

Land at Steeles Wood Stables, South Street, Meopham, Kent

Preliminary Ecological Appraisal

5th June 2024 / Ref No 2024/04/28

Client: Kariba (UK) Ltd



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1 Introduction

1.1 Background to the Scheme

KB Ecology Ltd was commissioned to undertake a baseline ecological survey and a preliminary ecological appraisal with regards to a proposed development at Land at Steeles Wood Stables, South Street, Meopham DA13 0QQ Kent, in support of a planning application to convert a barn to residential use and provide parking to the front (south) and private amenity space at the rear (north) of the building (project said to be 'self-build').

The extent of site to be surveyed is shown on the map below, as sent by the client:



1.2 Survey Location/Area

The site is located at approximately TQ 638 645. The location of the site is shown on Figure 1 and Figure 2.

1.3 Survey Objectives

The purpose of this survey is to provide a scoping assessment and to assist in demonstrating compliance with wildlife legislation and planning policy objectives.

The key objectives are as follows:

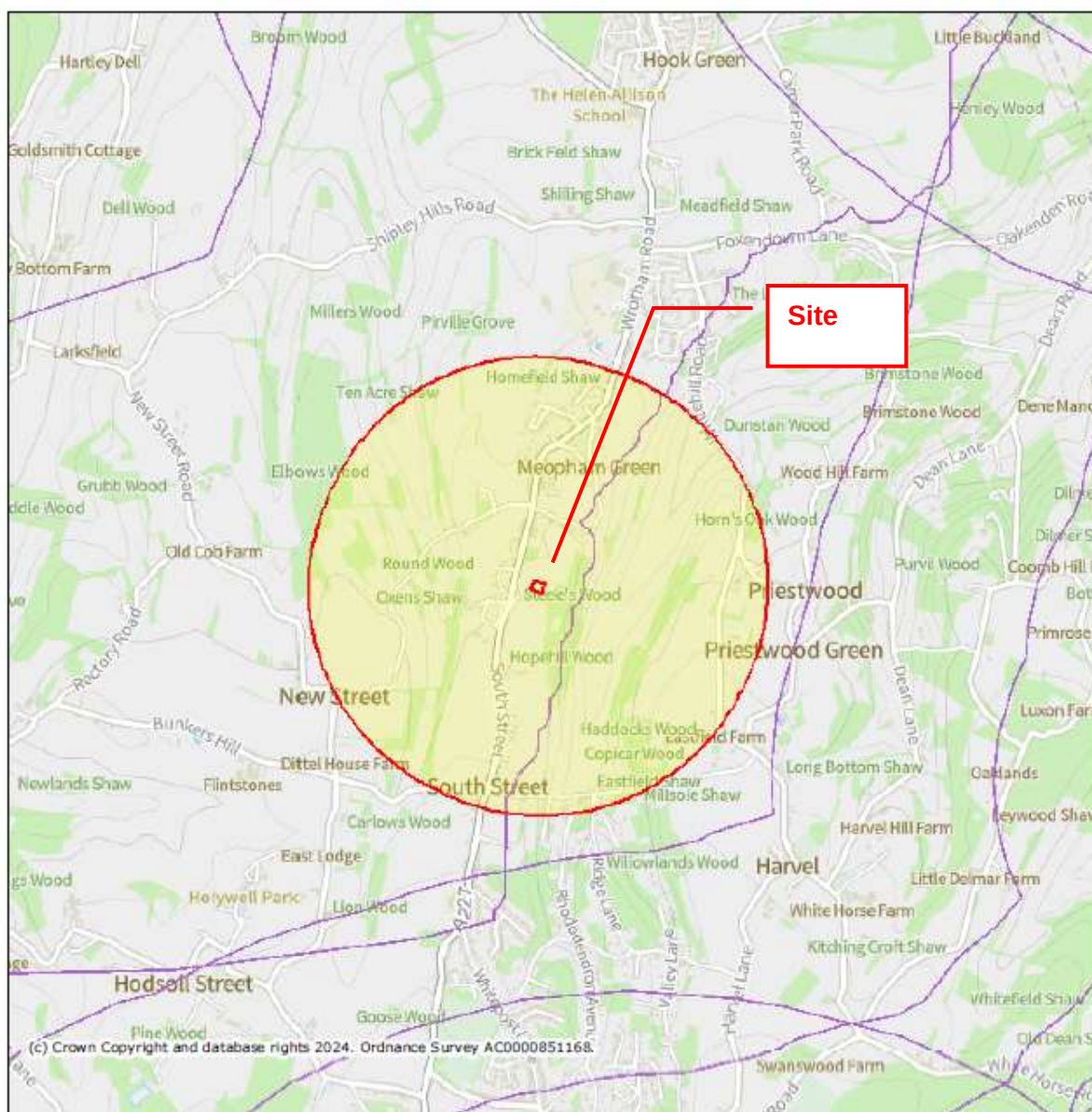
- Identify all relevant statutory and non-statutory designated sites and features of ecological significance within the site and its surroundings.
- Assess the potential for the presence of protected species and species of principal conservation importance, important habitats or other biodiversity features within the site and its surroundings.
- Provide recommendations for further surveys where assessed as necessary and suggest potential enhancements.
- Present the likely significance of ecological impacts on the proposed development.
- Provide an early indication of potential ecological mitigation and compensation requirements necessary as part of any development proposals.

A summary of wildlife legislation and policy has been included in Appendix A.

1.4 Limitations

This report has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct and the opinions expressed are true and professional bona fide opinions. It records the potential for flora and fauna evident on the days of the site visits. It does not record any flora or fauna that may appear at other times of the year and, as such, were not evident at the time of visit.

The findings of this report represent the professional opinion of a qualified ecologist and do not constitute professional legal advice. The client may wish to seek professional legal interpretation of the relevant wildlife legislation cited in this document.



Legend

-  Ramsar Sites (England)
-  Sites of Special Scientific Interest (England)
-  SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)
-  Special Areas of Conservation (England)
-  Special Protection Areas (England)

0 0.75 1.5
km

Projection = OSGB36

xmin = 557600

ymin = 161600

xmax = 570300

ymax = 167600

Map produced by MAGiC on 5 June, 2024.
Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGiC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

