

HENGIST ROAD, WESTGATE ON SEA, KENT

PRELIMINARY ECOLOGICAL APPRAISAL

**ISSUE 1
MARCH 2017**



ISSUE NO.	AUTHOR	CHECKED BY	DATE
One	Andrew Bodey	Tom La Dell	28.03.2107

LaDellWood LLP

Stocks Studio
Grafty Green
Maidstone
Kent
ME17 2AP

t: 01622 850245

e: info@ladellwood.co.uk

w: www.ladellwood.co.uk

A practice registered with the Landscape Institute

A practice registered with the CIEEM

LaDellWood LLP Partnership no. OC376445

Tom La Dell MA(Oxon)Botany DipLD CMLI CEnv MCIEEM FLS

Lydia Hill-Wood BA (Hons) PGDipLA CMLI

COPYRIGHT:

The concepts and information contained in this document are the property of LaDellWood LLP. Use or copying of this document in whole or in part without the written permission of LaDellWood constitutes an infringement of copyright.

LIMITATION:

This report has been prepared on behalf of and for the exclusive use of LaDellWood LLP Client, and is subject to and issued in connection with the provisions of the agreement between LaDellWood LLP and its Client. LaDellWood accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report by any third party.

SUMMARY

1. During March 2017 LaDellWood were commissioned to undertake a Preliminary Ecological Appraisal at Hengist Road, Westgate on Sea, Kent. This report provides details of the survey which including a desk top study search and a Phase 1 Habitat assessment of habitats on and adjacent to the site. Further consideration was given to the value of habitats for supporting protected species. Using information gathered from the survey this report assesses any likely ecological constraints to development proposals and provides an outline of any ecological mitigation that may be required.
2. During the desktop study five statutory sites were located within 2km of the site. Areas of NERC priority habitat, lowland deciduous woodland and lowland calcareous grassland were located within 2km search radius of the site. Records of protected plants species, badger, bats, breeding birds, common reptiles, great crested newt, and hedgehog were located within the search radius.
3. The protected species assessment confirmed that the on-site habitat has a low habitat value for badger, dormouse and great crested newt. The site has a low - moderate habitat value for foraging and commuting bats and common reptiles. The site has a high habitat value for breeding birds.
4. Further recommendations have been given for survey regarding roosting bats within buildings and trees and common species of reptile at the site. Recommendations have also been given for mitigation and enhancements regarding designated sites, habitats, badgers, breeding birds, foraging and commuting bats and western European hedgehog at the site.

CONTENTS

- 1.0 Introduction**
- 2.0 Methodology**
- 3.0 Results**
- 4.0 Recommendations**
- 4.0 Preliminary Protected Species Assessment**
- 5.0 Conclusions**

Figures

Figures 1 to 6

References

Maps

Map 1 - Site Location

Map 2 - Phase 1 Habitat Map

Annex 1

Protected Species Legislation

1.0 Introduction

Background

- 1.1 This report has been prepared by LaDellWood for proposed works at the former Springfields Nursing Home, Hengist Road, Westgate on Sea, Kent. LaDellWood were commissioned to carry out a preliminary ecological appraisal at the site. This report represents the findings of the above survey undertaken on 14th March 2017. The survey was carried out in order to assess the habitats on the site and its surroundings and determine the ecological value of the site. The report then assesses any likely ecological constraints to the development proposals and provides an outline of any ecological mitigation that may be required.

Scope of the Report

- 1.2 This report details the results of the ecological survey as a preliminary ecological appraisal, assesses the results and recommends any actions necessary to satisfy statutory guidance, National legislation, European legislation (**see Table 1.1 & Annex 1**) and the requirements of National Planning Policy Framework (NPPF), 11: Conserving and enhancing the natural environment; and recommends further survey works and/or mitigation/enhancement measures where these are required.

Site Context and Status

- 1.3 The site is approximately 0.27 hectare in size and located at NGR TR 316 697. The on-site habitat comprises of amenity grassland, shrub, scattered trees, buildings, hard standings and boundary wall.
- 1.4 The Hengist Road site is located in a semirural setting within on the outskirts of Westgate on Sea approximately 3.6 kilometres (km) west of the centre of Margate. Access to the site is via Hengist Road which runs north from Canterbury Road Westgate. The site is surrounded to the west and south by areas of calcareous grassland associated with Westgate and Birchington Golf Course. Beyond Hengist Road to the north the Ramsgate to London railway line runs east to west adjacent to the road. Beyond the railway line to the north of the site is an area of residential housing.

Ecologists

- 1.5 The site survey was undertaken by Tom La Dell MA (botany), MCIEEM, CMLI who has over forty years experience in ecology practice. The report was prepared by Andrew Bodey BSc hons ACIEEM, bat



licence Level 2 (2015-13096-CLS-CLS) and GCN licence (2016 – 20334 – CLS-CLS) who has over seven years' experience of ecology practice. It was checked by Tom La Dell.

Site Proposals

- 1.6 The proposals for the site include the retention of the main house and the replacement of the rear buildings with residential housing, and associated infrastructure.

2.0 Methodology

Desk Study

- 2.1 In order to establish baseline ecological data of the site Kent and Medway Biological Records Centre (KMBRC) were commissioned to complete an ecological data search for the site. The search included protected species and habitats recorded within 2km of the site. An extended search of 5km was undertaken for bats. In addition the MAGIC database was accessed to establish the presence of designated sites within 2km of the site. An assessment of habitats surrounding the site was undertaken using OS mapping and satellite imagery of the site, the assessment included a search for waterbodies located within 500m of the site.

