



## Preliminary ecological aPPraisal (Pea)

MEADOW COTTAGE

THE STREET, PRESTON

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## 1. SUMMARY

- S.1 This report details a Preliminary Ecological Appraisal (PEA) undertaken in respect of proposed development at Meadow Cottage, the Street, Preston.
- S.2 Proposals include the construction of sixteen residential dwellings, with adjacent gardens, parking spaces and access roads.
- S.3 A PEA site visit was undertaken by Native Ecology on 6th March 2024.
- S.4 The application site, hereafter referred to as 'the Site', comprises; a detached three story cottage building, an outbuilding and stables, access road and parking area associated with the dwelling, modified grassland frequently mown through parts of the Site and other neutral grassland bounding the modified grassland. Deciduous woodland is present in parts of the Site and a small area of previously felled woodland on the southern boundary.
- S.5 The application site lies approximately 1.4km from the Stodmarsh Ramsar Site, Special Protection Area (SPA), Special Area of Conservation (SAC), Special Site of Scientific Interest (SSSI), National Nature Reserve (NNR) and 1.2km from the Preston Marsh (SSSI). According to the Impact Risk Zones for Ramsar Sites, Special Areas of Protection (SPA), SACs and SSSIs shown on Natural England's MAGIC map application, the planning application type means there is a requirement for the Local Planning Authority to consult with Natural England during the planning process regarding statutory designated sites.
- S.6 Further survey work (detailed in Section 10) is recommended to determine the presence / likely absence of roosting bats in buildings, roosting bats in trees and reptiles. The results of this further survey work will inform suitable mitigation and compensation measures (if required).
- S.7 Further assessment is recommended for great crested newt. This could include surveys to ascertain the suitability of nearby ponds and presence / absence of great crested newt, and / or an enquiry to Natural England to enter the District Level Licencing (DLL) scheme. Full details are provided in Section 10.
- S.8 Mitigation, without the requirement for further survey work, is recommended for foraging and commuting bats, hazel dormice, hedgehog, nesting birds, [REDACTED] and priority habitat (deciduous woodland) (detailed within Section 11).
- S.9 In accordance with the Environment Act 2021, the Site will be subject to the general biodiversity gain pre-commencement planning condition requiring development to achieve at least a 10% net gain in biodiversity using the Statutory Metric.
- S.10 Although a pre-commencement condition, the LPA will likely require information during the decision making process to ensure that the biodiversity obligation can be met and that the condition can be discharged successfully. It is therefore recommended that a biodiversity net gain assessment is undertaken to inform the biodiversity gain plan.

- S.11 Section 12 includes initial recommended appropriate biodiversity enhancement measures which could be included within development proposals. These measures will also be informed through a biodiversity net gain assessment.
- S.12 It is recommended that the results of the PEA report and any other further ecological survey work is incorporated into an Ecological Impact Assessment (EclA) report, which should be submitted with the planning application. The EclA report should assess the impacts of proposed development on ecological features and provide an Ecological Mitigation Strategy detailing the measures that will be implemented to avoid, minimise and compensate for impacts.

## APPENDICES

Appendix 1: Habitat Plan in accordance with UKHab 2.0

Appendix 2: Plan showing location of waterbodies within 250m of the Site boundary.

Appendix 3: Overview of relevant legislation, which should be read in conjunction with this report.

Appendix 4: Overview of the suitability assessment of bat roosting habitat (structures and trees).

## 2. INTRODUCTION

2.1 This report details a Preliminary Ecological Appraisal undertaken in respect of proposed development at Meadow Cottage, The Street, Preston, CT3 1EB. (site centred TR 24970 61179).

Table 1. Site Location

Site address	Meadow Cottage, The Street, Preston, CT3 1EB
Grid reference (at centre)	TR 24988 61189
Local Planning Authority	Dover District Council
County	Kent
National Character Area	(113) North Kent Plain

2.2 Figure 1, Section 3 provides a site location plan.

### COMMISSION

2.3 Native Ecology was commissioned by David Hanson in February 2024 to undertake a Preliminary Ecological Appraisal within the application site.

### APPLICATION SITE

2.4 The application site, hereafter referred to as 'the Site', comprises; a detached three story cottage building, an outbuilding and stables, access road and parking area associated with the dwelling, modified grassland frequently mown through parts of the Site and other neutral grassland bounding the modified grassland. Deciduous woodland is present in parts of the Site and a small area of previously felled woodland on the southern boundary.

2.5 The Site extends to approximately 1.7ha.

2.6 Figure 2, Section 4 provides an existing site plan.

### BACKGROUND ECOLOGICAL WORK

2.7 Bat surveys for buildings B1, B2 and trees were undertaken within the Site in 2020 by Native Ecology, confirming the presence of day roosts for common pipistrelle and brown long-eared within building B1, utilising hanging tiles and roof tiles on the southern and northern elevations. No roosting bats were recorded within B2.

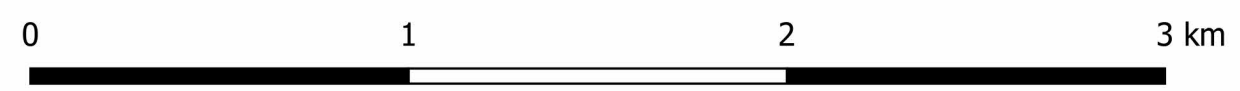
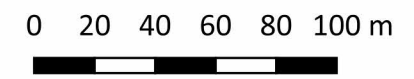
2.8 Surveys undertaken by Native Ecology in 2020 confirmed the absence of reptiles within the Site.

## PROPOSED WORKS

- 2.9 Proposals include the construction of sixteen residential dwellings, with adjacent gardens, parking spaces and access roads.
- 2.10 figure 3, Section 5 provides a proposed site layout plan.

## PURPOSE OF REPORT

- 2.11 This report aims to provide general advice on ecological constraints associated with proposed development within the Site and includes recommendations for mitigation and further survey work, where required.
- 2.12 The objectives of the report are to:
- Describe the current ecological conditions present within the Site.
  - Identify any key ecological constraints to the proposed development both with regards protected species and sites.
  - Identify where mitigation will allow significant ecological effects to be avoided or minimised wherever possible.
  - Identify any further ecological surveys required in order to assess the possible impact on protected and important / notable species.
  - Recommend ecological enhancements to be incorporated into the development proposals.



Site location plan	
Meadow Cottage The Street, Preston CT13 1EB	
Drawing ref:	Figure 1
Revision:	-
Date:	14/03/2024
Scale:	1:20,000 (Main canvas)
Paper size:	A3





**Legend**

 Site boundary



Existing site plan	
Meadow Cottage The Street, Preston CT13 1EB	
Drawing ref:	Figure 2
Revision:	-
Date:	14-03-2024
Scale:	1:1000
Paper size:	A3

### 5. PROPOSED SITE LAYOUT



Figure 3. Proposed Site Layout (Clague Architects, Drawing No. 29739B\_SK101, dated February 2024).

## 6. METHODOLOGY

### DESK STUDY

#### Zone of Influence

- 6.1 The 'zone of influence' for a project is the area over which ecological features may be subject to significant effects as a result of the proposed project and associated activities (CIEEM, 2017a). This report provides an assessment of the effects of a proposed development on protected or ecologically valuable sites, habitats or species where these effects extend beyond the development boundary of the Site.

#### Designated sites

- 6.2 Potential impacts to designated sites, including National Site Network (NSN) sites and SSSIs, have been considered.
- 6.3 The Multi Agency Geographic Information for the Countryside (MAGIC) website was used to obtain information about statutory designated sites of international importance such as Special Protection Areas (SPA) within 7.2km of the Site.
- 6.4 Information was obtained about statutory designated sites of national importance such as Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR) within 2km of the Site and ancient woodland within 500m of the Site.
- 6.5 Kent Landscape Information System (KLIS) was used to identify Local Sites, such as Local Wildlife Sites (LWS), located within 1km of the Site.

#### Data search

- 6.6 Records were obtained from the Kent Reptile and Amphibian Group (KRAG) within 1km of the Site in March 2024.
- 6.7 Ordnance survey maps, the Multi Agency Geographic Information for the Countryside (MAGIC) website and aerial images were used to identify waterbodies within 250m of the Site boundary. MAGIC Map was also used to obtain information on locations where European Protected Species Mitigation (EPSM) Licences for great crested newt, roosting bats and dormice have been issued by Natural England within 1km of the Site.

