

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152
Date: 23 February 2023 12:51:00
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.png](#)

Hi [REDACTED],

This timing is fine for me. I understand Aspect have provided a clarification note as well?

Thanks,

[REDACTED]



[REDACTED]
Dover District Council
Council Offices, White Cliffs Business Park,
Whitfield, Dover CT16 3PJ

[REDACTED]
[REDACTED]

Web: dover.gov.uk

My working days are Tuesdays, Wednesdays, Thursdays and Fridays.

From: [REDACTED]
Sent: Thursday, February 23, 2023 12:24 PM
To: [REDACTED]
[REDACTED]; [REDACTED]
Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152

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Hi [REDACTED]

Thanks for your reply. Could we set up a teams call at 12.30pm on that basis? I can send round an invite if you can pass on your specialist's details, or if you are happy to forward on?

Kind regards

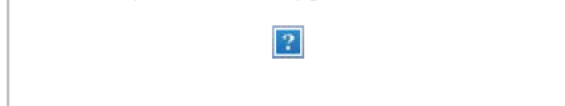
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] | e [REDACTED] [@aspect-ecology.com](mailto:[REDACTED]@aspect-ecology.com)

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From: [REDACTED] <[REDACTED]@naturalengland.org.uk>

Sent: Wednesday, February 22, 2023 8:55 PM

To: [REDACTED] <[REDACTED]@aspect-ecology.com>

Cc: [REDACTED] <[REDACTED]@naturalengland.org.uk>;

[REDACTED] <[REDACTED]@DOVER.GOV.UK>

Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152

Hi [REDACTED]

I'm afraid my specialist can't make a site visit on Monday as she already has prior commitments, however we are very happy to fit in a Teams call. Are you available anytime between 12:30 and 14:30?

Many Thanks

[REDACTED]
Science Directorate | Chief Scientist Directorate | Natural England

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From: [REDACTED] <[REDACTED]@aspect-ecology.com>

Sent: 21 February 2023 12:34

To: [REDACTED] <[REDACTED]@naturalengland.org.uk>

Cc: [REDACTED] <[REDACTED]@naturalengland.org.uk>;

[REDACTED] <[REDACTED]@DOVER.GOV.UK>

Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152

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Hi [REDACTED]

Thank you for coming back to me so quickly. We have checked with the Council and they have confirmed they are happy for us to engage with you directly (see attached correspondence). If you are available for a site meeting this would be ideal as it would allow you to see the specific habitat areas concerned, although the application is shortly going to committee so the timescales are tight (the officer's report is to be finalised by 6th March). Would you therefore be available for a meeting next Monday (27th February)? Otherwise, we could arrange for a virtual teams meeting if a site meeting is unlikely to be feasible under the timescales.

I have copied in the Council's [REDACTED], [REDACTED], as the Council is keen for her to also attend if possible.

Kind regards

[Redacted]

[Redacted] [\[Redacted\]@aspect-ecology.com](mailto:[Redacted]@aspect-ecology.com)

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From: [Redacted] [\[Redacted\]@naturalengland.org.uk](mailto:[Redacted]@naturalengland.org.uk)

Sent: 21 February 2023 08:46

To: [Redacted] [\[Redacted\]@aspect-ecology.com](mailto:[Redacted]@aspect-ecology.com)>

Cc: [Redacted] [\[Redacted\]@naturalengland.org.uk](mailto:[Redacted]@naturalengland.org.uk)>

Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152

Hi [Redacted]

Thanks for getting in touch and very happy to discuss, but would like to hear back from Dover District Council first to check they are happy with this approach.

Many Thanks

[Redacted]

Science Directorate | Chief Scientist Directorate | Natural England

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From: [Redacted] [\[Redacted\]@aspect-ecology.com](mailto:[Redacted]@aspect-ecology.com)>

Sent: 20 February 2023 14:37

To: [Redacted] [\[Redacted\]@naturalengland.org.uk](mailto:[Redacted]@naturalengland.org.uk)>

Cc: [Redacted] [\[Redacted\]@naturalengland.org.uk](mailto:[Redacted]@naturalengland.org.uk)>

Subject: Betteshanger Country Park - 22/01158 and 22/01152

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I have been passed your comments on the above planning applications made at Betteshanger Country Park, relating to impacts on the population of Lizard Orchid recorded at the site. I understand the concerns raised given the notable population present, although note that some elements of the proposed strategy are not well acknowledged (or may have been missed in the documentation), particularly in relation to avoidance and securing management of existing Lizard Orchid habitat. A distinction should also be made between the two applications, with only the surfing lagoon (20/01158) resulting in direct loss of Lizard Orchid habitat. I would therefore be keen to go through these matters in more detail, and explore any opportunities to overcome Natural England's concerns.

Please could we therefore arrange a meeting/call to discuss further?


Kind regards



| e: [\[REDACTED\]@aspect-ecology.com](mailto:[REDACTED]@aspect-ecology.com)

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From: [REDACTED]
Cc: [REDACTED]
Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152
Date: 24 February 2023 17:44:51
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[TN03 Lizard Orchid dv2 \[issue\].pdf](#)
[ECO4 - W.pdf](#)
[ECO3 - W V2.pdf](#)

Hi all

In advance of the meeting on Monday we have prepared a note with further consideration of the approach in regard to Lizard Orchid – please see attached. I appreciate you may not have time to review fully and we will go through fully at the meeting, but thought this would be helpful to inform discussions. I've also attached our habitats and Lizard Orchid survey plans which may be helpful to refer to.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]

[\[REDACTED\]@aspect-ecology.com](mailto:[REDACTED]@aspect-ecology.com)

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-----Original Appointment-----

From: [REDACTED]
Sent: Friday, February 24, 2023 10:15 AM
To: [REDACTED]
[REDACTED]
Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152

When: 27 February 2023 12:30-13:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Dear all

Further to recent correspondence, I have set up a teams meeting invite for 12.30pm on Monday. Please let me know if there any issues with this timing. [REDACTED] – please could you forward this on to your specialist?

Kind regards



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Meeting ID: 350 735 914 134

Passcode: QxnADk

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From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: RE: Betteshanger Country Park - 22/01158 and 22/01152
Date: 28 February 2023 18:09:53
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.jpg](#)

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H [REDACTED]

Was great to meet you too!

In terms of your question regarding the enhancement we discussed on our call, two important changes to legislation came into effect on 1 January 2023:

Firstly, the licensing of animal and plant species under [section 16\(3\)](#) of the Wildlife and Countryside Act 1981 changed in two key ways:

- a new 'overriding public interest' purpose became available (this is section 16(3)(j) of the 1981 Act). This allows Natural England to licence impacts that result from development activities, rather than simply licensing measures to 'conserve' a population of a species that will be harmed by actions conducted under the exception in [section 10\(3\)\(c\)](#) (the so-called 'incidental result' defence).
- two new legal tests were added (these are in section 16(3B)). These state that the licensing authority shall not issue a licence unless it is satisfied that there is no other satisfactory solution, and that the grant of a licence is not detrimental to the survival of any population of the species of animal or plant to which the licence relates.

