



ECOLOGICAL ADVICE SERVICE

TO: Andrew Jolly

FROM: Luke Wallace

DATE: 07 June 2019

SUBJECT: 19/00627/AS / Land adj the Beeches known as Trebyan, Wittersham

The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.

We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided.

Bats and Lighting

We are satisfied that the barn has been assessed as 'negligible' for roosting bat opportunities. However, as recommended in the ecology report, it is likely that bats (all species of which are protected) forage and commute over and around the site and, therefore, could be impacted by external lighting. As such, we advise that the external lighting of the development should be designed in a way that negates the impact on bat activity.

To mitigate against potential adverse effects on bats, and in accordance with paragraph 180 of the National Planning Policy Framework 2019, we suggest that the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' is consulted in the lighting design of the development. We advise that the incorporation of sensitive lighting design for bats is submitted to the local planning authority, as recommended in the ecology report, and secured with an attached condition with any planning permission. Suggested wording:

"Prior to occupation a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will:

- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to forage and commute;
- Show where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb bat activity.

All external lighting will be installed in accordance with the specifications and locations set out in the plan and will maintained thereafter in accordance with the plan."

Barn Owl

A Barn Owl (a Schedule 1 species under the Countryside and Wildlife Act 1981) was seen exiting the barn during the ecological survey. However, no suitable nesting space was identified within the barn. As recommended in the ecology report, we advise that a search is undertaken for evidence of nesting Barn Owl (by a suitably qualified ecologist), within the barn, prior to the commencement of any development works. If evidence of nesting Barn Owl is found, development works must not commence until an appropriate mitigation strategy has been provided and agreed. Compensation for loss of roosting space for Barn Owl can be included within an enhancement plan (detailed further on).

To ensure a search of the barn, prior to commence or works, we advise that a condition is attached if planning permission is granted. Suggested wording:

"Prior to the commencement of development works, a search of the barn by a qualified ecologist will be undertaken to establish if breeding barn owl is present. If evidence is found, development works must not commence until an appropriate mitigation strategy has been provided to, and agreed with, the local planning authority."

Great Crested Newts

While the ecology report concludes that the presence of Great Crested Newts (GCN) is unlikely, a small area of suitable terrestrial habitat for Great Crested Newt (GCN) has been identified within the development site. As GCN are protected, we concur with the ecology report's conclusion that precautionary measures should be implemented to ensure no potentially present GCN are harmed during development works.

We advise that the implementation of the precautionary mitigation measures (recommended in the report) are secured via an attached condition, should planning permission be granted. Suggested wording:

"All precautionary mitigation measures will be carried out for Great Crested Newt in accordance with the details contained in section 5.4.13 the Preliminary Ecological Appraisal (Greenspace Ecological Solutions October 2018)."

Ecological Enhancements

In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The ecology report recommends enhancements which we advise should be incorporated into the development. We would also recommend that a barn owl boxes is provided in an appropriate location (if possible) to provide an alternative roost space once the barn has been developed. Details of appropriate bird/bat boxes and hibernacula have been provided; however, we advise that an

enhancement plan is provided to show the proposed locations of the boxes/hibernacula and to include to provision of a suitably placed barn owl box.

If planning permission is granted, we advise the production and implementation of an enhancement plan is secured via an attached condition. Suggested wording:

“Within three months of the commencement of development works, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include the location of bird/bat nest boxes and hibernacula and the provision of a barn owl box. The approved details will be implemented and thereafter retained.”

If you have any queries regarding our comments, please do not hesitate to get in touch.

Luke Wallace
Biodiversity Officer

This response was submitted following consideration of the following documents:

- *Preliminary Ecological Appraisal. Greenspace Ecological Solutions. October 2018.*
- *Ecology Details. DHA. April 2019.*