### FIELD STUDY

- 6.8 A Preliminary Ecological Appraisal Site visit was undertaken by Calista Tardivel & Jack fox of Native Ecology on 6th March 2024.

Table 2. Survey details

Survey date	6th March 2024
Surveyor	Cali Tardivel BSc MSc Jack fox BSc (Hons)
Time on site	09:40 - 12:00
Weather	11°C, 10% cloud cover, B1 breeze, no rain, ground damp

### UK Habitat Classification 2.0

- 6.9 Habitats within the Site were mapped and classified in accordance with the The Professional Edition of the UK Habitat Classification 2.0.
- 6.10 There are 5 levels of hierarchy, which provide an increasing level of detail. For the purpose of this assessment, habitats have been mapped for Primary Habitats up to Level 4.
- 6.11 Secondary codes have been assigned, where appropriate. These Secondary Codes allow recording of additional information, linked to the Primary Habitats. In some cases, habitat types are defined by a Secondary Code only, where Primary Habitats do not sufficiently represent the habitat present.

### Protected species and habitats

- 6.12 During the survey the species and habitats identified within the Site were recorded. An assessment was also made as to the presence or potential presence of protected, important or Nationally Rare species.
- 6.13 Protected species and habitats considered include those listed under the Schedules of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and of the Wildlife and Countryside Act 1981.
- 6.14 In addition, an assessment has been made as to the possible impacts of the proposed development on nature conservation interests, in accordance with information relevant to the National Planning Policy framework and Local Planning Policy.

### Bats

- 6.15 The suitability of roosting habitat and foraging and commuting habitat within the Site was assessed following recommendations provided within Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edition, Bat Conservation Trust (Collins, 2023) (see Appendix 2 for suitability assessment and survey effort required for structures and trees).

### Preliminary Roost Assessment (buildings and structures)

- 6.16 A systematic search of the exterior and interior of buildings within the Site was undertaken to identify potential bat access points and roosting places and to locate any evidence of bats such as bat droppings, urine staining and fur-oil staining. The inspection included exterior features of the buildings, such as sills, window panes, walls and the ground beneath potential access points to look for signs of bats, such as droppings.

*Ground Level Tree Assessment*

- 6.17 Due to the number of trees present within the Site, a ground level roost assessment (GLTA) of trees was not included within the scope of the PEA site visit.

*Reptiles*

- 6.19 The suitability of habitats within the Site to support reptiles was assessed during the Preliminary Ecological Appraisal Site visit. Any incidental sightings were recorded.

*Hazel dormice*

- 6.20 The suitability of habitats within the Site to support hazel dormice was assessed during the Preliminary Ecological Appraisal Site visit. Any incidental sightings or field signs, such as natural nests, were recorded.

*Great crested newt*

- 6.21 The level of survey effort and data collection required to support a Planning Application or European Protected Species Mitigation (EPSM) Licence for great crested newts is relative to the potential impact. For EPSM Licence applications, typically ponds within 250m of the construction zone are surveyed for the presence (and population assessment) of great crested newts.

- 6.22 Following the guidance of Natural England (2021) waterbodies located beyond 250m from the development are only surveyed if all of the following conditions are met:

- ponds have potential to support a large great crested newt population;
- the development footprint contains particularly favourable habitat, especially if it constitutes the majority available locally;
- the development would have a substantial negative effect on that habitat; and
- there is an absence of dispersal barriers.

- 6.23 Based on the listed criteria above, a proportionate survey area for the Site includes the assessment of any ponds within 250m of the construction zone.

*Riparian mammals*

- 6.24 The suitability of habitats within the Site to support riparian mammals (such as beaver, otter and water vole) was assessed during the Preliminary Ecological Appraisal site visit. Any incidental sightings or field signs were recorded.

*Habitats and Species of Principal Importance*

- 6.25 An assessment was made as to the likely presence of Habitats and Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

## LIMITATIONS

- 6.26 This report aims to provide general advice on ecological constraints associated with the development of the Site, it does not include detailed information on particular species or species groups but instead makes recommendations for further, species-specific surveys required.
- 6.27 Although any invasive plant species recorded during the PEA survey were noted, this survey does not comprise a Schedule 9 plant survey.
- 6.28 In accordance with CIEEM guidance, consideration should be given to the validity of survey data after a period of 12 months from the date of the survey. This may require a Site visit to assess whether ecological conditions within the Site have changed and may require further ecological survey work due to the transient nature of some protected species.

## 7. CURRENT ECOLOGICAL CONDITIONS

### DESIGNATED SITES

#### Statutory Sites of International Importance

- 7.1 There is one Ramsar, one Special Protection Area (SAC) and two Special Areas of Conservation (SAC) located within 7.2km of the Site.

Table 3. Details of Statutory Sites of International Importance within 7.2km of the Site boundary.

Designation	Site name	Distance & direction from site	Qualifying features
Ramsar	Stodmarsh	1.4km west	Qualifies under Criterion 2 for supporting 6 red data book wetland invertebrates, 2 nationally rare plants and 5 nationally scarce species. (JNCC, 2008)
SPA	Stodmarsh	1.4km west	Article 4.1 of the Habitats Directive for supporting populations of European importance of over-wintering great bittern ( <i>Botaurus stellaris</i> ) and hen harrier ( <i>Circus cyaneus</i> ).  Article 4.2 - of the Habitats Directive for regularly supporting breeding gadwall <i>Anas strepera</i> as well as over-wintering northern shoveler ( <i>Anas clypeata</i> ) and gadwall.  Article 4.2 of the Habitats Directive for supporting a large assemblage of internationally important bird species. (JNCC, 2015)
SAC	Stodmarsh	1.4km west	Qualifies under the Habitats Directive for supporting Annex II species, the Desmoulin's whorl snail ( <i>Vertigo moulinsiana</i> ). (JNCC, 2015b)
SAC	Blean Complex	6.4km west	Qualifies under the Habitats Directive for supporting Annex I habitat sub-Atlantic and medio European oak and oak hornbeam forests of the <i>Carpinion betuli</i> . (JNCC, 2015c)

- 7.2 The qualifying features associated with the nearby Statutory Sites of International Importance are unlikely to be found within the Site. In addition, given the nature of proposals, it is unlikely that the proposed development will impact the Sites directly.
- 7.3 However, according to the Impact Risk Zones for Ramsar Sites, Special Areas of Protection (SPA), SACs and SSSIs shown on Natural England's MAGIC map application, the planning application type means there is a requirement for the Local Planning Authority to consult with Natural England during the planning process regarding statutory designated sites.

7.4 Statutory sites of international importance are considered further in Section 9.

#### Statutory Sites of National Importance

7.5 There are two Sites of Special Scientific Interest (SSSI) and one National Nature Reserve (NNR) located within 2km of the survey area.

Table 4. Details of Statutory Sites of National Importance within 2km of the Site boundary.

Designation	Site name	Distance and direction from site	Qualifying features
SSSI	Preston Marshes	1.2km west	This is the last remaining area of fen vegetation in the Little Stour valley. Most of the site consists of beds of common reed <i>Phragmites australis</i> with scattered willow scrub. There is a small area of pasture with dykes that contain several uncommon plants. The site is one of only two known localities in Kent for the rare sharp-leaved pondweed <i>Potamogeton acutifolius</i> . The site attracts many breeding and wintering birds. (Natural England, 1981)
SSSI	Stodmarsh	1.4km west	This wetland site comprises a wide range of habitats including open water, extensive reedbeds, scrub and alder. Together, these habitats support a rich flora and fauna. The vegetation is a good example of a southern eutrophic flood plain and a number of rare plants are found here. The invertebrate fauna is varied with several scarce moths being recorded in recent years. The site is also of ornithological interest with a diverse breeding bird community. Two rare British bird species recorded within the site include cetti's warbler ( <i>Cettia cetti</i> ) and bearded tit ( <i>Panurus biarmicus</i> ), which regularly breed in nationally significant numbers. (Natural England, 1981b)
NNR	Stodmarsh	1.4km west	This site qualifies for supporting an internationally-important mixture of reed beds, fens, ditches, wet grassland and open water. This large reed bed supports a range of specialised birds and insects and important migratory and rare birds. This site also supports habitat for water voles ( <i>Arvicola terrestris</i> ) and other important wetland species of principal importance. (Natural England, 1981c)

7.6 The qualifying features associated with the nearby Statutory Sites of National Importance are unlikely to be found within the Site. In addition, given the nature of proposals, it is unlikely that the proposed development will impact the Sites directly.

