

Core Strategy Review - Inspectors' Action Points

Matter 11 – Other Policies - Policy CSD4: Green
Infrastructure of Natural Networks, Open
Spaces and Recreation

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Core Strategy Review Examination – Inspectors’ Action Points

Contents

Matter 11 – Other Policies - Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation.....	2
1. Introduction.....	2
Appendix 1: Proposed Modifications to Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation and supporting text.....	4

Matter 11 – Other Policies - Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation

1. Introduction

- 1.1. During the hearing session for Matter 11, Other Policies, the council undertook to review Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation.
- 1.2. Proposed modifications were identified to:
 - Reflect the Statement of Common Ground with Natural England (EB 13.98) regarding achieving net biodiversity gain;
 - Review how the wording in EB 13.98 would secure net gain for 30 years in practicality;
 - Reflect the proposed modifications set out in the Statement of Common Ground with Kent County Council (EB 13.10), including an additional criterion regarding ecological surveys, mitigation strategies and enhancement plans; and
 - Amend Policy CSD4, paragraph d. regarding Local Wildlife Sites (LWSs).
- 1.3. Proposed modifications to Policy CSD4 addressing these points are set out in Appendix 1 to this note.
- 1.4. Proposed modifications to the supporting text are also proposed to:
 - Reflect the Statement of Common Ground with the Marine Management Organisation (EB 13.80); and

Core Strategy Review Examination – Inspectors’ Action Points

- Provide factual updates regarding the Dungeness Complex Sustainable Access and Recreation Management Strategy (SARMS) and associated documents (EB 08.10, 08.11, 08.12, 08.13 and 08.14).

Core Strategy Review Examination – Inspectors' Action Points

**Appendix 1: Proposed Modifications to Policy CSD4: Green
Infrastructure of Natural Networks, Open Spaces and
Recreation and supporting text**

Core Strategy Review Examination – Inspectors' Action Points

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Core Strategy Review Examination – Inspectors’ Action Points

Green Infrastructure of Natural Networks, Open Spaces and Recreation

- Primary aims: B1, B3, B4, B6, B7, C4, D4, D5, D8 (see section 3.1).
- Main local evidence base studies: *Sustainability Appraisal, Habitats Regulations Assessment (sites other than Dungeness complex), Habitats Regulations Assessment (Dungeness SAC, Dungeness to Pett Level SPA), Green Infrastructure Report, Open Space Strategy (2017), Play Area Review (2017), Play Area Strategy (2017), [Dungeness Complex Sustainable Access and Recreation Management Strategy \(SARMS\) \(2017\)](#).*

- 5.34 This policy covers the district’s varied and extensive green and open spaces. To enable a strategic approach a ‘green infrastructure’ (GI) perspective is used. It complements the fundamental objectives of countryside protection and urban regeneration; and the policy’s GI principles can also apply to the district’s water features and coast.
- 5.35 The following definition¹ is applied for this plan: “*For the purposes of spatial planning the term Green Infrastructure relates to active planning and management of sub-regional networks of multi-functional open space. These networks should be managed and designed to support biodiversity and wider quality of life, particularly in areas undergoing large scale change*”.
- 5.36 Climate change is a major issue that will affect land use and development, particularly around the coast. The GI approach offers land management and site-specific opportunities to co-ordinate local mitigation and adaption, parallel with spatial strategy measures to reduce carbon emissions such as through more sustainable modes and patterns of travel.
- 5.37 Climate change and associated flood risks illustrate how GI provisions should be applied alongside policy (CSD5) on water and the coastline.
- 5.38 Natural and open spaces, including inland aquatic environments, enhance the district’s character and the quality of its towns and villages. The different functions of these spaces are not mutually exclusive, and this multi-functional dimension has underpinned the concept of planning for an integrated ‘green infrastructure’. For example, forests can produce fuel, define a landscape, hold recreational value, play a positive role in biodiversity and contribute to combating climate change.

¹ Land Use Consultants (2009) South East Green Infrastructure Framework from Policy into Practice

Core Strategy Review Examination – Inspectors’ Action Points



Green Infrastructure Network

Strategic Green Infrastructure Opportunities		Green Infrastructure Layers
Royal Military Canal	Potential to Reinforce Mid Kent Greensand & Gault BOA Corridor	Romney Marshes
Strategic Sites	Potential to Reinforce Chalk Grassland BOA Corridor	AONB
Major Areas of Change with Potential GI Connections with Surrounding Landscape	Potential to Reinforce East Kent Woodland & Downs BOA Corridor	Strategic & Local Green Infrastructure Wash
Romney Marsh & Rye Bay Habitat	Potential to Reinforce Dover & Folkestone Cliffs & Downs BOA Corridor	
Romney Marsh Connections with Ashford and Rother	GI Strategic Fringe Zones	

