

PLANNING AND LICENSING COMMITTEE

25th October 2016

SUPPLEMENTARY INFORMATION TO SCHEDULE OF APPLICATIONS

1. **Y16/0672/SH** **LAND ADJACENT HERNE COURT HORN STREET**
(Page 11) **FOLKESTONE KENT**

Erection of a three storey block of six flats (6 x 1-bedroom units) together with parking and associated development.

Mr Gordon Banks, local resident to speak against the application
Cllr Peter Gane, ward member, to speak against the application
Andy Jarrett, applicant, to speak in support of the application

2. **Y16/0062/SH** **THE OUTLOOK PILGRIMS WAY MONKS HORTON**
(Page 31) **ASHFORD**

Change of use from storage and distribution (B8) to residential (C3) with associated keeping of horses with the construction of a new detached dwelling, attached stable block, garage and retaining structure, following removal of existing buildings.

Cllr Frank Hobbs, on behalf of Postling Parish Council, to speak on the application
Cllr Susan Carey, ward member, to speak in support of the application
Cassion Castle, applicant's agent, to speak in support of the application

3. **Y16/0584/SH** **44 SANDGATE HIGH STREET SANDGATE**
(Page 63) **FOLKESTONE KENT**

Change of use from shop (class A1) to studio flat (class C3) with no external alterations to the building

Cllr Kurt Stephens, on behalf of Sandgate Parish Council, to speak on the application

2. Y16/0062/SH (Page) THE OUTLOOK PILGRIMS WAY MONKS HORTON ASHFORD

Change of use from storage and distribution (B8) to residential (C3) with associated keeping of horses with the construction of a new detached dwelling, attached stable block, garage and retaining structure, following removal of existing buildings.

CONSULTATION RESPONSE

KCC Biodiversity Officer – No objection, subject to further information being submitted.

Under the Natural Environment and Rural Communities Act (2006), “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. In order to comply with this ‘Biodiversity Duty’, planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

The National Planning Policy Framework states that “the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible.”

Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System states that “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.” Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation. We have reviewed the information submitted with the planning application and we have the following comments to make:

We advise that sufficient ecological surveys have been carried out and the ecological surveys have recorded the following:

- Badger latrines and badgers runs
- Possible Badger outlier sett
- Least 5 species of foraging/commuting bats
- Roosting Common Pipistrelle and Brown Long Eared Bats
- Nesting Birds
- Calcareous grassland (priority/BAP habitat)

In addition the ecological scoping survey highlighted that the boundaries of the site identified potential for reptiles and dormouse to be present. However as these habitat would not be directly impacted by the proposed development we accepted the conclusion that there was no requirement to carry out specific species surveys for these species. Limited information has

been provided on the mitigation required to avoid impacting these species. Ideally it would be preferable if an outline of the mitigation required can be submitted prior to determination however if SDC is considering granting planning permission we advise that a detailed protected species mitigation strategy is submitted as a condition of planning permission prior to any works commencing on site.

We understand that the proposed development will result in the active management of the calcareous grassland and the creation of a green roof. If managed appropriately these are likely to benefit biodiversity in the long term. The calcareous grassland is to be grazed by horses so there is a need to ensure that areas of the grassland are grazed on rotation and there are areas of the grassland have limited or no grazing - if the grassland is grazed too heavily on a regular basis it is likely that the number of grassland species will decline.

Ideally an outline management plan should be submitted demonstrating how the applicant is proposing to actively manage the grassland if planning permission is granted. If the information is appropriate we would then expect a detailed management plan to be produced and submitted as a condition of planning permission.

Enhancements

One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity in and around developments should be encouraged”.

In addition to the creation of a green roof and active management of the calcareous grassland we would recommend that the following enhancements could be incorporated in to the development (if granted):

Erection of bat and bird boxes within the hedgerows

Creation of reptile refugia – particularly in areas where the grassland will not be grazed by horses.