



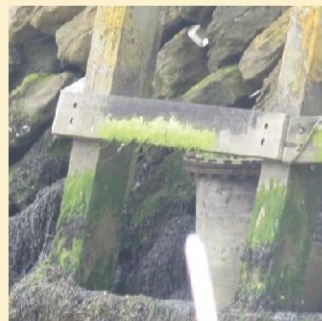
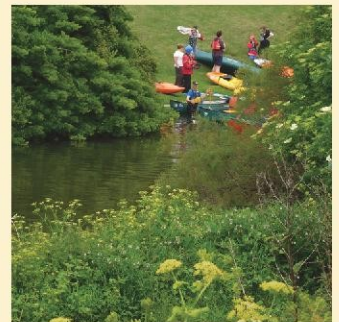
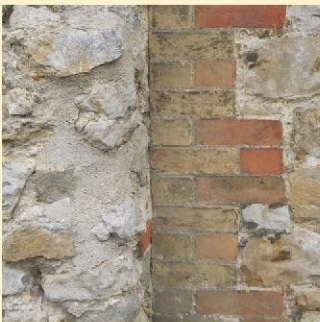
Princes Parade, Hythe

Planning Application Y17/1042/SH

Additional Information and Clarification - February 2018

Appendix 05

Ecology KWT / CPRE



FAO: Robert Allen,
Shepway District Council

17th January 2018

Ecologist's letter of response to comments received from additional consultees, with regards to: PRINCES PARADE, HYTHE (APPLICATION REF: Y17/1042/SH):

Dear Robert,

I am writing to respond to comments received from the Kent Wildlife Trust (KWT) and the Campaign to Protect Rural England (CPRE) - with regards to hybrid planning application Y17/1042/SH, and the ecological documentation submitted with the planning application.

I have provided a high-level response to comments received from Vanessa Evans of KWT, in her letter dated 12th October 2017, and from Vicky Ellis of CPRE, in her letter dated 6th October 2017.

I have provided a separate, detailed letter of response to comments received from key consultees (Kent County Council's Ecological Advice Service (KCC EAS) and the Environment Agency (EA)). The detailed response to KCC EAS and EA comments addresses many of the comments received from KWT and CPRE. However, I have addressed some of the themes and additional points raised by KWT and CPRE below.

Response to KWT comments:

I have responded to the comments provided in KWT's letter in order of occurrence.

Environmental Impact Assessment (EIA) focusses on important environmental features and the *likely significant effects* of a proposed development upon these features.

Chapter 7 of the ES assesses the *likely significant effects* of the proposed development with regards to ecology and nature conservation.

The loss of maritime grassland is acknowledged in the Ecology Chapter (Chapter 7) of the ES. Paragraph 7.169 of the ES states that, based on the results of the desk study and the National Vegetation Classification (NVC) survey, the *'on-site maritime grassland community is of ecological importance at the Local level. For the purposes of this ES, this site is therefore of Low sensitivity or importance.'*

As stated in paragraph 7.273 of the Chapter 7 of the ES, to address the loss of maritime grassland from the works footprint, *'compensatory plantings of native grassland will be undertaken within the Western Open Space and Linear Park. The species composition of these grassland areas will be informed by the species composition of the existing grassland.'*

As stated in Table 7.4, in Chapter 7 of the ES, effective implementation of this compensatory measure will reduce the significance of the grassland loss to a 'minor adverse' effect.

The likely absence of 'fixed sand dune' habitat from the works footprint of the proposed development is explained in my response to KCC EAS comments (see letter of response to KCC EAS and EA comments, dated 17th January 2018).

The potential impacts of the proposed development upon common toad (*Bufo bufo*) are addressed in the ES. The mitigation measures that will need to be adopted and implemented to minimise the risk of significant effects upon this species are set out in Technical Appendix 7.8 of the ES (Ecological Mitigation and Enhancement Plan) (report ref: 3609-LLB-ZZ-XX-RP-EC-0002).

Additional detail of mitigation and compensation measures relating to this species will be provided in the detailed Ecological Mitigation Strategy (EMS). Relevant construction stage measures will also be incorporated into the Construction Environmental Management Plan (CEMP).

The assessment methodology and criteria for assessment of the importance of ecological features, including breeding birds such as Cetti's warbler (*Cettia cetti*), are clearly set out in Chapter 7 of the ES.

Matters relating to wintering and migrating birds are addressed in my response to KCC EAS comments (see letter of response to KCC EAS and EA comments, dated 17th January 2018).