Although these new tests are similar to the Licensing Principles used by Natural England, the introduction of legal tests strengthens and will, in some cases, increase the level of mitigation or compensation required to obtain a licence. This is because Natural England can no longer accept impacts that are expected to be detrimental to populations. To satisfy the second test, we now need to be confident that there are sufficient measures in place to address any risks of failure of mitigation and compensation. For certain species and scenarios this legal requirement may result in an increase in the level of mitigation and/or compensation expected. As context, for European Protected Species, where there are similar licensing tests in the Conservation of Habitats and Species Conservation Regulations, we commonly use risk multipliers to help set the level of mitigation or compensation. For example, for great crested newts, we usually expect a 2:1 or a 4:1 ratio of pond compensation for conventional and district level licensing approaches, respectively, to account for ecological and delivery risks.

Secondly, the biodiversity duty in [section 40](#) of the Natural Environment and Rural Communities Act 2006 was revised. This duty requires Natural England to consider how it can conserve and enhance biodiversity while exercising its functions, including species licensing. The revisions strengthen the duty in a number of ways, including more explicitly requiring authorities, like Natural England, to consider how its functions can be used to enhance biodiversity. The expectation is that licensed activities, where appropriate, enhance biodiversity. We plan to provide guidance to customers on this expectation in due course, expanding on the guidance we

expect the Government to publish on the revised duty (the current guidance is published at: [Biodiversity duty: public authority duty to have regard to conserving biodiversity - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity)).

In most cases, we anticipate that the collective effect of these changes will be to increase the expectation that applicants provide measures to conserve and enhance biodiversity, especially where the application is for a licence permitting activities that damage the natural environment.

Please note that the guidance on 'over-mitigation' referred to in your email was published in 2010. While elements of this advice remain relevant, our approach has evolved in response to the new licensing policies ([European protected species policies for mitigation licences - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/european-protected-species-policies-for-mitigation-licences)). We aim to revise guidance on licensing to reflect the recent changes to the law.

I hope this explains things more clearly, but please do come back to me if you need anything else.

Best wishes

[REDACTED]

[REDACTED]

Science Directorate | Chief Scientist Directorate | Natural England

[REDACTED]

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From: [REDACTED]@aspect-ecology.com>

Sent: 27 February 2023 15:14

To: [REDACTED]@naturalengland.org.uk>

Subject: RE: RE: Betteshanger Country Park - 22/01158 and 22/01152

H [REDACTED]

It was good to meet with you and [REDACTED] earlier today. I wonder if you could help with one point raised during the meeting, in that you would expect to see enhancement as part of any licence application. This appears to take a different position to Natural England's guidance on over mitigation for EPS licences (see attached) and I can't see any specific requirement for this under the legislation, given that licences can now be obtained for development (overriding public interest) rather than conservation purposes. Would you be able to clarify where this requirement comes from?

We are mostly used to working with the EPS licensing system, so appreciate there are differences with licences under the WCA.

Kind regards

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] [\[REDACTED\]@aspect-ecology.com](mailto:[REDACTED]@aspect-ecology.com)

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From: [REDACTED]
Sent: 24 February 2023 17:44
To: [REDACTED] [@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk) >;
[REDACTED] [@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK); [REDACTED] [@akdc.co.uk](mailto:[REDACTED]@akdc.co.uk) >
Cc: [REDACTED] [@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk) >; [REDACTED] [@quinn-estates.com](mailto:[REDACTED]@quinn-estates.com) >
Subject: RE: RE: Betteshanger Country Park - 22/01158 and 22/01152

Hi all

In advance of the meeting on Monday we have prepared a note with further consideration of the approach in regard to Lizard Orchid – please see attached. I appreciate you may not have time to review fully and we will go through fully at the meeting, but thought this would be helpful to inform discussions. I've also attached our habitats and Lizard Orchid survey plans which may be helpful to refer to.

Kind regards

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]@aspect-ecology.com

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[REDACTED]

[REDACTED]

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-----Original Appointment-----

From: [REDACTED]
Sent: Friday, February 24, 2023 10:15 AM
To: [REDACTED]@DOVER.GOV.UK; [REDACTED]
Cc: [REDACTED]
Subject: RE: Betteshanger Country Park - 22/01158 and 22/01152
When: 27 February 2023 12:30-13:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.
Where: Microsoft Teams Meeting

Dear all

Further to recent correspondence, I have set up a teams meeting invite for 12.30pm on Monday. Please let me know if there any issues with this timing. [REDACTED] please could you forward this on to your specialist?

Kind regards

[REDACTED]

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From: [REDACTED]
To: [REDACTED]
Subject: Betteshanger Seahive 22/01158
Date: 10 March 2023 11:21:10
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)

Hi [REDACTED]

I've just tried giving you a call in regard to the above application. Thank you for your detailed response on this – I appreciate there are numerous matters for us to address, although very helpful to have clear comments to work through.

I was hoping to run through with you our proposed approach to address the matters raised, as conscious that timescales are limited before the next committee date. Would you be available to have a quick call on this?

Many of your comments relate to the limited detail on the habitat compensation measures, so we are looking to produce an outline habitat compensation strategy, setting out further detail on the offsite enhancement areas (in terms of existing habitats/conditions), opportunities for enhancement, an outline of proposed management activities and how this would be secured. This can also cover further consideration of suitability for reptiles, covering your comments on the proposed reptile translocation.

We would also look to provide updates to the visitor management strategy, covering the comments raised on this document.

In regard to Lizard Orchid, I'm assuming your comments did not take account of the latest issue of our Lizard Orchid technical note (issued on 2 March)? This includes further detail on suitability of receptor sites, proposed methodology etc. Are you happy to review the information in this format, or would you prefer a separate outline method statement to be submitted?

A range of other matters also require further information or clarification. Would you prefer a separate technical note covering off these matters, or updates to the Ecological Appraisal report so that this provides a full assessment? We can provide a summary of changes made following this latter approach.

If you could give me a quick call back to discuss the above, that would be much appreciated. We are hoping to get updated documents together by the end of next week, which should allow you 1-2 weeks to review before the committee report is to be finalised.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]

[\[REDACTED\]@aspect-ecology.com](mailto:[REDACTED]@aspect-ecology.com)

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From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: FW: 22/01158 - NE Consultation Response
Date: 22 March 2023 12:42:53
Attachments: [Picture \(Device Independent Bitmap\) 1.jpg](#)
[image001.jpg](#)
[image002.png](#)
[image003.png](#)

Hi [REDACTED]

Thank you for passing on [REDACTED] latest response. Their continued concern is noted however they appear to be less strident than in their earlier response which concluded significant harm based on what they perceive to be a lack of evidence to support the proposed translocation. It is also helpful that they have clarified that their concerns do not relate to the hotel application 22/01152.

