

Respondent ID	Agent ID	Document Part Name	Comment (plain text)	TMBC Response
43463745		5.9.1 - 5.9.23, 0 Table 7	<p>Regulation 18 Local Plan – East Malling Playing Fields</p> <p>The Parish Council wishes ;to answer Question 33 as “Yes” there should be Local Green Space designated in the Local Plan. It has had regards to para. 5.9.11 on Page 94 of the current document and feels that such areas should be defined. It thinks they are particularly important in the built-up areas where they can be not only for recreational purposes but as a “green lung” for people living in the vicinity.</p> <p>In East Malling we particularly wish to put forward the East Malling Playing Fields as shown and edged red on the attached plan for consideration.</p> <p>This area is part of what was once part of the parkland</p>	<p>Comment noted. Potential sites for Local Green Space designation will be considered during the next stage of plan preparation.</p>
43485921		5.9.1 - 5.9.23, 0 Table 7	<p>all of the Criteria Set Out in NPPF? In our submission regarding the policy related questions in the Local Plan consultation, BAG felt that TMBC officers were in the best position to be able to make the appropriate assessment for Local Green Spaces. However since we put in our submission, we have been approached by members as to whether or not the New Barns and Broadwater Farm Conservation Area and the Conservation Area around Well Street should be put forward as Local Green Spaces. It is our understanding that the fact of holding Conservation Area status provides enduring protections for these places and so additional Local Green Space safeguarding is not required. Should our understanding be incorrect, then the Conservation Areas of New Barns and Broadwater Farm and Well Street (East Malling) are proposed for designation as Local Green Spaces.</p> <p>Additionally we have been asked about the Warren Wood Nature Park and, having now had the opportunity to research the National Policy Planning Framework, believe that this meets all the criteria set out in Paragraph 102 for Local Green Space as follows: a) In reasonably close proximity to the community it serves Placed between the local hamlet communities in and around Broadwater, East Malling, West Malling and Kings Hill, this site is not only close to the communities it serves but also provides footpath access from settlement to settlement, as well as being an amenity which is well used in its own right. The site can be accessed from the north by public footpaths MR114 and MR115, there is also footpath access from Amber Lane and</p> <p>Designated amenity open spaces:</p> <p>Can you please consider designating Warren wood nature park & south ward playing fields in East Malling.</p>	<p>Comment noted. Potential sites for Local Green Space designation will be considered during the next stage of plan preparation.</p>
45444257		5.9.1 - 5.9.23, 0 Table 7	<p>These are both very important open spaces that are well used by our community.</p>	<p>Comment noted. Potential sites for Local Green Space designation will be considered during the next stage of plan preparation.</p>

45732929	5.9.1 - 5.9.23, 0 Table 7	<p>I would like to support an application for Westwood Green (Site 59525) to be designated in the Local Plan. It is an important Green to the immediate community and is regularly used in the following ways:</p> <ul style="list-style-type: none"> • Singing such as carol singing • Keep fit workout sessions • Community social events. • Meeting and relaxing on the benches. • The surrounding community, especially those in flats, and of ill health, are reliant on this Green to provide an area of nature, peace and relaxation. • The trees house much wildlife, and the area is regularly visited by foxes and bat flight paths / feeding routes • It is both a short distance and within view of Bullen Corner and Snoll Hatch Character Areas. • During any local emergency, fire, flood, the Green is often used as a safe meeting point for residents. 	<p>Comment noted. Potential sites for Local Green Space designation will be considered during the next stage of plan preparation.</p>
45733345	5.9.1 - 5.9.23, 0 Table 7	<p>I would like to support an application for Westwood Green (Site 59525) to be designated in the Local Plan. It is an important Green to the immediate community and is regularly used in the following ways:</p> <ul style="list-style-type: none"> • Singing such as carol singing • Keep fit workout sessions • Community social events. • Meeting and relaxing on the benches. • The surrounding community, especially those in flats, and of ill health, are reliant on this Green to provide an area of nature, peace and relaxation. • The trees house much wildlife, and the area is regularly visited by foxes and bat flight paths / feeding routes • It is both a short distance and within view of Bullen Corner and Snoll Hatch Character Areas. • During any local emergency, fire, flood, the Green is often used as a safe meeting point for residents. 	<p>Comment noted. Potential sites for Local Green Space designation will be considered during the next stage of plan preparation.</p>
46064609	5.9.1 - 5.9.23, 0 Table 7	<p>Site 59449 Carnation Green must be given Local Green Space Status (as per NPPF Open Space & Recreation Points 98 - 103) or Village Green Status to protect it now and for the future.</p>	<p>Comment noted. Potential sites for Local Green Space designation will be considered during the next stage of plan preparation.</p>

Comment: National objectives

There should be reference to restoring degraded habitats and reversing the biodiversity loss trend, including to seek opportunity to reconnect species populations as per recommendations within the Lawton Review (Making Space for Nature).

There are suitable paragraphs that could be taken from the National Planning Policy Framework regarding net gain which describes the above point. This could be included here.

Missing designated sites: Marine Conservation Zone

There a complete omission of the designated Marine Conservation Zone – Medway Estuary - Zone 2.

Comment: Biodiversity Net Gain detail e.g. section 5.9.5.

It is good to see a clear outline regarding the it being a measurable demonstration. There is a lack of mention regarding the specific use the most up to date DEFRA Biodiversity Metric however, we request that this is added in. Where applicable, it would be prudent to highlight that all appropriate metrics must be used for all habitats on site, but also to be aware that some metrics apply for adjacent habitats – i.e. the rivers’ metric will be also applicable where developments are within 10m of a river, regardless of whether it’s outside the red line boundary. There is also a special requirement to use the estuarine metrics for the tidal influenced Medway.

Additionally, It may be misleading to state that from late 2023 it will be relevant; as the baseline condition assessments would

Comment noted. Making space for nature will be considered within the emerging Green Infrastructure Strategy being prepared to support plan preparation, this will include multi functional spaces and blue infrastructure.

Reference to Marine Conservation Zone and to the most up to date DEFRA Biodiversity Metric will be incorporated in future iterations of the Local Plan. Reference to SSSI Impact Risk Zones and priority habitats will also be included.

Clarification on the timings in relation to BNG are noted. TMBC are working with the Kent Local Nature Partnership, Kent County Council and other Kent districts to establish a BNG register to aid in the identification of off-site BNG opportunities. Reference to avoiding the deterioration of the water environment, in particular to protect ecological functions, flow and habitat will be included. Potential mitigation measure will be considered on a case-by-case basis. The prevention and mitigation of invasive non-native species, invasive species and source protection zones are matters for consideration at the planning application stage. Sewerage infrastructure provision demands will be reflected within the Infrastructure Delivery Plan.

25333345

5.9.1 - 5.9.23,
0 Table 7

The County Council would welcome consideration of the PRoW network and the aims of the ROWIP within this section.

