

REPORT on the IMPLICATIONS for EUROPEAN SITES Proposed Richborough Connection Project

An Examining Authority report prepared with the support
of the Environmental Services Team

2 November 2016

[This page is intentionally left blank]

CONTENTS

1. INTRODUCTION	1
Background.....	1
Documents used to inform this RIES	2
Structure of this RIES.....	2
2. OVERVIEW	3
European sites considered.....	3
Screening matrices	5
Summary of the Applicant’s HRA.....	6
HRA matters considered during the Examination.....	7
3. LIKELY SIGNIFICANT EFFECTS.....	8
HRA matters during the Examination.....	8
Summary of the HRA outcome during the Examination	13
ANNEX 1 EUROPEAN SITES SCREENED INTO THE NO SIGNIFICANT EFFECTS REPORT BY APPLICANT	
ANNEX 2 APPLICANT’S HRA SCREENING MATRICES	
ANNEX 3 LIST OF DOCUMENTS REVIEWED TO PRODUCE THE REPORT ON THE IMPLICATIONS FOR EUROPEAN SITES	

Report on the Implications for European Sites for
Richborough Connection Project

[This page is intentionally left blank]

1. INTRODUCTION

Background

- 1.1 National Grid (the Applicant) has applied to the Secretary of State for Business, Energy and Industrial Strategy (SoS) for a development consent order (DCO) under section 37 of the Planning Act 2008 (as amended) (PA2008) for the proposed Richborough Connection Project (the application). The SoS has appointed an Examining Authority (ExA) to conduct an examination of the application, to report its findings and conclusions, and to make a recommendation to the SoS as to the decision to be made on the application.
- 1.2 The relevant SoS is the competent authority for the purposes of the Habitats Directive¹ and the Habitats Regulations² for applications submitted under the PA2008 process. The findings and conclusions on nature conservation issues reported by the ExA will assist the SoS in performing his duties under the Habitats Regulations.
- 1.3 This report compiles, documents and signposts information provided within the application, and the information submitted throughout the Examination by both the Applicant and Interested Parties (IPs), up to and including 26 October 2016 (Deadline 6) in relation to potential effects to European sites³. It is not a standalone document and should be read in conjunction with the Examination documents referred to in this report.
- 1.4 It is issued to ensure that IPs including the statutory nature conservation body (SNCB), Natural England (NE), are consulted formally on Habitats Regulations matters. This process may be relied on by the SoS for the purposes of Regulation 61(3) of the Habitats Regulations. Following consultation (from 2 November to 24 November 2016), the responses will be considered by the ExA in making its recommendation to the SoS and made available to the SoS along with this report. The Report on the Implications for European Sites (RIES) is not revised following consultation.
- 1.5 The Applicant has not identified any potential impacts on European sites in other European Economic Area (EEA) States [APP-119; APP-120 and REP5-005]. Only UK European sites are addressed in this report.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (as codified) (the 'Habitats Directive').

² The Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations).

³ The term European sites in this context includes Sites of Community Importance (SCIs), Special Areas of Conservation (SACs) and candidate SACs, Special Protection Areas (SPAs), possible SACs, potential SPAs, Ramsar sites, proposed Ramsar sites, and any sites identified as compensatory measures for adverse effects on any of the above. For a full description of the designations to which the Habitats Regulations apply, and/ or are applied as a matter of Government policy, see PINS Advice Note 10.

Documents used to inform this RIES

- 1.6 The Applicant provided a No Significant Effects Report (NSER) [APP-119 and APP-120] with the application, together with screening matrices. The Applicant concluded within its NSER that there would be no likely significant effects (LSE) on the eleven European sites screened into the assessment.
- 1.7 The Applicant submitted new and updated screening matrices at Deadline 1 [REP1-003] to address discrepancies identified by the ExA as set out in the Rule 6 letter [PD-004]. Further to this, clarification on the information provided in the NSER and how this had been reflected in the new and updated screening matrices was provided by the Applicant in its responses to the ExA's first and second written questions [REP2-016 and REP4-014] and at Deadline 5 [REP5-005 and REP5-022]. The Applicant also provided updated versions of NSER Tables 3.1 and 3.2 and an updated screening matrix for Stodmarsh Special Protection Area (SPA) at Deadline 5 [REP5-005]. A summary of the matters examined is set out in section 2 of the RIES.
- 1.8 A list of the documents reviewed to inform the RIES with the accompanying Examination Library references is provided in Annex 3 of this report.

Structure of this RIES

- 1.9 The remainder of this report is as follows:
 - **Section 2** identifies the European sites that have been considered within the application and during the Examination period, up to and including 26 October 2016 (Deadline 6). It summarises the Habitats Regulations Assessment (HRA) matters discussed during the Examination.
 - **Section 3** describes the HRA matters that emerged during the Examination. It also summarises the outcome of the screening assessment in the Examination.
 - **Annex 1** presents the European sites screened into the NSER by the Applicant and their qualifying features/ interests.
 - **Annex 2** comprises the Applicant's screening matrices for those European sites and qualifying features/ interests with a potential for LSE.
 - **Annex 3** comprises a list of the documents reviewed to produce the RIES.

2. OVERVIEW

European sites considered

European sites

- 2.1 The Applicant confirmed in response to Q1.2.1 [REP2-016] that the proposed development is not connected with or necessary to the management for nature conservation of any of the European sites considered within the NSER.
- 2.2 The Applicant identified all European sites located within 10km of the proposed development for inclusion within the assessment [APP-119; APP-120 and REP5-005]. In its response to Q1.2.11, the Applicant confirmed that during consultation with NE, 10km was agreed as a suitable distance to encompass European sites with qualifying features/ interests that had potential connectivity with the proposed development [REP2-016].
- 2.3 Based on this buffer zone, the Applicant's NSER [APP-119; APP-120 and REP5-005] identifies eleven European sites for inclusion within the assessment:
- Stodmarsh SPA*;
 - Stodmarsh Ramsar*;
 - Stodmarsh Special Area of Conservation (SAC)*;
 - Thanet Coast and Sandwich Bay SPA*;
 - Thanet Coast and Sandwich Bay Ramsar;
 - Sandwich Bay SAC;
 - Thanet Coast SAC;
 - Blean Complex SAC;
 - Tankerton Slopes and Swalecliffe SAC;
 - The Swale SPA; and
 - The Swale Ramsar.
- 2.4 The Applicant's NSER confirms that seven of these sites were screened out of a more detailed assessment due to the distance between these European sites and the proposed development, the lack of connectivity and the lack of any likely impact pathways [APP-119; APP-120 and REP5-005]. NSER Table 3.2 [APP-119 and APP-120, replaced by REP5-005] identifies each of the eleven European sites and their qualifying features/ interests, and explains why only four European sites (and specific qualifying features/ interests of those four sites) were subject to more detailed assessment. The remaining four European sites⁴ were then considered in more detail within the NSER (section 4) [APP-119 and APP-120].

⁴ Identified with a * in the list above.

- 2.5 In its relevant representation NE provides confirmation of the European sites it considers relevant to this application [RR-065]. The European sites referenced by NE have been considered by the Applicant in the NSER [APP-119; APP-120 and REP5-005].

Qualifying features/ interests considered

- 2.6 The following tables are provided in the NSER [APP-119 and APP-120]:
- Table 3.1: Identifies all European sites within 10km of the proposed development and their qualifying features/ interests;
 - Table 3.2: Identifies which European sites and qualifying features/ interests were subject to a more detailed screening assessment within the NSER.
- 2.7 It was unclear whether the qualifying features/ interests in Tables 3.1 and 3.2 [APP-119 and APP-120] included all of the relevant qualifying features/ interests as listed on the Joint Nature Conservation Committee (JNCC) Natura 2000 standard data forms/ Ramsar Information Sheets, and as such, had been subject to assessment in the NSER. The ExA queried this point with the Applicant in Q1.2.8 [PD-006]. In response, the Applicant provided updated versions of Tables 3.1 and 3.2 [REP2-017, Appendix C] to address identified discrepancies.
- 2.8 In Q2.2.1 [PD-009], the ExA sought confirmation from NE that the Applicant had identified the correct qualifying features/ interests for each of the eleven sites included in the NSER in the updated versions of Tables 3.1 and 3.2 [REP2-017, Appendix C]. In response to Q2.2.1, NE recommended that the updated versions of Tables 3.1 and 3.2 [REP2-017, Appendix C] be revised to include breeding bird assemblage and wintering bird assemblage in respect of both The Swale SPA and Stodmarsh SPA [REP4-028].
- 2.9 At Deadline 5, NE confirmed [REP5-055] that it wished to amend its response to Q2.2.1 [REP4-028], and that Tables 3.1 and 3.2 should be revised to include breeding bird assemblage and water bird assemblage (rather than wintering bird assemblage, as stated in [REP4-028]) in respect of Stodmarsh SPA.
- 2.10 The Applicant explained [REP5-005; REP5-022; and EV-052] that following further consultation with NE, it had produced updated versions of Tables 3.1 and 3.2 to reflect the qualifying features/ interests contained within NE's European site conservation objectives rather than those stated within the JNCC Natura 2000 standard data forms. The Applicant provided these updated tables at Deadline 5 [REP5-005], which included both breeding bird assemblage and water bird assemblage as specified on NE's European site conservation objectives for both Stodmarsh SPA and The Swale SPA.

