



ECOLOGICAL IMPACT ASSESSMENT

Former Aldi store, 70 to 72 High Street, Hythe

On behalf of: Churchill Living Ltd

Client:	Churchill Living Ltd			
Project:	Former Aldi store, 70 to 72 High Street, Hythe			
Reference:	LLD3847-ECO-REP-001-00-EcIA			
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Validity:

This report is valid for 18 months from the date of the site visit. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.



LIZARD
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Table Of Contents

Summary	1
1.0 Introduction	2
2.0 Methodology	4
3.0 Baseline Ecological Conditions	13
3.2 Designated Sites	13
3.3 Local Non-Statutory Protected Areas	14
4.0 Assessment of Effects	22
5.0 Ecological Enhancements	26
6.0 Conclusions	27
7.0 References	28

FIGURES

Figure No. 01 – Site Habitat Plan

APPENDICES

Appendix A – Planning Policy and Legislation

Appendix B – Full Survey Results



SUMMARY

Lizard Landscape Design and Ecology has been commissioned by Churchill Living Ltd to undertake an Ecological Impact Assessment of the proposed development of Former Aldi store, 70 to 72 High Street, Hythe (*Grid Reference: TR 16118 34725 – hereafter referred to as 'the site'*). An initial assessment of the site was undertaken on the 26th of August 2025. Bat emergence surveys were recommended and subsequently undertaken in August and September 2025. An updated site walkover was subsequently undertaken on the 5th of May 2026 to confirm or update the previous findings. An assessment of the ecological impact of the proposals was then undertaken using this baseline data.

The site is a derelict ALDI building situated within a mixed-use area, just north of the Royal Military Canal and east of Hythe train station. The site is bounded to the east by residential property lining Mount St and by mixed-use buildings to the north and west. To the south, the A259 and open green space separate the site and the Royal Military Canal.

The proposed development is not within or adjacent to any protected site and no significant impact to any designation shall occur as a result of the proposals.

The results of the bat emergence survey strongly suggest the likely absence of a bat roost within the site. No further survey visits or any mitigation measures are required; the scheme is considered highly unlikely to contravene the protection afforded bats under The Conservation of Habitats and Species Regulations 2017 (as amended).

The site also offers some suitable habitats for nesting birds. Avoidance and mitigation measures have been built into the design of the scheme in accordance with the mitigation hierarchy and BS42020: 2013.

Once avoidance, mitigation and compensation measures have been taken into account, the impacts of the planned development upon biodiversity will be **negligible and non-significant** with proposed ecological enhancements resulting in a Biodiversity Net Gain.

1.0 INTRODUCTION

- 1.1 Lizard Landscape Design and Ecology has been commissioned by Churchill Living Ltd to undertake an Ecological Impact Assessment of the proposed development of Former Aldi store, 70 to 72 High Street, Hythe (*Grid Reference: TR 16118 34725– hereafter referred to as ‘the site’*).
- 1.2 The scope of this assessment has been determined with consideration of best-practice guidance provided by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2018) and the Biodiversity: Code of practice for planning and development published by the British Standards Institute (BS 42020:2013).
- 1.3 An initial assessment of the site was undertaken on the 26th of August 2025. Bat emergence surveys were recommended and subsequently undertaken in August and September 2025.
- 1.4 An updated site walkover was subsequently undertaken on the 5th of May 2026 to confirm that site conditions were unchanged.
- 1.5 A summary of the results of these surveys, potential impacts of the proposals, and details of avoidance, mitigation and compensation measures have been detailed within this report. Residual impacts are then discussed once all mitigation and compensation measures have been taken into account.

Site Information

- 1.6 The site covers an area of c. 0.23ha and is a derelict ALDI building situated within a mixed-use area, just north of the Royal Military Canal and east of Hythe train station. The site is bounded to the east by residential property lining Mount Street and by mixed-use buildings to the north and west. To the south, the A259 and open green space separate the site and the Royal Military Canal.

Surrounding Landscape

- 1.7 The direct surrounding area is predominantly urban and made up of mixed-use properties, with some interspersed green spaces. Further to the south is Hythe beach whereas to the north, east and west more rural land such as treelines and woodland can be seen.

Development Proposals

- 1.8 It is understood that the proposals include redevelopment of the site for retirement living accommodation and commercial uses.

Report Aims

- 1.9 The aim of the baseline surveys and Ecological Impact Assessment has been:
- Describe baseline conditions at the site;
 - Determine the importance of features which may be impacted by the scheme;
 - Identify impacts of the proposed development and set out appropriate avoidance, mitigation and compensation measures;
 - To identify any residual impacts;
 - To provide details of enhancements to be incorporated into the scheme;
 - Provide sufficient information to determine whether the project accords with relevant nature conservation policies and legislation, and where appropriate, to allow conditions or obligations to be proposed by the relevant authority.