Figure 5.2: Green Infrastructure Network

Core Strategy Review Examination – Inspectors’ Action Points

- 5.39 It is not the case, however, that in all instances all facets of GI are necessarily equally sustainable or suitable; this is contingent on the nature of the asset. Some sites have a recognised primary function and may be sensitive to other uses and warrant strong protection for that sole purpose, and their future sustainable management should be based on a precautionary principle.
- 5.40 A range of internationally protected habitats are notable within the district, including the Dungeness/Romney Marsh complex, with the United Kingdom’s largest shingle structure at Dungeness (demonstrating the most diverse and extensive examples of stable vegetated shingle in Europe) and the grassland sites at Folkestone to Etchinghill Escarpment, and Park Gate Down.
- 5.41 The district’s international Natura 2000 series sites (shown in Figure 2.8) are protected by the Habitats Regulations. Following assessment² of the 2013 Core Strategy’s compliance with these regulations, the council is working with partners to ensure the integrity of international habitats (areas outside the boundaries of international sites where these support the species for which an international site has been selected will also be protected). Key principles in this regard are set out below for Dungeness.
- 5.42 As a funder of the Romney Marsh Countryside Partnership, the council has long supported work to sustainably manage tourism and recreation at Dungeness and will continue to do so. By working with stakeholders including Natural England, the Royal Society for the Protection of Birds (RSPB), the Environment Agency, landowners and neighbouring authorities, including Rother District Council, the council ~~is developing~~ has developed a ~~s~~Sustainable aAccess and Recreation Management sStrategy (SARMS) for the area. This includes ~~—which may include~~ proposals to support sustainable visiting and to monitor impacts on the Dungeness Natura 2000 series sites. Given the breadth of its membership and its cross-boundary scope, ~~the Romney Marshes Living Landscape project~~, the Dungeness National Nature Reserve partner group, or a similar grouping, would appear to offer a good vehicle to achieve such a strategy.
- 5.43 With regard to the internationally important calcareous grassland, improved GI management and evidence gathering, including site monitoring, is specifically recognised as a necessary part of sustainable development and this applies district-wide. As at Dungeness, the council has long supported work to sustainably manage the Downs and will continue to do so through working with partners including the White Cliffs Countryside Partnership, Natural England and the Kent Downs AONB Unit, to explore new opportunities to monitor impacts and manage the Folkestone-Etchinghill international habitat.
- 5.44 After internationally designated sites, protection and enhancement will apply to green infrastructure district-wide, but guided through recognising a hierarchy of sites such as national Sites of Special Scientific Interest, and then sub-national designations (for example Kent Biodiversity Action Plan (BAP)³ habitats and geological sites and Local Wildlife Sites).
- 5.45 There are other areas of strategic opportunity for biodiversity improvements in the district and these will be addressed through the green infrastructure strategy, with

² URS/Scott Wilson (2012) Habitat Regulations Assessment for Dungeness & URS/Scott Wilson (2012) Habitat Regulations Assessment for sites other than Dungeness

³ Kent BAP Steering Group (1997) Kent Biodiversity Action Plan (BAP)

Core Strategy Review Examination – Inspectors’ Action Points

action complementing management of development through the planning system. At the local level, Biodiversity Opportunity Area (BOA) corridors are shown on Figure 5.2 to inform protection, and increase connectivity and habitat creation. Some linear features, including other habitats and the coastal environments and watercourses (notably the Royal Military Canal) are also of major significance due to their multi-functional and cross-boundary nature. The multi-functional nature of green infrastructure also encompasses other more local open spaces and play areas, and a network of these spaces is identified in the Open Space Strategy, Play Area Review and Play Area Strategy⁴. These documents assess the quantity, accessibility, quality and value of the district’s open and play spaces and contain recommendations for their conservation and enhancement to meet future needs. Reference should also be made to Sport England’s ‘Active Design’ guide which aims to maximise the opportunities for design in physical activity.