- 2.11 The qualifying features/ interests of the European sites screened into the assessment by the Applicant are presented in Annex 1 of this report.

Screening matrices

- 2.12 The Applicant's screening matrices were provided in the NSER [APP-119 and APP-120] but were limited to only the four European sites which had been subject to a more detailed screening assessment. The ExA made a request in the Rule 6 letter [PD-004] for the Applicant to provide screening matrices for the other seven European sites considered within the NSER [APP-119 and APP-120]. The Applicant subsequently provided these screening matrices at Deadline 1 [REP1-003].
- 2.13 The four screening matrices provided in the NSER [APP-119 and APP-120] submitted with the application did not include all of the qualifying features/ interests of the European sites screened into the assessment as set out in the JNCC Natura 2000 standard data forms and Ramsar Information Sheets. Updated screening matrices for these sites were therefore requested by the ExA in the Rule 6 letter [PD-004]. The ExA also specified in the Rule 6 letter that the screening matrices should be amended to include information on any mitigation measures relied upon, and to include references to the sources of the evidence used to reach the screening conclusions [PD-004].
- 2.14 The Applicant provided new and updated screening matrices at Deadline 1 in response to the points raised by the ExA in the Rule 6 letter [REP1-003]. The new and updated screening matrices [REP1-003] addressed the points raised by the ExA, with the exception of the matrices for Stodmarsh SPA and The Swale SPA. Discrepancies remained in respect of the qualifying features reflected in the screening matrices and the information provided in the JNCC Natura 2000 standard data forms for these European sites.
- 2.15 NE provided clarification as to the correct qualifying features for The Swale SPA and Stodmarsh SPA in its response to Q2.2.1 [REP4-028], which in respect of the qualifying features for Stodmarsh SPA, was subsequently amended by NE's Deadline 5 submission [REP5-055].
- 2.16 NE stated that breeding bird assemblage should be added to the screening matrix for the Stodmarsh SPA, although clarified that this feature could be scoped out from further assessment [REP4-028]. Consequently the Applicant provided an updated screening matrix at Deadline 5 for the Stodmarsh SPA [REP5-005], which included breeding bird assemblage as a qualifying feature as recommended by NE in its Deadline 4 response [REP4-028].
- 2.17 The Applicant's screening matrices [REP5-005, in respect of the matrix for Stodmarsh SPA; and REP1-003, in respect of the other European sites screened into the assessment] include all of the qualifying features/

interests specified in the Applicant's updated versions of Tables 3.1 and 3.2 [REP5-005].

- 2.18 The Applicant's matrix for The Swale SPA [REP1-003, matrix 10] includes the qualifying features specified in the updated versions of Tables 3.1 and 3.2 [REP5-005] (dark-bellied brent goose, dunlin, common redshank, water bird assemblage and breeding bird assemblage) and on NE's conservation objectives for this site. The matrix also includes a number of other bird species (eg pied avocet) which are not specifically identified in the updated versions of Tables 3.1 and 3.2 [REP5-005] or on NE's conservation objectives for this site. It is possible that these species form part of the assemblage features for The Swale SPA although this has not been explicitly stated and this approach has not been adopted in the matrices for other sites with assemblage features eg Stodmarsh SPA. It is therefore unclear why the Applicant has included these additional species in the matrix. The species included in the Applicant's matrix for The Swale SPA [REP1-003, matrix 10] but not identified in the updated versions of Tables 3.1 and 3.2 [REP5-005] or on NE's conservation objectives for this site are indicated in Annex 1 of this RIES by a * symbol. The species included in the Applicant's matrix for The Swale SPA [REP1-003, matrix 10] and Tables 3.1 and 3.2 [REP5-005], but not identified on NE's conservation objectives for this site are indicated in Annex 1 of this RIES by a ** symbol.
- 2.19 The Applicant confirmed that there are no material or written changes to the NSER following the Deadline 5 amendments to Tables 3.1, 3.2 or NSER Appendix A HRA matrix 5 (Stodmarsh SPA) and therefore no changes to the assessment contained within, or findings of, the NSER [REP5-022].
- 2.20 The Applicant's final screening matrices are provided in Annex 2 of this RIES.

Summary of the Applicant's HRA

- 2.21 The Applicant concludes in the NSER [APP-119 and APP-120] that there would be no LSE, either alone or in-combination with other plans or projects, on any of the European sites screened into the assessment.
- 2.22 As a result of the conclusion that there would be no LSE on any European sites, the Applicant has not undertaken an assessment of adverse effects on the integrity of the European sites. In its responses to Q1.2.13 [REP2-073] and Q2.2.6 [REP4-028], NE confirmed its agreement that an appropriate assessment is not required. The Applicant has, however, provided the NE conservation objectives for all the European sites screened into the assessment in Appendix B of its response to the first written questions [REP2-017] and Annex C of its Deadline 5 submission [REP5-005], should these be required by the SoS. NE has provided

confirmation [REP5-055, Q2.2.3] that the Applicant has submitted the correct versions of the conservation objectives.

HRA matters considered during the Examination

2.23 In addition to the Applicant's NSER, the Examination has explicitly considered the following matters in relation to HRA:

- the consideration of potential in-combination effects;
- the scope of the HRA; and
- mitigation measures.

3. LIKELY SIGNIFICANT EFFECTS

- 3.1 Within its response to Q1.2.2 [REP2-016] the Applicant describes how it determines what constitutes a 'likely significant effect' (LSE). The Applicant asserts that its approach follows European Commission (EC) guidance on HRA (EC Guidance document: 'Assessment of plans and projects significantly affecting Natura 2000 sites' (2001)).

HRA matters during the Examination

- 3.2 This section of the RIES provides a summary of the HRA matters considered during the Examination.

In-combination assessment

- 3.3 The Applicant describes its approach to considering potential in-combination effects within section 3.7 of its NSER [APP-119 and APP-120]. The Applicant considered whether the potential for in-combination effects existed between the proposed development and a number of plans and projects. These are listed in paragraph 3.7.3 and Appendix C of the NSER [APP-119 and APP-120] and include:

- Discovery Park Biomass Plant, Sandwich;
- Thanet Solar Farm, Ramsgate Road, west of the former Richborough Power Station;
- Discovery Park Masterplan, Sandwich;
- New substation, converter station and internal access road at former Richborough Power Station, as part of the Nemo Link Project;
- Richborough Energy Park – Peaking Plant at former Richborough Power Station;
- Strategic Development Site SP3 Site 2: Sturry and Broad Oak;
- Sturry Link Road;
- Strategic Development Site SP3 Site 8: Land North of Hersden;
- Richborough Communications Mast, Ramsgate Road, on the Thanet Solar Farm site, west of the former Richborough Power Station; and
- Upgrades to Canterbury North Substation.

- 3.4 On the basis of the scale, scope and location of each of the identified plans and projects in relation to the European sites or land supporting their qualifying features/ interests, as detailed in Appendix C of the NSER [APP-119 and APP-120], the Applicant concluded that none of the identified plans or projects would contribute towards a potential in-combination effect, and therefore in-combination effects were screened out of further assessment [APP-119 and APP-120]. Given this conclusion the ExA asked

in Q1.2.4 why some of the footnotes in the NSER screening matrices [APP-119 and APP-120, Appendix A] included consideration of in-combination effects [PD-006]. In its response to Q1.2.4 [REP2-016], the Applicant explained that there were potential pathways for in-combination effects (associated with direct and indirect habitat loss and collision risk) between the developments identified in Appendix C of the NSER [APP-119 and APP-120] relating to the following European sites:

- Thanet Coast and Sandwich Bay SPA;
- Stodmarsh SPA; and
- Stodmarsh Ramsar.

3.5 The Applicant explained [Q1.2.4, REP2-016] that further justification for scoping out in-combination effects for these sites had therefore been provided in the footnotes to the screening matrices for these European sites [REP1-003 and REP5-005] (see screening matrices presented in Annex 2 of this RIES).

