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Our ref: 321524  
Your ref: 19/05000/HYB



Claire Shearing  
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**BY EMAIL ONLY**

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Dear Claire shearing

**Planning consultation:** Hybrid application comprising, in outline: development of business space (use classes B1a/b/c) of up to 27,773 sqm GEA; works within the X enclave relating to energetic testing operations, including fencing, access, car parking; development of up to 635 residential dwellings; development of a mixed use village centre (use classes A1/A3/A4/A5/B1a/D1/D2); land safeguarded for a primary school; change of use of Fort Area and bunkers to Historic Interpretation Centre (use class D1) with workshop space and; associated landscaping, works and infrastructure. In detail: demolition of existing buildings; change of use and works including extension and associated alterations to buildings Q13 and Q14 including landscaping and public realm, and primary and secondary accesses to the site

**Location:** DSTL Fort Halstead Crow Drive Halstead TN14 7BU

Thank you for your consultation on the above dated 06 July 2020 which was received by Natural England on the same date. Thank you for allowing us extra time to respond.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

## SUMMARY OF NATURAL ENGLAND'S ADVICE

### OBJECTION

**Natural England objects to this proposal.** As submitted we consider it will:

- have a significant impact on the purposes of designation of the Kent Downs Area of Outstanding Natural Beauty (AONB).
- fail to meet the requirements for redevelopment of this site as set out in the adopted local plan (Policy EMP3)

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Natural England accepts the principle of development at this site in accordance with the adopted local plan, which includes this site as an allocation (Policy EMP3 - Redevelopment of Fort Halstead).

We note that the submission version of the new local plan (December 2018) includes an allocation at this site for a larger scale of development than the current (adopted) local plan allocation.

However, following advice from the Inspector to withdraw the currently proposed local plan, our advice is provided in relation to the requirements of the current (adopted) local plan.

Considering the details of the current proposal and following a visit to the application site on 21 August 2020, we are objecting to the proposal for the following reasons:

- This application represents an increased scale of development from that proposed in the adopted policy for this allocation site, and is therefore not in accordance with current local plan policy.
- The proposed increase in the scale of development would likely result in an increased amount of built development at the site with an overall higher density development than existing. We do not consider that this level of development can be accommodated at this site without significant landscape impacts on the AONB.
- Given the landscape impacts on the AONB which would occur as a result of this proposal, this proposal fails to conserve or enhance the natural beauty of the AONB as required by both national and local policy.

There may be scope for amendments to the proposal that could avoid or mitigate the environmental harm described above. This might include:

- Information to demonstrate that the proposal will meet the requirements of Policy EMP3. This policy requires that redevelopment proposals will:
  - maintain or reduce the current extent of built development on site
  - make a positive contribution to the achievement of the aims and objectives of the Kent Downs AONB Management Plan
  - conserve and enhance the natural beauty and tranquillity of the Kent Downs AONB
  - improve the provision and connectivity of green infrastructure
- Agreement of a planning brief to secure a set of design principles and/or outline parameters that can guide development to a sustainable solution which avoids or mitigates effects on the AONB. Such an approach is indicated as a delivery mechanism to secure the requirements of Policy EMP3. In particular, we advise that measures are secured which:
  - demonstrate that the proposal will maintain or reduce the current extent of built development on the site. This may include a reduction in the scale of the current application.
  - inform the design and layout of the redevelopment that avoid or mitigate effects on the landscape. Such measures should recognise and reflect the surrounding landscape and settlement character of the Kent Downs AONB, in accordance with the Kent Downs Management Plan and associated guidance.

Further detailed advice on the environmental issues informing our objection is provided in Annex A. Additional advice on other important environmental considerations is provided at Annex B.

Should the developer wish to explore options for avoiding or mitigating the effects described above with Natural England, we advise they seek advice through our [Discretionary Advice Service](#).

