

Agenda Item 14, pages 28 - 54

23/503997/FULL

Abbey Farm, Lower Street, Leeds, Maidstone, Kent, ME17 1TL

**Ecological Matters:**

Final comments were received on 13/03/2024 from Kent County Council's Ecological Advice Service.

Having reviewed the information submitted by the applicant they advise that sufficient ecological information has been provided.

The service has suggested conditions relating to the submission of a Construction Ecological Management Plan, bat mitigation, biodiversity net gain and external lighting conditions.

The following conditions will be imposed:

- 1) Prior to commencement of works (including site clearance), a construction ecological management plan (CEMP - biodiversity) will be submitted to and approved in writing by the local planning authority. The CEMP - biodiversity will be based on the recommendations in Section 5 of the Corylus Ecology Ecological Impact Assessment report (dated 19th December 2023) and Section 5 of the Bat Hibernation Survey Report (Corylus Ecology, 5th March 2024).

The CEMP – biodiversity will include the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones' and the use of protective fences, exclusion barriers and warning signs;
- iii. Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of species or habitat-specific method statements);
- iv. The location and timing of sensitive works to avoid harm to biodiversity features;
- v. The times during construction when specialist ecologists need to be present on site to oversee works;
- vi. Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- vii. Reference to any other relevant documents such as Natural England licences, Environment Agency permits, Tree Protection Plans/Arboricultural Method Statements, updated ecological survey data.
- viii. Responsible persons and lines of communication; and
- ix. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP - biodiversity will be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To ensure that any harm to biodiversity on site is mitigated.

- 2) All mitigation and enhancement for bats will be carried out in accordance with the details contained in Section 5 of the Bat Hibernation Survey Report (Corylus Ecology, 5th March 2024) and Section 5 of the Corylus Ecology Ecological Impact Assessment report (dated 19th December 2023), unless additional/alternative measures are required by Natural England. A granted Natural England bat mitigation licence must be in place prior to carrying out any works that could affect the bat roost(s) on-site. Should Natural England require less mitigation than that detailed within the report, then all remaining measures will be included as enhancements under the National Planning Policy Framework 2023.

Bat mitigation and enhancements will be implemented as above and retained thereafter.

Reason: To safeguard the presence of protected species on site.

- 3) Prior to occupation, a lighting design strategy for bats will be submitted to and approved in writing by the local planning authority. The strategy will:
  - i. Identify areas/features on-site where disturbance could occur to bat breeding/roosting sites and/or foraging/commuting route; and
  - ii. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb bat activity.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: To safeguard the presence of protected species on site.

**Officer Recommendation:**

The officer recommendations at the start and end of the report do not match.

To clarify, following the KCC Ecological advice the officer recommendation is:

GRANT PLANNING PERMISSION subject to conditions and legal agreement to secure the heads of terms subject to no additional material considerations being raised as a result of the departure site and press notices that expire on 11.04.2024.