It seems to me that Natural England are in this instance going outside their usual remit and input and duplicating the role of the Council Ecologist. These comments as you know are coming from the Science Directorate at NE which is an atypical way for NE to engage in a planning application consultation and from speaking to the NE officers it was quite clear they do not usually get involved in the planning process. Indeed their planning consultations team have responded to each consultation period (on 20th October 2022 and 8th February 2023) with standing advice and no further comment on both applications. NE raise some valid concerns which I know [REDACTED] shares and on which we have provided further evidence to support our proposal, but they are also playing catch up and not in our opinion reviewing the information to the same level of detail as is being done by DDC. This is clear by [REDACTED] lack of engagement with the majority of the response we sent in an attempt to address their concerns, particularly the geotech evidence and details of the homogenous colliery shale and topsoil substrate in our proposed receptor site for Lizard Orchid (OEA2), which supports its suitability. All of this is also covered in the Lizard Orchid Method Statement which was sent as part of the pack on Monday for [REDACTED] further consideration.

In terms of NE's criticism of the survey method, it seems logical that the key is consistency of survey approach as any under or overestimation of Lizard Orchid population directly impacted by the proposed surf facility would also be applicable to the LO numbers in the areas of the park which will be put into long-term management, so the proportionality of impact remains unchanged.

We have provided further information to DDC that responds to the detailed comments from NE and [REDACTED] however we are not engaging directly with NE further. Are you able to advise whether DDC are in discussion with NE, particularly in relation to the context and remit within which their comments are made and why they are commenting on matters for DDC?

It seems relevant to me that this isn't about giving NE absolute certainty of the success of the Lizard Orchid translocation, particularly at this stage with further detail to be provided under

the licence application. What we have been trying to do which seems more appropriate at the planning application stage is provide as much evidence as possible to support our confidence that the translocation can be successful but more importantly that DDC can secure a legally binding framework so that the translocation is carried out under NE licence and also monitored to ensure that remedial measures are triggered based on the monitoring findings for all or part of the receptor site. We have sought to bring forward a comprehensive strategy to support the future growth of the Lizard Orchid population at Betteshanger Country Park which isn't solely reliant on the translocation effort, with every indication that ecological management of areas in the south of the park (OEA1) could offset the Lizard Orchid numbers directly affected by development by addressing signs of habitat degradation. This would sit alongside management of other areas (OEA3) bringing the Lizard Orchid population of the country park into long term management, which currently isn't secured, and the best practice approach to translocation under NE licence.

Comments from [REDACTED], our lead ecologist, on this latest letter from NE are below:

It's a frustrating response that doesn't seem to engage with the further information we sent them - notably no discussion of whether the geotech/habitat information is sufficient to suggest that receptor habitats will be suitable.

Re the survey approach based on counting flowering spikes, this surely allows for a reasonable assessment of the proportion of population affected, and relative densities. If we had looked to undertake a winter survey based on basal leaves, I'm sure this would have been criticised on the basis that these could not be accurately identified over a large area.

We have included remedial measures to help address uncertainty, whereas this is seen as an acknowledgment of the risk.

The response also indicates that we cannot attribute management of areas to benefit Lizard Orchid when areas are also to be used for reptiles. This is not due to conflicting management - it more seems to be an argument of additionality which seems very spurious. I've never had this flagged in relation to other protected species - i.e. not able to combine a receptor site for both newts and reptiles.

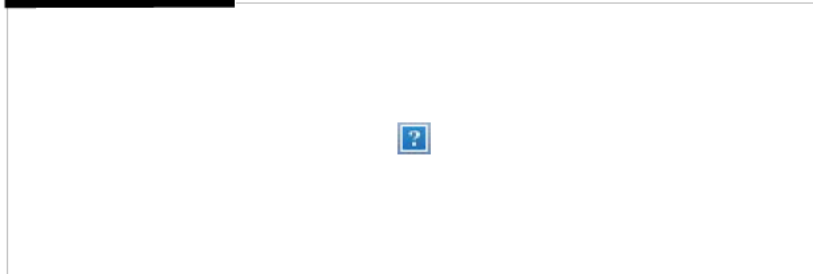
Whether securing enhancements to retained areas is sufficient to offset impacts is the crux of it. This does not appear to be dismissed by NE in actual population benefit terms - more whether we can attribute actions that would be required for other aspects (e.g. BNG or reptile mitigation) for Lizard Orchid mitigation.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]



On Mon, 20 Mar 2023 at 17:31, [REDACTED] <[\[REDACTED\]@nexusplanning.co.uk](mailto:[REDACTED]@nexusplanning.co.uk)> wrote:

Hi [REDACTED]

Please find a further response from NE on the impact of the wave pool scheme on the population of lizard orchids – retaining its substantial objection to that development.

I have seen (but not read yet) your further ecology package.

It would be helpful to have a quick conversation in connection.

Thanks

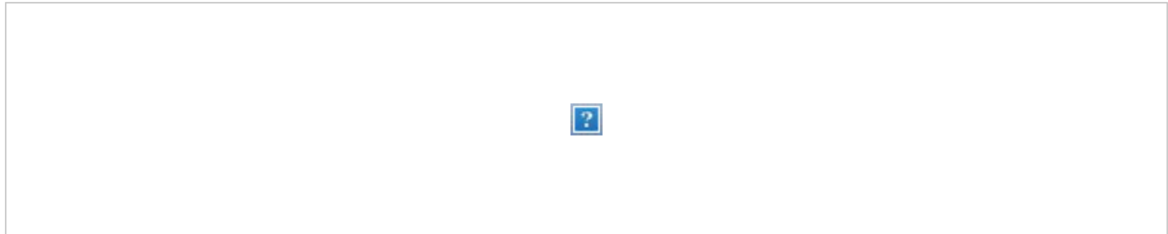
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [@nexusplanning.co.uk](mailto:[REDACTED]@nexusplanning.co.uk)



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nexusplanning.co.uk



From: SM-Defra-Plan Cons Area Team (Sussex and Kent) (NE)

<PlanConsAreaTeamSussexandKent@defra.gov.uk>

Sent: 20 March 2023 16:30

To: [REDACTED] [@nexusplanning.co.uk](mailto:[REDACTED]@nexusplanning.co.uk); [REDACTED]

[REDACTED] [@DOVER.GOV.UK](mailto:[REDACTED]@DOVER.GOV.UK)>

Cc: [REDACTED] [@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk)>

Subject: 22/01158 - NE Consultation Response

Our ref: 419631

Your ref: 22/01158

Dear [REDACTED],

Thank you for consulting Natural England regarding this proposal. Please find attached our full comments in response.

Yours sincerely,

Sustainable Development Team

Area Team 14 - Sussex & Kent

Natural England

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.