Site Survey

- 2.2 The preliminary ecological appraisal involved a detailed daytime investigation of the site and surrounding land to record habitat and vegetation types following guidance set out by JNCC in the Phase 1 habitat surveys handbook (JNCC 2010). This approach is designed to identify habitat types according to those defined in the handbook and to assist in providing an overview of the ecological interest at a site. It follows, where relevant, BS42020:2013 Biodiversity – Code of practice for planning and development.

Preliminary Protected Species Assessment

- 2.3 During the walkover survey an assessment was undertaken to determine the potential of the site and surrounding habitats to support protected species. During the assessment provisional signs of protected or notable species were recorded. Due to records of habitats and species located up to 5km from the site and/ or the habitats present at the site particular consideration was given to the potential of the site to support protected plant species, badger, dormouse, bats, breeding birds,

reptiles, great crested newt and hedgehog. The following details the species-specific methodologies used.

Badger

- 2.4 A detailed inspection was undertaken searching for evidence of badgers on site and where access was possible within 30 metres radius of the site boundary. Evidence of badger such as such as spoil heaps, large holes, claw marks, pathways, hairs, latrines, snuffle holes and scratching posts were searched for during the inspection.

Dormouse

- 2.5 The assessment of Dormouse was based on a visual inspection of habitats at the site. During the survey dormouse habitat features were searched for including the presence of suitable habitats offering cover and food such as hazel *Corylus avellana*, honey suckle *Lonicera periclymenum* and bramble *Rubus fruticosus*. Also the connectivity of the site to suitable areas of habitat off-site was considered.

Bats

- 2.6 An assessment of the presence of bats at the site was based on the identification of habitats considered suitable for roosting bats such as buildings with roof voids or suitable external roosting features such as gaps beneath tiles, loose boarding and holes within soffits. The presence of trees that may support roosting features for bats such as loose bark, hazard beams and rot holes were also recorded. During the survey further consideration was given to potential bat foraging and commuting habitats at the site.

Breeding Birds

- 2.7 An Assessment of the presence of birds using visual and song identification and habitat suitable for breeding birds such as mature trees, dense scrub, hedgerows, and recording of evidence of previous nesting, including old nests and faecal marks etc;

Common Reptiles

- 2.8 An assessment of the site's potential for supporting reptiles was based on the presence of suitable habitats in or surrounding the site. Reptiles are cryptic species, it can be hard to establish presence

from a single visual inspection alone as they often leave little or no evidence to their presence at a site. These species often require a diverse habitat structure with both cover for protection from predators and foraging and open sunny areas for basking. Typical habitats that support these species are long grass, scrub, woodland, hedgerows, wood and rubble piles.

Great crested newt

- 2.8 An assessment of the potential presence of amphibians was made through the identification of possible breeding sites located within 500 metres of the site, such as ponds, ditches and other still water bodies as well as terrestrial habitats of grassland and scrub mosaic and of potential sheltering and hibernation sites.

Hedgehog

- 2.9 An assessment of the potential presence of hedgehogs was made through the identification of suitable refuges such as piles brush or logs and garden refuse piles, as well as suitable foraging and commuting areas such as hedgerows, woodland, scrub and grassland areas.

Limitations

- 2.10 The survey is a Preliminary Ecological Appraisal. The trees on the site are recorded in the LaDellWood tree survey. The survey was limited to a visual inspection of habitats and their potential for supporting protected species based on the suitability of the habitat and any direct evidence on the site. The site survey was undertaken at a time of year when activity or visibility of many of the target species groups highlighted in this report is considered to be relatively poor.
- 2.11 The protected species assessment provides an overview of the likelihood of protected species occurring in the habitats on the site. It should not be taken as providing a full and definitive survey of any species group any direct evidence is only valid at the time the survey was carried out
- 2.12 The bat survey was limited to a visual external inspection of habitats and their potential for supporting bats.
- 2.13 The findings of this report represent the opinion of a professional and suitably qualified ecologist they do not constitute professional legal advice. The client may wish to seek further legal interpretation of wildlife legislation cited in this document.

Survey Timings

- 2.14 The survey was completed on 14th March 2017 between 11.00 and 12.30. Weather conditions were optimal with 80 % cloud cover, 110C, dry and a light wind.

3.0 Results

Desk Top Study

- 3.1 Information detailing any recent and historical ecological records and designated sites from within a 2km radius of the site was compiled using data provided by KMBRC and using Magic Maps online data resource, the results are detailed as follows. An extended search of 5km was undertaken for bat species.

Statutory Designated Sites

- 3.2 Five Statutory designated sites were located within 2km of the site. Details have been provided below.

Outer Thames Estuary SPA

- 3.3 This area of the Thames Estuary is designated for its importance to populations of red throated diver *Gavia stellate*.

Thanet Coast and Sandwich Bay Ramsar and SPA

- 3.4 Thanet Coast and Sandwich Bay Ramsar and SPA are located approximately 0.25km north of the site at their closest point. This coastal site consists of a long stretch of rocky shore with adjoining areas of estuary, sand dune, maritime grassland, saltmarsh and grazing marsh. The site supports important populations of Turnstone *Arenaria interpres*, and is also used by large numbers of migratory birds.

Thanet Coast SAC & SSSI

- 3.5 Thanet Coast and Sandwich Bay SAC and SSSI are located approximately 0.25km north of the site at their closest point. This coastal site is designated for Annex I habitats which include of sand dune, maritime grassland and saltmarsh.

Non Statutory Designated Sites

- 3.6 There was no non statutory designated Local wildlife sites located within 2km of the site.

