

Date: 19<sup>th</sup> January 2026

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**Kent**  
Wildlife Trust

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**RE: Sea Link (EN020026) Nationally Significant Infrastructure Project (NSIP) Application – Written Representations Summary (Deadline 3A – Change Request) – Kent Wildlife Trust (F0B50218B)**

This Summary accompanies Kent Wildlife Trust's ("KWT") Written Representations submitted at Deadline 3A in response to the Applicant's Change Request relating to Change 1 – Access at the Hoverport, Kent. It sets out the key issues raised and highlights the fundamental concerns that, in KWT's view, prevent the Change Request from being accepted in its current form. KWT's objections raised at Deadline 1 (18<sup>th</sup> November 2025) remain fully applicable. The Change Request does not resolve those concerns and introduces further uncertainty and risk. For the reasons summarised below, KWT considers that the Change Request is premature, inadequately evidenced and cannot lawfully be accepted. This Summary should be read alongside KWT's full Deadline 3A Written Representations.

**1.) ABSENCE OF ECOLOGICAL BASELINE SURVEYS**

- The Change Request is advanced without any site-specific ecological baseline surveys for the hoverport, contrary to the EIA Regulations and established case law.
- No botanical, reptile or invertebrate surveys have been undertaken at the hoverport.
- Proceeding without baseline data undermines the integrity of the environmental assessment and conflicts with the precautionary principle.
- The Applicant's reliance on existing hardstanding as justification for no ecological impact is unsupported and fails to recognise rewilding and habitat development over time.
- Environmental assessment is unlawfully deferred to post-consent stages, contrary to Regulation 14 and Schedule 4 of the EIA Regulations.

**2.) OMISSION OF SALTMARSH HABITAT**

- Saltmarsh, a Section 41 Priority Habitat and qualifying feature of national and international designations, is omitted from plans suggesting to show "*Habitats of Protected Species and Important Habitats*".
- The absence of saltmarsh mapping prevents meaningful scrutiny and undermines confidence that impacts can genuinely be avoided.
- Without accurate habitat annotation, there is no certainty that saltmarsh will not be encroached upon during construction, operation or maintenance.
- This omission represents a material deficiency in the Applicant's environmental information.

**3.) LIKELY ADVERSE IMPACTS FROM ACCESS ARRANGEMENTS**

- The Applicant incorrectly assumes that absence of formal vegetation clearance equates to absence of habitat loss.

- Machinery tracking, vibration, compaction and ground disturbance are likely to cause habitat damage and loss, particularly to species reliant on rootstock and substrate integrity.
- Temporary and indirect construction-phase effects have not been properly assessed, contrary to NPS EN-1.
- The Change Request fails to recognise that habitat degradation and disturbance can engage wildlife offences even where land take is temporary.

#### **4.) PROTECTED AND PRIORITY SPECIES**

- The hoverport is known to support a wide range of protected and Priority Species, including Schedule 5 protected species such as Fiery Clearwing and Sussex Emerald moths, priority and nationally scarce invertebrates, reptiles and rare orchids.
- Ground disturbance poses a high risk of killing or injuring protected species, including the larvae of protected invertebrates, or damaging their habitats, particularly during overwintering periods.
- No licensing pathway, seasonal constraints or mitigation strategies can be defined in the absence of surveys.
- The Applicant has failed to demonstrate that the project can be delivered lawfully without committing offences under wildlife legislation.

#### **5.) FAILURE TO APPLY THE MITIGATION HIERARCHY**

- The Change Request does not demonstrate proper application of the Mitigation Hierarchy as required by NPS EN-1 and EN-5.
- Avoidance has not been prioritised, as routing decisions are not informed by ecological evidence.
- The Applicant seeks flexibility first and assessment later, reversing the required order of the Mitigation Hierarchy.
- Impacts are understated by excluding machinery tracking from definitions of habitat loss.
- Mitigation is deferred to post-consent stages and is neither defined nor secured.

#### **6.) CONCLUSION**

KWT supports, in principle, efforts to avoid impacts on saltmarsh at Pegwell Bay. However, the proposed extension of the Order Limits at the hoverport is inadequately evidenced, premature and risks facilitating ecological harm rather than preventing it. The Change Request fails to comply with the EIA Regulations, the precautionary principle, the Mitigation Hierarchy and relevant National Policy Statements. In the absence of comprehensive baseline ecological surveys, accurate habitat mapping and an evidence-led access strategy, the Examining Authority cannot lawfully accept the proposed change. KWT therefore urges the Examining Authority to require substantial further evidence and reassessment. Unless these deficiencies are resolved, the Change Request should not be accepted.

If you require any further clarification regarding our comments, please do not hesitate to get in touch.

Kind regards,

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Planning & Policy Officer  
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