Sustainable Urban Drainage Systems (SuDS)

The County Council, as Lead Local Flood Authority notes that the section does not appear to consider the water environment. The County Council strongly recommends that the Borough Council consider the inclusion of surface water and waterways within the Local Plan, defining the priorities and strategies which should be implemented within new development as well as the opportunities provided within the water environment.

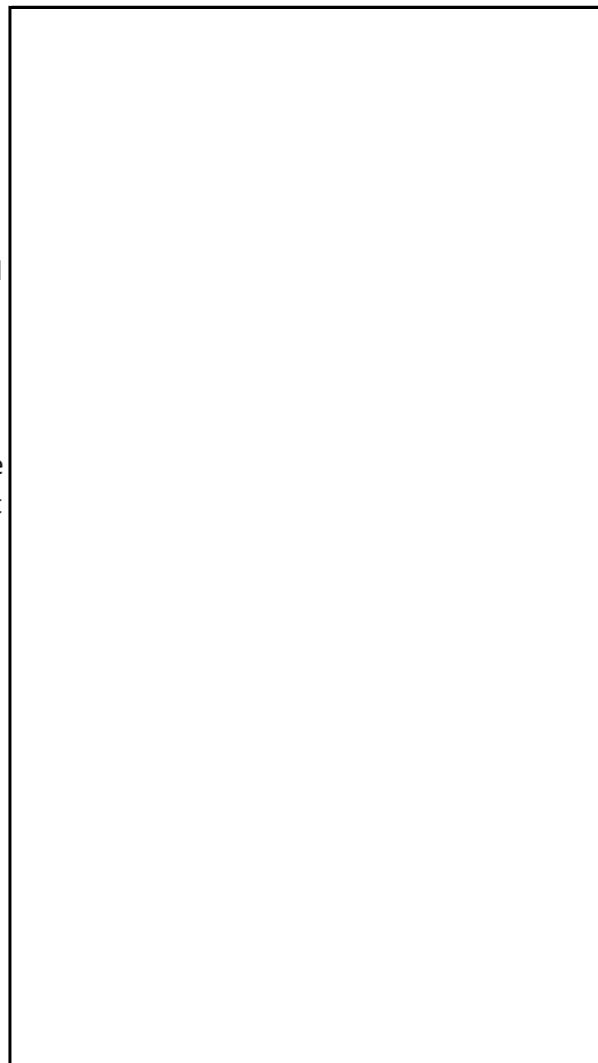
KCC does recognise that that flood risk and sustainable drainage systems are mentioned within 5.12 Climate Change, however, it may be easier certainly for the delivery of surface systems which are integrated within green space to be addressed within this Natural Environment section as it pertains to the preference in approach to surface water management.

Biodiversity

The County Council would recommend that the Borough Council considers seeking more than 10% biodiversity net gain where viable – with sites potentially specifically allocated for biodiversity net gain within the Local Plan. Local Plan policy should support the delivery of net gain onsite as a preference, with offsite solutions only where it is not possible to deliver onsite.

The County Council agrees with the justification for a requirement for tree canopy coverage on new development

Kent Habitat Survey is ten years out of date. Up to date evidence needs to be obtained.



Comment noted.

44422593

5.9.1 - 5.9.23,
0 Table 7

25390689

5.9.1 - 5.9.23,
0 Table 7

Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance. Biodiveristy Net Gain is an emerging policy area, and secondary legislation and further guidance from DEFRA is still awaited to provide further information on its application.

If development is to be focussed outside the Green Belt and each development is to provide a 10% net gain in biodiversity for all new developments, then consideration should be given to a biodiversity offset scheme within the Green Belt. This would operate similarly to a Carbon Offset scheme where development outside the Green Belt would sponsor extra biodiversity on specified sites within the Green Belt.

In the absence of such a scheme, developers will push to build upon fresh agricultural land in preference to scrub land on the basis that this allows an increase in biodiversity. The current planning application 22/00113/OAEA states, for example, that a net biodiversity gain of more than 10% will be readily achieved because the majority of the proposed development will be upon greenfield agricultural land which is of "relatively little ecological value". This is one of the reasons why it is proposing to build upon agricultural land rather than damaged land as specified in the current adopted plan.

25315361

5.9.1 - 5.9.23,
0 Table 7

"The Local Plan should seek to avoid allocating sites or development on land, that would result in significant development of high-quality agricultural land."
The agricultural land with the highest potential economic value in the Borough is land that is suitable for viticulture.

Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance. The Agricultural Land Classification is the dataset that identifies the best and most versatile agricultral land.

25315361

5.9.1 - 5.9.23,
0 Table 7

The Agricultural Land Classification Grading system is not fit for purpose in this regard.

42557921

5.9.1 - 5.9.23,
0 Table 7

Haven't we developed enough? Will we have any countryside left?

Comment noted.

The Kent Downs AONB Unit supports the position of the Kent Nature Partnership that, where possible there should be a minimum requirement for 20% biodiversity net gain, rather than 10% . This is reflected in the AONB's adopted Third Revision Management Plan 2021 to 2026.

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Making space for nature will be considered within the emerging Green Infratsructure Strategy being prepared to support plan preparation.

The Kent Downs AONB Unit would be supportive of allocating sites specifically for BNG within the Local Plan and would encourage these to be located within the Kent Downs/High Weald AONBs. Net Gain provides the potential to generate substantial new investment streams to achieve the sustainable development and biodiversity objectives of the Kent Downs AONB Management Plan, within areas of strategic opportunity for nature recovery and low threat of future development – this places the Kent Downs as a potential strategic area for net gain investments.

25361537

5.9.1 - 5.9.23,
0 Table 7

42616033	5.9.1 - 5.9.23, 0 Table 7	Proposing to build on the golf course which is a recognised environmental area is not permissible	Comment noted.
42583393	5.9.1 - 5.9.23, 0 Table 7	You are identifying areas that destroy greenbelt and building over it then planting a few young trees will not make up for the removal of trees hedgerows and grassed area all of which are actively capturing carbon and provide safe areas for wildlife food production and jobs currently	Comment noted.
42606657	5.9.1 - 5.9.23, 42606113 Table 7	With the two AONB's covering 29.8% of the Borough, it potentially acts as a significant constraint if it is simply taken as a given, thereby increasing the burden for the rest of the Borough in meeting the required development needs. There is previously developed land within the Borough that falls within the AONBs, which could not be described as being of outstanding natural beauty, under any reasonable assessment. The opportunity afforded by this Local Plan review should be taken to reassess the boundaries of the AONBs.	Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance. AONB and their boundaries are designated by Natural England, and local authorities are not able to amend these themselves.
25349153	5.9.1 - 5.9.23, 0 Table 7	The preservation of high grade agricultural land is essential to ensure that we grow enough food in future. However, each development is considered in isolation since no-one is keeping a tally of the cumulative amounts lost. The harm due to loss of high quality agricultural land should receive high priority in the planning balance. This section should include proposals re Conservation Areas. I strongly support the extension of the West Malling Conservation Area eastwards to the A228. This would give added protection to the setting of the historic West Malling Abbey and Town. Such an extension would form a smooth eastern boundary adjoining the existing Conservation sub-areas F, A, B, and E. This extension should feature in this Local Plan.	Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance. Impact on agricultural land will be considered alongside national planning policy requirements, evidence base documents and other consultation responses. The designation of, or alteration to, conservation area boundaries fall outside the remit of the Local Plan, and are covered by alternative legislation. Conservation areas are considered further in the Heritage Strategy.
39011745	5.9.1 - 5.9.23, 0 Table 7	I consider that more air quality monitoring would be appropriate, especially around the access to Kings Hill, and South of, Kings Hill especially along the A26, which is showing increasingly significant signs of congestion.	Comment noted.

