


From: PlanningAndGrowth Email

Subject: FW: RE: 22/00319/FUL - Solar farm - Land To The West Of Wood Lane And Stocking Lane, Kingston Estate ,Gotham



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## OFFICIAL

Dear Craig Miles

Thank you for your email of 22/4/22.

Ecological surveys should be provided by developers where there is a reasonable likelihood of protected species, habitats or sites being affected adversely within the application site, or on land adjacent to or near the application site. Developer that may not need to provide a detailed survey if they are able to show that protected species are unlikely to be affected even if they are on or near a development site (see Natural England guidance [Protected species and development: advice for local planning authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/protected-species-and-development-advice-for-local-planning-authorities)).

Sites – the proposals, are unlikely to impact directly on sites away from the development site, other than potentially run off during construction, therefore this does not require further assessment of sites and measures to address any potential run off have been recommended to be included.

Habitats - The proposals submitted by the applicant, show they plan to develop predominantly within the area currently occupied by arable crops or improved grasslands – these are not priority habitats under Section 41 (41) of the Natural Environment and Rural Communities (NERC) Act or ecologically

significant habitats (although they can support protected / priority species, which will be addressed below). Arable field and improved grassland can be cultivated, without permission and are therefore temporary habitats subject to rapid change, there is therefore no need to carry out detailed surveys of these habitats.

Habitats which are more significant are found adjacent to the development areas, where these are to be impacted they should be subject to survey, however a competent ecologist should be able to rapidly assess the habitat type outside the optimal season for botanical surveys and identify where further surveys are likely to be required within the optimal season for botanical surveys. I note that the two surveyors for the Phase 1 Habitat report are full members of the Chartered Institute of Ecology and Environmental Management (CIEEM) and are therefore classified as competent ecologists and bound by the Chartered Institute of Ecology & Environmental Management's (CIEEMs) Code of Professional Conduct.

The consultant ecologists concluded "The survey of Fields 1 to 16 and the intervening woodland (i.e. all lands except the extremity north of Field 5; see Figure 3 of Volume 2: Planning Application Drawings) was performed outside the optimal season for botanical surveys (which is April to September). However, given the habitats encountered, it is not considered that this places a significant constraint on the interpretation of the Application Site's ecological interest." Due to the competency demonstrated by the consultant ecologists membership of CIEEM, this statement should be accepted, unless there is contrary evidence.

Species – Protected and Priority species have been identified these include low roosting potential for bats (within trees) and rare plants Epilobium, Black bryony and field bindweed within hedgerows. Wild birds were found (all common species) Skylark also may potentially use habitat on site; Habitats have potential to support invertebrates; amphibians, potentially including Great Crested Newts (however none were identified); reptiles; commuting and foraging Bats particularly along linear features; and terrestrial mammals [REDACTED] Brown Hare).

However the applicant has demonstrated the main habitats to be impacted (Arable and Improved Grassland) are unlikely to impact on these protected / priority species. Where higher value habitats are to be impacted these will be small scale and will not have significant impact.

As previously mentioned Natural England states "A detailed survey may not be required if the applicant is able to show that protected species are unlikely to be affected even if they are on or near a development site. "

Overall therefore it has been demonstrated that, it is unlikely that significant impacts, that are likely to impact on the conservation status of a protected or priority species will occur; therefore I would conclude the survey is sufficient to make a planning determination, subject to the following conditions:

- Pre commencement surveys are required for Badgers.
- All trees with potential to support bats that will be affected as a result of development works will require further survey to establish the possible presence/absence of bat roosts

Yours Sincerely

Paul Phillips (CEnv, MCIEEM, MSc)

Ecology and Sustainability Officer

(Normal working days Tue – Fri)

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