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Cabinet Member for Environment & Transport



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Dear Mr Morris

RE: Goodwin Sands Aggregate Dredging Scheme MLA/2016/00227

Thank you for inviting Kent County Council (KCC) to respond to the Marine Management Organisation's consultation on Port of Dover's application for this marine aggregates licence.

We hope that the following response is helpful in outlining KCC's position and our recommendations relating to the proposal to dredge 2.5 million m³ of aggregates from the Goodwin Sands for use in the Dover Western Docks Revival (DWDR) development.

We have divided our response into different sections, compiled by the relevant teams at KCC:

Alternative sources of aggregates (Planning Applications Group)

Assuming a conversion rate of 1.6 tonnes per m³, the proposed 2.5 million m³ of aggregates would equate to about 4 million tonnes of material. If all this were required as sharp sand gravel, this would exceed the permitted land bank of sharp sand and gravel in Kent. The most recent publicly available figure was 3.61 million tonnes at the end of 2013, since which time no new reserves have been permitted.

Given the scarcity of sharp sand and gravel in the county and the need for such materials for use in building products, their use in this case for land reclamation would be undesirable in terms of sustainability. It should also be noted that the Kent Minerals and Waste Local Plan acknowledges that maintaining an ongoing land bank of land-won sharp sand and gravel will not be possible indefinitely due to the depletion of such resources in the county.

Whilst the permitted land bank of crushed rock in Kent is significantly greater than that for sharp sand and gravel and would be capable of supplying the required 2.5 million m³, it is unlikely that it could do so without adversely affecting the ability of the sites to serve existing markets and / or giving rise to significant transportation effects. Neither Hermitage Quarry nor Blaise Farm Quarry (both west of Maidstone) have a rail link, meaning that all or part of the transportation would need to be by road.

It should also be noted that consideration has not been given to the issue of productive capacity which could further restrict the ability of the various sites to provide the required materials within any specific time period.

Although the use of secondary and recycled materials was screened out at an early stage (such that little information is provided in the Environmental Statement), this does not seem unreasonable given the quantities of aggregates required and the desirability of completing the development within a reasonable time period.

The consideration of alternatives in the Environmental Statement has some weaknesses, but due the amount of material required, it is doubted that this would significantly affect the overall conclusions of the Environmental Statement. In addition, there is a history of aggregate extraction from the Goodwin Sands, with 6.3 million m³ removed between 1976 and 1998 and an additional million m³ removed for Channel Tunnel construction between 1988 and 1990.

Purely from an aggregates point of view, the use of sea-dredged aggregates and transportation by sea direct to the proposed site at Port of Dover would appear reasonable and preferable to the use of land-won minerals.

Natural environment (Natural Environment and Coast Team)

Although not designated under the habitat regulations, the Goodwin Sands have a rich biodiversity and are classified as a recommended Marine Conservation Zone (rMCZ), which subject to consultation will be designated an MCZ under tranche 3 of Defra's MCZ designation programme.

For this reason, the possible impacts to the rMCZ features are considered in the Environmental Statement. Some of these features are also listed as habitats and species of importance under OSPAR convention and Section 41 of the Natural Environment and Rural Communities (NERC) act 2006.

In terms of the other wildlife that uses the Goodwin Sands, it would appear that intertidal areas will not be affected by the dredge and that suitable mitigation measures are in place to limit any disturbance for the two seal species which use the area for haul out and breeding.

KCC accepts the evidence that the habitat Features of Conservation Importance (FOCI) for the rMCZ - blue muscle beds (*Mytilus edulis*) and Ross worm reef (*Sabellaria spinulosa*) - will be largely unaffected by the dredge and that it is the broad scale habitats of subtidal sand and subtidal coarse sediment that will be affected along with benthic communities.

The proposed dredge area is 3.9 m², approximately 1.4% of the rMCZ area of Goodwin Sands (276.91km²). Subtidal sand and subtidal coarse sediment are two of the broad scale habitats of the rMCZ for Goodwin Sands and to have 2.5 million m³ of this actual resource removed for aggregate is an action which should be undertaken with careful consideration in terms of the biodiversity impacts.

It has to be recognised, however, that there is a history of dredging from the Goodwin Sands, and stakeholder discussion during the Balanced Seas project indicated that any MCZ designation for the Goodwin Sands would have to include measures to allow some dredging.

The environmental sustainability of the proposal hinges on the accuracy of the Environmental Statement's prediction of a recovery of the system within 5 years.