- 3.7 NERC section 41 priority habitats located within 2km of the site include areas of intertidal mudflats and lowland calcareous grassland. The closest area of designated habitat is an extensive area of lowland calcareous grassland located immediately adjacent to the southern site boundary.
- 3.8 No areas of ancient woodland were located within 2km of the site.

Protected and notable species

- 3.9 The KMBRC desk top study search revealed records of the following protected and notable species located up to 2 km from the site.

Flora

- 3.10 Low numbers of records of orchid species were located within 2km of the site; the closest record was located approximately 1.9km west of the site. Species records included the following species

Autumn lady's tresses *Spiranthes spirali*
Lady orchid *Orchis purpurea*
Man orchid *Orchis anthropophora*
Lizard orchid *Himantoglossum hircinum*
Pyramidal orchid *Anacamptis pyramidalis*
Bee orchid *Ophrys apifer*

Badger

- 3.11 There were no records of badger located within 2km of the site.

Dormouse

- 3.12 There were no records of dormice located within 2km of the site.

Bats

- 3.13 An extended data search was undertaken for bats as they are wide ranging species. The closest known roost is a roost of unknown type located approximately 0.3km beyond the southern site boundary. The following species were recorded within a 5km radius of the site.

A single record of Serotine Bat *Eptesicus serotinus*, the record was located approximately 1.5km south west of the site.

2 records of Daubenton's bat *Myotis daubentonii* the closest record was located approximately 1.2km south west of the site.

37 records of Natterer's bat *Myotis nattereri* the closest record was located approximately 1.2km south west of the site.

A single record of Noctule bat *Nyctalus noctula*, the record is located at approximately 1.5km south west of the site.

A single record of Nathusius pipistrelle bat *Pipistrellus nathusii* was located within 2km of the site. The closest record was located approximately 2.4km south west of the site.

34 records of common pipistrelle bat *Pipistrellus pipistrellus* were the closest record was located approximately 0.3km south west of the site.

4 records of Soprano Pipistrelle bat *Pipistrellus pygmaeus*, the closest record was located approximately 1.km west of the site.

41 records of Brown long eared bat *Plecotus auritus*, the closest record is located approximately 1.3km south west of the site

Breeding Birds:

- 3.14 Numerous records of breeding birds are located within 2km of the site. Red and amber listed bird species confirmed as breeding have been detailed below.

Kestrel *Falco tinnunculus*

Grey partridge *Perdix perdix*

Lapwing *Vanellus vanellus*

Herring gull *Larus argentatus*

Stock dove *Columba oenas*

Turtle Dove *Streptopelia turtur*

Cuckoo *Cuculus canorus*

Tawny owl *Strix aluco*

Swift *Apus apus*

Lesser spotted woodpecker *Dendrocopus minor*

Skylark *Alauda arvensis*

Swallow *Hirundo rustica*

House martin *Delichon urbica*
Dunnock *Prunella modularis*
Song thrush *Turdus philomelus*
Mistle thrush *Turdus viscivorus*
Willow warbler *Phylloscopus trochilus*
Spotted flycatcher *Muscicapa striata*
Starling *Sturnus vulgaris*
House sparrow *Passer domesticus*
Linnet *Carduelis cannabina*
Yellowhammer *Emberiza citrinella*
Corn bunting *Miliaria calandra*
Bullfinch *Pyrrhula pyrrhula*

Reptiles

3.15 A single record of common lizard *Zootoca vivipara* was located within 2km of the site. The record is located approximately 1.9km east of the site.

A single record of slow worm *Anguis fragilis* was located within 2km of the site. The record is located approximately 0.5km south east of the site.

A single record of grass snake *Natrix natrix* was located within 2km of the site. The record is located approximately 0.5km south east of the site.

Great Crested Newt

3.16 There were three records of great crested newt located within 2km of the site the closest record is located approximately 1.6km south west of the site. The OS map and aerial photography search identified no suitable water bodies located within 500 of the site.

Phase 1 Habitat Survey

3.17 The following habitats were recorded at the site. The position and extent of on-site habitats are shown on **Map 2-Phase 1 Habitat Map**.

Amenity Grassland



3.18 Areas of amenity grassland are present to the west and east of the site (**Figure 1**). The species diversity is typical of amenity grassland dominated by creeping fescue *Festuca rubra*, Bents *Agrostis spp.* And perennial rye grass *Lolium perenne*. At the time of survey the grassland had been cut.

Scattered trees and shrubs

3.19 Scattered trees are present within the northern and southern boundaries, both inside and outside the site. Trees located along the southern boundary are dominated by mature sycamore *Acer pseudoplatanus* 8 – 14m in height, the trees are located off site beyond the southern boundary wall. To the north of the site scattered Yew *Taxus baccata* are present approximately 9m in height. Mature Black pine *Pinus nigra* approximately 11- 14m in height are also present within the west of the site. A row of mature ornamental shrubs are located along the northern boundary of the site (**Figure 2**), areas of shrub beds surround amenity grassland areas within the site, at the time of survey areas of bramble *Rubus spp.* scrub had been recently cut. The cleared areas of vegetation were now dominated by ivy *Hedera helix* (**Figure 3**).

Hard standings

3.20 Areas of tarmac and paving hard standings surround the on site buildings (**Figure 4**)

Boundary Wall

3.21 A brick built boundary wall is present along the western and southern and eastern boundaries of the site.

Buildings

3.22 Two buildings are located within the site. The former Springfield Nursing home comprises a two storey brick built residential building with predominately pitched and gable end roof design. To the west of the building the roof has concrete pan roof and ridge ties to the east the roof is lined with modern clay roof and ridge tiles. A modern single storey flat roof extension with a bitumen felt lined roof is located to the east of the building. Within the north east corner of the site is a small shed building with a corrugated sheet roof.

