



Ecological Mitigation Strategy

for

Land at Lady Dane Farm, Faversham, Kent

on behalf of

Crest Nicolson (Eastern)

May 2023

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James Blake Associates Ltd have made every effort to meet the client’s brief. However, no survey ensures complete and absolute assessment of the changeable natural environment. The findings in this report were based on evidence from thorough survey: It is important to remember that evidence can be limited, hard to detect or concealed by site use and disturbance. When it is stated that no evidence was found or was evident at that point in time, it does not mean that species are not present or could not be present at a later date: The survey was required because habitats are suitable for a given protected species, and such species could colonise areas following completion of the survey.

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Non-technical Summary

Site:	Land at Lady Dane Farm, Faversham
Ordnance Survey National Grid Reference:	TR 02902 60692
Report Commissioned by:	Crest Nicolson (Eastern)
Date of report:	May 2023

Considerations	Description	Potential impacts
Production of an ecological mitigation strategy	Mitigation measures: vegetation clearance precautions for nesting birds and hedgehogs, pre-commencement hand search for reptiles, pre-commencement survey for badgers, a sensitive lighting scheme for bats, protective fencing for retained boundary. vegetation incl. trees, habitat creation to mitigate loss of suitable habitat for reptiles and birds.	Safeguarding of any protected species using the site during construction. Improvement of conditions on site for bats, birds, reptiles, small mammals, and invertebrates.
Discharge of conditions relating to ecology	This report should enable the discharge of Condition 11	

1. INTRODUCTION

Background

- 1.1 James Blake Associates Ltd. (JBA) was commissioned by Crest Nicolson (Eastern) to provide an ecological mitigation strategy for the proposed development site at Lady Dane Farm, Faversham (Ordnance Survey National Grid Reference: TR 02902 60692, taken from the centre of the site).
- 1.2 The site has planning permission (planning application ref: 21/502927/FULL) for development of 88 no. dwellings with associated access, parking, and landscaping.
- 1.3 This Plan addresses Condition 11. The condition is as follows;
- ‘Prior to works commencing a detailed ecological mitigation strategy must be submitted to and approved in writing by the Local Planning Authority. It must be based on the information within the Ecological Assessment; (Bakerwell; May 2021) and the KCC Ecological Advice letter (dated 19th January 2022). The mitigation strategy must be implemented as detailed.’*
- 1.4 This report covers the application site and the requirement to provide further details regarding ecological mitigations.
- 1.5 Bakerwell Limited undertook an Ecological Assessment in 2021 which updated previous surveys undertaken by Lloyd Bore in 2013 and Bakerwell in 2018. Further surveys to establish the presence of absence of roosting and foraging bats were conducted in 2021 and a reptile survey was undertaken during April and May 2021.
- 1.5 This report covers the application site (red-line boundary) and the requirement to provide further details regarding ecological enhancements and habitat establishment.