7.7 However, according to the Impact Risk Zones for Ramsar Sites, Special Areas of Protection (SPA), SACs and SSSIs shown on Natural England's MAGIC map application, the planning application type means there is a requirement for the Local Planning Authority to consult with Natural England during the planning process regarding statutory designated sites.



## Non-statutory sites

### Local Sites

7.8 There is one Local Wildlife Site (LWS) located within 1km of the site:

- Chislet Marshes, Sarre Penn and Preston Marshes LWS lies approximately 1km to the west.

7.9 It is unlikely that the proposed development will impact the LWS either directly or indirectly due to the small scale and nature of proposals and the distance between sites.

7.10 No further assessment or mitigation is proposed for Local Sites.

### Ancient Woodland

7.11 There are no areas of ancient woodland located within 500m of the site boundary. No further assessment or mitigation is proposed in relation to ancient woodland.

## HABITATS WITHIN THE SITE

### Kent Landscape Information Services

7.12 The 2012 Kent Habitat Survey categorised the Site as improved grassland with boundary woodland.

### Habitats of Principal Importance

7.13 There are no HPI located within the Site, however a parcel of deciduous woodland approximately 0.46ha is present along the northern boundary of the Site. According to Natural England's Magic Map tool, this classifies as Priority Habitat. "Priority Habitats are those which have been deemed to be of principal importance for the purpose of conserving biodiversity". (Natural England 2024)

7.14 Habitats of Principal Importance are considered further in Section 9.

### Important hedgerows

7.15 There are two hedgerows present within the Site, one native hedgerow (H1) along the northern boundary of the Site and an ornamental hedgerow (H2), adjacent with the northern aspect of building B1.

7.16 Hedgerow H1 does not constitute as and 'important' hedgerow as defined under the Hedgerow Regulations 1997 (as amended).

### Other habitats

### Buildings

7.17 There are three buildings present within the Site. Table 5 below provides photographs and building descriptions.

Table 5. Description of buildings within the Site.

Building no. & name	Description	Photograph
B1	<p>Building B1 is a brick built three story detached structure, featuring a hipped roof with clay tiles and a lean to single story extension on the northern elevation, with multiple dormer windows on eastern elevation and a conservatory on the western elevation.</p> <p>The porch on the eastern elevation has timber cladded elevations and a clay tiled roof. Internally, the property has a large attic space with timber trusses, with no light ingress.</p>	
B2	<p>Building B2 is a timber structure with a pitched, gable ended roof of eastern and western Orientation. The roof is clay tiled, with timber cladding on all elevations. A flat roof lean-to extension is present on the southern elevation</p>	
B3	<p>Building B3 is a timber stable building, timber cladded on all elevations and a bitumen felt roof. An area of hardstanding bounds the structure on the eastern elevation.</p>	

7.18 Table 6 below describes the habitats present within the Site in accordance with UK Habitat Classification 2.0.

Table 6. Habitat types present within the Site, including level (UKHab), size and description (continued overleaf).

Habitat Type				Description
Level 2 label	Level 3 label	Level 4 label	Level 5 label / Secondary codes	
Urban (u)	Built-up areas and gardens (u1)	Developed land; sealed surface (u1b)	Buildings (u1b5)	There are three buildings within the Site, for building descriptions, see Table 5 (above).
			Other developed land (u1b6)	A garden patio area is present around B1 on the northern and western boundaries.
		Garden (827)		
		Artificial unvegetated, unsealed surface (u1c)		South of B1 is an entrance driveway comprising gravel, providing access from The Street, that is also used for parking.
Grassland (g)	Neutral grassland (g3)	Other neutral grassland (g3c)	Unmanaged (521)	Two parcels of other neutral grassland bounding the modified grassland areas are present within the Site that have developed into a richer species sward through less disturbance / management. The first parcel is situated on the southern boundary of the Site, west of B2; The other larger parcel extends from the woodland edges within the northern section of the Site, species include:  cocksfoot ( <i>Dactylus glomerata</i> ), meadow foxtail ( <i>Alopecurus pratensis</i> ), false oat grass ( <i>Arrhenatherum elatius</i> ), wild carrot ( <i>Daucus carota carota</i> ), common nettle ( <i>Urtica dioica</i> ), cleavers ( <i>Galium aparine</i> ), yarrow ( <i>Achillea millefolium</i> ), creeping buttercup ( <i>Ranunculus repens</i> ), meadow buttercup ( <i>Ranunculus acris</i> ).
	Modified grassland (g4)		Introduced shrub (847)  Garden (827)  frequently mown (108)	Two parcels of modified grassland are present within the Site; The first parcel is located at the front of the property on the eastern aspect, the other, is a large parcel at the back of the property facing west, that extends throughout the centre of the Site, species include:  white clover ( <i>Trifolium repens</i> ), Perennial ryegrass ( <i>Lolium perenne</i> ), dandelion ( <i>Taraxacum officinale</i> ), spear thistle ( <i>Cirsium vulgare</i> ), creeping buttercup ( <i>Ranunculus repens</i> ), cats ear ( <i>Hypochaeris sp.</i> ).

Habitat Type				Description
Level 2 label	Level 3 label	Level 4 label	Level 5 label / Secondary codes	
Woodland and forest (w)	Broadleaved and mixed woodland (w1)	Other broadleaved woodland (w1g)	fallen dead wood abundant (214) felled (206) forest brash (207)	There are two areas of woodland present within the Site, dominated by hawthorn ( <i>Crataegus monogyna</i> ) along the northern, western and southern boundaries. There is little understory within the woodlands, species include: perennial ryegrass, sweet violet ( <i>Viola odorata</i> ) and lesser celandine ( <i>Ficaria verna</i> ).  There is one area of felled woodland extending from the smaller parcel in the south western corner of the Site.
Heathland and shrub (h)	Hedgerows (h2)	Native hedgerow (h2a)	Other native hedgerow (h2a6)	H1 is a native species hedgerow that is present along the northern boundary of the Site, species include: hawthorn, blackthorn ( <i>Prunus spinosa</i> ), ivy ( <i>Hedera helix</i> ) and bramble ( <i>Rubus fruticosus</i> agg.).
		Other hedgerows (h2b)		H2 is an ornamental, non-native coniferous hedgerow present in the south eastern section of the Site, bounding the patio area, north-west of building B1.

## SURROUNDING HABITATS

7.20 The Site is situated within a rural setting, in the centre of the small village Preston, approximately 3km north of Wingham. The Site is located on the edge of Preston with residential housing to the north surrounded by a mosaic of arable and pastoral farmland and small parcels of woodland. The west of the Site includes extensive areas of grazing marsh.

## PROTECTED AND NOTABLE SPECIES

Bats - Roosting habitat

Buildings - Preliminary Roost Assessment

Table 7. Results of Preliminary Roost Assessment

Building	Potential roost features	Suitability for roosting bats	Proposals
B1	Gaps are present under raised tiles on all elevations. Gaps in tiles provide access into the roof void, that provides suitable areas for roosting bats, such as brown long-eared.	High	Demolish

Building	Potential roost features	Suitability for roosting bats	Proposals
B2	Lifted felt and tiles and gaps in the timber cladding on the western elevation providing access for bats.	Moderate	Demolish
B3	Bitumen felt has lifted on the corners of the building. Open doors and windows allow light ingress.	Low/Negligible	Demolish

7.21 Evidence of bats, was found recorded during the internal inspection of the buildings. A single bat dropping, likely *Plecotus* species, was found on the floor within the attic space of building B1, adjacent to the west gable end.

7.22 Roosting bats in buildings are considered further in Section 9.

#### *Roosting bats - Trees*

7.23 Habitats within the Site comprising trees within woodland areas provide suitable features to support roosting bats.

7.24 Roosting bats in trees are considered further in Section 9.

#### *Foraging and commuting habitat*

7.25 Habitats within the Site, including woodland, grassland, hedgerow and log piles, offer suitable foraging habitat for bats. The hedgerow, woodland and grassland areas offer suitable commuting habitat for bats within the locality, providing connectivity to the wider surrounding habitat.

7.26 Foraging and commuting bats are considered further in Section 9.

#### *Hazel dormice*

7.27 The hedgerow that lines the northern boundary and the woodland areas of the Site provide suitable habitat for dormice. These habitat features have some connectivity to additional hedgerows via the hedgerows that bound the adjacent field to the west. However, there are limited areas of woodland in the surrounding landscape and one area ancient woodland within 0.7km of the Site.

