

Date: 4th April 2024
Ref: 21/503906/EIOUT
Site address: Land To The West Of Teynham London Road Teynham Kent

Matt Duigan
Swale Borough Council
By email only: MattDuigan@Swale.gov.uk



Kent
Wildlife Trust

Dear Matt,

RE: Application 21/503906/EIOUT | Northern Site – Outline Planning Application for the phased development of up to 97.94 hectares at Highsted Park, Land to West of Teynham, Kent, comprising of. Demolition and relocation of existing farmyard and workers cottages. Up to 1,250 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3), up to 2,200 sqm / 1 hectare of commercial floorspace (Use Class E(g)). Mixed use local centre and neighbourhood facilities including commercial, business and employment floorspace (Use Class E) non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorspace, and Public Houses (Sui Generis). Learning institutions including a primary school (Use Class F1(a)), open space, green infrastructure, woodland and community and sports provision (Use Class F2)). Highways and infrastructure works including the completion of a Northern Relief Road: Bapchild Section, and new vehicular access points to the existing network, and associated groundworks, engineering, utilities and demolition works.

SUMMARY

Kent Wildlife Trust (KWT) have provided previous comments on the above application in October 2021 and August 2023, highlighting our concerns around the negative impacts to priority habitats deciduous woodland and traditional orchard, and concerns that the majority of the proposed species mitigation is being pushed into one area, which risks isolating species from the surrounding landscape and reduces the effectiveness of the mitigation. In our previous response we also recommended beaver surveys, as the species is now widely spread across East Kent and have been added to Schedule 2 of the Conservation of Habitats and Species Regulations 2017. From reviewing the additional information provided within the application, we note that our previous concerns have not been addressed. Please ensure that KCC Ecology and Natural England are consulted regarding ecology and European designated sites.

IMPACTS TO BIODIVERSITY

Priority Habitats

There are two priority habitats within the application site: two areas of deciduous woodland (which include Tonge Mill Countryside Park) and one area of traditional orchard. It is also understood that onsite hedgerows, ponds, wet woodland, and river may also qualify as priority habitats. Priority habitats are protected under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 and require conservation action under the UK Biodiversity Action Plan (UK BAP) and protected within the National Planning Policy Framework (NPPF, 2023). Priority habitats are also protected within the Swale Borough Local Plan (adopted in 2017) under policies ST1 and DM28, which specifically references the protection of traditional orchards. As previously stated, KWT are hugely concerned over the unacceptable loss of approximately 40% of the existing hedgerows and treelines, which equates to approximately 2km of linear habitat features, plus additional removals for road and pedestrian access. These features have been described within the ecology reports as *“a valuable habitat network, providing connectivity for movement of wildlife across the site, in addition to providing a nesting and foraging resource for species such as bats, birds and invertebrates.”* The proposals will also see direct and indirect impacts to priority habitat deciduous woodland, traditional orchard and river, these impacts include *“potential encroachment into habitats and air/water pollution”*. Our previous comments regarding recreational pressures and cat predation still stand and it is disappointing to see that the applicant has not taken these concerns seriously or provided appropriate mitigation measures to reduce the impact of cat predation.

Protected Species

We have reviewed the updated Ecological Mitigation Strategy and our concerns around the mitigation still stand. It is concerning that the majority of the proposed species mitigation is being pushed into one area, Tonge Country Park, as it risks isolating species from the surrounding landscape and reduces the effectiveness of the mitigation. Mitigation measures should strengthen the network of habitats at a landscape scale, not be pushed into one small area. It is also extremely concerning how the applicant has not appropriately addressed the impacts to turtle dove, which as well as being a priority and red list species in the UK, are listed as vulnerable on the global IUCN Red List of threatened species. Turtle dove are the UK's fastest declining bird species, having declined by 98% since the 1970's and Kent holds one-third of the UK population. We note that the species have been recorded within the application site and breeding turtle dove have been recorded within woodland W2. Artificial lighting has been shown to negatively impact on migratory birds, such as turtle dove, by affecting foraging, migration, orientation and daily timing of behaviour. Likewise, the loss of high-quality foraging habitat has been shown to have an impact on turtle dove numbers. Turtle dove require arable farmland for seed foraging and as the development, along with planning application 21/503914/EIOUT, will result in the considerable loss of arable farmland we are concerned that the direct loss of turtle dove foraging habitat has not been taken into consideration. We note that cultivated strips to provide foraging opportunities for farmland birds are proposed, however turtle dove specific mitigation measures such as supplementary feeding stations should be considered.

KWT are also disappointed that our recommendations to undertake beaver surveys have not been followed. Beavers were added to Schedule 2 of the Conservation of Habitats and Species Regulations 2017 in October 2022, and are now widely spread across East Kent and should be included in all riparian mammal surveys. Therefore, it is important that surveys are undertaken by suitably licensed ecologists/experts who have experience working and surveying beavers.

BIODIVERSITY NET GAIN

Our concerns outlined within our previous responses still stand. To ensure that the biodiversity net gain (BNG) is successful and sustainable, we would want to see detailed long-term management and monitoring plans before a decision is made, to assess the suitability and delivery of the proposed BNG.

Overall, due to the unacceptable loss of 40% (>2km) of existing priority habitat hedgerows and treelines, as well as direct and indirect impacts to priority habitat and species, we feel the mitigation hierarchy has not been applied appropriately, and therefore KWT object to these developmental proposals. KWT are not convinced that the proposed development aligns with local policies within The Swale Borough Local Plan or shows enough evidence it complies with NPPF.

We hope that our comments are useful in your assessment of this application. Please do not hesitate to contact me with further queries.

Yours sincerely,

Emma Waller

Planning and Policy Officer

Kent Wildlife Trust

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