2.0 METHODOLOGY

2.1 Desk Study

- 2.1.1 The Multi-Agency Geographical Information Centre (MAGIC) website was consulted for information regarding the location of waterbodies, priority habitats, statutory designated sites and existing wildlife mitigation licences, within a potential zone of influence of the site. Additionally, the Local Planning Authority (LPA) website was consulted for information regarding the location of non-statutory designated areas, and satellite imagery and historic mapping was used to inform an assessment of the recent land use changes and habitat types within the area. The following potential zones of Influence's have been used for the following potential ecological receptors during the desk study assessment:

Table No. 01 – Zones of Influences for Ecological Receptors

Potential Zone of Influence	Type of Record / Designation/s / Ecological Receptor
0.5km	• Ponds, ditches and other water bodies.
2.0km	• Priority Habitats (UKBAP) (NERC, 2006); • European Protected Species Mitigation Licences (EPSMLs); • Local Nature Reserves (LNRs); • National Nature Reserves; • Sites of Special Scientific Interest (SSSIs); and • Local Wildlife Sites (LWS) / Site of Nature Conservation Interest (SNCI).
10.0km	• Special Protection Areas (SPAs); • potential Special Protection Areas (pSPAs); • Ramsars (Wetlands of International Importance); • proposed Ramsars (pRamsar); • Special Areas of Conservation (SACs); and • possible Special Areas of Conservation (pSACs).
12.0km	• Special Areas of Conservation (SACs) and possible Special Areas of Conservation (pSACs) designated for supporting Annex II bat species.

- 2.1.2 The Local Planning Authority website was consulted to inform of additional relevant information to this assessment, including local development plan policies in relation to ecology and biodiversity (see *Appendix A – Planning Policy and Legislation*) as well as any Local Nature Recovery Strategies, Nature Improvement Areas (NIAs) and Biodiversity Opportunity Areas (BOAs) etc.
- 2.1.3 Historical satellite imagery, along with previous site images provided by the client, were used to estimate the classification and value of habitat prior to the site visit.

2.2 Field Survey

- 2.2.1 The initial field survey was undertaken on the 26th of August 2025 by a Suitably Qualified Ecologist (Sam Hall – 4 years survey experience (accredited agent under NE Class 2 licence). Weather conditions were warm (c.20°C), with a moderate south-westerly wind (Beaufort Scale 2), 40% cloud cover and dry.
- 2.2.2 An updated field survey was undertaken on the 5th of May 2026 by a Suitably Qualified Ecologist (Lourise Catibog – 1.5 years survey experience. Weather conditions were mild (c.16°C), with a moderate south-westerly wind (Beaufort Scale 2), 70% cloud cover and dry.
- 2.2.3 The field surveys comprised a walkover inspection of the site, immediately adjacent land and boundaries features, in which ecological features were noted and mapped in accordance with principles of the UKHabs-Professional Classification System (UKHabs Ltd., 2023). A minimum mapping unit of 25m² / 5m length was used and habitats were identified to at least level 4 wherever practicable. Habitat categories were slightly amended to be consistent with those used as part of Biodiversity Net Gain calculations.

2.3 Daytime Bat Walkover Survey

- 2.3.1 A Daytime Bat Walkover (DBW) survey was undertaken in August 2025, and updated on the 5th of May 2026 by a suitably experienced surveyor Lourise Catibog.
- 2.3.2 The Daytime Bat Walkover (DBW) survey entailed a slow walkover of the site, during which time the surveyor identified any structures, trees and other features that could be suitable for bats to roost in, and any habitats which could be suitable for bats to commute, forage or swarm in.
- 2.3.3 During this survey any direct evidence of bats was searched for and recorded, such as grease marks, urine stains, bat droppings, feeding remains and dead / live bats. Furthermore, any structures or trees which offered features with the potential to support bats were noted. For trees this included the identification of features such as, but not limited to, cracks, crevices and holes naturally formed by trees. For structures this included the identification of features such as, but not limited to, slipped, missing or uneven tiles, gaps around the soffit / barge board, raised flashing.

Evaluation Criteria

- 2.3.4 All suitable bat habitat was assessed in accordance best practice criteria (Collins, 2023), which is outlined herein. During the survey all trees within and immediately adjacent to the site were assessed using the following criteria:

Table No. 02 – Criteria for Assessing the Bat Roosting Suitability of Trees

Suitability	Description
None	Either no potential roosting features in the tree, or highly unlikely to be any.
FAR	Further assessment required to establish if potential roosting features are present in the tree.
PRF	A tree with at least one potential roosting feature present.

- 2.3.5 If it was possible to adequately assess a Potential Roosting Feature (PRF) from ground level then this was completed, and the feature classified as either:

- **PRF-I:** Feature only suitable for individual or very small numbers of bats, either due to size or lack of suitable surrounding habitat; or
- **PRF-M:** PRF is suitable for multiple bats and therefore has the potential to be used by a maternity colony.

2.3.6 Furthermore, all structures were assessed externally, and internally wherever possible for their potential to support bats, using the following criteria:

Table No. 03 – Criteria for Assessing the Bat Roosting Suitability of Structures

Potential Suitability	Description
None	No habitat features on site likely to be used by any roosting bats at any time of year.
Negligible	No obvious habitat features on site likely to be used by roosting bats. However, some small uncertainty remains, as bats can use small and apparently unsuitable features occasionally.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of year. However, these do not provide enough shelter, space, protection, appropriate conditions or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat, but unlikely to support a roost of high conservation status, irrespective of species conservation status.
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat, with the potential to support high conservation status roosts irrespective of species conservation status.
Confirmed	Direct evidence of bats identified.

