable design, the safeguarding of environmental features and amenity, are taken into account at the outset. The policy is not comprehensive and should not be considered in isolation, but read in conjunction with all the other policies in the Plan and relevant Supplementary Planning Documents and Guidance.

## 7 Development management policies

### Policy DM 14

#### General development criteria

All development proposals will, as appropriate:

1. Accord with the policies and proposals of the adopted Development Plan unless material considerations indicate otherwise;
2. Include information sufficient to enable the Council to determine the application in conjunction with the Council's published Local List of requirements;
3. Accord with adopted Supplementary Planning Documents and Guidance;
4. Respond to the constraints and opportunities posed from climate change and natural processes;
5. Reflect the positive characteristics and features of the site and locality;
6. Conserve and enhance the natural and/or built environments taking in to account the desirability of sustaining and enhancing the significance of heritage assets;
7. Be both well sited and of a scale, design, appearance and detail that is sympathetic and appropriate to the location;
8. Cause no significant harm to amenity and other sensitive uses or areas;
9. Provide for an integrated landscape strategy that will achieve a high standard landscaping scheme that informs the earliest stages of a development proposal; and
10. Achieve safe vehicular access, convenient routes and facilities for pedestrians and cyclists, enhanced public transport facilities and services, together with parking and servicing facilities in accordance with the County Council's standards.

## 7 Development management policies

### Water, flooding and drainage

**7.6.24** The National Planning Policy Framework (NPPF) explains that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.<sup>(7.39)</sup> The planning system should contribute to and enhance the natural and local environment by preventing new and existing development adding to or being at risk from pollution including water pollution.<sup>(7.40)</sup>

**7.6.25** The NPPF also states that planning policies should take account of climate change over the longer term including factors such as flood risk.<sup>(7.41)</sup> Development in areas at risk of flooding should be avoided, but where development is necessary it should be made safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessments and develop policies to manage flood risk from all sources. A sequential, risk-based approach to the location of development is advocated whereby new development is steered towards areas of the lowest probability of flooding. If all development cannot be located in areas of lower probability of flooding then the Exception Test can be applied. For the Exception Test to be passed, development must provide wider sustainability benefits to the community and be demonstrated to be safe and not increase flood risk.<sup>(7.42)</sup> Relevant Flood Risk Assessments must be used to inform all decision making.

**7.6.26** Alongside the NPPF sits the [Planning Practice Guidance](#). This sets out in more detail how planning can take account of the risks associated with flooding and coastal change in plan-making and the application process. It explains the approach to the Sequential and Exceptions tests, flood risk assessments and managing residual flood risk.

**7.6.27** The [Water Framework Directive](#) aims to improve and integrate the way water bodies are managed in Europe. It is designed to enhance the status of aquatic ecosystems and wetlands, promote the sustainable use of water and reduce pollution including groundwater pollution.

**7.6.28** The Water Framework Directive requires a management plan for each river basin to be developed every six years, in England by the Environment Agency. Swale is within the Thames River Basin District (North Kent catchment) and its River Basin Management Plan, Water for Life and Livelihoods, defines the particular issues for this catchment as water quality, physical modifications to rivers and invasive non-native species. The plan looks to local authorities to help meet its objectives, for instance through the use of sustainable drainage, the promotion of water efficiency, through spatial planning decisions, the incorporation of green infrastructure and by working with the Catchment Partnership.<sup>(7.43)</sup>

**7.6.29** The [Flood and Water Management Act \(2010\)](#) takes forward the recommendations from the Pitt Review of 2007. It establishes the Environment Agency as responsible for developing and applying a flood risk management strategy for England and Wales which other relevant agencies must take into account.

**7.6.30** The Act defines the Lead Local Flood Authority at county or unitary local authority level. For Swale, Kent County Council (KCC) is the lead local flood authority. The lead local flood authorities have responsibilities to investigate flooding incidents and maintain a register of structures and features which have a significant effect on flood risk in their area. KCC have led the preparation of the [Swale Surface Management Plan](#) (SWMP). The purpose of the SWMP is to identify what the local flood risk issues (from

surface runoff, groundwater and ordinary watercourses) are, what options there may be to alleviate the risk and who should take these options forward. This is presented in an Action Plan agreed by partners including the Local Authority and the Sewerage Undertaker.

**7.6.31** The Shoreline Management Plans (SMP) for Swale are the [Medway Estuary and Swale](#) and the [Isle of Grain to South Foreland](#). These plans, prepared by the South East Coastal Group, identify sustainable long-term management policies for the coast for the next 100 years in order to prevent the loss of coastal environments and protect coastal communities. The coastline is divided into a number of policy units within which a given policy is applied. In Swale these vary from 'Hold the line' around the main built up areas, through 'No active intervention' to 'Managed realignment' in the rural areas.

