

PLANNING INSPECTORATE REFERENCE: APP/E2205/W/21/3284479

ASHFORD BOROUGH COUNCIL REFERENCE: 21/00790/AS

LOCATION: LAND BTW WOODCHURCH ROAD ETC, TENTERDEN

REBUTTAL EVIDENCE OF HELEN JEAN FORSTER BSc (Hons) MCIEEM

1. Paragraph 2.14 of Mr Goodwin's Proof questions whether ABC considered the layout of the current application. As part of the advice provided to ABC I did compare the proposed layouts of the current and previous applications as detailed within the initial comments provided to ABC which stated: *The proposal is for a reduction of house numbers however the indicative layout suggests that the area covered by the residential aspect of the proposal will be largely similar to what has previously been proposed - although we acknowledge that the green spaces within the residential areas has been increased. From an ecology perspective it would have been preferable if the total area of the area identified as the country park had increased.* Therefore, it is quite wrong to suggest that ABC has assumed that the current application is the same as the previous one.
2. Paragraphs 6.25 and 7.32 of Mr Goodwin's proof refer to the on going management of the site for the protected/notable species present within the site but he does not address the conflict with the habitat requirements for those species verses what is required to enhance the botanical interest of the site. As highlighted in my proof the management requirements for certain species can conflict with the aims of enhancing the botanical diversity of the grassland.
3. Plans ECO4 within Mr Goodwin's proof indicate that all habitat outside of the development footprint will be enhanced. This is not realistic or possible as the construction footprint is always larger. As detailed within paragraph 23 of my proof larger areas of land will be impacted than the development footprint and this has not been considered within the updated BNG metric. Therefore, I highlight that the updated metric has not taken the same constraints into account as the previous versions of the metric and as detailed within my proof the proposed net gain value is unlikely to be achieved.
4. Paragraphs 7.36 and 7.37 of Mr Goodwin's proof refer to the time required to achieve the proposed enhancements within the grassland. As detailed within my proof, consideration has not been given to the pressure from recreational use within the country park, landscape buffers and green links and the impact it can have on the grasslands within the site. As detailed within my proof the grassland and particularly that within or adjacent to footpaths (official or unofficial) can be badly damaged due to high use of the site and it has not been considered within the updated net gain metric. I acknowledge that paragraph 8.39 of Mr Goodwin's proof considers the area of open space per dwelling. However, he does not fully address how existing residents will use the site.
5. Paragraph 8.11 of Mr Goodwin's proof seeks to quote the following from my most recent consultation letter (dated August 2021) letter where they, state the following:

"Limited information has been provided with the metric demonstrating how the applicants have reached the conclusions about the condition of the existing, enhanced or proposed habitat..."

6. I note that the submitted proof does not fully reflect what my comments stated in August 2021 which detailed the following:
Limited information has been provided with the metric demonstrating how the applicants have reached the conclusions about the condition of the existing, enhanced or proposed habitat and no map has been provided clearly demonstrating where the habitat creation/enhancement works (as detailed within the metric) will be carried out to support our understanding of the metric. From speaking to the applicants ecologist we understand that the conclusions of the grassland habitat assessment was largely due to the high grass content across much of the site and the low forb content (forbs are flowering, nongrassy "herbaceous" plants). We understand that a botanical survey has been carried out this year and the submission of the updated survey is likely to provide additional information to help address this point.
7. Additional information on the results of the botanical survey and site plans have been submitted within appendix 1 of Mr Goodwin's proof. However, as detailed within paragraph 3 of this document, we would anticipate larger areas of grassland to be impacted by the proposed construction footprint and therefore the calculations within the proposed BNG cannot be achieved.
8. Paragraph 9.71 of Mr Ross's proof states that the Council allege that the development would not preserve or enhance biodiversity and that this would be contrary to Policies HOU5 and ENV1 of the Local Plan. As detailed within my proof I do not agree that the proposed enhancements of the habitats within the site can be achieved as anticipated within the BNG metric. In particular due to the impact associated with the recreational pressure associated with the proposed development.
9. Paragraph 8.42 of Mr Goodwin's Proof provides details of examples where open space has been created within development sites. Photos have been taken of the Rugby site which indicate that natural habitats are present on site however no covering letter has been provided with these photos clarifying if the habitat which has established on site achieved the intended quality and in particular the species diversity. Therefore while it does demonstrate that open space areas can be created it does not demonstrate it can meet the habitat creation, species diversity and enhancement intended as part of this application.

10. Appendix 1 provides an updated BNG metric V3 and it details that an anticipated net gain of 14.98% for habitats is proposed. The net gain has been achieved through the intended improvement of the condition of the habitat within the site. The information submitted within the proof has not provided evidence that the intended habitat enhancement can be achieved and maintained.