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ENVIRONMENTAL
CONSULTING

NATURAL PROGRESSION

Willowbrook, Iwade, Sittingbourne, Kent

Ecological Enhancement Plan

August 2024

Willowbrook, Iwade, Sittingbourne, Kent

Ecological Enhancement Plan

Client:	Bellway Homes (Kent)	
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Author:	Proofed:	Approved:
Rosie Marston BSc (Hons) MSc MCIEEM	Tim Lees BA (Hons) MSc MCIEEM	Nick Pincombe BA(Hons) MSc CEnv MIEMA MCIEEM
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Abbreviations

EEP	Ecological Enhancement Plan
GLTA	Ground Level Tree Assessment
HPI	Habitat of Principal Importance
LWS	Local Wildlife Site
NERC	Natural Environment and Rural Communities Act 2006
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
UEEC	Urban Edge Environmental Consulting
UKHab	UK Habitat Classification
WCA	Wildlife & Countryside Act 1981 (as amended)



0 Executive Summary

0.1 Introduction

- 0.1.1 This Ecological Enhancement Plan has been prepared for the site of a residential development at Willowbrook, Iwade, Sittinbourne, Kent. The purpose of the Ecological Enhancement Plan is to set out details of the ecological enhancements which will be incorporated into the site as part of the proposed development.

0.2 Construction Activities

- 0.2.1 Planning permission was granted in July 2022 by Swale Borough Council (19/503974/HYBRID) for up to 466 dwellings and a community hall, access from Grovehurst Road and The Street and for a country park. Bellway will be delivering 455 dwellings, the community hall and country park.
- 0.2.2 The site was granted planning permission by Swale Borough Council in July 2022 (19/503974/HYBRID). Condition 52 stated the following:

'The details submitted pursuant to condition 1 (the reserved matters) shall in respect of each phase include an Ecological Enhancement Plan. The plan must details what ecological enhancements will be incorporated into the site and it must include native species planting, integrated bat, bird and insect boxes and hedgehog highways.'

0.3 Site Description

- 0.3.1 The Site lies to the east of the village of Iwade, which is north of the town of Sittingbourne in the Swale borough of Kent. The survey area comprises c.57.45ha of agricultural land, currently dominated by cereal crops with smaller areas of modified grassland, mixed scrub, bramble scrub, ponds, tall forbs, hedgerows, trees and tree lines, ditches, a stream and a road.

0.4 Existing Site Conditions

- 0.4.1 The following documents have been reviewed during the preparation of this Ecological Enhancement Plan:
- ▶ Aspect Ecology (2023) *Land at Iwade, Kent: Wintering Bird Survey*
 - ▶ Corylus Ecology (2019) *Land East of Iwade, Kent: Interim Bat Survey Report*. Report Reference 19151
 - ▶ Corylus Ecology (2020a) *Land East of Iwade, Kent: Bat Survey Report*. Report Reference 19151

- ▶ Corylus Ecology (2020b) *Land East of Iwade, Kent: Breeding Bird Survey Report*. Report Reference 19151
- ▶ Corylus Ecology (2020c) *Land East of Iwade, Kent: Ecological Impact Assessment Report*. Report Reference 19151
- ▶ Corylus Ecology (2020d) *Land East of Iwade, Kent: Reptile Survey Report and Outline Reptile Mitigation Strategy – Updated October 2020*. Report Reference 19151
- ▶ Ecosulis (2016a) *Land East of Iwade, Kent: Great Crested Newt Surveys*. Report Reference J006065
- ▶ Ecosulis (2016b) *Land East of Iwade, Kent: Preliminary Ecological Appraisal (PEA) Report* Reference J006024/J006065
- ▶ Ecosulis (2017) *Land East of Iwade, Sittingbourne: Wintering Bird Survey*. Report Reference J006232
- ▶ The Ecology Partnership (2019) *Report to inform Habitat Regulations Assessment Screening Assessment: Land at A17 Allocation, Iwade*.
- ▶ UEEC (2024a): *Willowbrook, Iwade, Sittingbourne, Kent: Preliminary Ecological Appraisal Report*
- ▶ UEEC (2024b): *Willowbrook, Iwade, Sittingbourne, Kent: Biodiversity Net Gain Assessment*

0.4.2 The main ecological features of interest associated with the site are as follows:

- ▶ **Designated sites for nature conservation:** The Swale Special Protection Area, Ramsar and Site of Special Scientific Interest is located immediately to the north of the site. Village Park LWS is adjacent to the survey area on its north-western boundary.
- ▶ **Habitats of Principal Importance:** Ponds and hedgerows within the site qualify as Habitats of Principal Importance. These are of intrinsically high ecological value and have the potential to support a range of notable and protected species.
- ▶ **Common amphibian species:** The ponds, ditches, rough grassland, tall forbs, scrub, hedgerows and tree lines are suitable habitats for common and widespread amphibian species.
- ▶ **Great crested newt:** The ponds, ditches, rough grassland, tall forbs, scrub, hedgerows and tree lines within the site provide a range of features which are known to support a population of great crested newt.
- ▶ **Breeding birds:** The scrub, hedgerows and tree lines are suitable for a variety of nesting birds. This includes species such as Cetti's warbler, song thrush, house sparrow, dunnoek and starling which were recorded during the breeding bird surveys in 2020.
- ▶ **Wintering birds:** The cereal crops, modified grassland, scrub, hedgerows and trees provide a foraging and sheltering resource for birds which overwinter in lowland Britain. Species potentially present over winter include snipe, curlew, redshank and lapwing which were recorded during the wintering bird surveys of 2016/2017, 2018/2019 and 2022/2023.

- ▶ **Roosting bats:** No bat roosts have been identified within the site, although the Ground Level Tree Assessment for roosting bats identified a number of trees as providing suitability for roosting bats.
- ▶ **Foraging and commuting bats:** The Application Site contains a relatively large area of low quality habitat for foraging and commuting bats. At least seven species of bat have been recorded using the Site, and low levels of activity were recorded in 2020.
- ▶ **Water vole:** A walkover survey was undertaken in 2019 and evidence of water vole was found in water courses WC1 (Stream S1) and WC3 (Stream S2, Ditch D3, D4 and D7) but no evidence was found in water course WC2 (Ditch D1).
- ▶ **Reptiles:** Surveys for reptiles have been undertaken in 2018 and 2020. Overall in 2020, 'exceptional' populations of slow worm, 'good' populations of common lizard and 'low' populations of grass snake were recorded within the survey area, which was thought to be of local importance.
- ▶ **Hedgehog:** The Application Site contains habitats suitable for hedgehog, including grassland, scrub, hedgerows and tree lines.

0.5 Measures to Achieve Objectives: Enhancement

0.5.1 Section 2 of the Ecological Enhancement Plan includes the following habitat creation and enhancements:

- ▶ Other neutral grassland;
- ▶ Modified grassland;
- ▶ Mixed scrub;
- ▶ Rural trees;
- ▶ Urban trees;
- ▶ Sustainable Drainage Systems;
- ▶ Ponds;
- ▶ Other woodland; broadleaved;
- ▶ Hibernacula and Log piles;
- ▶ Bird boxes;
- ▶ Bat boxes;
- ▶ Insect boxes; and
- ▶ Hedgehog highways.

0.6 Implementation of Site Enhancement Works

0.6.1 Section 3 sets out an implementation timetable for enhancement measures.

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1 Introduction

1.1 Purpose of this Report

1.1.1 Urban Edge Environmental Consulting (UEEC) has been commissioned by Bellway Homes to produce an Ecological Enhancement Plan (EEP) for the site of a proposed residential development at Willowbrook, Iwade, Sittingbourne, Kent (Grid Reference: TQ 90582 67721) (hereafter referred to as 'the Application Site').

1.1.2 The site was granted planning permission by Swale Borough Council in July 2022 (19/503974/HYBRID). Condition 52 stated the following:

'The details submitted pursuant to condition 1 (the reserved matters) shall in respect of each phase include an Ecological Enhancement Plan. The plan must details what ecological enhancements will be incorporated into the site and it must include native species planting, integrated bat, bird and insect boxes and hedgehog highways.'

1.1.3 This report was therefore prepared to meet Condition 52.

1.2 Site Description and Context

1.2.1 The Application Site lies to the east of the village of Iwade, which is north of the town of Sittingbourne in the Swale borough of Kent. The survey area comprises c.57.45ha of agricultural land, currently dominated by cereal crops with smaller areas of modified grassland, mixed scrub, bramble scrub, ponds, tall forbs, hedgerows, trees and tree lines, ditches, a stream and a road.

1.2.2 The survey area is bounded to the north by Coldharbour Marshes (part of the Swale Special Protection Area (SPA), north-west by Sheppey Way, to the east and south by A249 Sheppey Crossing and to the west by the village of Iwade including Village Park Local Wildlife Site (LWS). The wider landscape is characterised by a patchwork of grazing marsh, arable land and pasture with a network of drainage ditches, residential and industrial development.

1.2.3 The extent of the Site is outlined in red and blue on Figure 1.1 and a baseline UK Habitat Classification (UKHab) Plan is shown at Appendix I.

1.3 Construction Activities

1.3.1 Planning permission was granted in July 2022 by Swale Borough Council (19/503974/HYBRID) for up to 466 dwellings and a community hall, access from Grovehurst Road and The Street and for a country park. Bellway will be delivering 455 dwellings, the community hall and country park. A proposed site plan is shown at Figure 1.2.

1.4 Existing Site Conditions

1.4.1 The following documents have been reviewed during the preparation of this EEP:

- ▶ Aspect Ecology (2023) *Land at Iwade, Kent: Wintering Bird Survey*
- ▶ Corylus Ecology (2019) *Land East of Iwade, Kent: Interim Bat Survey Report*. Report Reference 19151
- ▶ Corylus Ecology (2020a) *Land East of Iwade, Kent: Bat Survey Report*. Report Reference 19151
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- ▶ Corylus Ecology (2020c) *Land East of Iwade, Kent: Ecological Impact Assessment Report*. Report Reference 19151
- ▶ Corylus Ecology (2020d) *Land East of Iwade, Kent: Reptile Survey Report and Outline Reptile Mitigation Strategy – Updated October 2020*. Report Reference 19151
- ▶ Ecosulis (2016a) *Land East of Iwade, Kent: Great Crested Newt Surveys*. Report Reference J006065
- ▶ Ecosulis (2016b) *Land East of Iwade, Kent: Preliminary Ecological Appraisal (PEA) Report* Reference J006024/J006065
- ▶ Ecosulis (2017) *Land East of Iwade, Sittingbourne: Wintering Bird Survey*. Report Reference J006232
- ▶ The Ecology Partnership (2019) *Report to inform Habitat Regulations Assessment Screening Assessment: Land at A17 Allocation, Iwade*.
- ▶ UEEC (2024a): *Willowbrook, Iwade, Sittingbourne, Kent: Preliminary Ecological Appraisal Report*
- ▶ UEEC (2024b): *Willowbrook, Iwade, Sittingbourne, Kent: Biodiversity Net Gain Assessment*

1.4.2 The main ecological features of interest associated with the site are as follows:

- ▶ **Designated sites for nature conservation:** The Swale SPA, Ramsar and Site of Special Scientific Interest (SSSI) is located immediately to the north of the site. Village Park LWS is adjacent to the survey area on its north-western boundary.
- ▶ **Habitats of Principal Importance:** Ponds and hedgerows within the site qualify as Habitats of Principal Importance (HPI). These are of intrinsically high ecological value and have the potential to support a range of notable and protected species.
- ▶ **Common amphibian species:** The ponds, ditches, rough grassland, tall forbs, scrub, hedgerows and tree lines are suitable habitats for common and widespread amphibian species.
- ▶ **Great crested newt:** The ponds, ditches, rough grassland, tall forbs, scrub, hedgerows and tree lines within the site provide a range of features which are known to support a population of great crested newt (GCN) *Triturus cristatus*.

- ▶ **Breeding birds:** The scrub, hedgerows and tree lines are suitable for a variety of nesting birds. This includes species such as Cetti's warbler *Cettia cetti*, song thrush *Turdus philomelos*, house sparrow *Passer domesticus*, dunnoek *Prunella modularis* and starling *Sturnus vulgaris* which were recorded during the breeding bird surveys in 2020 (Corylus Ecology 2020b).
- ▶ **Wintering birds:** The cereal crops, modified grassland, scrub, hedgerows and trees provide a foraging and sheltering resource for birds which overwinter in lowland Britain. Species potentially present over winter include snipe *Gallinago gallinago*, curlew *Numenius arquata*, redshank *Tringa totanus* and lapwing *Vanellus vanellus* which were recorded during the wintering bird surveys of 2016/2017 (Ecosulis, 2017), 2018/2019 (The Ecology Partnership, 2019) and 2022/2023 (Aspect Ecology, 2023).
- ▶ **Roosting bats:** No bat roosts have been identified within the site, although the Ground Level Tree Assessment (GLTA) for roosting bats identified a number of trees as providing suitability for roosting bats.
- ▶ **Foraging and commuting bats:** The Application Site contains a relatively large area of low quality habitat for foraging and commuting bats. At least seven species of bat have been recorded using the Site, and low levels of activity were recorded in 2020 (Corylus Ecology, 2020a).
- ▶ **Water vole:** A walkover survey was undertaken in 2019 (Corylus Ecology, 2020c) and evidence of water vole *Arvicola amphibius* was found in water courses WC1 (Stream S1) and WC3 (Stream S2, Ditch D3, D4 and D7) but no evidence was found in water course WC2 (Ditch D1).
- ▶ **Reptiles:** Surveys for reptiles have been undertaken in 2018 and 2020 (Corylus Ecology, 2020d). Overall in 2020, 'exceptional'¹ populations of slow worm *Anguis fragilis*, 'good' populations of common lizard *Zootoca vivipara* and 'low' populations of grass snake *Natrix helvetica* were recorded within the survey area, which was thought to be of local importance.
- ▶ **Hedgehog:** The Application Site contains habitats suitable for hedgehog *Erinaceus europaeus*, including grassland, scrub, hedgerows and tree lines.