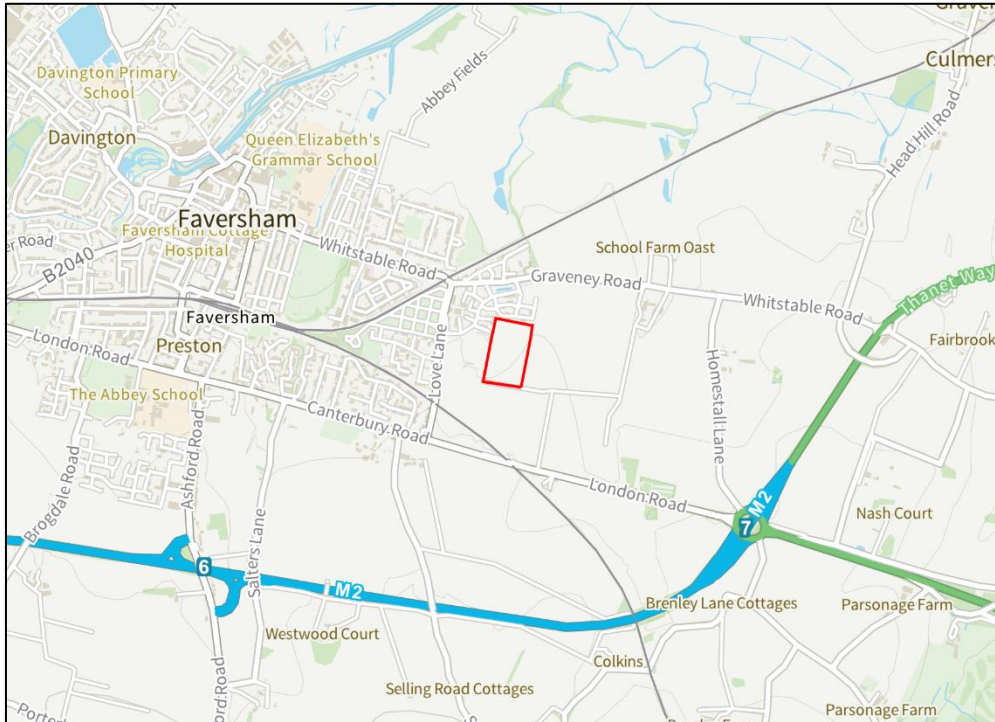
Site Description

- 1.6 The ecological assessment (Bakerwell, 2021) stated that the site is *‘located approximately 1.3km east of the centre of Faversham, approximately 1km north of the M2 and 0.33km north of the A2 Canterbury Road. The site is bounded by arable fields to the east, south and west. The north and north-western corner of the site is bordered by the ongoing residential development, with the mainline railway from Faversham to Canterbury beyond this. To the west are arable fields, with Love Lane, residential development, and Faversham Cemetery to the wider west.’*

1.7 Overall, the majority of the site was found to be of low ecological importance, with the grassland, arable and boundary trees lines in managed condition having low potential to support protected species.'

1.8 The site location is shown below in Figure 1.

Figure 1: Site location plan



(Magic Map Application: 100059700(c) Crown Copyright and database rights 2022.)

Aims and objectives

1.9 The aim of this report is to provide an ecological mitigation strategy for the site to be used in support of the development to enable the discharge of condition 11 on the grant of full planning permission.

Wildlife Legislation and Planning Policy

1.10 The relevant wildlife legislations and planning policies are listed below:

- Wildlife and Countryside Act, 1981 (as amended) (WCA). [Amended by the Countryside and Rights of Way Act (2000)].
- The Natural Environment and Rural Communities Act, 2006 (NERC).
- The Wild Mammals (Protection) Act, 1996.
- National Planning Policy Framework, 2021 (NPPF).

- Conservation of Habitats and Species Regulations 2017, ('The Habitats Regulations'). The Habitats Regulations implement The Habitats Directive 1992 (92/43/EEC) into English Law. (Amended by the Conservation of Habitats and Species (Amendment) Regulations 2012 S.I. 2012/1927).
- The Swale Borough Council Local Plan "Bearing Fruits 2031" was adopted July 2017. Policy MU6 applies to Land at Lady Dane Farm, Faversham. This site delivers part of that allocation

2. ECOLOGICAL MITIGATION STRATEGY

2.1 An enhancement and habitat establishment plan has been produced for the site (JBA 2023) and should be followed; a timetable for the implementation of these enhancements, as well as mitigation works, can be found in Appendix A.

Purposes and conservation objectives for the proposed works

2.2 The purpose of the proposed works outlined within this document is to enable the discharge of condition 11 as well as to safeguard any protected species that may be using the sites during construction.

Mitigation measures to achieve the stated objectives

2.3 If any trees identified as having BRP within the updated ecological walkover (JBA, 2022) are to be impacted, emergence bat surveys will be required, and any mitigation put into place prior to the commencement of works regarding these trees.

2.4 A pre-commencement badger survey should be undertaken within 6 months prior to the start of works. To ensure no badgers and their setts (if present) are to be impacted by the works.

2.5 Protective guards and Heras fencing is to be placed around habitat to be retained, such as hedgerows, ditches, trees etc. to protect from damage during construction. The Heras fencing should be installed and monitored as specified within an approved Tree Protection Plan (TPP) to ensure suitable protection during construction and prevent accidental damage.

2.6 As well as a TPP, detailed soft landscape plans should be drawn up and approved.

2.7 A hand search for reptiles is to be carried out by an ecologist prior to the commencement of works, within the previously approved receptor site to the north of the site. Any captured reptiles will be moved in to retained hedgerows in the south of the site adjacent to the proposed open space (Bakerwell 2021).