3.6 The Applicant clarified [Q1.2.3, REP2-016] that no potential pathways for in-combination effects between the developments identified in Appendix C of the NSER [APP-119 and APP-120] had been identified in relation to the eight other European sites included in the screening assessment and as such, these sites were not considered further in the in-combination assessment. Potential in-combination effects are therefore not considered in the screening matrices for these sites [REP1-003] (see Annex 2 of this RIES). In its response to Q1.2.6 [REP2-073], NE confirmed its agreement that there are no plans or projects where an in-combination effect would arise from the proposed development, and that in-combination effects could be scoped out of the screening assessment.

3.7 At Deadline 6, the Applicant submitted an update to its cumulative effects assessment [REP6-018], which replaces the original version as presented in Chapter 16 of the ES [APP-030]). The updated assessment [REP6-018] incorporates changes to the cumulative assessment of the Richborough Communications Mast and considers the potential cumulative effects arising from the following four additional developments not previously considered:

- King's End Communications Mast, Richborough;
- Replacement wind turbine at former Richborough Power Station;
- Manston Airport; and
- Stone Hill Park (Manston Airport site).

3.8 In light of the updated cumulative assessment [REP6-018] addendum to the ES, the Applicant has not stated whether there would be any change to its previous conclusion as presented in the NSER [APP-119 and APP-120] that there are no plans or projects which would contribute towards a

potential in-combination effect. Subsequent to publication of the RIES, the Applicant has been requested to provide clarification on this point in the ExA's Rule 17 letter (dated 2 November 2016).

- 3.9 The effect of the proposed development on the future deliverability of the Broad Oak reservoir proposal (as included in the Water Resources Management Plan (WRMP)) is a matter raised by South East Water (SEW) during the Examination. SEW questioned the Applicant's decision to scope the reservoir proposal out of its cumulative assessment (as presented in Chapter 16 of the ES [APP-030, replaced by REP6-018]). SEW argued that the potential risk of collision for birds attracted to the proposed reservoir in the future, some of which may be linked to European sites, was not assessed [REP2-099, REP2-201, REP2-208 and REP3-031]. The Applicant maintains its position, that it is not necessary to assess potential effects associated with a project such as the proposed reservoir because of the uncertainty surrounding its actual delivery [REP3-019].
- 3.10 Based on the evidence submitted by SEW and the Applicant at Deadlines 2 and 3, the ExA sought clarification from NE as to whether there was any change to NE's agreed position that there would be no likely significant in-combination effects [Q2.2.5, PD-009]. NE confirmed [REP4-028] that even if the SoS considered the Broad Oak reservoir proposal to be a material consideration, that would not affect its position. That position being that the reservoir proposal is not within a European site nor would it form part of a compensatory habitat package for a European site. NE reiterated its view that there are no plans or projects where an in-combination effect would arise from the proposals with regard to the Habitats Regulations [REP4-028].
- 3.11 At the second issue specific hearing on the Broad Oak reservoir proposal on 29 September 2016, SEW confirmed that in relation to European sites, to which the Habitats Regulations apply, SEW agreed that there would be no in-combination effects resulting from the proposed development and the proposed reservoir scheme [REP5-040].
- 3.12 Differences remain between parties with regards to cumulative effects for EIA purposes, but there is no disagreement with NE's position [REP2-073 and REP4-028] that an in-combination effect resulting from the proposed development and the Broad Oak reservoir proposal would not arise with regards to the Habitats Regulations.

The scope of the HRA

- 3.13 NE confirmed its agreement with the scope of the HRA in response to Q1.2.23 [REP2-073] and in its Statement of Common Ground (SoCG) with the Applicant [section 3.2, REP6-011]. Kent County Council (KCC) has also confirmed that it is satisfied that all potential effects on European sites have been considered in the NSER (response to Q 1.2.18) [REP2-069].

- 3.14 The Applicant prepared a Collision Risk Assessment (CRA) to assess potential bird mortality as a consequence of collisions with the overhead line [APP-119, Appendix E and APP-120].
- 3.15 The Applicant identified the qualifying features/ interests screened in for more detailed assessment in NSER Table 3.2 [APP-119 and APP-120, replaced by REP5-005]. In accordance with Table 3.2, the Applicant has presented an assessment of the LSE from collision risk on golden plover (qualifying feature of Thanet Coast and Sandwich Bay SPA), hen harrier and gadwall (qualifying features of the Stodmarsh SPA and qualifying interests of the Stodmarsh Ramsar site) in section 4 of the NSER [APP-119 and APP-120]. The assessment concludes that collision risk resulting from the overhead line without bird diverters was unlikely to result in a LSE on these species.
- 3.16 NE confirmed its agreement with the conclusions of the collision risk modelling in its SoCG with the Applicant [REP6-011, ID 3.4.3]. NE has confirmed that the installation of any bird flight diverters proposed is on a precautionary basis and is not required to reach a conclusion in the HRA of no LSE [Q 2.2.31, REP4-028]. Notwithstanding this, the Applicant proposes to install bird flight diverters in the vicinity of Monkton (between Pylons PC41 and PC43) and at the Ash Levels (between Pylons PC51 and PC60) to minimise the risk of collisions in these areas - a commitment which is secured in Requirement 11 of the draft DCO [REP6-003].
- 3.17 In response to Q1.2.9, both the Applicant [REP2-016] and NE [REP2-073] confirmed that the vertical Limits of Deviation (LoD) for pylon heights would not affect the collision risk modelling. In its response to Q1.2.10 [REP2-016], the Applicant stated that the placement of the pylons anywhere within the lateral LoD would not affect the conclusions of the NSER and NE confirmed its agreement with this conclusion in response to Q2.2.4 [REP4-028].
- 3.18 In its response to Q1.2.12 [REP2-016], the Applicant clarified that potential effects during the maintenance and decommissioning phases of the proposed development have been considered in NSER Table 3.2 [APP-119 and APP-120, replaced by REP5-005]. The Applicant considers that disturbance from operational maintenance activities, primarily limited to vegetation trimming in relation to safety clearance, would have negligible effects on the three European site qualifying features screened in for more detailed assessment (golden plover, hen harrier and gadwall) [Q1.2.12, REP2-016]. NE confirmed its agreement that general maintenance activities such as vegetation clearance would not be expected to cause disturbance to over wintering birds in its response to Q1.2.15 [REP2-073]. NE notes that any significant works, for example the replacement of pylons, would be assessed under the Habitats Regulations in their own right [Q1.2.15, REP2-073].

Mitigation Measures

- 3.19 The Applicant confirms in its NSER [APP-119 and APP-120] that specific mitigation measures would be required to ensure that there are no LSE on the European sites screened into the assessment. These are set out in Appendix H of the NSER (Embedded Environmental Measures Schedule (EEMS)) [APP-119 and APP-120, updated by REP6-019]. The ExA sought clarity on the scope of the mitigation and the means of securing this in the DCO during the course of the Examination [PD-004 and PD-006].
- 3.20 The Applicant states in the Environmental Statement (ES) [APP-029] that method statements would be required for vegetation maintenance works such that they would not cause disturbance to over-wintering golden plover populations of the Thanet Coast and Sandwich Bay SPA and Ramsar. The ES did not specify how these measures would be secured in the DCO and whose responsibility it would be to agree the measures in the method statements. The Applicant clarified in response to Q1.2.15 [REP2-016] that no LSE are predicted as a result of disturbance created by vegetation trimming, as the extent of the works would be limited and would only occur every few years. Any specific method statements required would be agreed at the time and would be subject to further assessment and consultation under the Habitat Regulations as appropriate rather than be secured in the DCO. Notwithstanding this, the Applicant confirms that Requirement 5(4) of the draft DCO [REP6-003] has been updated to specify that NE would have to be consulted should the Applicant intend to make any changes to the Biodiversity Mitigation Strategy (BMS) post consent (if granted).
- 3.21 NE supports the Applicant's opinion and confirmed its view in response to Q1.2.15 [REP2-073] that it does not consider general maintenance in the form of vegetation clearance would cause disturbance to over wintering birds or adversely affect the integrity of the SPA, and therefore there would be no requirement for additional mitigation measures to be secured in the DCO.
- 3.22 Canterbury City Council (CCC) and KCC considered that NE would be the most appropriate body to respond to the points raised by the ExA in Q1.2.15 (regarding the approach for agreeing method statements and securing these in the DCO), but confirmed they would expect to be consulted on any method statement prepared [REP2-063 and REP2-069]. Thanet District Council (TDC) confirmed that it should be involved in agreeing the method statements [REP2-067]. Dover District Council (DDC) confirmed [REP2-065] that it would not expect to be involved in agreeing any method statements but would defer to NE on this matter. In addition, DDC also states that it "*cannot be guaranteed that golden plover (Pluvialis apricaria) would not be disturbed by future maintenance/refurbishment*" [REP2-065].

