



ECOLOGICAL ADVICE SERVICE

TO: David Campbell
FROM: Helen Forster
DATE: 22 March 2024
SUBJECT: 23/0415/FH Marsh House, Romney Marsh

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 ecological information submitted with the planning application and we advise that sufficient information has been provided to determine the planning application.

Protected Species

The application has detailed that there is potential for breeding birds, reptiles and foraging/commuting bats but any impacts can be avoided through a precautionary mitigation approach. We agree that the recommendations within the report are appropriate and must be implemented as a condition of planning permission (if granted).

The report has detailed that in the long term it is possible that Great Crested Newts may be present within the site as recent pond creation/enhancement has been implemented within the wider area. The report has detailed that if the works are carried out in the next two years it is unlikely that works will negatively impact any great crested newts but has also made recommendations for precautionary mitigation to be implemented during construction work to further minimise that risk. We recommend that if works have not been carried out by the end of 2025 an updated GCN assessment is carried out within the site to assess if the works need to be carried out under a Great Crested Newt Licence (the applicant could use the District Level Licencing process if it was required).

We suggest the following wording:

Prior to and during construction works the precautionary mitigation for breeding birds, GCN and reptiles within the Preliminary Ecological Appraisal (KB Ecology; March 2023) must be implemented as detailed. If works have not commenced by the end of 2025 a review and, if necessary, updated of the ecological mitigation must be carried out and submitted to the LPA for written approval.

Lighting

Lighting can have a negative impact on bats and other nocturnal animals. A lighting plan has been submitted and confirmed that the only external lighting to be installed will be adjacent to the exits and will be downward facing. The submitted information has detailed that the lighting will be on a timer so only operational when required. In addition we recommend that the lighting is on a motion sensor so it only switches on when it is needed.

Enhancing the site for biodiversity

Under section 40 of the NERC Act 2006 and paragraph 180 of the NPPF 2023, biodiversity should be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 186 of the NPPF 2023, the implementation of measurable net gains for biodiversity (integrated as part of design) should be encouraged.

The submitted site plan has confirmed that two bat and two bird boxes will be erected on the buildings. However we would encourage integrated features to be installed in the buildings to minimise the risk of them being removed/falling off in the future.

Due to the size of the development footprint and the area of open space within the site it is likely that the proposal can achieve a net gain under the terms of the NPPF. The submitted information has detailed that a pond, wildflower meadow area and hedging has been created within the site. In addition the submitted information has detailed that the following will be created within the site:

- Additional areas of wildflower meadow will be created (approx. 70-120sqm),
- 3 English oak

We have reviewed the submitted information and advise that we are satisfied that measures are appropriate and must be implemented if planning permission is granted.

We recommend that the following condition wording:

Prior to occupation of the annex the ecological enhancements within the Ecological Enhancement Plan (March 2024) must be implemented as detailed.

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:

Proposed Site Plan; Price Whitehead; February 2023

Location Plan And Existing Site Plan; Price Whitehead; February 2023

Preliminary Ecological Appraisal; KB Ecology; March 2023

Ecological Enhancement Plan; March 2024

Lighting Plan; March 2024