1.5 Objectives

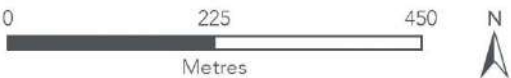
- 1.5.1 The EEP has been produced in order to enhance the site for biodiversity following development.

¹ As defined by Froglife (1999) criteria

Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary

Figure 1.1: Site location plan



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Ordnance Survey 0100031673

Scale (at A4): 1:8,250 Created by: RM
Date: May 2024 Reviewed by: NP
Drawing number:
UE0660ECO-WillowbrookIwade_240522



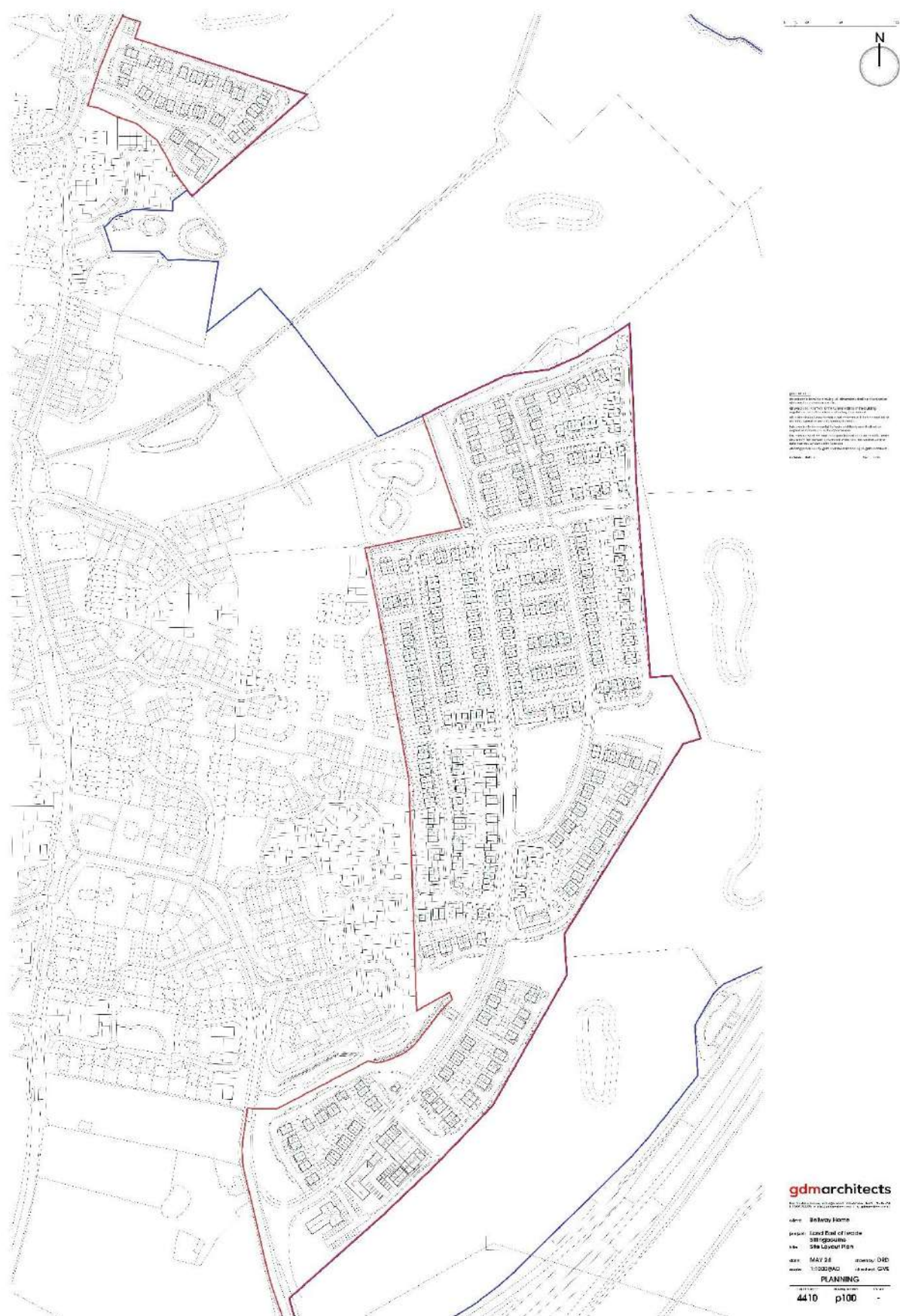


Figure 1.2: Proposed site layout

2 Measures to Achieve Objectives: Enhancement

2.1 Introduction

- 2.1.1 The locations of the measures detailed below for the Proposed Development are shown on the UKHab Created Habitats Plan (Appendix II) and Biodiversity Features Plan (Appendix III).

2.2 Created Habitats (Native Species Planting)

Wildflower Seed Mixes (Other neutral grassland and modified grassland)

- 2.2.1 Areas within the development and country park will be sown with native wildflower and grass seed mixes and appropriately managed to develop species and flower rich grassland, which will benefit, for example, a range of invertebrate species. The mixes used will be Emorsgate Meadow Mixture for Loamy Soils EM5 (or similar) and Tussock Wild Flowers EM10F (or similar). The composition for each seed mix is available on the Emorsgate website².

Shrub Planting (Mixed scrub)

- 2.2.2 Areas within the development and country park will be planted with shrubs which are native and/or of wildlife value. Planting will comprise a range of fruit, seed, nut and nectar-bearing species, providing a food source for a wide range of wildlife species throughout most of the year. Native plant stock will be sourced from a local supplier and ensure it is of local provenance. Table 2.1 provides the proposed species list for the shrub planting.

Table 2.1: Shrub species

Scientific name	Common name
<i>Acer campestre</i>	Field maple
<i>Carpinus betulus</i>	Hornbeam
<i>Cornus sanguinea</i>	Common dogwood
<i>Cornus stolonifera</i>	Golden-twigh dogwood
<i>Corylus avellana</i>	Hazel
<i>Crataegus monogyna</i>	Hawthorn
<i>Euonymus europaeus</i>	Spindle
<i>Fagus sylvatica</i>	Beech
<i>Ilex x altaclerensis</i> 'Golden King'	Holly
<i>Ilex aquifolium</i>	Holly

² <https://wildseed.co.uk/>

Scientific name	Common name
<i>Ligustrum vulgare</i>	Wild privet
<i>Lonicera nitida</i> 'Baggesen's Gold'	Honeysuckle
<i>Lonicera periclymenum</i>	Honeysuckle
<i>Philadelphus</i> 'Belle Etoile'	Mock orange
<i>Physocarpus opulifolius</i> 'Diabolo'	Ninebark
<i>Prunus spinosa</i>	Blackthorn
<i>Pyracantha</i> 'Orange Glow'	Firethorn
<i>Salix fragilis</i>	Crack willow
<i>Salix viminalis</i>	Common osier
<i>Taxus baccata</i>	Yew
<i>Viburnum opulus</i>	Gelder-rose

Urban and Rural trees

- 2.2.3 A number of urban and rural trees, comprising a mix of native and non-native species and cultivars, will be planted across the development area and country park. Trees provide nesting and perching opportunities for birds and a resource for invertebrates. Planting notes for the landscape plan should state that all plant stock will originate from the UK. It is best practice to use British native stock for tree planting and follow guidance given in the *Forestry Commission Practice Note 8a*³ where possible, which provides a geographical guide for appropriate species. In the interest of biosecurity and to limit the introduction of new potential tree pests and diseases, only nurseries accredited by the Plant Healthy Certification Scheme may be used to procure tree stock. New tree planting could be under-planted with shade tolerant shrubs to improve structure and cover for wildlife. Table 2.2 provides the proposed species for tree planting.

Table 2.2: Tree Species

Scientific name	Common name
<i>Acer campestre</i>	Field maple
<i>Acer platanoides</i>	Norway maple
<i>Alnus glutinosa</i>	Alder
<i>Betula pendula</i>	Silver birch
<i>Liquidambar styraciflua</i>	Sweetgum
<i>Malus sylvestris</i>	Apple
<i>Pinus sylvestris</i>	Scots pine
<i>Pyrus communis</i>	Pear
<i>Quercus robur</i>	English oak
<i>Salix babylonica</i>	Babylon weeping willow

³ Herbert et al (1999). Using Local Stock for Planting Native Trees and Shrubs. Forestry Commission, Edinburgh. [On-line]. Available from: <https://cdn.forestryresearch.gov.uk/2022/02/fcpn8-1.pdf>

Scientific name	Common name
<i>Sorbus aria</i>	Whitebeam
<i>Tilia cordata</i>	Small leaved lime

Residential Frontages

- 2.2.4 Areas within the development will be planted with perennial and bulb species which are native and/or of wildlife value. These will comprise nectar-bearing species, providing a food source for a wide range of wildlife species throughout most of the year. Plant stock will be sourced from a local supplier and ensure it is of local provenance. Table 2.3 provides the proposed species for the residential frontages.

Table 2.3: Perennial and bulb species

Scientific name	Common name
<i>Acanthus mollis</i>	Bear's breech
<i>Achillea millefolium</i>	Yarrow
<i>Asplenium scolopendrium</i>	Hart's tongue fern
<i>Briza media</i>	Quaking grass
<i>Choisya ternata</i>	Mexican orange
<i>Dryopteris affinis</i>	Male fern
<i>Euphorbia characias wulfenii</i>	Mediterranean spurge
<i>Festuca glauca</i>	Blue fescue
<i>Filipendula ulmaria</i>	Meadowsweet
<i>Hebe 'Red Edge'</i>	Shrubby veronica
<i>Lavandula 'Arctic Snow'</i>	White lavender
<i>Molinia caerulea</i>	Purple moor grass
<i>Salvia purpurascens</i>	Purple sage
<i>Santolina pinnata</i>	Cotton lavender
<i>Veronicastrum 'Fascinator'</i>	Culver's root

Sustainable Drainage Systems (SUDS) and Ponds

- 2.2.5 New SUDS basins and ponds will be created within the country park as part of the drainage strategy and to increase habitat availability for species such as grass snake, amphibians such as GCN and invertebrates such as dragonflies. Newly created wetland habitats will be profiled to incorporate a variety of depths, with shallow sloping sides providing access points for wildlife, and planted with appropriate native vegetation. Table 2.4 provides the proposed species for the SUDS and ponds.

Table 2.4: Wetland species

Scientific name	Common name
<i>Angelica sylvestris</i>	Wild angelica (DM)
<i>Persicaria amphibia</i>	Amphibious bistort (DM)
<i>Caltha palustris</i>	Marsh marigold (DM)
<i>Lotus uliginosus</i>	Greater bird's-foot trefoil (DM)
<i>Lycopus europeaus</i>	Gypsywort (DM)
<i>Lythrum salicaria</i>	Purple loosestrife (DM)
<i>Phalaris arundinacea</i>	Reed canary grass (DM)
<i>Mentha aquatica</i>	Water mint (AV)
<i>Myosotis scorpiodes</i>	Water forget-me-not (AV)
<i>Ranunculus aquatilis</i>	Water crowfoot (AV)
<i>Ranunculus flammula</i>	Lesser spearwort (AV)
<i>Sparganium erectum</i>	Branched bur-reed (AV)
<i>Veronica beccabunga</i>	Brooklime (DM)

* DM = suitable for damp margins; AV = suitable as aquatic vegetation

Other Woodland, Broadleaved

2.2.6 Areas of broadleaved woodland will be created within the country park, providing foraging and nesting opportunities for birds and a resource for invertebrates. Planting notes for the landscape plan should state that all plant stock will originate from the UK. It is best practice to use British native stock for tree planting and follow guidance given in the *Forestry Commission Practice Note 8a*⁴ where possible, which provides a geographical guide for appropriate species. In the interest of biosecurity and to limit the introduction of new potential tree pests and diseases, only nurseries accredited by the Plant Healthy Certification Scheme may be used to procure tree stock. New tree planting should be under-planted with shade tolerant shrubs to improve structure and cover for wildlife. Table 2.5 provides the proposed species for woodland planting.

Table 2.5: Woodland species

Scientific name	Common name
<i>Acer campestre</i>	Field maple
<i>Carpinus betulus</i>	Hornbeam
<i>Cornus sanguinea</i>	Common dogwood
<i>Corylus avellana</i>	Hazel
<i>Crataegus monogyna</i>	Hawthorn
<i>Euonymus europaeus</i>	Spindle

⁴ Herbert et al (1999). Using Local Stock for Planting Native Trees and Shrubs. Forestry Commission, Edinburgh. [On-line]. Available from: <https://cdn.forestryresearch.gov.uk/2022/02/fcpn8-1.pdf>

Scientific name	Common name
<i>Fagus sylvatica</i>	Beech
<i>Ilex aquifolium</i>	Holly
<i>Lonicera periclymenum</i>	Honeysuckle
<i>Prunus spinosa</i>	Blackthorn
<i>Quercus robur</i>	English oak
<i>Salix fragilis</i>	Crack willow
<i>Taxus baccata</i>	Yew

2.3 Created Biodiversity Features

Hibernacula and Log piles

- 2.3.1 To provide additional hibernation, shelter and egg-laying resources for amphibians and reptiles, and a range of other wildlife, 13 hibernaculum and 44 log piles will be created. The hibernacula will be located close to reptile / amphibian habitat and the log piles will be located within areas of grassland, scrub, woodland and hedgerow.

