

Benjamin Bailey

Subject: RE: PLAN/2019/1176
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From: Heather Lewis
Sent: 19 February 2020 16:58
To: Benjamin Bailey
Subject: RE: PLAN/2019/1176

Dear Mr. Bailey,

Thank you for consulting the Surrey Wildlife Trust with regards to the above referenced proposed development. I note that the following ecological documents have been submitted in support of the proposed development; 'Great Crested Newt Report', dated 20th November 2019; 'Preliminary Ecological Appraisal', dated 24th April 2019; and 'Bat Surveys', dated 20th November 2019, all author The Ecology Consultancy.

Having read submitted documentation and reviewed our records, we have the following comments and recommendations;

Landscape and Ecological Management Plan

The National Planning Policy Framework (NPPF) makes it clear that *"Planning... decisions should contribute to and enhance the natural environment by.. minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures"* (paragraph 170). Paragraph 175 also requires that *"opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity"*.

Should the Council be minded to grant planning permission for this proposed development, we recommend that the Council requires the development to be implemented in accordance with an appropriately detailed landscape and ecological management plan (LEMP).

This document should be submitted to and approved in writing by the Council prior the commencement of development. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in paragraphs 4.32 to 4.42 of the above referenced Preliminary Ecological Appraisal report and should include adequate details of the following;

- Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal
- Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings.
- Aims and objectives of management
- Appropriate management options to achieve aims and objectives
- Prescriptions for management actions
- Preparation of a work schedule for securing biodiversity enhancements in perpetuity
- Details of the body or organisation responsible for implementation of the LEMP
- Ongoing monitoring and remedial measures.
- Details of legal / funding mechanisms.

Sensitive Lighting

Three species of bats have been identified as present locally to the development site. As nocturnal animals, bats are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. Paragraph 180 of the National Planning Policy Framework states that planning policies and decisions should "limit the impact of light pollution from artificial light on ... dark landscapes and nature conservation".

The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at habitat features that provide suitable foraging or commuting resource for bats. In order to comply with above referenced legislation, any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series". **We advise that compliance with this best practice guidance is secured through a Sensitive Lighting Management Plan submitted to the Council for approval prior to commencement of development.**

Protected species – reptiles

The above referenced Ecological Report identifies some suitable habitat for reptiles within the footprint of development which is proposed for removal. The proposed development will result in works affecting some suitable terrestrial habitat for these species. All native UK reptiles are listed as Species of Principle Importance within the Natural Environment and Rural Communities Act 2006. Section 40 of the NERC Act places a duty on the Council to conserve biodiversity, whereby 'conserve' is clarified as meaning 'restoring or enhancing a population'. There is therefore a statutory requirement not just to avoid killing and injuring of reptiles, but also to seek to restore or enhance their population.

All native UK reptile species are also legally protected under Schedule 5 of the Wildlife and Countryside Act (1981) (as amended) and as such are protected from killing or injuring. UK Native species are also listed as a species of Principle Importance within the Natural Environment and Rural Communities Act 2006.

While the above ecological report did not identify the presence of reptiles with the footprint of development, suitable habitat for them does exist on site and there is the potential for them to move into the site.

Should the Council be minded to grant planning permission of the proposed development, I recommend that the Council require the development to only proceed in a precautionary manner that will avoid the killing or injuring of any individual reptiles that may be identified during development.

Precautionary working methods should follow best ecological practice and should include;

- All clearance works of suitable habitat should ideally be taken when common reptiles are likely to be fully active i.e. during the April to September period
- Clearance of logs, brash, stones, rocks or piles of similar debris will be undertaken carefully and by hand.
- Clearance of tall vegetation should be undertaken using a strimmer or brush cutter with all cuttings raked and removed the same day. Cutting will only be undertaken in a phased way which may either include:
 - o Cutting vegetation to a height of no less than 30mm, clearing no more than one third of the site in anyone day or;
 - o Cutting vegetation over three consecutive days to a height of no less than 150mm at the first cut, 75mm at the second cut and 30mm at the third cut
- Following removal of tall vegetation using the methods outlined above, remaining vegetation will be maintained at a height of 30mm through regular mowing or strimming to discourage common reptiles from returning.
- Ground clearance of any remaining low vegetation (if required) and any ground works will only be undertaken following the works outlined above.
- Any trenches left overnight will be covered or provided with ramps to prevent common reptiles from becoming trapped.
- Any building materials such as bricks, stone etc. will be stored on pallets to discourage reptiles from using them as shelter. Any demolition materials will be stored in skips or similar containers rather than in piles on ground.
- Should any common reptiles be discovered during construction, which are likely to be effected by the development, works will cease immediately. The developer will then seek the advice of a suitably qualified and experienced ecologist and works will only proceed in accordance with the advice they provide.

Regards,

**Heather Lewis BSc (Hons), MSc
Conservation Manager, Planning.**

Tel; 01483 795472

I work part time hours Monday to Friday 9am to 3pm.