

Y06/1647/SH & Y06/1648/SH
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15 October 2009

Sean McGrath,
Indigo Planning Ltd,
Swan Court,
Worple Road,
London, SW19 4JS.

Dear Mr McGrath,

**Initial Response to LAA Representations
Planning Applications Y06/1647/SH & Y06/1648/SH
London Ashford Airport, Lydd, Kent.**

I refer to your letter dated 27th August 2009, received on 1st September 2009, and accompanying documents.

I apologise for the delay in responding, but LAAs representations are detailed and raise a variety of issues that required discussions with key officers, written responses from our consultants Bureau Veritas (BV) and the statutory advisor Natural England.

Most of LAAs representations concern ecology issues, which relate to the main recommended reasons for refusal in the council report. They appear to be particularly directed at the ecology advice from the council's consultant BV and the associated Appropriate Assessment report. As such I have asked BV to respond to the points LAA raise, details of which are contained in the attached report. LAA also raised a number of points about Natural England, and as such Natural England was asked to respond to these points, details of which are contained in their attached letter.

Based on your representations, BVs report and the comments from Natural England I suggest the key areas for discussion at the meeting on 21st October are as follows:

1) Habitat loss from the SAC, including habitat creation methodology.

2) Nitrogen Deposition.

It would be useful if you could bring additional maps showing the deposition contours more clearly with the SAC boundary and perennial vegetation of stony banks shown under the three scenarios (do nothing) 300,000ppa and 500,000ppa with a current baseline for comparison. The tables showing the area of SAC and perennial vegetation falling within each contour band would also be useful and this would hopefully form the baseline of a very useful discussion.

3) Noise and visual impacts upon SPA species through aircraft movements and BCP implementation.

Discussion about proof of success of BCPs at other airports would be useful, as would further clarification about a landowner agreement to ensure the deliverability of the BCP in terms of off-site land management.

4) Effects upon SSSI features.

Resolving the medicinal leech issue, discussion of the type of lighting used on the runway and impact upon night flying invertebrates and impact of Nitrogen Deposition upon habitats. This could be informed through provision of contour maps and tables for Nitrogen Deposition as detailed above for the SAC but showing the SSSI boundary. We should then discuss the effect upon the SSSI bird feature.

5) Protected species and Hammonds Corner

6) LAAs proposed ecology conditions and heads of terms for a S106

7) Applying the 'Precautionary Principle'

8) pSPA and pRamsar issues.

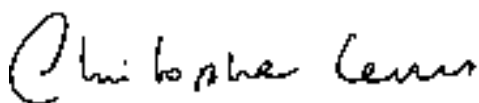
As you are aware the meeting is intended as an ecology discussion, and it is an opportunity for BVs ecologist (Kevin Webb) and Parsons Brinkerhoff's ecologist (Mark McClelland) to informally discuss outstanding points of misunderstanding/ disagreement with a view to clarifying points for any supplementary council report. As such please note BVs report is an initial response to LAAs representations. This is subject to possible change following any subsequent written response from LAA, and further discussions with officers, Natural England and the council's legal advisors.

For completeness I attach a more comprehensive response to the LAA representations from Terry Ellames. This covers issues about the officers report directed at officer comments, and tries to avoid comment where possible on responses associated with BV (ecology and Appropriate Assessment) and Natural England. It is not intended we discuss full details of this response at the meeting on 21st October. However, please let us know if you would like to discuss any particular points at the meeting, some of which have already been incorporated above.

It is proposed the agenda for the meeting is based on 1-8 above, further details of which can be jointly agreed between Eilish Loftus and Terry Ellames or at the meeting.

Please note the contents of this letter and attachments are without prejudice to any subsequent discussions, legal advice and completion of any supplementary report to the council.

Yours sincerely,



Chris Lewis,
Head of Planning