Hibernacula

- 2.3.2 The hibernacula will be constructed from unevenly shaped, inert fill materials such as hardcore, brick rubble, rocks, logs, brash, etc, loosely filled with topsoil, and capped with topsoil and turf (see Figure 2.1). These structures provide stable temperatures at which amphibians and reptiles can hibernate while also providing shelter habitat for a range of species. They will be located on a gentle slope to prevent flooding. They will either be piled on top of the ground (as depicted in Figure 2.1) or dug into the ground, but in both cases will have exposed margins to allow access. They will be surrounded by rough, infrequently managed vegetation, and placed in out-of-the-way locations.
- 2.3.3 Grass snakes need access to decomposing material in which they lay their eggs, where the heat of decomposition incubates the eggs. Egg-laying sites include manure heaps, compost heaps, grass clippings, sawdust, cut reed and, in coastal areas, seaweed heaps (Edgar et. Al., 2010). These could be sourced from land management activities on site or in the local area. The key to a successful grass snake egg-laying heap is to ensure the material provides the necessary heat and humidity to incubate the eggs. Larger heaps of vegetation are more likely to be successful than small heaps. Heaps should be at least 1m³, but ideally much larger. It is also necessary to position them in out-of-the-way locations, and to replenish existing sites with fresh material or to regularly create new egg-laying sites.

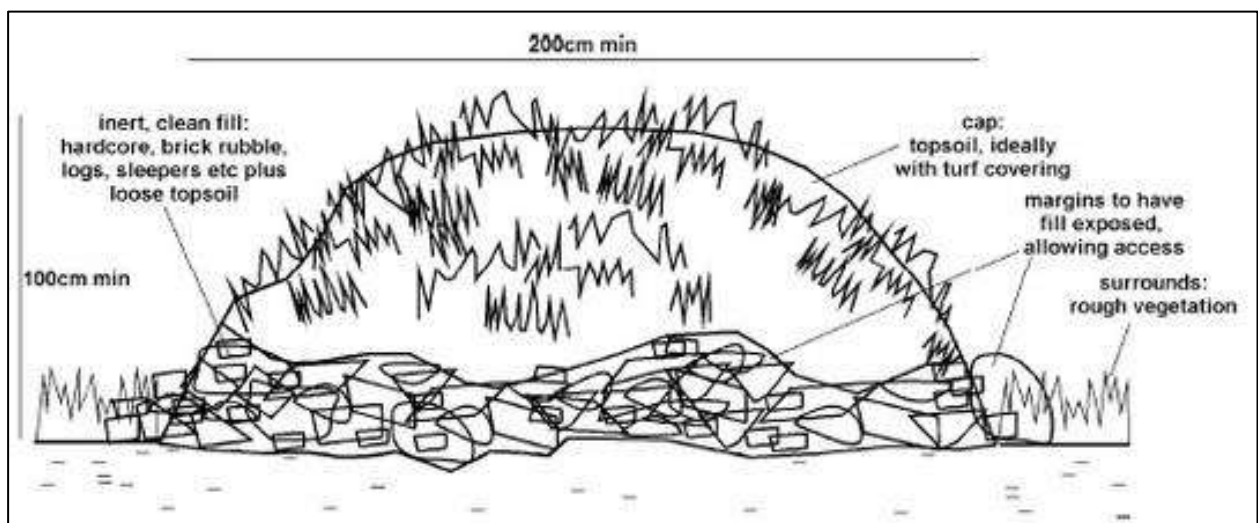


Figure 2.1: Design of hibernacula

Log piles

- 2.3.4 The log piles will be made of stacked logs of varying sizes and overlain with smaller branches. This work can be done using materials found on site, using hard wood logs as they last longer and do not contain resins that may reduce the likelihood of use.

Bird boxes

- 2.3.5 The value of the site for birds will be enhanced by installing a range of artificial nest boxes. These will be integrated into the buildings within the development site and installed on trees within the country park. The following nest boxes will be installed:

- ▶ 57no Schwegler 1A Swift Box (or other manufacturer's equivalent);
- ▶ 57no Schwegler 1SP Sparrow Terrace (or other manufacturer's equivalent);
- ▶ 10no Schwegler 3S Starling Box (or other manufacturer's equivalent);
- ▶ 5no Schwegler 1B Nest Box (or other manufacturer's equivalent);
- ▶ 5no Schwegler 2H Robin Box (or other manufacturer's equivalent); and
- ▶ 1no Schwegler Kestrel Nest Box 28 (or other manufacturer's equivalent).

- 2.3.6 Appendix IV (Habitat Features & Specifications) outlines the material, siting, dimensions and weights of the boxes. Swift boxes and sparrow terraces are not marked on the Biodiversity Features Plan, however it is expected that 25% of houses within the development area will feature alternating swift boxes and sparrow terraces.

Bat Boxes

- 2.3.7 The value of the site for bats will be enhanced by installing artificial roost boxes. These will be integrated into the buildings within the development site and installed on trees within the country park. The following roost boxes will be installed:

- ▶ 114no Schwegler 1FR/2FR Bat Tube (or other manufacturer's equivalent);

- ▶ 10no Schwegler 1FF Bat Box (or other manufacturer's equivalent); and
- ▶ 10no Schwegler 2F Bat Box (or other manufacturer's equivalent).

2.3.8 Appendix IV (Habitat Features & Specifications) outlines the material, siting, dimensions and weights of the boxes. Bat tubes are not marked on the Biodiversity Features Plan, however it is expected that 25% of houses within the development area will feature a bat tube.

Insect Boxes

2.3.9 The value of the site for insects will be enhanced by installing artificial bricks and boxes. These will be integrated into the buildings within the development site. The following bricks and boxes will be installed:

- ▶ 57no Green & Blue Bee Brick (or other manufacturer's equivalent);
- ▶ 57no Unitura Butterfly Box (or other manufacturer's equivalent)

2.3.10 Appendix IV (Habitat Features & Specifications) outlines the material, siting, dimensions and weights of the boxes. Insect boxes are not marked on the Biodiversity Features Plan, however it is expected that 25% of houses within the development area will feature alternating bee bricks and butterfly boxes.

Hedgehog Highways

2.3.11 To enable dispersal of hedgehogs (which require large territory sizes) and other small mammals across the site and within the local area following development, small access gaps to measure c.13x13cm will be provided at the base of fence boundaries. These will allow easy passage for small mammals to continue foraging in the area while still being small enough to contain pets. Hedgehog highway signs can be purchased and pinned above the gaps in the fencing to ensure they are not blocked. Hedgehog highways are not marked on the Biodiversity Features Plan, however it is expected that every close board timber fence leading into a garden or open space should feature one.

3 Implementation Timetable

3.1.1 Table 3.1 summarises the biodiversity enhancement measures, as well as their timings and the parties responsible for implementing them. Refer to section 2 for full details, and to the UKHab Created Habitats Plan (Appendix II) and Biodiversity Features Plan (Appendix III) for their locations.

Table 3.1: Timetable for biodiversity enhancement measures

Feature	Enhancement	Timing	Implemented by
Amphibians (excl. great crested newts) and reptiles	Creation of other neutral grassland, modified grassland, mixed scrub, other woodland; broadleaved, SUDS and ponds, will provide additional breeding and foraging habitat. Creation of hibernaculum and log piles will provide additional refuge.	Creation of new habitats preceding, during and post construction. Creation of hibernaculum and compost heaps during construction.	Bellway Homes and Principal Contractors
Great crested newt	Creation of other neutral grassland, modified grassland, mixed scrub, other woodland; broadleaved, SUDS and ponds, will provide additional breeding and foraging habitat. Creation of hibernaculum and log piles will provide additional refuge.	Creation of new habitats preceding, during and post construction. Creation of hibernaculum and compost heaps during construction.	Bellway Homes and Principal Contractors
Nesting birds	Creation of other neutral grassland, modified grassland, mixed scrub, other woodland; broadleaved, rural and urban trees, SUDS and ponds, will provide additional breeding and foraging habitat. Bird boxes will be installed on retained mature trees and new buildings.	Creation of new habitats preceding, during and post construction. Installation of nest boxes during construction.	Bellway Homes and Principal Contractors

Feature	Enhancement	Timing	Implemented by
Wintering birds	Creation of other neutral grassland, modified grassland, mixed scrub, other woodland; broadleaved, rural and urban trees, SUDS and ponds, will provide additional foraging habitat.	Creation of new habitats preceding, during and post construction.	Bellway Homes and Principal Contractors
Roosting bats	Bat boxes will be installed on retained trees and new buildings.	Bat boxes to be installed on buildings and trees during construction.	Bellway Homes and Principal Contractors
Foraging and commuting bats (and other nocturnal species)	Creation of other neutral grassland, modified grassland, mixed scrub, other woodland; broadleaved, rural and urban trees, SUDS and ponds, will provide additional roosting and foraging habitat.	Creation of new habitats preceding, during and post construction.	Bellway Homes and Principal Contractors
Water vole	Creation of SUDS and ponds could potentially provide additional nesting and foraging habitat.	Creation of new habitats preceding, during and post construction.	Bellway Homes and Principal Contractors
Reptiles	Creation of other neutral grassland, modified grassland, mixed scrub, other woodland; broadleaved, SUDS and ponds, will provide additional breeding and foraging habitat. Creation of hibernaculum and log piles will provide additional refuge.	Creation of new habitats preceding, during and post construction. Creation of hibernaculum and compost heaps during construction.	Bellway Homes and Principal Contractors
Hedgehog	Creation of other neutral grassland, modified grassland, mixed scrub and other woodland; broadleaved will provide additional breeding and foraging habitat. Creation of hibernaculum and log piles will provide additional refuge. Hedgehog highways will allow movement of hedgehogs between gardens and around the landscape.	Creation of new habitats preceding, during and post construction. Creation of hibernaculum and compost heaps during construction.	Bellway Homes and Principal Contractors

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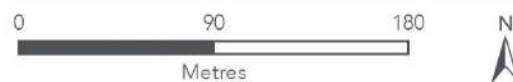
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Appendix I: UKHab Pre-development Plan

Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary
- Cereal crops
- Modified grassland
- Modified grassland; scattered scrub
- Bramble scrub
- Mixed scrub
- Pond
- Tall forbs
- Other native hedgerow
- Other native hedgerow - associated with bank or ditch
- Species-rich native hedgerow
- Species-rich native hedgerow - associated with bank or ditch
- Species-rich native hedgerow with trees
- Species-rich native hedgerow with trees - associated with bank or ditch
- Line of trees
- Line of trees - associated with bank or ditch
- Ditch
- Other rivers and streams
- Target note
- Rural tree



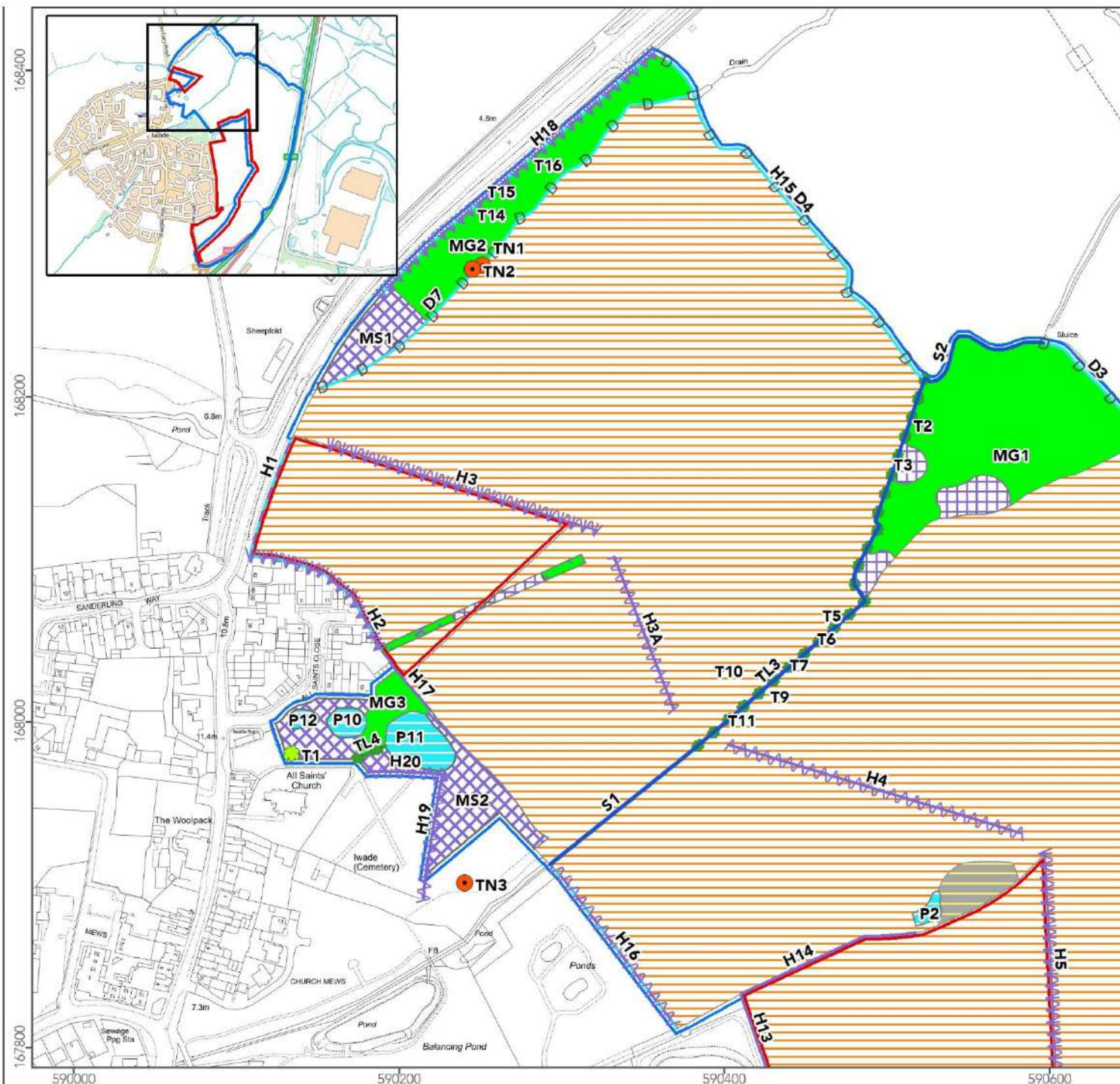
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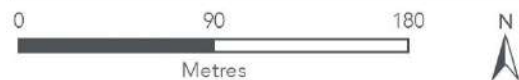
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Willowbrook, Iwade, Sittingbourne, Kent