**7.6.32** The Council's own Strategic Flood Risk Assessment (SFRA) looked at the current risk of flooding as well as flood risk in 70 and 100 years time – taking into account the effects of climate change. The SFRA examined the entire Borough with a broad assessment (Level 1) and looked at nine potential development areas in more detail (Level 2). It identified tidal over-topping and potential breaches as the main risk of flooding likely to be exacerbated in the future as sea levels rise. Since the Swale SFRA was completed new tidal flood modelling of the North Kent Coast, including the whole of the Swale Borough coastline, has been completed by the Environment Agency and is available from them on request. This new modelling provides updates to the information available in the SFRA. However, modelled data within the SFRA - particularly breach mapping - is still considered by the Environment Agency to be valid. It is likely that the Environment Agency will advise that the Swale SFRA should be reviewed in 2016-2017.

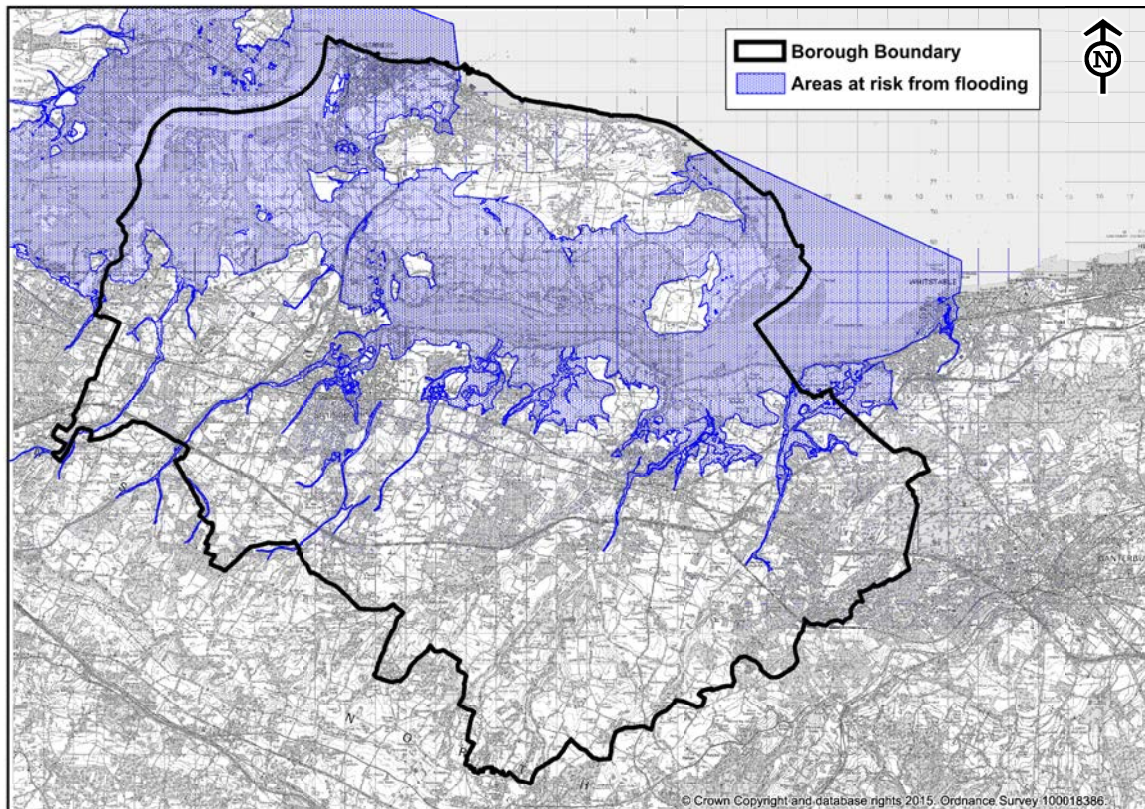
**7.6.33** The Swale SFRA data informed the Environment Agency's flood zone maps, as shown on the [Environment Agency](#) website. These maps are updated quarterly by the Environment Agency with the latest flood information. The areas at risk of river and tidal (not surface water) flooding in Swale are broadly indicated in Map 7.6.2.

**7.6.34** In 2010 a [Strategic Flood Risk Assessment Supplementary Statement for Faversham Creek](#), was developed and agreed by the Environment Agency.<sup>(7.44)</sup> It provides guidance on the change of use or redevelopment of previously developed land within the 1:20 year flood risk area along the town's creek. Given the relatively confined nature of the floodplain in this area, which should enable safe access and escape in most instances, as well as the need for regeneration of the creek, a special designation was given to this area – Flood Zone 3a(i). This means that whilst there is an acknowledgement of the high flood risk in these areas, the strict national policy restrictions associated with functional floodplain (Flood Zone 3b) do not automatically apply. All development proposals will need to meet the requirements of the SFRA Supplementary Statement and be agreed by the Environment Agency as well as by Swale Borough Council.