- 2.3.7 Finally, an assessment of the winter hibernation potential of the structures was made, in accordance with the following criteria:

Table No. 04 – Criteria for Assessing the Winter Bat Roosting Suitability of Structures and Trees

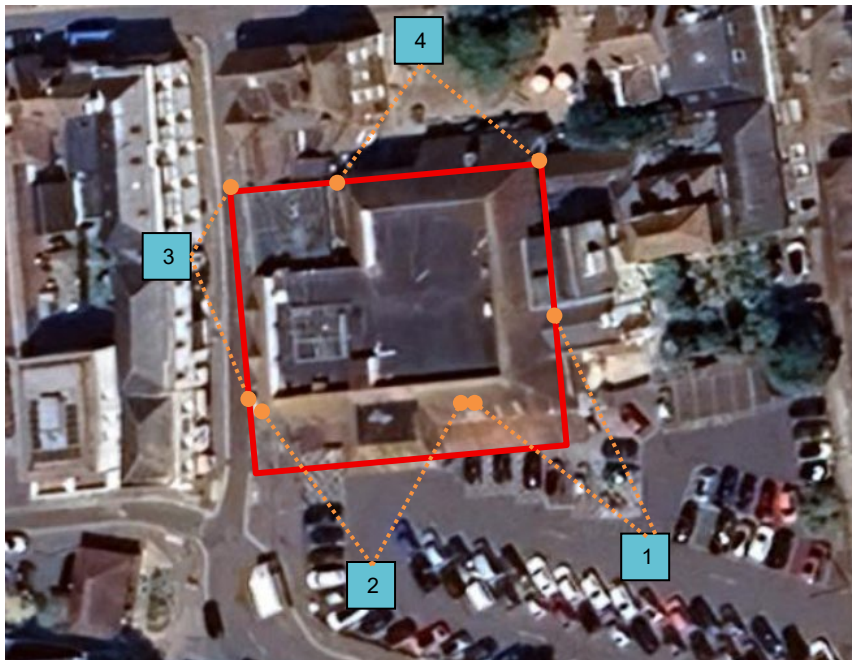
Potential Suitability	Description
Low	No or very limited potential winter roosting habitat
Moderate	Non classic site
High	'Classic sites', which offer stable humidity and consistent temperatures throughout the winter period, such as underground sites, cellars, tunnels etc.

2.4 Badger Walkover Survey

- 2.4.1 A walkover survey was undertaken on 26th of August 2025 by an experienced ecologist. The survey area covered the red line boundary of the site, and all land within a 30m radius (where access was available).
- 2.4.2 The survey area was systematically searched for any evidence of badger such as:
- Setts.
 - Latrines.
 - Snuffle Holes.
 - 'Push-unders' through boundary fencing.
 - Hair caught on fencing or sett entrances.
 - Prints left in mud or sand.
 - Mammal tracks.
- 2.4.3 Any evidence was then mapped to allow the status and distribution of badger activity to be assessed.

2.5 Bat Emergence Survey

- 2.5.1 In accordance with current best practise guidelines, 2no. bat emergence surveys were completed on the 26th of August and 30th of September 2025 to ascertain the presence / likely absence of a roost within the buildings.
- 2.5.2 4no. bat surveyors were assigned a point each to adequately cover all potential roost features of each building. 4no. infra-red cameras with additional illuminators were also used to aid the survey and placed alongside each surveyor



Location of Survey Points and IR cameras.

- 2.5.3 The survey started 15 minutes before sunset and terminated approximately 1.5 hours after sunset. Data including species, behaviour and general patterns of activity were recorded throughout the survey. Details of the survey visits can be found in *Table No. 01*.

Table No. 05 – Bat Emergence Survey Details

Date	26/08/25	30/09/25
Survey Type	Dusk	Dusk
Surveyors	SH, LD, AB, RE	AC, LD, OB, RE
Weather	19°C, WF2, 40% cloud, dry	15°C, WF0, 20% cloud, dry
Sunset	19:53	18:34
Start	19:38	18:19
Finish	21:23	20:04

Data Analysis

- 2.5.4 Bats were identified using Echo Meter Touch Pro 2 and Peersonic RPA3 full spectrum bat detectors. Sonogram analysis was undertaken using the Kaleidoscope programme.

Surveyor Details

- 2.5.5 The surveys were led by a licenced surveyor or accredited agent, assisted by experienced field ecologists. The following surveyors were used during these surveys:

- Sam Hall – 4 years survey experience (accredited agent under NE Class 2 licence).
- Richard Emerson – 4 years survey experience (accredited agent under NE Class 2 licence).
- Luke Davenport – 2 years survey experience.
- Anthony Brown – 1 years survey experience.
- Angus Cairncross – 2 years survey experience.
- Owen Beesley – 2 years survey experience.