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Hotel and Spa – Summary of key ecology issues and proposed mitigation and compensation measures

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
Fiery Clearwing moth. Loss of small areas of vegetation supporting Fiery Clearwing eggs at the margins of the overflow car park area (recorded to support 34 eggs).	<p>Importance of Fiery Clearwing population supported by the country park is uncertain – the species was previously recorded to have a very restricted distribution, although has recently been recorded from numerous sites across Kent, likely a result of targeted survey effort by Butterfly Conservation, albeit may reflect climate change. Egg counts across the country park are comparable to other sites within the county (see further detail at Annex A). Accordingly, based on available evidence, the population supported by the country park is likely to be of importance at the county scale.</p> <p>The site itself supports limited habitat and is likely used on more of an</p>	<p>Translocation of Docks within areas recorded to support Fiery Clearwing is proposed to a dedicated receptor area within the country park.</p> <p>There is a lack of research and experience in translocating this species, with only one known mitigation attempt (Neatscourt Marshes) which failed due to encroachment of Docks by vigorous tall herbs (albeit this appeared to be due to inappropriate substrate and lack of management rather than the Docks failing to establish). Accordingly, Natural England's view is that there is low certainty of success.</p>	<p>Docks are also to be seeded within the receptor area, and ongoing management of the receptor area will be secured to maintain suitable habitat for Fiery Clearwing moth. This would prevent decline through habitat succession.</p> <p>Some uncertainty regarding whether Fiery Clearwing would successfully colonise new habitat areas.</p>	<p>Prior to mitigation/compensation, it is unlikely that a significant effect would occur.</p> <p>Nonetheless, the proposed mitigation and compensation measures would provide a receptor area of 0.17ha, (relative to the total 0.2ha of existing sparsely vegetated/ruderal vegetation supporting occasional Docks), to be maintained for this species in the long-term. This would ensure that opportunities for the moth are maintained, if not enhanced under the proposals.</p>	<p>Given a significant effect is unlikely prior to mitigation/compensation, the effectiveness of such measures is less relevant to the NPPF test, although consideration needs to be given to whether Natural England would grant a licence for the proposed development, on the basis that favourable conservation status can be maintained.</p> <p>Whilst translocation of Docks supporting Fiery Clearwing eggs is not an established approach, there are numerous studies of translocation of other butterfly and moth species, many of which have demonstrated success¹. In this instance, translocation is only over very short distances, such that moths would remain part of the same metapopulation, whilst Docks are a very common, widespread plant and can be readily established within a year.</p> <p>There is clear evidence that Fiery Clearwing has colonised new habitat areas within the country park, with eggs recorded in 2023 on Docks within newly established OMH areas (only created in 2022), whilst the area to be lost supporting the main population concentration appears only recently established (see Annex A). Accordingly, there is a reasonable likelihood that new populations of Fiery Clearwing would</p>

¹ A comprehensive review is provided by Bladon et al. (2023) *Butterfly and Moth Conservation: Global evidence for the effects of interventions for butterflies and moths* (available at <https://www.conservationevidence.com/synopsis/pdf/37>). Gardiner et al. (2016) *Introductions of two insect species threatened by sea-level rise in Essex, United Kingdom*, International Zoo Yearbook Vol 51, Issue 1 (available at <https://zslpublications.onlinelibrary.wiley.com/doi/abs/10.1111/izy.12148>) also notes the successful colonisation of 20 out of 27 new habitat areas by Fisher's Estuarine Moth, a species with similar larval habits to Fiery Clearwing moth.

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
	opportunistic basis rather than supporting important Fiery Clearwing habitat. Accordingly, habitat losses under this proposal are <u>unlikely</u> to result in a significant effect on the local population status of Fiery Clearwing moth, albeit consideration of licensing is required.				<p>establish if suitable areas of Docks are created, even if initial translocation is unsuccessful. Given that the site currently supports only limited habitat and use is likely to be opportunistic, creation of dedicated habitat to be maintained in the long-term would likely provide an overall benefit.</p> <p>To further address uncertainty, creation of new areas of Dock habitat could be created in advance of habitat losses, to be monitored to show evidence of colonisation by the moth before habitat losses occur. This could likely be demonstrated within 1-2 seasons following habitat creation. Alternative approaches could also be investigated including collection and relocation of eggs and/or captive breeding and release of moths (similar to the approach taken for Fisher's Estuarine Moth). Given a licence will be required for works, this provides the necessary certainty at this stage that development could not proceed post-consent until Natural England is satisfied that conservation status would be maintained.</p>
Other invertebrates. Loss of small areas of ruderal vegetation, sparsely vegetated habitats and scrub margins, providing opportunities for other invertebrate species.	The country park as a whole supports a notable invertebrate assemblage, although given the limited habitats present, the development area itself is considered unlikely to support an important invertebrate assemblage (albeit some	No specific mitigation measures proposed.	Landscaped areas within the proposed development will be designed to provide some opportunities for invertebrates, with provision of a green roof, inclusion of plants for pollinators and	<p>Prior to mitigation/compensation, it is unlikely that a significant effect would occur.</p> <p>Nonetheless, the proposed compensation measures would provide a range of invertebrate</p>	<p>Uncertainties have been raised in relation to the evaluation of the invertebrate assemblage (and requirement for additional surveys), addressed within the 'Additional Review of Invertebrates and Fungi' report, with additional clarification at Section 4 below.</p> <p>On the basis that an important assemblage is unlikely to be present and a significant effect would not occur, it is not necessary to</p>

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
	<p>notable species may be present dispersing from core habitat areas or making opportunistic use of habitats present).</p> <p>Accordingly, the proposed development is <u>unlikely</u> to result in a significant effect on other invertebrates.</p> <p>Further discussion of the evaluation of the site for invertebrates is set out within the 'Additional Review of Invertebrates and Fungi' report, with additional clarification at Section 4 below.</p>		<p>features such as bee bricks and habitat piles.</p> <p>The Fiery Clearwing receptor area (measuring 0.17ha), although to be specifically managed for this species, will provide sparsely vegetated habitat of benefit to other invertebrate species.</p>	habitats. This should ensure that opportunities for invertebrates are maintained, if not enhanced under the proposals.	demonstrate certainty of mitigation/compensation measures, albeit provision of replacement invertebrate habitats would be based on the substantial evidence base available documenting successful OMH/brownfield establishment and management.
<p>Turtle Dove.</p> <p>Disturbance to existing population and mitigation areas implemented under application 20/00419 from increased visitor numbers.</p>	<p>2021 surveys recorded 2 Turtle Dove territories within the country park, whilst mitigation areas are proposed to support an additional 1-2 territories.</p> <p>On this basis, the expected Turtle Dove population within the country park (following mitigation under 20/00419) is</p>	<p>Visitor management is proposed as set out in the Outline Visitor Management and Turtle Dove Strategy, to include stockproof fencing and other measures to discourage access to restricted access areas, together with access management and wardening across the country park.</p>	<p>A new feeding location and pond creation away from the core visitor area is proposed to supplement existing mitigation measures.</p> <p>Further habitat measures will also be introduced in land immediately to the east of the country park, likely</p>	<p>Subject to effectiveness of the visitor management measures and additional habitat measures, the existing Turtle Dove territories and anticipated uplift in population following mitigation under 20/00419 would be maintained, such that there would be no residual effect of significance.</p>	<p>The visitor management strategy has been revised in response to consultation comments to expand the restricted access area and include stockproof fencing to strengthen the mitigation approach. Following this, the vast majority of the mitigation area under application 20/00419 is to be fenced off, strengthening the protection of these areas from visitor pressure.</p> <p>Turtle Dove compensatory habitat is based on established measures set out by Operation Turtle Dove, developed on the basis of previous management works and monitoring results. Accordingly, there is reasonable certainty that</p>

