

Our ref: 1006196 006 let mg

15 December 2023

Marion Geary
Kent County Council
County Hall
Maidstone
ME14 1XQ

Aspect Ecology Ltd
West Court
Hardwick Business Park
Noral Way
Banbury
Oxfordshire
OX16 2AF

T: 01295 279721
E: info@aspect-ecology.com
W: www.aspect-ecology.com

Sent By E-Mail Only

Dear Marion,

23/504471/OUT LAND AT MOAT ROAD, HEADCORN

This letter responds to comments made by Kent County Council's Ecological Advice Service (KCC EAS) in their letter to you dated 14 November 2023 further to their review of material submitted in support of the above application.

KCC EAS identified two issues for which further information was requested prior to determination of the planning application. To assist you in this matter our responses to these two items are set out below.

1. Great Crested Newt

The District Level Licensing process is ongoing at this time. To date we have submitted our signed IACP to Natural England and this is now with them in the process of being countersigned. We expect the countersigned IACP form to be available in early January. We appreciate that this information is required prior to determination and will provide the countersigned document as soon as it is available.

2. Bat Emergence Surveys of Building B4


We are surprised that concerns with the bat surveys are now being raised as the previous response from KCC EAS of 22 December 2022 expressed no concerns, and a response to this specific issue was made at that time as follows:

"Bats

Bats were found roosting in building B4 (as labelled within the report) and, as such, a licence will need to be obtained from Natural England. We are satisfied with the mitigation proposals regarding the construction phase and can provide example condition wording once the above information has been provided.

Given the presence of foraging and commuting bats, combined with the site's relatively rural setting, external lighting will have to be carefully designed to minimise light pollution. We can provide example condition wording once the above information has been provided."

The 'above information' cited in the above quote refers to other issues than bats for which further information was requested at that time and which has since been provided, to the satisfaction of KCC EAS.



Notwithstanding the above, we would reiterate that the ecology report provides all of the relevant bat data obtained. Emergence surveys noted three observations of individual common pipistrelle bats leaving building B4 via the main barn entrance. The report states "...given that bats use more than one entrance of this building, it is also possible that these bats had simply passed through this building." However the report takes a precautionary approach using this information to characterise the roost: "Based on this, and taking a precautionary approach, Building B4 is considered to be likely to provide a day roost or feeding roost for a small number of Common Pipistrelle."

In approving the application, the LPA need to have the confidence that mitigation is reasonable in this situation and while they are correct in that the guidance suggests that further surveys may be required to characterise a roost, their response of December 2022 indicates that they are satisfied with the level of information provided.

We would add that based on the relative paucity of potential roost features (which led to assessment of the building as having low potential to support bats) and the thorough internal inspections undertaken of the building which showed an absence of any other evidence of roosting bats it is likely that the building provides an incidental roost for low numbers of Common Pipistrelle bats at most. It is extremely unlikely that the building provides a maternity roost, or a bat roost other than one used incidentally. The building is not suitable to provide a winter roost.

In our view (and we presume the previously expressed view of KCC EAS according to their December 2022 response) the level of information provided is sufficient to reassure the LPA that mitigation is appropriate and therefore sufficient to inform a planning application, and that further surveys are not required to characterise the roost further prior to determination of the application.

This said, we acknowledge that further updated bat surveys will be necessary to inform the licence application as bat data from 2021 will not be sufficient to satisfy Natural England in this respect. Further, updated bat surveys will need to be undertaken for the purpose of determining the numbers of bats that the licence would need to cover. This may require up to three survey visits during spring/summer 2024. In the eventuality that these surveys do not find any bats or evidence of them, we will not be able to apply for (nor would we need) a licence as we can then confirm that the building is no longer (or never was) used as a bat roost. We would in that case take a precautionary approach during demolition anyway (and if bats are found would then obtain a licence if necessary).

Please contact me should you require any further information in relation to this matter.

Yours sincerely



Andy Bascombe
Director