

From: [REDACTED]
To: [Cleve Hill Solar Park](#)
Subject: Open Floor meeting text
Date: 01 August 2019 16:06:26
Attachments: [REDACTED]

Dear Sir,

F R Gomes. Registration Identification Number: 20021776.

I attach the text of the oral representation given by myself at the Cleve Hill Examination Open Floor Meeting on 22nd July 2019.

Kind Regards,

Bob Gomes

Sir,

You have my written representation where I make a number of points relating to the local breeding marsh harrier population and to the habitat management area.

To put the marsh harrier population in context, although the population has increased since 1990s this is one of the UK's rarer breeding birds with a population of circa 361 pairs. This puts it scarcer than another iconic bird of prey the Golden Eagle with a breeding population of c 508 pairs. And much rarer than the introduced Red kite with a population of c 1600 pairs in the summer.

Of the 361 total pairs recorded in 2016¹ (the latest year that pop figures are available) SE England ranks high, with 49 confirmed pairs, possibly 56 pairs

Kent with 36 pairs represents 10 % of the national total.

The majority of the Kent population is within the Swale SPA, circa 24 pairs representing about 6.7 % of the UK population.

I do not believe it is possible under the present plan to mitigate adequately for breeding marsh harriers for the following reasons.

Marsh Harriers are wide ranging birds of open countryside, to some extent opportunistic feeders taking a wider spectrum of prey. Whilst I accept the flightline data in the applicants Environmental Statement showing a preponderance of hunting along the northern borrowdyke it also shows that birds fly frequently over the arable fields. There is, however, no data showing to what extent the arable contributes to food provisioning during both within and outside the breeding season. (This is too time consuming to carry out during a general breeding bird survey). Studies on Sheppey and in East Anglia demonstrate that arable fields are a significant food resource for harriers in the latter part of the nesting cycle This is especially so when they are provisioning large young in the nest, when birds take larger items of prey, game birds and on Sheppey Lagomorphs, hairs and rabbits; passerines such skylarks and starlings also feature in the diet.

The arable habitat will disappear under the vast array of solar panels and the food resource will be much diminished. Skylarks, for example, will largely disappear from the proposed development site.

We are also aware that it is not just local birds breeding on the south side of the Swale that exploit the arable fields. The foraging range of breeding marsh harrier can extend to over 1000 ha. with some birds flying up to 5 -8 km from the nest site. Breeding harriers from Sheppey also cross the Swale to hunt and have been seen crossing the Swale from Cleve Marshes and elsewhere on the south side in a northward direction carrying prey. In a 2006 study on Sheppey, a breeding harrier was seen taking prey from Sheppey to a nest on the south side of the Swale.

The land is thus functionally linked to the Special Protection Area in respect to Harrier species and in my opinion the proposed development site is critical for maintenance the local Swale population of marsh harriers.

The ES refers to birds being able to hunt along the ditch corridors that have been increased from their original 5 metre width alongside ditches to 15 metres. When hunting marsh harriers quarter the land

¹ British Birds journal Rare Breeding Bird Report 2016

in broad wavering lateral sweeps. Post construction, marsh harriers will be presented with narrow flightlines (in the context of the large scale development) where their vision will be impeded by the supporting structures and panels, well within the height of the marsh harriers foraging height of < 10 metres.

My other main concern is that marsh harriers are very susceptible to disturbance during the early part of the nesting cycle. With increasing use of the seawall for recreation by the ever-increasing population of Faversham it is likely that marsh harriers will be deterred from nesting in the borrowdyke. We know that in the past MRs have nested in the arable crops and in dykes running through these fields. The proposed development will thus remove alternative nesting sites or render them unsuitable for nesting due to the enclosed nature of the ditches.

The ES mentions pre-construction monitoring to locate pairs of marsh harriers. To do this adequately is very time consuming and would be necessary from late winter throughout the spring to establish nesting behaviour. Breeding pairs can occupy nesting areas from late January. The standard survey method is at least three visits of four hours duration from mid March to mid August. I am unclear as to how construction work will be able to avoid illegal disturbance to nesting harriers that are a protected in law as a Schedule 1 species under the Wildlife and Countryside Act, without severely hampering the construction timetable, especially if there is more than one pair within the proposed development.

I also have one comment relating to the use of the fields in the winter by Dark-bellied Brent Geese. I am aware that there has been discussion of the carrying capacity of the habitat management area within the habitat management group. The area calculation presumably assumes that the geese will use the total area of the 50.1 ha of fields enhanced for them. My observations to date show that the goose flocks generally feed within 300 metres or so of the seawall and rarely venture far inland. I doubt that the Brent Geese will feed at some distance from the seawall in the early stages of the sward development and so there will be a net loss in the habitat available to them in the early years post construction.

Thus, contrary to what is written in Chapter 9 para 204, 50.1 ha may be insufficient to mitigate for the average loss of resources provided by the arable baseline.