

14/502420

1. Cllr Harwood (email dated 17/10/15) has expressed concerns about the removal of vegetation on the site and the impact on habitats and wildlife. In order to increase biodiversity and mitigate the impact of the proposed development the following conditions are suggested:

- *The proposed 15 metre deep buffer adjacent to King's Wood should be landscaped and then protected by temporary or permanent fencing at the first phase of development, with this buffer area specifically excluded from use as a construction depot or otherwise functioning component of the construction site; and*
- *A watching brief should be maintained when the debris heaps within the application site are moved or removed to ensure that no reptiles or amphibians are present – with any animals discovered moved into the cover of the adjacent woodland edge (ideally this should be outside of the usual hibernation period of November to March).*

2. KCC Ecology (further comments dated 22/10/15):

“Given the apparently complete lack of regard of the biodiversity interest that was on the site before the vegetation was cleared (as shown on aerial photos and highlighted by Cllr Harwood), my feeling is that if there is any residual potential for protected species, MBC does need to secure measures to minimise the potential for harm. It could be argued that the regular application of herbicides will deter reptiles, but given that the stumps and debris piles have been present for at least a year, this does increase the potential for reptiles to find sheltering spots beneath them so I am minded to agree with Cllr Harwood’s suggestion for a watching brief.

I think that there is a need to secure much greater ecological ‘enhancements’ (though given the previous ecological value this would in that was be mitigation for the loss of biodiversity. It is absolutely essential that this buffer does not form part of the gardens of the proposed properties so there must be some means to ensure that the buffer land does not become absorbed into the gardens in the future. A reptile hibernaculum should be created in the buffer area and we would also recommend that the large stumps are relocated to the buffer area.

Given the proximity of the ancient woodland I do not think that there should be any non-native species planting in the landscaping and my preference would be for the leylandii hedgerow along the northern boundary to be replaced with a mixed native species hedgerow. A compromise could be for native species planting alongside the existing hedgerow. This would provide a corridor for wildlife between the ancient woodland areas, replacing that which has been lost as a result of the (mis)management of the on-site habitats.

There must also be no external lighting that results in illumination of the ancient woodlands around the site (ie to the west as well as the east). If there is a need for some external lighting, this must be motion-activated and the specifications in accordance with the Bats and Lighting guidance produced by the Institute of Lighting Engineers/Bat Conservation Trust.

Close-boarded fencing is indicated on the site plan – these must be designed with small gaps beneath to allow the free movement of small mammals such as hedgehogs – there are plenty of designs available on-line.”

Officer comment:

1. It is recommended that Condition 2 should be amended as follows:

- “The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping and boundary treatment, including the retention of a 15m wide buffer zone between the eastern boundary of the site and the ancient woodland using indigenous species. Any fencing shall be designed with small gaps beneath to allow the free movement of small mammals such as hedgehogs.

The protection of the 15m buffer zone shall include the following:

- Additional landscaping and tree planting using native species
- Additional biodiversity mitigation shall be provided by creating a reptile hibernaculum in the buffer zone and the large piles of debris and tree stumps shall be relocated to the buffer area to increase the potential for reptiles to find sheltering spots.
- Additional hedge planting along the northern site boundary,
- fencing of the buffer zone at the first phase of development,
- no construction work, plant, vehicles or storage of materials associated with the carrying out of the development shall be carried out within the buffer zone

The details of landscaping shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and long term management. The landscaping scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines. The approved landscaping scheme shall be implemented in the first planning season following the commencement of development.

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Reason: To ensure an appropriate appearance and setting to the development and in the interests of biodiversity.”

2. Unfortunately, with regard to concerns about the clearance of the vegetation on the site this is beyond the scope of planning control but is covered by other legislation, including the Wildlife and Countryside Act, 1981

3. Recommend an additional condition:

Details of external lighting shall be submitted to and approved by the LPA before development commences and no lighting shall be permitted which results in illumination of the ancient woodlands around the site. Any external lighting shall be motion-activated and the specifications in accordance with the Bats and Lighting guidance produced by the Institute of Lighting Engineers/Bat Conservation Trust.

Reason: in the interests of biodiversity and wildlife protection