

TABLED UPDATE FOR ITEM 3.2

21/504369/FULL - Land North of Warden Road, Eastchurch, Kent, ME12 4EN

Kent County Council Ecology Team have provided some feedback on the application. They have confirmed that they would not require any ecological information prior to the determination of the application but would suggest including the following informatives and conditions on any future decision notice should the application be approved:

A breeding bird informative:

'The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.'

A precautionary condition for reptiles/Great Crested Newt:

'Prior to the commencement of works (including site clearance), a precautionary mitigation methodology for reptiles/Great Crested Newt will be submitted to, and approved by, the local planning authority. The approved methodology will be implemented thereafter.'

Reason: 'In the interests of mitigating against the potential effect of the development on protected species.'

A biodiversity off-setting/enhancement condition:

'Within six months of works commencing, details of how the development will offset biodiversity loss/enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include native species-only landscaping equivalent in size to at least the area of grassland lost to the development. The approved details will be implemented and thereafter retained.'

Reason: 'In the interests of encouraging biodiversity.'

Contribution to the north Kent SAMMS:

The development includes proposals for new dwellings within the zone of influence (6km) of The Swale Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Swale Borough Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

Other than noting the conditions to be added and the requirement for a SAMMS payment in the event of an approval, my recommendation for refusal remains unchanged.