<p>42725761</p> <p>42556065</p>	<p>5.9.1 - 5.9.23, 0 Table 7</p> <p>5.9.1 - 5.9.23, 0 Table 7</p>	<p>It is not appropriate to develop the land around Lower Haysden Lane, for the following reasons:</p> <p>1) This is farm land that should be used for growing food for the UK. Our food security is not robust enough and has been highlighted as critical due to Russia's war in Ukraine. This is a strategic issue that Central and Local Government should be focussed on.</p> <p>2) The land intended to be developed regularly floods and is low lying. These properties are not sustainable in this area and adding additional built environment and additional water drainage from homes will make the situation worse.</p> <p>3) The land is adjacent to the local Tonbridge Country Park. There environmental impact will be severe on this precious local resource.</p> <p>4) Local roads around Brook Street and Quarry Hill Road are already severely congested during peak times. This development will make this worse.</p> <p>5) There are already not adequate primary school places for existing children in the area.</p> <p>I agree that the above is absolutely vital.</p>	<p>Comment noted.</p> <p>Comment noted.</p>
<p>42778945</p>	<p>42778497</p>	<p>Q35. No. The Council should not set a higher biodiversity net gain (BNG) requirement for development in Tonbridge and Malling than that set out in the Environment Act 2021. Requiring BNG above 10% does not meet the tests set out in paragraph 57 of the NPPF and in particular a greater than 10% requirement is not necessary to make the development acceptable in planning terms and a 10% requirement should be maintained in order to ensure that the requirement is 'fairly and reasonably related in scale and kind to the development' (para 57, NPPF).</p> <p>Although we recognise that the 10% is a minimum it should be for the developer to decide whether to go beyond this figure not the Council. It is important to remember that that it is impossible to know what the cost of delivering net gain is until the base level of biodiversity on a site is known and consequently what is required to achieve a 10% net gain. On some sites this may be achievable on site with no reduction in developable area, for others it may require a large proportion of it to be addressed offsite or a significant reduction in the developable area – a far more expensive option that could render a site unviable without a reduction in other policy requirements.</p>	<p>Comment noted. The council is required to reflect the approach of the National Planning Policy Framework, associated planning practice guidance and the Environment Act. Biodiveristy Net Gain is an emerging policy area, and secondary legislation and further guidance from DEFRA is still awaited to provide further information on its application. Differing levels of BNG will be tested through the viability evidence to support plan preparation.</p>
<p>42778945</p>	<p>42778497</p>	<p>Q.36. Should the council allocate sites specifically for Biodiversity Net Gain within the Local Plan? Yes/No</p> <p>Yes, if the council can find suitable sites as this may help housing delivery.</p>	<p>Comment noted.</p>

Comment noted.

42787713 5.9.1 - 5.9.23, 0 Table 7 AQMA is critical to Wateringbury due to historical problems created by traffic density. Nitrogen Dioxide is specifically worrying for not only health reasons but also, preservation of historical assets. It is a positive that the supplementary reports have identified the risks.

Comment noted. Making space for nature will be considered within the emerging Green Infrastucture Strategy being prepared to support plan preparation.

42342977 5.9.1 - 5.9.23, 0 Table 7 There is no answer room in the questions below. I feel that within the planning systems of new modern estates there are actions we can take to enhance biodiversity. As an example these estates may well be a lifeline for hedgehogs which have declined by 95%. Much of that decline has taken place in the country side as a result of the 1992 Badger Act. Badgers are magnificent creatures but are a major predator of hedgehogs. Building in small hedgehog connections between gardens and hibernation facilities would greatly enhance their survival. Similarly with buildings for bats and birds and a number of verges and patches where natural food can be built into develoments at low cost but huge benefit to biodiversity.

Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance, as well as the Environment Act.

42806945 5.9.1 - 5.9.23, 0 Table 7 Large scale development anywhere in the borough is probably not a good idea. In the area which the AONBs overlook it is not acceptable. This applies to any part of the possible development sites which make up the so called "Borough Green Garden City" which is overlooked by the North Downs AONB. These potential sites are also in the Green Belt, and therefore unacceptable. Where possible Biodiversiity Net Gain should enhance the immediate environment.

Comment noted.

42832929 5.9.1 - 5.9.23, 0 Table 7 This is vital as part of our efforts to tackle global climate change. It must be front and central in our plans.

Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance, including in relation to AONBs and the Green Belt.

25390689 5.9.1 - 5.9.23, 0 Table 7 I have tried to fill in the online form but am concerned that my answers were not saved when I went back to check. I wish to make it clear that I am strongly opposed to building on any of the Area of Outstanding Natural Beauty and also oppose changing the Green Belt boundaries. A green environment is essential for the community to survive climate change and for mental health. Acres of concrete will have a severe impact. Smaller scale development less so.

43412865	5.9.1 - 5.9.23, 0 Table 7	<p>Environment Q 33 Yes, most definitely Local Green Space must be considered Q.35 Yes we should be seeking more than 10% Biodiversity Net Gain * 36. Yes, most definitely the council must allocate sites specifically for Biodiversity</p>	Comment noted.
43417889	5.9.1 - 5.9.23, 0 Table 7	<p>Environment Q 33 Yes, most definitely Local Green Space must be considered Q.35 Yes we should be seeking more than 10% Biodiversity Net Gain * 36. Yes, most definitely the council must allocate sites specifically for Biodiversity</p>	Comment noted.
43418465	5.9.1 - 5.9.23, 0 Table 7	<p>The environment: The Parish Council maintains the Rec Ground most effectively and has made a major effort in the improvements of its play area and sports facilities, as well as an important start with its rewilding initiative. Patches of BGPC land have been 'improved' by being allowed to 'grow wild'. Surely we have arrived at the civilised conclusion that we need to live alongside nature, not just ON IT.</p>	Comment noted.
43548193	38432225 Table 7	<p>Q.33. Should Local Green Space be designated in the Local Plan? Yes/No No. The UK has too many restrictive land use designations already, by far the highest levels in Europe. We should not seek to add even more constraints to an already over-burdened system.</p>	Comment noted.