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
	<p>considered to be of importance at a local to district level.</p> <p>Disturbance could result in failure of the mitigation and possible further loss of territories which would constitute a significant negative effect at the local to district scale.</p>	<p>There is uncertainty regarding levels of visitor pressure that would be experienced outside of the core visitor areas, together with the effectiveness of access management measures (albeit stockproof fencing is likely to deter the majority of access).</p>	<p>providing habitat for 1-2 territories once established.</p> <p>Turtle Dove measures will also be implemented at Hammill Field, located 6km to the north-west of the country park, likely providing habitat for a further 1-2 territories once established.</p>	<p>The Hammill Field measures would deliver a further population increase.</p>	<p>appropriately designed and managed compensation measures would be effective.</p> <p>A programme of monitoring would be undertaken as part of the long-term management, allowing for adaptive management in regard to visitors and remedial measures for Turtle Dove, to include expansion of supplementary feeding and additional offsite measures.</p> <p>The Hammill Field measures provide further reassurance regarding the wider population status of Turtle Dove, ensuring overall populations can be maintained even if measures within the country park are not initially fully effective.</p> <p>To provide further certainty regarding the approach, a financial contribution could be secured by S106 legal agreement, to be given to Operation Turtle Dove or another relevant body to provide offsite measures if initial monitoring shows that mitigation/ compensation has been ineffective.</p>

Seahive – Summary of key ecology issues and proposed mitigation and compensation measures

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
Lizard Orchid. Loss of 621 flowering spikes forming 10-15% of total Lizard Orchid population supported by country park.	The Lizard Orchid population supported by the country park is considered to be of importance at a regional to national level. Therefore, loss of 10-15% of the population would likely constitute a significant negative effect at the regional to national scale.	<p>Translocation of Lizard Orchid plants affected by development is proposed to receptor areas within OEA2.</p> <p>Receptor areas have been subject to soil testing confirming suitable pH conditions (with further targeted testing to increase resolution prior to translocation), but there is a lack of research and experience in translocating this species. Orchids generally are known to be more difficult to translocate. Accordingly, Natural England's view is that there is low certainty of success.</p>	<p>Management will be secured within OEA1 (5.31ha) and OEA3 (6.24ha) including scrub management and restoration of former OMH. This will create suitable conditions for Lizard Orchid expansion and prevent decline through scrub encroachment, securing the long-term future of the population¹.</p> <p>There is a clear risk to the Lizard Orchid population from scrub encroachment, although some uncertainty regarding how the species would respond to habitat restoration and whether scrub can be effectively managed.</p>	<p>The proposed compensation measures alone are predicted to allow an increase in the Lizard Orchid population sufficient to ensure no overall population loss, accounting for risk factors and time lag.</p> <p>Therefore, subject to effectiveness of the proposed mitigation and compensation measures, there would be no residual effect of significance.</p>	<p>Combined translocation and habitat management measures are proposed, such that even if translocation is fully ineffective, habitat management (to be secured by planning conditions and S106 obligations) would ensure no overall population loss.</p> <p>Predictions of population increase resulting from habitat management measures take account of risk factors and time lag to address uncertainty.</p> <p>Adaptive management linked to monitoring will be secured (in line with the CIEEM EclA guidance set out at section 2.1.3 above), with the option of remedial measures including seed collection/sowing and offsite propagation of plants if monitoring indicates that translocation has been unsuccessful.</p> <p>To further address uncertainty, an extended timescale for implementation of planning could be agreed (up to 5 years), allowing for ongoing population surveys and monitoring of initial habitat management works and/or a trial translocation to inform a Natural England licence.</p> <p>Given the translocation exercise would be subject to a separate approvals process through the Natural England licensing regime, whilst planning conditions can be utilised to ensure that the Lizard Orchid population is maintained as a minimum, this</p>

¹ As noted above at Section 2 and within the 'Note on Legal Issues', the absence of management can be given weight under the planning decision.

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
					provides the necessary certainty at this stage that that development could not proceed post-consent until Natural England is satisfied that conservation status would be maintained.
Fiery Clearwing moth. Loss of species-poor rank grassland area with concentration of Docks, appearing to form one of the main population concentrations of this species within the country park (albeit only recently established – see Annex A). Small losses of Dock habitat elsewhere within development site.	Importance of Fiery Clearwing population supported by site is uncertain – the species was previously recorded to have a very restricted distribution, although has recently been recorded from numerous sites across Kent, likely a result of targeted survey effort by Butterfly Conservation, albeit may reflect climate change. The area supporting the main population concentration also appears only	Translocation of Docks within areas recorded to support Fiery Clearwing is proposed to a dedicated receptor area within the country park. There is a lack of research and experience in translocating this species, with only one known mitigation attempt (Neatscourt Marshes) which failed due to encroachment of Docks by vigorous tall herbs (albeit this appeared to be due to inappropriate substrate and lack of management rather than the Docks failing to establish). Accordingly, Natural	Docks are also to be seeded within the receptor area and other suitable habitat areas, and ongoing management will be secured to maintain suitable habitat for Fiery Clearwing moth. This would prevent decline through habitat succession. Some uncertainty regarding whether Fiery Clearwing would successfully colonise new habitat areas.	The proposed mitigation and compensation measures would provide an equivalent area of Docks to that lost under the proposals (a 0.25ha receptor area relative to 0.17ha supporting the main concentration of Dock plants), whilst also securing the long-term maintenance of suitable Fiery Clearwing habitat (which may otherwise be lost through habitat succession). Therefore, subject to effectiveness of the proposed mitigation and compensation measures, there would be no residual effect of significance.	Whilst translocation of Docks supporting Fiery Clearwing eggs is not an established approach, there are numerous studies of translocation of other butterfly and moth species, many of which have demonstrated success ² . In this instance, translocation is only over very short distances, such that moths would remain part of the same metapopulation, whilst Docks are a very common, widespread plant and can be readily established within a year. There is clear evidence that Fiery Clearwing has colonised new habitat areas within the country park, with eggs recorded in 2023 on Docks within newly established OMH areas (only created in 2022), whilst the area to be lost supporting the main population concentration appears only recently established (see Annex A). Accordingly, there is a reasonable likelihood that new populations of Fiery Clearwing would establish if suitable areas of Docks are created, even if initial translocation is unsuccessful. To further address uncertainty, creation of new areas of Dock habitat could be created in advance of habitat losses, to be monitored to show evidence

² A comprehensive review is provided by Bladon et al. (2023) *Butterfly and Moth Conservation: Global evidence for the effects of interventions for butterflies and moths* (available at <https://www.conservationevidence.com/synopsis/pdf/37>). Gardiner et al. (2016) *Introductions of two insect species threatened by sea-level rise in Essex, United Kingdom*, International Zoo Yearbook Vol 51, Issue 1 (available at <https://zslpublications.onlinelibrary.wiley.com/doi/abs/10.1111/izy.12148>) also notes the successful colonisation of 20 out of 27 new habitat areas by Fisher's Estuarine Moth, a species with similar larval habits to Fiery Clearwing moth.

