# Old Manor Drive, Off Echo Square, Gravesend, Kent

# Preliminary Ecological Appraisal

15th June 2025 / Ref No 2025/02/03

Client: Mr J Loker

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# Contents

# 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 Old Manor Drive, Off Echo Square, Gravesend, DA12 1NP Kent, in support of a planning application for the erection of a detached bungalow.

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 652 730. 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.

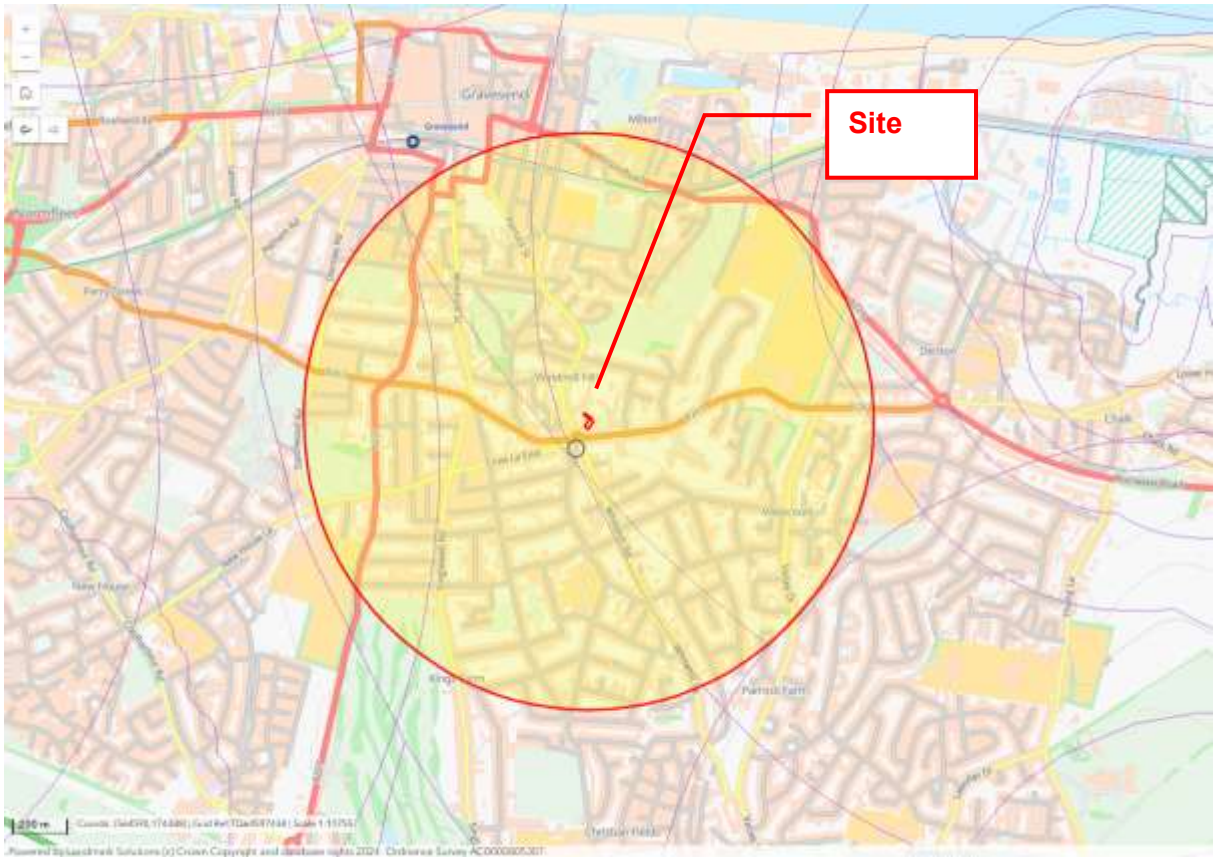
A summary of wildlife legislation and policy has been included in Appendix A.