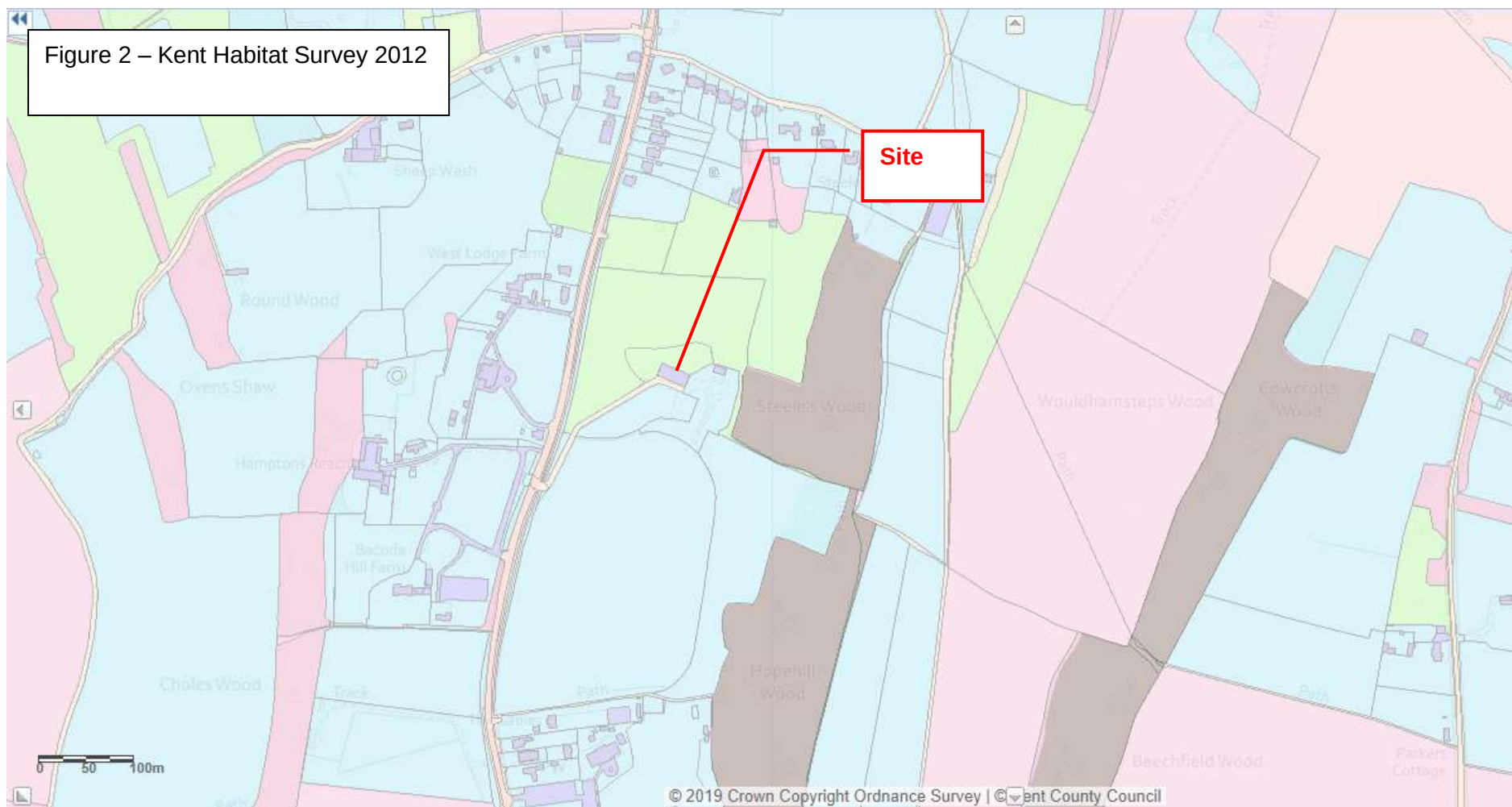


Figure 3: indicates location of ponds from Krag data search



2 Methodology

2.1 Desk Study

Internet-based resources were consulted to identify designated nature conservation sites within 1km of the site and habitats of potentially high ecological importance and sensitivity within 500m of the site (e.g. ancient woodlands, ponds).

A data search was carried out with the Kent Reptile and Amphibian Group KRAG^{1,2}.

2.2 Scoping Survey

The site and its immediate surroundings were considered in terms of habitats, protected species and species of principal conservation importance during a walkover survey undertaken on 21st May 2024 by Katia Bresso CEnv MCIEEM, a qualified professional consultant ecologist with over 20 years of experience, licensed bat surveyor (Class Licence CL19, Level 3, Registration Number: 2016-27133-CLS-CLS) and Registered Consultant of the Bat Mitigation Class Licence (BMCL) WML-CL21 with Natural England (Registered Consultant Reference Number RC056, since May 2015), licensed dormouse surveyor (Class Survey Licences Registration Number 2016-22060-CLS-CLS) and licensed great crested newt surveyor (Class Licence registration number 2020-50030-CLS-CLS) and by Megan Austin, who has ten years of experience in ecological surveying. Evidence of the use of the site by species was recorded (i.e. field signs).

The habitat survey was undertaken in general accordance with the UK Habitat Classification^{3,4}.

The survey and report aim at following the guidance and recommendations in the 'British Standard Biodiversity Code of Practice for Planning and Development (BS 42020: 2013)'.

Particular attention was given to signs of use by bats and barn owls. A visual survey was undertaken looking for evidence of roosting bats and roosting/nesting barn owls, including signs such as live or dead bats/owls, feathers, droppings, pellets, nest debris and eggs, using an endoscope⁵, high powered torch (Cluson CB1 Clubman Standard High Power, 500,000 candle power), night vision scope and binoculars where needed.

All trees were checked for suitability for roosting bats (Ground Level Tree Assessment) and any accessible cavity was checked using an endoscope.

¹ Please note that absence of records should not be taken as confirmation that a species is absent from the search area.

² Due to the scale of the project, it was judged disproportionate to undertake a costly data search with the local Biological Record Centre as the data would be unlikely to be relevant to this site.

³ <https://ukhab.org/>

⁴ training courses followed on UK Habitat Classification (held by UK Hab Ltd) in October 2020 and in February 2021 (held by Dr L Mason of Wildwood)

⁵ RIDGID CA-350x Inspection Camera System 63888 and DDENDOCAM Endoscope Inspection Camera Dual-Lens Endoscope 4.3" Screen Borescope 1080P HD

3 Baseline Ecological Conditions

3.1 Designated Nature Conservation Sites

The site is not part of, nor directly adjacent to, any statutory designated sites and none are located within 1km of the site.

One Local Wildlife Site LWS⁶, 'Happy Valley, Meopham', is present 50m to the east of the site (this diverse LWS includes fragments of scrubby, open ancient semi-natural broad-leaved chalk woodland and calcareous grassland along the steep sides of a dry chalk valley near Meopham. Both types of habitat are rich in orchids).

3.2 Habitats

The site is surrounded by paddocks, arable land and woods, some being ancient woodland⁷.

The Integrated Habitat System (IHS) classification of the Kent Habitat Survey 2012 describes the site as:

- *Built-up areas,*
- *Improved grassland,*
- *Neutral grassland.*

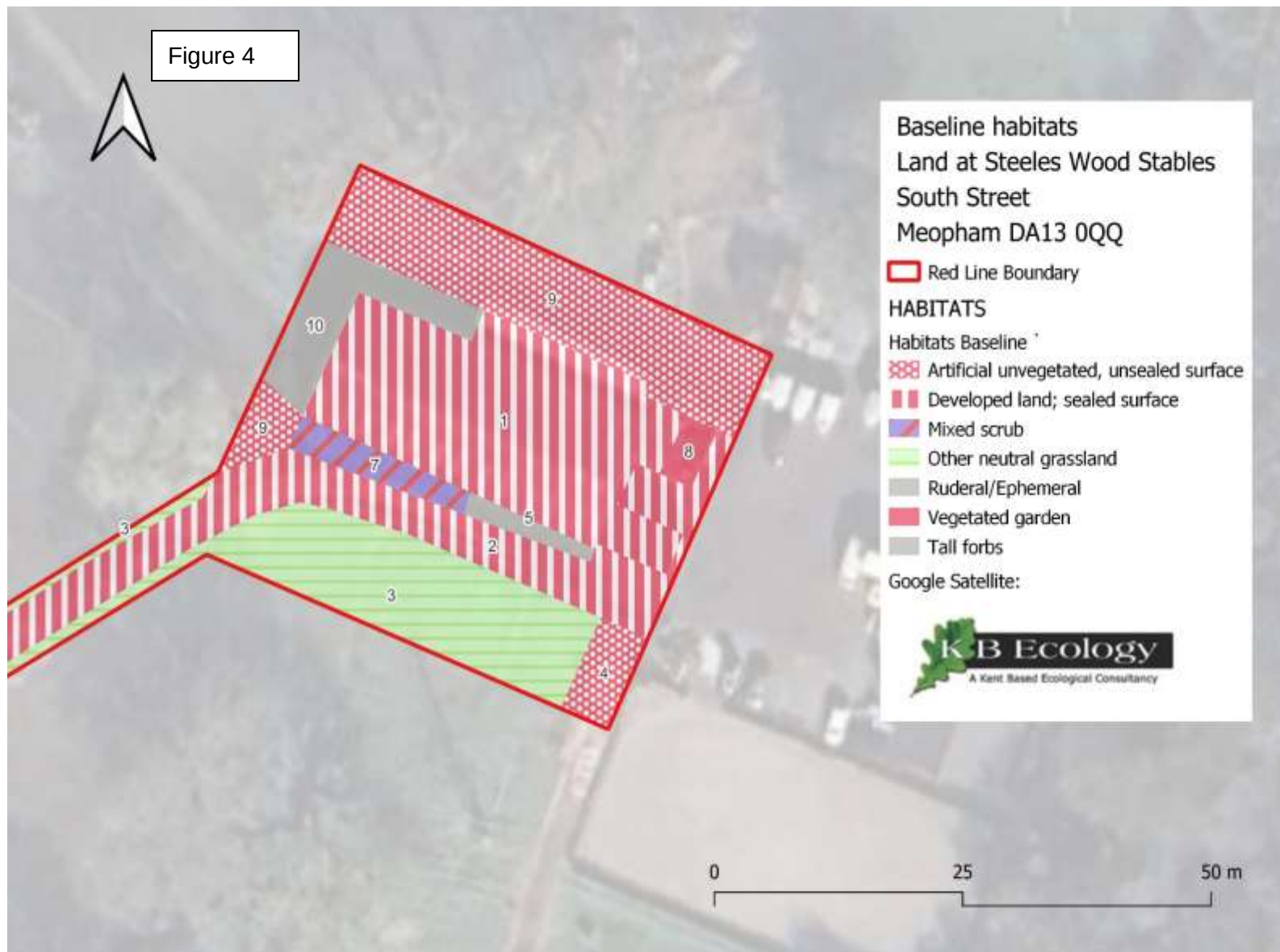
At the time of visit, the site consisted of an access road leading to a yard with a large barn used for stabling horses with timber and tin open lean-to to the north, small timber stables and small staff portable cabin to the front, and a small paddock to the south of the road (a further large barn and menage are also present to the east, but outside the red line boundary), with the following habitats present within the red line boundary (as per UK Habitat Classification 2.0):