2.6 Ecological Impact Assessment

2.6.1 The methodology for Ecological Impact Assessment (EclA) follows best practice guidelines set by the Chartered Institute of Ecology & Environmental Management (CIEEM): 'Guidelines for Ecological Impact Assessment' (CIEEM, 2018). This includes identifying the baseline conditions on the site and subsequently rating the potential effects of the development based on the sensitivity and value of the resource affected, combined with the magnitude, duration and scale of the impact (or change). This is initially assessed without mitigation measures, and then assessed again after allowing for the proposed mitigation measures; this provides the residual effects. The assessment is divided into construction effects and longer-term operational effects.

2.6.2 The CIEEM guidelines (2018) state that ecological features should be considered within a 'defined geographical context'. The geographical frame of reference used to determine ecological importance in this assessment is detailed below:

- International and European;
- National;
- Regional;
- County;
- District;
- Local;
- Site Level;
- Negligible.

2.6.3 Based upon CIEEM guidance, value was determined with reference to the following factors:

- Its inclusion as a Designated Site or other protected area;
- The presence of habitat types of conservation significance, e.g. Habitats of Principal Importance (NERC 2006);
- The presence (or potential presence) of species of conservation significance e.g. Species of Principal Importance (NERC 2006);
- The presence of other protected species e.g. those protected under The Wildlife and Countryside Act 1981;

- The sites social and economic value.

2.6.4 The ecological impacts resulting from the proposals were then described according to a defined set of characteristics as defined within '*Guidelines for Ecological Impact Assessment in the UK and Ireland*' (CIEEM, 2024). When describing impacts the assessment refers to characteristics such as the extent; magnitude; duration; frequency; and, reversibility of the impact in order to provide justification for any conclusions about the nature and likelihood of the impact described.

2.6.5 Where initial impacts have been identified as significant, avoidance, mitigation and compensation measures have been proposed to avoid, prevent or offset such effects. This assessment then considers residual impacts (*once all mitigation has been taken into account*), with any significant effects highlighted. A significant effect is defined as "*an effect which either supports or undermines biodiversity conservation objectives for 'important ecological features' or for biodiversity in general*". Enhancement has been proposed to ensure that the development represents a net gain in biodiversity in accordance with National Policy.

2.7 Constraints and Limitations

2.7.1 Due to the field survey consisting of only two site visits, certain species, particularly some of the flowering plants, may not have been visible or may have been otherwise inconspicuous at the time of the survey and hence overlooked. These are accepted constraints associated with the UKHabs Survey Methodology.

2.7.2 No other limitations were encountered, or assumptions made during either the desk study or the field survey and it is considered that with the access gained and recording undertaken an accurate assessment of the site's ecological value has been made.

3.0 BASELINE ECOLOGICAL CONDITIONS

3.1 Desk Study

Pond Study

- 3.1.1 No ponds were identified within 500m of the site, based on OS mapping and satellite imagery.

Priority Habitats

- 3.1.2 In accordance with the MAGIC dataset, within a 2.0km search radii of the site there were UKBAP Priority Habitats (NERC, 2006) of Coastal and Floodplain Grazing Marsh, Ancient and Semi-Natural Woodland, Lowland Mixed Deciduous Woodland (some of which was ancient) and Traditional Orchards.

European Protected Species Mitigation Licence (EPSML) Search

- 3.1.3 In accordance with the MAGIC dataset, within a 2.0km search radii of the site, the no records for existing European Protected Species Mitigation Licences (EPSMLs) were returned:

3.2 Designated Sites

Statutory Designated Sites

- 3.2.1 Statutory designated sites identified within a potential zone of influence of the site include:

Table No. 06 – Statutory Designated Sites

Site	Description	Location
<i>International Statutory Designated Sites within a Potential Zone of Influence</i>		
Dungeness, Romney and Rye Bay SPA/Ramsar	The SPA protects intertidal and marine habitats for internationally important breeding and wintering waterbirds, birds of prey, passage warblers and breeding seabirds. The landward boundary of the SPA follows the SSSI boundary and follows Mean High Water (MHW).	c. 2.6km SW
Folkestone to Etchinghill Escarpment SAC	This site hosts the priority habitat type "orchid rich sites". This site consists of: Extensive CG4 <i>Brachypodium pinnatum</i> and CG5 <i>Bromus erectus</i> –	c. 4.2 NE

Site	Description	Location
	<i>Brachypodium pinnatum</i> calcareous grasslands, together with smaller areas of short-turf CG2 <i>Festuca ovina</i> – <i>Avenula pratensis</i> grassland. The site contains an important assemblage of rare and scarce species, including early spider-orchid <i>Ophrys sphegodes</i>, late spider-orchid <i>O. fuciflora</i> and burnt orchid <i>Orchis ustulata</i>.	
National Statutory Designated Sites within 2.0km		
Lympne Escarpment SSSI	The site consists of a steep escarpment of Kentish ragstone formed by the Hythe Beds of the Lower Greensand. It features: - Lowland calcareous grassland - Lowland mixed deciduous woodland - Spring/flush fen	c. 1.2km w

3.2.2 The site is within the impact risk zone of Lympne Escarpment SSSI, however the proposed development is unlikely to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and the Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

3.3 Local Non-Statutory Protected Areas

3.3.1 Local Wildlife Sites (LWSs) are designations applied to the most important non-statutory nature conservation sites. They are recognised by the National Planning Policy Framework (2025) and as such are material considerations when assessing planning applications. The following LWS's are located within 2.0km of the site.