-  Outline application boundary
-  Country park boundary
-  Cereal crops
-  Modified grassland
-  Modified grassland; scattered scrub
-  Bramble scrub
-  Mixed scrub
-  Pond
-  Tall forbs
-  Other native hedgerow
-  Other native hedgerow - associated with bank or ditch
-  Species-rich native hedgerow
-  Species-rich native hedgerow - associated with bank or ditch
-  Species-rich native hedgerow with trees
-  Line of trees
-  Line of trees - associated with bank or ditch
-  Ditch
-  Other rivers and streams
-  Target note



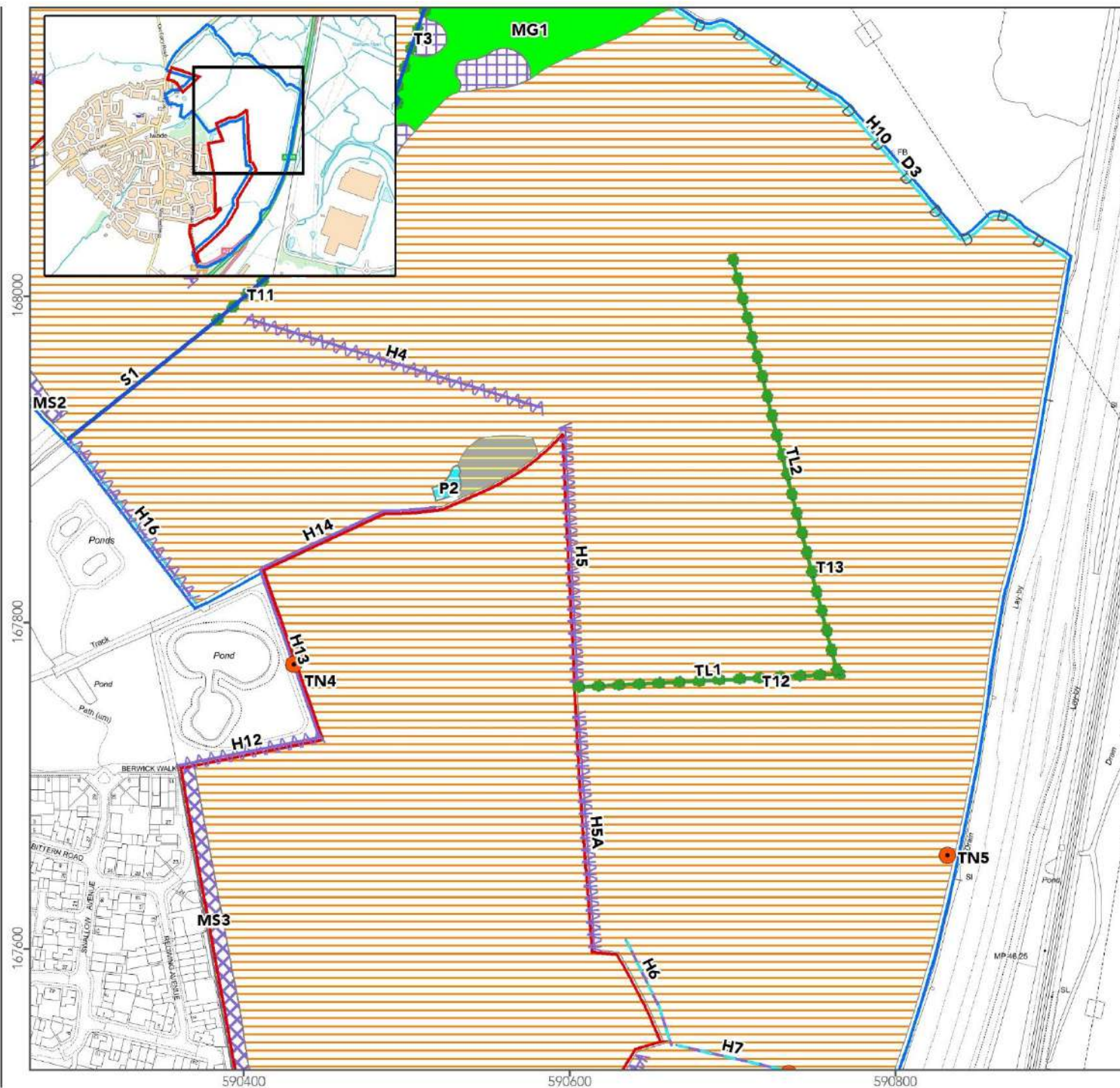
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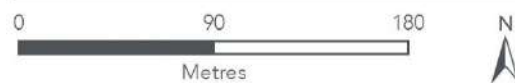
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Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary
- Cereal crops
- Mixed scrub
- Bare ground
- Developed land, sealed surface
- Other native hedgerow - associated with bank or ditch
- Species-rich native hedgerow with trees
- Ditch
- Target note
- Rural tree



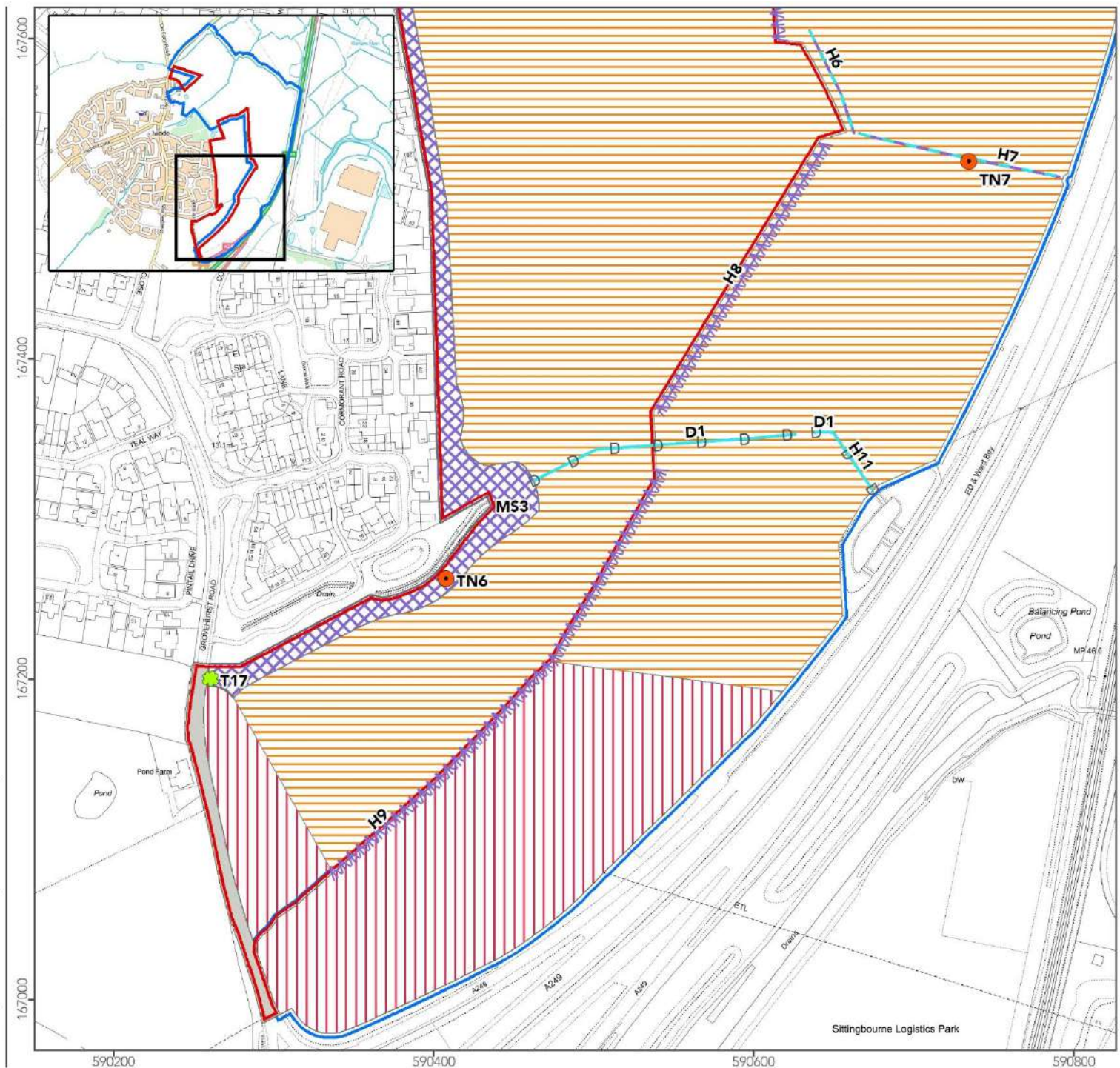
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Appendix II: Created UKHab Habitats Plan

Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary
- Grassland - Modified grassland
- Grassland - Other neutral grassland
- Heathland and shrub - Mixed scrub
- Lakes - Pond (Non-Priority Habitat)
- Development area
- Urban - Developed land, sealed surface
- Urban - Sustainable drainage system (SuDS)
- Retained habitat
- Retained hedge / ditch / line of trees
- Retained tree



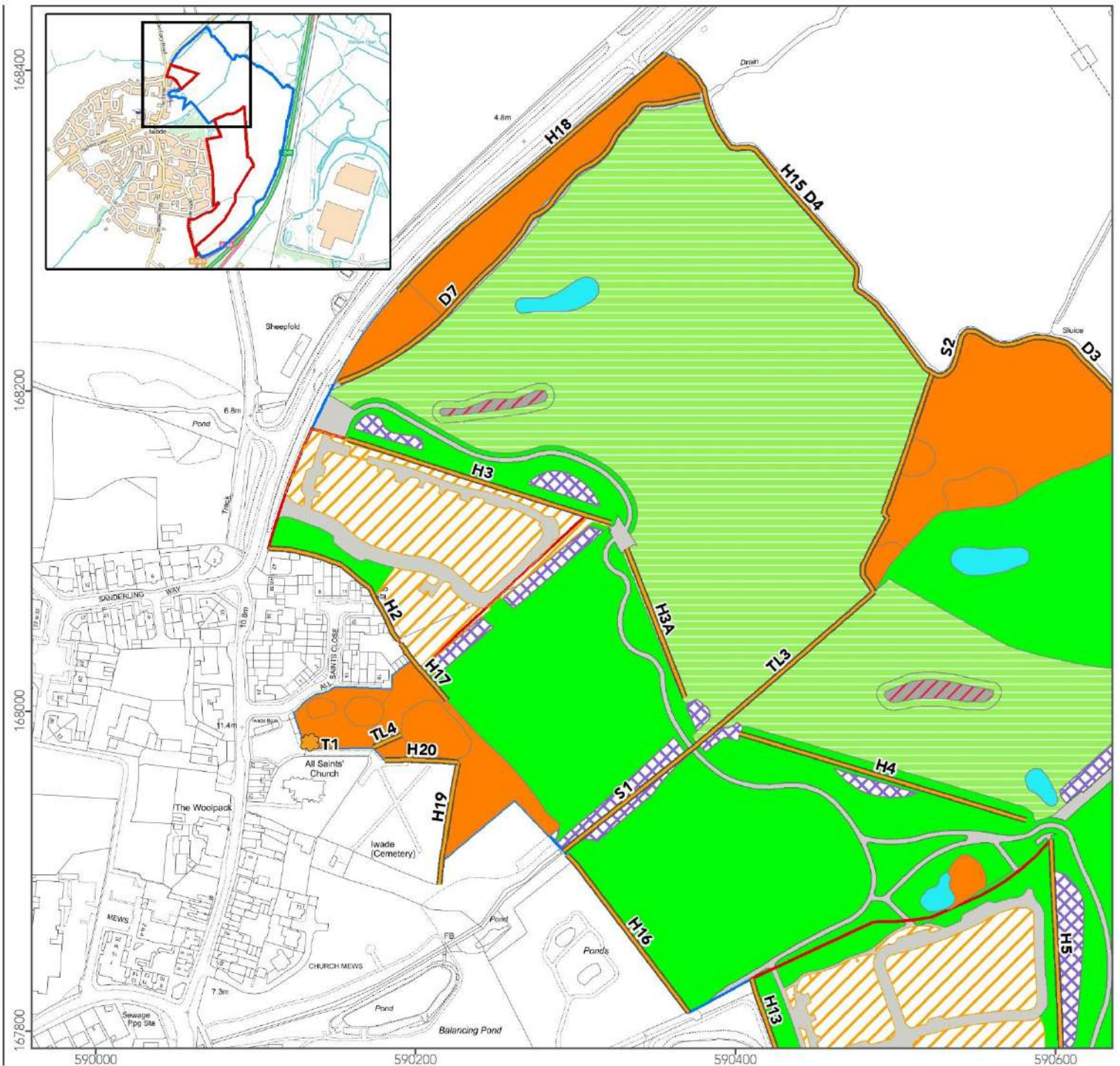
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Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary
- Grassland - Modified grassland
- Grassland - Other neutral grassland
- Heathland and shrub - Mixed scrub
- Lakes - Pond (Non-Priority Habitat)
- Development area
- Urban - Developed land, sealed surface
- Urban - Sustainable drainage system (SuDS)
- Woodland and forest - Other woodland; broadleaved
- Retained habitat
- Retained hedge / ditch / line of trees