### Managing flood risk

**7.6.35** In cases where flooding is an issue, the Council will seek the advice of the Environment Agency and, where appropriate, the Lower Medway Internal Drainage Board (who are responsible for management of the smaller watercourses in Swale), Kent County Council (the Lead Local Flood Authority), the Emergency Services and its own Emergency Planners (who are responsible for establishing safe access and emergency escape routes). It will also be guided by the coastal management policies within the Medway Estuary and Swale and Isle of Grain to South Foreland Shoreline Management Plans.

## 7 Development management policies



Map 7.6.2 Areas at risk from flooding in Swale (Environment Agency Flood Zone 3)

**7.6.36** The Environment Agency (EA) is currently working with partners on the Medway Estuary and Swale Strategy, which is due for completion in 2017. This will contain the overall strategy for the coastline and will identify areas in need of flood defence improvement works.

**7.6.37** Some incidents of flooding along minor watercourses have occurred in the Borough as a result of unauthorised works and blockages. To ensure that development does not increase the risk of flooding or cause harm to the water environment, Land Drainage Consent, Flood Defence Consent or Flood Risk Activity Environmental Permits and other consents may be required for works, for example, within 16 metres of watercourses. The relevant authorities are:

- Environment Agency - main rivers;
- Lower Medway Internal Drainage Board - ordinary watercourses within their boundaries;
- Kent County Council - ordinary watercourses which are outside the boundary of the internal drainage board; and
- Marine Management Organisation - for works including construction and dredging in English inshore and offshore areas (<https://www.gov.uk/guidance/do-i-need-a-marine-licence>)

**7.6.38** The policy set out in the NPPF and Planning Practice Guidance will be used when determining planning applications relating to water, flooding and drainage, supplemented by Policy DM21. As explained in the NPPF, a site specific flood risk assessment will be required for all proposals of 1 hectare or greater in Flood Zone 1, all proposals for new development in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems and where development or a change of use to a more vulnerable class may be subject to other sources of flooding.

## Sustainable drainage

**7.6.39** The NPPF highlights the priority which should be given to sustainable drainage systems. Within Swale, the [Thames River Basin Management Plan](#) explains that water quality is a particular issue.<sup>(7.45)</sup> In order to protect water quality and reduce flood risk this policy seeks to promote the use of sustainable drainage systems (SuDS).

**7.6.40** Sustainable drainage systems provide a more natural approach to managing water close to its source. They can reduce the impact of development by slowing runoff to greenfield rates, encouraging infiltration, trapping pollutants, providing habitats for biodiversity, increasing amenity for residents through the provision of open space and increasing the potential for grey water recycling. These benefits also make an important contribution to local authority responsibilities under the Water Framework Directive. Drainage must be considered at the earliest stages of the development process to ensure that the most sustainable option can be delivered in all cases.

**7.6.41** Development has the potential to change surface water and ground water flows, depending on how the surface water is managed within the development proposal. Site specific Drainage Strategies should be submitted to the local planning authority along with planning applications for major development (as defined within the Development Management Procedure Order 2015). The Lead Local Flood Authority for Kent is Kent County Council (KCC) and, therefore, KCC is required to provide the local planning authority with a consultation response on the surface water drainage provisions of such applications. Developers should refer to KCC's [Drainage and Planning Policy Statement - Local Flood Risk Management Strategy Guidance Sustainable Urban Drainage Systems - Design and Best Practice Manual](#) produced by the Construction Industry Research and Information Association. The submitted Drainage Strategy must demonstrate that the drainage scheme is in compliance with KCC's drainage policies as outlined in their policy statement. The drainage strategy must also demonstrate that the proposed surface water management proposal is consistent and integrated with any other appropriate planning policy and flood risk management measures that are required. Incorporating sustainable drainage is easier if planned at an early stage and as such KCC welcomes pre-application consultation.

**7.6.42** Consultation with KCC may also occur for planning applications that are not for major if they are in areas which may have a higher level of local flood risk or within areas that are 5 metres of an ordinary watercourse. Consultation on flood risk could also occur with other risk management authorities including the Environment Agency (tidal and fluvial flood risk). If a drainage scheme requires connection to a public sewer, additional approval will be required from the appropriate sewerage undertaker.

**7.6.43** It should also be noted that SuDS schemes can impact on heritage such as archaeology, building foundations and historic drainage ditches. Therefore, when SuDS are planned it is important that any potential impact on the historic environment is fully considered and any unavoidable damage mitigated. Kent County Council's Heritage Conservation group can offer further guidance.

## Water resources and water efficiency

**7.6.44** Swale lies within an area of serious water stress as classified by the Environment Agency<sup>(7.46)</sup>. Water resources are likely to become more stretched within Swale as the population continues to grow. Both water companies which serve Swale are committed to putting in place the necessary mechanism to support the development proposed by the Local Plan, following their twin-track approach of reducing demand and developing new resources. This strategic approach is supported at the local level by Policy DM 21.