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on 07786 022 161 or [amy.kitching@naturalengland.org.uk](mailto:amy.kitching@naturalengland.org.uk).

Yours sincerely

**Amy Kitching**  
Lead Adviser, Sustainable Development  
Sussex and Kent Area Team

## Annex A – Detailed Advice

### National Planning Policy

NPPF paragraph 172 provides clear guidance 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'* and that *'The scale and extent of development within these designated areas should be limited.'* (paragraph 172). Paragraph 172 also states that major development in AONBs should be refused unless exceptional circumstances are demonstrated, with assessment against the following criteria:

- a) *The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) *b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) *Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

Regarding the requirements of NPPF paragraph 172, Natural England does not consider that the current proposal is in accordance with national policy to conserve and enhance the AONB, or that the increased scale of development represents development of limited scale and extent.

It is Natural England's view that the scale of development proposed is likely to increase the extent of built development and urban features within the site, which precludes conservation and enhancement of features of natural beauty within this AONB. Where applicable, your authority should consider how this proposal meets the criteria set out in para 172 to demonstrate exceptional circumstances for permitting major development in the AONB.

Regarding part c of the above criteria, our advice is that the current proposal results in a detrimental impact to landscape character, although this could be moderated through a reduction in scale towards that set out in the approved policy for this site.

### Local Planning Policy

#### *Sevenoaks Local Plan*

As indicated above, Natural England are aware that the submission version of the new local plan (December 2018) includes an allocation at this site for a larger scale of development than the current (adopted) local plan allocation. However, following advice from the Inspector to withdraw this plan, our advice is provided in relation to the requirements of the current (adopted) local plan.

Natural England does not object to the principle of development at this site. However, we do not consider that this proposal meet the requirements set out in the current local plan, in particular Policy EMP3 of the Allocations and Development Management Plan (adopted February 2015) which sets out principles and requirements for future development at the Fort Halstead site. Considering the purposes of designation of the AONB and the proposed increased scale of development, we do not consider that the current proposal accords with the following requirements of Policy EMP3:

- *Residential development of up to 450 units*
- *Redevelopment of the site will maintain or reduce the amount of built development on the site*
- *Redevelopment proposals would be expected to make a positive contribution to the achievement of aims and objectives of the Kent Downs AONB Management Plan and conserve and enhance the natural beauty and tranquillity of the Kent Downs Area of Outstanding Natural Beauty*

- *Improve the provision and connectivity of green infrastructure*

We also note the delivery mechanism for this allocation site requires the production of a planning brief to guide development at the site, in accordance with policy requirements. It is understood that a planning brief has not yet been produced. We note that a set of design principles is included within the AONB Report (LDA Design, May 2020) which do include some positive aims. However, considering our concerns as detailed in earlier sections of this letter, we do not consider that the current proposal fully supports the given principles. Furthermore it is understood that the principles have not been developed by the council but by the applicant. We support the production of specific guidance which would help development proposals towards a sustainable solution, and would be happy to provide advice to your authority on the development of such guidance.

#### *Kent Downs AONB Management Plan*

The Kent Downs Management Plan sets out aims, policies and actions for the positive management of the Kent Downs AONB. The Plan has been adopted by Sevenoaks District Council and is of material consideration in planning decisions. The Plan contains a number of relevant policies which should inform applications and decision making for redevelopment proposals at this site. Given our concerns regarding the scale of the application and the associated landscape impacts, we consider that the proposal fails to meet the requirements of Policy SD9 in particular, which states:

*The particular historic and locally distinctive character of rural settlements and buildings of the Kent Downs AONB will be maintained and strengthened. The use of locally-derived materials for restoration and conversion work will be encouraged. New developments will be expected to apply appropriate design guidance and to be complementary to local character in form, setting, scale, contribution to settlement pattern and choice of materials. This will apply to all development, including road design (pursued through the adoption and implementation of the AONB Rural Streets and Lanes Design Handbook), affordable housing, development on farm holdings (pursued through the farmstead design guidance), and rights of way signage.*

At this stage, we are concerned that the scale of this application is not complimentary to local character.