- Developed land; sealed surface (access road, large stable building, small timber stables, staff portable cabin);
- Artificial unvegetated, unsealed surface (area of horse enclosures to the back of the barn, with wood chippings on the ground);
- Mixed scrub along the stables and road;
- Tall forbs along the stables and road;
- Ruderal/ephemeral (to back of stables, with dense nettles and cleavers);
- Vegetated garden (sitting area in front of staff cabin);
- Other neutral grassland (south paddock and grassland either side of the access track).

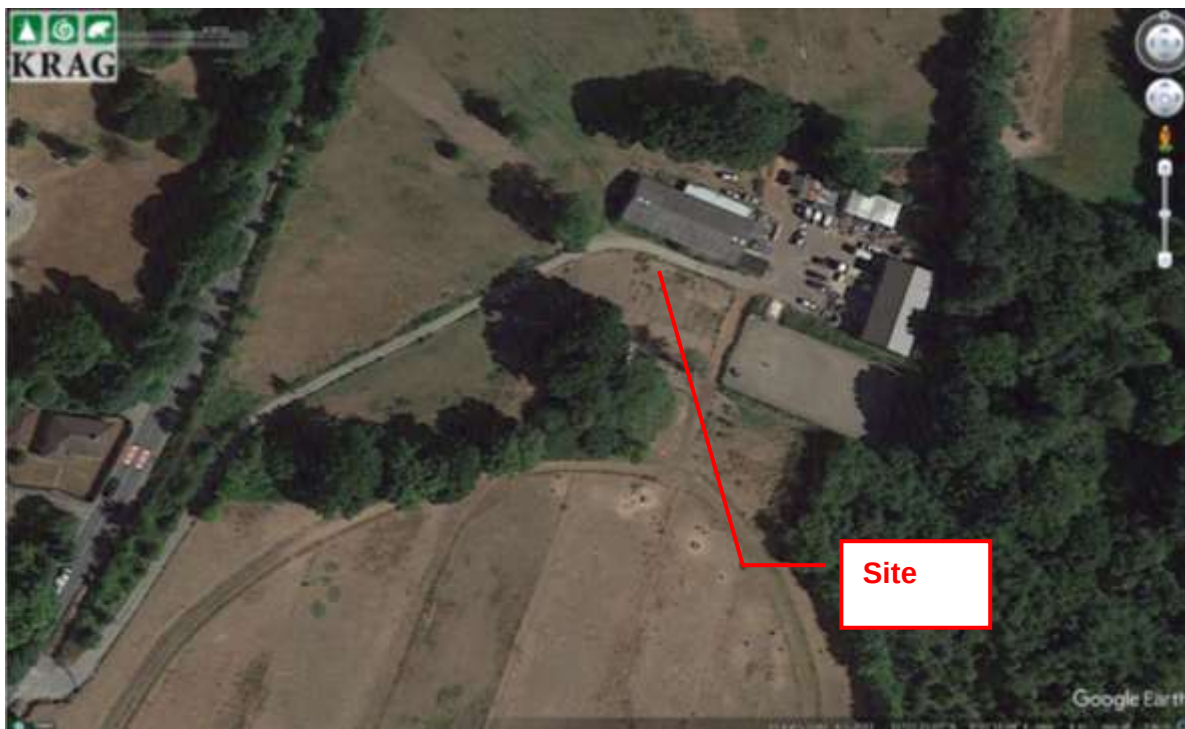
Plates are present in Appendix B, species list is present in Appendix C. Figures 4 and 5 below show the location of the habitats.

⁶ In Kent, there are over 460 Local Wildlife Sites, covering a total area of over 27,500 hectares, (roughly 7% of the county). They range from a 0.13 hectares churchyard important for its orchids, to grazing marsh sites of over 1,000 hectares.

⁷ Land that has had continuous woodland cover since at least 1600 AD







3.3 Amphibians

The data search carried out with Krag (Enquiry No: CES/24/080) revealed that the closest recorded Great Crested Newt *Triturus cristatus* site is located 1.62 km to the W (record id: 90993).

Great crested newts favour areas of high pond density and occupancy levels can exceed 40% of ponds when conditions are favourable. Krag's database risk assessment indicates that the likelihood of presence of great crested newts *in the overall area* is 'Possible'⁸, with only six ponds present within 1km.

Like nearly all amphibians, the great crested newt is dependent on water-bodies for breeding but usually spends most of its life on land.

The 'Great Crested Newt Mitigation Guidelines' (English Nature 2001) state the following: *'Great crested newts have been found to move over considerable distances (up to 1.3km from breeding sites). However, the vast majority of newts will inhabit an area much closer to the pond, and the exact distribution and migration patterns of newts on land depends on a variety of factors. The quality of terrestrial habitat near to breeding ponds is important, as are the lack of barriers to dispersal (such as fast-flowing rivers, or very busy roads). The distribution of ponds and hibernation opportunities may also influence movements. [...] Several studies have been conducted which reveal a great deal of variation, but great crested newts commonly move between ponds that are within around 250m of each other.'*

In *Advice for land managers*, Natural England (2007) states:

⁸ Likelihood of Presence Scores are described using the following categories: Unlikely<Possible<Likely<High

'Great crested newt may disperse several hundred metres, sometimes over 1km, from the breeding pond, though at most sites the majority of the population is normally found within around 100m of it.'

No ponds are present on site or within 100m. Two ponds are present within 250m. Thus, due to the paucity of ponds in the general area and the distance to the nearest pond, it is judged unlikely that great crested newts would be present on site.

Common amphibian species are afforded limited legal protection under the Wildlife & Countryside Act 1981 (as amended). The great crested newt is afforded full legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). It is also listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 and are therefore a European Protected Species (EPS). Great crested newts and common toads are also listed as species of principal conservation importance (See Appendix A).

For more information, guidance from Natural England is available at <https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects>

3.4 Reptiles

The Krag datasearch revealed that the closest recorded reptile is Grass Snake, located .3 km to the NE (record id: 16197). The likelihood of reptiles to be present *in the overall area* is judged as per table below:

Reptiles		
	Likelihood of Presence	
	Score	Dist (km)
Viviparous Lizard:	Possible	1.92
Slow-worm:	Possible	2.88
Sand Lizard:	unlikely	18.90
Grass Snake:	Likely	1.30
Adder:	Possible	2.38
Smooth Snake:	n/a	n/a

Reptile survey effort in local area is considered to be relatively low. Results should be interpreted with caution.

The south paddock and grassland along the access road provide suitable habitat for reptiles but horse grazing means that reptiles are unlikely to be present more than occasionally (i.e. when no grazing takes place). If present locally, reptiles could hibernate under tree roots.

Common reptiles are afforded limited legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). They are also listed as species of principal conservation importance (See Appendix A). The adder is also a Priority Species under the Kent Biodiversity Strategy⁹.

For more information, guidance from Natural England is available at <https://www.gov.uk/reptiles-protection-surveys-and-licences>

⁹ <http://kentnature.org.uk/uploads/files/Nat-Env/Kent%20Biodiversity%20Strategy%202020.pdf>

3.5 Birds

It is considered that the site has high potential to support breeding birds within the trees and scrub. No signs of barn owl *Tyto alba* were found during the survey. But small birds are likely to nest inside the stable buildings.

All species of bird whilst actively nesting are afforded legal protection under the Wildlife & Countryside Act 1981 (as amended) and special penalties are available for offences related to birds listed on Schedule 1. Some species are also listed as species of principal conservation importance, including sky lark, common cuckoo, house sparrow, tree sparrow and song thrush (See Appendix A).