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Making space for nature will be considered within the emerging Green Infrastructure Strategy being prepared to support plan preparation.

Q.34. If yes, do any potential sites meet all of the criteria set out in NPPF?

Not applicable.

Q.35. Should the council be seeking more than 10% Biodiversity Net Gain, if viable? Yes/No

No. If national standards require a 10% BNG then that should be the standard, to do otherwise will place an additional burden on the cost of delivering new homes which already have to fund so many infrastructure elements. If the Council wishes to deliver additional biodiversity projects in the borough then of course it can.

Q.36. Should the council allocate sites specifically for Biodiversity Net Gain within the Local Plan? Yes/No

Yes. In order to achieve sustainable patterns of development, and locate as much development as possible next to existing settlements, it must be recognised that BNG provision on site will dilute density and can therefore reduce the sustainability of development from a travel time perspective. The Council should allocate land for BNG to enable off-site provision options for some developments. Furthermore, BNG land can often be best placed nearer to, or in between areas of greenspace to better provide for nature.

43548193 38432225 Table 7

Q.35. Should the council be seeking more than 10% Biodiversity Net Gain, if viable? Yes/No

No – whilst the requirement for development to deliver at least a 10% net gain in biodiversity does not apply until November 2023, the Local Plan should be consistent with the Environment Act and not seek a figure above this.

42832833 42826433 Table 7

Comment noted.

5.9 Natural Environment

We are completely in agreement with the National Planning Policy Framework's statement that land with the least environmental or amenity value should be allocated for development, and with its seeking of measurable gains for biodiversity. We think that the Local Plan should aim to exceed the 10% gain in biodiversity established as a requirement by the Environment Act 2021 for all new developments from 2023

25296065 5.9.1 - 5.9.23, 0 Table 7

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation.

Comment noted.

Greenbelt and AONB should be preserved unless exceptional circumstances are established. Short-term assessment of housing needs should not be permitted to override or change greenbelt or AONB, which are there for the permanent benefit of chosen parts of the UK. Hence any change can only be in exceptional circumstances.

42758337

5.9.1 - 5.9.23,
0 Table 7

A perceived advantage to a particular political party in building more houses cannot be an exceptional circumstance

Comment noted. Ammonia will be considered and reflected within the new air quality evidence being prepared to support plan preparation.

Paragraph 5.9.8 – we note that your authority will be undertaking a Habitats Regulations Assessment (HRA) (proceeding to the Appropriate Assessment stage if necessary). Air quality impacts from increased road traffic was a key consideration for your previous Local Plan HRA. This time it will be important to include ammonia as well as NOx in the consideration of traffic-generated emissions. There is a growing understanding of the significance of ammonia from road traffic, as catalytic converters, whilst aiding in reducing NOx emissions, can result in increased ammonia emissions (see, for instance [https://www.aqconsultants.co.uk/news/february-2020-\(1\)/ammonia-emissions-from-roads-for-assessing-impacts](https://www.aqconsultants.co.uk/news/february-2020-(1)/ammonia-emissions-from-roads-for-assessing-impacts) ([https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.aqconsultants.co.uk%2Fnews%2Ffebruary-2020-\(1\)%2Fammonia-emissions-from-roads-for-assessing-impacts&data=05%7C01%7CHeather.Twizell%40naturalengland.org.uk%7C08bb64202ac3495258cb08dabdb4d664%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C638030881626198623%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDA%7C%7C%7C&sdata=1nEap5rPeY5Qu3PINiedr0F9748dV1HMPs155WAw6IA%3D&reserved=0](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.aqconsultants.co.uk%2Fnews%2Ffebruary-2020-(1)%2Fammonia-emissions-from-roads-for-assessing-impacts&data=05%7C01%7CHeather.Twizell%40naturalengland.org.uk%7C08bb64202ac3495258cb08dabdb4d664%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C638030881626198623%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDA%7C%7C%7C&sdata=1nEap5rPeY5Qu3PINiedr0F9748dV1HMPs155WAw6IA%3D&reserved=0)).

44131329

5.9.1 - 5.9.23,
0 Table 7

Comment noted. Reference to emerging LNRS will be reflected within the next Regulation 18 document.

Natural Environment – Habitats, Species and Biodiversity Net Gain – paragraphs 5.9.12 and 13 – this section makes reference to Biodiversity Opportunity Areas (BOAs) but makes no mention of Local Nature Recovery Strategies (LNRS). As with mandatory Biodiversity Net Gain (BNG), LNRS are also a legal requirement set out in The Environment Act (2021) and will provide a new system of spatial strategies for nature recovery. While there is currently limited detail on how LNRS will relate to Local Plans matters are likely to have progressed by the time the new TMBC Local Plan approaches submission stage so we would encourage you to start thinking (and potentially discussing with Kent County Council as the Kent LNRS Responsible Authority) now. As they develop LNRS are also likely to help with considerations such as where and how to allocate sites for BNG (as picked up in Q36).

44131329

5.9.1 - 5.9.23,
0 Table 7

Biodiversity Net Gain - The Local Government Association defines Biodiversity Net Gain (BNG) as an approach to development or land management that aims to leave the natural environment in a better state than it was beforehand. In planning policy, an important element of Biodiversity Net Gain (BNG) is the fact that it is measurable. Under the Government's flagship Environment Bill, both Town and Country Planning Act (TCPA) and Nationally Significant Infrastructure Project (NSIP) developments will need to deliver a minimum 10 per cent BNG.

Comment noted.

However, WMPC would encourage TMBC to look at how the borough can go further to protect and reverse biodiversity

38330625

5.9.1 - 5.9.23,
0 Table 7

Comment noted.

5.9.23 comment

My main concern is to keep good agricultural land safe. This is because in the future this land will be needed to feed the population. Doing this will help biodiversity.

42684641

5.9.1 - 5.9.23,
0 Table 7

Local Green Space should only be designated if the Council consider it necessary. These spaces should only be designated on land promoted for this function and meet the requirements set out in NPPF paragraph 102. These spaces should not be mistaken for open space. The Land at Manor Farm is promoted through this Local Plan consultation for residential development. As part of the residential development open space will be provided. This open space differs from green space thus, the site should not include any green space designations.

Comment noted.