The County level importance of the Royal Military Canal (RMC) Local Wildlife Site is acknowledged in paragraphs 7.163 and 7.164 of the ES.

The ecological importance of the habitats present on the application site is also addressed in the ES. As already stated, the '*on-site maritime grassland community is of ecological importance at the Local level.*' As detailed in Technical Appendix 7.1 of the ES (Botany Report) (report ref: 3609-LLB-ZZ-XX-RP-EC-0008), the remainder of the on-site habitats comprise common and widespread vegetation communities, and are therefore of negligible ecological importance in EIA terms. The importance of the on-site habitats for important species and species groups is assessed and detailed in Chapter 7 of the ES. No ecological features present on the application site have been assessed as being of County level importance. It is therefore unclear how KWT have arrived at their conclusion of 'county value' for the application site.

Response to CPRE comments:

The comments received from CPRE are extensive but appear to focus on the following themes and points:

- The validity of the survey methodologies employed by Lloydbore during our extensive ecological survey work across the application site and the adjacent section of the RMC. Specific reference is made by CPRE to the survey methodologies employed with regards to botany (NVC survey), reptiles (presence / likely absence survey), common toad (nocturnal migration checks, and torch counts during breeding period) and invertebrates;
- The criteria used to identify important ecological features (e.g. plant species);
- The potential for presence of 'fixed sand dune' habitat on the application site;
- The lack of any survey for hedgehog (*Erinaceus europaeus*);
- The potential for the site to be of importance for wintering and migrating birds; and
- The need for inclusion of a buffer zone adjacent to the RMC.

I have responded to these broad themes and points below, in the same order summarised above.

All ecological survey work was undertaken in accordance with relevant best practice guidelines. The methodologies for, and limitations associated with, each survey are detailed in the relevant Technical Appendices of the ES. With regards to the number of Artificial Cover Objects (ACOs) used in the reptile presence / likely absence survey, it is important to note that reptile habitat is limited to the areas shown on the Survey Plan provided in Technical Appendix 7.4 of the ES (Reptile Report) (report ref: 3609-LLB-ZZ-XX-RP-Ec-0004). The number of ACOs used to survey this habitat for reptiles in fact exceeded the ACO density recommended in Froglife Advice Sheet 9. With regards to invertebrates, the survey work was conducted by a national invertebrate expert during the appropriate survey period.

The criteria used to identify important ecological features are clearly set out in Chapter 7 of the ES. The legal status and conservation status of species, and the conservation status of habitats, were used to identify important ecological features. The presence and potential amenity value of plant species such as bee orchid (*Ophrys apifera*) and pyramidal orchid (*Anacamptis pyramidalis*) is acknowledged in Technical Appendix 7.1 of the ES. However, these species are not legally protected, are not listed as 'nationally rare' or 'nationally scarce' and are therefore not considered to be *important* ecological features. Presence of these species is therefore not a material consideration in the determination of the planning application.

The likely absence of 'fixed sand dune' habitat from the works footprint of the proposed development is explained in my response to KCC EAS comments (see letter of response to KCC EAS and EA comments, dated 17th January 2018).

The practical constraints that prevented any targeted survey of the application site for hedgehog are detailed in Technical Appendix 7.6 of the ES (Mammal Report) (report ref: 3609-LLB-ZZ-XX-RP-Ec-0006). In addition, the precautionary methods of work that will need to be adopted and implemented with regards to hedgehog are set out in Technical Appendix 7.8 of the ES. Additional detail of these precautionary methods of work will be provided in the detailed EMS. Relevant construction stage measures will also be incorporated into the CEMP.

Matters relating to wintering and migrating birds are addressed in my response to KCC EAS comments (see letter of response to KCC EAS and EA comments, dated 17th January 2018).

Matters relating to the provision of a buffer between the built development / formal landscaping and the RMC are addressed in my response to EA comments (see letter of response to KCC EAS and EA comments, dated 17th January 2018).

I trust that the above provides a sufficient level of information to address the comments provided by CPRE and KWT, and to inform the decision making process.

However, should you require any additional clarification on the matters addressed, I would of course be more than happy to provide additional information or to liaise directly with SDC.

Kind regards,



Samuel Durham BSc (Hons) ACIEEM
Senior Ecologist



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33 St. George's Place, Canterbury, Kent CT1 1UT | T: 01227 464 340

59 Lambeth Walk, London, SE11 6DX | T: 02075 822 363