**7.6.45** All new development has a responsibility to seek to manage demand for water and make efficient use of this resource. In this way the reliance on new water resources is reduced and less demand is placed on the environment and water bill payers. Southern Water encourage local authorities to promote levels 3 to 6 of the former Code for Sustainable Homes (these stipulate levels from 105 litres/person/day to 80 litres/person/day). Their Water Resources Management Plan assumes new development will be built to at least 105 litres/person/day and ask that the planning authority ensure that this design and construction standard is enforced. South East Water also advise that, as Swale is within an area of water stress, new

## 7 Development management policies

homes should be built to at least 105 litres/person/day (the former Code Level 4 limit). Policy DM 21 promotes water efficiency in new development, requiring new homes to be designed to achieve a minimum water efficiency of 110 litres per person per day, the most efficient level enforceable under the government's Housing: Optional Technical Standards<sup>(7.47)</sup> and a standard that has been endorsed by the two water companies within Swale, the Environment Agency and the relevant Catchment Partnership, the North Kent Catchment Improvement Group (hosted by the Medway Swale Estuary Partnership and the South East Rivers Trust). This policy also addresses the issue of water resources in new development by requiring applicants to secure the agreement of water companies with regards to water supply before development commences. Applicants should also be aware of section 7.7.7 and 7.7.8 of this document on groundwater protection.

**7.6.46** The Environment Agency has also published a range of documents to help people and businesses conserve water and better manage their water demand.<sup>(7.48)</sup>

### Connection to the foul water drainage system

**7.6.47** Southern Water provide waste water treatment in Swale. Whilst connection to the surface water system is not an automatic right, developers do have an automatic right to connect to the foul water system. However, the closest point of contact from development sites to the foul system may not always have adequate capacity. If new development connects where capacity is insufficient, both new and existing customers may experience problems such as poor drainage and/or foul water flooding. This issue is addressed by Policy DM 21.

**7.6.48** The water companies carry out capacity checks for allocations within the borough and have identified areas where the existing sewerage and/or water supply network is insufficient to meet anticipated demand. It is, therefore, very important that early dialogue with the appropriate water company takes place to ascertain any water supply and treatment issues which may affect a site, including ensuring that development proposals allow future access to sewerage and water supply infrastructure for maintenance and up-sizing purposes.

### Policy DM 21

#### Water, flooding and drainage

When considering the water-related, flooding and drainage implications of development, development proposals will:

1. Accord with national planning policy and planning practice guidance;
2. Avoid inappropriate development in areas at risk of flooding and where development would increase flood risk elsewhere;
3. Provide site specific flood risk assessments, as required, carried out to the satisfaction of the Environment Agency and, if relevant, the Internal Drainage Board. These will, where necessary, include details of new flood alleviation and flood defence measures to be installed and maintained by the developer;
4. Include, where possible, sustainable drainage systems to restrict runoff to an appropriate discharge rate, maintain or improve the quality of the receiving watercourse, to enhance biodiversity and amenity and increase the potential for grey water recycling. Drainage strategies (including surface water management schemes) for major developments should be carried out to the satisfaction of the Lead Local Flood Authority;
5. Integrate drainage measures within the planning and design of the project to ensure that the most sustainable option can be delivered, especially where, exceptionally, development is to be permitted in an area of flood risk;
6. Within areas at risk of flooding, submit a suitable flood warning and emergency plan that has been approved by the relevant emergency planning regime and, where appropriate, the emergency services;

7. Where necessary, demonstrate that adequate water supply and wastewater connection and treatment infrastructure is in place before construction commences and that these details have been approved by the appropriate water company and funded by the development where appropriate;
8. Ensure future unconstrained access to the existing and future sewerage and water supply infrastructure for maintenance and up-sizing purposes;
9. Make efficient use of water resources and protect the yield of local public water supplies. For new residential development, all homes to be designed to achieve a minimum water efficiency of 110 litres per person per day, in line with the Government's Housing Optional Technical Standard for water efficiency; and
10. Protect water quality, including safeguarding ground water source protection zones from pollution, to the satisfaction of the Environment Agency.



Picture 7.6.2 Shellness and The Swale



## 7 Development management policies

### Biodiversity and geological conservation

**7.7.43** The National Planning Policy Framework (NPPF) sets out how the planning system should conserve and enhance the natural environment by minimising impacts on biodiversity - including providing net gains in biodiversity where possible – and by protecting and enhancing geological conservation interests.<sup>(7.67)</sup>

**7.7.44** The NPPF states that local planning authorities should set criteria based policies against which proposals for development affecting protected wildlife or geodiversity sites will be judged. It calls for distinctions to be made between the hierarchy of international, national and locally designated sites so that protection of sites will be appropriate to their status.<sup>(7.68)</sup>

**7.7.45** The NPPF expects Councils to apply the following principles:<sup>(7.69)</sup>

- refusing planning permission if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for;
- for land within or outside a Site of Special Scientific Interest development likely to have an adverse effect on the SSSI should not normally be permitted unless specific circumstances arise;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged; and
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats (including ancient woodland and aged/veteran trees) unless the need for, and benefits of, the development in that location clearly outweigh the loss.