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
	<p>recently established, and egg counts are comparable to other sites within the county (see further detail at Annex A).</p> <p>Based on available evidence, habitat losses are likely to constitute a significant negative effect at the county scale.</p>	England's view is that there is low certainty of success.			of colonisation by the moth before habitat losses occur. This could likely be demonstrated within 1-2 seasons following habitat creation. Alternative approaches could also be investigated including collection and relocation of eggs and/or captive breeding and release of moths (similar to the approach taken for Fisher's Estuarine Moth). Given a licence will be required for works, this provides the necessary certainty at this stage that development could not proceed post-consent until Natural England is satisfied that conservation status would be maintained.
Open mosaic habitat (OMH), other notable plants and important invertebrate assemblage. Loss of 2.75ha of OMH, together with 1ha of moderately species-rich grassland and 0.75ha of mixed scrub.	OMH resource and associated invertebrate population within country park considered to be of importance at a district to county level. Therefore, loss of habitats within the site would constitute a significant negative effect within at least a district context.	Translocation of some substrate and seedbank from existing OMH areas is proposed, although would not address significant harm alone.	<p>Landscaped areas within the proposed development will be designed to provide brownfield habitat, replicating OMH (2.28ha).</p> <p>Within the offsite enhancement areas (as detailed under the Outline Habitat Compensation Strategy), 2.16ha of OMH to be restored together with 3.15ha of OMH enhancement within OEA1, and 4.275ha of</p>	<p>The proposed habitat creation, restoration and enhancement measures deliver an overall biodiversity net gain of 12.98% as quantified by the Biodiversity Metric (v3.1). Accordingly, habitat losses are fully offset and sufficient habitat is provided to maintain invertebrate and plant populations.</p> <p>Therefore, subject to effectiveness of the proposed mitigation and compensation measures,</p>	<p>OMH is by its very nature man made and often temporal in nature. Its value largely derives from structural heterogeneity which can be readily be achieved with appropriate management under relatively short timescales (as reflected by the risk factors assigned under the Biodiversity Metric). A substantial evidence base is available documenting successful OMH establishment and management, with numerous case studies referenced in TN08 and TN16. Accordingly, there is reasonable certainty that appropriately designed and managed compensation measures would be effective.</p> <p>Habitat losses and gains have been quantified using the Biodiversity Metric (v3.1) which includes risk factors to account for uncertainty.</p>

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
			<p>grassland enhancement and 1.89ha of scrub enhancement within OEA2.</p> <p>These areas combined are far larger than the 2.75ha of OMH to be lost as a result of the development.</p> <p>Uncertainty has been raised whether OMH can successfully be created and maintained to provide the necessary habitat resource, particularly within the development site itself.</p>	there would be no residual effect of significance.	<p>A precautionary approach was taken to baseline OMH condition assessment under the v3.1 metric guidance (discounting criterion 4a relating to pools required to achieve good condition)³.</p> <p>The current Biodiversity Metric set out within the Outline Habitat Compensation Strategy does not include any gains to be achieved by securing management of OEA3. An alternative metric version has been produced (see attached at Annex B) taking account of these benefits which fully removes OMH creation from within the development site itself whilst still delivering at least 10% net gain, addressing a key concern raised by the Senior Natural Environment Officer (SNEO).</p> <p>A programme of specific habitat and faunal monitoring would be undertaken as part of the long-term management of habitats, allowing for adaptive management to ensure successful establishment and maintenance of OMH.</p>
<p>Turtle Dove.</p> <p>Disturbance to existing population and mitigation areas implemented under application 20/00419 from increased visitor numbers.</p>	<p>2021 surveys recorded 2 Turtle Dove territories within the country park, whilst mitigation areas are proposed to support an additional 1-2 territories.</p>	<p>Visitor management is proposed as set out in the Outline Visitor Management and Turtle Dove Strategy, to include stockproof fencing and other measures to discourage access to restricted access areas, together with</p>	<p>A new feeding location and pond creation away from the core visitor area is proposed to supplement existing mitigation measures.</p> <p>Turtle Dove measures will also be implemented at Hammill Field, located 6km to the north-west of</p>	<p>Subject to effectiveness of the visitor management measures and additional feeding location/pond, the existing Turtle Dove territories and anticipated uplift in population following mitigation under 20/00419 would be maintained, such that there would be no</p>	<p>The visitor management strategy has been revised in response to consultation comments to expand the restricted access area and include stockproof fencing to strengthen the mitigation approach. Following this, the vast majority of the mitigation area under application 20/00419 is to be fenced off, strengthening the protection of these areas from visitor pressure.</p> <p>Turtle Dove compensatory habitat is based on established measures set out by Operation Turtle</p>

³ Albeit this requirement is now removed under the new Statutory Metric version.

Impact	Assessment of significance	Mitigation	Compensation	Residual effect	How is uncertainty addressed?
	<p>On this basis, the expected Turtle Dove population within the country park (following mitigation under 20/00419) is considered to be of importance at a local to district level.</p> <p>Disturbance could result in failure of the mitigation and possible further loss of territories which would constitute a significant negative effect at the local to district scale.</p>	<p>access management and wardening across the country park.</p> <p>There is uncertainty regarding levels of visitor pressure that would be experienced outside of the core visitor areas, together with the effectiveness of access management measures (albeit stockproof fencing is likely to deter the majority of access).</p>	<p>the country park, likely providing habitat for 1-2 territories once established.</p> <p>Further enhancements within OEA1, OEA2 and OEA3 (covering 19.73ha), whilst not specifically targeted at Turtle Dove, should also provide benefits in terms of a nesting and foraging resource and secure the long-term management of these areas for ecology.</p>	<p>residual effect of significance.</p> <p>The Hammill Field measures would deliver a further population increase.</p>	<p>Dove, developed on the basis of previous management works and monitoring results. Accordingly, there is reasonable certainty that appropriately designed and managed compensation measures would be effective.</p> <p>A programme of monitoring would be undertaken as part of the long-term management, allowing for adaptive management in regard to visitors and remedial measures for Turtle Dove, to include expansion of supplementary feeding and additional offsite measures.</p> <p>The Hammill Field measures provide further reassurance regarding the wider population status of Turtle Dove, ensuring overall populations can be maintained even if measures within the country park are not initially fully effective.</p> <p>To provide further certainty regarding the approach, a financial contribution could be secured by S106 legal agreement, to be given to Operation Turtle Dove or another relevant body to provide offsite measures if initial monitoring shows that mitigation/ compensation has been ineffective.</p>

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Betteshanger
Date: 15 January 2024 16:11:58

You don't often get email from [REDACTED]@akdc.co.uk. [Learn why this is important](#)

Hi [REDACTED]

I hope you are all well and thank you again for your time on Friday.