Protected Species

3.23 The following details the results of the protected species field survey. Results of the desk search for protected species records and their significance are assessed in the preliminary protected species assessment in **Table 1.1**.

Badger:

3.24 During the survey no setts were recorded on or within 30m of the site boundary where access was possible. The site has limited foraging value for badger within small areas of amenity grassland. The site has some connectivity to the adjacent railway that does provide suitable habitat for badger however no evidence of badger foraging or commuting was recorded at the site.

Dormouse:

3.25 The on-site habitat is dominated by areas of amenity grassland ornamental shrub considered unsuitable for this species. The scattered trees and shrub lack species diversity and do not offer a continuum of food sources required by this species during the active season. The surrounding landscape is dominated by amenity grassland and isolated scattered tree habitats considered unsuitable for supporting dormice. Areas of scrub and tree are located along the adjacent railway line to which the site does have connectivity however these small areas of habitat are relatively isolated to the east and west with no connectivity to significant areas of optimal dormouse habitat.

Bats

3.26 As described within **section 3.29** the site has buildings that may offer potential roosting locations for bats. The residential building supports pitched voids that may offer suitable roosting locations within internal voids. Furthermore suitable external roost features may be present on the buildings beneath roof tiles and soffits. Scattered trees are present within the site and its boundaries that may also offer suitable roosting locations for bats; however a detailed bat roost assessment of buildings and trees was not undertaken.

3.27 Trees and shrubs located within the boundaries of the site provide suitable sheltered corridors for commuting and foraging bats. The surrounding landscape is dominated by exposed areas of golf course and generally lacks extensive areas of optimal bat foraging and commuting habitat. Considering the limited habitat available to foraging and commuting bats small areas of tree line located along the railway to the north and within areas of recreation ground and golf course to the

south may be utilised by local bat populations. Therefore boundary trees at the site may be utilised as a corridor between off site habitats.

Breeding Birds:

- 3.28 The on-site habitat offers suitable areas for a range of common nesting bird within scattered trees and scrub.

Reptiles:

- 3.29 Areas of amenity grassland at the site had been recently cut at the time of survey and the grass had a short but dense sward, areas of ivy are also present within cleared areas of shrub these habitats provide suitable cover and foraging opportunities for reptile species such as slowworm *Anguis fragilis*. The site also has connectivity to the adjacent railway that may support populations of reptile species.

Great Crested Newt:

- 3.30 There were no suitable water bodies located within the site or within 500m of the site. Grassland and shrub bed habitats within the site may offer some value to terrestrial newt however considering the lack of potential breeding water bodies within the site and its surroundings the presence of this species is unlikely.

Western European Hedgehog:

- 3.31 Habitats at the site are generally of low value for this species comprising of amenity grasslands. However this species is typically found within garden habitat and areas of shrubs do offer small areas of suitable foraging and refuge areas for this species.

Preliminary Protected Species Assessment

4.0 The habitats on site were assessed as to their likelihood of supporting protected species. **Table 1.1** highlights the likely occurrence of each protected species and what, if any, impact the development is likely to have upon each protected species or important habitat.

Table 1.1 Assessment of the potential impact of protected species and habitats within and adjacent to the development site			
Species/Habitat	Main legislation and policy	Species or habitat assessment	Likely impact of development on species or habitat
<p>Designated Sites:</p> <p>SAC SSSI SPA & RAMSAR</p> <p>NERC priority Habitat: lowland mixed deciduous woodland and lowland calcareous grassland</p>	<p>The Wildlife and Countryside Act, 1981 (as amended).</p> <p>Section 21 of the National Parks and Access to the Countryside Act 1949, and amended by Schedule 11 of the Natural Environment and Rural Communities Act 2006</p>	<p>The Thanet Coast and sandwich Bay SPA, Ramsar and SSSI site is considered of high ecological value on local, county, national and international scale. The highlighted statutory sites are located approximately 0.25km north of the development site. Therefore the site lies within the 7.2km zone of influence (Blackwood & Bayne, V. Hyland associates, 2014) surrounding these SPA and Ramsar designations.</p> <p>During the desktop study data search no non statutory designated sites were identified within 2km of the site.</p> <p>Areas of Priority habitat were located within 2km of the site. The closest area is an extensive area of calcareous grassland located immediately adjacent to the southern site boundary. The grassland is associated with surrounding golf course. This area is considered of high ecological value on a local and county scale</p>	<p>The proposals are located 0.25km south of the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI site. Considering the distance of the proposals from the designated sites there is unlikely to be any direct Impacts associated with the development. However developments within the zone of influence of an SPA, RAMSAR,sites have potential to cause indirect impacts including increased disturbances from recreational use.</p> <p>Further recommendations have been given in section 5.0 regarding statutory sites.</p> <p>The closest area of priority habitat is an extensive area of lowland calcareous grassland located immediately adjacent to the site. This area of grassland will not be impacted by the proposals as all works will be restricted within the site which is separated from calcareous grasslands by boundary walls to the south. It is considered there will be no significant impact upon calcareous grassland.</p>
Habitats	National Planning Policy Framework (NPPF), 11: Conserving	The data search revealed records of orchid species located within 2km of the sites. The closest record was located some distance from the site. These species are commonly, but not always,	The majority of habitats of greatest value are located outside of the proposed development area within the boundaries habitats and will be retained and enhanced. It is