**7.7.46** The NPPF calls for planning policies to plan for biodiversity at a landscape-scale across local authority boundaries. It requires identification of local ecological networks, connecting designated sites with sites identified for habitat restoration or creation via wildlife corridors and stepping stones. In this way the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations will be enabled.<sup>(7.70)</sup>

**7.7.47** Planning Practice Guidance provides more information on [Biodiversity, Ecosystems and Green Infrastructure](#). It explains the statutory basis for seeking to minimise impacts on biodiversity and provide net gains in biodiversity where possible, stressing the commitments within [Biodiversity 2020](#) - the government's strategy for biodiversity and ecosystem services. It sets out how local planning authorities should plan for biodiversity and geodiversity and work collaboratively with partners. It gives advice on ecological evidence and the importance of ecological networks as well as how biodiversity can be taken into account in preparing planning applications so that development can protect and enhance biodiversity. It sets out details of how the mitigation hierarchy, established by the NPPF, would work in practice and explains how mitigation and compensation measures can be achieved, as well as setting out where information on ancient woodland and aged and veteran trees can be found.

## Designated sites

**7.7.48** Large areas within Swale are formally designated because they contain habitats or support species which are endangered at international, national or local level. Designation provides long term protection as well as opportunities to introduce management measures to conserve features considered to be of value.

**7.7.49** The hierarchy of designations within Swale is outlined below, starting with international and European, through national to local level. The policy reflects this hierarchy of importance. Further detail on the range of sites, their statutory obligations and their impact on the planning system can be found in Circular 06/2005 Biodiversity and Geological Conservation (due to be replaced by the Department for Environment, Food and Rural Affairs (Defra) in the near future).

### Internationally designated sites

**7.7.50** The most important sites for biodiversity have statutory protection under international legislation and in Swale comprise Ramsar sites, Special Protection Areas and Special Areas of Conservation.

**7.7.51** Ramsar sites are wetlands of international importance, designated by international agreement and ratified by the UK Government. This international designation provides for the conservation and good use of wetlands. Ramsar sites in the Borough are the Swale and the Medway Estuary and Marshes. They are designated for their high plant and invertebrate species diversity and internationally important numbers of many bird species.

**7.7.52** Special Protection Areas (SPAs) are areas which have been identified as being of international importance for the breeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the 'Birds Directive 1979'. SPAs designated within Swale are the Swale SPA and the Medway Estuary and Marshes SPA (both designated for overwintering, on-passage and breeding birds) as well as the Outer Thames Estuary SPA (designated for the red-throated diver).

**7.7.53** Special Areas of Conservation (SACs) are areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats. SACs are designated at Queendown Warren and the Blean complex. The Blean is a designated SAC due to its ancient oak and hornbeam woodland and because it supports a good population of the rare heath fritillary butterfly. Queendown Warren is designated as SAC for its chalk grassland and due to the site supporting a number of orchid species.

**7.7.54** As set out in the NPPF, the following wildlife sites should be considered to have the same protection as European sites: potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation and listed or proposed Ramsar sites.<sup>(7.74)</sup>

**7.7.55** If there is a risk that a plan or project may affect an internationally designated site an Appropriate Assessment will be required under the Conservation of Habitats and Species Regulations 2010. If the Council and other bodies are unable to conclude that there will be no adverse effect on the integrity of a European site, the plan or project will have to be refused. Applicants should provide information regarding the possible impacts on these sites and appropriate avoidance and mitigation measures should be incorporated into developments to reduce any impacts identified.

**7.7.56** The Council will also use a precautionary approach in requiring Habitats Regulations Assessment to be prepared for individual development proposals until a strategic solution has been prepared or where effects of a proposal are deemed to be uncertain. The Council will consider the need for Habitats Regulations Assessment to be undertaken at the reserved matters stage for sites where outline planning permission has already been granted.

## 7 Development management policies

**7.7.57** Local Authorities across North Kent have joined Natural England and other agencies and organisations within the North Kent Environment Planning Group to identify the impacts of recreational disturbance on SPA birds. Following on from a Visitor and Bird Disturbance Survey, a Strategic Access Management and Monitoring Strategy (SAMMS) has been completed. This looks at ways to ensure that development contributions provide funding for implementation of the SAMMS on the North Kent Marshes. In the interim period before this process is in place, some high level mitigation elements have been identified:

1. protect and improve high tide roosts and the current least disturbed areas;
2. manage the visitor impact around popular locations;
3. identify all access points and suggest measures proportionate to the risk of disturbance arising from each one;
4. monitor impacts to assess effectiveness and review if appropriate;
5. require at least those developments likely to increase visitor numbers significantly to undertake a bespoke assessment of their impact, and provide developers with a method for doing so; and
6. provide developers with options to contribute to the cost of 1 to 4 above.

