

Medway Council
Pembroke (Compass Centre) Chatham
Maritime
Chatham
Kent
ME4 4YH

Our ref: KT/2006/000047/CS-04/PO1-L01
Your ref:
Date: 14 March 2017

Dear Sir/Madam

Notice of Regulation 18 'Development Options' Consultation

Thank you for consulting us on the above. We apologise for your delay in responding but hope you find our comments useful.

Flood Risk

We are pleased to note that flood risk has been identified as a key consideration within the Local Plan. We look forward to working with the Council to develop a suitable policy covering flood risk.

We would welcome further consultation on specific housing development site allocations.

Water Resources

We are pleased that the Council is proposing to adopt the higher standard for water efficiency in new homes of 110 litres per person per day. This is appropriate in view of our classification of the area as one of "serious water stress". We would also hope to see some requirement for commercial developments to meet one of the higher BREEAM classifications.

Groundwater and Contaminated Land

We attended the workshop and raised a number of points related to the issues consultation. We re-iterate them here:

We would request that water quality is covered in the environment section, Medway is significantly dependent on groundwater supply from aquifers for its public and commercial water supply. This should be recognised and any development with potential impacts on the water quality in aquifers or in surface waters should ensure controlled waters are safeguarded from detrimental effects. Groundwater is also important for agricultural supply.

Under infrastructure sections, drainage provision is critical to again ensure detrimental effects are avoided. SuDs are welcomed as part of flood prevention and assistance to biodiversity, but infiltration drainage is not always viable on some developments, especially on Brownfield sites.

Certain types of development have a high pollution potential and areas designated as SPZs should be prevented from being brought forward for high risk developments, as outlined in our GP3 document.



Brownfield development is welcomed to address historic contamination burdens, but these sites need to be developed in accordance with best practice and not all sites are viable for all types of development use.

Sections on minerals and waste provision should be clearer on what is a suitable use in sensitive locations.

Fisheries, Biodiversity and Geomorphology

It is not really clear how the different options will benefit, damage or provide opportunities for ecological interests as there is a lack of detail or 'high level' assessment of likely impacts on how development could secure GI.

Therefore we cannot provide feedback on the best approach, although development that extends into or close to priority habitats and/or designated sites, will by their nature have significantly more impact, and potentially fail to deliver biodiversity net gains.

We recommend that different options for development are tested against what could be delivered or damaged, to demonstrate how designated sites, priority habitats and potential new habitats could be affected.

It is good to see the general comment that the council will support delivery of more nature conservation, particularly when considering the management of tidal embankments along the Medway estuary area.

However, the provision of 'green infrastructure' (GI) needs to state that a net gain in biodiversity is required and that the council will positively work towards achieving that through the development control process, and also facilitate delivery.

On this basis the council should propose working with the EA and other partners to propose new GI that delivers multiple benefits (resolving coastal squeeze, new flood defences, recreation, ecology, tourism etc.)

It would be helpful to specifically mention the Medway Estuary and Swale Strategy as well as Thames Estuary 2100 and the requirements therein.

Specific policy area comments:

- Policy approach on proposed marinas and moorings needs to be explicit that there should be no loss of protected or priority habitats or species (those listed under the NERC Act 2006) unless the impacts are not significant at a waterbody scale, and can be adequately mitigated for.
- All new marinas and moorings will have to assess their impact on Thames River Basin Management Plan.
- The Environmental and Green belt designations in Medway does not include Local Wildlife Sites, which are a consideration for the planning process. It could also include ancient woodland, which is also available data.

If you have any queries please do not hesitate to contact me.

Yours faithfully

Ms Jennifer Wilson
Planning Specialist

Direct dial [REDACTED]

Direct e-mail [REDACTED]

Medway Council
Pembroke (Compass Centre) Chatham
Maritime
Chatham
Kent
ME4 4YH

Our ref: KT/2006/000047/SE-05/SP1-L01
Your ref:
Date: 20 April 2017

Dear Sir/Madam

Medway Local Plan - Sustainability Appraisal Scoping and Interim reports

Thank you for consulting us on the above. We have the following comments to make.

Groundwater and Contaminated Land

There is very little mention of Brownfield sites, passing mention here and there and a bit about formal process for Contaminated Land in Appendix A section 3. There should be mentioned the PIP and Brownfield registers as well, given its imminent introduction before plan is fully formulated and sent to inspector. The scope should also cross reference impacts from land affected by contamination/brownfield site on water quality and relevant interventions through life of plan to reduce historic contamination impacts.

Water quality decision are very river based, need to include groundwater quality issues, perhaps also alongside water resources and "water stress" that development would pose if current resources are not managed and "protected".

There should also be a link to wellbeing polices to derelict land clean up, reduction in vandalism and development of brownfield/public open space use perhaps, such as proposals for Queen Elisabeth fields/Woodland closed landfill - Managing risk and enhancing public health and wellbeing opportunities.

With the public announcement of the third Thames crossing we would recommend your Local Plan recognises this development and the potential impacts, as it is a cross-boundary issue. This could affect development opportunities, aspirations in the Cliffe, Hoo areas.

Flood Risk

We are pleased to see that the Sustainability Appraisal includes objectives and reference to flood risk and climate change.

Water Resources

Scoping report p14, p108, p112 and Interim Sustainability Appraisal Report Appendix 2 Pages 6, 15, etc

Objective 6 issues: The use of the term "water stress" in the statement "There are areas of water stress in the Authority" might cause confusion, because the Environment Agency has a classification of "water stressed areas" and the whole of Medway, indeed the whole of South-East England is classified as a water stressed area. This is from the point of view of water supply, and the interconnectivity of the network means that the same level of stress applies to a wider area than the Medway UA. (<https://www.gov.uk/government/publications/water-stressed-areas-2013-classification>).

