

London Ashford Airport (Lydd) Call-In Inquiry

**Supplementary Statement of Common Ground
Great Crested Newts**

PINS ref: APP/L2250/V/10/2131934 & APP/L2250/V/10/2131936

LPA ref: Y06/1647/SH (New Terminal Building), Y06/1648/SH (Runway Extension)

between London Ashford Airport Limited and Natural England

April 2011

1. INTRODUCTION

1.1 This Supplementary Statement of Common Ground ("**SoCG**") is between London Ashford Airport Limited (the "**Applicant**") and Natural England ("**NE**"). This SoCG is supplementary to:-

1.1.1 the Statement of Common Ground dated March 2011 between (1) the Applicant and (2) NE on Air Quality;

1.1.2 the Statement of Common Ground dated February 2011 between (1) the Applicant (2) NE and (3) the Royal Society for the Protection of Birds; and

1.1.3 the Statement of Common Ground dated January 2011 between (1) the Applicant and (2) NE on Air Quality.

1.2 It deals with matters relating to Great Crested Newts that are agreed between the Applicant and NE in relation to the development comprised in the Applicant's planning applications for a runway extension (Application Ref. Y06/1648/SH) and a new terminal building (Application Ref. Y06/1647/SH) (together the "**Applications**").

2. AGREEMENT BETWEEN THE APPLICANT AND NE

2.1 Following the agreement in paragraph 8.14 of the Statement of Common Ground dated February 2011 between (1) the Applicant (2) NE and (3) the Royal Society for the Protection of Birds (CD 4.6), further detail on mitigation for the terrestrial habitat of great crested newts has been provided, including a plan of the proposals on the disused runway (Figure 1 in Appendix 4 to LAA/9/E). It is now further agreed between the Applicant and NE that the terrestrial habitat works on the disused runway, which is not designated as SAC or SSSI, will include the following:

- a. Low lying areas will be subject to seasonal flooding. The judgement on the extent of excavation to be undertaken on these depressions will be taken prior to implementation of the Runway Extension Permission. The aim is to provide a variety of small wetland features that react to seasonal water levels.
- b. The bare shingle areas will be managed to allow some gradual colonisation of grasses and forbs which will be beneficial habitat to newts for foraging. Areas of bare shingle will be retained and annual management (the management plan to be agreed prior to implementation of the Runway Extension Permission) will ensure that this is achieved. The aim is to provide a mix of open and vegetated areas across the mitigation area.
- c. The existing vegetation will be managed (the management plan to be agreed prior to implementation of the Runway Extension Permission) to maintain the cover and advantages this brings as terrestrial habitat for great crested newts. An important part of ongoing management will be the removal of willow scrub and saplings.
- d. The willow brush arisings will be used on site to form brush piles as shelter for great crested newts.
- e. Hibernacula will be created from on site 'post-industrial items' and large rubble that currently lies across the disused runway site. Items suitable for hibernacula formation will be selected from this source (unsuitable items will

be removed from site if practicable and in accordance with the construction environmental management plan to be approved as part of the Runway Extension Permission). The size and location of the hibernacula will be made at detailed design, to be agreed prior to implementation of the Runway Extension Permission.

- f. Mounds of shingle will be created using the onsite material from the excavation of the three new wetlands/ponds. The form of these will be agreed prior to implementation of the Runway Extension Permission but the aim will be to create variability of local topography on the disused runway.

2.2 It is agreed between the Applicant and NE that the above is in addition to the mitigation proposals for great crested newts set out in Appendices 3 and 4 to LAA/9/C.

2.3 Whilst the Applicant considers that the surveys carried out in respect of great crested newt are sufficient to inform the Secretary of State's decision on the Applications, the Applicant agrees to Condition 13 (of the draft runway extension planning permission) of CD17.2 and to such condition including the following in addition:-

- a. a commitment to manage the disused runway mitigation area to benefit great crested newts for the long-term, with details submitted under Condition 13.2;
- b. monitoring surveys under Condition 13.2.5 would be carried out as relative population estimate surveys, annually for a period of five years post-construction and then at 3 yearly intervals (during Spring months);
- c. a requirement for the preparation of a remedial action plan if the monitoring surveys show that the mitigation is not successful.

3. NE'S REVISED POSITION

3.1 NE accepts that the surveys carried out in respect of great crested newt are sufficient to inform the Secretary of State's decision on the Applications in relation to the impacts on great crested newts.

3.2 On the basis that the proposals noted above will be undertaken by the Applicant, and be secured by condition, NE accepts that, for the purposes of the consideration of the Applications by the Secretary of State, the impacts of the development comprised in the Applications on great crested newts can be satisfactorily addressed and that the proposals are acceptable in relation to great crested newts.

3.3 NE confirms that there would be no likely significant effects on great crested newts from the development comprised in the Applications, and in any event any effect would not affect the integrity of the SAC and would not damage the SSSI in relation to great crested newts.

3.4 NE confirms that there are no other in principle objections to the Applications on the grounds of great crested newts. Accordingly, NE withdraws all other statements, evidence and objections in relation to great crested newts in respect of the Applications and confirms that the Applications are acceptable in terms of great crested newts and it will take no further part in the great crested newts part of the inquiry.


3.5 This agreement is separate from and without prejudice to any European Protected Species licence required by LAA.

This SoCG is prepared jointly and agreed by:

SIGNED: 

Indigo Planning Limited (on behalf London Ashford Airport Limited)

DATED: 06/04/11

SIGNED: 
Natural England

DATED: 06/04/11