**7.7.58** With the strategy and its mechanism for seeking developer contributions now adopted by the partner Councils, on appropriate sites financial contributions to wider mitigation measures within and adjacent to the SPA are being required.<sup>(7.72)</sup> This will be achieved by Section 106 Agreements prior to the introduction of the Council's Community Infrastructure Levy.

### Nationally designated sites

**7.7.59** Sites of Special Scientific Interest (SSSIs) are the country's best wildlife and geological sites. They are legally protected under the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way (CROW) Act 2000 and the Natural Environment and Rural Communities (NERC) Act 2006. SSSIs are designated within the Borough for the Swale, the Medway Estuary and Marshes and the Sheppey Cliffs and Foreshore (for geological as well as nature conservation), Church Woods (Blean), Ellenden Wood, Queendown Warren (Hartlip) and a small section of nearby Purple Hill.

**7.7.60** National Nature Reserves (NNR) represent many of the finest wildlife and geological sites in the country. They are used to manage some of most the pristine habitats, rarest species and most significant geology as well as promoting public access to natural heritage. NNRs in Swale are at the Swale, Elmley and Blean Woods.

**7.7.61** Marine Conservation Zones are a type of marine protected area, which exist alongside international and national designations to form an ecologically coherent network of marine protected areas. The Medway Estuary was designated a Marine Conservation Zone (MCZ) in 2013 and the Swale Estuary was designated as an MCZ in 2016.

### Locally designated sites

**7.7.62** Local Nature Reserves (LNRs) are managed by local authorities, often in partnership with other bodies, to maintain and enhance their special wildlife and geology and provide access to nature and education for local communities. Local Nature Reserves in Swale include those at Oare Marshes, the South Bank of the Swale, Seasalter Levels and Queendown Warren.

**7.7.63** Local Wildlife Sites (LWSs) (formally known as Sites of Nature Conservation Interest (SNCI)) are identified by the Kent Nature Partnership which includes all Local Authorities, Kent County Council and a number of conservation organisations. The LWS network is administered and monitored by Kent Wildlife Trust on behalf of the partnership. Site selection takes into consideration the most important, distinctive and threatened species and habitats within a national, regional and local context, making the LWSs some of Kent's most valuable urban and rural wildlife areas. There are 36 LWSs within Swale. The majority of these sites contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP) and/or the Biodiversity Strategies.

**7.7.64** There are currently 13 Roadside Nature Reserves in Swale. These have been identified through the Road Verge Project (a partnership between Kent County Council, Kent Highways and Kent Wildlife Trust) because they contain rare or threatened habitats or species. They are managed by the County Highways Department and monitored by the Kent Wildlife Trust.

### Protected species

**7.7.65** A series of international conventions, European directives and national laws protect species of animals and plants in the UK, notably the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2010. The status of species on development sites must be assessed through appropriate surveys undertaken to clarify constraints and requirements that could apply to development on these sites.

### Landscape scale biodiversity networks

**7.7.66** The NPPF urges local planning authorities to plan for biodiversity at a landscape-scale across local authority boundaries.<sup>(7.73)</sup> This is important as it enables wildlife to move through the landscape and species to colonise new areas, increase their genetic diversity and adapt better to climate change. Designated sites contain the most valuable habitats and species but links between these sites and the wider countryside are also imperative as they enable larger areas of important Biodiversity Action Plan habitat to be restored and created as well as connect up fragmented habitats (seen 7.7.71 below on Biodiversity Opportunity Areas). Landscape scale biodiversity networks also secure natural habitat which can be accessed by the local community. Research has shown access to the natural environment increases mental and physical wellbeing.

**7.7.67** The Council's Supplementary Planning Document Landscape Character and Biodiversity Appraisal (2011) includes an assessment of the current distribution of priority habitats, and identifies opportunities for linking these areas to form a more coherent, extended and enhanced biodiversity network to better cope with future environmental change.

**7.7.68** Biodiversity 2020 is a national strategy for England's wildlife and ecosystem services. The strategy sets out the Government's ambition to halt overall loss of England's biodiversity by 2020, support healthy, well-functioning, ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. It aims to deliver these outcomes through action in four areas: a more integrated large-scale approach to conservation on land and at sea; through putting people at the heart of biodiversity policy; through reducing environmental pressures; and improving our knowledge through better researching, monitoring and reporting.



Picture 7.7.2 Honey bee

**7.7.69** The decline of pollinators is a global issue, but of importance to Swale given the reliance placed upon them by its fruit industry. The Council will support the [national strategy for pollinators](#) and look for opportunities through development proposals to enhance foraging habitat.