The turtle dove, swift, nightingale and Sandwich tern are also Priority Species under the Kent Biodiversity Strategy¹⁰.

For more information, guidance from Natural England is available at <https://www.gov.uk/wild-birds-protection-surveys-and-licences>

3.6 Hazel Dormouse

It is considered that the boundary trees and hedges along the main road have potential to support the hazel dormouse *Muscardinus avellanarius* due to connection to suitable woodlands (some being ancient woodlands¹¹) and known presence of the species near-by.

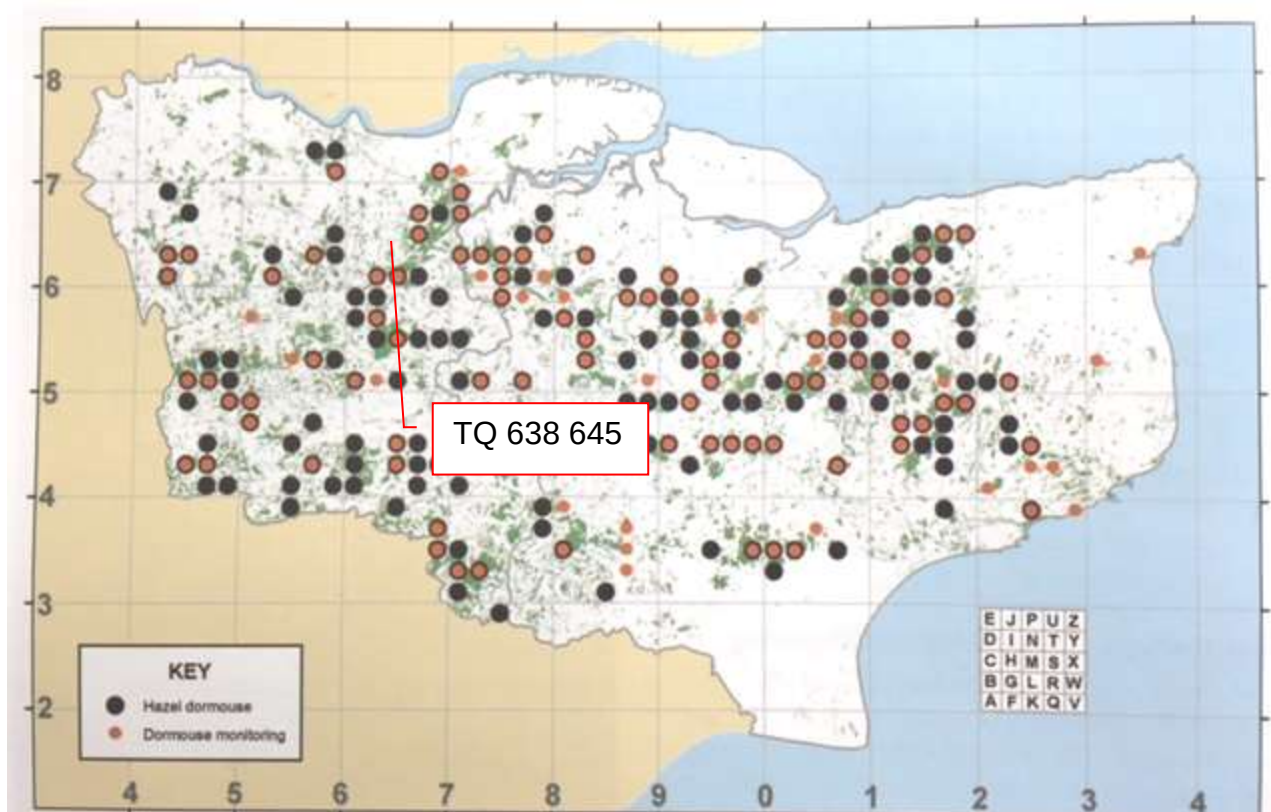
The dormouse is afforded full legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). It is also listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 and are therefore a “European Protected Species” EPS). The dormouse is also listed as species of principal conservation importance (See Appendix A).

For more information, guidance from Natural England is available at <https://www.gov.uk/hazel-dormice-protection-surveys-and-licences>

Map showing known presence of dormice in Kent (from Mammals of Kent, 2015):

¹⁰ <http://kentnature.org.uk/uploads/files/Nat-Env/Kent%20Biodiversity%20Strategy%202020.pdf>

¹¹ Land that has had continuous woodland cover since at least 1600 AD



3.7 Badger

No setts or signs of badgers were identified during the survey.

3.8 Bats

No bats nor signs of bats were found during the internal/external inspection of the buildings. They were judged as offering negligible suitability for roosting bats, being of single skin construction with no suitable cavities (block and corrugated fibre cement roof sheets for the large stables, timber and corrugated fibre cement roof sheets for the small stable block to the front)

None of the trees present on site offered suitability for roosting bats. But the surrounding area is likely to be used by foraging and commuting bats.

All species of bat are afforded full legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). They are also listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 and are therefore a "European Protected Species" (EPS). Some species of bats (noctule, soprano pipistrelle, brown long-eared bat, barbastelle) are also listed as species of principal conservation importance.

The legislation makes it a criminal offence to:

- Deliberately capture, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
- Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time);
- Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat;

- Intentionally or recklessly obstruct access to a bat roost.

For more information, guidance from Natural England is available at <https://www.gov.uk/bats-protection-surveys-and-licences>

3.9 Other Species

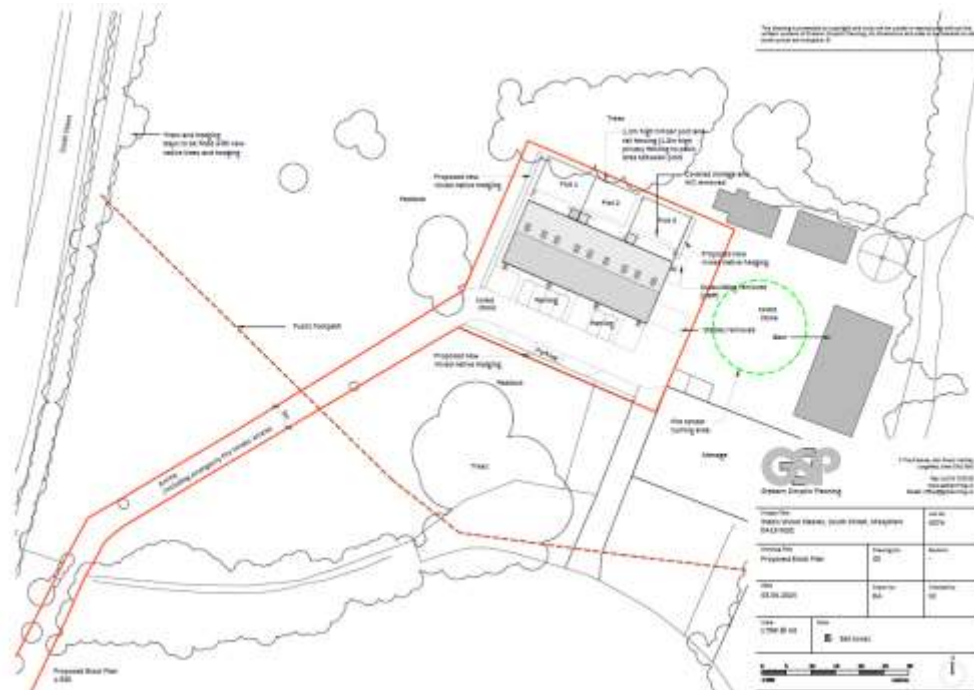
It is considered that the surroundings have potential to support hedgehogs (*Erinaceus europaeus*), which are a Species of Principal Importance under Section 41 of the NERC Act (2008 updated list) and an Indicator Species under the Kent Biodiversity Strategy¹².

All mammals are afforded protection against unnecessary suffering by the Wild Mammals (Protection) Act 1996 (see Appendix A).

¹² <http://kentnature.org.uk/uploads/files/Nat-Env/Kent%20Biodiversity%20Strategy%202020.pdf>

4 Ecological constraints and opportunities, recommendations for mitigation, compensation and further survey

The details of the proposed development were as below at the time of writing this report.



The ecological mitigation hierarchy should be applied when considering development which may have a significant effect on biodiversity. Such hierarchy should follow these principles¹³;

1. Avoidance – development should be designed to avoid significant harm to valuable wildlife habitats and species¹⁴.
2. Mitigation – where significant harm cannot be wholly or partially avoided, it should be minimised by design or through the use of effective mitigation measures.
3. Compensation – where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, compensation should be used to provide an equivalent value of biodiversity.

