



## ECOLOGICAL ADVICE SERVICE

**TO:** *Robert Allen*

**FROM:** *Helen Forster*

**DATE:** *31 October 2017*

**SUBJECT:** *Princes Parade Promenade, Hythe Y17/1042/SH*

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*Thank you for requesting advice on this application from KCC's Ecological Advice Service. This service provides advice to planning officers to inform Shepway District Council planning decisions with regard to the potential ecological impacts. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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We have reviewed the submitted information and while we are satisfied that the applicant has a good understanding of the ecological interest of the proposed development site we advise that additional information is required prior to determination of the planning application.

### **Ecological Surveys**

The following surveys have been carried out within the proposed development site:

- Amphibian
- Reptile
- Breeding birds
- Botany/NVC
- Mammal
- Invertebrates

The submitted surveys have detailed the following:

- Nationally notable invertebrates present within the site.
- Breeding population of common toads.
- Presence of slow worms, common lizards and grass snakes
- 36 species of bird recorded within the site /surrounding area during the surveys.
- Use of the site by breeding birds – potentially 26 species breeding within the site or adjacent habitat

- Evidence of foraging badgers within the immediate area
- Suitable habitat for hedgehog (although none were recorded during the survey)
- Least 8 species of foraging bat within the site.

When we originally reviewed the submitted surveys we did have concerns about why the surveys were carried out predominately within the boundaries of the site however from speaking to the planning we understand that large areas of the site is impenetrable scrub / vegetation.

We accept that the surveys provide a good understanding of the species present within the site and we currently do not require the submitted specific species surveys to be updated at this stage of the planning application.

However we do require the following information to be submitted to provide a greater understanding of the conclusions of the surveys:

#### *NVC surveys*

The NVC surveys have resulted in difference conclusions to the ARCH Habitat surveys (which were carried out in 2011). The ecologists have assessed that as the site was a former landfill site they believe it unlikely that sand dune habitat is present on the site. Please provide a map clearly showing the boundary of the extant landfill site to enable us to understand if all the habitat within the site has been established on the disused landfill site.

#### *Wintering Birds*

Kent has 4 coastal SPAs which have been designated for their migration/wintering bird interest highlighting Kent's importance to for migration/wintering birds. We advise that insufficient information has been provided detailing why the ecologists are satisfied that there is no requirement for a migratin/wintering bird survey to be carried out.

We advise that additional information is provided detailing why the ecologists do not believe there is a requirement for a full wintering bird survey to be carried out – we highlight that due to the time of year the ecologists must consider undertaking at least one survey visit as part of this assessment. The visit will help them support their conclusions or identify the need for a full survey to be carried out.

#### **Ecological Mitigation**

An outline mitigation strategy has been submitted with the planning application and we advise that it is not sufficient to demonstrate that the ecological interest of the site will be maintained if planning permission is granted.

Paragraph 1.15 of the Ecology Mitigation and Enhancement Plan details that the entire site will be cleared as part of the phase 1 works due to the works required on the ex landfill site. While we do accept that the proposed development will create some natural habitat within the site but there will be a significant reduction and works on the open space areas are not proposed to commence until 1-3 years after the remediation works have been completed.

We highlight that (if planning permission is granted) the creation of the open space is reliant on the reserve matters being submitted, approved and implemented within the anticipated time frame and there is a risk that this will not occur.

We advise that the submitted mitigation strategy is insufficient for SDC to be satisfied that the ecological interest of the site/area will be maintained if planning permission is granted.

We advise that as the vegetation clearance will be carried out within phase 1 there is a need for a detailed mitigation strategy to be submitted prior to determination and we recommend that the following is included:

- Enhancements of habitats outside the footprint of the proposed development
- Habitat creation works carried out upon completion of the remediation works

#### *Reptiles/Amphibians*

The submitted information has detailed that the receptor site to the north of the canal. From reviewing the aerial photos it appears that this site already has suitable reptile habitat and it is likely that reptiles and amphibians are already present within this site (it was not included within the original survey). In addition the site has a number of footpaths running through it and as such we do have concerns that there would not be sufficient capacity to support the additional reptiles and amphibians.

We advise that there is a need for additional information to be submitted detailing how the reptile/amphibian population will be mitigated for if planning permission is granted.

If you have any queries regarding our comments, please do not hesitate to get in touch.

**Helen Forster MCIEEM**  
**Biodiversity Officer**

This response was submitted following consideration of the following documents:  
*Technical Annex 3 – Ecology; August 2017; Shepway District Council*