- 3.23 The ExA sought clarity in Q1.2.19 [PD-006] whether IPs, in particular the Councils and the Kent Wildlife Trust (KWT) were satisfied that the Applicant had appropriately identified in Appendix H of the NSER [APP-119 and APP-120] all of the necessary mitigation measures required to reach the HRA conclusions, and with the way that these measures are secured in the DCO.
- 3.24 CCC and KCC both confirmed at Deadline 2 [REP2-063 and REP2-069] that they were content that the measures set out in Appendix H of the NSER [APP-119 and APP-120] justified the conclusion of no LSE, with particular reference to the method statements secured in the BMS which is in turn secured in the draft DCO. TDC and the KWT confirmed at Deadline 2 [REP2-067 and REP2-083] that they are satisfied the NSER covers all of the necessary mitigation measures and they are content with the ways in which they are secured in the draft DCO.
- 3.25 Subsequent to the agreements referenced in paragraphs 3.23 and 3.24 of the RIES, an updated version of the EEMS (originally provided in Appendix H of the NSER [APP-119 and APP-120]) was submitted at Deadline 6 [REP6-019].
- 3.26 Agreement has been reached between the Applicant and NE that there is no requirement for post-construction collision monitoring of the proposed development (see SoCG [REP6-011, ID 3.2.4] and responses to Q1.2.14 [REP2-016 and REP2-073]). Following concerns raised by the KWT, stating that post-construction collision monitoring should be undertaken [REP2-082], the Applicant and NE reiterated their positions in their responses to Q2.2.31 that this was not required in order to reach the conclusion in the HRA of no LSE [REP4-014 and REP4-028].

Summary of the HRA outcome during the Examination

- 3.27 The Applicant concludes in the NSER [APP-119 and APP-120] that the proposed development would have no LSE, either alone or in-combination with other plans or projects, on the qualifying features/ interests of the following European sites:
- Stodmarsh SPA;
 - Stodmarsh Ramsar;
 - Stodmarsh SAC;
 - Thanet Coast and Sandwich Bay SPA;
 - Thanet Coast and Sandwich Bay Ramsar;
 - Sandwich Bay SAC;
 - Thanet Coast SAC;
 - Blean Complex SAC;

- Tankerton Slopes and Swalecliffe SAC;
- The Swale SPA; and
- The Swale Ramsar.

3.28 NE has provided confirmation that it agrees with the Applicant's conclusion that there would be no LSE on any European site as a result of the proposed development either alone or in-combination with other plans or projects [REP6-011; REP2-073 and REP4-028].

3.29 The Councils confirm in their SoCG with the Applicant [REP2-024, ID 4.23.3] that all HRA matters had been considered appropriately in the NSER. The KWT confirms agreement with the NSER in its written representation [REP2-082].

ANNEX 1: EUROPEAN SITES SCREENED INTO THE NSER BY APPLICANT

European sites screened into the NSER

Name of European Site	Qualifying features/ interests
Thanet Coast and Sandwich Bay SPA	Ruddy turnstone (<i>Arenaria interpres</i>) (non-breeding)
	Little tern (<i>Sternula albifrons</i>) (breeding)
	Golden plover (<i>Pluvialis apricaria</i>) (non-breeding)
Thanet Coast and Sandwich Bay Ramsar	Ramsar criterion 2: 15 Red Data Book wetland invertebrates
	Ramsar criterion 6: species/ populations occurring at levels of international importance. Ruddy turnstone (<i>Arenaria interpres</i>) (non-breeding)
Sandwich Bay SAC	Embryonic shifting dunes
	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes")
	Fixed coastal dunes with herbaceous vegetation ("grey dunes")
	Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>);
	Humid dune slacks
Thanet Coast SAC	Reefs
	Submerged or partially submerged sea caves
Stodmarsh SPA	Great bittern (<i>Botaurus stellaris</i>) (non-breeding)
	Hen harrier (<i>Circus cyaneus</i>) (non-breeding)
	Gadwall (<i>Anas strepera</i>)

Report on the Implications for European Sites for
Richborough Connection Project

	(breeding)
	Gadwall (<i>Anas strepera</i>) (non-breeding)
	Northern shoveler (<i>Anas clypeata</i>) (non-breeding)
	Water bird assemblage
	Breeding bird assemblage
Stodmarsh Ramsar	<p>Ramsar criterion 2: Six Red Data Book wetland invertebrates. Two nationally rare plants and five nationally scarce species. A diverse assemblage of rare wetland birds.</p> <p>Qualifying species/ populations:</p> <p>Gadwall (<i>Anas strepera</i>) (breeding)</p> <p>Gadwall (<i>Anas strepera</i>) (non-breeding)</p> <p>Great bittern (<i>Botaurus stellaris</i>) (non-breeding)</p> <p>Northern shoveler (<i>Anas clypeata</i>) (non-breeding)</p> <p>Hen harrier (<i>Circus cyaneus</i>) (non-breeding)</p>
Stodmarsh SAC	Desmoulin's whorl snail (<i>Vertigo moulinsiana</i>)
Blean Complex SAC	Sub-Atlantic and medio-European oak or oak-hornbeam forests of the <i>Carpinion betuli</i>
Tankerton Slopes and Swalecliffe SAC	Fisher's estuarine moth (<i>Gortyna borellii lunata</i>)
The Swale SPA	<p>Dark-bellied brent goose (<i>Branta bernicla</i>) (non-breeding)</p> <p>Dunlin (<i>Calidris alpina</i>) (non-breeding)</p> <p>Breeding bird assemblage</p> <p>Water bird assemblage</p> <p>Northern pintail* (<i>Anas acuta</i>) (non-breeding)</p>

Report on the Implications for European Sites for
Richborough Connection Project

	Northern shoveler* (<i>Anas clypeata</i>) (non-breeding)
	Eurasian marsh harrier* (<i>Circus aeruginosus</i>) (breeding)
	Hen harrier* (<i>Circus cyaneus</i>) (breeding)
	Pied avocet* (<i>Recurvirostra avosetta</i>) (breeding)
	Pied avocet* (<i>Recurvirostra avosetta</i>) (non-breeding)
	European golden plover* (<i>Pluvialis apricaria</i>) (non-breeding)
	Red knot* (<i>Calidris canutus</i>) (non-breeding)
	Black-tailed godwit* (<i>Limosa limosa</i>) (non-breeding)
	Bar-tailed godwit* (<i>Limosa lapponica</i>) (non-breeding)
	Mediterranean gull* (<i>Ichthyaeetus melanocephalus</i>) (breeding)
	Common redshank** (<i>Tringa totanus</i>) (non-breeding)
	Gadwall** (<i>Anas strepera</i>) (non-breeding)
	Ringed plover** (<i>Charadrius hiaticula</i>) (non-breeding)
	Grey plover** (<i>Pluvialis squatarola</i>) (non-breeding)
The Swale Ramsar	Ramsar criterion 2: Nationally scarce plants and at least seven British Red Data Book invertebrates
	Ramsar criterion 5: Assemblages of international importance: 77501 waterfowl (5 year peak mean 1998/99-2002/2003)
	Ramsar criterion 6: Species/populations occurring at levels of international importance:

Report on the Implications for European Sites for
Richborough Connection Project

	<p>Common redshank (<i>Tringa totanus</i>)(non-breeding) Dark-bellied brent goose (<i>Branta bernicla</i>) (non-breeding) Grey plover (<i>Pluvialis squatarola</i>) (non-breeding)</p> <hr/> <p>Species/ populations identified subsequent to designation for possible future consideration under Ramsar criterion 6: Ringed plover (<i>Charadrius hiaticula</i>) (non-breeding) Eurasian wigeon (<i>Anas penelope</i>) (non-breeding) Northern pintail (<i>Acas acuta</i>), Northern shoveler (<i>Anas clypeata</i>) (non-breeding) Black-tailed godwit (<i>Limosa limosa</i>) (non-breeding)</p>
--	---

*These species have been included in the Applicant’s matrix for The Swale SPA [REP1-003], but have not been included in the Applicant’s updated versions of Tables 3.1 and 3.2 [REP5-055] and are not listed on NE’s conservation objectives for this site.