## 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.

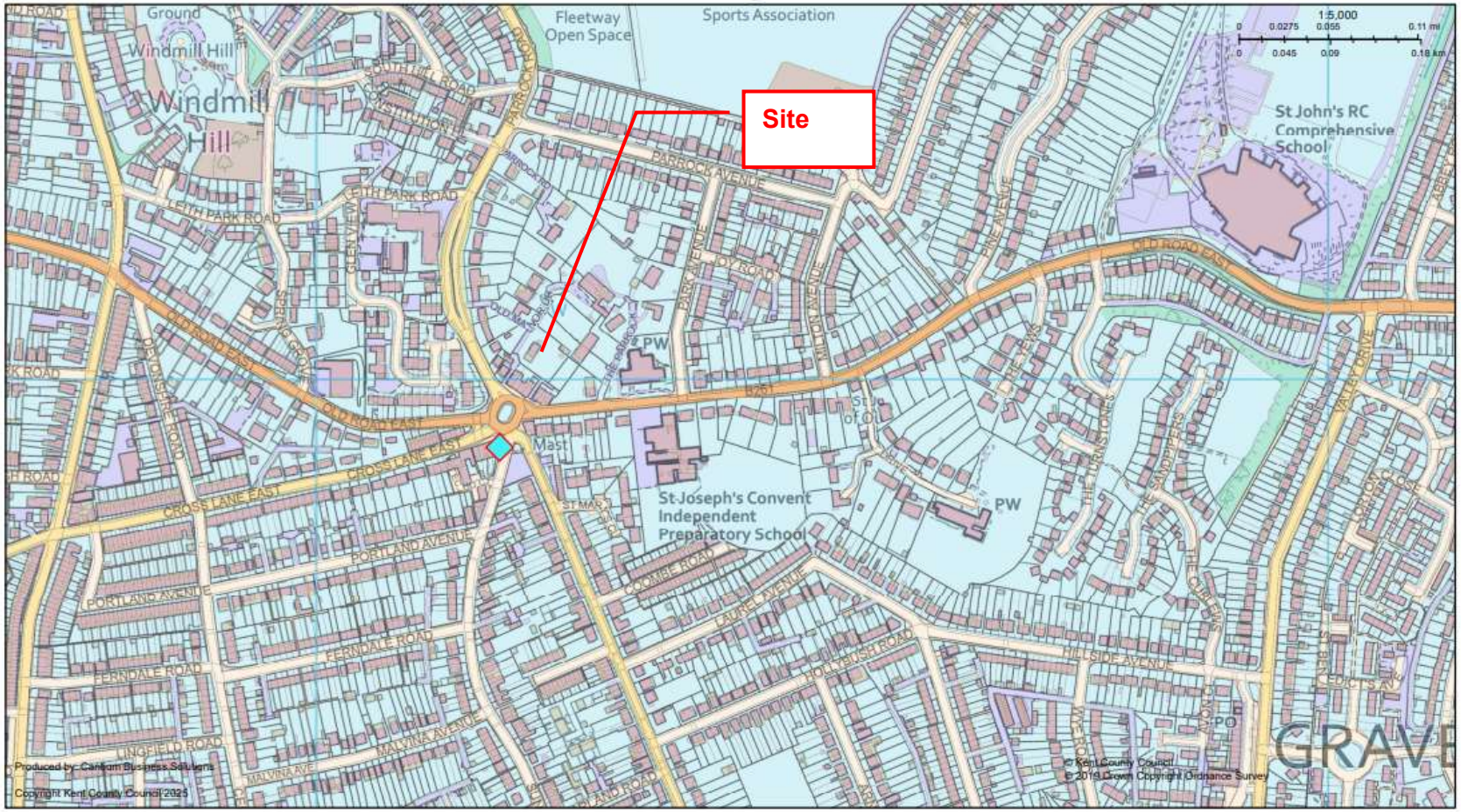
The findings of this report represent the professional opinion of a qualified ecologist and do not constitute professional legal advice. The client may wish to seek professional legal interpretation of the relevant wildlife legislation cited in this document.

Figure 1 - MAGIC



# K-LIS - Figure 2

August 18, 2025




Legend

- Address marker

**Kent Habitat Survey 2012**

- Acid grassland
- Arable and horticulture
- Boundary and linear features
- Bracken
- Broadleaved, mixed, and yew wooland
- Built-up areas
- Calcareous grassland
- Coniferous woodland
- European dry heaths
- Fen, marsh and swamp
- Improved grassland
- Inland rock/Quarry
- Littoral Rock
- Littoral Sediment
- Maritime grassland
- Neutral grassland
- Rivers and streams
- Standing open water and canals
- Supralittoral Rock
- Supralittoral Sediment
- Traditional orchard
- Unknown terrestrial vegetation
- Ancient Woodland

**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 12th March 2025 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). 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].

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)'.

All trees were checked for suitability for roosting bats (Ground Level Tree Assessment).

[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/

# 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.

But there are number of statutory sites of International Importance (Natura 2000 sites) within 3km:

- The South Thames Estuary and Marshes. It is a Ramsar site[4], a Special Protection Area[5], and a Site of Special Scientific Interest (SSSI) from Gravesend to the eastern end of the Isle of Grain, which forms a major component of the Greater Thames Estuary. The site consists of an extensive mosaic of grazing marsh, saltmarsh, mudflats and shingle characteristic of the estuarine habitats of the north Kent marshes. Freshwater pools and some areas of woodland provide additional variety and complement the estuarine habitats. The site supports outstanding numbers of waterfowl with total counts regularly exceeding 20,000. Many species regularly occur in nationally important1 numbers and some species regularly use the site in internationally important numbers. The breeding bird community is also of particular interest. The diverse habitats within the site support a number of nationally rare and scarce invertebrate species and an assemblage of nationally scarce plants. It is located within 2km to the North East of the site.
- The Medway Estuary and Marshes is a Ramsar site[6], a Special Protection Area[7], and a 6,840 ha SSSI, which form the largest area of intertidal habitats which have been identified as of value for nature conservation in Kent and are representative of the estuarine habitats found on the North Kent coast. A complex of mudflats and saltmarsh is present with in places grazing marsh behind the sea walls which is