7.28 Although unlikely, the presence of dormice cannot be entirely ruled out.

7.29 Hazel dormice are considered further in Section 9.

#### *Riparian mammals*

7.30 There is no habitat suitable for otter, beaver or water vole within, or in close proximity the site. No further survey work or mitigation is required for riparian mammals.

### Hedgehog

- 7.33 Habitats within the Site and surrounding area provide foraging opportunities for hedgehog, which may be present in the locality.
- 7.34 Hedgehog are considered further in Section 9.

### Birds

- 7.35 Due to the habitats present, no Schedule 1 birds are expected to nest within the Site.
- 7.36 The hedgerow along the northern boundary and woodland present throughout the Site provide suitable nesting habitat for a number of common bird species as well as red and amber listed birds such as song thrush (Red) and greenfinch (Red).
- 7.37 Birds are considered further in Section 9.

### Reptiles

- 7.38 Data obtained from KRAG include no recent records of reptiles. The most recent records include a grass snake, approximately 0.41km south of the Site in 2004.
- 7.39 The short sward length, regularly cut modified grassland provides negligible suitability for reptiles. However, the tussocky longer sward other neutral grassland provides suitable habitat for reptiles and is connected to off-site habitats to the west. A number of log piles and brash were recorded throughout the Site, that could be used as resting places and hibernacula for hibernating reptiles.
- 7.40 Reptiles are considered further in Section 9.

### Great crested newt

- 7.41 Data obtained from KRAG include no records of great crested newt.
- 7.42 The woodland, grassland and log piles provide areas of terrestrial habitat of high suitability for great crested newt.
- 7.43 According to MAGIC map application, aerial photographs, and OS mapping, there are three waterbodies present within 250m of the Site boundary:
- WB1 - A large pond, 160m south east;
  - WB2 - A wide drainage ditch, 225m west; and
  - WB3 - A sluice ditch, 230m west of the Site.
- 7.44 Habitats on-site are suitably connected to surrounding habitats including another 12 ponds located within 500m of the Site.
- 7.45 Great crested newt are considered further in Section 9.

## Invertebrates

7.46 Habitats within the Site, such as the other neutral grassland and hawthorn dominated woodland, provide suitable habitat to support a range of common and widespread invertebrates. Protected or rare invertebrates are unlikely to be present due to the habitat types present.

7.47 No further survey work or mitigation is recommended for invertebrates.

## flora

7.48 Due to the past and present management of the Site, the areas of habitat are unlikely to support protected plant species. No evidence of Schedule 9 plants was found during the Site survey.

7.49 No further survey work or mitigation is recommended for flora.

## BIODIVERSITY NET GAIN

7.50 In accordance with the Environment Act 2021, the Site will be subject to the general biodiversity gain pre-commencement planning condition requiring development to achieve at least a 10% net gain in biodiversity using the Statutory Metric.

7.51 Biodiversity net gain is considered further in Section 9.

## 8. PHOTOGRAPHS



Photograph 1. Parcel of frequently mown modified grassland extending from B3 facing south-east towards buildings B1 and B2.



Photograph 2. Mown pathway of modified grassland, facing north towards woodland and hedgerow H1.



Photograph 3. Other neutral grassland, facing west towards hawthorn dominated woodland.



Photograph 4. Hawthorn dominated and H1 in the northern section of the Site.

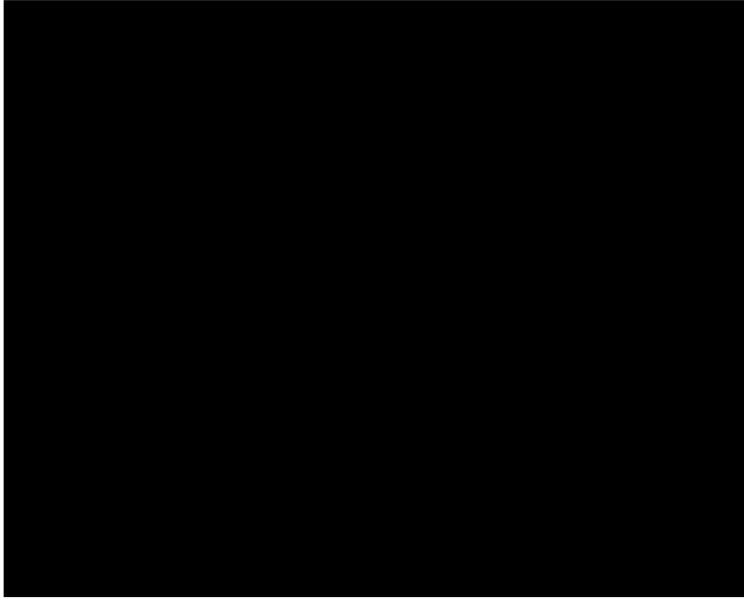


Photograph 5. Felled Woodland adjacent to another parcel of woodland in the southern section of the Site, featuring large log pile.



Photograph 6. Other neutral grassland within the centre of the Site bounding B3 northern western and southern aspects.





*Photograph 8. Mammal trails present throughout the Site.*



*Photograph 9. Push-through on the southern boundary of the Site.*



*Photograph 10. Brush and refuse pile west of the B1 in the centre of the parcel of modified grassland.*



*Photograph 11. Hawthorn featuring two woodpecker holes as potential roosting features.*



*Photograph 12. Single bat dropping, located west gable end of attic space.*

## 9. ECOLOGICAL CONSTRAINTS

- 9.1 The potential impacts of the proposed development on those Ecological features that have not been scoped out in Section 7 are considered below.

### DESIGNATED SITES

#### Statutory Sites of International Importance

- 9.2 According to the Impact Risk Zones for SSSIs, Ramsar Sites, SPAs and SACs shown on Natural England's MAGIC map application, the following planning application type will require the Local Planning Authority to consult with Natural England during the planning process:

'For new residential development in this area financial contributions are required to mitigate increased recreational disturbance on coastal SPAs and Ramsar Sites. Check with Local Planning Authority.'

'Strategic solutions for recreational impacts are in place. Please contact your Local Planning Authority as they have the information to advise on specific requirements'.

'Residential development of 10 units or more'

'Any residential development of 10 or more houses outside existing settlements/urban areas'

'NUTRIENT IMPACT AREA. For new development with overnight accommodation Reg 63 of the Conservation of Habitats and Species Regulations 2017 must be applied and additional measures required. LPA to refer to Natural England's Nutrient Neutrality advice.'

#### Statutory Sites of National Importance

- 9.3 According to the Impact Risk Zones for SSSIs, Ramsar Sites, SPAs and SACs shown on Natural England's MAGIC map application, the following planning application type will require the Local Planning Authority to consult with Natural England during the planning process:

'All planning applications (except householder) outside or extending outside existing settlements/urban areas affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures.'

- 9.4 Therefore, the LPA may consult with Natural England during the planning process regarding impacts to nearby designated sites.

#### Priority habitats

##### Deciduous woodland

- 9.5 Deciduous woodland is located within the northern section of the Site, connected to the areas of other neutral grassland.

- 9.6 Current proposals will directly impact the woodland, therefore, mitigation to reduce impacts through the loss of woodland is detailed within Section 11.

## PROTECTED AND NOTABLE SPECIES

### Roosting bats

- 9.7 Building B1 is assessed as providing high suitability for roosting bats, due to the presence of lifted tiles, crevices and the record of a single bat dropping within the attic space.
- 9.8 Building B2 is assessed as providing low suitability for roosting bats and B3 as moderate.
- 9.9 Proposals include the demolition of the buildings B1, B2 and B3. Therefore, further survey work is recommended to determine the presence or likely absence of roosting bats within the buildings (detailed within Section 10).

### Roosting bats in trees

- 9.10 Potential roosting features were identified on multiple trees throughout the Site, in the form of woodpecker holes, rot holes and tree wounds.
- 9.11 Proposals include the removal of trees within the Site, therefore, further survey work is recommended to assess the suitability of trees to be impacted by development works (detailed within Section 10).

### Foraging and commuting bats

- 9.12 Proposals will not result in the loss of significant foraging and/or commuting corridors for bats, and are unlikely to impact bat populations in the locality, therefore further survey work is not required.
- 9.13 Bats are nocturnal and rely on dark habitat corridors for foraging and commuting, therefore indirect impacts could occur through spillage of artificial lighting associated with parking and buildings within the Site post-construction.
- 9.14 Precautionary mitigation to avoid impacts through the careful design of lighting is recommended within Section 11.