**These species have been included in the Applicant’s matrix for The Swale SPA [REP1-003], and are included in the Applicant’s updated versions of Tables 3.1 and 3.2 [REP5-055] but are not listed on NE’s conservation objectives for this site.

The Applicant explains: “The European site qualifying features within these tables [Tables 3.1 and 3.2] have now been updated to reflect those contained within NE’s European site conservation objectives rather than those stated within the JNCC Natura 2000 standard data forms” [REP5-005].

ANNEX 2: APPLICANT'S HRA SCREENING MATRICES

Potential Impacts

Potential impacts upon the European sites which are considered within the submitted No Significant Effects Report (NSER) [APP-119 and APP-120] and in the screening matrices [REP1-003 and REP5-005] are provided in the table below.

Designation	Effects described in submission information	Presented in screening matrices as
Thanet Coast and Sandwich Bay SPA; Thanet Coast and Sandwich Bay Ramsar; Sandwich Bay SAC; Thanet Coast SAC; Stodmarsh SPA; Stodmarsh Ramsar; Stodmarsh SAC; Blean Complex SAC; Tankerton Slopes and Swalecliffe SAC; The Swale SPA; and The Swale Ramsar	Effects of temporary and permanent direct habitat loss from land take by pylons, overhead lines, access and construction areas.	Direct habitat loss
	Indirect effects by way of pollution and disturbance to surrounding habitat.	Pollution and disturbance (indirect)
	Effects of indirect habitat loss/ barrier effects, i.e. the displacement of species from the area of the pylons and overhead lines.	Displacement/ barrier effects
	Effects of collision with overhead lines, which is of particular relevance for sites located in areas known to support raptors or large concentrations of waterfowl.	Collision risk
	In-combination effects	In-combination effects

Screening Matrices

The European sites included within the Applicant's assessment are:

Matrix 1: Thanet Coast and Sandwich Bay SPA;

Matrix 2: Thanet Coast and Sandwich Bay Ramsar;

Matrix 3: Sandwich Bay SAC;

Matrix 4: Thanet Coast SAC;

Matrix 5: Stodmarsh SPA;

Matrix 6: Stodmarsh Ramsar;

Matrix 7: Stodmarsh SAC;

Matrix 8: Blean Complex SAC;

Matrix 9: Tankerton Slopes and Swalecliffe SAC;

Matrix 10: The Swale SPA; and

Matrix 11: The Swale Ramsar.

Evidence for likely significant effects (LSE) on their qualifying features is detailed within the footnotes to the screening matrices below.

Key to Matrices:

- ✓ Likely significant effect cannot be excluded
- × Likely significant effect can be excluded
- C construction
- O operation
- D decommissioning

HRA Screening Matrix 1: Thanet Coast & Sandwich Bay SPA

Name of European site: Thanet Coast & Sandwich Bay SPA															
EU Code: UK9012071															
Distance to Richborough Connection Project 0.18km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Turnstone</i>											xa				
<i>Little tern</i>											xb				
<i>Golden plover</i>	xc	xc	xc	xd		xd		xe			xf		xg	xg	xg

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, turnstone were recorded within the order limits or ornithological study area. Given the absence of and the distance between the Order limits and regular foraging or roosting habitat along Pegwell Bay, Sandwich Bay or the Thanet Coast, there are no effects in relation to collision risk.
- b. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, little tern were not recorded within the order limits or ornithological study area. Given the absence of little tern and the distance between the Order limits and regular foraging or roosting habitat along Pegwell Bay, Sandwich Bay or the Thanet Coast, there are no effects in relation to collision risk.

- c. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, given the limited direct loss of functionally linked golden plover foraging habitat within the Ash Level, no LSEs relating to direct habitat loss are considered as a result of the proposed overhead line.
- d. As detailed in Paragraphs 4.1.9 – 4.1.18 of **NSER Doc. 5.5**, the availability of extensive alternative inland feeding habitat within the vicinity of the proposed development, the fact that Sevenscore and Richborough Castle (which support the greatest numbers of birds) are outside any likely ZoI from construction disturbance and given the adoption of avoidance or sensitive working methods, disturbance during construction would not comprise a LSE. To minimise any effects on golden plover the following detailed embedded environmental measures would be incorporated: avoidance of significant disturbance to wintering birds during November - March inclusive (detailed in **Doc 5.4.3C Construction Environmental Management Plan (CEMP)** paragraph 4.3.3 - 4.3.7, and **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Specific measures (pylons 52-59 and scaffolding (construction) S51.1.1- S60.1.2). If avoidance cannot be incorporated, pre-construction/demolition monitoring to inform the requirement for no night working, appropriately positioning of lighting, temporary visual screening, noise reduction measures, behavioural measures and speed restrictions will be incorporated (detailed in **Doc 5.4.3C CEMP** Paragraphs 3.6.2 -3.6.8 and 4.9.2; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Biodiversity, B-D; and **Biodiversity Mitigation Strategy (BMS) Doc.5.4.3E** Annex 3E.1 Ecological Mitigation Plans: Cover Notes: Section 17 Method Statement H paragraphs 17.6.1-17.6.7, and secured through draft **Development Consent Order (DCO) (Doc 2.1) Schedule 3, Requirements 5 and 6**.
- e. As detailed in Paragraphs 4.1.19 – 4.1.24 of **NSER Doc. 5.5**, given the limited identified indirect habitat loss and the availability of extensive alternative inland foraging habitat within the wider area, operational displacement would not comprise a LSE on the Thanet Coast & Sandwich Bay SPA population.
- f. As detailed in Paragraphs 4.1.25 – 4.1.35 of **NSER Doc. 5.5, Appendix E, NSER Doc. 5.5- Collision Risk/Bird Flight Assessment** and **Collision Risk/Bird Flight Assessment Doc. 5.4.9P**), collision risk calculations applied a 60% reduction factor for those spans where installation of diverters have been proposed i.e. those stretches of the route that pose greatest collision risk. On this basis, diverters would be installed at 5-10m intervals along the following spans: Ash Level (Pylons PC51 – PC60) – where greatest golden plover flight activity was recorded; and Monkton Reservoirs (Pylons PC41 – PC43) – diverters will also be installed in the vicinity of the reservoirs based on historical mute swan mortality in this location. With the inclusion of this mitigation measure (detailed in specific measures, **BMS Doc.5.4. Annex 3E.1 Ecological Mitigation Plans: Cover Notes: Section 17 Method Statement H paragraphs 17.6.8 & 17.6.9**, and secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5(2)b and 11**) to reduce collision

risk, all scenario CRA results, ranging 0.12-2.39 theoretical collisions per annum, fall below the additive mortality threshold (11.31 collisions per annum). Therefore it is unlikely that given these limited effects, the SPA population would be affected due to the negligible increase in collision risk. Collision risk is therefore unlikely to pose a LSE to the SPA population.

- g.** As detailed in **Appendix C, NSER Doc. 5.5, Scoped in Sites for In-Combination Appraisal**, given the minimal predicted effects (No LSE) for the Richborough Connection Project combined with the lack of predicted effects for all of the 10 sites considered, there are assessed to be no LSE for in-combination effects. Other associated developments located within ~1km of the SPA/Ramsar include Richborough energy park peaking plant, Thanet solar farm, the Biomass Plant, Communications mast and the Nemo Link convertor station and National Grid Electricity Transmission (NGET) substation at Richborough. The proposed communications mast is not considered a potential collision risk and would be appropriately lit to deter birds in flight. None of the scoped-in developments would be considered to contribute significant direct or indirect habitat loss as a result of construction or operational displacement. Visual and noise disturbance would be limited, as a result of the large bund running between the railway line and the Ash Level, which would effectively screen any potential disturbing activities. Embedded environmental measures would ensure no significant disturbance to foraging golden plover as a result of construction, operational or decommissioning phase activities. These activities would seek to avoid sensitive periods (during the winter – November - March (detailed in **Doc 5.4.3C CEMP** paragraph 4.3.3 - 4.3.7, and **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Specific measures (proposed pylons 52-59 and scaffolding (construction) S51.1.1- S60.1.2)). If avoidance cannot be incorporated, pre-construction/demolition monitoring to inform the requirement for no night working, appropriately positioning of lighting, temporary visual screening, noise reduction measures, behavioural measures and speed restrictions will be incorporated (detailed in **Doc 5.4.3C CEMP** Paragraphs 3.6.2 -3.6.8 and 4.9.2; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Biodiversity, B-D; and **Biodiversity Mitigation Strategy (BMS) Doc.5.4.3E** Annex 3E.1 Ecological Mitigation Plans: Cover Notes: Section 17 Method Statement H paragraphs 17.6.1-17.6.7, and secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6**. Consequently, there is not considered to be any potential for significant in-combination effects.

