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Your ref: Y16/0006/SCO



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BY EMAIL ONLY

Dear Paul Howson

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): REQUEST FOR A SCOPING OPINION UNDER THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011
Location: LYDD CAMP TOURNEY ROAD LYDD KENT

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 05 December 2016 which we received on the same day. **As promised please find within Annex A of our letter further information on the Scope of the EIA.**

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Nick Williams on 07920071483. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Nick Williams
Sustainable Development | Sussex and Kent

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

Annex A – Advice related to EIA Scoping Requirements

To be read in conjunction with our initial advise letter sent 20th December 2016

As promised, in our letter dated 20th December 2016, please find attached Natural England's detailed comments on the documents that accompanied the consultation above. The consultation documents were –

- Folkestone to Cliff End Schemes Lydd Ranges Preliminary Environmental Information Report (PIER) Draft – October 2016
- Environment Agency Record of Assessment of Likely Significant Effect On A European Site (Stage 2) Lydd Ranges Appendix 11.

Regular discussions are being held with EA with a view to reaching agreement on a more sustainable approach as a way to demonstrate a commitment to change on the coast. MoD is also party to these discussions.

Our detailed comments highlight some key points

- 1) Dungeness is a very unique site, it is the UK's largest shingle structure, and despite disturbance it is still the most diverse and most extensive example of stable vegetated shingle in Europe. The stable vegetated shingle behind the green wall may be protected however, SAC habitat in front will be impacted. This will affect the integrity of the site by reducing the progression of habitat change and connection with the coastal geomorphology, due to the significant constraint on coastal processes. Given its importance within the Natura 2000 Network, particular attention should be given to any impacts that affects the coastal geomorphology (**more detail on this is required**) which underpins the SAC and the degree of change to current coastal process should be limited.
- 2) Look to reduce impacts on the designated sites by limiting hard engineering and instead working with soft engineering – using shingle that allows coastal processes to continue.
- 3) Future proofing of any scheme to enable a more adaptable approach through the lifetime of the scheme and into the future.

As stated in our previous letter Natural England is in extensive pre-application discussions with the Environment Agency regarding the specific details of this proposal and the Information required for a HRA. The Environment Agency have identified in their Appendix 11 that it cannot be concluded that the proposed scheme will not have a significant effect either alone or in combination **therefore they suggest an Appropriate Assessment will be required and Natural England agrees with this assessment. As the competent authorities in this case it is for the MMO and LPA to confirm this and issue the requirement for further assessment.**