¹³ <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#agree-avoidance-mitigation-or-compensation-measures>

¹⁴ Avoidance is always the preferred form of mitigation. It involves steps taken to avoid deliberate killing, injury or disturbance to bats and to existing roosts. The great majority of roosts are used only seasonally so there is usually some period when bats are not present and works can occur without impacting bats. By gathering ecological data about a bat roosting site at the start of development or maintenance works, it may be possible to 'design out' the impacts of a development by retaining the roosting site and building around it. Care should be given to ensure commuting routes to and from the roost are also retained and indirect impacts controlled for, such as the impact from the addition of artificial lighting.

Should the scope of the proposed works be amended following the completion of this scoping survey, or be deferred for an extended period of time, there may be a requirement to update this scoping report and its recommendations.

4.1 Designated Nature Conservation Sites

A site check report was generated for the site using the Impact Risk Zones on the Magic website¹⁵:

Site Check Report generated on Wed Jun 05 2024
You selected the location: Centroid Grid Ref: TQ63876453
The following features have been found in your search area:

SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)

1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF 2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT THE CATEGORIES BELOW? NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:

All Planning Applications

Infrastructure

Airports, helipads and other aviation proposals.

Wind & Solar Energy

Minerals, Oil & Gas

Rural Non Residential

Residential

Rural Residential

Air Pollution

Any industrial/agricultural development that could cause AIR POLLUTION (incl: industrial processes, livestock & poultry units with floorspace > 500m², slurry lagoons & digestate stores > 750m², manure stores > 3500t).

Combustion

General combustion processes >50MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.

Waste

Composting

Discharges

Any discharge of water or liquid waste of more than 20m³/day to ground (ie to seep away) or to surface water, such as a beck or stream.

Water Supply

Notes 1

Notes 2

GUIDANCE - How to use the Impact Risk Zones

[/Metadata for magic/SSSI IRZ User Guidance MAGIC.pdf](#)

The type of development proposed is not listed as being a category for which the LPA should consult Natural England. The proposal is not judged detrimental to any protected sites.

Although not protected by law, Local Wildlife Sites are recognised across the UK in national planning policies, which set out requirements for protection through local policy and plans. They are defined in local and structure plans under the Town and Country Planning system and are a material consideration when planning applications are being determined.

Indeed, they fill an important gap not covered by other designations and are vital in building a Living Landscape. The importance of international, national and locally designated sites is recognised in government policy. The 2012 National Planning Policy Framework says protection should be “commensurate with their status and give[s] appropriate weight to their importance and the contribution that they make to wider ecological networks.”

The “Making Space for Nature” report to Defra (Lawton et al September 2010) stated that: ‘Local Wildlife Sites are important to future ecological networks, because they not only

¹⁵ The Impact Risk Zones (IRZs) dataset is a GIS tool which maps zones around each SSSI according to the particular sensitivities of the features for which it is notified and specifies the types of development that have the potential to have adverse impacts.

Natural England uses the IRZs to make an initial assessment of the likely risk of impacts on SSSIs and to quickly determine which consultations are unlikely to pose risks and which require more detailed consideration. Publishing the IRZs will allow LPAs, developers and other partners to make use of this key evidence tool.

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/impactriskzonesgistoolfeature.aspx>

provide wildlife refuges in their own right but can act as stepping stones and corridors to link and protect nationally and internationally designated sites’.

The proposal will not directly impact the LWS but it is recommended that a Construction Management Plan be implemented to minimise any dust, noise and light during construction.

4.2 Habitats

Trees to be retained should be protected during any construction work and guidance is given in the ‘BS 5837:2012 Trees in relation to design, demolition and construction. Recommendations’ document. This standard requires a tree protection plan to be developed which involves erecting physical barriers to prevent damage to existing trees, with an exclusion area around the trees. It also looks at defining a root protection area and requires consideration when compulsory work is carried out within the root protection area.

Ancient woodland and veteran trees are ‘irreplaceable habitats’¹⁶, they support a very large number of species, many of them rare and threatened, and therefore protected. Ancient woodland and veteran trees are an important and historic part of the landscape, and cannot be replaced because they take hundreds of years to develop. For these reasons, planning authorities should refuse planning permission for any development that leads to their loss or damage. The only exceptions are when the benefits of a development clearly outweigh that loss or damage.

Government advice, which can be found here: <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>, states:

For ancient woodlands, the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.

For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree’s canopy if that area is larger than 15 times the tree’s diameter. This will create a minimum root protection area.

Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone.

A buffer zone should consist of semi-natural habitats such as:

- woodland
- a mix of scrub, grassland, heathland and wetland

The proposal should include creating or establishing habitat with local and appropriate native species in the buffer zone.

You should consider if access is appropriate. You can allow access to buffer zones if the habitat is not harmed by trampling.

¹⁶ <https://www.gov.uk/guidance/irreplaceable-habitats>

You should not approve development proposals, including gardens, within a buffer zone.

The proposal will not directly impact the ancient woodland and no works are proposed within 15m (the buffer zone) but it is recommended that a Construction Management Plan be implemented to minimise any dust, noise and light during construction.

4.3 Amphibians

Pond loss is often seen as the most damaging impact on great crested newt populations, but the loss of terrestrial habitat can also have serious consequences. Great crested newts live on land for the majority of their lives, and so loss of terrestrial areas, particularly those close to the breeding pond, can be very damaging. The main effect of habitat loss is reduction in population size, reduced foraging opportunities, reduced refuge opportunities leading to exposure to predators or harsh conditions, and unsuccessful hibernation.

There are a number of development activities which can affect great crested newts, which should be fully considered at the application stage. Great crested newts can migrate more than 500 metres from their breeding ponds in areas of suitable terrestrial habitat. However, generally the scale of potential impacts will decrease as the distance from the breeding pond increases.

Natural England provides a rapid risk assessment tool to work out whether a licence will be needed.

Application tools: (1) "Do I need a licence?" - rapid risk assessment

Caveats and limitations

This risk assessment tool has been developed as a general guide only, and it is inevitably rather simplistic. It has been generated by examining where impacts occurred in past mitigation projects, alongside recent research on newt ecology. It is not a substitute for a site-specific risk assessment informed by survey. In particular, the following factors are not included for sake of simplicity, though they will often have an important role in determining whether an offence would occur: population size, terrestrial habitat quality, presence of dispersal barriers, timing and duration of works, detailed layout of development in relation to newt resting and dispersal. The following factors could increase the risk of committing an offence: large population size, high pond density, good terrestrial habitat, low pre-existing habitat fragmentation, large development footprint, long construction period. The following factors could decrease the risk: small population size, low pond density, poor terrestrial habitat, substantial pre-existing dispersal barriers, small development footprint, short construction period. You should bear these mitigating and aggravating factors in mind when considering risk.

It is critical that, even if you decide not to apply for a licence, you ensure that any development takes account of potential newt dispersal. Where great crested newts are present, landuse in that area must ensure there is adequate connectivity. Retaining and improving connectivity will often involve no licensable activities.

Guidance on risk assessment result categories

"Green: offence highly unlikely" indicates that the development activities are of such a type, scale and location that it is highly unlikely any offence would be committed should the development proceed. Therefore, no licence would be required. However, bearing in mind that this is a generic assessment, you should carefully examine your specific plans to ensure this is a sound conclusion, and take precautions (see **Non-licensed avoidance measures tool**) to avoid offences if appropriate. It is likely that any residual offences would have negligible impact on conservation status, and enforcement of such breaches is unlikely to be in the public interest.

"Amber: offence likely" indicates that the development activities are of such a type, scale and location that an offence is likely. In this case, the best option is to redesign the development (location, layout, methods, duration or timing; see **Non-licensed avoidance measures tool**) so that the effects are minimised. You can do this and then re-run the risk assessment to test whether the result changes, or preferably run your own detailed site-specific assessment. Bear in mind that this generic risk assessment will over- or under-estimate some risks because it cannot take into account site-specific details, as mentioned in caveats above. In particular, the exact location of the development in relation to resting places, dispersal areas and barriers should be critically examined. Once you have amended the scheme you will need to decide if a licence is required; this should be done if on balance you believe an offence is reasonably likely.