### Hazel dormice

- 9.15 The woodland along the northern, western and southern boundaries provides suitable habitat for hazel dormouse, but have limited connectivity to woodland within the surrounding landscape.
- 9.16 The loss of these small areas of unconnected woodland will not sever any habitat corridors, or impact habitat connectivity for dormice, if present within the locality. The removal of small areas of sub-optimal dormouse habitat is very unlikely to impact the favourable Conservation Status of dormice within the locality.
- 9.17 No further survey work is required for dormice. However, mitigation to avoid impacts to retained habitats, minimise impacts during the removal of small patches of vegetation and avoid post development impacts through the use of external lighting is detailed in Section 11.

### Hedgehog

- 9.21 Development proposals are unlikely to impact on local hedgehog populations and therefore no further survey work is required. However, in the absence of suitable mitigation, individual hedgehogs may be harmed during works.
- 9.22 Precautionary mitigation to reduce the risk of killing or injuring individual hedgehog is detailed within Section 11.

### Nesting birds

- 9.23 Through the retention of boundary vegetation and the creation of new habitats, it is unlikely that development proposals will impact bird populations within the locality. No further survey work for nesting birds is recommended.
- 9.24 The woodland and hedgerow within the Site provides suitable nesting habitat for common and widespread bird species, as well as those listed as Red and Amber within the Birds of Conservation Concern such as song thrush (Red).
- 9.25 Areas of the woodland area will be impacted by development proposals. Mitigation measures to avoid impacts to nesting birds through the timing of works are outlined within Section 11.
- 9.26 Measures are included within Section 12 to retain nesting opportunities for birds within the Site.

### Reptiles

- 9.27 The areas of other neutral grassland, hedgerow and log piles provide suitable habitat for common reptiles.
- 9.28 Proposals include the loss of grassland, woodland, log and brash piles. Therefore further survey work, detailed within Section 10, is recommended to determine the presence / likely absence of reptiles to inform suitable mitigation measures, .

### Great crested newt

- 9.29 Following the breeding season (March - June) when great crested newts congregate in ponds, they typically disperse throughout suitable habitat that is within 250m.

- 9.30 Due to the number of waterbodies within the surrounding landscape, the presence of suitable terrestrial habitats, the presence of great crested newt within the Site cannot be ruled out. Further survey work / assessment is recommended in Section 10.

### BIODIVERSITY NET GAIN

- 9.31 In accordance with the Environment Act 2021, the Site will be subject to the general biodiversity gain pre-commencement planning condition requiring development to achieve at least a 10% net gain in biodiversity using the Statutory Metric.
- 9.32 Although a pre-commencement condition, the LPA will likely require information during the decision making process to ensure that the biodiversity obligation can be met and that the condition can be discharged successfully. It is therefore recommended that a biodiversity net gain assessment is undertaken to inform the biodiversity gain plan, see Section 10.

## 10. FURTHER SURVEY WORK / ASSESSMENT

### PROTECTED SPECIES

#### Roosting bats

##### *Presence / likely absence surveys*

10.1 Bat emergence / re-entry surveys are recommended to determine the presence or likely absence of roosting bats. Bat surveys should be undertaken in accordance with Bat Conservation Trust Good Practice Guidelines (Collins, 2023).

10.2 As building B2 provides moderate suitability, the following survey effort is required:

##### *Survey effort and timing*

- Two dusk emergence surveys between May and September, with at least one survey between May and August.
- Surveys to be spaced at least three weeks apart.

10.3 Should a roosting bat/s be found to be present, in order to provide sufficient data on which to design suitable mitigation and compensation measures, a total of three surveys will be required to be undertaken between May and September, with at least two surveys undertaken between May and August. Surveys would need to be spaced at least three weeks apart.

10.4 As the building B1 provides high suitability, the following survey effort is required:

##### *Survey effort and timing*

- Three dusk emergence surveys between May and September, with at least two surveys between May and August.
- Surveys to be spaced at least three weeks apart.

#### Roosting bats in trees

10.5 It is recommended that a ground level tree assessment (GLTA) is undertaken for any trees proposed for removal. The assessment will ascertain the suitability of the trees and requirement for further surveys.

## Great crested newt

### Habitat Suitability Index (HSI) assessment

- 10.7 A HSI survey is recommended to determine the suitability of waterbodies within 250m of the Site to support great crested newt. The HSI survey comprises a single daytime assessment that can be undertaken at anytime of year, although is optimum between March - September.
- 10.8 If the waterbodies provide unsuitable habitat for great crested newt, then no further survey work or assessment will be required.
- 10.9 If a waterbody provides suitable habitat for great crested newts, then there are a number of options for survey work and mitigation. This includes traditional survey techniques and mitigation measures as well as the use of DLL, which, in Kent, is operated through Natural England.
- 10.10 The use of either traditional methods or DLL will be dependent on timing of works and budget constraints.

### Option 1: District Level Licensing (DLL)

- 10.11 The District Level Licensing scheme could be entered as an alternative to undertaking survey work (detailed below). To compensate for any potential impacts to great crested newt, a European Protected Species Mitigation (EPSM) Licence could be obtained through the use of the DLL. A 'Conservation Payment Certificate' (CPC) document would need to be obtained from Natural England and a countersigned agreement would need to be submitted to the Local Planning Authority.
- 10.12 Once planning permission is secured an EPSM Licence (through the DLL scheme) would need to be applied for and Natural England fees settled prior to the start of works onsite.

### Option 2: Traditional Survey Approach

#### Presence/Likely Absence Survey

- 10.13 A presence/likely absence survey is undertaken for any waterbodies with suitability to support great crested newt within 250m of the Site. The survey would follow Natural England's Great Crested Newt Mitigation Guidelines (2001). The survey would include:
- Water samples to be used for e-DNA may be collected between 15th April - 30th June (inclusive).

#### Reptiles

#### Presence / likely absence survey

- 10.14 A reptile presence / likely absence survey is recommended.
- 10.15 Artificial cover objects (ACOs), comprising a mixture of bitumen felt and coruline, should be placed within areas of suitable reptile habitat within the Site and left for at least 10 days prior to the first survey visit. Survey effort and timing should include:
- March - September (July and August sub-optimal)
  - Seven visits to be undertaken in appropriate weather conditions on non-consecutive days.

## ECOLOGICAL IMPACT ASSESSMENT

- 10.16 following completion of the recommended further survey work, an Ecological Impact Assessment (EclA) report should be produced to support the planning application. The EclA report will detail the results of bat and reptile surveys and any required mitigation that will be implemented prior to and during the construction phase and post development to ensure that potential ecological impacts are avoided, minimised and compensated for.
- 10.17 The mitigation measures detailed in Section 11, below, should also be included within an EclA report and implemented as part of development proposals to minimise any potential impacts to Ecological features.

## BIODIVERSITY NET GAIN ASSESSMENT

- 10.18 It is recommended that a Biodiversity Net Gain Assessment is undertaken early in the development design. This should initially comprise a feasibility Assessment to ascertain the constraints and opportunities with regards to creating and enhancing habitats within the Site to maximise biodiversity units post development and deliver net gain.



## 11. AVOIDANCE AND MITIGATION MEASURES

### THE MITIGATION HIERARCHY

- 11.1 A process should be adopted within the design stage of the project to avoid, mitigate and compensate for potential negative ecological impacts, this process is known as the 'mitigation hierarchy'.
- 11.2 Negative ecological impacts should be avoided wherever possible, for example by making amendments to the proposed layout. Where avoidance is not possible, mitigation to reduce the impact should be considered, for example through the avoidance of sensitive seasons, such as the bird nesting season.
- 11.3 Avoidance and mitigation is most effective when considered as early as possible within a scheme, allowing for measures to be integrated into the design, an appropriate timeline to be developed and for alternatives to be considered.
- 11.4 If all measures have been considered for avoidance and mitigation, as last resort compensation measures should be proposed to address unavoidable and residual impacts.

### PROTECTED SITES

- 11.5 Mitigation will be informed by consultation with Natural England and the LPA, as detailed in Sections 9 and 10.

### DECIDUOUS WOODLAND PRIORITY HABITAT

Habitat retention and enhancement

- 11.6 The development should be designed to retain as much onsite woodland as possible. It is also recommended that measures are designed into the landscape Strategy to enhance the woodland area. This could include tree planting along the western boundary, outlined in Section 12.

### PROTECTED AND NOTABLE SPECIES

foraging and commuting bats

Habitat retention and enhancement

- 11.7 It is recommended that measures are designed into a Landscape Strategy to enhance boundary habitat for foraging and commuting bats and increase connectivity within the surrounding habitat. This could include scrub creation and planting of native species hedgerow, outlined in Section 12.