Table No. 07 – Non-Statutory Protected Sites

Site	Location
Eaton Lands	c. 0.4km N
Mill Lease Valley	c. 0.6km NE
Sandgate Escarpment and Seabrook Valley	c. 3.6 km NE
Coolinge Lane and Enbrook Valley	c. 4km NE
Romney Marsh	c. 4.5km SW

- 3.3.2 The site is comprised of distinctly different habitat to that of the above *Non-Statutory Protected Sites*, the site area provides no supporting habitat, and proposals would have no impact upon these areas due to the intervening distance.

3.4 Existing Habitat Assessment

Site Assessment

- 3.4.1 Habitats within and adjacent to the site include:

- Developed Land; Sealed Surface
- Introduced shrub
- Individual Tree

Developed land; sealed surface

- 3.4.2 The majority of this site is hardstanding, consisting of parking area and pedestrian pavements, with the main building on site consisting of a derelict Aldi store. Occasional pioneer species such as *Buddleia* have begun to colonise small areas of the hardstanding. Overall, this habitat was assessed to be of **negligible** ecological value.



Image 01 – Buildings and hardstand dominate the site.

Introduced Shrub and Individual Tree

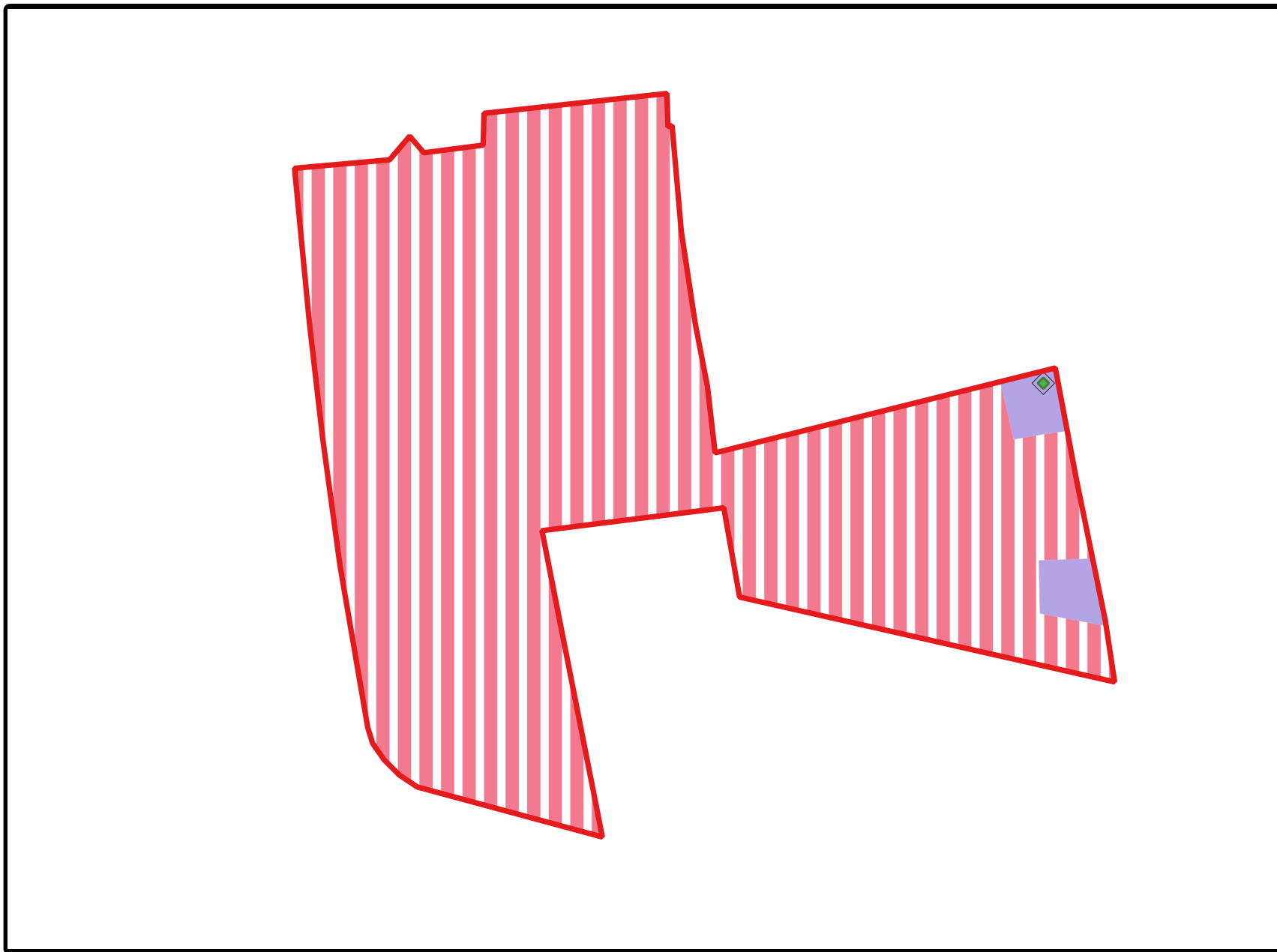
- 3.4.3 The site contains a 2no. small areas of introduced shrub planted with a variety of woody non-native species. The planting bed to the north-eastern corner of the site contains a medium-sized hornbeam *Carpinus betulus* tree c. 7m in height. This habitat is of site value.



