

**Address:** Land at Easy Hill, Chatham  
**App No:** MC/23/0187  
**Date:** 29<sup>th</sup> February 2024  
**Prepared By:** Eddie Selwyn  
**Subject:** Ecological Response – KCC Ecological Advice Service

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This technical note responds to the comments received from Luke Wallace (Biodiversity Officer) for the proposed development at Land at East Hill (detailed below).

*“We highlight several concerns with the current proposals/lack of information. This includes:*

- *No ecological survey information appears to have been submitted. We have looked at the reports as part of the previous MC/19/0765 and they are considered out-of-date in alignment with current CIEEM guidance.*
- *Some of these surveys found evidence of legally protected/priority species within the site (or within the boundary). Examples include Skylark, dormouse and badgers. It is unclear what mitigation and/or compensation will be implemented for protected/priority species regarding construction and the operational development.*
- *It is unclear if some of the development (notably the southern-most part) will be outside the 15m boundary for ancient woodland (as per standing advice from Natural England/the Forestry Commission). This habitat is specifically protected from deterioration under paragraph 180 of the NPPF.*
- *Furthermore, we have concerns about the impact of lighting on this sensitive habitat
  - *it is not clear how this impact will be mitigated for.**
- *The planting schedule is extremely poor from biodiversity perspective. A large proportion of the planting schedule is non-native; therefore, it will have little to no biodiversity value, does not help to safeguard the ancient woodland ecosystem and is not in keeping with the Kent countryside. We advise that an updated ecology report is submitted which addresses all ecological considerations, including the issues highlighted above, and that includes an appropriate mitigation/compensation plan.*

*We also advise that the planting schedule is revised to feature predominately native species-only. This should be accompanied by a Landscape and Ecological Management Plan (LEMP) to demonstrate that elements of the landscaping, such as the proposed ‘species rich grass’, will be established and managed properly into the future.”*

The site was subject to an updated walkover/habitat survey in November 2022, which determined that the habitats within the site have been subject to regular and consistent management since the previous specific species surveys. As such, the site remains intensively managed arable fields. It is therefore considered that the number and distributions of protected species within the site are unlikely to have changed. As such, it was not considered necessary to update the bat activity survey, great crested newts survey, reptile survey and breeding bird survey (including skylark).

The survey in November 2022 recorded three mammal entrances along the eastern boundary of the site, which were previously identified as unconfirmed badger sett entrances in 2019. To determine if the entrances are utilised by badgers, each entrance was monitored with a trail camera between 5<sup>th</sup> December and 19<sup>th</sup> December 2022. To ensure the cameras recorded the entrances accurately, they were checked after a week of monitoring. The monitoring survey did not record any badger activity at the three entrances, with only limited activity from roaming foxes recorded. During the October 2023 dormice nest tube check, the site was subject to an updated badger survey to determine if activity levels had changed, and no evidence of badger activity was recorded.

Given the regular and consistent management of the site, it is considered that the distribution of dormice has not changed and that all suitable habitat within the site is utilised by dormice. A dormice survey was carried out throughout 2023 to support the Natural England licence application required for the site clearance works. The nest tubes were set out in March 2023 with checks undertaken between April and October. These surveys recorded similar levels of dormice activity within the site and wider site.

A site-wide ecological management strategy, Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity), Ecological Mitigation Strategy (EMS), Landscape and Ecology Mitigation Management Plan (LEMMP) and Biodiversity Net Gain (BNG) Assessment has been secured by planning condition 18, 23, 24 and 44. These will follow shortly after this response and detail update survey results, mitigation measures and management strategies.

The proposed development is located 15m from the ancient woodland boundary and this is further illustrated on the site layout plans. The 15m buffer includes woodland planting with thorny species to further protect the ancient woodland. A separate ecological technical note has been produced regarding the ancient woodland and this has been appended for ease.

The majority of the existing habitat suitable for foraging and commuting bats will be retained and new native woodland, scrub and hedgerows will provide foraging and commuting opportunities for bats. As part of condition 45, an external lighting plan will be submitted to demonstrate that lighting will not

adversely impact nocturnal wildlife. To ensure foraging and commuting opportunities for bats are retained and enhanced, the lighting scheme will be designed to consider bats in the surrounding area as well as the site and includes:

- Providing dark corridors along the majority of the site boundaries;
- Using sodium lamps instead of mercury or metal halide lamps where glass glazing is preferred due to its UV filtration characteristics;
- Directing lighting to where it is needed and avoiding light spillage;
- Using baffled lighting where light is directed towards the ground and
- Avoid putting lighting near trees or hedgerows and angling light away from these linear features which are used by commuting and foraging bats.

In relation to the comments regarding the landscape strategy, this has been updated to reflect the comments received.

Many thanks

A handwritten signature in black ink that reads "E Selwyn". The signature is written in a cursive, slightly slanted style.

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Principal Ecologist