	and enhancing the natural environment	<p>associated with undisturbed areas of ancient woodland mature hedgerows and grasslands. Habitats at the site comprise of managed amenity habitats.</p> <p>The areas of amenity grassland are considered of low ecological value. The areas of greatest value are the scattered trees located along the site boundaries and within the site.</p>	<p>considered in the absence of mitigation there is potential for low impacts upon habitats at the site.</p> <p>To minimise potential impacts further recommendations have been given for the retention and protection of habitats including trees and hedgerows of greatest ecological value.</p>
Badger	Protection of Badgers Act 1992.	<p>There were no records of badger located within 2km of the site. During the site survey no evidence of badger was found. The site does not offer significant areas of foraging habitats. Areas of optimal foraging habitat are found within areas of grassland within the surrounding golf course. Considering the semi rural location of the site it is considered that badgers may be present within the area and may commute through the site on occasions.</p> <p>Considering the lack of significant areas of suitable badger foraging habitat the site is considered to have a low habitat value foraging badger.</p>	<p>It is considered the proposed works will have limited impact on badger foraging/commuting as extensive areas of foraging/commuting habitat are available within the wider landscape. In the absence of mitigation the proposals will have a low impact upon foraging & commuting badger.</p> <p>Further recommendations have been given for a precautionary method of works regarding badgers at the site.</p>
Dormouse	<p>Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended).</p> <p>Schedule 2 of the Conservation of Habitats and Species Regulations 2010.</p>	<p>There no records of this species located within 2km of the site and the habitats at the site are generally unsuitable for this species dominated by amenity grasslands and non native shrub. The trees and shrub within the site are unlikely to provide a continuum of food sources throughout the active season and habitats located off site are considered of limited value for this species.</p> <p>Considering the lack of records and limited value of habitats at the site and surrounding the site, the site is considered of low habitat value for dormice.</p>	<p>The species is unlikely to be present at the site It is considered the proposed works will have no significant impact upon this species.</p> <p>No further recommendations have been given.</p>
Bats	Schedule 5 of	The desktop study revealed	The proposals require the

	<p>the Wildlife and Countryside Act, 1981 (as amended).</p> <p>Schedule 2 of the Conservation of Habitats and Species Regulations 2010.</p>	<p>numerous records of bat species located within 5km of the site. There is the potential for the majority of these species to be present at the site. A single roost of unknown type was located 0.3km to the south of the site.</p> <p>The buildings located within the site have pitched roofs that may offer suitable roosting locations for bats within internal voids. Scattered trees are also present within the site and its boundaries that may offer suitable roosting locations for bats.</p> <p>The majority of the site is dominated by managed amenity grassland, hard standing and shrub. These habitats support low invertebrate species diversities and are of limited value for foraging bats. Boundary trees may provide suitable sheltered areas for foraging and commuting bats if roosts are present in surrounding buildings or trees. Areas of foraging habitat are located within boundaries of surrounding golf course and railway. Considering the semi rural location of the site the presence of foraging and commuting bats at the site is considered likely. The site is considered to offer low – moderate habitat value for foraging and commuting bats.</p>	<p>demolition of existing buildings at the rear of the site. There is potential for high impacts upon roosting bats if present within the on site buildings.</p> <p>Most of the boundary trees will be retained at the site. In the absence of mitigation there is potential for low to moderate impacts on roosting bats if present within trees at the site through potential lighting impacts to retained boundary tree habitats.</p> <p>The boundary trees habitats are considered of greatest value for foraging and commuting bats, particularly the southern boundary. The boundary trees are located off site and will be retained and enhanced with further hedge plantings within the site. In the absence of mitigation there is potential for low to moderate impacts on foraging and commuting bats through potential lighting impacts to retained boundary habitats.</p> <p>Further recommendations for survey & mitigation have been given section 5.0</p>
Breeding Birds	<p>Wildlife and Countryside Act 1981 (as amended).</p>	<p>The data search revealed numerous records of breeding bird species.</p> <p>The sites scattered trees and areas of shrub offer suitable habitat for breeding birds. It is considered that there is a high habitat value for breeding birds on the site.</p>	<p>Areas of greatest value for breeding birds include hedgerow and trees. There is the potential for high impacts on breeding birds through the loss of suitable habitats and disturbance, damage or destruction of nests during clearance works.</p> <p>Further recommendations are given in section 5.0.</p>
Common	Schedule 5 of	Low numbers of reptile records	There is potential for high

<p>Reptiles</p>	<p>the Wildlife and Countryside Act, 1981 (as amended).</p>	<p>were recorded within 2km of the site. The closest record was of grass snake and common lizard located approximately 0.5km south of the site.</p> <p>The site offers suitable habitat within areas of grassland and shrub for reptile species such as slowworm and the site has connectivity to the adjacent railway line that may support reptile populations.</p> <p>Considering the presence of suitable habitats at the site and connectivity of the site to adjacent railway habitats the site is considered to offer low – moderate habitat value for reptiles.</p>	<p>impacts to reptiles through loss of habitat and injury and killing during clearance of the site.</p> <p>Further recommendations have been given in section 5.0.</p>
<p>Great Crested Newt</p>	<p>Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended).</p> <p>Schedule 2 of the Conservation of Habitats and Species Regulations 2010.</p>	<p>The KMBRC search revealed three records of great crested newt located within 2km of the site. The closest record was approximately 1.6km south west of the site.</p> <p>The site does not support any suitable water bodies for this species and no suitable water bodies were located within 500m of the site.</p> <p>Considering the lack of a network of suitable breeding bodies within the surrounding landscape. The site is considered of low habitat value for terrestrial great crested newt.</p>	<p>This species is unlikely to be present at the site. It is considered the proposed works will have no significant impact upon this species.</p> <p>No further recommendations have been given.</p>
<p>Species of Principal Importance</p> <p>Western European Hedgehog</p>	<p>NERC Act (2006) section 41</p>	<p>Records of hedgehog were located within 2km of the site and suitable areas of habitat are located within the within areas of shrub.</p>	<p>It is considered that the development is unlikely to have a significant impact on this species of principal importance if recommendations in section 5.0 are followed.</p>

