



Tenterden

Kent County Council Consultation Response

1. INTRODUCTION

- 1.1 This additional note provides supplementary information to that provided in our response dated 11 March 2020 to comments made by Helen Forster on behalf of Kent County Council (dated 17 February 2020; see **Appendix 1**) to the hybrid planning application 19/01788/AS on land between Woodchurch Road and Appledore Road, Tenterden, Ashford, Kent (herein referred to as the “Site”).

2. CONSULTATION RESPONSE COMMENTS

Biodiversity Net Gain

- 2.1 EPR have used the DEFRA Biodiversity Metric 2.0 to demonstrate **a net gain for biodiversity is achievable** based on the submitted development Illustrative Masterplan. The metric has been shared and discussed on an informal basis with Kent County Council (conversation with Helen Forster on 31 March 2020). It is now being submitted on a formal basis and it accompanies this letter (along with associated maps identifying habitat creation and enhancement areas). The metric provides evidence of our assessment of how a +5.49% habitat unit and +17.98% hedgerow unit net biodiversity gain can be achieved.
- 2.2 As mentioned in our previous note dated 11 March 2020, a limitation of the metric, as noted by DEFRA in their User Guide for the metric, is that it only considers the effects of the proposals on habitats. It does not allow for the inclusions of beneficial measures that are species-specific such as the pond restoration and creation which will benefit the aquatic invertebrate assemblage and amphibians, and the installation of bat and bird boxes on buildings and trees, which will be included as part of the proposals to provide further enhancements for biodiversity.
- 2.3 Furthermore, the DEFRA metric fails to take account of how the net gain measures at Tenterden have been specially designed to contribute towards local conservation targets and/or benefit those priority species on or nearby the Site.
- 2.4 The specifics of how this will be achieved are detailed in Section 3 of the submitted Ecological Management Plan (EPR, 2019) and within the EclA (EPR, 2019). Overall, the proposals contribute to local conservation targets detailed in the Kent Biodiversity Strategy 2015-2025, Kent Biodiversity Action Plan, the Low Weald Woodland Biodiversity Area, Wilder Kent Vision and National Character Area Profile 122: High Weald. These can be broadly summarised as that below, and more detail is provided in the Ecological Management Plan:
- The proposals help people and local communities by providing opportunities for them to re-connect with nature and the environment by providing and/or enhancing the habitats to provide quality green spaces. In doing, this has been shown to help people’s mental and physical health; and

- The proposals help wildlife by restoring creating and connecting habitats such as grassland, ponds, hedgerows, scrub and woodland. This will facilitate natural processes and provide space for species assemblages to flourish.

2.5 Thus, whilst the Defra biodiversity net gain metric is an important tool in assessing biodiversity net gain it is not the only factor in the judgement of net gain.

2.6 Overall, EPR's assessment confirms that the proposals will provide a biodiversity net gain.

Ecological Framework Plan

2.7 An Ecological Framework Plan has been produced and accompanies this note to provide confidence of the open space and built environment areas. The plan shows that the scheme has been designed to retain and buffer important features including hedgerows, trees and ponds that will maintain ecological functionality and connectivity. Buffer areas will contain semi-natural habitats comprising mostly wildlife friendly grassland with limited tree/shrub planting. This will ensure the primary function to provide suitable habitat connectivity for protected species, such as Great Crested Newt, is maintained.

2.8 The plan shows an area of pasture woodland in the north-east of the Site. This area will remain as semi-improved neutral grassland and it will be enhanced through grassland diversification. A small number of trees will be planted to create woodland pasture habitat. Grassland will therefore be retained under the trees.

2.9 The specific details of the types of soft landscaping and their positioning is indicative and subject to detailed design. The detailed proposals can be secured via an appropriately worded planning condition that could be as follows:

Prior to the commencement of development hereby approved, an Ecological Framework Plan shall be submitted to and approved in writing by the Local Planning Authority. This should be substantially in accordance with drawing number RD1686_P_L011-P1, as amended to reflect any adjustments to the development parcels agreed during the determination of the reserved matters application; and shall provide for ecological connectivity across the site to be retained. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Breeding Birds

2.10 As mentioned in our previous note, based on the habitats present it is considered unlikely that additional survey work at earlier periods in the survey season would provide significantly different results than currently collected or alter the conclusions made in the EclA report.

2.11 In addition, as detailed in Table 2.2 of the EclA report, the Site was visited in the daytime on numerous occasions during April and May for various items of ecological survey work between 2016 and 2018 (i.e. ecological appraisal, bat ground level tree inspection, Hazel Dormouse nest tube and box survey, Great Crested Newt Habitat Suitability Index survey, reptile survey). If ground nesting birds had been present, then this would have been noted during the daytime visits that covered the entirety of the Site. No evidence of ground nesting birds was recorded, and they are not likely to be using the Site.

- 2.12 To address any risks that they might be present in the future, appropriate mitigation and impact avoidance measures will be implemented. These have been provided in paragraph 4.24 of the EclA and further details will be provided in the Construction Environmental Management Plan (CEMP), as per paragraph 7.1 of the submitted EclA.

Bats and Invertebrates

- 2.13 The information provided in the previous note, as mentioned, should be sufficient to give Kent County Council confidence that the proposed development will minimise lighting levels to avoid impacts on ecology.
- 2.14 The applicant also confirms that no flood lighting is proposed for the sports pitches. It is still our recommendation that potential lighting impacts on ecology, including within the residential areas, can be adequately dealt with in the form of a Lighting Strategy that is secured as part of a planning condition at Reserved Matters. A suggested planning condition could be as follows:

No development within a Phase or sub-phase shall commence until a Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be in accordance with the approved ecological mitigation strategy and shall:

- *Identify those areas/features on site that are particularly sensitive for nocturnal wildlife such as bats, including those created as mitigation / enhancement measures;*
- *Principles of how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal wildlife using their territory or having access to their breeding sites and resting places; and*
- *Measures to minimise the impact of lighting upon the High Weald Area of Outstanding Natural Beauty.*

All external lighting shall be installed in accordance with the approved strategy.

REASON: In the interests of preserving protected species and their habitats and the High Weald Area of Outstanding Natural Beauty having regards to paragraph 170 of the National Planning Policy Framework and policy ENV1 and ENV4 of the Local Plan.

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Appendix 1
Kent County Council Consultation Comments