Image 02 – Southern area of introduced shrub (left) and northern area which includes 1no. medium sized tree.

3.5 Invasive Species

- 3.5.1 There were no schedule 9 invasive species noted on site during the time of the survey.



Legend

-  Red Line Boundary
-  Existing Medium Urban Tree
-  Developed land; sealed surface
-  Introduced shrub



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Client

Churchill Living

Project Title & Location

Former ALDI store, 70-72
High Street, Hythe

Drawn by	Approved by	Rev	Date
CO	LC	00	20/05/26

Figure No. 01 - Site Habitat Plan

10 20 30 m

N
1:500

3.6 Protected Species Assessment

Amphibians

Desk Study

- 3.6.1 Few records of amphibians were returned within a 2.0km radius of the site, with the most recent record from 2023 consisting of the common frog *Rana temporaria*, c. 1km north northwest, most likely from a small residential garden area. There are no ponds within 500.0m of the site.

Site Assessment

- 3.6.2 The proposed construction zone is largely unsuitable due to the dominance of hard standing across the site. The introduced shrub is suitable but reduced due to lack of connectivity to other, suitable habitat within the wider environment. It is accepted that, unless connected by highly suitable habitat, most great crested newts tend to stay within 250m of breeding ponds (Langton *et al.*, 2001). Given the lack of local records, absence of waterbodies within a commutable distance and poor-quality habitat on site, the site is considered to be of **negligible value** to GCN and other amphibians.

Reptiles

Desk Study

- 3.6.3 Records were returned for 5no. species of reptiles, including 4no. records for grass snake *Natrix natrix helvetica*, with the latest record from 1991. Historic records were also returned for common and widespread reptiles such as slow worms *Anguis fragilis* and common lizards *Zootoca vivipara* from 1981 – 1984.

Site Assessment

- 3.6.4 The habitat within the site was unsuitable for all reptile species due to the dominance of sealed and unsealed surfaces. Although introduced shrub may be suitable for some reptile species, due to the small size of the habitat and lack of connectivity, suitability is greatly reduced. This site does not support suitable habitat for reptiles in the form of rough grassland, tall ruderal and scrub; therefore it was assessed that the site offered **negligible** habitat suitability for reptile species.

Bats

Desk Study

- 3.6.5 Records of 5 no. species of bat were returned. Small numbers of long-eared *Plecotus auritus*, Natterer's *Myotis nattereri*, noctule, daubenton's *Myotis daubentonii* and common pipistrelle were found within a 2.0 km search radius.
- 3.6.6 Previous bat surveys completed in 2022 confirmed the likely absence of a roost within the building.

Daytime Bat Walkover - Trees

- 3.6.7 1no. semi-mature hornbeam is present on site. No potential roost features were identified during the ground level assessment and as such this tree offers **negligible** roost suitability.

Daytime Bat Walkover - Buildings

- 3.6.8 B01 comprises of a semi-detached hipped-roofed disused 2-story derelict store, with brick walls and part flat part plain tile roof. Potential roost features in the form of missing / slipped roof and hanging tiles, damaged weatherboarding, holes in brickwork and soffits and gaps in lintels were recorded during the initial site visit. No direct evidence of bats was recorded during the assessment.
- 3.6.9 Internally, B01 has a large, open loft space, with smaller crawl space present at the flat roof area. No evidence of bat presence was recorded anywhere during the internal assessment.
- 3.6.10 The overall urban nature of surrounds reduces the suitability for the majority of bat species in the UK. In account of the previous 2022 survey results and poor quality surrounding habitat, it was deemed to be no greater than "moderate" suitability for bats.



Image 03 – Example of damaged weatherboard and missing roof tiles.

