



ECOLOGICAL ADVICE SERVICE

TO: Sue Head
FROM: Helen Forster
DATE: 03 July 2024
SUBJECT: Nickolls Quarry, Hythe 24/0030/FH

The following is provided by Kent County Council's Ecological Advice Service (KCC 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 if sufficient/appropriate ecological information has been provided.

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 information submitted as part of this application and we advise that additional information is required prior to determination of the reserved matter application.

We have reviewed the submitted site plan and we advise that we have no comments to make on the proposed layout as we are satisfied that it reflects the illustrated framework plan submitted as part of application Y19/1492/FH

An Ecological Mitigation and Enhancement Strategy has been submitted and recommended the following enhancements:

40 Swift bricks
25 integrated bat boxes
40 bee bricks
350 hedgehog highways

We are supportive of these proposals however the document uses words/phrases such as recommend and should and therefore it has not been confirmed within the document or the design and access statement that the enhancement features will be incorporated into the buildings and site.

We advise that information is provided, by the applicant, confirming that the enhancement features detailed above will be incorporated in to the buildings and site.

Condition 10 states: *The reserved matters application(s) to be submitted pursuant to condition 1 above for each phase/sub-phase shall include details of a scheme for any external building or ground mounted lighting/illumination and such lighting shall be in accordance with guidance from an ecologist to minimise impacts on wildlife. Such details shall be submitted for the written approval of the local planning authority and shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution. The submitted details shall also demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated. The lighting strategy shall;*

a) Identify those area/features on site that are particularly sensitive;
b) Show how and where external lighting will be installed in accordance with the recommendations in section 6.1.6 of the Ecological Appraisal dated January 2019. Thereafter any lighting erected as part of the development shall only be erected in accordance with the approved details, and shall thereafter be retained.

The lighting strategy demonstrates that there will be light spill of up to 1lux in to the areas of open space and this is a reduction from the previously proposed 5lux.

The submitted lighting report recommends the dimming of the street lighting output at strategic times of the evening allows for a reduction in the overall lighting impact on ecologically sensitive areas and will help to reduce the general evening 'sky glow' from the site.

It makes the following recommendation:

- Dusk – 21.00 – 100% output
- 21.00 – 00.30 – 75% output
- 00.30 – 05.30 – 0% output
- 05.30 – 06.00 – 75% output
- 06.00 – Dawn – 100% output

We recommend information is provided, prior to determination, confirming that the lighting will be dimmed detailed as above or using the KCC standard dimming regime as follows: Residential roads typically are on a minus 40/60% dimming regime so dim by 40% between the hours of 20:00 – 22:00 and then dim by minus 60% between the hours of 22:00 to 05:00.

Condition 39 states; *Prior to works commencing in any phase or sub-phase (including any ground works, site and vegetation clearance), a detailed ecological mitigation and enhancement strategy for all protected species and habitat been identified on and around the site has been updated and submitted to and approved in writing by the local planning authority. The content of the method statement shall include:*

a) Updated Preliminary Ecological Appraisal;
b) Updated specific species surveys if recommended; c) Purpose and objectives for the proposed works;
d) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
e) Extent and location of proposed works, including the identification of suitable receptor sites, shown on appropriate scale maps and plans;

f) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
g) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works; h) Use of protective fences, exclusion barriers and warning signs;
i) Initial aftercare and long-term maintenance (where relevant);
j) Details of on-going management until commencement of the LEMP. The Ecological Mitigation and Enhancement Strategy will be reviewed and updated at the start of each development phase or sub-phase and the works shall be carried out in accordance with the strategy and shall be retained in that manner thereafter.

We advise that additional information is submitted to discharge the condition as the submitted information has not provided all the information required as part of the condition. We recommend that information is submitted confirming what habitats (if any) are present within the site and confirming what (if any) mitigation is required.

The satellite photos demonstrate that the site was bare earth in 2021 and therefore it is likely that the conditions within the site have not changed however we advise that this should be demonstrated as part of this submission.

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:
Ecological Mitigation and Enhancement Strategy; CSA; August 2023
Lighting Impact Assessment (including plans); MMA; June 2024