[4] Ramsar sites are designated under the Convention on Wetlands of International Importance especially as Waterfowl Habitat. Wetlands are designated, protected and promoted in order to stem the progressive encroachment on and loss of wetlands, which are broadly defined to include marsh, fen, peatland and water. There are 5 Ramsar sites in Kent, and as with all Ramsar sites, they are also designated as SSSIs.

[5] Special Protection Areas (SPA) are designated under the EC Birds Directive, to conserve the habitat of certain rare or vulnerable birds and regularly occurring migratory birds. Any significant pollution or disturbance to or deterioration of these sites has to be avoided. There are 6 SPA sites in Kent, and as with all SPA sites, they are also designated as SSSIs.

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intersected by dykes and fleets. The area holds internationally important populations of wintering and passage birds and is also of importance for its breeding birds. An outstanding assemblage of plant species also occurs on the site.

## 3.2 Habitats

The site is in an urban area, surrounded by dwellings.

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

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

Indeed, the site was part of the garden of Elm Close dwelling and is thus considered under residential use. At the time of visit, the site was mainly nettles with cut bramble, with a green house and an area of hard standing and pile of rubble along the south west fence (where a shed may have stood previously), with a number of trees (yew[8], cherry[9], holly and elder saplings[10]) and some tree stumps[11].

Under the UK Habitat Classification, the baseline is thus judged as being:

- 'Urban' / 'Developed land; sealed surface'
- 'Urban' / 'Vegetated garden'.

Plates are present in Appendix B.


[8] 25cm Diameter at Breast Height DBH

[9] 60cm DBH)

[10] Under 7.5cm DBH)

[11] Historical aerial photos show that the trees have been cut before March 2020.

## 3.3 Amphibians

The data search carried out with KRAG (Enquiry No: CES/25/04) revealed that the closest recorded Great Crested Newt *Triturus cristatus* site is located at Dering Way, Denton, Gravesend, 1.44 km to the NE (record id: 125409)

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'*[12], with only one pond 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:
*'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 500m. 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.

## 3.4 Reptiles

The KRAG datasearch revealed that the closest recorded reptile is Slow-worm, located at St Joseph's Preparatory School, 0.14 km to the SE (record id: 68061). The likelihood of reptiles to be present *in the overall area* is judged as per table below:

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

**Reptiles**

| | Likelihood of Presence | |
|---|---|---|
| | Score | Dist (km) |
| Viviparous Lizard: | Possible | 1.91 |
| Slow-worm: | HIGH | 0.14 |
| Sand Lizard: | *unlikely* | *70.76* |
| Grass Snake: | Possible | 0.71 |
| Adder: | *unlikely* | *6.01* |
| Smooth Snake: | n/a | n/a |

Reptile survey effort in local area is considered to be above average.

The site provides suitable habitat for reptiles.

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 Strategy[13].

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

## 3.5 Birds

It is considered that the site has high potential to support breeding birds within the trees.

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).

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 site has no potential to support the hazel dormouse due to lack of connection to suitable woodlands.

## 3.7 Badger

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

[13] http://kentnature.org.uk/uploads/files/Nat-Env/Kent%20Biodiversity%20Strategy%202020.pdf

## 3.8 Bats

None of the trees present on site offered suitability for roosting bats.

## 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 Strategy[14].

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

[14] 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 principles[15],:

1. Avoidance – development should be designed to avoid significant harm to valuable wildlife habitats and species[16].
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.

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.

[15] https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#agree-avoidance-mitigation-or-compensation-measures

[16] 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.

## 4.1 Designated Nature Conservation Sites

A site check report was generated for the site using the Impact Risk Zones on the Magic website[17]:

The following features have been found in your search area:
**You selected the location:** Centroid Grid Ref: TQ65237303
SSSI Impact Risk Zones - for LPAs to determine likely impacts on terrestrial SSSIs and when to consult Natural England
Guidance
/Metadata_for_magic/SSSI IRZ User Guidance MAGIC.pdf
IRZURL
https://irz.geodata.org.uk/IRZ/step2.html?irzcode=0101305432042¬es=11401&location=565724,173600%20(IRZ%20polygon%20centre)
Special Protection Areas (England)
No Features found
Special Protection Areas (England) - points
No Features found
Special Areas of Conservation (England)
No Features found
Special Areas of Conservation (England) - points
No Features found
Sites of Special Scientific Interest (England)
No Features found
Sites of Special Scientific Interest (England) - points
No Features found
Ramsar Sites (England)
No Features found
Ramsar Sites (England) - points
No Features found

The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, there is potential for some types of development to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Although the proposal will not directly impact the near-by protected sites, these sites' qualifying features could be impacted by the proposal: for instance, if the wintering or breeding birds which are qualifying features nest or roost or feed on site in significant numbers.