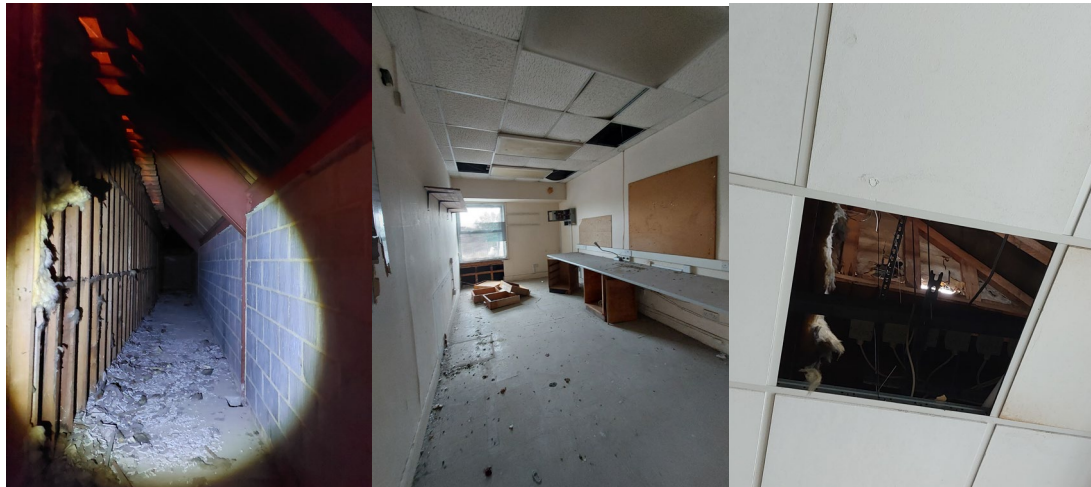


Image 04 – Internal view of the building.

Bat Emergence Survey

- 3.6.11 No bats were seen to emerge from the building at any time during the emergence surveys. Bat activity was very low with an average of 6no. calls recorded during each survey. Species composition was limited to common pipistrelle and noctule. The building was found to be in the same condition as previous during the 2026 update with no new features nor evidence of bats noted. Given the results of the survey the site is of **negligible** value to roosting bats and **low / negligible** value to foraging and commuting bat species.

Dormouse

Desk Study

- 3.6.12 No records of dormouse *Muscardinus avellanarius* were returned 2km from within the search area

Site Assessment

- 3.6.13 There was no habitat present on site suitable to support dormouse foraging, commuting or hibernation, and the site boundaries are not functionally connected to areas of suitable habitat in the wider environment. The site was therefore of **negligible** value to dormice.

Badger*Desk Study*

- 3.6.14 Badger *Meles meles* records as confidential and were therefore not included within the data search.

Site Assessment

- 3.6.15 No mammal runs and 'push-throughs' were identified, or other evidence, such as setts, latrines, footprints or badger guard hairs were identified. The site and surrounding area does not provide suitable habitat for badgers as they are often considered to exist in higher concentrations in woodland, and low concentrations in agricultural habitats. The site was therefore of **negligible** value to this species.

Hedgehog*Desk Study*

- 3.6.16 A record of hedgehog was returned by within the 2.0km search radius from 1996, which is unlikely to be relevant.

Site Assessment

- 3.6.17 The site was comprised of hardstanding ground which makes up the main body of the proposed construction zone, and as such offered no foraging, commuting or hibernation potential, and the site is disconnected from any suitable habitat by significant physical urban barriers. The site was therefore of **negligible** value to this species.

Birds

Desk Study

- 3.6.18 Records for 29no. species of birds from within the search area. This included records for 46no. Records for 12 species of birds listed on the Birds of Conservation Concern (BoCC) Red List (Stanbury *et al*, 2021). This included records for birds associated with urban habitats, such as the house sparrow *Passer doesticus* and starling *Sturnus vulgaris*. Records for birds of prey, farmland, coastal, wetland and woodland species were also returned.

Site Assessment

- 3.6.19 The hornbeam and introduced shrub areas would provide suitable habitat for small passerines, and the flat roof of the building may offer potential nesting habitat for gulls. During the updated site visit a pigeon was identified resting within a recessed alcove of B01 and the presence of nesting pigeons within the building cannot be ruled out. Overall, the site was considered to offer **low** value to bird species, with suitability limited to small areas of habitat.

Invertebrates

Desk Study

- 3.6.20 Records for species of protected / notable invertebrates from within the search area, included notable species of bee and southern yellow splinter *Lipsothrix nervosa*, amongst others.

Site Assessment

- 3.6.21 The dominance of sealed and unsealed surfaces and lack of vegetation means the site is unable to support a notable assemblage of invertebrates. The small ornamental plant bed on site could support a small population of common invertebrates, however it lacks the floral diversity and range of native species to provide adequate habitat for rare or priority invertebrate species. Therefore, the site was considered to be of **negligible** value to invertebrates.

4.0 ASSESSMENT OF EFFECTS

4.0.1 Using the Guidelines for Ecological Impact Assessment (IEEM, 2006 & updated by CIEEM, 2018), the assessment set out below considers the potential impacts of the scheme prior to mitigation. Detailed avoidance, mitigation and compensation measures are then discussed, with residual impact identified once these measures have been taken into account. Wherever possible mitigation measures have been designed into the scheme as this gives greater certainty over deliverability and ensures the correct application of the 'Mitigation Hierarchy' (as advocated by BS42020:2013, Defra 2019 and CIEEM, CIRIA & IEMA 2016).

4.0.2 Protected species for which the site offers negligible suitability have been scoped out of further assessment.

4.1 Internationally Designated Sites

Potential Impacts

4.1.1 The site is within the impact risk zone of Lympe Escarpment SSSI, however the proposed development is unlikely to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and the Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin, as confirmed by review of IRZ's on MAGIC.