## Careful lighting design

11.8 In order to reduce a low potential, indirect impact on foraging and commuting bats to negligible, mitigation to reduce any effects of artificial lighting should be implemented, as far as possible and where applicable, in accordance with guidance issued by the Bat Conservation Trust and Institute of Lighting Professionals (ILP, 2023):

- All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.
- LED luminaires should be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
- A warm white light source (2700Kelvin or lower) should be adopted to reduce blue light component .
- Light sources should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats.
- Internal luminaires should be recessed where installed in proximity to windows to reduce glare and light spill.
- Waymarking inground markers (low output with cowls or similar to minimise upward light spill) to delineate path edges.
- Column heights should be carefully considered to minimise light spill and glare visibility.
- Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, should be considered.
- Luminaires should always be mounted horizontally, with no light output above 90° and/or no upward tilt
- Where appropriate, external security lighting should be set on motion- sensors and set to as short a possible a timer as the risk assessment will allow. For most general residential purposes, a 1 or 2 minute timer is likely to be appropriate
- Where appropriate, use a Central Management System (CMS) with additional web-enabled devices to light on demand.
- The use of bollard or low-level downward-directional luminaires is strongly discouraged.
- If all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed.

## Hazel dormouse

11.9 In order to reduce any potential impacts to dormice from low to negligible, the following mitigation measures will be implemented:

- The hedgerow and any areas of woodland that are to be retained as part of proposals will be protected by Heras fencing, or similar throughout the duration of construction works.
- A toolbox talk will be given to site contractors by a suitably experienced ecologist at the start of works within the Site.

- Any hedgerow or woodland to be cleared will be cut back to a height of 30cm from ground level during the hibernation period (November - March).
- The remaining vegetation will then be cleared to ground level between Late May and September.
- Vegetation clearance will be carried out by hand and in a sensitive manner to minimise the potential harm to individual dormice and under supervision of a licenced dormouse ecologist (or their accredited agent).

11.10 If the above timetable of works is not possible then, as an alternative, works could be carried out during either May or late September (outside of peak breeding season) as follows:

- The removal of vegetation will be carried out on successive days when dormice are active and able to respond immediately.
- The clearance works will be carried out by hand and will be combined with a search for nests.
- In the unlikely event that a dormouse nest is found, all works that may impact dormice will cease and an EPSM Licence from Natural England sought prior to the re-commencement of works.

11.11 To avoid potential post development impacts cause by lighting, the following mitigation will be implemented:

- Any external artificial lighting will be directed away from the retained boundary vegetation and new boundary hedgerows that are to be created.

### Hedgehog

11.12 The following mitigation should be implemented for hedgehog during the clearance of any vegetation or log piles within the Site in order to avoid harm to individual animals:

- A toolbox talk to contractors prior to the start of works should be undertaken to inform site workers of the potential presence of hedgehog within the Site.
- Care should be taken when clearing vegetation or log piles to avoid harming hedgehog that may be sheltering within the site.
- If a hedgehog is found (without young) within the site between April and October inclusive then it should be carefully relocated to an area outside the development site that offers immediate shelter.
- If a nesting hedgehog with young is found between May and October inclusive (breeding season) then an ecologist should be contacted immediately for advice.
- If a hibernating hedgehog is found between November and March inclusive (hibernation season) then an ecologist should be contacted immediately for advice.

11.13 The following mitigation should be implemented for hedgehog during the construction phase:

- All holes and excavations should be covered over each night to prevent animals from being trapped or injured.
- If this is not possible, a structure/plank should be placed into the hole to enable animals to escape.

- Any removal of building materials or other debris, should be undertaken with care to prevent harm to hedgehog.
- If any hedgehogs are found during the construction phase they should be carefully relocated to an area outside the development site that offers immediate shelter.

11.14 The following mitigation will be implemented for hedgehog post-development:

- Any close board fencing to be used should be fitted with small openings within gravel boards to allow hedgehogs access throughout the site. At least one entrance hole will be fitted into each boundary.

## Nesting Birds

### Habitat retention and enhancement

11.15 It is recommended that measures, such as native tree and shrub planting and grassland management regime, are designed into the Landscape Strategy to enhance habitat for nesting birds.

### Avoid impact to nesting birds

11.16 The following mitigation should be implemented to avoid impact to nesting birds:

- Works to any vegetation and buildings should be undertaken outside of the bird nesting season where ever possible.

11.17 If impacts to vegetation and buildings are unavoidable between March and September, then the following mitigation will be undertaken:

- A nesting bird survey will be undertaken by a suitably experienced ecologist within at least 48hours prior to any impacts.
- A watching brief will be carried out by a suitably experienced ecologist during any works that impact suitable vegetation within the site.
- If nesting/nest-building birds are found, no works will commence/continue that are likely to damage or significantly disturb a nest until the young have fully fledged.

11.18 Works undertaken during the bird nesting season may result in significant delays to the development programme if activities need to cease due the presence of an active nest. It is important to note that many bird species, such as blackbirds and robins are multiple brooders and may therefore nest within the Site for a number of months.

## 12. SUGGESTED ENHANCEMENT MEASURES

- 12.1 It is recommended that ecological enhancement measures are included as part of development proposals. Possible habitat enhancement measures are outlined below.

### TREE PLANTING

- 12.2 Tree planting around the boundaries of the Site, particularly along the western boundary of the Site would benefit nesting birds and foraging bats, as well as mitigate the loss of any deciduous woodland. Trees that produce fruits, such as Prunus and Sorbus species, will provide additional foraging habitat for birds within the locality.

### HEDGEROW CREATION

- 12.3 Native species-rich hedgerows could be created along Site boundaries and around boundaries of properties. Species could include hazel, hawthorn, spindle, holly, yew, privet, field rose, dog rose and guelder rose.
- 12.4 Flowering species, such as hawthorn, privet and rose would provide opportunities for nectar feeding invertebrates, such as bumblebees, hover flies and butterflies. Creation of these habitat features would also benefit bats by providing additional foraging habitat and birds through additional nesting habitat.

### WILDLIFE POND

- 12.5 A pond could be created within the Site to provide aquatic habitat for amphibians, grass snake and aquatic invertebrates.
- 12.6 Marginal planting could include common sweetflag (*Acorus calamis*), flowering rush (*Butomus umbellatus*), tufted hairgrass (*Deschampsia cespitosa*), hard rush (*Juncus inflexus*), brooklime (*Veronica beccabunga*) and yellow loosestrife (*Lysimachia vulgaris*).
- 12.7 Planting of appropriate native species, natural colonisation and appropriate management would encourage a diverse botanical wetland community, which will in turn support a variety of fauna, including invertebrates, such as dragonflies and foraging birds and bats.
- 12.8 The area of permanent water would provide potential breeding and aquatic foraging opportunities for amphibians.

### NATIVE AND NECTAR RICH PLANTING PLAN

- 12.9 It is recommended that any planting plans around new buildings include native, flower rich species, including those that flower in the late and early seasons to enhance the biodiversity value of the site.
- 12.10 The inclusion of climbing plants would add sheltering opportunities for invertebrates and birds. They can also produce nectar rich flowers for butterflies, bees and hover flies and fruit for birds and small mammals.

12.11 The inclusion of herbs, such as lavender and sage, would provide nectar for an array of invertebrate species, including bees, butterflies and moths. Providing a range of herb plants would ensure flowering throughout the seasons. The inclusion of plants that produce scent at night would attract night flying invertebrates and as such would also provide foraging opportunities for bats.

### BAT BOXES

12.12 Development provides an opportunity to enhance the site for bats via provision of roosting opportunities.

12.13 Integrated bat boxes, such as a 1f R Schwegler Bat Tube, or similar, could be installed on new buildings within the Site. Integrated bat boxes should be primarily located on the south and west facing aspects located at least 3m above the ground, but can also be installed on different elevations to provide a variety of different environmental roost conditions. Alternatively, bat access tiles can be incorporated into roof elevations of the new houses.

### BIRD BOXES

12.14 Bird boxes, including for house sparrow and starlings, could be integrated into new houses. Boxes should be located 2-4m in height and arranged so that loose colonies of house sparrows are encouraged. Bird boxes should be located close to eaves and on the north or east elevations to avoid direct sunlight.

12.15 Bird boxes suitable for hole nesting species, such as Schwegler 1B or similar, could be installed on mature trees within the Site. Bird boxes should be located on north or east elevations to avoid direct sunlight.

