



## ECOLOGICAL ADVICE SERVICE

**TO:** *Matthew Broome*

**FROM:** *Helen Forster*

**DATE:** *07 March 2022*

**SUBJECT:** *TM/21/02866/FL Little Preston, Aylesford*

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*The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination.*

*Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.*

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When we originally commented on this application we had a number of concerns with the proposed mitigation. We advise that the concerns have been addressed and we are satisfied that no further ecological information is required.

We have reviewed the ecological information and we have the following comments to make:

The submitted Ecological Appraisal has detailed the following:

- An area of Ancient woodland within and adjacent to the site.
- Hedgerows – priority habitats and two are considered important under the Hedgerow regulations.
- At least 6 species of bats foraging/commuting within the site
- Common Lizard and slow worm within the site.
- Suitable habitat for breeding birds
- Potential for commuting/foraging badger (although no evidence was recorded on site)

We advise that the submitted information provides a good understanding of the ecological interest of the site.

The following mitigation/enhancements have been proposed:

- Woodland and woodland buffer management plan.
- Creation of woodland buffers (various widths)
- Bat sensitive lighting strategy – including close board fencing/retaining wall surrounding the woodland.
- Creation and management of a reptile mitigation area
- Erection of bird and bat boxes within the site.

We advise that if planning permission is granted there is need for the ecological mitigation and management plan to be implemented as condition of planning permission. Suggested wording at the end of the report.

### **Ancient Woodland**

Ancient woodland *is present and adjacent to the site.* The National Planning Policy Framework (NPPF) (2021) paragraph 180 states “*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*” the proposal will not result in a direct loss of Ancient Woodland but the proposal may result in the deterioration of the woodland. To minimise the impact the application is proposing to managed the woodland and protect the woodland from incursion of the traffic.

We have reviewed the submitted information and we advise that the standing advice recommended 15m buffer cannot be impelmetned throughout the site however we are satisfied that the proposed measures are appropriate and will limit the impact on the woodland and minimise the risk of the condition of the woodland deteriorating.

The proposed mitigation includes the implementation of a management plan and there is a need to ensure that it is implemented and the management plan regularly reviewed and updated. The management plan recommends that monitoring is carried out every 5 years and we recommend that if planning permission is granted the results of the monitoring is submitted to the LPA.

#### *Updated to previous comments*

##### Reptile Mitigation

To minimise impacts on the ancient woodland from the proposed lighting close board fencing/retaining walls are proposed on the edge of the AW Buffer. The AW buffer is proposed to be used for the species mitigation – in particular the reptile mitigation. When we originally commented we raised concerns that the due to fencing and the existing woodland there is a risk that the buffer area will be shaded and therefore provide unsuitable habitat for reptiles. Additional information has since been submitted and we advise it has addressed our concerns and we are satisfied that sufficient natural light will access the woodland buffer area to enable it to be used as the reptile mitigation.

##### Ancient woodland buffer

When we originally comments on the original application we raised concerns that no plan has been submitted clearly demonstrating the size of the buffer areas detailed within the ecological report (between 5 and 15m) will be achieved. A plan has since been submitted and confirmed that the buffers will be achieved. To ensure that the buffer area is retained

throughout the life of the development it must be regularly monitored and if any damage to the buffer (such as damage via vehicles) is identified it must be rectified immediately following advice from an ecologist. This should be part of the ongoing maintenance of the estate not part of the woodland management plan as visits to the woodland to implement the management are only likely to be minimum of once a year.

When we previously commented the lighting plans indicate that light spill into the woodlands in the west of the site where walls/fencing is proposed will be less than 1 lux. But in the east of the site, where no fencing/walls are proposed, the light spill into the woodland was greater. An updated lighting plan has been submitted and it has confirmed that light spill in the Ancient Woodland in the east of the site would be less than 1. In addition other measures are to be used to further reduce the lighting levels such as the inclusion of PIR detectors incorporated in to the street lighting to detect movement (vehicles or pedestrians) and raise the lighting to 100%. We are support of these measures and highlight that they must be retained for the life time of the development unless the lights are replaced due to further developments in lighting design which provide greater benefit to the AW and associated species.

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

**Helen Forster MCIEEM**  
**Biodiversity Officer**

This response was submitted following consideration of the following documents:  
Woodland Management Plan; Aspect Ecology; October 2021  
Ecological Appraisal; Aspect Ecology; October 2021  
Technical Briefling; Aspect Ecology; January 2022

**Suggested Conditions**

**Ecological Mitigation and enhancements**

*Prior to and during the construction of the development the ecological mitigation and enhancements within the Ecological Appraisal; (Aspect Ecology; October 2021) must be implemented as detailed. If works have not commenced within 18 months of planning permission being granted a review and, if required, update of the ecological appraisal must be submitted to the LPA for written approval prior to works commencing. On completion of the ecological mitigation a letter must be submitted to the LPA confirming it has been carried out.*

**Ancient Woodland**

*Within 3 months of works commencing on site the woodland management plan must be implemented. The plan must be carried out by a company/individual with experience of managing woodlands. The results of the on going monitoring (every 5 years) must be submitted to the LPA with details of any changes to the management plan.*

**Lighting**

We advise that the proposed lighting is conditioned and any changes to the lighting must be agreed with the LPA.