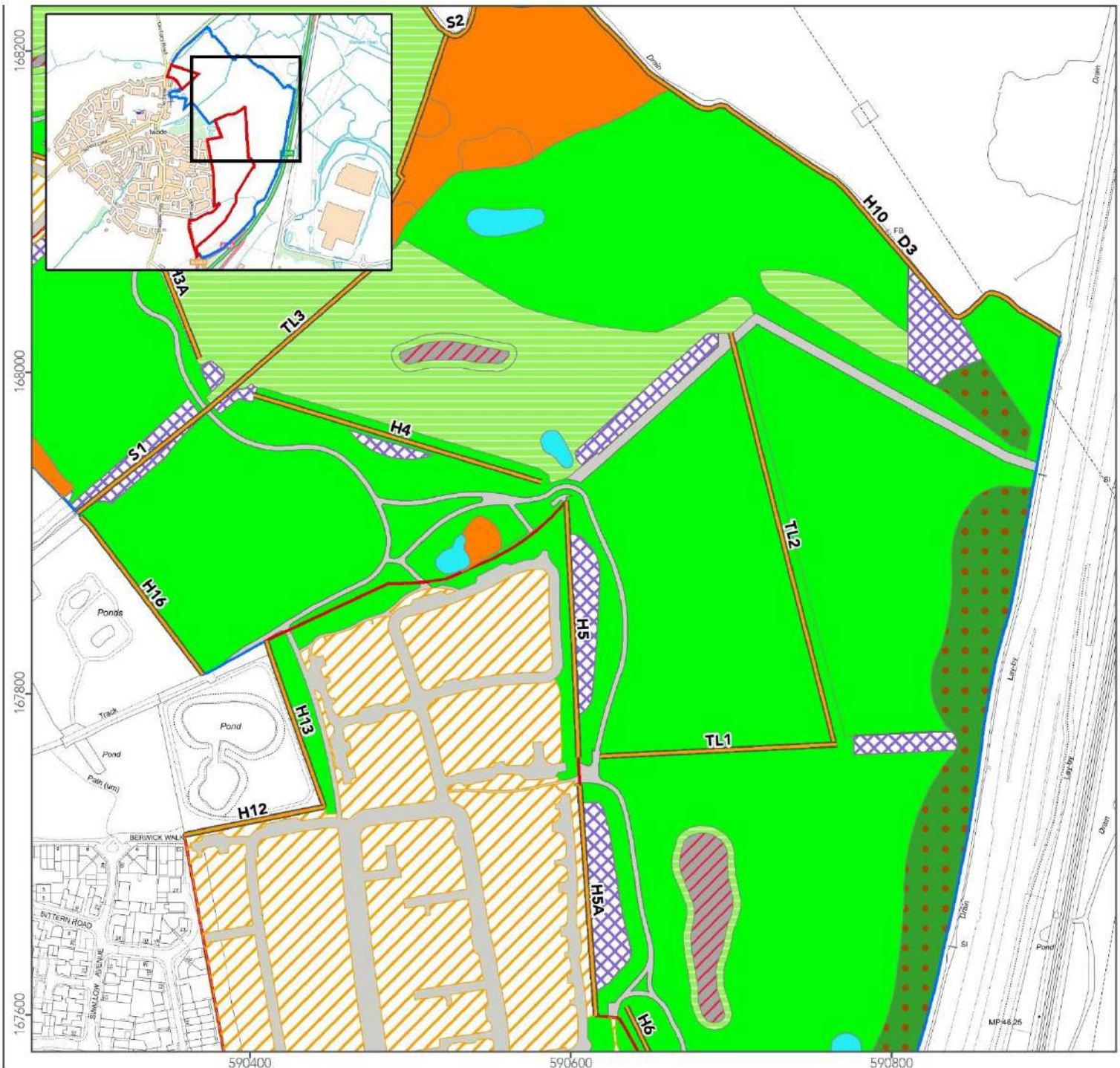
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Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary
- Grassland - Modified grassland
- Grassland - Other neutral grassland
- Heathland and shrub - Mixed scrub
- Lakes - Pond (Non-Priority Habitat)
- Development area
- Urban - Developed land, sealed surface
- Urban - Sustainable drainage system (SuDS)
- Woodland and forest - Other woodland; broadleaved
- Retained hedge / ditch / line of trees



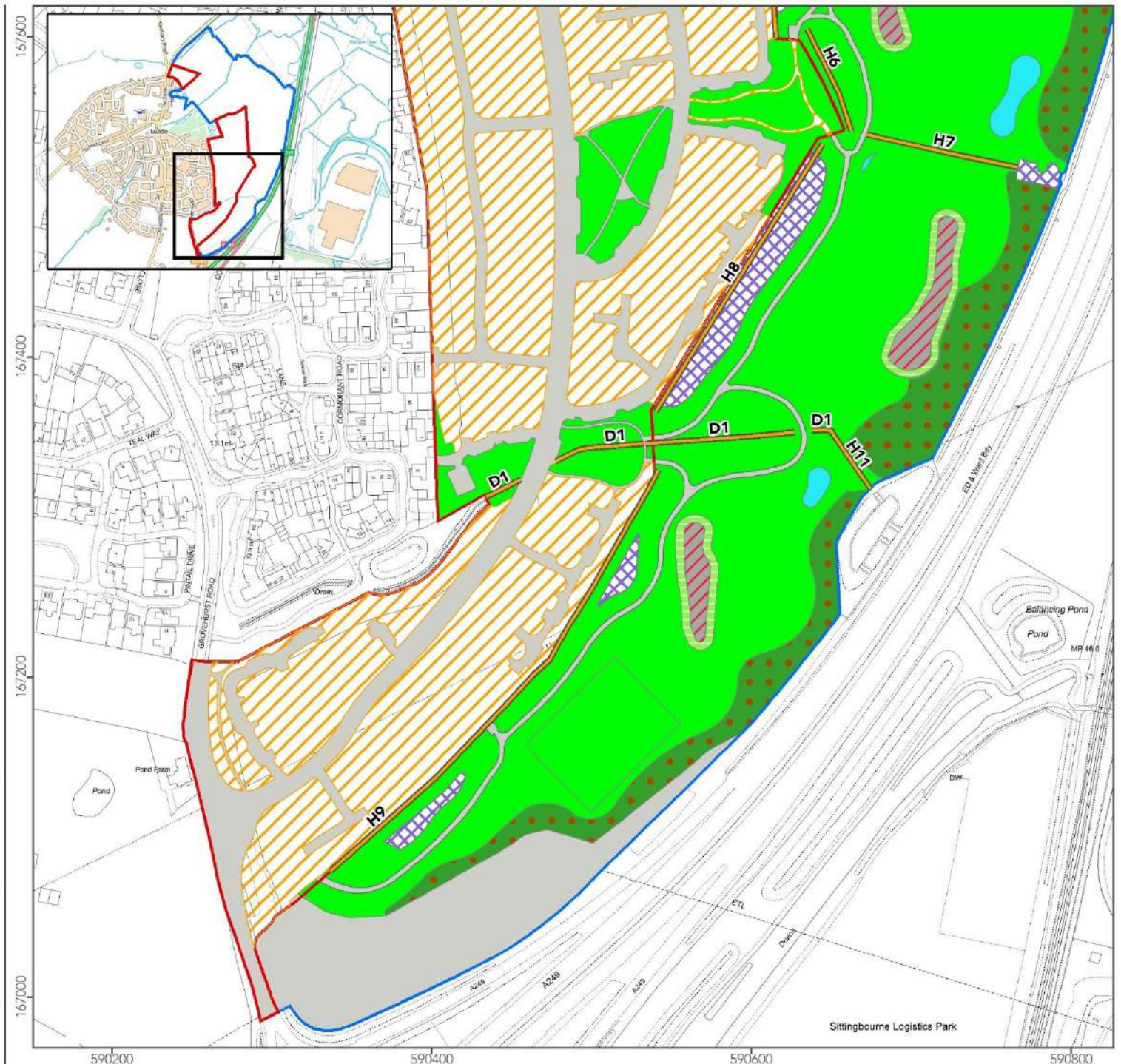
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Appendix III: Biodiversity Features Plan

Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary
- + Log pile
- + Hibernacula
- ▲ 1B Nest Box
- ▲ 1FF Bat Box
- ▲ 28 Kestrel Next Box
- ▲ 2F Bat Box
- ▲ 2H Robin Box
- ▲ 3S Starling Box



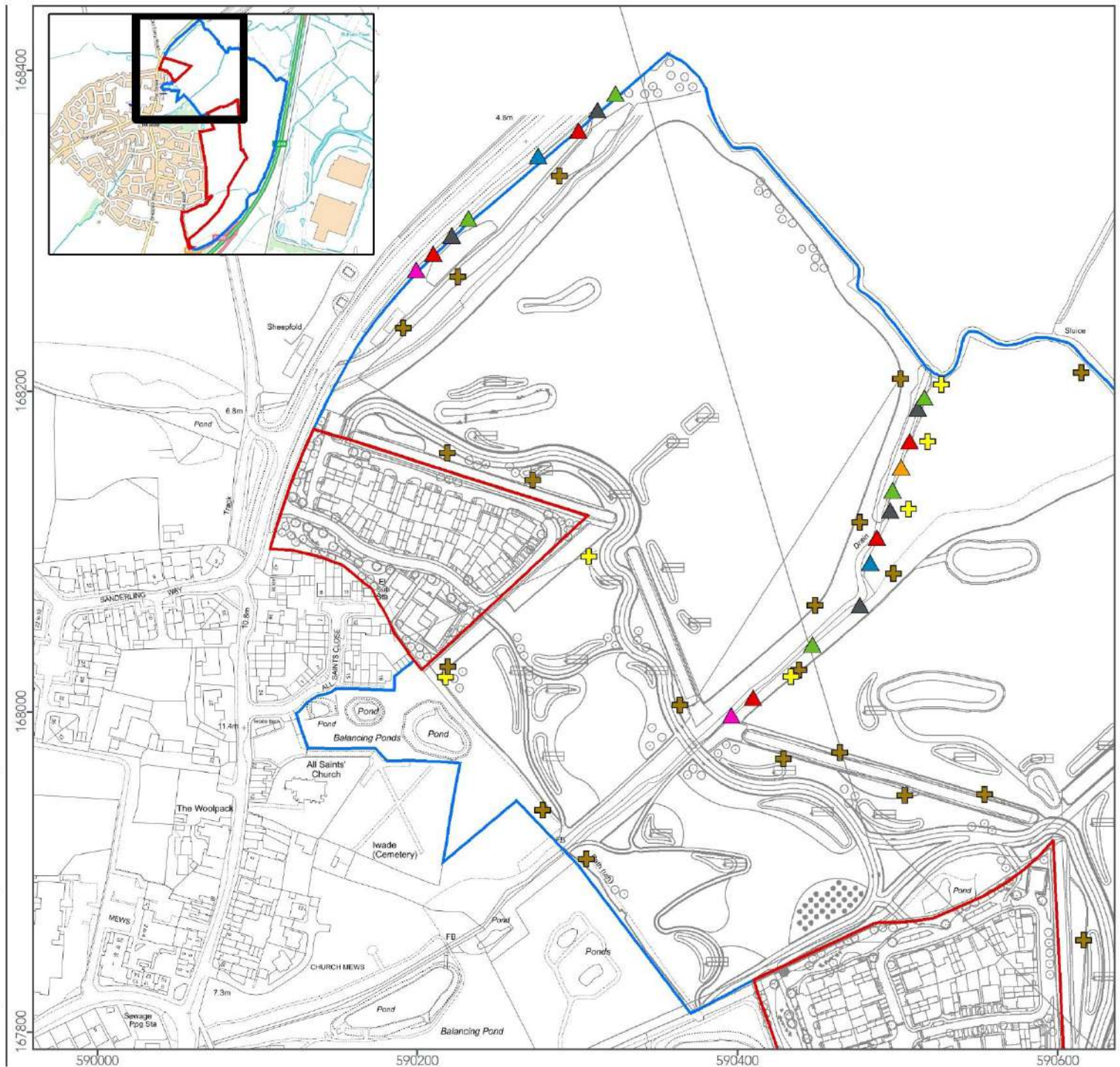
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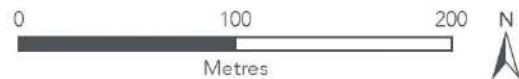
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Willowbrook, Iwade, Sittingbourne, Kent

