



ECOLOGICAL ADVICE SERVICE

TO: Kelly Joyce
FROM: Marie Thibault
DATE: 04 January 2022
SUBJECT: 20211161-SCON3 / Barn at Oaklands, Meopham

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.

Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.

We have reviewed the information which has been submitted and we advise that sufficient ecological information has been provided for the determination of the planning application. We require no additional ecological information to be submitted prior to determination of the planning application but the detailed precautionary mitigation/enhancement requirements must be submitted and implemented as a condition of planning permission if granted.

Habitats

The boundary of the proposed development site is adjacent to an area which has been designated as the Tom Lotts, Molehill, Bottomfield **Ancient Woodland** (AW) and as the

Strawberry Hill, Pasture & Woodland, Meopham **Local Wildlife Site** (LWS). It is also located within 10 metres of the Luxon Wood, Great Buckland Local Wildlife Site.

With the implementation of safeguarding measures on site, the submitted *Preliminary Ecological Appraisal* (PEA) considers unlikely that the proposed development will have a negative impact on the ancient woodland and locally designated sites.

However, to avoid that the construction of the proposed development has a negative impact on the present habitats through an increase in dust and noise, and an increase in human disturbance, we advise that the Construction Environmental Management Plan incorporates measures to minimise/avoid impacts to the ancient woodland and locally designated sites during construction and operational phase of the development attached – suggested condition wording at the end of the report.

Protected species

The adjacent woodland offers good habitat potential for bats, dormice, badgers and reptiles. However it is our understanding that the trees and woodland are not going to be disturbed by the proposed development activities and as such no further survey is required.

However we recommend that the precautionary measures described in paragraph 8.1 *General construction Safeguards* of the PEA as well as measures to protect habitat and inform visitors of the high value of the area (such as fences and educational boards/leaflets) are incorporated in to the construction management plan – suggested condition wording at the end of the report.

Lighting

Adjacent trees offer bat roost potential and the site is likely to support foraging and commuting bats.

Lighting can be detrimental to roosting, foraging and commuting bats, as well as other protected species. We advise that the Bat Conservation Trust's *Guidance Note 8 Bats and artificial lighting in the UK* is adhered to in the lighting design for the works undertaken and the converted building.

If planning permission is granted we suggest a lighting condition to be attached – suggested condition wording at the end of the report.

Breeding birds

The site contains suitable habitat for breeding birds and all nesting birds are protected under the wildlife and countryside act 1981 (as amended).

We advise that there is a need for a breeding birds informative to be attached to the planning permission if granted – suggested informative wording at the end of the report.

Separate planning application

We are still concerned by the *Supporting Planning Statement* stating that a separate application will be submitted for the management of waste water and services, and for access. There is a need to know that every potential impact arising from the proposed development will be considered into the ecological scoping survey.

We advise that if the separate application impacts on any tree or woodland area, an updated PEA is submitted with the separate planning application. This will help to demonstrate that sufficient information has been provided to enable Gravesham Borough Council to make an informed decision when determining the planning application.

Biodiversity and Ecological Enhancements

One of the principles of the National Planning Policy Framework is that planning policies and planning decisions should contribute to and enhance the natural environment, including by: *"minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"*.

Good recommendations in paragraph 8.8 *Ecological Enhancement and Biodiversity Net Gain* of the PEA for ecological enhancements have been made and we advise that if planning permission is granted details of what enhancements will be incorporated in to the site must be submitted as a condition of planning permission – suggested condition wording at the end of the report.

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

Marie Thibault ACIEEM
Biodiversity Officer

This response was submitted following consideration of the following document(s):
Supporting Planning Statement, September 2021, Mr Benjamin Frank Merchant;
Preliminary Ecological Appraisal, Calumna, 8th December 2021.

Suggested condition wording

Habitat and protected species

Prior to works commencing, construction precautionary measures described in paragraph 8.1 General construction Safeguards of the PEA, as well as measures to protect habitat and inform visitors of the high value or the area, are incorporated in to the construction management plan and are submitted to the LPA for approval and are implemented to avoid impacting protected/notable species and habitat during construction works and operational phase.

Lighting

Prior to the use of the building a "lighting design strategy for biodiversity" for the site will be submitted to and approved in writing by the local planning authority. The lighting strategy will:

- a) Identify those areas/features on site that are particularly important for bats and other protected species;*
- b) Show how and where external lighting will be installed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' (Bat Conservation Trust and Institute of Lighting Professionals).*

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy.

Breeding birds - informative wording

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and building are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and building are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Biodiversity and Ecological Enhancements

Within 3 months of planning permission being granted, an ecological enhancement plan detailing what enhancements will be incorporated in to the site will be approved in writing by the Local Planning Authority.