The habitats present on site are not ones considered as suitable for the qualifying species above and thus no impact is expected on the integrity of qualifying features with regards to habitat loss and the site is not expected to be 'functionally linked' to the designation.

But this development site is within the zone of influence (ZoI) for recreational pressure impacts to one or more European Sites (habitats sites). Within this ZoI, proposals for any net

[17] 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

increase in residential units will have a likely significant effect on the qualifying features of the European Site(s) (habitats site(s)) through increased recreational pressure when considered either alone or in combination with other plans and projects.

The local planning authority has measures in place to manage these potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).

The local planning authority will request contributions towards this strategic solution.

As the competent authority, the local planning authority will need to formally check and confirm these measures, via an appropriate assessment (in view of the Natural England Access to Evidence - Conservation Objectives for European Sites and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

## 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.

## 4.3 Amphibians

No impact is expected onto great crested newts.

## 4.4 Reptiles

Should reptiles be present, the proposal would result in killing and injuring of reptiles and loss of habitat. It is thus necessary to undertake further surveys to fully understand the impact.

The survey would consist of placing artificial refuges (i.e. 0.5 $m^2$ tins or roofing felt) in areas of suitable reptile habitat and leaving them in place for at least 1 week prior to the survey commencing. The refuges would be checked on seven separate occasions, over four weeks at least, to establish presence / likely absence during suitable weather conditions (i.e. cool weather with no heavy rain but sunny intervals between showers, and ambient air temperatures between 10-20ºC).

Reptile surveys can be undertaken between March and October, the optimal months being April, May, June and September. Mid-summer temperatures and general activity levels are usually too high for refuges to be successfully used (surveys are highly weather dependent).

## 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 outside of the nesting season (which extends from March – August inclusive[18]) or only after a survey has confirmed the absence of nesting birds[19]. 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.

## 4.8 Bats

No impact is expected onto bats.

## 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 elsewhere[20].

The BNG statutory metric[21] and a Biodiversity Gain Statement[22] are needed at point of planning application.

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[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.gov.uk/guidance/understanding-biodiversity-net-gain

[21] https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides

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

- Provision of integrated 'swift bricks' in new buildings (as these are often occupied by other small cavity-nesting birds[23],[24]). A ratio of at least two per residential dwelling is generally accepted now as good practice (see BS 42021:2022). It is suggested better to install them in small groups of 2/6 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 trees[25].
- Establish climbing plants on walls and other vertical structures[26].
- Establish wildflower plug/bulb planting in private gardens [27].
- Planting of trees, with species suitable for planting in gardens, such as birch and rowan[28].
- Establish Fruit Espaliers[29].

[22]https://www.makingspacefornaturekent.org.uk/bng/biodiversity-gain-statement-for-kent-and-medway/

[23] https://drive.google.com/file/d/1IjcJ7rIkNMrr4Ixd41XcBU3YC6IFKM6z/view

[24] https://www.actionforswifts.com/

[25] https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes

[26] 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

[27] 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*

[28] https://www.rspb.org.uk/birds-and-wildlife/advice/gardening-for-wildlife/plants-for-wildlife/garden-trees/best-trees/

[29] http://apps.rhs.org.uk/advicesearch/profile.aspx?PID=319 for more information

# 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:<br>• Deliberately capture (or take), injure or kill GCN<br>• 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.<br>• Damage or destroy a breeding site or resting place - even if GCN are not occupying the place at the time;<br>• Intentionally or recklessly obstruct access to a sheltering or resting place.<br><br>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).<br><br>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:<br>• Deliberately capture (or take), injure or kill hazel dormouse<br>• 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.<br>• Damage or destroy a breeding site or resting place - even if dormice are not occupying the place at the time;<br>• Intentionally or recklessly obstruct access to a sheltering or resting place.<br>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).<br><br>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:<br>• Deliberately capture (or take), injure or kill a bat.<br>• 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.<br>• Damage or destroy a breeding site or resting place (roost) of a bat- even if bats are not occupying the roost at the time;<br>• Intentionally or recklessly obstruct access to a roost;<br>• Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat.<br><br>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).<br><br>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:<br>• Wilfully kill, injure or take a badger, or to attempt to do so;<br>• Cruelly ill-treat a badger; or<br>• 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 |

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| | 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).<br><br>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.<br><br>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<br><br>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