

Date: 29th March 2024
Ref: 21/503914/EIOUT
Site address: Land South and East of Sittingbourne, Kent

Matt Duigan
Swale Borough Council
By email only: MattDuigan@Swale.gov.uk



Kent
Wildlife Trust

Dear Matt,

RE: Application 21/503914/EIOUT | Southern Site – Outline Planning Application for the phased development of up to 577.48 hectares at Highsted Park, Land to the South and East of Sittingbourne, Kent, comprising of up to 7,150 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3). Up to 170,000 sq m / 34 hectares of commercial, business and service / employment floorspace (Use Class B2, Use Class B8 and Use Class E), and including up to 2,800 sq m of hotel (Use Class C1) floorspace. Up to 15,000 sq m / 1.5 hectares for a household waste recycling centre. Mixed use local centre and neighbourhood facilities including commercial, business and employment floorspace (Use Class E), non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorspace, and Public Houses (Sui Generis). Learning institutions including primary and secondary schools (Use Class F1(a)). Open space, green infrastructure, woodland, and community and sports provision (Use Class F2(c)). Highways and infrastructure works including the provision of a new motorway junction to the M2, a Highsted Park Sustainable Movement Corridor (inc. a Sittingbourne Southern Relief Road), and new vehicular access points to the existing network; and associated groundworks, engineering, utilities, and demolition works.

SUMMARY

Kent Wildlife Trust (KWT) have provided previous comments on the application in October 2021 and August 2023, highlighting our concerns regarding the unacceptable loss of Highsted Quarries Local Wildlife Site (LWS) and ancient woodland as well as the significant loss of higher quality woodland habitat, loss of 25% (>4.8km) of existing hedgerows and treelines, potential encroachment into Cromers Wood LWS and KWT Nature Reserve, potential encroachment into Bex Wood ancient woodland, inadequate mitigation and compensation measures and overall neglecting the mitigation hierarchy. Within our previous response we also referenced how Biodiversity Net Gain (BNG) cannot be achieved due to the loss of irreplaceable habitat ancient woodland. From reviewing the amended documents such as the parameter plans, illustrative drawings, Environmental Compliance Statement and Design and Access Statement (DAS), we note that our previous concerns have not been addressed. Overall, KWT strongly **objects** the proposed development. Please ensure that KCC Ecology and Natural England are consulted regarding ecology and European designated sites.

NATIONAL POLICY

We wish to bring to your attention the Government's 25 Year Plan for the Environment. Of particular consideration to this application are the Government's targets for:

- Creating or restoring 500,000 hectares of wildlife-rich habitats outside the protected site network, focusing on priority habitats as part of a wider set of land management changes providing extensive benefits
- Taking action to recover threatened, iconic or economically important species of animals, plants and fungi, and where possible prevent human induced extinction or loss of known threatened species in England
- Cut greenhouse gas emission including from land use and land use change
- Embed an 'environment net gain' principle for development, including housing and infrastructure

In our opinion, the proposed development does not commit to supporting the Government's aspirations for the environment due to the loss of irreplaceable habitats, negative impacts to designated wildlife sites, loss of habitat

supporting protected and priority species, increase in greenhouse gas emissions and subsequent net losses of biodiversity as a result of the scheme.

DESIGNATED WILDLIFE SITES AND IRREPLACEABLE HABITAT

Our concerns outlined within our previous responses remain the same. The proposal will result in the unacceptable loss of 0.21ha (4%) of Highsted Wood ancient woodland and 3.12ha (8%) of Highsted Quarries Local Wildlife Site (LWS). These habitats are protected under the National Planning Policy Framework (NPPF, 2023) noticeably Section 15, and Swale Borough Local Plan (adopted in 2017) policies CP7, ST1, DM28 and DM29 which states: “[...] *planning permission will be refused where there: 1. Is a loss or deterioration of irreplaceable habitats, including ancient woodland and aged or veteran trees*”. We note from reviewing the Environmental Compliance Statement and DAS that some of the landscape buffers are increasing, however the documents do not specify on how wide these buffers will be or what they will comprise of. It is disappointing that the buffers surrounding Highsted Wood ancient woodland have not increased and do not meet the Woodland Trust’s recommendation which states “*As a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice.*” Currently a 15m buffer is proposed along the ancient woodland boundaries, however we firmly believe a larger buffer zone is needed to prevent further damage such as increases in artificial lighting, noise and dust pollution during the construction phase and light, noise, and nutrient deposition during the operational phase.

As stated within our previous responses, KWT are extremely concerned regarding the loss of LWS and defragmentation of the landscape. The proposed road will disconnect Highsted Quarries LWS from Highsted Wood ancient woodland, with further fragmentation caused by the loss of 25% (>5.6km) of existing hedgerows and treelines. These losses and fragmentation will have a significant negative impact on protected and priority species at a landscape scale. Our concerns outlined in our original response about the inadequate mitigation remains the same, as we believe the proposed “green bridges” and underpasses will not deliver the same benefits due to the unacceptable loss and degradation of habitats the scheme will cause in the first place. Overall, KWT strongly believe the scheme cannot provide an overarching positive impact to wildlife, and biodiversity.

BIODIVERSITY NET GAIN

We note that our previous concerns around biodiversity net gain (BNG) have not been addressed and that the applicant is still advertising that a 20% net gain will be achieved. As addressed within our previous responses, mitigation areas for protected species cannot provide net gain within the BNG metric, as they can only be considered as providing no net loss. We also share the same concerns with Kent County Council (KCC) Ecology regarding the achievability of the proposed BNG and that the recreational pressures will not enable the habitats to establish as intended, therefore the development is unlikely to deliver the 20% net gain.

It is extremely important to emphasise to the applicant, and the Council, that BNG cannot be achieved on areas of development which result in the loss of irreplaceable habitat, such as ancient woodland and veteran trees. Therefore, the loss of Highsted Wood ancient woodland prevents the overall claim of 20% BNG. Bespoke mitigation needs to be agreed with the Local Planning Authority (LPA) as part of the application process. Whilst we don’t support in the loss of ancient woodland, we would expect to see the bespoke mitigation follow the recommendation from Natural England^{1,2}, which involves a minimum of 30ha created for every one hectare of ancient woodland lost (30:1). We note that 30ha of woodland is proposed on the Green Infrastructure framework plan, however this includes compensation for woodlands W7 – W10 which will be partially lost to accommodate the proposed works.

¹ <https://committees.parliament.uk/publications/2322/documents/22836/default/>

² [Review of the High Speed 2 'no net loss in biodiversity' metric \(publishing.service.gov.uk\)](#)

Overall, due to the unacceptable loss of 25% (>5.6km) of existing hedgerow and treelines, 3.12ha (8%) of Highsted Quarries LWS, 0.21ha (4%) of Highsted Wood ancient woodland, extensive negative impacts to protected and priority species, inadequate mitigation, and the disregard to the mitigation hierarchy, KWT strongly object to this development. The proposed scheme does not align with local policies within The Swale Borough Local Plan or shows enough evidence it complies with NPPF. The granting of approval for this application would bring the councils environmental commitments into question and threaten the integrity of their Local Plan.

We hope that our comments are useful in your assessment of this application. Please do not hesitate to contact me with further queries.

Yours sincerely,

Emma Waller

Planning and Policy Officer

Kent Wildlife Trust

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