

27<sup>th</sup> July 2021

Dear Martin

The RSPB wishes to confirm its position to Medway Council on the measures necessary to safeguard the Chattenden Woods and Lodge Hill Site of Special Scientific Interest (SSSI) and the UK's most important population of nightingales that breeds there.

As previously stated, we consider that a robust buffer, setting housing well back from the edge of the SSSI, is the only sustainable and effective means of protecting the site from the damaging urban effects of the substantial numbers of new houses proposed for land surrounding the SSSI. **Based on our review of the best available scientific evidence concerning cat roaming distances (Hall et al 2016<sup>1</sup>) and other urbanisation effects, we consider 400m to be an appropriate and proportionate distance for that buffer.**

The broad body of available research (assimilated in Hall et al 2016) indicates a cat roaming distance from 360m to 2.4km across different urban and rural environments. A 400m buffer would not therefore completely rule out the possibility of an individual cat ever entering the SSSI, but our understanding of the evidence suggests it would avoid the majority of such occurrences in a semi-rural environment while also reducing the additional urbanisation effects associated with housing such as noise, artificial light and recreational disturbance. A 400m buffer would also be consistent with buffers that have been successfully introduced to a number of other protected areas supporting vulnerable wildlife at risk of impacts from proposed new housing<sup>2</sup>.

Given the available evidence and the long-standing advice that we and Natural England have provided to Medway Council concerning the protection of the Chattenden Woods and Lodge Hill nightingale population, we are extremely concerned that the Council now appears to be promoting a substantially smaller buffer of 150m to mitigate the effects of the proposed new housing. **We strongly question the justification for a 150m**

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<sup>1</sup> Hall, C.M., Bryant, K.A., Haskard, K., Major, T., Bruce, S. & Calver, M.C. (2016) Factors determining the home ranges of pet cats: A meta-analysis. *Biological Conservation*, 203, 313–320.

<sup>2</sup> The Dorset Heathlands, Thames Basin Heaths, Pebblebed Heaths, Ashdown Forest and Cannock Chase all have 400m buffers. Burnham Beeches has a 500m buffer and the Brecklands has a buffer of 1500m.

South East England  
Regional Office

1st Floor, Pavilion View  
19 New Road  
Brighton  
BN1 1UF

Tel 01273 775333  
Fax 01767 685535

[rspb.org.uk](http://rspb.org.uk)



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**buffer and remain unconvinced of the effectiveness of any ‘complementary’ mitigation measures, such as anti-predator fencing, which we fear the Council may be relying upon to justify allowing housing in such close proximity to the SSSI.**

It is our firm view that anti-predator fencing should be a measure of last resort to manage the impact of pre-existing predation impacts on vulnerable priority conservation species. Our extensive experience from the RSPB's reserve network is that anti-predator fencing requires high levels of maintenance to remain effective and is only ever partially effective against wild predators, such as foxes. In addition, predator-proof fencing is both a visually unattractive and costly ‘solution’. It cannot be easily screened with vegetation as nearby trees and bushes reduce its effectiveness as a barrier to predators, particularly in the case of cats, and it needs to be replaced regularly to remain effective. The RSPB’s own guidance on predator fencing<sup>3</sup> describes it as part of an ‘arms race’ of ongoing efforts to reduce predation – a situation that we would strongly argue should never be consciously created.

**In short, we believe that allowing substantial numbers of new houses to be built within 400m of the boundary of the SSSI would build-in a new and entirely avoidable predation issue for the foreseeable future, leaving a significant and permanent legacy for the UK’s most important nightingale population.**

Our serious concerns remain regarding Medway Council’s general approach to the safeguards set out within the National Planning Policy Framework (NPPF), specifically the requirement to avoid, mitigate and (in exceptional circumstances) compensate adverse effects to the Chattenden Woods and Lodge Hill SSSI nightingale population. **We do not consider that the Council’s current approach would prevent adverse effects on the SSSI, and therefore the Council must demonstrate that there really are no alternative locations for the housing, and that the need for the development clearly outweighs the impacts on the SSSI and on the national network of SSSIs. Without this evidence, we consider that the Council faces a very real risk of history repeating itself and the Local Plan again being found unsound.**

We strongly recommend that, in order to support the next draft of the Medway Local Plan, further assessment is urgently undertaken to fully assess the ecological impacts of the different potential development scenarios in proximity to the Chattenden Woods and Lodge Hill SSSI. This assessment should logically include consideration of options for locating (less damaging) non-residential development in closer proximity to the SSSI, thereby allowing residential development to be positioned beyond 400m. This would appear to be a sensible solution which could allow the proposed housing and other development to be delivered without adverse impacts on the most important site for nightingales in the UK.

The scale of the environmental challenge posed by the volume of housing proposed for the Hoo Peninsula demands a strategic approach to the assessment of risk to the Peninsula’s national and international wildlife assets, and a correspondingly strategic approach to planning the location of the development and to the design and delivery of the necessary mitigation measures. The award of a HIF provides the funding and framework to achieve this, so it is deeply disappointing that Medway appear to have side-stepped the first and most pressing issue, that of avoiding damage to existing designated sites.

Until we are comfortable that the Council is taking an evidence-based approach to the protection of the Chattenden Woods and Lodge Hill nightingale population – an approach that is also transparently compliant

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<sup>3</sup> The Predator Exclusion Fence Manual: Guidance on the use of predator exclusion fences to reduce mammalian predation on ground-nesting birds on RSPB reserves, Version 3 October 2019, RSPB Ecology: Graham White and Graham Hirons

with the tests set out in the NPPF – we are unable to continue to offer our advice and our local knowledge to support the Council’s ecological impact assessment and other work connected to the HIF and the delivery of the proposed housing and associated infrastructure on the Hoo Peninsula. We will of course be pleased to reconsider this position should Medway satisfactorily address the concerns set out in this letter.

Yours sincerely

A handwritten signature in dark blue ink, appearing to read 'chr', with a horizontal line above the 'r'.

Chloe Rose

**Senior Conservation Officer**

Email: [chloe.rose@rspb.org.uk](mailto:chloe.rose@rspb.org.uk)