HRA Screening Matrix 2: Thanet Coast & Sandwich Bay Ramsar

Name of European site: Thanet Coast & Sandwich Bay Ramsar															
EU Code: UK11070															
Distance to Richborough Connection Project 0.18km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Red Data Book wetland invertebrates</i>				xa		xa									
<i>Turnstone</i>											xb				

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, the Thanet Coast & Sandwich Bay Ramsar is located 0.18km at its closest point from the Order limits. Terrestrial habitats and invertebrates listed within the citation are unlikely to be affected by proposals. The River Stour and associated drainage ditches and water bodies associated within the Ramsar site are unlikely to be indirectly affected by any deterioration in water quality due to run-off from land within the Order limits, given the implementation of embedded pollution prevention measures. These measures are detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5**. They are secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6**. These receptors would therefore not be subject to any LSEs.

- b.** As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, turnstone were not recorded within the order limits or ornithological study area. Given the absence of turnstone and the distance between the Order limits and regular foraging or roosting habitat along Pegwell Bay, Sandwich Bay or the Thanet Coast, there are no effects in relation to collision risk.

HRA Screening Matrix 3: Sandwich Bay SAC

Name of European site: Sandwich Bay SAC															
EU Code: UK0013077															
Distance to Richborough Connection Project 0.18km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Embryonic shifting dunes</i>				<i>x</i>a		<i>x</i>a									
<i>Shifting dunes along the shoreline</i>				<i>x</i>a		<i>x</i>a									
<i>Fixed coastal dunes with herbaceous vegetation</i>				<i>x</i>a		<i>x</i>a									
<i>Dunes with Salix repens ssp. argentea</i>				<i>x</i>a		<i>x</i>a									
<i>Humid dune slacks</i>				<i>x</i>a		<i>x</i>a									

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, Sandwich Bay SAC is listed for its shifting dune habitats and is located 0.18km from the Order limits, outside any identified ZoI. The qualifying interest features would not be susceptible to direct effects resulting from disturbance or damage as there is no land take/ land

use or access required across the SAC. These receptors would therefore not be subject to any LSEs. Furthermore there are detailed embedded environmental measures to minimise any pollution. For the water environment these measures are detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H NSER Doc. 5.5..** For Air Quality the measures are detailed in **Doc 5.4.3C CEMP** Paragraph 4.8.2, and **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Air Quality AQ-AA to AQ-AU. They are secured through draft **DCO (Doc 2.1) Schedule 3, Requirement 5 and 6.**

HRA Screening Matrix 4: Thanet Coast SAC

Name of European site: Thanet Coast SAC															
EU Code: UK0013107															
Distance to Richborough Connection Project 2.5km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Reefs</i>				xa		xa									
<i>Submerged or partially submerged sea caves</i>				xa		xa									

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, Thanet Coast SAC is listed for its reefs and partially submerged caves and is located 2.5km from the Order limits, outside an identified ZoI. Given the distance between Thanet Coast SAC and the proposed scheme, the lack of connectivity and the lack of likely impacts pathways resulting from the scheme, the qualifying features would therefore not be subject to any LSEs. Furthermore there are detailed embedded environmental measures to minimise any pollution. For the water environment these measures are detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5.** For Air Quality the measures are detailed in **Doc 5.4.3C CEMP** Paragraph 4.8.2, and

Doc. 5.4.3B Embedded **Environmental Measures Schedule**, Generic measures, Air Quality AQ-AA to AQ-AU. They are secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6**.

HRA Screening Matrix 5: Stodmarsh SPA

Name of European site: Stodmarsh SPA															
EU Code: UK9012121															
Distance to Richborough Connection Project 0.45km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Hen harrier (Non-breeding)</i>				x a		x a	x a	x a	x a		x c		x e	x e	x e
<i>Gadwall (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x d				
<i>Bittern (Breeding and Non-breeding)</i>				x a		x a	x a	x a	x a		x f				
<i>Gadwall (Breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x d				
<i>Shoveler (Non-breeding)</i>				x a		x a	x a	x a	x a		x g				
<i>Breeding Bird Assemblage</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x h				
<i>Waterbird Assemblage</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x h				

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc 5.5**, these qualifying interest features would not be susceptible to direct effects resulting from disturbance or damage as there is no land take/ land use or access required across the SPA. In addition to which, indirect effects resulting from pollution would be avoided through the incorporation of embedded environmental measures. For the water environment these measures are detailed in **Doc 5.4.3C(B) CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc 5.4.3B(A) Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc 5.5**. For Air Quality the measures are detailed in **Doc 5.4.3C(B) CEMP** Paragraph 4.8.2, and **Doc 5.4.3B(A) Embedded Environmental Measures Schedule**, Generic measures, Air Quality AQ-AA to AQ-AU. For Noise and Vibration the measures are detailed in **Doc 5.4.3C(B) CEMP** Paragraph 4.9.2, and **Doc 5.4.3B(A) Embedded Environmental Measures Schedule**, Generic measures, Construction Noise N&V-A to N&V-H. They are secured through draft **DCO (Doc 2.1(B)) Schedule 3, Requirements 5 and 6**. These receptors would therefore not be subject to any LSEs.
- b. As detailed in **Table 3.2** and Section 4.3 of the Screening Assessment of the **NSER Doc 5.5**, no functionally connected preferred foraging or breeding habitats were recorded either on site or within any Zol. These receptors would therefore not be subject to any LSEs.
- c. As detailed in Paragraphs 4.2.1 – 4.2.10 of the Screening Assessment of the **NSER Doc 5.5** and **Appendix E, NSER Doc 5.5 – Collision Risk/Bird Flight Assessment**, based on the limited level of recorded flight activity and likely high avoidance rates for this species, collision risk would therefore not pose a LSE to the SPA population.
- d. As detailed in Paragraph 4.3.1 – 4.3.8 of the Screening Assessment of the **NSER Doc 5.5** and **Appendix E, NSER Doc 5.5 – Collision Risk/Bird Flight Assessment**, the CRA model predicts no collisions for gadwall. As such, collision risk is considered unlikely to pose any LSE to the SPA population.
- e. As detailed in **Appendix C, NSER Doc 5.5, Scoped in Sites for In-Combination Appraisal**, given the minimal predicted effects (No LSE) for the Richborough Connection Project combined with the lack of predicted effects for all of the 10 sites, there are considered to be no LSE for in-combination effects. The proposed Hersden strategic development and Sturry and Broad Oak strategic development site and Sturry Link road are both located within ~1km of the SPA. Potential effects on wintering hen harrier as a result of scoped-in

developments would be limited to noise, light and vibration disturbance only. As these two developments and the proposed Richborough Connection project are unlikely to be under construction at the same time and given the negligible effects of noise, lighting and vibration on hen harrier as a result of the proposed Richborough Connection project, there are not considered to be any likely significant in combination effects.

- f. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc 5.5, Appendix F Baseline Bird Reports** of the **NSER Doc 5.5** and **Environmental Statement (ES) Non Breeding Bird Survey Baselines Doc 5.4.90(i)** and **Doc 5.4.90(ii)**; bittern and water rail were not recorded within the Order limits and therefore there is no evidence of flight activity that would pose a LSE via the collision risk pathway.
- g. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc 5.5, Appendix F, NSER Doc 5.5 Baseline Bird Reports** and **ES Non Breeding Bird Survey Baselines Doc 5.4.90(i)** and **Doc 5.4.90(ii)**; given the limited occurrence of shoveler within the Order limits over three years and no identified regular connectivity between Stodmarsh and sites within and around the Order limits, there are no identified impact pathways with respect to this species.
- h. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc 5.5, Appendix F, NSER Doc 5.5 Baseline Bird Reports** and **ES Non Breeding Bird Survey Baselines Doc 5.4.90(i)** and **Doc 5.4.90(ii)**, given the limited occurrence of waterfowl relevant to the waterbird assemblage within the Order limits over three years and no identified regular connectivity between Stodmarsh and sites within and around the Order limits, there are no identified impact pathways with respect to this quality feature.