Following on from the discussion, please find attached the mitigation and compensation tables for each application, which may be useful in looking at the mechanisms for how this could be secured through planning conditions and S.106 clauses.

As discussed, we will send across a new note on Fiery Clearwing to confirm the priority given to seeding, following the suggestion of Natural England, and we'll also look further into how a contribution to Operation Turtle Dove as potential remediation triggered by monitoring might be quantified.

I expect we should be able to send notes over to you on the two matters above later this week.

Thank you.

Kind regards

[REDACTED]

[REDACTED]



Technical Note 20

Project: Betteshanger Country Park (6535)

Planning Ref: 22/01158 and 23/01095

Date: January 2024

Confirmation of Proposed Mitigation/ Compensation Approach for Fiery Clearwing

1 Introduction

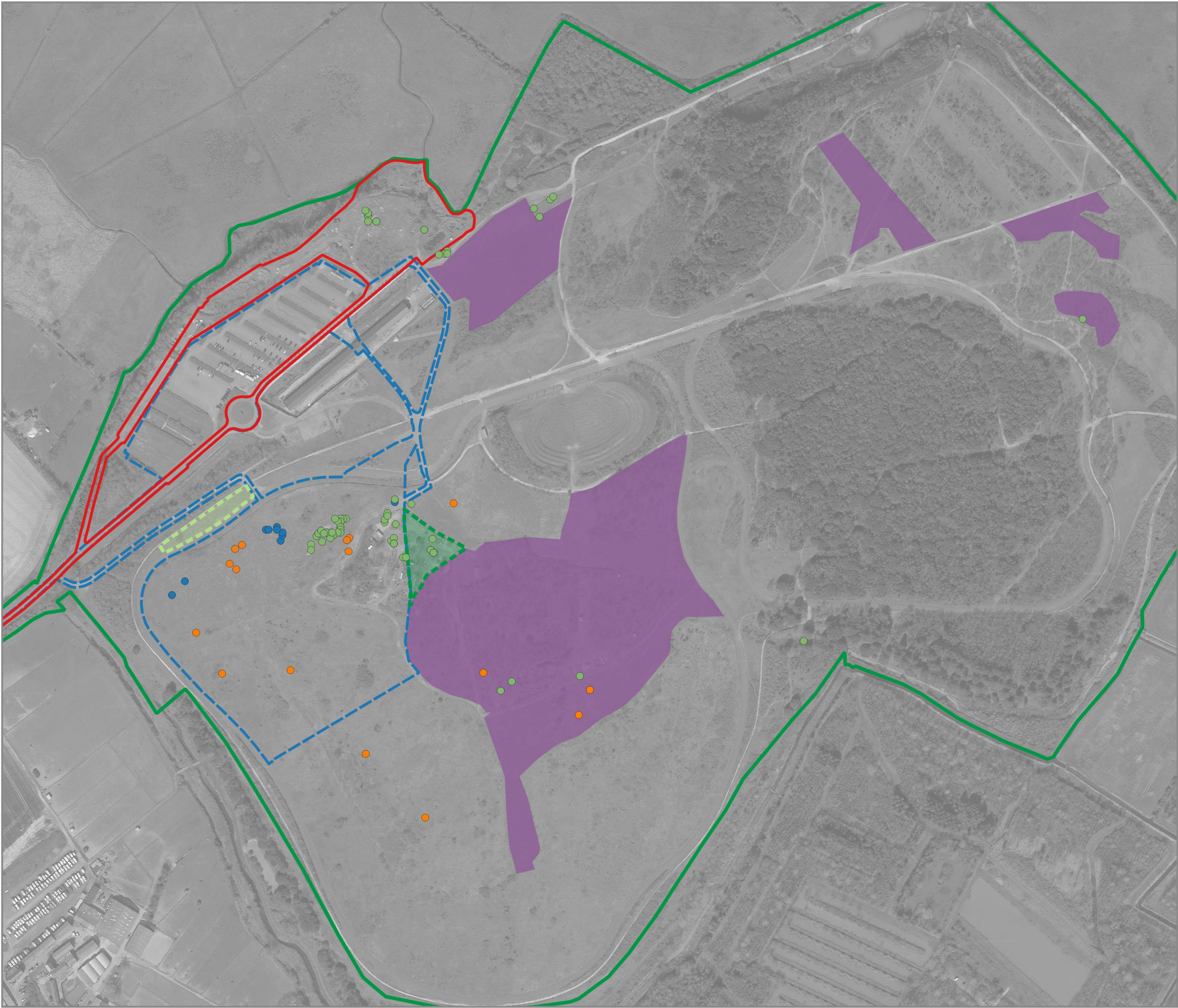
- 1.1.1 Aspect Ecology is acting on behalf of SeaHive and Betteshanger Country Park in regard to proposed developments at Betteshanger Country Park near to Deal, Kent.
- 1.1.2 Two planning applications have been submitted at the country park, for a surfing lagoon, holiday pods and associated facilities (referred to as 'The Seahive, Betteshanger', application ref: 22/01158) and a hotel and spa (application ref: 23/01095).
- 1.1.3 The protected species Fiery Clearwing *Pryopterón chrysidiformis* moth has been recorded at both sites, with further discussion set out in the reports entitled 'Assessment of Scarce Moth Species' (August 2023) and 'Additional Review of Invertebrates and Fungi' (October 2023) for the Seahive and hotel/spa applications.
- 1.1.4 Following comments from Natural England in regard to this species, this note provides confirmation of the proposed mitigation/compensation approach to be implemented under both applications.

2 Proposed Mitigation/Compensation Approach

- 2.1.1 Under the submitted documents, the main approach to mitigation/compensation for Fiery Clearwing is set out as translocation of larval foodplants (Docks) to an offsite receptor area, carried out under a development licence from Natural England. The two proposed receptor areas for the Seahive and hotel/spa developments are shown on the attached Plan 6535/FC2.
- 2.1.2 In consultation responses dated 20 September and 1 November 2023, Natural England has raised concerns that this approach relies on translocation techniques which are not supported by established research and methodologies. As an alternative, Natural England suggests that compensation areas could be seeded with Docks for Fiery Clearwing to colonise. This would allow successful colonisation of new habitat areas to be demonstrated before Dock plants are destroyed/translocated, and ensure that the relevant licensing test can be met.
- 2.1.3 Accordingly, it is proposed that this approach will be followed for both schemes. This will involve the following:
 - A proportion of the receptor areas will be prepared for seeding (to involve stripping of existing vegetation if required) followed by sowing of Curled Dock and Common Sorrel seed. The remaining area will be retained to allow for subsequent translocation of Docks (see below);

- Areas will then be managed to encourage proliferation of Docks across the seeded area, including hand weeding of other vigorous vegetation growth as required during initial establishment. The non-seeded areas will be maintained to allow for subsequent translocation of Docks (see below);
- Receptor areas will be monitored to confirm that Dock establishment has been successful, and if areas have been colonised by Fiery Clearwing (to be confirmed by egg searches of vegetation). Given rapid colonisation of new habitat areas has been recorded elsewhere within the country park, and proximity of receptor areas to existing Fiery Clearwing populations, it is considered that such areas should be readily colonised within 1-2 years;
- Subject to monitoring demonstrating successful colonisation by Fiery Clearwing, translocation of Docks from the development area will then be undertaken under a Natural England development licence, to the unseeded parts of the receptor area. This will follow the approach currently set out under the submitted documents.