### LOG PILES

12.16 Log piles already present within the Site to be retained (where possible) and/or moved to an appropriate location around the Site boundaries or within retained woodland. These habitat features would provide hibernating and sheltering opportunities for amphibians and small mammals, as well as habitat for saproxylic invertebrates, such as stag beetles.

## 13. REFERENCES

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**Note:**

Habitats mapped based on UK Habitat Classification following Preliminary Ecological Appraisal site visit undertaken on 06/03/2024.

Numbers refer to area parcel references. 'H' numbers refer to hedgerow.

**Habitat Condition**

- \* poor habitat condition
- \*\* moderate habitat condition
- \*\*\* good habitat condition
- n/a condition assessment not applicable



**Legend**

- Site boundary
- Other neutral grassland
- Modified grassland
- Other woodland; broadleaved
- Felled woodland
- Developed land; sealed surface (other)
- Developed land; sealed surface (buildings)
- Artificial unvegetated unsealed surface
- Introduced shrubs
- Native hedgerow
- Ornamental hedgerow



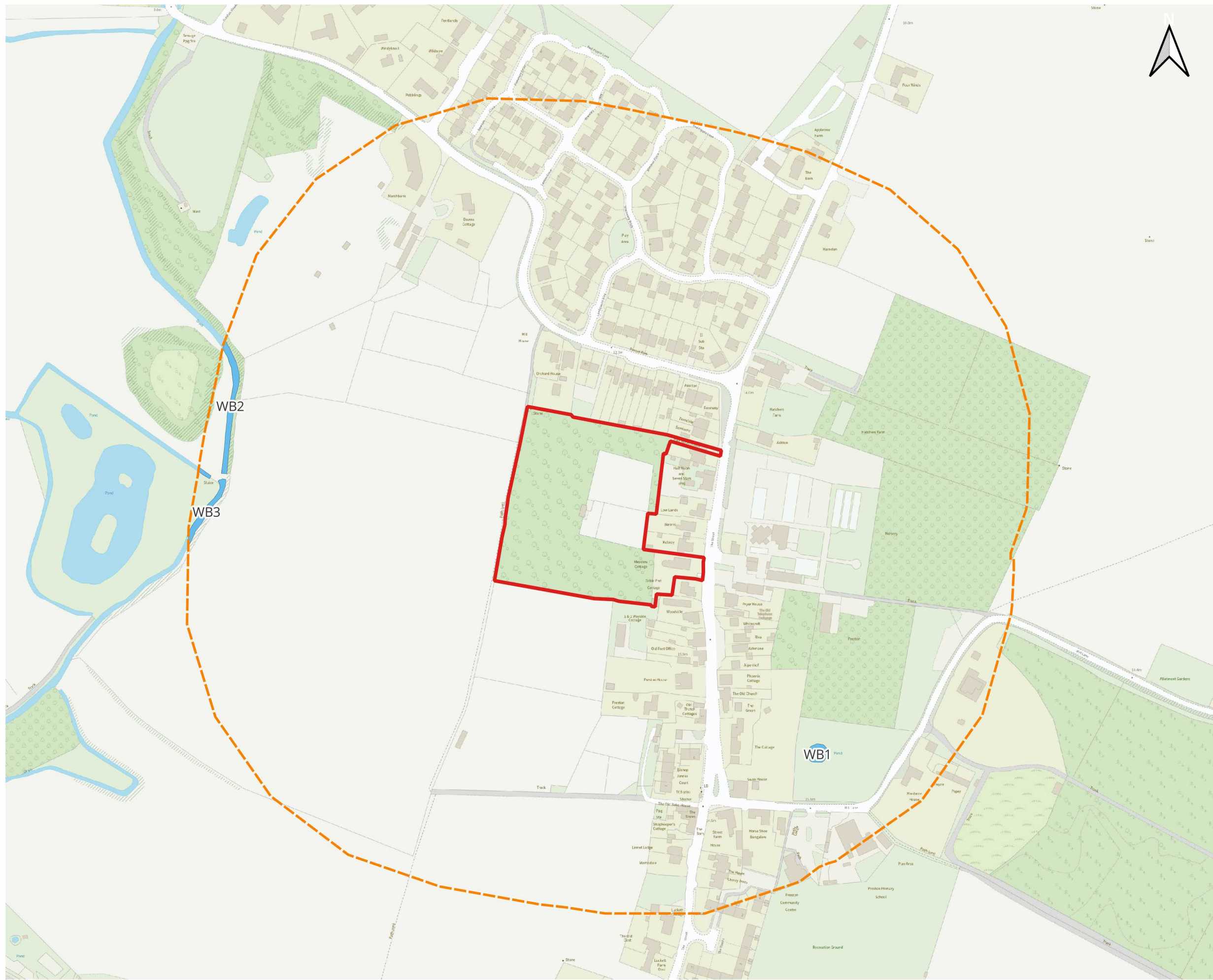
**Biodiversity Net Gain Baseline Habitat Plan**

Meadow Cottage  
The Street, Preston  
CT3 1EB




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**Legend**

- Buffer (250m) 
- Site boundary 
- Waterbody 



 <p><b>native ecology</b> PROMOTING BIODIVERSITY INTEGRATION</p>	
Waterbody location plan	
Meadow Cottage The Street, Preston CT3 1EB	
Drawing ref:	1504_DR01
Revision:	-
Date:	26/02/2024
Scale:	1:3000
Paper size:	A3

## 16. APPENDIX 3: SUMMARY OF PLANNING POLICY AND LEGISLATION

### BIODIVERSITY NET GAIN

- 16.1 Schedule 14 of the Environment Act 2021 makes provision for biodiversity gain to be a condition of planning permission in England. The Act amends the Town and Country Planning Act 1990 so that all planning permissions (except a small number of exemptions) will be subject to a pre-commencement planning condition requiring a Biodiversity Gain Plan to be approved by the Local Planning Authority (LPA). The biodiversity gain plan must demonstrate a net gain of at least 10% in the biodiversity value of the development site.
- 16.2 The Environment Act 2021 sets out the following key components of mandatory biodiversity gain:
- Minimum 10% gain required calculated using the Biodiversity Metric
  - Delivered on-site, off-site or via a new statutory biodiversity credits scheme
  - On-site and off-site habitat secured for at least 30 years via planning obligations or conservation covenants
  - National register for net gain delivery sites

### CONSERVATION OF HABITATS AND SPECIES (AMENDMENT) (EU EXIT) REGULATIONS 2019

- 16.3 Species afforded protection under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 are also known as European Protected Species. European Protected Species include all species of bats, beaver, otter, hazel dormice, great crested newt.
- 16.4 European Protected Species relate to those listed within the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and are afforded the highest level of protection. These species are also protected under the Wildlife and Countryside Act 1981. Taken together this level of protection makes it an offence to:
- deliberately capture, injure or kill any wild animal of a European protected species,
  - deliberately disturb wild animals of any such species
  - deliberately take or destroy the eggs of such an animal
  - damage or destroy a breeding site or resting place of such an animal
- 16.5 Disturbance of animals includes in particular any disturbance which is likely:
- to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or
  - in the case of animals of a hibernating or migratory species, impair their ability to hibernate or migrate
  - to affect significantly the local distribution or abundance of the species to which they belong

16.6 The legislation requires that any derogation be dealt with by licencing through an appropriate licencing body (Natural England in England). In determining whether a licence can be granted the licencing body must apply the requirements of Regulation 53, and in particular, the three tests:

1. Regulation 55(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
2. Regulation 55(9) states: The relevant licensing body must not grant a licence under this regulation unless it is satisfied—
  - (a) that there is no satisfactory alternative; and
  - (b) that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

## PLANTS

16.7 A number of plant species are protected under Schedule 8 of the Wildlife and Countryside Act 1981. This Schedule lists plant species that are protected under Section 13, which protects from picking and sale of plants or parts of plants listed in Schedule 8.