**7.7.70** Biodiversity Action Plans (BAP), for key habitats and species within Swale, were prepared at the [national](#), Kent and local levels (see Statement 10). They covered both designated and non-designated sites and habitats and species populations outside these areas. Of these BAP habitats, Swale is particularly important for its mudflats, sandflats, wetlands and grazing marsh. The Swale Biodiversity Action Plan provides a basis for local action to conserve, protect and enhance the biodiversity of the Borough and focuses on a number of BAP habitats of importance to the Borough. The Kent Nature Partnership is now working towards

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the Kent Biodiversity Strategy targets which supersede the BAPs, however, the BAP habitats remain relevant. The targets of the Kent Biodiversity Strategy are expressed spatially through the Biodiversity Opportunity Areas.

### Statement 10

#### Biodiversity Action Plan habitats in Swale

**UK Biodiversity Action Plan Habitats:** Chalk grassland, acid grassland, neutral grassland, wood-pasture and parkland, vegetated shingle, maritime cliffs, reedbeds, arable field margins, coastal and floodplain grazing marsh, intertidal mudflats (littoral sediment), saltmarsh, ponds, traditional orchards and hedgerows.

**Kent Biodiversity Action Plan Habitats:** Ancient and/or species rich hedgerows, built-up areas and gardens, cereal field margins, coastal and floodplain grazing marsh, coastal saltmarsh, coastal vegetated shingle, standing open water, wet woodland, lowland calcareous grassland, maritime cliff and slope, mixed broadleaved woodland and plantations, lowland wood-pasture and parkland, mudflats, old orchards, reedbeds, and lowland meadow.

**Swale Biodiversity Action Plan Habitats:** Orchards, estuary habitats, woodlands, wildflower grassland, farmland, built-up areas and gardens.

For UK, Kent and Swale BAP species see the relevant websites for further details.

**7.7.71** The Biodiversity Opportunity Areas (BOAs) maps are a spatial reflection of the [Kent Biodiversity Strategy](#). They show where the greatest gains can be made from habitat enhancement, restoration and recreation, as these areas offer the best opportunities for establishing large habitat areas and/or networks of wildlife habitats. As such, they are useful to local planning authorities in the development and delivery of green infrastructure and resilient ecological networks. The latest maps and statements were issued in August 2015. The BOAs encompass most of the designated sites and much of the BAP habitat in Kent and Medway as well as identifying connections between these habitats and sites. Biodiversity Opportunity Statements have been prepared to accompany each BOA, identifying specific targets and conservation priorities to ensure delivery of the BOAs and promote opportunities to implement the Kent Biodiversity Strategy. They indicate where the delivery of Biodiversity Action Plan targets should be focused to secure maximum benefits to biodiversity. Four Biodiversity Opportunity Areas are identified for Swale and are included in the Council's Green Infrastructure Strategy Picture 5.6.2

- Medway Gap and North Kent Downs;
- North Kent Marshes;
- Mid Kent Downs Wood and Scarp; and
- The Blean.

**7.7.72** There are a number of resources available which applicants should use in developing their planning applications. These include:

- The ARCH Kent Habitat Survey 2012 presents new data on the extent of natural habitats in Kent, identifies areas of importance for wildlife and measures habitat changes since the Kent Habitat Survey of 2003. Other outputs of the ARCH project were a Planning Screening tool to establish whether planning applications require further ecological investigation, and a software tool which identifies where work should take place to re-connect fragmented habitats. An online data portal on the [ARCH website](#) gives access to the habitat data and enables queries by location or by habitat.
- The Kent Landscape Information System (K-LIS) is a web-based map system that sits alongside ARCH's data portal and aims to enable better informed decision-making by providing detailed information

on Kent's landscape and biodiversity. It contains details on countryside access, landscape character, opportunities for habitat creation and landscape restoration and the 2012 Kent habitat survey as well as areas designated for their conservation value.

- The [MAGIC website](#), managed by Natural England, provides authoritative geographic information about the natural environment from across government. Using an interactive map, it presents information on rural, urban, coastal and marine environments across Great Britain.

### Local supplementary planning documents for biodiversity

**7.7.73** The following adopted supplementary planning documents should also be taken into account when formulating development proposals:

- The Swale Landscape Character and Biodiversity Appraisal (2011) presents guidelines on a character area basis for improvements to biodiversity; and
- The [Kent Design Guide](#) specifically the appendix: Making it Happen – Landscaping and Biodiversity) is a Supplementary Planning Document adopted by the Council which demonstrates how developments can create features such as bird roosting/nesting places, aids to hibernation, green and brown roofs, habitats on railways, road and cycle path verges, connected hedgerows, wildlife underpasses and green bridges.