5.0 Recommendations

Statutory Designated Sites

5.1 There is potential for indirect effects, upon the highlighted SPA, Ramsar and SSSI designated areas, through increased recreational activities from the new residents of the proposed development. The effects of disturbance to North Kent's SPA bird populations through recreational activities has been studied and documented by the North Kent Environmental Planning Group (NKEPG). Studies have included visitor surveys and bird monitoring surveys which indicated that recreational activities, particularly dog walking, is a potential cause of declining bird numbers. During recent studies concern was given to the declining Turnstone *Arenaria interpres* numbers within the Thanet Coast and Sandwich Bay SPA (Hodgson 2014). To mitigate potential impacts of the proposed development it is suggested contributions are made to recommendations provided within the Strategic Access and Monitoring Scheme 2014 – In respect to the Canterbury section of Thanet Coast and Sandwich Bay SPA (Blackwood & Bayne, V. Hyland associates, 2014)

Habitats

- 5.2 The majority of habitats on the site are considered common and widespread and of low ecological value. The areas of greatest value include scattered trees located along the site boundaries and within the site. The majority of these habitats will be retained within the proposals and protected during ongoing works at the site any tree removal required in the site will be mitigated through planting of new native tree species as described in **section 5.2** below. All retained trees and boundary habitats should be protected using suitable tree protection fencing such as secure HERAS type fence located as recommended in the tree survey.
- 5.3 It is recommended as a post-development enhancement, where possible, new plantings are established within the development and all boundary treelines enhanced increasing the value of habitats on the site. Species planted should include a diverse mixture of native tree and shrub species commonly used for planting hedgerows. The following provides a list of native plant species suitable for planting.

Trees

Silver Birch *Betula pendula*

Horn beam *Carpinus betulus*

Field maple *Acer campestre*

Cherry *Prunus avium*

Pedunculate Oak *Quercus robur*

Shrubs

hazel *Corylus avellana*

Holly *Ilex aquifolium*

Blackthorn *Prunus spinosa*

Dogwood *Cornus sanguinea*

Wild privet *Ligustrum vulgare*

Dog rose *Rosa Canina*

Hawthorn *Crataegus monogyna*

Badger

- 5.4 There were no active setts recorded on-site or within 30 metres of the site and no evidence of foraging or commuting badger was recorded on-site. However the site is located within a semi-rural situation and it is considered that badgers may occasionally commute and forage through the site. During ongoing site works consideration must be given to the possibility of badgers entering the site. It is recommended that site excavations should be covered during night time to prevent badgers from falling and becoming trapped. If excavations are unable to be covered then a board should be placed within the hole overnight to ensure badgers a safe escape route.

Bats

- 5.5 The site supports buildings that may support features suitable for roosting bats. Therefore it is recommended that a preliminary bat survey is undertaken at the site. The preliminary bat survey will include a detailed internal inspection of each building, searching for evidence of bats such as droppings, urine staining, live or dead bats. Following the internal inspection a detailed external inspection will be undertaken, searching for suitable external potential roost features such as gaps beneath boarding, cavity walls, gaps beneath tiles and lead flashing. Further dusk emergence or dawn

return surveys may be required to fully assess bat usage of buildings and assess requirements for a European Protected Species Mitigation License (EPSM) to undertake works. A bat roost assessment of trees on and adjacent to the site will also be undertaken.

- 5.6 In order to minimise impacts on foraging or commuting bats it is recommended a bat sensitive lighting scheme be incorporated into the proposals, guidance for this scheme is provided by the Bat Conservation Trust within their guidance document Bats and Lighting (Stone, 2013). The lighting should avoid impacts to retained boundary trees and areas of dense scrub located off site to the east. The boundary habitats should be enhanced with native species plantings creating denser areas ensuring these habitats remain suitable as foraging and commuting routes maintaining connectivity between off site habitats.
- 5.7 As discussed new planting schemes within the proposed development will encourage a richer diversity of invertebrates and provide enhanced foraging opportunities for bats during/ post development. Further enhancements should include the erection of two bat roost boxes within retained trees at the site. Where possible bat roost features, such as bat roost tiles should be incorporated within the proposed new buildings.

Breeding Birds

- 5.8 Where tree or shrub clearance is required this should be carried out outside of the breeding bird survey season of March to August inclusive or following a nesting bird check by an appropriately qualified ecologist during the nesting season. This check must take place no more than 24 hours before the commencement of works. If during clearance a nesting bird is discovered, no works may occur within 5m of the nest until the young have fledged. To mitigate the loss of suitable bird breeding habitats a total of 5 bird boxes should be erected within retained trees at the site. The inclusion of new native species plantings within the proposed development will also provide suitable areas of bird nesting habitats.

Common reptiles

- 5.9 The site supports areas of grassland and shrub suitable for supporting common species of reptile. Therefore it is recommended that reptile surveys are undertaken at the site. A series of seven site visits should be undertaken to check under artificial reptile refugia positioned within suitable habitat areas across the site. Each visit should be undertaken in periods of suitably warm weather when

reptiles are considered to be active. The results will provide an assessment of presence or absence of reptiles at the site.