44275681

44277153 Table 7

44275681	44277153	5.9.1 - 5.9.23,	Table 7	<p>The premise behind a 10% net gain was that it struck the right balance between the ambition for development and reversing environmental decline. Anything over and above this, especially the 20% promoted by the Kent Local Nature Partnership (KLNP) needs to be fully justified and as set out above demonstrated to be viable and this is likely reduce availability of land for development. The KLNP Viability Assessment has not been subject to independent examination and should not be relied upon to justify 20% BNG. If this is the level of BNG the Council are looking to promote they need to demonstrate through their Viability Appraisal that it is viable and deliverable on all the proposed allocations/ that they have sites available to provide viable offsetting; and as set out in para 5.9.22 of the Plan, that the delivery of a higher target does not put at risk the delivery of other local standards in the Local Plan e.g. affordable housing, open space etc.</p>	<p>Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation.</p>
44275681	44277153	5.9.1 - 5.9.23,	Table 7	<p>Yes, the Plan should look to allocate sites that help viably offsite BNG requirements, especially if the plan is to look to achieve more than 10% BNG.</p>	<p>Comment noted.</p>
44275681	44277153	5.9.1 - 5.9.23,	Table 7	<p>On the basis of Biodiversity Net Gain (BNG) and environmental policy, this measure would only be justified where a range of mitigation strategies had been considered, including the optimisation of greenspaces. Local policy should provide flexibility for any habitat and ecological enhancement that can be determined by an ecologist as being suitable for any given site. This should not be specified as in some circumstances such features may not be practical or appropriate. Consideration of any such policy would need to account for the requirement for BNG, and the viability of requiring additional features; thus, a flexible approach would be sensible. Instead, a more effective and justified policy which was consistent with national policy would be a positively prepared policy encouraging/ requiring BNG, and ecological considerations. Through a site-specific masterplanning process, this could also be encouraged by site specific policy</p>	<p>Comment noted.</p>
44275681	44277153	5.9.1 - 5.9.23,	Table 7		

		<p>Yes, too much biodiversity has been lost in recent decades. This has been identified as a national issue.</p> <p>Note that the calculations on biodiversity need to be scrutinised, it seems very strange that developers can claim increases for biodiversity when replacing a mixed farm with a densely populated housing estate!</p>	Comment noted.
44309601	5.9.1 - 5.9.23, 0 Table 7	<p>Yes, but further analysis is required. Existing designated green space should be considered; it's much easier to maintain, than create new.</p>	Comment noted.
44336545	5.9.1 - 5.9.23, 42807969 Table 7	<p>No. The Council should not be seeking more than 10% Biodiversity Net Gain ('BNG') on sites.</p> <p>3.131 We consider this would not be viable for many sites and would also not align with the Environmental Act 2021 which requests 10% BNG on sites. It could also impact the delivery of many sites in the Borough, further causing a delay to delivery and on housing and employment needs.</p> <p>3.132 We recommend that policy wording for the new Local Plan should require 10% BNG only.</p> <p>Net Gain, if viable?</p>	Comment noted. From November 2023, TMBC will require a minimum of 10% in accordance with the Environment Act 2021. Any future Local Plan policy will need to be compliant with these legislative requirements. The viability of a higher percentage may be explored during plan preparation through the Whole Plan Viability Study, however any such increase is likely to be a target rather than requirement to make a development acceptable in planing terms.
25378817	5.9.1 - 5.9.23, 0 Table 7	<p>The Council should not seek to set out a higher biodiversity net gain (BNG) requirement for development in Tonbridge and Malling than that set out in the Environment Act 2021. Firstly, the HBF does not consider that requiring BNG above 10% meets the tests set out in paragraph 57 of the NPPF and in particular that is not necessary to make the development acceptable in planning terms. As the Government note on page 9 of their response to the consultation on net gain, they considered 10% to deliver the right balance between "ambition, achieving environmental outcomes, and deliverability and cost to developers". Given Paragraph 174d) of the NPPF states that planning policies should "minimise impacts on and provide net gains for biodiversity" if a development delivers the 10% minimum requirement by law it will ensure that paragraphs 174(d) of the NPPF is addressed as it will ensure a net gain. As such any level above this is not necessary to make a development acceptable in planning terms and cannot be made a requirement in the local plan.</p> <p>We recognise that the 10% is a minimum. However, it should be for the developer to decide whether they go beyond this figure not the Council. This is a position the Government also supports stating on page 9 of their response to the consultation on net gain that the 10% should not be a cap on the aspirations of developers who want to go further "voluntarily". It is important to remember that that it is impossible to know what the cost of</p>	

24927329	5.9.1 - 5.9.23, 0 Table 7	<p>No, the plan should be consistent with national legislation and policy with regard to BNG.</p> <p>There may be a case for BNG site allocations although how the 'bank' of such land would be relied upon to meet the requirements of development that cannot provide 10% BNG on-site is difficult to foresee in practice.</p>	<p>Comment noted.</p>
44422593	5.9.1 - 5.9.23, 0 Table 7	<p>Minerals and Waste</p> <p>The County Council notes that reference has been made to the Kent Minerals and Waste Local Plan but would further recommend that the existence of minerals in the Borough is considered as a strategic matter within this section.</p> <p>Specific requests for section 5.1:</p> <ul style="list-style-type: none"> • Existence of safeguarded minerals is considered a strategic matter within the Local Plan. 	<p>Comment noted. The Kent Minerals and Waste Local Plan currently forms part of the development plan, and will continue to do so.</p>
44422593	5.9.1 - 5.9.23, 0 Table 7	<p>ensure that the decisions and plans embrace clean growth and allow the development of a clean, affordable and secure energy future – the County Council would recommend consideration of this strategy and the County Council's Environment Strategy during the development of the Local Plan for the Borough,</p> <p>SuDS</p> <p>The County Council, as Lead Local Flood Authority, is pleased to note that the document actively encourages the "potential multi-functional role of green infrastructure". In respect of references to flooding and sustainable drainage, the Borough Council should specifically refer to the Lead Local Flood Authority policy and also the Non-Statutory Technical Standards as laid out by DEFRA2 given that these reflect those desired outcomes also and that they underpin the design of SuDS systems:</p> <p>The County Council is also pleased to note (and would actively encourage) that the Borough Council "will work with statutory consultees such as the Environment Agency and Kent County Council as the Local Lead Flood Authority to ensure all sources of flooding are taken into account as well as the appropriate future climate change adaptations."</p> <p>The County Council notes that paragraph 5.12.16 references the sequential test and this being applied to the borough to inform the spatial strategy. It is important that this considers all forms of flooding, especially given the recent precedents of planning being refused due to the sequential test not being passed due to surface and ground water flooding issues elsewhere in the</p>	<p>Comment noted. This matter will be considered and reflected within the new evidence being prepared to support plan preparation including the SFRA, Green Infrastructure Strategy and Air Quality Assessment.</p>

Comment noted. This matter will be considered alongside national planning policy requirements, evidence base documents and other consultation responses.

The achievement of biodiversity net gain is an increasing priority and legal requirement and therefore it is essential that there are a range of mechanisms in place to ensure net gain can be achieved.

We consider a hierarchical approach is needed whereby the priority should be for sites and proposal to achieve net gain directly.

Nevertheless, it is also important that efficient use of land is achieved and development proposals come forward in the right locations. It would be wrong to promote development in less desirable and less sustainable locations based on a higher percentage net gain.

