



ECOLOGICAL ADVICE SERVICE

TO: Katherine Parkin
FROM: Helen Forster
DATE: 14 September 2022
SUBJECT: 20220575 Higham Marshes, Higham

The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination.

Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.

We have the following comments to make:

The planning application is within South Thames Estuary and Marshes SSSI and the Thames Estuary and Marshes SPA and Ramsar and the submitted information has detailed that the proposed of the proposed development is to address the following issues within the site:

- *Surface pools dry out, depriving wader chicks of food and habitat for other species. Existing hydrological systems are inefficient and do not provide the volume of water required to maintain wet features throughout the spring and summer, this is getting worse through climate change;*
- *The lack of infrastructure to support grazing regimes which create the optimal grass sward structure that breeding waders need;*
- *Lack of nesting habitat for waders;*

We agree with the principle of the proposed development and we can understand the reasoning for the project. From the information submitted we do acknowledge that the works are likely to benefit species found within and adjacent to the site – particularly those associated with the designated sites.

A large number of documents have been submitted as part of this application and we highlight it would have been preferable if an Ecological Impact Assessment had been submitted clearly assessing the impact the proposal will have on the designated sites, species associated with the designated sites and protected/notable species. The information submitted with this application is repetitive and very confusing for example table 6.3 in the Ecological Site Assessment Includes the following information about Grey Plover *The habitat enhancements will have a direct, long-term positive impact. It is expected that this species will resume utilising the application area during winter with a confidence level of **Unlikely**.* We presume that Grey Plovers are unlikely to utilise the site as they prefer large muddy /sandy estuaries not the type of habitat proposed to be created however it would have been preferable if the submitted information had clearly explained why it was unlikely.

We understand that NE are commenting on this application and therefore, other than stating the above, we will restrict our comments to matters not associated with designated sites.

However we highlight that ss the works are within /adjacent to the Thames Estuary and Marshes SPA and Ramsar and **if** the works have not been agreed within the management plan for the SPA and Ramsar there may be a need for a shadow HRA to be submitted with the planning application. We highlight that NE will able to provide detailed comments on this point.

We advise that Gravesham BC is the competent authority under the Conservation of Habitats and Species Regulations 2018 (the 'Habitat Regulations'), and should have regard to the habitat regulation assessment (HRA) process set out in regulation 61 of the Habitat Regulations in the determination of any planning application. Should a likely significant effect on a European/internationally/ designated site be identified, Gravesham BC may need to prepare an Appropriate Assessment.

We advise that if an HRA is required we can assist GBC on producing the documents.

Species not associated with the designated sites are present within the site (including reptiles) and there is a need to ensure that the works will not result in a negative impact on these species. A construction management plan has been submitted and it has acknowledge that reptiles are present within the site and provided a time frame for carrying out the works (vegetation management/rubble debris clearance commencing in July 2021). The dates within the report are out of date however we query if pre commencement works have already commencement within the site.

For example the we understand the main works are proposed to be carried out between September and December which includes part of the reptile hibernation period. If the vegetation/rubble clearance has not already been completed there is a risk that the works will impact reptiles. There is a need to ensure that the works are carried out following a methodology which will minimise impacts on protected/notable species within the site.

We recommend that a simple document is produced clarifying the impact the works will have on species not associated with the designated sites, clarifying what (if any) mitigation is needed and if the mitigation can be carried out within the time frame proposed for the works.

If you have any queries regarding our comments, please do not hesitate to get in touch.

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:
Various ecology documents

Gravesham Borough Council