- 5.46 In short, using this evidence the council will coordinate efforts to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and sustainably managed access to, green infrastructure within the district. This policy will support a programme of action on critical sites between partners from across administrative boundaries. To verify this, green infrastructure, in particular the condition of key sites and the implications of developments, will be a focus of increased monitoring.
- 5.47 The district’s coastal environment is clearly a defining element of the district’s green infrastructure, as acknowledged in this plan’s place-shaping objectives and Figure 5.2. In addition to marine-related habitats, the coast provides outdoor recreation for residents and visitors. The general multi-functional principle of green infrastructure needs careful consideration in this respect, as development of these functions may not be mutually complementary. However a tailored green infrastructure approach recognises that the varied nature of the coast (indeed all water assets as covered in policy CSD5) can manage stretches of coastline sustainably. A positive and integrated approach can relieve potential pressures on sensitive elements of green infrastructure, through absorbing and managing activities such as coastal recreation in places best served for that purpose, enabling enhanced protection of other key natural environments.
- 5.48 It is particularly important for green infrastructure that development is consistent with coastal management plans. Proposals must not adversely affect dynamic coastal processes and should avoid unnecessarily exacerbating ‘coastal squeeze’ impacts as recognised in the Habitat Regulations Assessment and elsewhere.
- 5.49 In coastal areas local planning authorities are required by National Planning Policy Framework paragraph 166 to take account of the UK Marine Policy Statement and marine plans in planning for coastal areas. The district council has worked with the Marine Management Organisation (MMO) in developing this Core Strategy Review and will liaise with the MMO in assessing development proposals that could affect marine interests.
- 5.50 Developers putting forward proposals in the coastal area of the district should have regard to the Marine Policy Statement, the South Inshore and Offshore Marine Plan (Department for Environment, Food and Rural Affairs, July 2018) and the district’s

⁴ Open Space Strategy, LUC, 2017; Play Area Review, LUC, 2017; Play Area Strategy, LUC, 2017.

Core Strategy Review Examination – Inspectors’ Action Points

Places and Policies Local Plan, particularly policies NE8: Integrated Coastal Zone Management and NE9: Development Around the Coast.

Policy CSD4

Green Infrastructure of Natural Networks, Open Spaces and Recreation

~~Improvements in green infrastructure (GI) assets in the district will be actively encouraged as will an increase in the quantity of GI delivered by the council working with partners and developers in and around the sub-region, including through pursuing opportunities to secure net gains in biodiversity, and positive management of areas of high landscape quality or high coastal/recreational potential.~~

1. The council will require development proposals over their lifetime:

- i. To provide net gains in biodiversity at least to comply with statutory and/or national policy requirements (assuming no residual loss);
- ii. To demonstrate that they conserve and, so far as possible, enhance the natural environment in all other respects; and
- iii. So far as possible, to deliver improvements in green infrastructure (GI) assets in the district and ensure positive management of areas of high landscape quality or high coastal/recreational potential identified in the Green Infrastructure Report (2011) (or any updates to this report).

2. Green infrastructure will be protected and enhanced and the loss of GI uses will not be allowed, other than where demonstrated to be in full accordance with national policy, or a significant quantitative or qualitative net GI benefit is realised or it is clearly demonstrated that the aims of this strategy are furthered and outweigh its impact on GI. Moreover:

- ~~a. Development must avoid a net loss of biodiversity, achieve net gain over and above residual loss.~~
- ~~b. i. The highest level of protection in accordance with statutory requirements will be given to protecting the integrity of sites of international nature conservation importance;~~
- ~~c. ii. A high level of protection will be given to nationally designated sites (Sites of Special Scientific Interest and Ancient Woodland) where development will avoid any significant impact;~~
- ~~d. iii. Appropriate and proportionate protection will be given to habitats that support higher-level designations, and sub-national and locally designated wildlife/geological sites, to include Local Wildlife Sites (LWS), (including Kent Biodiversity Action Plan habitats, and other sites of nature conservation interest);~~
- ~~e. iv. Planning decisions will have close regard to the need for conservation and enhancement of natural beauty in the Kent Downs Area of Outstanding Natural Beauty (AONB) and its setting, which will take priority over other planning considerations. Elsewhere development must not jeopardise the protection and enhancement of the district’s distinctive and diverse local landscapes~~

Core Strategy Review Examination – Inspectors’ Action Points

(especially where these support the setting of the AONB), and must reflect the need for attractive and high-quality open spaces throughout the district; and

v. Planning applications will need to be supported by ecological surveys, mitigation strategies (when required) and enhancement plans, in order to follow and apply the mitigation hierarchy, as appropriate.

3. The GI network shown in Figure 5.2 and identified in supporting evidence, and other strategic open space, will be managed with a focus on:

- i. Adapting to and managing climate change effects;
- ii. Protecting and enhancing biodiversity and access to nature, particularly in green corridors and other GI strategic opportunities in Figure 5.2, with appropriate management of public access (including the Sustainable Access and Recreation Management Strategy for Dungeness and together with a strategic approach to the international sites as detailed above); and also avoiding development which results in significant fragmentation or isolation of natural habitats;
- iii. Identifying opportunities to expand the GI functions of greenspaces and their contribution to a positive sense of place (including enhancements to public open spaces and outdoor sports facilities); and
- iv. Tackling network and qualitative deficiencies in the most accessible, or ecologically or visually important GI elements, including improving the GI strategic fringe zones in Figure 5.2 through landscape improvements or developing corridors with the potential to better link greenspaces and settlements.