With this in mind, our client considers that there should be a mechanism to secure biodiversity net gain off site if it is likely to be a barrier to achieving otherwise sustainable development. In order to achieve this, a call for sites should be run to identify land that may be capable of being secured and allocated for strategic offsite mitigation.

on new developments should remain at a minimum of 10% as identified within the Environment Act which comes into force from late 2023. It is recognised that LPA's are able to consider a higher target if it is viable to do so and the Viability Assessment Biodiversity Net Gain in Kent (June 2022) identifies that a shift from 10% to 15% or 20% BNG will not materially affect viability in most instances within the County. This provides for a County-wide assessment and it may be the case that it is not viable for new developments that come forward to deliver a higher BNG requirement.

3.35 Whilst we recognise the strategic benefits that BNG can achieve, we maintain that TMBC should apply a minimum 10% BNG level which is consistent with The Environment Act 2021, Schedule 7A, Part 1(2). The DLP notes that focussing these net gains on development sites themselves rather than off-site wherever possible, will help support biodiversity within the Borough. Whilst it is recognised that the mitigation hierarchy requires biodiversity gains to be delivered on-site in the first instance, this is not always possible due to site constraints

and as such should be assessed on a site by site basis when development proposals come

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Work on developing a local approach to BNG is currently underway and will inform the next Regulation 18 document.

44426049 25240577 Table 7
5.9.1 - 5.9.23,

44460673 0 Table 7
5.9.1 - 5.9.23,

THAN 10% BIODIVERSITY NET GAIN, IF VIABLE?

19.1 The Environment Act 2021 sets a clear direction of travel for developers to leave biodiversity relating to development in a better state than before and ensure at least a 10% net gain. Berkeley was the first major developer to commit to delivering a net biodiversity gain on all its projects in 2017.

19.2 However, any net gain in excess of 10% should be subject to a viability assessment (including in relation to possible site allocations) and should not be considered a requirement to make the development acceptable in planning terms (i.e., any provision in excess of the 10% figure should be considered an additional benefit of a proposed scheme).

19.3 PPG Paragraph 022 (Reference ID: 8-022-20190721) advises that biodiversity net gain can be achieved on-site, off-site or through a combination of both on-site and off-site measures. National guidance does not explicitly state the percentage split between such provision, but Paragraph 023 (Reference ID: 8-023-20190721) confirms that such gains can be delivered entirely on-site or by using off-site gains where necessary.

19.4 Berkeley would expect the policies and allocations of the Local Plan 2040 to reflect the ambitions of the Environmental Act and national policy and guidance - incorporating the necessary level of flexibility in any allocation requirement and/or policy, providing opportunities to create networks to not just support biodiversity enhancement on-site; but also, to encourage residents to have access to the natural environment

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Work on developing a local approach to BNG is currently underway and will inform the next Regulation 18 document. Making space for nature will also be considered within the emerging Green Infrastructure Strategy.

35.1 Whilst in the first instance, the council need to demonstrate that achieving anything over 10% is necessary to make development acceptable in planning terms, only then, where it can demonstrate that it is both viable and achievable to deliver anything in excess of 10% BNG on all proposed allocations / via some form of offsetting (see below) should the Local Plan be looking to deliver in excess of 10% BNG. The premise behind a 10% net gain was that it struck the right balance between the ambition for development and reversing environmental decline. Anything over and above this, especially the 20% promoted by the Kent Local Nature Partnership (KLNP) needs to be fully justified and as set out above demonstrated to be viable. The KLNP Viability Assessment has not been subject to independent examination and should not be relied upon to justify 20% BNG. If this is the level of BNG the Council are looking to promote they need to demonstrate through their Viability Appraisal that its viable and deliverable on all the proposed allocations/ that they have sites available to provide viable offsetting; and as set out in para 5.9.22 of the Plan, that the delivery of a higher target does not put at risk the delivery of other local standards in the Local Plan e.g. affordable housing, open space etc.

[Answer to Q36 of questionnaire]

36. 1 Yes the Plan should look to allocate sites that help viably offsite BNG requirements, especially if the plan is to look to achieve more than 10% BNG. Other local authorities, such as Horsham District, are undertaking a specific Call for Sites, to

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation.

track record of delivering it as part of its developments. However, paragraph 5.9.13 recognises that the delivery of BNG can impact on the viability of development. Other factors that can affect viability include the provision of affordable housing, and contributions towards infrastructure. The delivery of BNG is still in its infancy, including understanding of the costs associated with onsite vs off site provision. Given this, the pressing need to ensure that delivery of affordable housing is maximised, and impacts on infrastructure are mitigated, it is considered pertinent to not seek more than 10% BNG. The "land take" associated with on site BNG can be considerable – meaning that parts of a site which are otherwise suitable for housing and employing development (particularly in the most sustainable locations) cannot be fully developed. This will particularly be the case if BNG is more than 10%. Therefore, the allocation of sites for BNG – and the ability for developers to provide BNG on those sites – will allow that land to be fully developed. In turn, this will minimise the need to allocate further sites, which will inevitably result in further green field and/or Green Belt loss in less sustainable locations.

There needs to be a very clear understanding by TMBC as to the implications of on-site BNG delivery, and the consequences that this will have on achieving anticipated densities and quantum of development on allocated sites, particularly where difficult decisions will have to be made around maximising the potential of sites to be released from the Green Belt. In many instances it

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Work on developing a local approach to BNG is currently underway and will inform the next Regulation 18 document.

44459553

5.9.1 - 5.9.23,
0 Table 7

Vistry do not agree that the Plan should seek more than 10% Biodiversity Net Gain (BNG), even if this can be shown to be viable from a financial perspective.

As the Consultation Document acknowledges, most land allocated through the Plan will comprise undeveloped greenfield sites (owing to the acknowledged lack of urban capacity). The opportunity to achieve a 10% BNG on these greenfield sites will vary greatly, with many sites being unable to achieve this nationally applicable level, because of their baseline condition.

A 20% BNG requirement will introduce further challenges and is likely to reduce the developable area of allocated sites. Therefore, one consequence of increasing the BNG requirement to a 20% gain, may be that additional sites need to be allocated in the Plan, in order to address a net reduction in gross development densities.

Increasing the BNG requirement above 10% would therefore need very careful consideration, particularly noting the prevalence of other recognised constraints to residential development across the Plan-area. Therefore, such a proposal is unlikely to be effective as a test of soundness.

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Work on developing a local approach to BNG is currently underway and will inform the next Regulation 18 document.

42271969 42271649 5.9.1 - 5.9.23, Table 7 Q.35 - Biodiversity Net Gain Sites
Vistry considers that specific sites should indeed be allocated

Comment noted. An Air Quality Assessment is being prepared to support plan preparation.

36594049 5.9.1 - 5.9.23, Table 7
Air Quality
There is little about this in the consultation. It is known to be poor, especially along the A20 at peak times when children are going to school. Traffic congestion makes the problem worse.