The dredge will leave at least 0.5 m depth of sand over the bedrock (Marine Minerals Guidance¹ ODPM, 2002), which will allow re-colonisation and recovery of benthic communities. These species are found in the non-dredged area and the predictions are that some species will move back into the dredged area in a much shorter period after dredging takes place.

Goodwin Sands is, however, a closed system in terms of sediments, so there would appear to be little potential for replenishment of the sediments that make up the broad scale habitat, particularly subtidal sand. Although the Goodwin Sands are a dynamic and changing system, there is no information in the Environmental Statement about the biodiversity significance of losing such a large amount of material.

The assumption that the Environmental Statement appears to make is that because a surface layer is left after dredging, the area of these broad scale habitats will not be reduced, just the depth, allowing for recovery of biodiversity and no net loss of species.

Nonetheless, although it would have been useful to have this covered in more detail, it would seem that the biodiversity described for the rMCZ will still be present outside the affected area and able to recolonise following the dredge. KCC has no reason to doubt this assertion, but it would have been helpful to have had the impact of the removal of such a large amount of material described in more detail.

KCC would like to see biodiversity closely monitored in the months and years following the dredge to inform decisions around any future aggregate dredging of this area and to inform the conservation measures, if the site is designated an MCZ. Such monitoring arrangements are described in the Environmental Statement.

Finally, KCC would like to raise the question as to whether this proposal to dredge 2.5 million m³ of aggregates, would be allowed if this site was designated an MCZ.

KCC understands that differing degrees of human activity will be permitted within different MCZ's and that in drawing up any conservation measures for the Goodwin Sands, a degree of dredging is likely to be permitted bearing in mind the history of the site. It is unfortunate that with this being an rMCZ that there are no such guidelines in place at present. This could have led to a better informed decision on the environmental impacts.

For this development, it would appear that there will be no long term impacts on biodiversity, but it seems quite clear that if this level of dredging became a common occurrence, it would not be sustainable from either an aggregates or a biodiversity point of view.

KCC would like to see this carefully considered in any conservation advice package for the future MCZ, in order that the long term sustainability of the Goodwin's Sands aggregates resource can be assured to the benefit of both industry and biodiversity.

Seascape (Natural Environment and Coast Team)

It is our understanding that the MMO screened out the need for an Landscape and Visual Impact Assessment (LVIA) as part of this Environmental Statement because, apart from during the construction, there will be no visual impact. This may be the case, but some of the seascapes characteristics described in the Seascape Character Assessment for the Dover Strait would have provided a useful context to the natural and cultural significance of the area. KCC would recommend that where such studies exists, they are used to inform future EIA's and Environmental Statements.

Historic environment (Heritage Conservation Team)

As the information accompanying the application explains, the proposed extraction site lies in an area of high archaeological potential. Numerous historic wrecks and crash sites, some of which are designated, have been recorded on the Goodwin Sands and there is potential for many more presently unrecorded remains of historic and prehistoric date to be present. In addition, a fluvial palaeochannel with potential to contain significant early prehistoric remains has been recorded within the extraction area.

Historic England take the lead on advising on the historic environment in the marine zone. To avoid duplication, the Heritage Conservation team at KCC are not commenting in detail or on points of principle in relation to this application.

There are however a few points which KCC wishes to make. Firstly, copies of reports (including those already produced) should be sent to the Kent Historic Environment Record maintained by KCC as well as OASIS to ensure that records for the area are up to date. Secondly, the on-board archaeologist should be competent in recognising earlier Palaeolithic artefacts, Pleistocene faunal remains and worked wood as well as artefacts and worked wood relating to other historic periods.

Finally, it is noted that a cap of 50 cm will be left on top of the palaeochannel as protection; considering that the sand in this area is mobile it would be helpful if a monitoring regime could be put in place to check if this protective layer stays in place.

Coastal processes and onshore affects

KCC is pleased to see that the coastal modelling shows no impacts on the onshore currents for the Kingsdown to Deal coastline. This was an area of concern in terms of coastal defences and impacts on processes such as longshore drift.

Sustainability (Sustainable Business and Communities)

KCC concludes that the proposal is sustainable both from the aggregates and the natural environment perspective and will take the lead from Historic England on the historic environment implications.

Overall conclusion

KCC has no objection to the Goodwin Sands Aggregate Dredging Scheme, but has included some reservations about the Environmental Statement in this consultation response and has made some suggestions about ensuring the long term sustainability of the Goodwin Sands for dredging, particularly in relation to its status as a recommended Marine Conservation Zone.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely



Matthew Balfour