HRA Screening Matrix 6: Stodmarsh Ramsar

Name of European site: Stodmarsh Ramsar															
EU Code: UK11066															
Distance to Richborough Connection Project 0.45km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Red Data Book wetland invertebrates</i>				x a		x a									
<i>Hen harrier (Non-breeding)</i>				x c		x b	x c	x c	x c		x e		x f	x f	x f
<i>Gadwall (Non-breeding)</i>				x a		x a	x a	x a	x a		x g				
				x b		x d	x b	x b	x b						
				x d		x d	x d	x d	x d						
<i>Bittern (Breeding and Non-breeding)</i>				x b		x b	x a	x a	x a		x h				
<i>Gadwall (Breeding)</i>				x a		x a	x a	x a	x a		x g				
				x b		x b	x b	x b	x b						
				x d		x d	x d	x d	x d						
<i>Shoveler (Non-breeding)</i>											x i				

Evidence supporting conclusions

- a. As detailed in Paragraphs 4.4.1-4.4.3 and **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, there would be no direct land take from the Ramsar as a result of the proposed development.
- b. As detailed in Paragraphs 4.4.1-4.4.3 of **NSER Doc. 5.5**, there is no direct aquatic connectivity between the nearest point of the land within the Order limits and Stodmarsh Ramsar (approximately 500m), with the land within the Order limits draining to Sarre Penn not toward Stodmarsh. Stodmarsh Ramsar is connected 1.5km downstream from the proposed development at Canterbury by the River Great Stour, which itself is a receptor. The River Great Stour provides the pathway to Stodmarsh SAC and therefore it follows that protection of the River Great Stour by appropriate embedded environmental measures (detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5**. and secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6**) would avoid the propagation of any significant effects further downstream. These receptors would therefore not be subject to any LSEs.
- c. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, these qualifying interest features would not be susceptible to direct effects resulting from disturbance or damage as there is no land take/ land use or access required across the Order limits.
- d. As detailed in **Table 3.2** and Section 4.3 of the Screening Assessment of the **NSER Doc. 5.5**, surveys indicate that there was limited movement between Stodmarsh and habitats within or to the north of the route corridor study (RCS) area and therefore are unlikely to comprise SPA population birds; as such, none of the qualifying features would be susceptible to indirect effects resulting from disturbance or damage.
- e. As detailed in Paragraphs 4.2.1 – 4.2.10 of the Screening Assessment of the **NSER Doc. 5.5** and **Appendix E NSER Doc. 5.5. – Collision Risk/Bird Flight Assessment**, based on the limited level of recorded flight activity and likely high avoidance rates for this species, collision risk is considered unlikely to pose a likely significant effect to the SPA population.
- f. As detailed in **Appendix C, NSER Doc. 5.5. Scoped in Sites for In-Combination Appraisal**, given the minimal predicted effects (No LSE) for the Richborough Connection Project combined with the lack of predicted effects for all of the 10 sites, consequently, there is not considered to be any potential for likely significant in-

combination effects. The proposed Hersden strategic development site and Sturry and Broad Oak strategic development site and Sturry link road are both located within ~1km of the SPA. Potential effects on wintering hen harrier as a result of scoped-in developments would be limited to noise, light and vibration disturbance only. As these two developments and the proposed Richborough Connection project are unlikely to be under construction at the same time and given the negligible effects of noise, lighting and vibration on hen harrier as a result of the proposed Richborough Connection project, there are not considered to be any significant in combination effects.

- g.** As detailed in Paragraphs 4.3.1 – 4.3.8 of the Screening Assessment of the **NSER Doc. 5.5** and **Appendix E, NSER Doc. 5.5 – Collision Risk/Bird Flight Assessment**, the CRA model predicts no collisions for gadwall. As such, collision risk is considered unlikely to pose a likely significant effect to the SPA population.
- h.** As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, bittern was not recorded within the Order limits and only occasional sightings were made within the wider vicinity. The scheme is therefore unlikely to contribute significant effects to bittern as there are no identified impact pathways with respect to collision risk for this species.
- i.** As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, given the limited occurrence of shoveler within the Order limits over three years and no identified regular connectivity between Stodmarsh and sites within and around the Order limits, there are no identified impact pathways with respect to collision risk for this species.

HRA Screening Matrix 7: Stodmarsh SAC

Name of European site: Stodmarsh SAC															
EU Code: UK0030283															
Distance to Richborough Connection Project 0.45km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Desmoulin`s whorl snail</i>				x a		x a									
				x b		x b									

Evidence supporting conclusions

- a. As detailed in Paragraphs 4.4.1-4.4.3 and **Table 3.2**: Screening Assessment of the **NSER Doc. 5.5**; there would be no direct land take from the SAC as a result of the proposed development.
- b. As detailed in Paragraphs 4.4.1-4.4.3 of the **NSER Doc. 5.5**, there is no direct aquatic connectivity between the nearest point of the land within the Order limits and Stodmarsh SAC (approximately 500m), with the land within the Order limits draining to Sarre Penn not toward Stodmarsh. Stodmarsh SAC is connected 1.5km downstream from the proposed development at Canterbury by the River Great Stour, which itself is a receptor. The River Great Stour provides the pathway to Stodmarsh SAC and therefore it follows that protection of the River Great Stour by appropriate embedded environmental measures (detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5.** and secured through draft

DCO (Doc 2.1) Schedule 3, Requirements 5 and 6 would avoid the propagation of any significant effects further downstream. This receptor would therefore not be subject to any LSEs.

HRA Screening Matrix 8: Blean Complex SAC

Name of European site: Blean Complex SAC															
EU Code: UK0013697															
Distance to Richborough Connection Project 3km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Sub-Atlantic and medio-European oak or oak-hornbeam forests of the Carpinion betuli</i>				x a x b		x a x b									

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, there would be no direct land take from the SAC as a result of the proposed development, Blean Complex is located 3km from the Order limits, outside any identified ZoI.
- b. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, no indirect impacts of dust or pollution are anticipated as the SAC is outside the ZoI. Therefore, there are no LSE for this qualifying feature. Heath fritillary butterfly legislation would not be contravened due to the distance from the Order limits. In addition to which, indirect effects resulting from pollution would be avoided through the incorporation of embedded environmental measures. For the water environment these measures are detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded**

Environmental Measures Schedule, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5**. For Air Quality the measures are detailed in **Doc 5.4.3C CEMP** Paragraph 4.8.2, and **Doc. 5.4.3B** Embedded **Environmental Measures Schedule**, Generic measures, Air Quality AQ-AA to AQ-AU. These measures would be secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6** which would limit both dust and pollution.

HRA Screening Matrix 9: Tankerton Slopes and Swalecliffe SAC

Name of European site: Tankerton Slopes and Swalecliffe SAC															
EU Code: UK0030378															
Distance to Richborough Connection Project 5.7km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Fisher's estuarine moth</i>				x a		x a									

Evidence supporting conclusions

- a** As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, no indirect impacts of dust or pollution are anticipated as the SAC is outside any ZoI. Fisher's estuarine moth would be unaffected by works due to the distance of the SAC from the Order limits and lack of any suitable habitats (notably lack of food plant Hogs fennel) within the Order limits. Therefore, there are no LSE for this qualifying feature. In addition, indirect effects resulting from pollution would be avoided through the incorporation of embedded environmental measures. For the water environment these measures are detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5**. For Air Quality the measures are detailed in **Doc 5.4.3C CEMP** Paragraph 4.8.2, and **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Air Quality AQ-AA to AQ-AU. These measures would be secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6** which would limit both dust and pollution.

HRA Screening Matrix 10: The Swale SPA

Name of European site: The Swale SPA															
EU Code: UK9012011															
Distance to Richborough Connection Project 7.5km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Gadwall (Non-breeding)</i>				x a		x a	x a	x a	x a		x c				
<i>Dark-bellied brent goose (Non-breeding)</i>				x a		x a	x a	x a	x a		x c				
<i>Dunlin (Non-breeding)</i>				x a		x a	x a	x a	x a		x c				
<i>Common redshank (Non-breeding)</i>				x a		x a	x a	x a	x a		x c				
<i>Northern pintail (Non-breeding)</i>				x a		x a	x a	x a	x a		x c				
<i>Northern shoveler (Non-breeding)</i>				x a		x a	x a	x a	x a		x c				

Report on the Implications for European Sites for
Richborough Connection Project

<i>Eurasian marsh harrier (Breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Hen harrier (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Pied avocet (Breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Pied avocet (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Ringed plover (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>European golden plover (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Grey plover (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Red knot (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Black-tailed godwit (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Bar-tailed godwit (Non-breeding)</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Mediterranean gull (Breeding).</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				

<i>Breeding bird assemblage</i>				<i>x a</i> <i>x b</i>		<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>		<i>x c</i>				
<i>Waterbird assemblage</i>				<i>x a</i> <i>x b</i>		<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>		<i>x c</i>				

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, the Swale SPA site is located 7.5km from the Order Limits and outside an identified Zone of Influence (ZoI). Given the distance between this site and the proposed development, none of the qualifying features would be susceptible to direct effects resulting from disturbance or damage as there is no land take/ land use or access required across the Order limits. These receptors would therefore not be subject to any LSEs.
- b. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, the Swale SPA site is located 7.5km from the Order Limits and outside an identified Zone of Influence (ZoI). Given the distance between this site and the proposed development, the lack of connectivity i.e. no functionally connected preferred foraging or breeding habitats within the Order limits or within any ZoI, none of the qualifying features would be susceptible to indirect effects resulting from disturbance or damage. These receptors would therefore not be subject to any LSEs. In addition, indirect effects resulting from pollution would be avoided through the incorporation of embedded environmental measures. For the water environment these measures are detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5**. For Air Quality the measures are detailed in **Doc 5.4.3C CEMP** Paragraph 4.8.2, and **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Air Quality AQ-AA to AQ-AU. These measures would be secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6** which would limit both dust and pollution.
- c. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, based on the lack of functionally connected preferred foraging or breeding habitats within the order limits or within any ZoI and the negligible

level of recorded flight activity, collision risk is considered unlikely to pose any adverse effect to the SPA population.