#### **Natural England's Advice on the Current Proposal**

Natural England is aware of the long planning history of this site, and has not objected to previous redevelopment proposals on the basis that development was in keeping with the layout and building heights of the existing site. We do not object to the principle of redeveloping this site in accordance with adopted plan policy. However we consider that the scale and design of this proposal significantly deviates from any previous permitted proposal and now represents an inappropriate development which will harm the purposes of designation of the AONB. We note that this is a hybrid application and that additional details such as layout, materials and detailed design will be developed at later stages. However at this stage we are concerned with the capacity of the landscape to accommodate this scale of development without detrimental impacts to the AONB.

The purpose of designation of the AONB is conserve and enhance its natural beauty. Enhancement measures are therefore expected. The ambition should be for all land within the AONB to contribute to the purpose of designation, with opportunities sought to enhance areas which have become degraded. Policy EMP3 supports this approach.

Our particular concern relates to the scale of development currently proposed, which exceeds the level of development indicated in the adopted plan policy for this site. It is our view that the proposed increased scale of development would likely result in high density development which is not reflective of local settlement character and would have significant landscape impacts on the AONB.

It is our advice that outline development proposals and design principles should generally be

commensurate with a very sensitive nationally designated landscape afforded the highest level of protection by national policy. The defining character of each AONB will guide how these principles are actually applied, but a reasonable expectation is for very sensitively designed and modestly scaled development. Sensitive design should reflect the local vernacular in terms of built design and materials, respecting existing settlement morphology, ensuring that settlement relates to the wider landscape both visually and in terms of physical connectivity, supported by appropriate green infrastructure.

It is our advice that high density development within the site (as indicated by the Illustrative Masterplan dated 18 May 2020), precludes the provision of significant areas of green infrastructure, open space and landscaping. Reducing the area available for open space and/or green infrastructure limits the extent to which built areas of the site can be integrated into the landscape, and also limits opportunities to enhance the AONB.

We therefore disagree with the Landscape Impact Assessment Report (LDA Design, May 2020) which anticipates beneficial impacts within the site itself. Whilst we appreciate that a number of existing buildings would be removed as part of the redevelopment, these would be replaced with a scale of development which, in our consideration of the baseline (developed) condition of the site would result in a development which is considerably more 'urban' than the existing site. We do not consider this a beneficial impact and do not agree that the proposed scale of development would enhance the protected landscape.

### **Way Forward**

Our view is that the current proposal to accommodate an increased scale of development at this site, together with the indicative site design, fails to conserve or enhance the AONB and is in conflict with both local and national policy to conserve and enhance this designated landscape.

We support the redevelopment of this site in accordance with the principles of sustainable development, through an approach which respects the sensitivities of this nationally designated landscape. We suggest securing a set of design principles and/or outline parameters that can guide development to a sustainable solution which avoids or mitigates effects on the AONB.

We advise that the scale of the proposal may need to be reduced to avoid over-urbanisation of the site. We advise that features such as large apartment blocks, roundabouts and inappropriate lighting schemes are avoided to ensure the proposal better reflects the landscape character and settlement patterns of the AONB, in accordance with the Kent Downs Management Plan and associated guidance.

Both successful mitigation and enhancement measures require green infrastructure which positively reinforces landscape character and avoids producing a landscape which is different from what characterises the wider AONB. It is therefore important that redevelopment proposals for this site demonstrate how built development and green infrastructure combine in a way which conserves and enhances the overall character of the AONB.

## Annex B – Additional Advice

Natural England offers the following additional advice:

### Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#) Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

### Protected Species

Natural England has produced [standing advice](#)<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

### Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

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<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

## **Environmental enhancement**

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

## **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

## **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer.

## **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).