Hedgehog

- 5.10 The installation of log pile refugia within retained boundary habitats will increase the value of this site for hedgehog. The refugia should include approximately a 1 cu.m of cut timber. During clearance works at the site any suitable refuges should be undertaken carefully, and dismantled by hand. Any hedgehogs found during the process should be carefully moved to the retained boundary habitats at the site and placed near the log pile refugia previously created.

6.0 Conclusions

- 6.1 The site in general is considered of low ecological value with internal habitats comprising of common and widespread habitats types. The greatest ecological value is found within the scattered tree habitats that will be retained and enhanced with native species plantings. It is considered the site proposals will not have a negative impact on the surrounding Priority habitats. Recommendations given for further survey will fully assess if and how the highlighted protected species utilise habitats at the site. The surveys will advise appropriate mitigation or compensation strategies at the site ensuring the proposals have minimal impact upon the protected species. The proposed mitigation and site enhancements will reduce impacts upon the highlighted designated sites and species and provide suitable habitat for a range of wildlife including invertebrates, hedgehog, breeding birds and bats.

FIGURES



Figure 1: Amenity grasslands located to the east of the site



Figure 2: Yew and ornamental shrub located along northern boundary



Figure 3: Areas of recently cleared shrub surrounding amenity grasslands located to the east of the site.



Figure 4: Areas of asphalt hard standing, boundary wall, amenity grassland and scattered Black pine located to the west of the site.



Figure 5: Western elevation of the residential building



Figure 6: Northern and Eastern elevation of the residential building showing flat roofed single storey extension

REFERENCES

Blackwood & Bayne, V. Hyland associates, (2014) *Strategic Access Management and Monitoring Strategy 2014 – In respect of the Canterbury section of the Thanet Coast and Sandwich Bay SPA.*

Collins J. (ed.) (2016) *Bat Surveys for Professional Ecologists, Good Practice Guidelines (3rd Edition)* Bat Conservation Trust, London

English Nature 2001 *Great Crested Newt Mitigation Guidelines*

Hodgson (2014) *Thanet Coast Turnstone Monitoring January –February 2014 A report to Natural England by Ian Hodgson on behalf of Sandwich Bay Bird Observatory.*

JNCC (2010) *Handbook for Phase 1 Habitat Survey – a technique for environmental audit* Joint Nature Conservation Committee

