



## ECOLOGICAL ADVICE SERVICE

**FROM:** Nathan Coughlan  
**DATE:** 06 November 2017  
**SUBJECT:** The Britannia Dungeness Road / Y17/1087/SH

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*Thank you for requesting advice on this application from KCC's Ecological Advice Service. This service provides advice to planning officers to inform Shepway District Council planning decisions with regard to the potential ecological impacts. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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### **Summary**

We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided. The proposed development site is located in an area designated as a SAC, NNR and SSSI (as well as habitats of principal importance), however as the development is retaining the current habitats, we consider that the development is unlikely to have any detrimental impacts.

### **Protected Species/habitats**

We are satisfied with the conclusions of the ecological report in relation to any potential impacts that the proposed development may have on any protected species or habitats.

The development site contains 'Coastal Shingle' which is a habitat of principal importance under section 41 of the Natural Environment and Rural communities Act 2006. Paragraph 84 of the OPDM Circular 06/2005 states that: *Impacts to habitats of principal importance / BAP priority habitats are: "Capable of being a material consideration in the...making of planning decisions."* We have reviewed the submitted plans, and we are satisfied that the areas of coastal shingle are being retained. However, we advise that strong and robust protective measures are included within the Construction Environmental Management Plan (CEMP) and secured as a condition of any granted planning application to ensure that any construction activities do not negatively impact upon the habitats of principal importance.

### **Statutory Designated Sites**

The application site is within the following statutory designated sites:

- Dungeness - National Nature Reserve (NNR);

- Dungeness - Special Area of Conservation (SAC);
- Dungeness, Romeny Marsh, and Rye Bay – Site of Special Scientific Interest (SSSI);

In addition, the application site is nearby to the following statutory designated sites:

- Dungeness, Romeny Marsh, and Rye Bay – Special Protection Area (SPA)

Article 6(3) of the Habitats Directive, states that: *“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”*

In considering the site interest for the SPA and Ramsar Site, we advise that Shepway District Council, a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

In advising your authority on the requirements relating to Habitats Regulations Assessment, we advise that the proposal is not necessary for the management of the European site. Shepway District Council should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

From consulting with the provided plans, we consider that the proposed development will not have a likely significant effect upon the qualifying features of the aforementioned designated sites. The proposed development will not result in the reduction of vegetated shingle and is confined to the footprint of the existing development.

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

**Nathan Coughlan**  
**Biodiversity Officer**

This response was submitted following consideration of the following documents:  
*Phase 1 Report. Hone Ecology. Oct17.*