



ECOLOGICAL ADVICE SERVICE

TO: Emma Forde
FROM: Clair Thackray
DATE: 14 March 2024
SUBJECT: 22/1261/FH / Glenthorne, Dungeness

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.

We have reviewed the amended site plans and proposals and are pleased to see a proposed net reduction in the extent of hardstanding and potential for restoration of priority habitat vegetated shingle. The ecological assessment and bat survey were undertaken in May/June 2022 and as such the data is over 20 months old. Regarding data over 18 months in age, CIEEM recommend the following:

A professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) and then review the validity of the report, based on the factors listed below. Some or all of the other ecological surveys may need to be updated. The professional ecologist will need to issue a clear statement, with appropriate justification, on:

- *The validity of the report;*
- *Which, if any, of the surveys need to be updated; and*
- *The appropriate scope, timing and methods for the update survey(s).*

The likelihood of surveys needing to be updated increases with time and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken.

We advise that an update site visit is undertaken by a suitably qualified/experienced ecologist. Bats are a highly mobile species and as such the ecologist may subsequently recommend that an update bat survey or surveys are required. The results of the update

assessment, full results of any additional surveys recommended, and details of any required mitigation, should be provided within the format of a simple Ecological Impact Assessment (EcIA) prior to determination. This is in alignment with paragraph 99 of ODPM 06/2005 which states “it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”.

The EcIA will also ensure alignment with the National Planning Policy Framework (NPPF) 2023 and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act 2006 and paragraphs 180 and 186 of the NPPF 2023 biodiversity should be maintained and enhanced through the planning system. We advise that proposals for enhancement of the site through restoration and appropriate long term management of vegetated shingle are also included within the EcIA.

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

Clair Thackray
Biodiversity Officer

This response was submitted following consideration of the following documents:

Preliminary Ecological Appraisal. PJC. May 2022.

Bat Survey Report. PJC. June 2022.

D&A Statement. Hollaway. As submitted Feb 2024.