JNCC(2003) *Herptofauna Worker's Manual* Joint Nature Conservation Committee

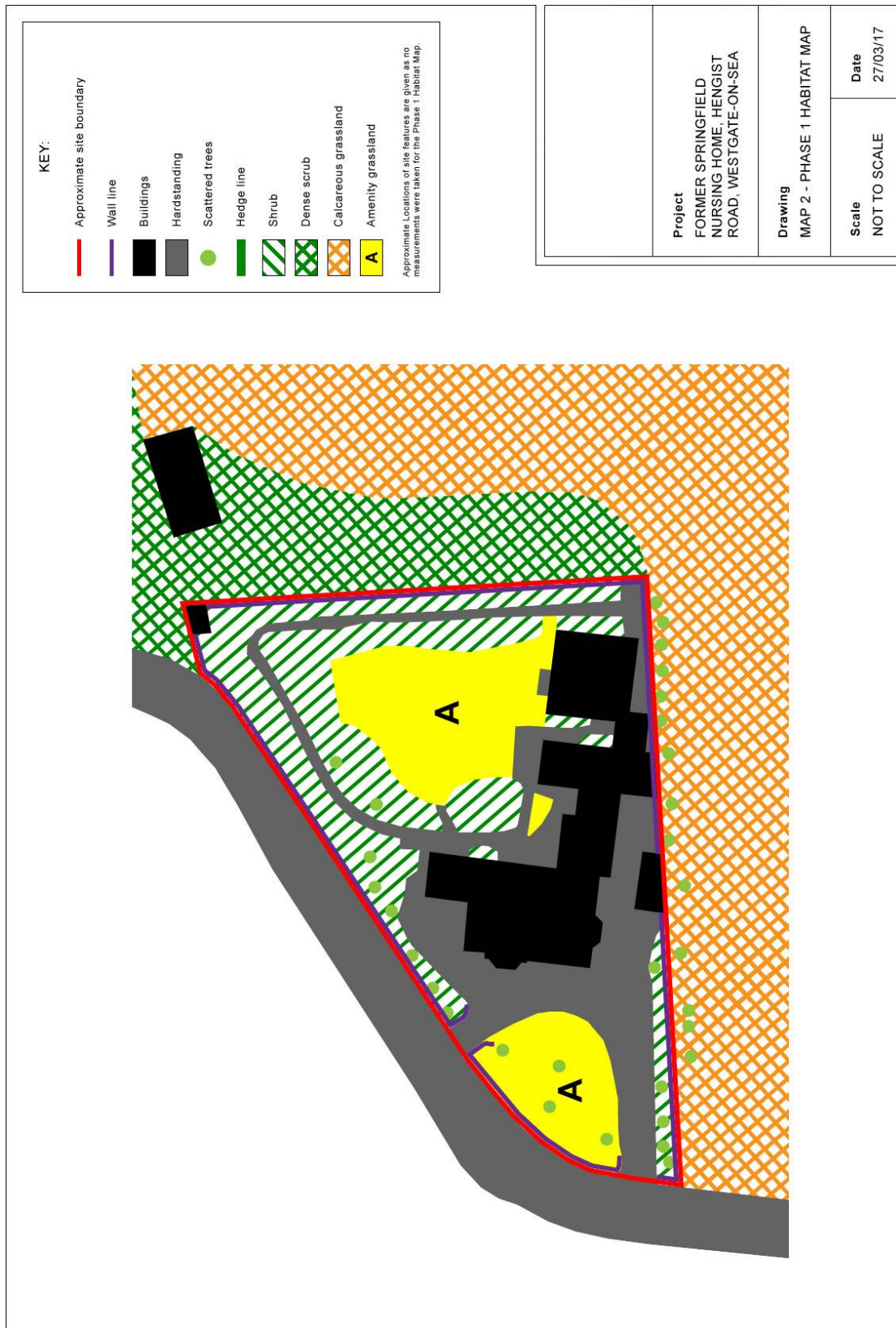
MAGIC <http://www.magic.gov.uk>

Stone. E L (2013) *Bats and lighting – overview of current evidence and mitigation guidance*, Bat Conservation Trust

MAP 1 – Site Location (approximate site boundary shown in red)



MAP 2– Phase 1 Habitat Map



ANNEX 1- LEGISLATION

The following details legislation covering the protection of UK species highlighted in this report, the information provided should be taken as a general guide, rather than comprehensive. In all cases readers should consult the relevant legislative documents in full and where necessary obtain further legal advice.

Badgers

Badgers are afforded protection under The Protection of Badgers Act 1992. Under this legislation the following are considered an offence:

- To wilfully, kill, injure, take, possess or cruelly ill treat a badger;
- To attempt to do so; or
- To intentionally or recklessly interfere with a sett.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it occupies a sett.

Section 3(a) of the Protection of Badgers Act 1992 makes it an offence for a person to interfere with a badger sett by disturbing a badger that is occupying the sett.

There are two elements in this offence:

- There must be an action, capable of disturbing a badger, which amounts to an interference with a sett, and
- A badger must be occupying the sett at the time of the disturbance.

The latter point is a question of fact i.e was there or was there not a badger occupying the sett when the alleged offence or action took place? However what constitutes an act capable of a disturbing badger occupying a sett is more difficult to determine.

The act does not define either interference or disturbance and we are not aware of any case law on the meaning of section 3(e) of the act. We therefore have to rely on the ordinary everyday meaning of the words. The Oxford Dictionary defines “to disturb” as:

- To agitate or destroy (quiet e.t.c);
- To break up the quiet, tranquillity;
- To stir up, trouble, disquiet, to agitate, to unsettle;
- To agitate mentally; and
- To interfere with the settled course of operations.

Disturbance is therefore something less than what might otherwise be considered damage to a sett – this distinction is recognised by the existence of two separate offences in the Act; one where there is damage to the sett and one for disturbance to a badger occupying a sett. However it is also something more than limited noise or activity near a sett at levels which badgers commonly tolerate.

Birds (including barn owl)

The Wildlife and Countryside Act 1981 protects all birds, their nests and eggs, thus it is an offence, with certain exceptions to intentionally:

- Kill, injure or take any wild bird.
- Take, damage or destroy the nest of any wild bird while it is in use or being built.
- Take or destroy the egg of any wild bird.
- Have in one's possession or control any wild bird (dead or alive) or any part of a wild bird which has been taken in contravention of the Act or the Protection of Birds Act 1954.
- Have in one's possession or control any egg or part of an egg which has been taken in contravention to the Act. This includes items taken or killed before the passing of the Act.
- Have in one's possession or control any live bird of prey of any species in the world (with the exception of vultures and condors) unless it is registered and ringed in accordance with the Secretary of State's regulations.
- Have in one's possession or control any bird of a species occurring on Schedule 4 of the Act unless registered (and in some cases ringed) in accordance with the Secretary of State's regulations.
- Disturb any wild bird listed on Schedule 1 (including barn owl) while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Bats

In England & Wales all bat species are protected under **Annex II EC Habitats Directive 92/43/EEC**. This European legislation is implemented in the UK by the **Conservation (Natural Habitats, &c.) Regulations 2010**.

In addition bats are afforded protection under The Wildlife and Countryside Act 1981 (as amended) listed on schedule 5.

The above legislation makes it illegal to carry out the following activities:

- deliberately capture, injure or kill a bat
- deliberately disturb a bat, including in particular any disturbance which is likely to:
impair the bats ability to survive, breed, reproduce or nurture their young.
Impair their ability to hibernate or migrate, or
To affect significantly the local distribution and or abundance of the species
- Damage or destroy a breeding place a breeding site or resting place of a bat
- Possess, control, transport exchange or sell a bat or parts of a bat dead or alive.

Additional conservation significance is afforded to four species of UK bats. Barbastelle, bechstein's and greater and Lesser horseshoe bats, These species are listed on **Annex II EC Habitats Directive 92/43/EEC**. The conservation of these species requires the designation of Special Areas of Conservation (SAC).

Activity that would result in the above offences being committed would require a EPS licence to avoid committing an offence. Natural England has powers to grant a licence

- preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; or
- for the purpose of health and safety

Natural England can only issue a licence if it is satisfied that the activity meets one of the above purposes and is also satisfied of the following;

- there is no satisfactory alternative; and
- that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

In order to satisfy the above three tests Natural England and the LPA must be provided with survey information of sufficient quality. Without the survey information a licence/planning application cannot and should not be assessed or issued.

Referenced from Bat Conservation Trust Guidelines (Collins 2016)

Common reptiles

All common reptile species which includes grass snakes, adders, common lizards and slow worms, are protected by the Wildlife & Countryside Act, 1981. This legislation makes it illegal to intentionally kill or injure a common reptile.