Environment Agency
Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH
Customer services line: 03708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk



This definition is recognised in Scoping report p58, but the use of the term in the Appraisal Report seems to be less specific and perhaps ambiguous. There it seems to relate to either the excess, the shortage, or the distribution of water as affected by climate change (e.g. p135 in respect of flooding, p188 seemingly of pinch points in the supply infrastructure). Areas prone to flooding will be localised whereas for water shortage in the environment, the estuary and all the river catchments in the area are classified as at risk, or probably at risk of deterioration under the Water Framework Directive (WFD).

Scoping report p101

Considering the above, it is unclear to me what specifically is meant by Indicator 6 of objective 6. Our classification is unlikely to change in response to a single LA's plan. Might a better indicator be status of waterbodies under the Water Framework Directive classification? The last bullet of the questions here refer to the Code for Sustainable Homes but this is no longer in use and should be deleted (see also 6 below). For "water stress" in the context of this bullet point it might be better and more consistent to substitute "water efficiency".

Scoping report and Interim Sustainability Appraisal Report

Table 1: The only objectives listed for the water environment are "To adapt and mitigate the impacts of climate change" and "Making the best use of natural assets". Should there perhaps be mention here of helping to achieve the objectives of the Water Framework Directive (WFD), both of no deterioration in status and of achieving good status/potential. The Scoping Report mentions it on p126, and recognises that the Plan needs to take account of it.

Interim Sustainability Appraisal Report Appendix 2

Pages 46, 51, 57, 82: The comment "Building regulations incorporate mandatory design considerations regarding climate change. The policy approach does not require any further detailed considerations beyond satisfying the principles of sustainable development." seems inconsistent with our understanding, and with pages 89 and 149 here, which contain the comment "Meet energy efficiency targets and the higher national water efficiency standard". This should apply to the above numbered pages as well, not just to self-build homes. For water efficiency it is an option, which we understood Medway had chosen, for a local authority to require a design standard of 110 litres/person/per day, over and above mandatory building regulations (where the standard is 125 litres). This is appropriate for a water stressed area with regard to both climate change and other considerations.

Interim Sustainability Appraisal Report Appendix 2

Pages 62, 67, 172, 174, 184: The same comment as above appears. Here the domestic standard does not apply, but for commercial buildings we would like to see the council setting some requirement to meet one of the higher BREEAM classifications.

Scoping report p156

The Code for Sustainable Homes is no longer in use and reference should be removed. It is superseded by the Building Regulations (and options therein) and in any case the remarks here are inconsistent with those on p155 under "Housing Standards Review". Should note that the Building Regulations &c. (Amendment) Regulations 2015 themselves be listed in this table? They appear to be absent.

Scoping Report p162

Catchment Abstraction Management Strategies (CAMS) are now called "Abstraction Licensing Strategies (ALS)". It might be worth mentioning that the River Basin Thames Management Plan (sic, actually the Thames River Basin Management Plan) is the strategy for implementing the WFD.

Scoping Report p163

The "North Kent and Swale Catchment Abstraction Management Strategy Final Strategy April 2004" is superseded by the North Kent & Swale Abstraction Licensing Strategy February 2013". The next CED for North Kent & Swale CAMS is 2023 and the subsequent one is 2029. However the Medway UA area falls entirely inside the "Medway abstraction licensing strategy" (February 2013) area.

Scoping Report p164

Similarly the "South East Water Resources Management Plan (2010-2035)" is superseded by the "South East Water Resources Management Plan 2014" which covers 2015-2040. Consultation will soon be underway on draft 2019 plans (2020-2045). However the majority of the Medway UA area is supplied by Southern Water, for which the latest plan is entitled "[Water Resources Management Plan 2015–40](#)"

Fisheries, Biodiversity and Geomorphology

Objective: The conserve and enhance existing green space

Unfortunately this objective doesn't include any biodiversity indicators. It would be good to see something for improving the ecology of existing greenspace as part of the enhancements.

Objective: To adapt and mitigate the impacts of climate change

1. Number of developments incorporating SuDS

This could record where SuDS have biodiversity benefits. E.g. number of green roofs or new ponds/ swales created.

2. Amount of grazing marshland affected by rising flood levels/flood zones

Unclear why this indicator is chosen. What does 'affected' mean? Does it matter if grazing marsh is "affected"? Is it significant, or are there ecological benefits even?

An indicator needs to be clear what it is showing. We would suggest that accurate habitat mapping of all important habitat types and their coverage should be used and then in the future this can be compared with the baseline. The Kent and Medway 2012 habitat maps coupled with any updates since that time (Natural England and Kent Wildlife Trust/KMBRC may be able to provide annotations to that baseline.)

3. Amount of open space and allotment provision

We support this.

4. Quality of biodiverse areas - designated (for consistent information) and undesignated where information is available to demonstrate an increase in biodiverse areas and quality of these areas.

We would ask the "quality" is defined. We would suggest that as well as the habitats (suggested above) that important species are targeted for these areas that are more likely to be at risk from development from a planning perspective. For example there might be particular bird or aquatic species vulnerable to increased activity in the estuary.

We hope you find our comments useful.

Yours faithfully

**Ms Jennifer Wilson
Planning Specialist**

Direct dial 0208 474 6711

Direct e-mail [REDACTED]