- Outline application boundary
- Country park boundary

- + Log pile
- + Hibernacula
- ▲ 1B Nest Box
- ▲ 1FF Bat Box
- ▲ 28 Kestrel Next Box
- ▲ 2F Bat Box
- ▲ 2H Robin Box
- ▲ 3S Starling Box



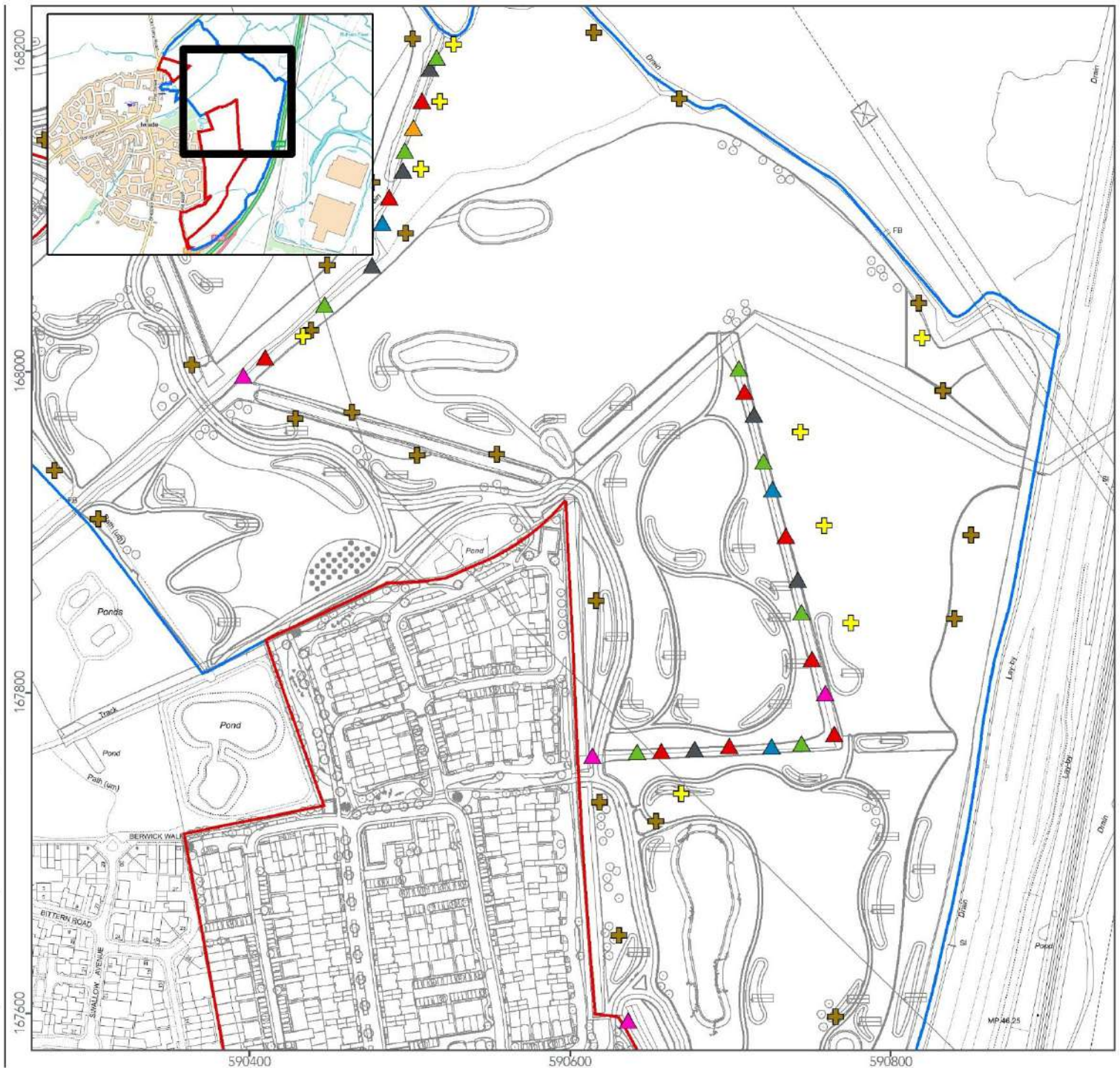
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Willowbrook, Iwade, Sittingbourne, Kent

- ▭ Outline application boundary
- ▭ Country park boundary
- + Log pile
- + Hibernacula
- ▲ 1B Nest Box
- ▲ 2H Robin Box
- ▲ 3S Starling Box



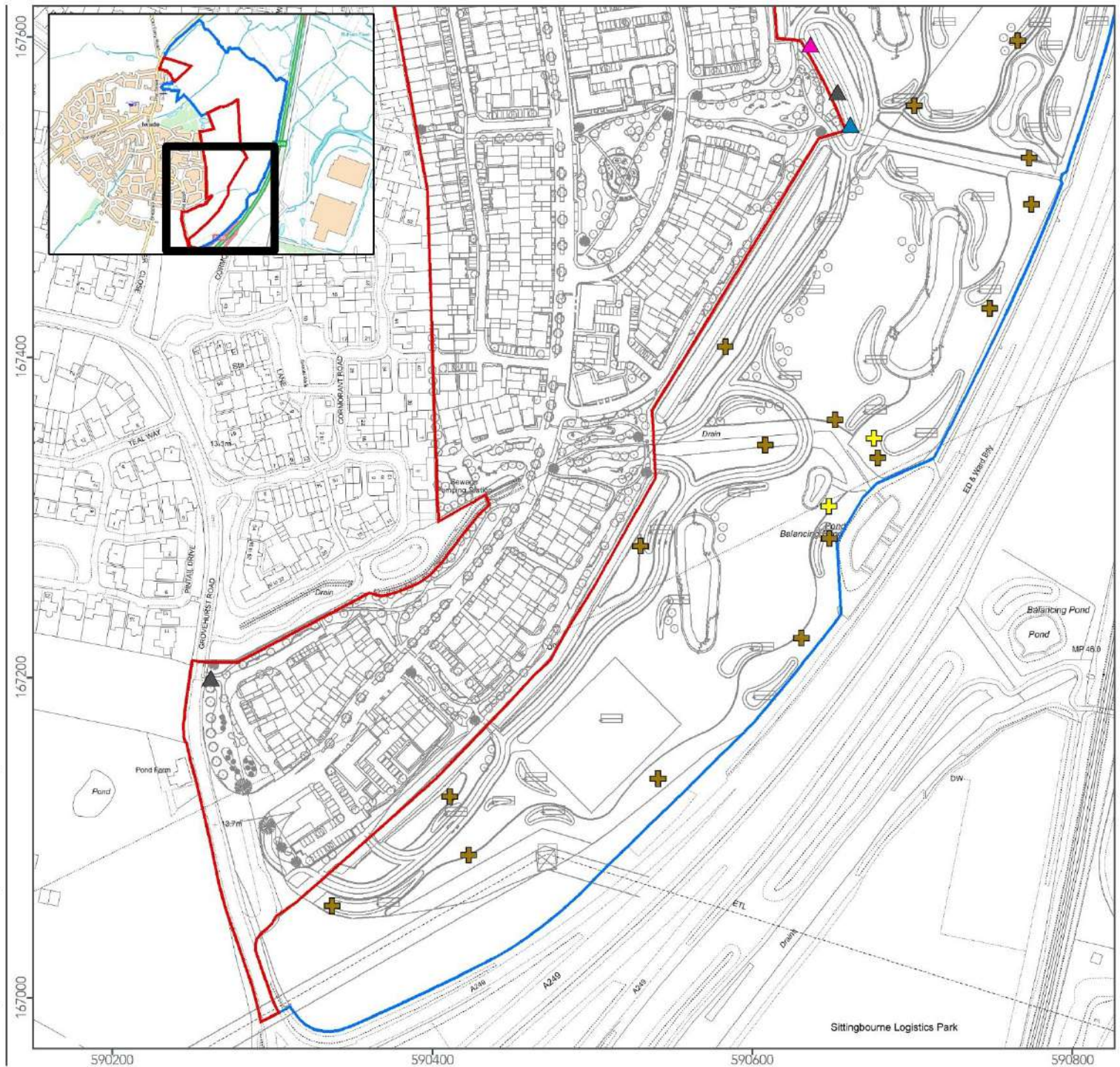
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Appendix IV: Habitat Features & Specifications

Schwegler 1A Swift Box:

Material:

Air-permeable and long lasting SCHWEGLER wood-concrete

Siting:

Installed under or close to roofs, at least 5m from the ground on a sheltered side of the building.

Dimensions:

W 34 x H 13.5 x D 15 cm plus 1.7 cm for the protruding entrance ring

Weight:

2.7kg approx.



Schwegler 1SP Sparrow Terrace:

Material:

Air-permeable and long lasting SCHWEGLER wood-concrete

Siting:

At a minimum height of 2m above the ground, on the sheltered side of the building.

Dimensions: H 24.5 x W 43 x D 20cm

Weight: 15kg



Schwegler 3S Starling Box:

Material:

Air-permeable and long lasting SCHWEGLER wood-concrete

Siting:

On trees, at a minimum height of 2m above the ground facing north or east.

Dimensions:

External: W 19 x H 28 x D 20 cm

Weight:

4.4kg approx.



Schwegler 1B Nest Box: Material: Air-permeable and long lasting SCHWEGLER wood-concrete Siting: On trees, at a minimum height of 2m above the ground facing north or east. Dimensions: External: H 23 x D 16 cm Weight: 3.6kg approx.	 A cylindrical nest box with a dark brown wooden frame and a light-colored wood-concrete body. It has a circular entrance hole on the front and is suspended by a metal wire loop at the top.
Schwegler 2H Robin Box Material: Air-permeable and long lasting SCHWEGLER wood-concrete Siting: On trees, at a minimum height of 2m above the ground facing north or east. Dimensions: External: H 20 x W15 x D 20 cm Weight: 2.5kg approx.	 A cylindrical nest box with a dark brown wooden frame and a light-colored wood-concrete body. It has a rectangular entrance hole on the front and is suspended by a metal wire loop at the top.
Schwegler Kestrel Nest Box 28 Material: Air-permeable and long lasting SCHWEGLER wood-concrete Siting: On trees, at a minimum height of 2.5m above the ground facing north or east. Dimensions: External: H 36 x W33 x D45 cm Weight: 13.5kg approx.	 A rectangular nest box with a dark brown wooden frame and a light-colored wood-concrete body. It has a large, arched entrance hole on the front and is mounted on a wooden wall.

Schwegler 1FR/2FR Bat Tube:

Material:

Air-permeable and long lasting SCHWEGLER wood-concrete

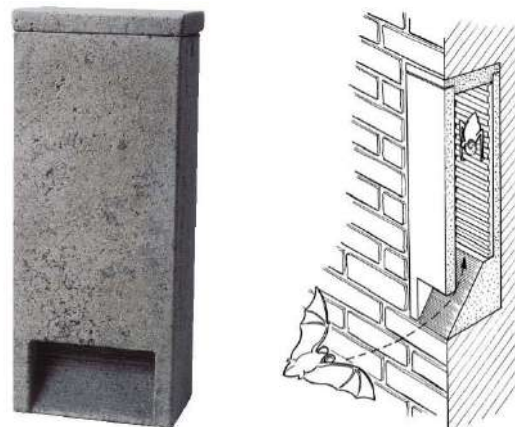
Siting:

Can be incorporated into walls (to allow access into existing cavities use the 2FR) at a minimum height of 4m on southern (between south-east and south-west) elevations. Boxes to be installed with a clear line of flight for bats entering or leaving the roost and away from artificial sources of light.

Dimensions:

H 475 x W 200 x Depth 125mm

Weight: 9.8kg approx.



Schwegler 1FF Bat Box:

Material:

Air-permeable and long lasting SCHWEGLER wood-concrete

Siting:

On trees, at a height of between 4m and 6m above the ground facing south (between south-east and south-west).

Dimensions:

H 43 x W 27 x Depth 14cm

Weight: 9.5kg approx.



Schwegler 2F Bat Box with Double Front Panel:

Material:

Air-permeable and long lasting SCHWEGLER wood-concrete

Siting:

On trees, at a height of between 4m and 6m above the ground facing south (between south-east and south-west).

Dimensions:

Height: 33cm

Diameter: 16cm

Weight:

4.1kg approx.



Green & Blue Bee Brick: Material: Concrete Siting: At a minimum height of 1m above the ground, on a south-facing wall of the building. Dimensions: H65 x W215 x D105 mm Weight: 2.9kg approx.	
Unitura Integrated Butterfly Box: Material: Woodconcrete Siting: At a minimum height of 1m above the ground, on the sheltered side of the building. Dimensions: H18 x W32 x D10 cm Weight: 3.8kg approx.	