"Red: offence highly likely" indicates that the development activities are of such a type, scale and location that an offence is highly likely. In this case, you should attempt to re-design the development location, layout, timing, methods or duration in order to avoid impacts (see **Non-licensed avoidance measures tool**), and re-run the risk assessment. You may also wish to run a site-specific risk assessment to check that this is a valid conclusion. If you cannot avoid the offences, then a licence should be applied for.

Below is the risk assessment if great crested newts breed within 250m, with less than 0.5ha of habitat changes on site:

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.1
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
Maximum:		0.1
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	

Therefore no impact is expected onto great crested newts and no further work is recommended for this species.

4.4 Reptiles

Due to the low likelihood of reptile presence on site, the following precautionary mitigation strategy is proposed to minimise any potential impacts: it is recommended to prepare the development site using habitat manipulation as below:

- Any tree/shrub uprooting should be done outside of the hibernation season (taken to be November to March included);

- The works area should be mowed using hand held machinery only¹⁷ (to 15cm height minimum), during sunny conditions, during the reptile active season (April to October), in order to force the animals out of the area;
- A second cut should be given to ground level, 2 days following the first cut, during sunny conditions.

4.5 Birds

Although a breeding bird survey is not deemed to be necessary, on the basis that the site contains suitable habitat for breeding birds, consideration must be given to the timing of the clearance works, if any is to take place.

The effect on birds can be avoided by undertaking any vegetation clearance and by starting the building works outside of the nesting season (which extends from March – August inclusive¹⁸) or only after a survey has confirmed the absence of nesting birds¹⁹. New hedgerow/trees/scrub planted and bird nesting boxes erected as part of the proposed development can replace the habitat lost.

4.6 Hazel Dormouse

No impact is expected onto dormice.

4.7 Badger

No impact is expected onto badgers and thus no further work is recommended for this species. However, as sett use can fluctuate (with setts becoming active when were not previously and new setts appearing over time), a pre-commencement of works badger survey is recommended if they works take place less more than one year after the date of the site visit of this report.

4.8 Bats

No impact is expected onto roosting bats and thus no further work is recommended for these species. However, as lighting can be detrimental to roosting, foraging and commuting bats²⁰, the recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled 'Guidance Note 8 Bats and Artificial Lighting'²¹, should be considered, when designing any lighting scheme for the proposed development.

¹⁷ strimmer, brush-cutter

¹⁸ It should be noted however that certain species are known to breed throughout the year (e.g. collard dove) and remain protected.

¹⁹ Inspection by a qualified ecologist must first be completed a maximum of 48hrs before clearance works commence. If during the inspection a nest considered to be in use is discovered, works must be delayed until the young have fledged.

²⁰ <https://www.bats.org.uk/about-bats/threats-to-bats/lighting>

²¹ <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>

4.9 Other Species

There is some potential for hedgehogs to be present on site. Therefore any areas where mammals could be sheltering should be hand searched prior to disturbance. Excavations should be backfilled, covered overnight, or ramps placed in to allow any animals to escape.

4.10 Additional Recommendations: Enhancements

Ecological enhancements should where possible be incorporated into the proposed development to contribute towards the objectives of planning legislation.

Under section 40 of the NERC Act (2006), paragraph 174 of the NPPF (2021) and the Environment Act (2021), biodiversity must be maintained and enhanced through the planning system: In England, Biodiversity net gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. Biodiversity net gain requires developers to ensure habitats for wildlife are enhanced and left in a measurably better state than they were pre-development. They must assess the type of habitat and its condition before submitting plans, and then demonstrate how they are improving biodiversity – such as through the creation of green corridors, planting more trees, or forming local nature spaces. Green improvements on site would be encouraged, but in the rare circumstances where they are not possible, developers will need to pay a levy for habitat creation or improvement elsewhere²².

The BNG statutory metric²³ and a Biodiversity Gain Statement²⁴ are needed at point of planning application. However this project is said to be a '*Self-build and custom build application*' and therefore is exempt from Mandatory Biodiversity Net Gain²⁵.

It is still recommended to provide additional species enhancements within gardens and buildings, such as below:

- Provision of hedgehog nesting boxes²⁶.
- If any close board fencing is to be installed around the new development, we recommend that at least 13 x 13 cm holes should be cut into the base of the fences (one per garden) to allow greater permeability across the site to benefit ground-based terrestrial animals (such as hedgehog)²⁷.
- Provision of ready-made bird boxes²⁸ on retained trees;
- Provision of integrated 'swift bricks' in new buildings (as these are often occupied by other small cavity-nesting birds^{29, 30}). A ratio of at least two per residential dwelling, or one per 50sqm of commercial floor space is generally accepted now as good practice (see BS 42021:2022). It is suggested better to install them in small groups of 2/6

²² <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>

²³ <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>

²⁴ <https://www.makingspacefornaturekent.org.uk/bng/biodiversity-gain-statement-for-kent-and-medway/>

²⁵ <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

²⁶ <http://www.hedgehogstreet.org/pages/hedgehog-homes.html>

²⁷ <https://www.hedgehogstreet.org/wp-content/uploads/2019/03/Hedgehogs-and-developers-ZR.pdf>

²⁸ Integrated nest boxes in new buildings are preferred as they provide longer term nesting opportunities.

²⁹ <https://drive.google.com/file/d/1ljCJ7rlkNMrr4lxd41XcBU3YC6IFKM6z/view>

³⁰ <https://www.actionforswifts.com/>

approx. one metre+ apart in suitable locations at a minimum height of 4 metres (5 metres is better).

- Provision of integrated bat boxes on new buildings or bat boxes on retained mature trees³¹.
- Tree / shrub/ hedgerow planting (native species to be used only).
- Establish climbing plants on walls and other vertical structures³².
- Establish wildflower plug/bulb planting in private gardens³³.
- Consider using grid mesh system (or Ground Reinforcement Grids) with topsoil and seeding with a wildflower species mix, to car parking areas and new access drives to retain some vegetation as well as drainage, or Gravel turf³⁴.
- Planting of trees, with species suitable for planting in gardens, such as birch and rowan³⁵.
- Establish Fruit Espaliers³⁶.
- The landscape project team should refer to the 'Kent Design Guide'³⁷.

Priority should be given to habitats and species present on the Kent Biodiversity Strategy³⁸.

³¹ <https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>

³² More information can be found here: <http://www.greenblueurban.com/climbing-plant-guide.php> and <http://www.london.gov.uk/priorities/environment/urban-space/parks-green-spaces/green-roofs-walls>

³³ Spring flowering bulbs and plugs of nectar rich flowering plants should be embedded into amenity grassland to increase the biodiversity and amenity value of the grassland and to provide early sources of nectar for insects. Suitable bulbs include Snake's head fritillary *Fritillaria meleagris*, Ramsons *Allium ursinum*, Snowdrop *Galanthus nivalis*, Primrose *Primula vulgaris*, Bluebell *Hyacinthoides non-scriptus*, Wild daffodil *Narcissus pseudonarcissus*, Lesser celandine *Ranunculus ficaria*

³⁴ http://www.schotterrassen.at/e_index.htm

³⁵ <https://www.rspb.org.uk/birds-and-wildlife/advice/gardening-for-wildlife/plants-for-wildlife/garden-trees/best-trees/>

³⁶ <http://apps.rhs.org.uk/advicesearch/profile.aspx?PID=319> for more information

³⁷ <https://www.kent.gov.uk/about-the-council/strategies-and-policies/regeneration-policies/kent-design-guide>

³⁸ <https://kentnature.org.uk/wp-content/uploads/2022/01/Kent-Biodiversity-Strategy-2020.pdf>

5 References and Bibliography

- Butcher B, Carey P, Edmonds R, Norton L and Treweek J (2020) – *UK Habitat Classification – Habitat Definitions V1.1*
- Collins, J. (ed) (2023). *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (4th edn). Bat Conservation Trust, London.
- English Nature (2004). *Research Reports Number 576: An assessment of the efficiency of capture techniques and the value of different habitats for the great crested newt Triturus cristatus*. English Nature, Peterborough

Websites Visited:

- <http://webapps.kent.gov.uk/KCC.KLIS.Web.Sites.Public/ViewMap.aspx>
- <http://www.magic.gov.uk/magicmap.aspx> (contains public sector information licensed under the Open Government Licence v3.0)
- <http://www.kentbap.org.uk/species/>

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Appendix A – Wildlife Legislation & Policy

The following is a summary of wildlife legislation and planning policy which affords protection to plants and animals and seeks to conserve, enhance and restore biodiversity. This section is provided for general guidance only. While every effort has been made to ensure accuracy, this section should not be relied upon as a definitive statement of the law.