- 2.8 All trenches left open overnight to be covered or an escape ramp provided to enable hedgehogs, other small mammals etc. to climb out.
- 2.9 As detailed within the previous ecological assessment (Bakerwell 2021);
- Construction works will take place during daylight hours only, no artificial lights will be used to light the boundary habitats either during the construction period (or following completion);
 - The lighting for the scheme will comply with the latest guidance, currently Guidance Note 08/18: Bats and artificial lighting in the UK (Bat Conservation Trust, 2018) and take account of commuting and foraging bats, by ensuring that there is no excess light spillage on mature trees on or off site, or features introduced for bats;
 - Where practical baffles, downward-facing lights or bollard-level lighting will be used, and these will be low-wattage lights with limited lighting within the UV spectrum;
 - Security lighting will be kept to a minimal level (as necessary for safety and security), to be set on short times, be hooded, and to be motion-censored to large moving objects only.
- 2.10 Species rich wildflower grassland will be included to address the loss of improved grassland on site and to provide high quality habitats for use by reptiles such as common lizards previously recorded to the north of the site.
- 2.11 A traditional orchard will be included in the open space to the south, to provide replacement fruit and nut bearing habitat.
- 2.12 Mixed native scrub will be included to provide alternative habitat for breeding birds as those recorded on site and associated arable habitats, including those found within the Abbey Fields LWS to the north.
- 2.13 Any vegetation removal should be undertaken outside the nesting bird season which is deemed to be from mid-March to mid-August. If this timing is not possible then a nesting bird check must be carried out by a suitably experienced person, no more than 48 hours between the check and the removal. If the 'all clear' is given, then removal/works can commence. The survey lasts for no longer than 48 hours. If works are not completed in this time frame, then a re-survey will need to be carried out. If

birds are found to be nesting, then no works should be undertaken within at least 10m of the nest until chicks have fledged.

- 2.14 It is recommended that if scrub is to be removed then scrub areas should be cut to 20cm using hand-held tools (brushcutter/trimmer) and checked for hedgehog before removal

Persons responsible for implementing the works

- 2.15 Initial construction works and installing the various forms of enhancement to be implemented by the Site Management Team and suitable appointed contractors, such as landscape contractors, fencers, brick layers etc.
- 2.16 Specific placement of nest boxes on boundary trees must be agreed with an Ecological Clerk of Works (ECoW) at the time of installation.

3. Conclusions

- 3.1 An Ecological Mitigation Strategy has been drawn up which will safeguard wildlife using the site during construction. The strategy will also help to increase the potential of the proposed development site to support wildlife by the provision of bat and bird boxes, as well as hedgehog links and log piles as important hibernacula for wildlife. Suggestions for the management of enhancements are included.
- 3.2 The Ecological Mitigation Strategy was required by the grant of planning permission; this report should enable Condition 11 to be discharged.

References

Bakerwell (2021) *Ecological Assessment – Phase 2 Site, Land at Lady Dane Farm, Faversham, Kent*

James Blakes Associates (2023) *Ecological Enhancement and Habitat Establishment Strategy for Land at Lady Dane Farm, Faversham, Kent*

Web references:

MAGIC:

<https://magic.defra.gov.uk/>

Appendix A. Timetable for implementation of ecological works

Timings		Feature/species of interest	Action	Person responsible
When to Undertake	Year			
During construction	From 2023	Small mammals etc.	Trenches to be covered overnight or escape ramp left to enable animals to find their way out.	Site manager
During construction	From 2023	Bats and birds	Bird and bat boxes to be erected on new building at time of build.	Site manager with advice from Ecological Clerk of Works (ECoW)
During construction	From 2023	Hedgehogs	Create links at the base of fences/walls.	Site manager with advice from ECoW
During construction	From 2023	Small mammals, and other wildlife	Create log piles	Site manager with advice from ECoW
During construction - Spring/summer/autumn	From 2023	Landscaping	Preparation of substrate, sowing seed, removing any invasive weed species etc.	Site manager
End of construction	From 2023	Birds	Bird boxes to be erected on proposed heavy standard trees at end of construction.	Site manager with advice from ECoW
Post-construction	From 2023	Bats	Annual check for damages from the ground.	Appointed management company. If boxes require replacing/fixing then ECoW advice should be sought
Post-construction	From 2023 (between October and February)	Birds	Annual cleaning and check for damages (outside breeding bird season).	Appointed management company.