

Alison Rock
Programme Officer
Medway Core Strategy
Gun Wharf
Dock Road
Chatham
Kent
ME4 3TR



12th July 2012

Our ref. GW/SW/A.001

Dear *Alison Rock,*

**re: Medway Core Strategy. Representations by Medway Magna Ltd (45)
Comments on letter from Natural England re Lodge Hill**

We write with comments on the letter from Natural England dated the 9th July 2012 where they state that in the light of the Nightingale Survey they have reviewed their advice in respect of the proposed development site at Lodge Hill. The concern now expressed by Natural England about the impact of development on a protected species simply highlights the sensitivity of the adjoining SSSI. Not only that, but it has been found that breeding pairs of Nightingales also occupy the development site itself.

This goes to the heart of an issue that has consistently been raised by Medway Magna and others concerning the status of Lodge Hill as previously developed land. (See submission on Matter 3 - Housing Supply and Location para 3.8). The Core Strategy states at paragraph 10.100 that a significant proportion of the 256 hectares considered suitable for development can be classed as previously developed land. While some of the site is pdl a lot of it has always been open and much of it has regenerated over time. This is supported by the simple fact that the pdl/greenfield boundary is blurred and Nightingales readily breed in the SSSI and the proposed development site, confirming that the ecology of parts of the proposed development site is no different to that found in the SSSI.

It also noted under 6 of Natural England's letter that in considering the proposed development area as an extension to the Chattenden Woods SSSI, it is not just the Nightingale at issue, but also the range of special interests of the existing SSSI, which includes breeding bird assemblage and woodland and grass vegetation. This reinforces once again the less than clear distinction between pdl and the greenfield element of the Lodge Hill.

Two fundamental issues arise from the stance now being taken by Natural England. The first is the actual size of site at Lodge Hill which can be developed and its development capacity. The second, in the light of the first issue, is whether the site can be developed at all or certainly anything like the extent proposed in the Draft Core Strategy. Paragraph 2 of the NE letter suggests that Nightingales are distributed across most of the proposed development area.

All this raises fundamental problems about delivery and is reminiscent of the difficulties that still continue in respect of the impact of ground nesting birds in the Thames Basin Heaths Special Protection Area. Here, authorities affected by an embargo on house building while the matter is resolved, have not granted planning permission for major housing development for six years.

Resolution of the problem requires authorities eg Surrey Heath Borough Council, to find Suitable Alternative Green Spaces (SANGS) for recreation, dog walking etc., some of which can be provided by developers and/or landowners while in other cases it may be necessary to compulsorily acquire suitable sites. Such is the difficulty of resolving this issue, that the inspector examining the Surrey Heath Core Strategy suspended the examination while the matter was further considered and eventually concluded in his report that a departure from (the then) PPS3 (para 53) requirement and carried over in the NPPF, that a continuous delivery of housing should be enabled for at least 15 years from the date of adoption, was justified (PINS/D3640/429/4).

This experience illustrates just how difficult and time consuming it is to provide compensatory habitat.

Paragraph 14 of the NE letter states that their advice is that the importance of the nightingale population and the likely extent of impact, place a very substantial question over the soundness of the Lodge Hill allocation. We have previously and recently stated that the Lodge Hill proposal was not in a sustainable location for housing and as supported by the evidence base, is not in a preferred location for employment provision.

Medway Magna have been promoting a green field solution to Medway's housing need for a number of years but have always had the response from the council that greenfield development represents using environmentally sensitive land when other preferred sites, such as Lodge Hill, are available. Having consistently raised the issue of whether Lodge Hill can properly be regarded as previously developed land, that legitimate concern has now been completely vindicated by Natural England's response to Lodge Hill as a major component of the Medway Core Strategy.

This issue also goes to the Sustainability Appraisal of the Core Strategy which was produced as recently as December 2011. While the nightingale population has recently been assessed, the habitat that supports it has not come about overnight and was clearly maturing when the Sustainability Assessment was undertaken. The matrix set out on pages 46-56 for policy CS 33 Lodge Hill, identifies potentially some ecological benefits from the site's development which is clearly not true. The opposite is the case, throwing doubt on the veracity of the Sustainability Appraisal upon which the Core Strategy relies for its soundness.

The travails of producing a Core Strategy for Medway continue, principally because of the reluctance of the council to recognise the failure of previous policies, already highlighted by Medway Magna and others and a failure to have regard to the relevant evidence base that militates against a major development at Lodge Hill.

Mr McCutcheon, on behalf of the council during Matter 2, claimed that Lodge Hill was not actually located on the Hoo Peninsula when it clearly is. The Peninsula is difficult to access and remote from the majority of Medway's population and labour force. The figures

are these; Strood and the Peninsula account for 24% of Medway's population while south of the river the figure is 76%.

Paradoxically the difficulties that have arisen over the Lodge Hill allocation may at long last remove it from consideration for a major development of the type proposed in the Submission Core Strategy, laying to rest once and for all the myth that it is an appropriate location for sustainable housing and employment development. Whatever the outcome of continuing discussions between the council, Land Securities and Natural England, it is clear that the rate of housing delivery will now not take place even at a rate suggested by those objectors who considered it too ambitious in the first place.

It is quite clear from the evidence base that housing development in Medway over the last five years or so, has been split about 50/50 brownfield/greenfield. Medway Magna have made submissions that this needs to continue if the council are to come anywhere near fulfilling what is already an unrealistic housing trajectory. The difficulties/removal of Lodge Hill simply serve to exacerbate an already unsatisfactory future for dwelling provision where it is much needed.

It is clear that opportunities exist for the development of greenfield sites adjacent to the urban area, where development would be sustainable and where other community benefits would flow from the objective consideration of such development. This Core Strategy is manifestly unsound and should be recast with a simpler more pertinent document, embracing proposals that recognise previous failures, rather than perpetuating them and that properly serve the community that is the Medway Towns.

Yours sincerely

Graham Warren