For further information, please see:

<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Commonly encountered protected species

Many species of plants, invertebrates and animals receive protection under the legislation detailed above. However, of these, the following are the most likely to be affected by development in the southeast:

Species	Legal Protection
Great crested newts and other amphibians	The great crested newt is afforded full legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). It is also listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2019 (as amended) and is therefore a European Protected Species (EPS); further protection is afforded by the Countryside and Rights of Way Act 2000. Taken together, the legislation makes it a criminal offence to: • Deliberately capture (or take), injure or kill GCN • Deliberately or recklessly disturb GCN, in particular (i) any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young; (ii) any disturbance which is likely to impair their ability to hibernate or migrate; or (iii) any disturbance which is likely to affect significantly the local distribution or abundance of the species. • Damage or destroy a breeding site or resting place - even if GCN are not occupying the place at the time; • Intentionally or recklessly obstruct access to a sheltering or resting place. An EPS licence is required from Natural England before works can be undertaken which will impact on GCN and/or their habitat (such as any damage to or removal of ponds, grassland, hedgerow bases or dense scrub in which they are likely to occur). Great crested newts and common toads are also listed as Species of Principal Importance under Section 41 of the NERC Act 2006.
Hazel dormice	The hazel dormouse is afforded full legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). It is also listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2019 (as amended) and is therefore a European Protected Species (EPS); further protection is afforded by the Countryside and Rights of Way Act 2000. Taken together, the legislation makes it a criminal offence to: • Deliberately capture (or take), injure or kill hazel dormouse • Deliberately or recklessly disturb hazel dormouse, in particular (i) any

	disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young; (ii) any disturbance which is likely to impair their ability to hibernate or migrate; or (iii) any disturbance which is likely to affect significantly the local distribution or abundance of the species. • Damage or destroy a breeding site or resting place - even if dormice are not occupying the place at the time; • Intentionally or recklessly obstruct access to a sheltering or resting place. An EPS licence is required from Natural England before works can be undertaken which will impact on dormouse and/or their habitat (such as any damage or removal of hedgerows, woodland or dense scrub in which they are likely to occur). Hazel dormouse is also listed as a Species of Principal Importance under Section 41 of the NERC Act 2006.
Bats	All British bat species receive full legal protection in the United Kingdom. The Conservation of Habitats and Species Regulations 2019 (as amended) legally protects all bat species in the UK and further protection is afforded by the Wildlife and Countryside Act 1981 (Schedule 5) and the Countryside and Rights of Way Act 2000. Taken together, the legislation makes it a criminal offence to: • Deliberately capture (or take), injure or kill a bat. • Deliberately or recklessly disturb a bat, in particular (i) any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young; (ii) any disturbance which is likely to impair their ability to hibernate or migrate; or (iii) any disturbance which is likely to affect significantly the local distribution or abundance of the species concerned. • Damage or destroy a breeding site or resting place (roost) of a bat- even if bats are not occupying the roost at the time; • Intentionally or recklessly obstruct access to a roost; • Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat. An EPS Licence for bats is required where works are expected to contravene the above legal protection. Under the law, a roost is 'any structure or place used for shelter or protection'. For example any building or suitable tree. Bats use many roost sites and feeding areas throughout the year. Since bats tend to re-use the same roosts for generations, the roost is protected whether the bats are present or not.
Reptiles	The more widespread species of reptile – slow-worm, viviparous lizard, grass snake and adder - are afforded legal protection against killing and injury under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). All six UK reptile species are listed as Species of Principal Importance under Section 41 of the NERC Act 2006.
Badgers	The Protection of Badgers Act 1992 was introduced in recognition of the additional threats that badgers face from illegal badger digging and baiting. Under the Act, it is an offence to: • Wilfully kill, injure or take a badger, or to attempt to do so; • Cruelly ill-treat a badger; or • Intentionally or recklessly interfere with a badger sett by (a) damaging a sett or any part of one; (b) destroying a sett; (c) obstructing access to or

	any entrance of a sett; (d) causing a dog to enter a sett; or (e) disturbing a badger when it is occupying a sett.
Breeding birds	The Wildlife & Countryside Act 1981 (as amended) protects all birds, their nests and eggs – it is an offence to intentionally kill, injure or take any wild bird or its eggs, and/or to take, damage or destroy the nest (whilst being built or in use). There is additional protection for rarer species – making it an offence to disturb any wild bird listed on Schedule 1 (such as hobby) while it is nest building, or at a nest containing eggs or young, or to disturb the dependent young of such a bird. Some species are also listed as species of a Species of Principal Importance under Section 41 of the NERC Act 2006, including skylark, common cuckoo, house sparrow, tree sparrow and song thrush.
Hedgehogs	Hedgehogs are listed on schedule 6 of the Wildlife and Countryside Act (1981) which makes it illegal to kill or capture wild hedgehogs. They are also listed under the Wild Mammals Protection Act (1996), which prohibits cruel treatment of hedgehogs Hedgehogs are a species of 'principal importance' under the NERC Act, the act confers 'a duty of responsibility' on local authorities with regard to the species.
Water voles	The Wildlife and Countryside Act 1981 (as amended). This makes it illegal to intentionally damage, destroy or obstruct access to any structure or place which water voles use for shelter or protection; it is also an offence to intentionally disturb water voles while they are using these places.

Kent Biodiversity Strategy

The Kent Biodiversity Strategy was approved by the Kent Nature Partnership in February 2020. It aims to deliver, over a 25 year period, the maintenance, restoration and creation of habitats that are thriving with wildlife and plants and ensure that the county's terrestrial, freshwater, intertidal and marine environments regain and retain good health.

The Strategy looks to protect and recover threatened species and enhance the wildlife habitats that Kent is particularly important for. It also aims to provide a natural environment that inspires citizen engagement and is well used and appreciated, so that the mental and physical health benefits of such a connection can be realised by the people of Kent.

The Strategy has identified 17 priority habitats and 13 priority species that Kent can play a significant part in the restoration of. It has also identified a handful of species that can act as indicators of the health of our ecosystems. In addition, the Strategy looks to further work addressing overarching considerations affecting biodiversity recovery, including wilding, climate change, natural solutions, soil health and invasive species.

Further information can be found here:

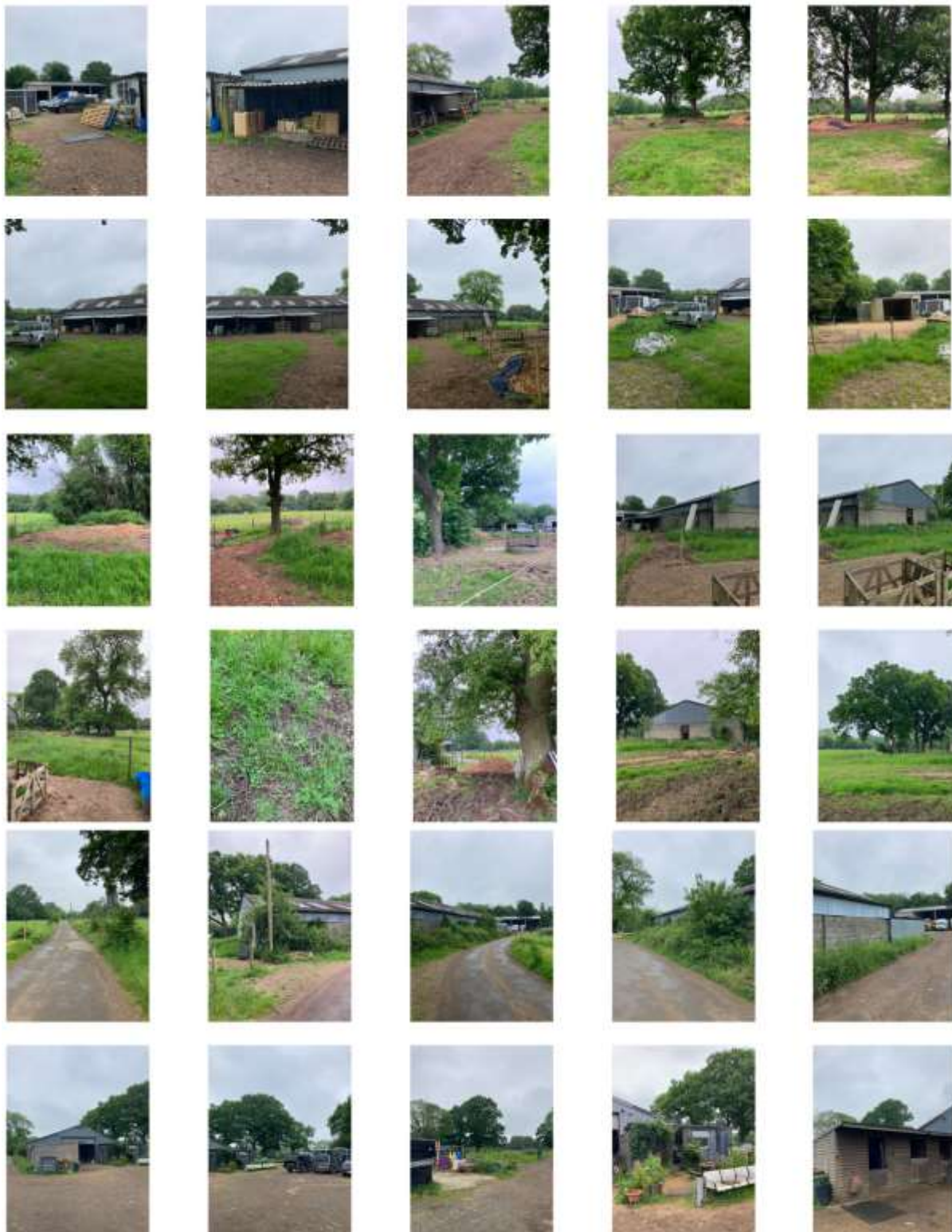
<http://kentnature.org.uk/uploads/files/Nat-Env/Kent%20Biodiversity%20Strategy%202020.pdf>