Air Quality

Paragraph 5.9.18 of the Reg 18 LP states:

The Local Plan should seek to avoid wherever possible locating development in areas of poor air quality and should explore opportunities to improve air quality or mitigate impacts, such as through traffic and travel management, and green infrastructure provision and enhancement.

As referenced above, and detailed in Section 5, there are opportunities available which could help address existing air quality issues across the Borough. These should be considered positively within the consideration of Growth Options / individual sites.

One such example is the provision of a new Borough Green relief road, as part of the Borough Green Gardens proposals, which would deliver a long-standing need for the village through the alleviation of existing air quality issues within the village centre / on the A25.

We strongly recommend this opportunity be considered positively as part of the Plan-making process, alongside wider consideration of air quality impacts arising from Growth Options / allocation sites on locations within and outside of the Borough (including Sevenoaks / Seal area).

Comment noted. An Air Quality Assessment is being prepared to support plan preparation.

<p>42821345 42821281 Table 7</p>	<p>5.9.1 - 5.9.23,</p>	<p>Area of Outstanding Natural Beauty (AONB), the Kent Downs AONB in the north and west and the High Weald AONB south of Tonbridge.</p> <p>Para 5.9.9 of the Reg 18 LP notes that sensitive local and design of development is paramount to avoiding and mitigation any impacts on the AONBs at their setting. This is broadly consistent with paragraph 176 of the NPPF which states that: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.</p> <p>However, paragraph 177 of the NPPF provides the context against which major development can be appropriate in AONB areas, as below.</p> <p>When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.</p>	<p>Comments noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance. Paragraph 175 of the NPPF states that <i>plans should "seek to allocate land with the least environmental or amenity value."</i> Paragraph 176 further identifies that <i>"great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues."</i> Therefore an option for meeting our OAN in line with these policies i.e. without identifying development in an AONB, is specifically included as part of Strategy Option 1 where the AONB designation is treated as a locatioanly specific consideration for growth strategy options. A Landscape Sensivity Assessment for major sites (in excess of c.500 residntial units) has been commission to inform the plan making process. The likely economic, social and environmental effects of all reaonsble altertaive site options are tested through the iterative Sutsinability Appraisal process. In line with the NPPF, any proposals for major development in AONBs will need to demonstrate</p> <p>Comment noted.</p>
----------------------------------	------------------------	--	---

I tried to insert a long comment on introducing biodiversity into modern estates. The comment facility had a shot word limit on it. Could this email be added to the comment on Section 5.9.

I took as an example the fact that estates may be a refuge for hedgehogs when the rural hedgehog population is in steep decline probably because of badge predation. In estates if fences have small openings for hedgehog highways and hibernation facilities are built in a refuge for hedgehogs relatively free of badger action will be created.

Similar nesting facilites for birds and bats can be built in. Small corners of land can be wilded to provide food for insects and so creating a food chain of flowers berries and insects.

How much of these simple measure can we include in our estate planning?

<p>42342977</p>	<p>5.9.1 - 5.9.23,</p>	<p>0 Table 7</p> <p>Could you regiser this as part of my submission there was a word limit on my original comment.</p>
-----------------	------------------------	--

Comment noted.

44972961 5.9.1 - 5.9.23, 0 Table 7
Yes, there are proprietary bat and bird nest units that can be built into the outer wall fabric at high level to provide nests for breeding birds and roosts for bats. The units are sealed and designed to contain the creatures in a confined location in a quiet part of the upper elevations
Q.35. Should the council be seeking more than 10% Biodiversity Net Gain, if viable? Yes/No
Comment noted.
Answer: Yes, of course. TMBC could be a beacon Planning Authority with 15% BNG.
Q.36. Should the council allocate sites specifically for Biodiversity Net Gain within the Local Plan? Yes/No
44972961 5.9.1 - 5.9.23, 0 Table 7
Answer: Yes and this can be part of the green space strategy from Q.33

Comment noted.

45217569 5.9.1 - 5.9.23, 0 Table 7
Q35 Should the council be seeking more than a 10% Biodiversity Net Gain if possible?
* Yes, 10% should be guaranteed as the absolute minimum but with the objective of seeking a greater target minimum of 20% net gain in biodiversity. This should be heavily encouraged in an attempt to undo much of the environmental damage incurred in recent years
Q36 Should the council allocate sites for Biodiversity Net Gain within the Plan?
* Yes, this could and should always be catered for
* In the North-East of the borough this could be achieved through the positive revision of Green Belt boundaries and the inclusion of open spaces and village greens

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation.

Ecology and Biodiversity Net Gain

Q.35. Should the council be seeking more than 10% Biodiversity Net Gain, if viable? Yes/No

3.65 The Environment Act (2021) has introduced the requirement to provide a minimum 10% net gain in biodiversity for all new developments from late 2023. However, local authorities are able to consider a higher target if it is viable to do so in order to provide even greater gains. The Kent Local Nature Partnership (KLNP) promotes the adoption of a 20% net gain target in Kent, and the Viability Assessment of Biodiversity Net Gain in Kent (June 2022) identifies that a shift from 10% to 15% or 20% BNG will not materially affect viability in most instances within county.

3.66 We fully disagree with this conclusion. Setting the minimum BNG target above 10% will set unrealistic and unachievable targets which will ultimately prevent development coming forward particularly in greenfield locations. Setting minimum BNG requirements at 20% will need to be fully supported by a viability demonstrating that this will be justified and deliverable and in line with the test of soundness set out in the NPPF.

3.67 We strongly advise that the BNG targets are set in line with The Environment Act (2021). This will not prevent schemes delivering above and beyond this target, where possible, but it will avoid over-onerous targets.

5.9.1 - 5.9.23,
0 Table 7

42819617

Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation.

Q.35. Should the council be seeking more than 10% Biodiversity Net Gain, if viable? Yes/No

3.74 The Environment Act (2021) has introduced the requirement to provide a minimum 10% net gain in biodiversity for all new developments from late 2023. However, local authorities are able to consider a higher target if it is viable to do so in order to provide even greater gains. The Kent Local Nature Partnership (KLNP) promotes the adoption of a 20% net gain target in Kent, and the Viability Assessment of Biodiversity Net Gain in Kent (June 2022) identifies that a shift from 10% to 15% or 20% BNG will not materially affect viability in most instances within county.

3.75 We fully disagree with this conclusion. Setting the minimum BNG target above 10% will set unrealistic and unachievable targets which will ultimately prevent development coming forward particularly in greenfield locations. Setting minimum BNG requirements at 20% will need to be fully supported by a viability demonstrating that this will be justified and deliverable and in line with the test of soundness set out in the NPPF.

3.76 We strongly advise that the BNG targets are set in line with The Environment Act (2021). This will not prevent schemes delivering above and beyond this target, where possible, but it will avoid over-onerous targets. Furthermore I feel I must strongly object to the local plan regarding the green spaces on Kings hill. These spaces are used by young and old alike and the whole relaxed atmosphere helps peoples mental health. [comment on infrastructure added to infrastructure section]. The bypass and road to Mereworth is not fit for purpose with stationary traffic Polluting the atmosphere.

