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Lucinda Roach
Dover District Council
Council Offices
White Cliffs Business Park
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3rd July 2020

Dear Lucinda

RE: 20/ 00419 Outline application with all matters reserved for up to 210 dwellings including up to 12 self-build plots, together with up to 2,500 sqm of office (Use Class B1) floorspace and up to 150 sqm of retail (Class A1) floorspace | Almond House Betteshanger Sustainable Parks Sandwich Road Sholden CT14 0BF

Buglife **objects** to this planning application on the following grounds:

- (i) Lack of invertebrate survey and potential impacts on an important invertebrate assemblage
- (ii) Inadequate assessment of the ecological baseline and potential for losses of Open Mosaic Habitat on Previously Developed Land
- (iii) Inappropriate mitigation strategy

The application site contains historic records of a number of threatened and scarce invertebrates, as identified in the 2002 application on the site (Ref 02/00905), including records of species now identified as either Vulnerable, Near Threatened or Endangered in modern species status reviews. The site also has the potential to support invertebrate identified as priority species under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The 2002 invertebrate surveys identified a high value assemblage, with notable species of spider and beetle, including *Phlegra fasciata* (Near Threatened), *Xysticus luctuosus* (Endangered), *Ozyptila blackwalli* (Endangered), *Trochosa robusta* (Vulnerable) and *Ochrosis ventralis* (Vulnerable). Since then the site has undergone remediation which will of course have significantly altered the habitats on site, however, it still remains essential that an invertebrate survey is undertaken as their absence simply cannot be presumed. Without a survey, we simply don't know which of these species of conservation concern (or indeed others which are currently unrecorded) are still found on the application site, so the biodiversity value of the site cannot be accurately assessed. The application site is also within

the Kent Coast and Downs Important Invertebrate Area (IIA). IIAs are nationally or internationally important areas for invertebrates and the habitats on which they rely, developed using strict criteria, expert advice from recording groups and statutory bodies, and based on nearly 50 million records from over 85 different invertebrate recording groups. The IIA in question has yet to be fine-scale mapped, but many of the species associated with the broad-scale map are associated with brownfield habitats such as those found on the application site.

Buglife would also like to query the habitat assessment. Although unfamiliar with the site ourselves, aerial imagery and descriptions of the site indicate that the site has the potential to qualify as Open Mosaic Habitat on Previously Developed Land (OMHPDL), a priority habitat under Section 41 of the NERC Act. Although it is unclear if the site meets all of the necessary criteria to qualify, this would drastically alter the perceived value of the site, so a specific assessment or survey for OMHPDL should now be undertaken, in line with the response from Kent Wildlife Trust. The key issue here is whether or not the site demonstrates sufficient fine-scale diversity and forms a mosaic, however, the submission from the Botanical Society of Britain & Ireland local representative describes that the *“mosaic or range of contiguous plant community types do indeed merge into one and other throughout the site where bare ground merges with grassland, species rich banks and damp winter-flooded areas and wetland habitats”*, which is indicative of OMHPDL habitats. The value of OMHPDL lies within tight mosaics of habitats, which provide a diverse range of habitats in close proximity. However, the Ecological Appraisal has assessed the individual habitat parcels in isolation of relatively low value rather than as a diverse mosaic of habitats which have a high value in combination.

Without the appropriate invertebrate species surveys and an assessment of the presence of OMHPDL on the application site, it is simply not possible to either assess the current ecological value of the application site nor the impacts of the development to an acceptable standard. This also makes it impossible to design a fit for purpose mitigation or compensation strategy, which must be informed by appropriate surveys.

At present, there is insufficient information for a decision to be made and a significant risk of net biodiversity loss, against the principles of the NPPF. Paragraph 170 of the National Planning Policy Framework (NPPF) states that *“Planning policies and decisions should contribute to and enhance the natural and local environment by..... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”* The current proposals have the potential to significantly impact a priority habitat type and important invertebrate assemblage, thus leading to considerable biodiversity losses. It is certainly not possible to propose any potential net gains without adequate assessment of the site’s biodiversity interest.

Paragraph 174 states *“To protect and enhance biodiversity and geodiversity, plans should... promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”* The current proposals include the potential loss of OMHPDL which would represent a clear loss of biodiversity, as opposed to the measurable net gain required to meet the NPPF.

Buglife is of the view that at present the application fails to meet the requirements of the NPPF, due to the potential unacceptable losses of biodiversity, inadequate information and subsequent inability to ensure that there is a robust mitigation strategy.

Buglife urges Dover District Council to **reject** this application.

Please do get in touch if I can be of any further assistance

Yours Sincerely



Jamie Robins

Projects Manager