Red Data Books

British Red Data Books (RDB) are an additional method for classifying the rarity of species, and are often seen as a natural progression from Biodiversity Action Plans.

RDB species have no automatic legal protection (unless they are protected under any of the legislation previously mentioned). Instead they provide a means of assessing rarity and highlight areas where resources may be targeted. Various categories of RDB species are recorded, based on the IUCN criteria and the UK national criteria based on presence within certain numbers of 10x10km grid-squares (see <http://www.jncc.gov.uk/page-3425>). As with Biodiversity Action Plans, where possible, steps should be taken to conserve RDB species which are to be affected by development.

Appendix B – Plates





Appendix C – Species lists

Taxon	Vernacular	Parcel 3	Parcel 5	Parcel 7	Parcel 10
Achillea millefolium	Yarrow	☒	☐	☐	☐
Agrostis stolonifera	Creeping Bent	☒	☐	☐	☐
Alopecurus pratensis	Meadow Foxtail	☒	☐	☐	☐
Anisantha sterilis	Barren Brome	☒	☒	☐	☒
Anthoxanthum odoratum	Sweet Vernal-grass	☒	☐	☐	☐
Anthriscus sylvestris	Cow Parsley	☒	☐	☐	☐
Arctium minus	Lesser Burdock	☐	☒	☐	☐
Arrhenatherum elatius	False Oat-Grass	☐	☒	☐	☐
Artemisia vulgaris	Mugwort	☐	☒	☐	☐
Bromus hordeaceus	Soft-brome	☒	☒	☐	☐
Cerastium glomeratum	Sticky Mouse-ear	☒	☐	☐	☐
Cirsium arvense	Creeping Thistle	☐	☒	☐	☒
Clematis vitalba	Traveller's-joy	☒	☐	☐	☐
Crepis biennis	Rough Hawk's-beard	☒	☐	☐	☐
Dactylis glomerata	Cock's-foot	☒	☒	☐	☐
Galium aparine	Cleavers	☐	☒	☐	☒
Geranium dissectum	Cut-leaved Crane's-bill	☒	☐	☐	☐
Geranium molle	Dove's-foot Crane's-bill	☒	☐	☐	☐
Helminthotheca echioides	Bristly Oxtongue	☒	☐	☐	☐
Heracleum sphondylium	Hogweed	☒	☒	☐	☐
Holcus lanatus	Yorkshire-fog	☒	☒	☐	☐
Hypochaeris radicata	Cat's-ear	☒	☐	☐	☐
Leucanthemum vulgare	Oxeye Daisy	☒	☐	☐	☐
Lolium perenne	Perennial Rye-grass	☒	☒	☐	☐
Lonicera periclymenum	Honeysuckle	☒	☐	☐	☐
Lotus corniculatus	Common Bird's-foot-trefoil	☒	☐	☐	☐
Matricaria discoidea	Pineappleweed	☒	☐	☐	☐
Plantago lanceolata	Ribwort Plantain	☒	☒	☐	☐
Plantago major	Greater Plantain	☒	☐	☐	☐
Poa annua	Annual Meadow-grass	☒	☐	☐	☐
Poa trivialis	Rough Meadow-grass	☒	☐	☐	☒
Ranunculus acris	Meadow Buttercup	☒	☒	☐	☐
Ranunculus repens	Creeping Buttercup	☒	☐	☐	☐
Rosa canina	Dog-rose	☐	☐	☒	☐
Rubus fruticosus agg.	Bramble	☒	☐	☒	☐
Rumex acetosa	Common Sorrel	☒	☐	☐	☐
Rumex crispus	Curled Dock	☒	☐	☐	☐
Rumex obtusifolius	Broad-leaved Dock	☒	☒	☐	☐
Sherardia arvensis	Field Madder	☒	☐	☐	☐
Solanum dulcamara	Bittersweet	☐	☐	☒	☐
Stellaria media	Common Chickweed	☐	☐	☐	☒
Taraxacum agg.	Dandelion	☒	☐	☐	☐
Torilis japonica	Upright Hedge-parsley	☐	☒	☐	☐
Trifolium pratense	Red Clover	☒	☐	☐	☐
Urtica dioica	Common Nettle	☒	☒	☐	☒
Veronica chamaedrys	Germander Speedwell	☒	☐	☐	☐
Vicia sativa	Common Vetch	☒	☐	☐	☒

Trees and shrubs					
Taxon	Vernacular	Parcel 3	Parcel 5	Parcel 7	Parcel 10
<i>Sambucus nigra</i>	Elder		☐	☒	☐
<i>Cornus sanguinea</i>	Dogwood	☐	☐	☒	☐
<i>Crataegus monogyna</i>	Hawthorn	☒	☐	☒	☐
<i>Fraxinus excelsior</i>	Ash	☒	☐	☐	☐

Quadrat data for Parcel 3:

Parcel 3					
Plot 1		Plot 2		Plot 3	
<i>Agrostis stolonifera</i>	Creeping Bent	<i>Anthoxanthum odoratum</i>	Sweet Vernal-grass	<i>Dactylis glomerata</i>	Cock's-foot
<i>Anisantha sterilis</i>	Barren Brome	<i>Bromus hordeaceus</i>	Soft-brome	<i>Geranium molle</i>	Dove's-foot Crane's-bill
<i>Bromus hordeaceus</i>	Soft-brome	<i>Dactylis glomerata</i>	Cock's-foot	<i>Lolium perenne</i>	Perennial Rye-grass
<i>Dactylis glomerata</i>	Cock's-foot	<i>Heracleum sphondylium</i>	Hogweed	<i>Matricaria discoidea</i>	Pineappleweed
<i>Geranium dissectum</i>	Cut-leaved Crane's-bill	<i>Plantago major</i>	Greater Plantain	<i>Poa trivialis</i>	Rough Meadow-grass
<i>Lolium perenne</i>	Perennial Rye-grass	<i>Poa trivialis</i>	Rough Meadow-grass	<i>Rumex crispus</i>	Curled Dock
<i>Poa trivialis</i>	Rough Meadow-grass	<i>Ranunculus acris</i>	Meadow Buttercup	<i>Rumex obtusifolius</i>	Broad-leaved Dock
<i>Ranunculus acris</i>	Meadow Buttercup	<i>Ranunculus repens</i>	Creeping Buttercup	<i>Sherardia arvensis</i>	Field Madder
<i>Ranunculus repens</i>	Creeping Buttercup	<i>Rumex obtusifolius</i>	Broad-leaved Dock		
<i>Rumex obtusifolius</i>	Broad-leaved Dock	<i>Taraxacum agg.</i>	Dandelion		
<i>Taraxacum agg.</i>	Dandelion	<i>Vicia sativa</i>	Common Vetch		