## BIRDS

16.8 All nesting birds are protected under the Wildlife and Countryside Act 1981. With certain exceptions, it is an offence to:

- Kill, injure or take wild birds;
- Take, damage or destroy the nest of wild birds while in use or being built;
- Take or destroy the eggs of wild birds;
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

### Birds of Conservation Concern

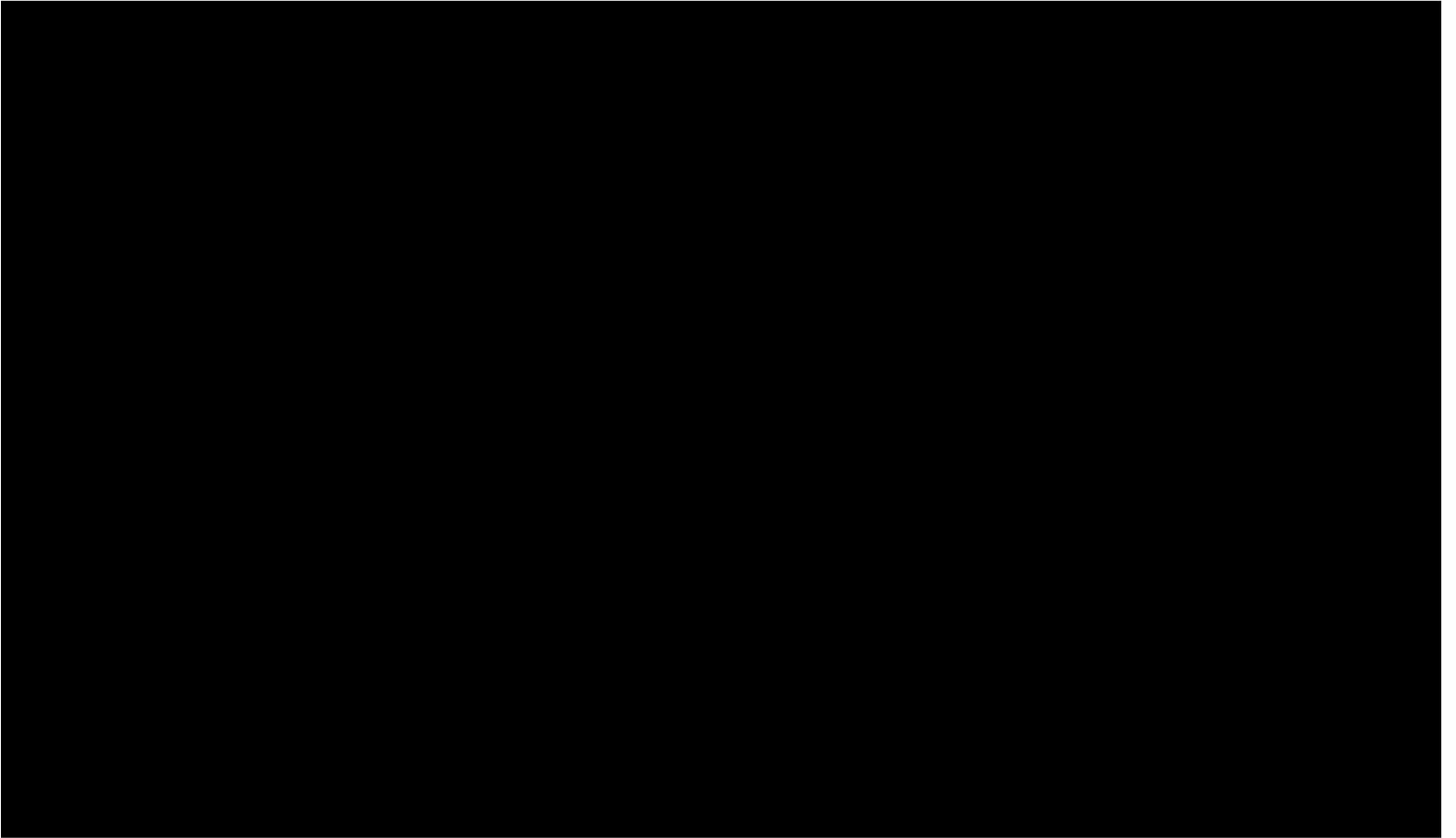
16.9 After reviewing the status of all bird species in the UK, the leading non-governmental bird conservation organisations agreed priorities for bird conservation. This led to the publication of a list of Birds of Conservation Concern. Bird species are either listed as red, amber or green, depending on their status and conservation objectives. Birds listed as red require urgent, effective conservation action.

## WATER VOLE

16.10 Water voles are fully protected under the Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to:

- Intentionally kill, take or injure a water vole;
- Possess or control any live or dead water vole or any part or derivative;
- Intentionally or recklessly damage or destroy a water vole’s place of shelter or protection;

- Intentionally or recklessly disturb a water vole whilst it is occupying a structure or place which it uses for shelter;
- Intentionally or recklessly obstruct access to a water voles place of shelter or protection.



## INVERTEBRATES

- 16.13 A small number of invertebrates are protected under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, relating to the designation of SACs, including white-clawed crayfish and Desmoulin's whorl snail.
- 16.14 A number of invertebrate species also protected under the Wildlife and Countryside Act, such as the heath fritillary and fairy shrimp. Species listed under Schedule 5 are protected from one, some or all of the following:
- Intentional killing, injuring, taking
  - Possession or control (live or dead animal, part or derivative)
  - Damage to, destruction of, obstruction of access to any structure or place used by a scheduled animal for shelter or protection
  - Disturbance of animal occupying such a structure or place
  - Offering for sale, possessing or transporting for the purpose of sale (live or dead animal, part or derivative)
  - Advertising for buying or selling live or dead animal, part or derivative

## STATUTORY PROTECTED SITES

- 16.15 Special Protection Areas and Special Areas of Conservation are protected under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 16.16 Sites of special scientific interest (SSSIs) are protected under the Wildlife and Countryside Act 1981. Natural England is responsible for notifying SSSIs, ensuring they are managed appropriately and assessing and monitoring their condition.
- 16.17 National Nature reserves are created to protect important wildlife habitats, while also providing a resource for scientific research and recreation. Declared under the National Parks and Access to the Countryside and the Wildlife and Countryside Act 1981.

## NON-STATUTORY PROTECTED SITES

### Ancient Woodland

- 16.18 Land with continuous woodland cover since at least 1600AD. Ancient woods are recognised in UK planning policy, but do not have statutory protection.

## NATURAL ENVIRONMENT AND RURAL COMMUNITIES (NERC) ACT 2006

- 16.19 following consultation with Natural England, the Secretary of State identified species and habitats considered to be of principal importance for the conservation of biological diversity in England. These species and habitats are listed under Section 41 of the Act . The list is to be kept under review and revisions are made as necessary as part of the progress reports on the Biodiversity Strategy for England.
- 16.20 following the Biological Diversity in Japan, 2012, a new initiative in England, 'Biodiversity 2020', replaced the former UK Biodiversity Action Plan Species aiming to reinforce the protection of Section 41 habitats and species.

## THE NATIONAL PLANNING POLICY FRAMEWORK

- 16.21 The National Planning Policy framework was revised in December 2023 and sets out the Government's planning policies for England and how these are expected to be applied. Within this document, Chapter 15 is titled Conserving and Enhancing the Natural Environment.
- 16.22 Of particular relevance within this chapter are the following statements:

Planning policies and decisions should contribute to and enhance the natural and local environment 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.

To protect and enhance biodiversity and geodiversity, plans should:

- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the Site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

## 17. APPENDIX 4: SUITABILITY ASSESSMENT OF ROOSTING HABITAT FOR BATS

Table 8. Assessing potential suitability of roosting habitat (structures and trees) for bats and survey effort required. Adapted from Bat Surveys for Professional Ecologists, Good Practice Guidelines 4th Edition (Collins, 2023).

Suitability	Description of roosting habitat	Survey effort* and timing
Negligible	Negligible habitat features on site likely to be used by roosting bats.	None required.
Low (Buildings / structures)  PRf-I (trees)	A structure or tree with one or more PRf-I roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/ or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).	Buildings/structures: One survey visit. One dusk emergence survey (or dawn re-entry survey if appropriate).  Timing: May to August.  Trees: PRf-I - No further surveys required. Compensation for loss of roosting opportunity recommended.
Moderate (Structures only)	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	Buildings/structures: Two separate dusk emergence surveys (or dawn re-entry surveys if appropriate).  Surveys should be spaced a minimum of three weeks apart.  Timing: May to September with at least one survey undertaken between May - August.
High (structures)  PRf-M (trees)	A structure or tree with one or more PRf-M roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	Buildings/structures: Three separate dusk emergence survey visits (or dawn re-entry surveys if appropriate).  Trees - Three inspection surveys using ladder, climbing or MEWP, or if features are too extensive to survey thoroughly, these could be emergence surveys supported by NVAs.  Surveys should be spaced a minimum of three weeks apart.  Timing: May to September with at least two surveys undertaken between May - August.

\* Recommended minimum number of survey visits for presence/absence surveys to give confidence in a negative result for structures and trees.