Appendix V: Legislation and Planning Context

Legislation

General

The main legislative instruments for ecological protection in England and Wales are: the Wildlife and Countryside Act 1981 (WCA; as amended); Countryside and Rights of Way Act 2000 (CRoW; as amended); Natural Environment and Rural Communities Act 2006 (NERC; as amended); the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations; as amended); and the Environment Act 2021.

WCA 1981 consolidated and amended pre-existing national wildlife legislation in order to implement the Bern Convention and the European Union Wild Birds Directive (Council Directive 2009/147/EC). It complements the Habitats Regulations, offering protection to a wider range of species than the latter. The Act also provided for the designation and protection of nationally important conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSI). Schedules of the act list protected species of flora and fauna, as well as invasive species, and detail the possible offences that apply to these species.

The CROW Act 2000 amended and strengthened existing wildlife legislation detailed in the WCA. It placed a duty on government departments & the National Assembly for Wales to have regard for biodiversity, provided increased powers for the protection and maintenance of SSSI, and created a right of access to parts of the countryside. The Act contained lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

The NERC Act 2006 consolidated and replaced aspects of earlier legislation. Section 40 of the Act places a duty upon all local authorities and public bodies in England and Wales to have regard to the purpose of conserving biodiversity in exercising all of their functions, including by restoring or enhancing habitats and species populations. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity (otherwise known as Priority Habitats/species as listed in the now superseded UK Biodiversity Action Plan). These lists supersede Section 74 of the CRoW Act 2000. These species and habitats are a material consideration in the planning process.

The Habitats Regulations 2017 are the principal means by the European Union Habitats Directive (Council Directive 92/43/EEC) was transposed into English and Welsh law, and place a duty upon the relevant authority of government to identify sites which are of importance to the habitats and species listed in Annexes I and II of the Habitats Directive. Those sites which meet the criteria in Europe are designated as Sites of Community Importance by the European Commission, and subsequently identified as Special Areas of Conservation (SAC) by the European Union member states. Since the UK's departure from the European Union the European Commission no longer has a role in designating SACs in the UK. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 establish a single stage designation process, where the appropriate authority is the decision maker. The selection and designation of SACs is based on the criteria set out in Annex III of the Habitats Directive insofar as it applies to the UK, and having regard to the advice of the appropriate nature conservation body.

The 2019 Amendment Regulations have created a new national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes existing SACs, existing Special

Protection Areas (SPA) originally designated as a result of Council Directive 2009/147/EC on the Conservation of Wild Birds, and any new SACs and SPAs designated under the 2019 Regulations. SACs and SPAs in the UK therefore no longer form part of the EU's Natura 2000 ecological network.

The Habitats Regulations also provide for the protection of individual species of fauna and flora of European conservation concern listed in Schedules 2 and 5 respectively (European Protected Species (EPS)). Schedule 2 includes species such as otter and great crested newt for which the UK population represents a significant proportion of the total European population. It is an offence to deliberately kill, injure, disturb or trade in these species. Schedule 5 plant species are protected from unlawful destruction, uprooting or trade under the regulations. Under the Habitats Regulations disturbance includes any activity which is likely to: impair the ability of a EPS to survive, breed, reproduce, or rear/nurture its young; impair the ability of a EPS to migrate or hibernate; or significantly affect the local distribution or abundance of the species.

The Environment Act 2021, among other things: established an Office for Environmental Protection; introduced a mandatory requirement for all new development requiring planning permission to achieve a net gain for biodiversity of at least 10% (although implementation of this is transitional); amended the NERC Act duty to conserve biodiversity by explicitly adding a duty to enhance; and requires local authorities to produce local nature recovery strategies.

Great crested newt (*Triturus cristatus*; GCN) (and natterjack toad *Bufo calamita*)

GCN is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a GCN (including its eggs).
- ▶ Possess or control a live or dead GCN, any part of, or anything derived from a GCN.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a GCN uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a GCN while it is occupying a structure or place that it uses for shelter or protection.

Wild birds

Birds are protected by the Wildlife and Countryside Act, 1981 (as amended). This legislation makes it an offence to intentionally kill, injure or take away any wild bird. It is also an offence to take, damage or destroy the nest of any wild bird while it is in use or being built or to take or destroy the egg of any wild bird. In addition, certain species are listed on Schedule 1 of the WCA (such as kingfisher *Alcedo atthis*). This makes it an additional offence to intentionally or recklessly disturb the adults while they are in and around their nest or intentionally or recklessly disturb their dependent young. Such species are considered to be in greater need of legal protection or of high nature conservation priority.

Birds of Conservation Concern ("BoCC4) are included on Red and Amber lists (Eaton *et al.*, 2015). Birds on the Red list are those of highest conservation priority due significant and sustained population decreases and/or range contractions (e.g. house sparrow *Passer domesticus* and starling *Sturnus vulgaris*). Birds on the Amber list are the next most critical group and include species whose population/range have shown moderate declines, or which have recovered to some extent from historical decline, such as dunnoek *Prunella modularis*.

Reptiles

The four common species (slow-worm *Anguis fragilis*, common lizard *Zootoca vivipara*, adder *Vipera berus* and grass snake *Natrix natrix*) are partially protected under the WCA. They are protected, *inter alia*, against intentional killing and injuring. The handling and translocation of these reptiles does not require a licence.

Smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* are fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a smooth snake or sand lizard.
- ▶ Possess or control a live or dead smooth snake or sand lizard, any part of, or anything derived from a smooth snake or sand lizard.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a smooth snake or sand lizard uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a smooth snake or sand lizard while it is occupying a structure or place that it uses for shelter or protection.

Water vole (*Arvicola amphibious*)

Water vole is fully protected by the WCA. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a water vole.
- ▶ Possess or control a live or dead water vole, any part of, or anything derived from a water vole.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a water vole uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a water vole while it is occupying a structure or place that it uses for shelter or protection.

Planning context

National Planning Policy Framework (Section 15: Conserving and enhancing the natural environment)

The National Planning Policy Framework (NPPF), published in December 2023, outlines the Government's commitment to the conservation of wildlife and natural features. It is concerned with:

- ▶ *Protecting and enhancing valued landscapes, sites of biodiversity or geological conservation value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- ▶ *Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- ▶ *Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- ▶ *Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current & future pressures;*
- ▶ *Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- ▶ *Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The NPPF requires that local plans should “*distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value...; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries*”.

To protect and enhance biodiversity and geodiversity, the NPPF states that planning policies should:

- ▶ *Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- ▶ *Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

When determining planning applications, local planning authorities should aim to protect and enhance biodiversity by applying the following principles:

- ▶ *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- ▶ *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- ▶ *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- ▶ *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

The following wildlife sites should be given the same protection as habitats sites:

- ▶ *potential Special Protection Areas and possible Special Areas of Conservation;*
- ▶ *listed or proposed Ramsar sites; and*
- ▶ *sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. The policies within the NPPF (and additional guidance contained within Circular 06/2005) are a material planning consideration.

UK/Local Biodiversity Action Plan Designations and Birds of Conservation Concern and Red Data Book Listings

Note that BAP designations and status as RSPB Birds of Conservation Concern or Red Data Book species does not offer any further legal protection, but planning authorities are required to prevent these species from being adversely affected by development in accordance with National Planning Policy and the CROW and NERC Acts. The United Kingdom Biodiversity Action Plan (UKBAP), first published in 1994 and updated in 2007, was a government initiative designed to implement the requirements of the Convention of Biological Diversity to conserve and enhance species

and habitats. The UKBAP contained a list of priority habitats and species of conservation concern in the UK, and outlined biodiversity initiatives designed to enhance their conservation status.

However, as a result of devolution, and new country-level and international drivers and requirements, much of the work previously carried out by the UK BAP is now focussed at a country-level rather than a UK-level, and the UK BAP was succeeded by the 'UK Post-2010 Biodiversity Framework' in July 2012. The UK lists of priority habitats and species nonetheless remain an important reference source and were used to draw up statutory lists of priority habitats and species in England, Northern Ireland, Scotland and Wales. The priority habitats and species correlate with those listed on Section 41 and 42 of the NERC Act.

The UKBAP required that conservation of biodiversity be addressed at a County level through the production of Local BAPs. These are targeted towards species of conservation concern characteristic of each area. In addition, a number of local authorities and large organisations have produced their own BAPs. Where they exist, Local BAP targets with regard to species and habitats are a material consideration in the planning process.

Local Planning Policy

The following policies relating to wildlife and biodiversity are contained within the Swale Borough Local Plan (Swale Borough Council, 2017):

Policy CP4 Requiring good design

All development proposals will be of a high quality design that is appropriate to its surroundings. Development proposals will, as appropriate:

- 1. Create safe, accessible, comfortable, varied and attractive places;*
- 2. Enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening sense of place;*
- 3. Make safe connections physically and visually both to and within developments, particularly through using landscape design and open space to retain and create green corridors for pedestrians, cyclists and biodiversity;*
- 4. Make efficient and prudent use of natural resources including sensitively utilising landscape features, landform, biodiversity and climate to maximise energy conservation and amenity;*
- 5. Retain and enhance features which contribute to local character and distinctiveness;*
- 6. Conserve and enhance landscape, biodiversity and local environments by: a. assessing and responding to landscape character, condition, sensitivity and any limitations arising from its overall capacity for change, together with the guidelines set out within the Landscape Character and Biodiversity Assessment and Guidelines and Urban Extension Landscape Capacity Study; b. retaining trees where possible (including old orchards and fruit trees, hedgerows, shelter belts, woodland and scrub) particularly those that make an important contribution either to the amenity, historic, landscape character or biodiversity value of the site or the surrounding area; c. providing a high standard of locally native plant species and trees (of local provenance and supportive of biodiversity) for soft (including green walls) landscaping in a pattern which respects the landscape character; d. providing hard landscaping, surface and boundary treatments that are locally distinct and that respond positively to the character of the locality; and e. provide features and management intended to encourage biodiversity.*
- 7. Achieve a mix of uses, building forms, tenure and densities;*

8. Be appropriate to the context in respect of materials, scale, height and massing;
9. Make best use of texture, colour, pattern, and durability of materials;
10. Use densities determined by the context and the defining characteristics of the area;
11. Ensure the long-term maintenance and management of buildings, spaces, features and social infrastructure;
12. Be flexible in order to respond to future changes in use, lifestyle, and demography;
13. Maximise opportunities for including sustainable design and construction techniques including the use of recycled and recyclable materials, sustainable drainage systems, carbon reduction and minimising waste; and
14. Adhere to relevant supporting design guidance.

Policy CP 7 Conserving and enhancing the natural environment - providing for green infrastructure

The Council will work with partners and developers to ensure the protection, enhancement and delivery, as appropriate, of the Swale natural assets and green infrastructure network and its associated strategy. Development proposals will, as appropriate:

1. Recognise and value ecosystems for the wider services they provide, such as for food, water, flood mitigation, disease control, recreation, health and well-being;
2. Protect the integrity of the existing green infrastructure network as illustrated by the Natural Assets and Green Infrastructure Strategy Map, having regard to the status of those designated for their importance as set out by Policy DM24 and Policy DM28;
3. Where assessment indicates that it is necessary to enhance and extend the network (including when management, mitigation and/or compensatory actions are required to address adverse harm), be guided by the Green Infrastructure Network and Strategy Map, prioritising actions toward identified Biodiversity Opportunity Areas;
4. Ensure that there is no adverse effect on the integrity of a SAC, SPA or Ramsar site, alone or in combination with other plan and projects, as it would not be in accordance with the aims and objectives of this Local Plan;
5. Require the completion of project specific Habitats Regulations Assessment, in accordance with Policy DM28, to ensure there are no likely significant effects upon any European designated site. For residential sites within 6km of an access point to any of the North Kent Marshes, development must contribute to its Strategic Access Management and Monitoring Strategy;
6. Contribute to the objectives of the Nature Partnerships and Nature Improvement Areas in Kent;
7. Make the enhancement of biodiversity and landscape as their primary purpose;
8. Promote the expansion of Swale's natural assets and green infrastructure, including within new and existing developments, by: a. delivering a high standard of design quality to maximise the social, economic, health and environmental benefits of green infrastructure; b. providing a focus for social inclusion, community development and lifelong learning; c. taking into account the guidelines and recommendations of relevant management plans and guidance, Biodiversity Action Plans and Supplementary Planning Documents; d. contributing to the protection,

conservation and management of historic landscapes, archaeological and built heritage assets; e. achieving, where possible, a net gain of biodiversity; f. providing new recreational facilities in accordance with Policy DM17, exploiting opportunities to link urban and countryside areas and to create new footpath and cycle links; g. taking account of and integrating with natural processes, such as flood risk and utilising sustainable urban drainage; and h. including proposals to 'green' existing and proposed developed areas by increasing opportunities for nature in domestic gardens, streets and buildings, including street trees and in and around formal open spaces and sports provision.

