



ECOLOGICAL ADVICE SERVICE

TO: *Ross McCardle*

FROM: *Helen Forster*

DATE: *08 January 2018*

SUBJECT: *Land South And East Of Sittingbourne 17/506551/EIASCO*

Thank you for requesting advice on this scoping opinion from KCC's Ecological Advice Service. This service provides advice to planning officers to inform Swale Borough Council planning decisions with regard to the potential ecological impacts. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

We have reviewed the information submitted as part of the scoping opinion and we are generally satisfied with the approach set out within the scoping document – we have a few minor points which we set out below.

A range of surveys have been carried out across the site and we advise that the results of the ecological surveys must inform the design of the proposed development site and detailed mitigation strategies.

We advise that the development follows the 'mitigation hierarchy' as described in British Standard BS 42020:2013, which involves the following step-wise process:

- Avoidance – avoiding adverse effects through good design;
- Mitigation – where it is unavoidable, mitigation measures should be employed to minimise adverse effects;
- Compensation – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm;
- Enhancement – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

The measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development (BS 42020:2013, section 5.5).

The ecological surveys and detailed mitigation strategies must be submitted with the planning application.

Bats

The submitted information has detailed the following that there are tunnels present within the quarries which provide bat roosting potential. We highlight that consideration must be given to the potential for the tunnels to be used by hibernating bats and recommend that a hibernation survey is carried out this winter. If the hibernation survey season is missed and it's identified that there is a need for a hibernation survey it will be November/December 2018 before the survey can be carried out.

We do accept that the need for emergence surveys to be carried out must be proportional to the impacts from the proposed development. But we advise that if there is chance the potential roosts within buildings/trees/quarry will be impacted (directly or indirectly) by the development the bat surveys must be scheduled in to be carried out during this survey season to ensure that the LPA has all the relevant information to consider the ecological impact of the proposed development.

Ancient Woodland.

The submitted information has detailed that there is a risk that an area of Ancient woodland will be destroyed to provide access for the proposed development. We advise that the site is designed to retain the area of ancient woodland and adjacent habitat. We highlight that the NPPF has recognised the importance of Ancient Woodland and it states the following:

Paragraph 118 of the NPPF states the following: *When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*

- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;*

Open Space

The proposed development is proposing to create areas of open space which will be used for both ecological mitigation and public access.

We recommend that an outline management plan is submitted as part of the planning application to demonstrate that any ecological mitigation required can be retained for the lifetime of the development and will not be negatively impact due to recreational pressure.

Swale SPA/Ramsar and SSSI

The development includes proposals for new dwellings within the zone of influence (6km) of the The Swale Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites). *Swale Borough Council* will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMB) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the

mitigation before first occupation. Subject to the application demonstrating that they will be contributing to the SAMMS we are satisfied that the proposals may be screened out as not having a likelihood of significant effects upon the designated sites.

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

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:
Environmental Impact Assessment Scoping Report; Entran; December 2017