2.1.4 Based on the above approach, successful colonisation of receptor areas can be demonstrated prior to removal/translocation of larval foodplants, addressing the uncertainties raised by Natural England and ensuring that the relevant licensing test can be met.



Key:

- Betteshanger Country Park
- Hotel and Spa Application Boundary
- Seahive Application Boundary
- Mitigation/Habitat Creation Areas Under Planning Application 20/00419

Fiery Clearwing Moth Egg Locations

- Friends of Betteshanger Survey (July/August 2023)
- Aspect Ecology Survey (July 2023)
- Butterfly Conservation Survey (June 2023)
- Proposed Translocation Area for Hotel and Spa Application
- Proposed Translocation Area for Seahive Application

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Betteshanger Hotel and Spa	PROJECT
Fiery Clearwing Moth Survey Results and Proposed Translocation Area	TITLE
6535/FC2	DRAWING NO.
A/DM	REV
September 2023	DATE



Technical Note 21

Project: Betteshanger Country Park (6535)

Planning Ref: 22/01158 and 23/01095

Date: January 2024

Indicative Costings for Offsite Turtle Dove Mitigation

1 Introduction

- 1.1.1 Aspect Ecology is acting on behalf of SeaHive and Betteshanger Country Park in regard to proposed developments at Betteshanger Country Park near to Deal, Kent.
- 1.1.2 Two planning applications have been submitted at the country park, for a surfing lagoon, holiday pods and associated facilities (referred to as 'The Seahive, Betteshanger', application ref: 22/01158) and a hotel and spa (application ref: 23/01095).
- 1.1.3 The country park is known to support Turtle Dove, whilst new habitat areas have been established for this species to address development impacts under planning application 20/00419. Given the potential for disturbance to the existing Turtle Dove population and new mitigation areas under the proposals, a comprehensive visitor management strategy and additional Turtle Dove mitigation is to be implemented, as set out in the Outline Visitor Management and Turtle Dove Strategy (latest revision dated October 2023).
- 1.1.4 This strategy outlines a sequence of remedial measures to be implemented if monitoring demonstrates that initial mitigation measures are unsuccessful. Preference would be given to measures that directly intervene and improve the habitat enhanced and managed at Betteshanger Country Park and Hammill Field, followed by the option of offsite measures to be delivered through contributions to the RSPB's Operation Turtle Dove, or agreements with local landowners. This note provides indicative costings for such offsite measures to inform discussions with the Council regarding how contributions to such mitigation could be secured by legal agreement.

2 Indicative Costings for Remedial Measures

- 2.1.1 Delivery of offsite measures would likely comprise direct habitat provision (via purchase of land or agreement with landowners) or contributions to RSPB's Operation Turtle Dove (or other conservation body) to expand current capabilities, likely by funding additional staffing. Indicative costings based on these two alternative approaches are set out below.

2.2 Habitat Provision

- 2.2.1 It is anticipated that mitigation would need to deliver for up to 2 Turtle Dove territories, providing a mixture of scrub, cultivated areas and ponds. An indication of habitat area requirements can be made based on the minimum quantities of habitat to be provided under

relevant Countryside Stewardship options. Recommended options to benefit Turtle Dove¹ include:

- Nesting habitat – BE3 management of hedgerows, WD7 management of successional areas and scrub and WD8 creation of successional areas and scrub: a minimum quantity of up to 2000m length of habitat creation per 100ha of farmed land (equating to 0.8ha based on 4m wide hedgerows) is recommended;
- Foraging habitat – AB1 nectar flower mix, SP9 threatened species supplement, AB11 cultivated areas for arable plants: a minimum quantity of up to 3ha of habitat creation per 100ha of farmed land is recommended.

2.2.2 Based on a 300m Turtle Dove foraging zone (an area of c.28ha or 28% of the 100ha set out above), this would equate to around 0.22ha of scrub and 0.84ha of foraging habitat (or 1.06ha in total per Turtle Dove territory). Therefore, costings could be based on c.2ha of farmland to be enhanced with scrub, cultivated areas/seed mix and new ponds.

2.2.3 The statutory biodiversity credit price for 1 unit/credit of cropland is £42k. 2ha would equate to 4 units/credits, so a total of £168k. The statutory credits are priced higher than other providers, with costings from some other providers being in the range of £20-£30k per credit. Given that such measures could be adopted whilst allowing farming to continue, and should be much cheaper than other habitats to maintain, a cost at the lower end of this range (£80-£100k) would seem appropriate.

2.3 Funding for staff resourcing

2.3.1 As an alternative approach, additional funding could go towards a part-time warden/officer role to expand the current capabilities of Operation Turtle Dove (or other conservation body) and increase engagement with landowners and other bodies. A 5 year period would seem appropriate to provide a meaningful benefit. Based on costings provided by other bodies, the annual cost of a full time warden/officer would be in the region of £30-£35k. Allowing for a part time role (2.5 days a week) for 5 years, costings would therefore be in the region of £75-£87.5k.

3 Conclusion

3.1.1 On the basis of the above, a contribution in the region of £80-£100k would seem to be justified for Turtle Dove mitigation under both approaches. This could be secured by legal agreement under the respective planning applications, to be triggered in the event that monitoring indicates that proposed mitigation is unsuccessful and following consideration of other measures that directly intervene at Betteshanger Country Park and Hammill Field.

¹ Fisher I, Ashpole J, Scallan D, Proud T and Carboneras C (compilers) (May 2018) *International Single Species Action Plan for the conservation of the European Turtle-dove Streptopelia turtur (2018 to 2028)*. European Commission 2018

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Betteshanger
Date: 18 January 2024 15:53:39

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Hi [REDACTED]

Following on from the email below and the discussion at our meeting last week, please find attached two further notes on the following:

1. Fiery Clearwing (confirming that we would prioritise seeding as suggested by Natural England)
2. Quantifying a contribution to Turtle Dove habitat and resources as a potential remedial measure triggered sequentially through monitoring

Thank you.

Kind regards

[REDACTED]

[REDACTED]



On Mon, 15 Jan 2024 at 16:10, [REDACTED]@akdc.co.uk> wrote:

Hi [REDACTED]

I hope you are all well and thank you again for your time on Friday.

Following on from the discussion, please find attached the mitigation and compensation tables for each application, which may be useful in looking at the mechanisms for how this could be secured through planning conditions and S.106 clauses.

As discussed, we will send across a new note on Fiery Clearwing to confirm the priority given to seeding, following the suggestion of Natural England, and we'll also look further into how a contribution to Operation Turtle Dove as potential remediation triggered by monitoring might be quantified.

I expect we should be able to send notes over to you on the two matters above later this week.

Thank you.

Kind regards

[REDACTED]

[REDACTED]