Comments noted.

42819617

5.9.1 - 5.9.23,
0 Table 7

45301153

5.9.1 - 5.9.23,
0 Table 7

		<p>a policy requiring the provision of more than 10% BNG. The proposed Environment Act which is due to come out in 2023 only seeks to provide for 10% BNG that set out in the Environment Act 2021.</p> <p>If a development delivers the legal 10% minimum requirement, it will plainly then also satisfy the requirement of paragraph 174(d) of the NPPF to provide a net gain to biodiversity, and the requirement to exceed this further would arguably go beyond what is actually required by policy to make the development acceptable in planning terms.</p> <p>We recognise that the Viability Assessment Biodiversity Net Gain in Kent (June 2022) report identifies that LPA's are able to consider a higher target if it is viable to do so and that a shift from 10% to 15% or 20% BNG will not materially affect viability in most instances within the County. However, we would caution that this provides for a County-wide assessment and it may be the case that it is not viable for new developments that come forward in TMBC to deliver a higher BNG requirement.</p> <p>In addition, such a requirement may constrain the delivery of development land or increase the risk of the net gain not being achievable on all sites in situ, for example due to site constraints or viability.</p>	<p>Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Work on developing a local approach to BNG is currently underway and will inform the next Regulation 18 document.</p>
45325537	5.9.1 - 5.9.23, 0 Table 7	<p>Evidence should be provided as to the viability implications of Designated Local Green Spaces are critical to meeting various Sustainability Assessment criteria and the designation of such spaces should be made in such a way to provide ongoing future</p>	<p>Comment noted.</p>
43485921	5.9.1 - 5.9.23, 0 Table 7	<p>protection such as that assigned to existing Village Greens and rural Conservation Areas.</p>	<p>Comment noted.</p>
43485921	5.9.1 - 5.9.23, 0 Table 7	<p>A minimum of 10% net gain in biodiversity should be encouraged in an attempt to undo much of the environmental damage incurred in recent years.</p>	<p>Comment noted.</p>
43485921	5.9.1 - 5.9.23, 0 Table 7	<p>Biodiversity Net Gain (BNG) - BAG believes this could and should be catered for. For the North-East of the borough, this could be achieved through the positive revision of Green Belt boundaries.</p>	<p>Comment noted.</p>
42766209	5.9.1 - 5.9.23, 0 Table 7	<p>As well as development proposals or strategic allocations directly within an Area of Outstanding Natural Beauty, the setting of that protected landscape must also be considered, in planning decision making for sites that may fall outside the boundary of the AONB concerned but which could, nevertheless, detrimentally affect its setting.</p>	<p>Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance, this includes AONBs and their setting.</p>

24925793	5.9.1 - 5.9.23, 0 Table 7	<p>We support KCC's Net Zero plan for 20% Biodiversity Net Gain (BNG), especially where on-site habitats will be destroyed. As established habitats are far more valuable than artificially created ones and so policies should adopt a mitigation hierarchy; first conserve the best habitats.</p> <p>Note we believe it is vitally important that policies are also adopted that ensure sites cannot be cleared prior to ecological surveys being undertaken. As currently, there appears to be a loophole that allows developers to destroy habitats in order to de-value the existing biodiversity. Where developers are found to have cleared a site, prior to undertaking surveys, then the required BNG should be conservatively calculated based on the likely biodiversity prior to the site clearance.</p> <p>Where sites would provide the highest ecological benefits, for example maximising connectivity between different habitats and for a range of species. This should be informed by district and local area level ecological studies and delivered as part of 'biodiversity off-setting'.</p>	<p>Comment noted. The council is required to reflect the approach of the National Planning Policy Framework and associated planning practice guidance. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation.</p>
----------	------------------------------	--	--

Comment noted.

42168897	5.9.1 - 5.9.23, 0 Table 7	<p>Q35 Should the council be seeking more than a 10% Biodiversity Net Gain if possible?</p> <p>* Yes, 10% should be guaranteed as the absolute minimum but with the objective of seeking a greater target minimum of 20% net gain in biodiversity. This should be heavily encouraged in an attempt to undo much of the environmental damage incurred in recent years</p> <p>Q36 Should the council allocate sites for Biodiversity Net Gain within the Plan?</p> <p>* Yes, this could and should always be catered for</p> <p>* In the North-East of the borough this could be achieved through the positive revision of Green Belt boundaries and the inclusion of open spaces and village greens</p>
----------	------------------------------	--

		<p>Biodiversity Net Gain, if viable? BDW do not agree that the Plan should seek more than 10% Biodiversity Net Gain (BNG), even if this can be shown to be viable from a financial perspective. As the Consultation Document acknowledges, most land allocated through the Plan will comprise undeveloped greenfield sites (owing to the acknowledged lack of urban capacity). The opportunity to achieve a 10% BNG on these greenfield sites will vary greatly, with many sites being unable to achieve this nationally applicable level, because of their baseline condition.</p>	<p>Comment noted. Differing levels of BNG will be tested through the viability evidence being prepared to support plan preparation. Work on developing a local approach to BNG is currently underway and will inform the next Regulation 18 document.</p>
		<p>A 20% BNG requirement will introduce further challenges and is likely to reduce the developable area of allocated sites. Therefore, one consequence of increasing the BNG requirement to a 20% gain, may be that additional sites need to be allocated in the Plan, in order to address a net reduction in gross development densities.</p>	
45742881	5.9.1 - 5.9.23, 0 Table 7	<p>Increasing the BNG requirement above 10% would therefore need very careful consideration, particularly noting the prevalence of other recognised constraints to residential development across the Plan-area. Therefore, such a proposal is unlikely to be effective as a test of soundness.</p>	
46022337	5.9.1 - 5.9.23, 0 Table 7	<p>The ecology of Britain is waning fast more houses means less flora and fauna. More needs to be done to make what we have run more efficiently.</p>	<p>Comment noted. Comment noted</p>
46090945	5.9.1 - 5.9.23, 0 Table 7	<p>I am against having houses built on green belt and AONB. There should be no exceptional circumstances for building on these. The rural identity of our villages should be protected and not have new builds Biodiversity should be protected and the quality of air protected.</p>	

Comment noted. Making space for nature will be considered within the emerging Green Infrastructure Strategy being prepared to support plan preparation.

Biodiversity. A range of habitats should be incorporated in and around communities and the central zone for the benefit of wildlife and wellbeing of residents. Connectivity is also required between habitats to allow corridors for safe passage. The habitats should form a permanent boundary for the maximum number of dwellings that can be supported by the local infrastructure and amenities, and to prevent coalescence of neighbouring communities.

Providing tree cover along wildlife and transport corridors will help to contain the noise and pollution associated with travel, and will also make journeys more pleasant.

46162977

5.9.1 - 5.9.23,
0 Table 7

image