Policy A 17 Iwade expansion

Planning permission will be granted for a minimum of 572 dwellings at Iwade, as shown on the Proposals Map, together with a new country park, landscape and ecological enhancements and community facilities. Landowners and developers will be required to co-ordinate on the preparation, consultation and approval of a Masterplan/development brief. The Masterplan/development brief and planning applications will:

1. Be in accordance with Policy CP 4 and in particular, demonstrate and provide a strong landscape framework (shown by a submitted Landscape Strategy and a Landscape and Ecological Management Plan), which shall: a. assess biodiversity interests, including, preparation of a Habitats Regulations Assessment (HRA) to demonstrate that development is not likely to have a significant effect on a Special Protection Area (SPA); b. ensure appropriate opportunities for use of the site by residents and visitors (particularly for dog walking) and to establish such land as a country park so as to meet site mitigation in the form of Suitable Alternative Natural Greenspace (SANG). Overall, proposals will ensure that, through both on and off site measures, any significant adverse impacts on European sites arising from recreational pressure and other impacts will be mitigated in accordance with Policies CP 7 and DM 28, including a financial contribution towards the Strategic Access Management and Monitoring Strategy; c. within the HRA, assess impact pathways from disturbance on the integrity of the European designated SPA during construction and operation of the site and recommend mitigation as appropriate; d. be informed by an ecological assessment detailing the impacts upon protected species and habitats and to make recommendations for their avoidance, mitigation and, where appropriate, compensation; e. secure the agreement and implementation of a management plan for the whole country park to clarify the proposals for various habitats across the site, the extent of public access and types of recreational use, and to provide proposals for the sustainable and financially secure management of the area through the development process and in the long term; f. achieve a net gain in the biodiversity of the site itself, including protecting and enhancing on-site habitats to provide for (at least) current levels of use by key species, including enhancing any existing role the site plays as supporting habitat for the SPA; g. manage the area to maintain and enhance the biodiversity associated with fields, hedgerow, orchards, boundaries and water features; h. where compatible with 1a.-g., include proposals for green corridors, incorporating existing/new footpath and cycle routes; and i. in agreed locations, provide strategic planting and open space in advance of new development.
2. Be of high quality design, respecting the settlement form/pattern, character and rural landscape setting of the village as identified by the the Swale Landscape Character and Biodiversity Appraisal, 2011;
3. Submit a site flood risk assessment in accordance with Policy DM 21 which shall additionally consider the sustainable drainage and land management measures that should be undertaken within the developed areas and open space;
4. Achieve a mix of housing in accordance with Policy CP 3, including provision for affordable housing in accordance with Policy DM 8;
5. Undertake a detailed heritage assessment (including for archaeology) and mitigate any impacts identified;

6. Be accompanied by a Health Impact Assessment in accordance with Policy CP 5;
7. Be supported by a Transport Assessment to determine the need and timing of improvements to the local and strategic transport networks relative to the phasing of development, whilst addressing the following: a. improvements to the public transport network between Iwade and Sittingbourne, including improved services to the village; b. encouraging increased rail use from Kemsley Halt; c. securing pedestrian and cycle links within the development (housing and country park) and to the adjacent network, including to the Ridham employment area and to Sittingbourne; and d. the identification, reservation and gifting of land within relevant allocations for interim improvements (and subsequently for the remodelling) of the Grovehurst Interchange, together with the necessary and appropriate financial contributions toward such schemes as agreed.
8. Provide the infrastructure needs arising from the development, including those identified by the Local Plan Implementation and Delivery Schedule, particularly, a new community building, health, primary education and library provision; and
9. For individual development areas, additionally:

For north Iwade:

10. As part of the landscape strategy and ecological management plan: a. provide a substantial natural green space with copse planting, enhanced hedgerow boundaries and wetlands at the northern, eastern and western boundaries of the site to form a new, attractive northern village edge which integrates development, particularly in the wider marshland environment; b. retain the existing mature vegetation and hedgerows on the Old Ferry Road boundary; c. safeguard, create and manage ponds for biodiversity (in particular for protected species); d. provide green corridors to interrupt the mass of the development and provide additional softening in longer views from localised higher overlooking ground; and e. use low density housing to respond to the local character and distinctiveness of the village, marshlands and the local landscape character area.

11. Provide a primary access off The Street/Sheppey Way.

For east Iwade:

12. As part of the landscape strategy and ecological management plan: a. provide a substantial natural green space, including significant woodland buffers on the southern and eastern boundaries of the development; and b. retain, create and manage, as appropriate, site features and habitats, including existing shelterbelts, hedgerows, wetlands, ponds, meadows and views to the open marshes.

13. Respond to the local landscape character area and distinctiveness, with housing that shall be of two storeys in the north east of the site, whilst respecting the scale and form of adjoining existing residential development to the west;

14. Avoid substantial harm to the setting (and in views to and from) to All Saint's Parish Church;

15. Provide a primary access from Grovehurst Road, and secondary access points connecting with existing development to the west; and

16. Reserve land for community facilities where identified as appropriate.

For south Iwade at Pond Farm:

17. As part of the landscape strategy and ecological management plan: a. provide a substantial natural green space, including woodland/copse planting to maintain an appropriate countryside gap and to minimise and mitigate visual impacts; b. enhance hedgerow boundaries and retain and manage existing ponds; and c. retain, enhance and manage the existing orchard to provide accessible natural green space, potentially for use as a community orchard;

18. Use building heights and form to generally reflect the character of the existing settlement; and

19. Provide a primary access off Grovehurst Lane, with consideration as to the appropriateness of a linked secondary access from the old Sheppey Way.

Policy DM 28 Biodiversity and geological conservation

Development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.

Part A. For designated sites

Development proposals will give weight to the protection of the following designated sites for biodiversity, as shown on the Proposals Map, which will be equal to the significance of their biodiversity/geological status, their contribution to wider ecological networks and the protection/recovery of priority species as follows:

1. *Within internationally designated sites (including candidate sites), the highest level of protection will apply. The Council will ensure that plans and projects proceed only when in accordance with relevant Directives, Conventions and Regulations. When the proposed development will have an adverse effect on the integrity of a European site, planning permission will only be granted in exceptional circumstances, where there are no less ecologically damaging alternatives, there are imperative reasons of overriding public interest and damage can be fully compensated.*

2. *Within nationally designated sites (including candidate sites), development will only be permitted where it is not likely to have an adverse effect on the designated site or its interests (either individually or in combination with other developments) unless the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the designated site that make it of national importance and any broader impacts on the national network of Sites of Special Scientific Interest. Where damage to a nationally designated site cannot be avoided or mitigated, compensatory measures will be sought. Development will also accord with and support the conservation objectives of any biodiversity site management plans;*

3. *Within locally designated sites (including draft published sites), development likely to have an adverse effect will be permitted only where the damage can be avoided or adequately mitigated or when its need outweighs the biodiversity interest of the site. Compensation will be sought for loss or damage to locally designated sites.*

Part B: All Sites

Development proposals will:

1. *Apply national planning policy in respect of the preservation, restoration and re-creation of: a. the habitats, species and targets in UK and local Biodiversity Action Plans and Biodiversity Strategies; b. linear and continuous landscape features or those acting as stepping-stones for biodiversity; c. aged or veteran trees and irreplaceable habitat, including ancient woodland and traditional orchards;*

- 2. Be informed by and further the guidelines and biodiversity network potential of the Council's Landscape Character and Biodiversity Assessment SPD;*
- 3. Support, where appropriate, the vision and objectives of relevant environmental and biodiversity management and action plans;*
- 4. Be accompanied by appropriate surveys undertaken to clarify constraints or requirements that may apply to development, especially where it is known or likely that development sites are used by species, and/or contain habitats, that are subject to UK or European law;*
- 5. When significant harm cannot be avoided through consideration of alternative sites or adequate mitigation provided on-site or within the immediate locality, compensatory measures will be achieved within the relevant Biodiversity Opportunity Area, or other location as agreed by the Local Planning Authority;*
- 6. Provide, where possible, a net gain of biodiversity overall; and*
- 7. Actively promote the expansion of biodiversity within the design of new development and with reference to the wider natural assets and green infrastructure strategy in Policy CP7.*

Policy DM 29 Woodlands, trees and hedges

The Borough Council will seek to ensure the protection, enhancement and sustainable management of woodlands, orchards trees and hedges. It will:

- 1. Support carefully planned appropriate development, the intended purpose of which is to further the sustainable management of woodland/old orchards;*
- 2. Ensure that development proposals take all reasonable opportunities to provide for new woodland, orchard, tree and hedge planting at a sufficient scale (with provision made for appropriate long term management) to maintain and enhance the character of the locality and provide for an attractive living and working environment;*
- 3. Use Tree Preservation and Hedgerow Protection Orders to safeguard species which have a significant impact on the local environment and its enjoyment by the public. Where removal of trees and hedgerows is unavoidable, the Borough Council will require appropriate replacements as a condition of a planning permission; and*
- 4. Unless the need for, and benefits of development in a location clearly outweigh the adverse impacts, planning permission will be refused where there: 1. is a loss or deterioration of irreplaceable habitats, including ancient woodland and aged or veteran trees; or 2. would be an inability to secure the beneficial management of woodland, old orchards or hedges for their landscape, historic or biodiversity interest (including as a result of their sub-division/lotting or incorporation into a residential curtilage); or 3. would be a loss of trees (including individual trees, old orchards, fruit trees, hedgerows and woodland scrub) that make an important contribution either to the amenity, historic, landscape, townscape or biodiversity value of the site and/or the surrounding area.*

Policy DM 30 Enabling development for landscape and biodiversity enhancement

Exceptionally, enabling development will be permitted for proposals that contravene planning policies for the protection of the countryside, when it is:

- 1. Proposing an outstanding design, layout and landscaping scheme that benefits the condition of landscape and biodiversity both substantially and disproportionately;*
- 2. Securing the long-term future and appropriate management of land within Biodiversity Opportunity Areas as identified by Policy CP 7 and/or landscapes in poor or moderate condition as identified by the Swale Landscape Character and Biodiversity Appraisal 2011;*
- 3. Contributing significantly to targets identified in UK, Kent and Swale Biodiversity Action Plans and/or Biodiversity Strategies;*
- 4. In the Kent Downs AONB, and is in accordance with its Management Plan and guidance;*
- 5. In accordance with the objectives of any Nature Improvement Area or other relevant environmental management plan for the area;*
- 6. Wholly necessary to resolve problems arising from the condition of the landscape and its biodiversity, rather than the circumstances of the present owner, the purchase price paid, or to make schemes viable;*
- 7. Demonstrated that sufficient subsidy is not available from any other sources and that the amount of enabling development is the minimum necessary;*
- 8. In locations that do not lead to dispersed development patterns and/or lengthy journeys to access jobs and services;*
- 9. Demonstrated that after any dis-benefits have been minimised and mitigated, the overall landscape and biodiversity benefits of the proposals decisively and disproportionately outweigh harm to other public interests and policies;*
- 10. Subject to legal monitoring and review arrangements intended to secure enhancements in perpetuity against agreed objectives and targets; and*
- 11. Compliant with the criteria for biodiversity as set out in Policy DM 28.*

Appendix VI: Legal and Technical Limitations

- This report has been prepared by Urban Edge Environmental Consulting Ltd (UEEC Ltd) with all reasonable skill, care and diligence within the terms of the contract made with the Client to undertake this work, and taking into account the information made available by the Client. No other warranty, expressed or implied, is made as to the professional advice included in this report or any other services provided by us.
- UEEC Ltd disclaims any responsibility to the Client and others in respect of any matters outside the scope of this contract. This report is confidential to the Client and is not to be disclosed to third parties. If disclosed to third parties, UEEC Ltd accepts no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any third party relies upon the contents of this report at their own risk and the report is not to be relied upon by any party, other than the Client without the prior and express written agreement of UEEC Ltd.
- The advice provided in this report does not constitute legal advice. As such, the services of lawyers may also be considered to be warranted.
- Unless otherwise stated in this report, the assessments made assume that the sites and facilities that have been considered in this report will continue to be used for their current planned purpose without significant change.
- All work carried out in preparing this report has utilised and is based upon UEEC Ltd's current professional knowledge and understanding of current relevant UK standards and codes, technology and legislation. Changes in this legislation and guidance may occur at any time in the future and may cause any conclusions to become inappropriate or incorrect. UEEC Ltd does not accept responsibility for advising the Client or other interested parties of the facts or implications of any such changes;
- Where this report presents or relies upon the findings of ecological field surveys (including habitat, botanical or protected/notable species surveys), its conclusions should not be relied upon for longer than a maximum period of two years from the date of the original field surveys. Ecological change (e.g. colonisation of a site by a protected species) can occur rapidly and this limitation is not intended to imply that a likely absence of, for instance, a protected species will persist for any period of time;
- This report has been prepared using factual information contained in maps and documents prepared by others. No responsibility can be accepted by UEEC Ltd for the accuracy of such information;
- Every effort has been made to accurately represent the location of mapped features, however, the precise locations of features should not be relied upon;
- Populations of animals and plants are often transient in nature and a single survey visit can only provide a general indication of species present on site. Time of year when the survey was carried out, weather conditions and other variables will influence the results of an ecological survey (e.g. it is possible that some flowering plant species which flower at other times of the year were not observed). Every effort has been made to accurately note indicators of presence of protected, rare and notable species within and adjacent to the site but the possibility nonetheless exists for other species to be present which were not recorded or otherwise indicated by the survey;
- Any works undertaken as a consequence of the recommendations provided within this report should be subjected to the necessary health & safety checks and full risk assessments.

Urban Edge Environmental Consulting Ltd

Unit 5 | Westergate Business Centre | Brighton | BN2 4QN

T: 01273 68 67 66 | E: enquiries@ueec.co.uk

www.ueec.co.uk |  LinkedIn | 

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Urban Edge Environmental Consulting Ltd

Unit 5 | Westergate Business Centre | Brighton | BN2 4QN

T: 01273 68 67 66 | E: enquiries@ueec.co.uk

www.ueec.co.uk | 

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