

Date 27th May 2020



By email only: Lucinda.Roach@DOVER.GOV.UK

Dear Lucinda

RE: Application DO/20/00419 – Application at Betteshanger Sustainable Park, Sandwich Road, Sholden

Summary

Kent Wildlife Trust **objects** to this application on four principle grounds:

- The survey information provided is inadequate to make informed comments or to make a robust decision on the application
- The application underrepresents the ecological value of the site as an interconnected habitat network with high biodiversity value, instead taking a simplistic approach that considers different habitat types in isolation
- The development will have an unacceptable impact on breeding birds, particularly nationally endangered turtle doves, and proposes inadequate mitigation and compensation for loss of breeding habitat
- The site will lead to a loss of valuable open space which allows local people to connect with nature.

In addition to these objections we have also included comments and recommendation relating to Biodiversity Net Gain and impact on designated sites.

Thank you for inviting Kent Wildlife Trust to comment on this application.

Having reviewed the application documents, and particularly the Ecological Appraisal, Kent Wildlife Trust **objects** to this application on four principle grounds. We also reserve the right to object to the application on the issues of biodiversity net gain and impact on designated sites, subject to submission of further satisfactory documentation.

1. Insufficient Information

Kent Wildlife Trust objects to this application on the grounds of the lack of data provided to make informed comments and to reach a robust decision. The Ecological Appraisal submitted by the applicant is inadequate for providing a full and detailed assessment. Surveys, by the admission of the applicant, were undertaken at a



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sub-optimal time of year and provide limited detail on the value of the site for a wide range of plants, invertebrates, reptiles, amphibians and mammals. The Appraisal is vague, repeatedly referring to likelihood where there is insufficient data to support assertions. We recommend that detailed surveys are undertaken for flora, invertebrates, reptiles, amphibians, badgers, water voles and bats.

2. Insufficient consideration of habitat networks and habitat connectivity

Kent Wildlife Trust **objects** to this application on the basis that it does not consider the whole site and its value as an interconnected habitat mosaic supporting potentially a wide range of rare and valuable species, rather than as a disconnected set of discrete habitat parcels. We regard the approach taken in the Ecological Appraisal as unsuitable for a site such as this, where there are a range of habitats at varying stages of succession from bare ground to mature woodland with a wide range of variations in between. To consider areas such as scrub and bare ground with ruderal vegetation as on 'low value' is to take a narrow and formulaic approach to what is a rich and varied site. We are aware from discussions with and comments by a number of local people who have years of familiarity with the site that the value of many of these areas appear to have been significantly underestimated in the appraisal.

The NPPF states that planning decisions should "*minimis[e] impacts on...biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*". This statement is not limited only to priority habitats and species, and by implication considers habitats as interconnected networks rather than discrete parcels. The Ecological Appraisal focuses excessively on individual priority features and fails to consider the complexities of the site, both within the development boundary and with the wider landscape. It therefore misses the impact that the development will have on the resilience of these habitat networks. We would expect to see greater clarity on the value of habitat networks in and around the site in the Ecological Appraisal

We note the comments in the Ecological Appraisal about the priority habitat classification 'Open Mosaic Habitats on Previously Developed Land'. The Appraisal states:

"The habitat is recently established and within the main proposed development areas comprises large, relatively homogenous habitat blocks, lacking a diverse mosaic of bare ground and recolonising vegetation in association with other habitats within a small area. Accordingly, these areas are considered unlikely to qualify as an important ecological feature and their loss is likely to be of low ecological significance, although this will be confirmed by further surveys".

We have a number of issues with this statement. Firstly from a brief site visit and from correspondence with local residents the claim that the area contains large relatively homogenous habitat blocks is questionable. Secondly, the site has been in the process of establishing for nearly 30 years, which stretches the definition of "recently established". We would further comment that the Appraisal gives no account of the site's potential to become even more value for wildlife as it establishes and matures in future, as well as the value of the site as an example of rewilding and natural regeneration. Thirdly, the reference to "likely" and "unlikely" confirms that the applicant does not have sufficient evidence to make the assertion that this is not priority habitat. We would consider it a prerequisite that a developer should confirm the existence of a priority habitat before submitting an application. While we are unable to assess whether the site does represent 'Open Mosaic Habitats on Previously Developed Land', having not been able to undertake surveys ourselves, we are of the opinion that the site does contain a range of characteristics that closely fit the classification of this habitat type, and therefore should not be dismissed as "of low ecological significance".

It is important that Dover District Council is able to be satisfied unequivocally whether this site is 'Open Mosaic Habitats on Previously Developed Land' or not given that this is protected a priority habitat scheduled

under s.41 of the NERC Act (2006). We would recommend that independent surveys are undertaken to establish this.

3. Impact on Breeding Birds

Kent Wildlife Trust **objects** to this application on the grounds of potential impact on priority breeding birds, particularly Turtle Dove. We note from the Ecological Appraisal that 4 breeding pairs of turtle doves nest on this site. Given the severe declines in the population of turtle doves to the extent that they are at risk of extinction as a British species, this represents a very significant population. The Appraisal states that “no significant habitat losses are anticipated for this species” despite also stating that at least one of the four turtle dove territories on the site will be lost directly to the development. The Appraisal also fails to account for disturbance impacts or impact on the functional ecological connectivity of the site on the existing turtle dove population. No mitigation or compensation measures are proposed specifically for turtle doves, and compensation and mitigation for birds in general is limited to a few nest boxes (inappropriate in the case of turtle doves). We regard this as inadequate to compensated for the impact of the development on nesting habitat. The same comments apply to loss of nesting habitat for other birds classified as red listed and/or priority species that breed on site such as bullfinch, linnets and song thrush

We understand that the RSPB will be submitting separate comments on this issue. Given their greater expertise and experience on the subject of turtle doves we will not go into greater detail here, but will support their opinions and recommendations.

4. Loss of Public Open Space

Kent Wildlife Trust objects to this application on the grounds of loss of a valuable green infrastructure resource for local people to enjoy and connect with wildlife. We have received an unusually high level of public enquiries about this application and the impact on a locally valued site, which suggests that this development will have a significant detrimental impact on local recreational amenity. Paragraph 180 of the NPPF states that local plans and decisions should:

“Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason”.

In our opinion, and the opinion of many local people, this site should be covered by this policy and on this basis the application should be refused.

5. Biodiversity Net Gain

The Ecological Appraisal states that the development will lead to at least a 10% net gain in accordance with paragraph 170 of the NPPF. We would like to see how this estimate has been arrived at, and whether an appropriate biodiversity metric has been used. We would request that a calculation is undertaken using the DEFRA metric 2.0 and submitted on the Dover District Planning Portal for public scrutiny. We are not objecting to this omission at present but reserve the right to object in future if a calculation is not submitted or proves to be inaccurate.

6. Impact on Designated Sites

We are concerned about the potential impact of this development on local hydrology and therefore potential impacts on the adjacent Sandwich Bay to Hacklinge Marsh SSSI and Thanet Coast and Sandwich Bay Ramsar

Site. The development lies in close proximity to Ham Fen, one of the last remaining fragments of lowland fen in the county and a habitat that is particularly sensitive to impacts on water quality and quantity.

We note that Natural England have not objected to this application on the grounds of impact on hydrology and water quality, and have stated that the mitigation measures proposed appear to be ecologically robust. Therefore we are not objecting on these grounds at present, though we reserve the right to object in future subject to the completion of a satisfactory a Habitats Regulation Assessment.

If you have any further questions about this letter feel free to contact me.

Yours sincerely,

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Wilder Towns Manager

Kent Wildlife Trust

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