5.4951 The Kent Downs Area of Outstanding Natural Beauty (AONB) is the largest countryside designation in the district. The Kent Downs AONB Landscape Design Handbook is used for development management and can continue to inform development decisions in order that they best contribute to GI and AONB objectives. Landscapes outside the AONB should primarily be managed through the above green infrastructure policy and national policy, as landscapes can play an important role in supporting the district’s varied character.

5.502 ‘Natura 2000’ series habitats benefit from specific protection under the Habitats Regulations (Appropriate Assessment), but spatial planning for GI purposes can still offer benefits through setting out positive and integrated management provisions. These district-wide features, along with the GI assets of the central part of the district, suggest priorities in delivering network improvements.

Appropriate Assessment Key Findings: Dungeness⁵

The Appropriate Assessment of Dungeness for the Core Strategy has highlighted a range of issues in relation to the Natura 2000 series habitats. Some aspects of management through the planning system will primarily take place in more detailed planning policy documents, or directly through planning applications (e.g. supporting ecological studies must have regard to the supporting habitats not designated but still associated with

⁵ URS/Scott Wilson (2012) Habitat Regulations Assessment for Dungeness

Core Strategy Review Examination – Inspectors’ Action Points

protected habitats, especially in Romney Marsh; if such land is lost then – if significant – alternative provision may need to be secured).

The specific proposals of the spatial strategy avoid substantial impacts on ecologically sensitive land, but Appropriate Assessment has identified that indirect implications through potential increases in recreational pressure must be addressed, especially for Dungeness’s Natura 2000 series habitats. Any plans, programmes or approaches introduced to promote greater tourism or water-sports usage (either in relation to tourism and policy CSD3 or any other initiative) of these sites will:

- Be required to undertake Habitats Regulations Assessment, to protect the integrity of the habitats (this applies to planning policy proposals in any instance and can include other measures, for example planning for new paths, cycle routes, visitor facilities, etc).
- Be required to follow an agreed formal Sustainable Access Strategy (implementation must not commence prior to the strategy) including considering provisions for improving sustainable access to/from the Dungeness area.

The Sustainable Access and Recreation Management Strategy for Dungeness (2017) will be used to identify resources, oversee the update of surveys of visitor usage and activity, and decide on appropriate management interventions (which may include increased stewardship, surveillance, education and further targeted controls on public access).

5.5~~4~~³ GI features – including parks, play spaces and sports pitches⁶ – in population centres are also highly valued for their accessibility and contribution to local neighbourhoods, despite covering a less extensive area. There are a large number of facilities such as outdoor sports grounds, parks and playspace providing for the district's population, although their quality varies substantially. Improvements to provision should enhance green infrastructure through complementary functions, for example the promotion of wildlife on the perimeter of sports fields.

5.5~~2~~⁴ Folkestone and Hythe now have some high-quality major open spaces including the Coastal Park, and improvements to various play spaces have been delivered in neighbourhoods across the district. Working with partners, most notably the De Haan Charitable Trust, a package of improvements in west Folkestone has been agreed centred on the Three Hills Sports Ground, Cheriton Road, in close proximity to a number of the town’s secondary schools. The challenge is to ensure further progress, including at Shorncliffe (SS11); the delivery of new sports and play facilities elsewhere within the district; and that national policy continues to be addressed in the implementation of this policy.

5.5~~3~~⁵ As the concept of GI addresses the integration of open spaces, places and natural networks to help their management for environmental and human needs, one potential area of significance is land in and around the edge of settlements. This ‘urban fringe’ is a logical place of interest given its role as a zone between where most people live and the large GI features often found within the open countryside. Urban fringe problems are often most acute where development has been most significant (such as at Hawkinge). ‘Strategic Fringe Zones’ in Figure 5.2 show current areas of GI interest in this respect, and potential future focal locations are also shown.

⁶ Private domestic spaces, such as gardens, often not normally regarded as part of the GI network, may play a key role in underpinning urban biodiversity.

Core Strategy Review Examination – Inspectors’ Action Points

- 5.546 Traditionally this has been considered in terms of landscaping but the urban/rural fringe is better not considered in isolation but in multi-functional terms. Similarly a spatial approach can also focus on corridors that may function as a key link for biodiversity and residents between urban areas and larger expanses of green infrastructure.
- 5.557 In and around urban areas, development should be planned to deliver multiple GI benefits, involving provision and upgrading of public parks, remedying of deficiencies in sports provision, provision of play spaces in deprived areas and the provision of allotments. An example of potential improvements to GI that could be delivered under the Core Strategy Review is the Seabrook Valley (see policy SS11).