HRA Screening Matrix 11: The Swale Ramsar

Name of European site: The Swale Ramsar															
EU Code: UK11071															
Distance to Richborough Connection Project NSIP 7.5km															
European site features	Likely Effects of Richborough Connection Project (NSIP)														
<i>Effect</i>	<i>Direct habitat loss</i>			<i>Pollution and disturbance (Indirect)</i>			<i>Displacement /barrier effect</i>			<i>Collision risk</i>			<i>In combination effects</i>		
<i>Stage of Development</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
<i>Ramsar criterion 2: Nationally scarce plants and at least seven British Red data book invertebrates</i>				x a		x a	x a	x a	x a						
<i>Ramsar Criterion 5 - Assemblages of international importance: 77501 waterfowl (5 year peak mean 1998/99-2002/2003).</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				
<i>Ramsar Criterion 6 - Species/population</i>				x a x b		x a x b	x a x b	x a x b	x a x b		x c				

<i>s occurring at levels of international importance. Common redshank, dark-bellied brent goose and grey plover.</i>															
<i>Species/populations identified subsequent to designation for possible future consideration under Criterion 6. Ringed plover, Eurasian wigeon, Northern pintail, Northern shoveler and black-tailed godwit</i>				<i>x a</i> <i>x b</i>		<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>	<i>x a</i> <i>x b</i>		<i>x c</i>				

Evidence supporting conclusions

- a. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, the Swale Ramsar site is located 7.5km from the Order Limits and outside an identified Zone of Influence (ZoI). Given the distance between this site and the proposed development, none of the qualifying features would be susceptible to direct effects resulting from disturbance or damage as there is no land take/ land use or access required across the Order limits. These receptors would therefore not be subject to any LSEs.
- b. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, the Swale Ramsar site is located 7.5km from the Order Limits and outside an identified Zone of Influence (ZoI). Given the distance between this site and the proposed development, the lack of connectivity i.e. no functionally connected preferred foraging or

breeding habitats within the Order limits or within any ZoI, none of the qualifying features would be susceptible to indirect effects resulting from disturbance or damage. These receptors would therefore not be subject to any LSEs. In addition, indirect effects resulting from pollution would be avoided through the incorporation of embedded environmental measures. For the water environment these measures are detailed in **Doc 5.4.3C CEMP** Paragraphs 4.5.2, 4.5.5-4.5.18 and 4.5.21-4.5.28; **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Water Environment, WE-A to WE-AP and **Appendix H, NSER Doc. 5.5**. For Air Quality the measures are detailed in **Doc 5.4.3C CEMP** Paragraph 4.8.2, and **Doc. 5.4.3B Embedded Environmental Measures Schedule**, Generic measures, Air Quality AQ-AA to AQ-AU. These measures would be secured through draft **DCO (Doc 2.1) Schedule 3, Requirements 5 and 6** which would limit both dust and pollution.

- c. As detailed in **Table 3.2** of the Screening Assessment of the **NSER Doc. 5.5**, based on the lack of functionally connected preferred foraging or breeding habitats within the order limits or within any ZoI and the negligible level of recorded flight activity, collision risk is considered unlikely to pose any adverse effect to the Ramsar population.

ANNEX 3: LIST OF DOCUMENTS REVIEWED TO PRODUCE THE RIES

Document List

Application documents

- (Part 1 of 2) Environmental Statement – Chapters 1 – 10 [APP-029]
- (Part 2 of 2) Environmental Statement – Chapters 11- 16 [APP-030]
- No Significant Effects Report [APP-119 and APP-120]
- Draft Development Consent Order [APP-006]
- Biodiversity Mitigation Strategy [APP-066]

Relevant Representations

- Dover District Council [RR-029]
- Natural England [RR-065]
- Kent County Council [RR-038]

Deadline 1 (21 June 2016)

- Applicant: Covering letter [REP1-001]
- Applicant: Updated HRA matrices to inform the RIES [REP1-003]

Deadline 2 (14 July 2016)

- Applicant: Draft Development Consent Order [REP2-003]
- Applicant: Statement of Common Ground with Natural England [REP2-022]
- Applicant: Response to the Examining Authority's First Written Questions [REP2-016]
- Applicant: Response to the Examining Authority's First Written Questions Appendices A – S [REP2-017]
- Applicant: Statement of Common Ground with Kent Wildlife Trust [REP2-023]
- Applicant: Statement of Common Ground with the Councils [REP2-024]
- Canterbury City Council: Written Representation [REP2-062]
- Canterbury City Council: Response to the Examining Authority's First Written Questions [REP2-063]
- Dover District Council: Response to the Examining Authority's First Written Questions [REP2-065]
- Thanet District Council: Response to the Examining Authority's First Written Questions [REP2-067]
- Kent County Council: Written Representation [REP2-068]

Report on the Implications for European Sites for
Richborough Connection Project

- Kent County Council: Response to Examining Authority's First Written Questions [REP2-069]
- Natural England: Response to the Examining Authority's First Written Questions [REP2-073]
- Kent Wildlife Trust: Written Representation [REP2-082]
- Kent Wildlife Trust: Response to the Examining Authority's First Written Questions [REP2-083]
- South East Water: Written Representation [REP2-099]
- South East Water: Appendix 11 to Written Representation - Alternative Report Appendix G - Broad Oak Reservoir Bird Strike Study [REP2-201 and REP2-208]

Deadline 3 (4 August 2016)

- Applicant: Biodiversity Mitigation Strategy [REP3-004]
- Applicant: Response to South East Water's Written Representation submitted for Deadline 2 [REP3-019]
- South East Water: Note on Bird Collision Risk [REP3-031]

Deadline 4 (8 September 2016)

- Applicant: Response to the Examining Authority's Second Written Questions [REP4-014]
- Applicant: Draft Development Consent Order [REP4-003]
- Natural England: Response to Examining Authority's Second Written Questions [REP4-028]

Deadline 5 (7 October 2016)

- Applicant: Updated Stodmarsh HRA screening matrix, updated NSER tables 3.1 and 3.2 and all relevant European site conservation objectives to inform the Report on the Implications for European Sites [REP5-005]
- Applicant: Written summary of case put forward orally at the Issue Specific Hearing on landscape, visual and biodiversity effects including alternatives [REP5-022]
- South East Water: Summary of Issue Specific Hearing 28 September 2016 [REP5-040]
- Natural England: Comments on responses to the Examining Authority's Second Written Questions [REP5-055]
- Environment Agency: Hearing note regarding the second Issue Specific Hearing on the effect of the Application on the Broad Oak reservoir proposal [REP5-056]

Deadline 6 (26 October 2016)

- Applicant: Statement of Common Ground with Natural England [REP6-011]
- Applicant: Biodiversity Mitigation Strategy [REP6-020]
- Applicant: Draft Development Consent Order [REP6-003]
- Applicant: Environmental Statement Addendum [REP6-018]
- Applicant: Embedded Environmental Measures Schedule [REP6-019]
- Applicant: Environmental Statement Consolidated Errata and Changes Document [REP6-017]

Procedural Decisions

- Rule 6 Letter [PD-004]
- The Examining Authority's first written questions [PD-006]
- The Examining Authority's second written questions [PD-009]

Events and Hearings

- Agenda for the Second Issue Specific Hearing on the effect of the application on the Broad Oak reservoir proposal - 28 September 2016 [EV-039]
- Audio Recording 30 September 2016 Issue Specific Hearing on landscape, visual and biodiversity effects - Part 1 [EV-052]