**7.7.74** When submitting planning applications the Council will, as appropriate, require the submission of ecological assessment to determine the extent and importance of habitats and species present and to make recommendations for their avoidance, mitigation and, where appropriate, compensation.

### Other initiatives

**7.7.75** The [Medway Swale Estuary Partnership](#) is a not-for-profit organisation whose work is centred around the understanding, conservation and promotion of the estuary's natural and historical environments. It hosts the North Kent Catchment Improvement Group, which is developing catchment improvement plans for North Kent (estuarine and freshwater).

**7.7.76** [Local Nature Partnerships](#) (LNPs) were set up through the Environment White Paper (2011). Their purpose is to drive strategic and positive change to the local natural environment to benefit nature, people and the economy. LNPs play a specific role in achieving the Government's environmental objectives locally, including identifying local ecological networks and in being local champions influencing local decision-making.

**7.7.77** There are two LNPs relevant to Swale, the Thames Gateway Local Nature Partnership and the [Kent Local Nature Partnership](#).

**7.7.78** The National Planning Policy Framework outlines that where [Nature Improvement Areas](#) are identified in Local Plans, planning policies should consider specifying the types of development that may be appropriate in these areas. Part of the [Greater Thames Marshes Nature Improvement Area](#) (NIA) falls within Swale. The Greater Thames Marshes NIA was a three year project which has now ended. However, future actions from the project are embedded within the objectives of the Thames Gateway Local Nature Partnership. Useful information is also available on the [NIA website](#), including development management advice for applications within the Nature Improvement Area.

### Local Plan policy for biodiversity

**7.7.79** Policy DM 28 seeks to reflect the relative weight to be applied to the range of international, national and local designations and irreplaceable habitats present within Swale with the aim of requiring development to include the conservation and enhancement of biodiversity. In line with national planning policy it looks for any harm from development to be avoided, mitigated or as a last resort, compensated for. The Council will consider whether to roll out [Biodiversity Offsetting](#) once national pilots are completed and assessed. If so, it will develop its approach via a technical guidance note. Planning permission will be granted where

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a primary objective is to conserve or enhance biodiversity and will promote net gains in biodiversity where possible. The policy requires developers to use relevant supplementary planning documents to support and encourage the incorporation of biodiversity in and around developments.

### Policy DM 28

#### Biodiversity and geological conservation

Development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.

#### Part A. For designated sites

Development proposals will give weight to the protection of the following designated sites for biodiversity, as shown on the [Proposals Map](#), which will be equal to the significance of their biodiversity/geological status, their contribution to wider ecological networks and the protection/recovery of priority species as follows:

1. Within internationally designated sites (including candidate sites), the highest level of protection will apply. The Council will ensure that plans and projects proceed only when in accordance with relevant Directives, Conventions and Regulations. When the proposed development will have an adverse effect on the integrity of a European site, planning permission will only be granted in exceptional circumstances, where there are no less ecologically damaging alternatives, there are imperative reasons of overriding public interest and damage can be fully compensated.
2. Within nationally designated sites (including candidate sites), development will only be permitted where it is not likely to have an adverse effect on the designated site or its interests (either individually or in combination with other developments) unless the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the designated site that make it of national importance and any broader impacts on the national network of Sites of Special Scientific Interest. Where damage to a nationally designated site cannot be avoided or mitigated, compensatory measures will be sought. Development will also accord with and support the conservation objectives of any biodiversity site management plans;
3. Within locally designated sites (including draft published sites), development likely to have an adverse effect will be permitted only where the damage can be avoided or adequately mitigated or when its need outweighs the biodiversity interest of the site. Compensation will be sought for loss or damage to locally designated sites.

#### Part B: All Sites

Development proposals will:

1. Apply national planning policy in respect of the preservation, restoration and re-creation of:
  - a. the habitats, species and targets in UK and local Biodiversity Action Plans and Biodiversity Strategies;
  - b. linear and continuous landscape features or those acting as stepping-stones for biodiversity;
  - c. aged or veteran trees and irreplaceable habitat, including ancient woodland and traditional orchards;
2. Be informed by and further the guidelines and biodiversity network potential of the Council's Landscape Character and Biodiversity Assessment SPD;
3. Support, where appropriate, the vision and objectives of relevant environmental and biodiversity management and action plans;

4. Be accompanied by appropriate surveys undertaken to clarify constraints or requirements that may apply to development, especially where it is known or likely that development sites are used by species, and/or contain habitats, that are subject to UK or European law;
5. When significant harm cannot be avoided through consideration of alternative sites or adequate mitigation provided on-site or within the immediate locality, compensatory measures will be achieved within the relevant Biodiversity Opportunity Area, or other location as agreed by the Local Planning Authority;
6. Provide, where possible, a net gain of biodiversity overall; and
7. Actively promote the expansion of biodiversity within the design of new development and with reference to the wider natural assets and green infrastructure strategy in Policy CP7.