Mitigation and Compensation

4.1.2 None required.

Residual Impacts

4.1.3 There shall be **no likely significant effect** upon any designated site as a result of this development.

4.2 Habitats

Potential Impacts

- 4.2.1 Development proposals will result in the loss of a small plot introduced shrub. These habitats are of low ecological value, the loss of which would be of very minor impact magnitude but certain to occur.
- 4.2.2 The proposals may result in the degradation of the retained tree through inappropriate construction methods and root compaction. Such impacts would be minor in magnitude and likely to occur.
- 4.2.3 The proposals may result in the degradation of the neighbouring Royal Military Canal through run off and pollution events. Such impacts could be moderate in magnitude but unlikely to occur.

Mitigation and Compensation

- 4.2.4 The retained tree shall be protected in accordance with BS5837 as detailed within the arboricultural package which accompanies this application. Furthermore, works during the construction phase will be undertaken in accordance with best practise guidelines to control any excess dust creation which may impact adjacent habitats. Measures shall include sheeting of lorries carrying loose loads to and from site, wheel wash facilities if necessary, water suppression during dry periods and reduced height of load tipping.
- 4.2.5 All re-fuelling and chemical storage shall take place in an authorised location with appropriate containment measures in place and spill kits available. Solid hoarding shall be in place for the duration of construction to minimise impacts from run off and pollution events entering the Royal Military Canal.
- 4.2.6 Compensation for the loss of introduced shrub on site shall be provided through the creation of new planting beds within the scheme.

Residual Impacts

- 4.2.7 Provided mitigation and protection measures are followed, no priority or other important habitats or plant species will be affected by this development, the impact of which is **not significant**.

4.3 Breeding Birds*Potential Impacts*

- 4.3.1 In the absence of mitigation, the development could result in the damage / destruction of a bird nest. Such impacts would be of a minor magnitude but likely to occur.

Mitigation and Compensation

- 4.3.2 The removal of any suitable nesting bird habitats such as the introduced shrub shall be undertaken outside of bird nesting season (March – August inclusive, although pigeons may nest all year). Should this not be possible the introduced shrub shall be subject to a nesting bird check by a suitably qualified ecologist within 48 hours prior to its removal. Due to the extended nesting season for species such as pigeon, the building shall be checked prior to removal by a suitably qualified ecologist to ensure that no active nests are damaged during demolition or construction.

Residual Impacts

- 4.3.3 The overall impact of the scheme will be **negligible**, with the proposed scheme likely to provide a long-term minor positive impact.

4.4 Invertebrates*Potential Impacts*

- 4.4.1 In the absence of mitigation, small areas of suitable habitat for common widespread invertebrates would be lost. Due to the small size of habitats on site, the impacts would be of very minor impact magnitude but certain to occur.

Mitigation and Compensation

- 4.4.2 The proposed landscape scheme shall include compensatory areas of pollinator-friendly planting. The majority of the plant species used within the scheme shall have a recognised wildlife value, such as plants listed on RHS Plants for Pollinators, to provide a resource for invertebrates throughout the year.

Residual Impacts

- 4.4.3 The overall impact of the scheme will be **negligible**, with a positive impact in the long-term once vegetation has established.

5.0 ECOLOGICAL ENHANCEMENTS

5.1 The design of the proposed development includes ecological enhancements for the benefit of wildlife to ensure compliance with National Planning Policy Framework (Department for Levelling Up, Housing & Communities, 2024) and Local Planning Policy and the Environment Act (2021) which mandates a minimum 10% net gain in biodiversity across all development sites. Ecological enhancements which will be included as part of development proposals include:

- The use of flowering plants with a recognised wildlife value within the soft landscape scheme to provide year-round interest for invertebrates. The overall quantum of proposed landscaping shall provide a +30% net gain in biodiversity across the site.
- Addition of climbing plants to boundary walls to provide further invertebrate interest.
- Planting of a low hedge to the south-western corner of the site.
- Incorporation of 3no. swift bricks within the northern aspect of the proposed building.
- Incorporation of 1no. bat box within the southern aspect of the proposed building.

6.0 CONCLUSIONS

- 6.1 The site covers an area of 0.23 ha and is located north of the Royal Military Canal and east of Hythe train station. The site consists of hardstanding ground with little introduced shrub. The site is bounded to the east by residential property lining Mount St and by mixed-use buildings to the north and west. To the south, the A259 and open green space separate the site and the Royal Military Canal.
- 6.2 The site is dominated by buildings and tarmac parking / footpaths. The greatest ecological interest at the site is associated with the single existing tree which shall be retained and protected throughout proposals.
- 6.3 The proposed development is not within or adjacent to any protected site and no significant impact to any designation shall occur as a result of the proposals.
- 6.4 The results of the bat emergence survey strongly suggest the likely absence of a bat roost within the site. No further survey visits or any mitigation measures are required; the scheme is considered highly unlikely to contravene the protection afforded bats under The Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.5 The site also offers some suitable habitats for nesting birds and common invertebrates. Avoidance and compensation measures have been built into the design of the scheme in accordance with the mitigation hierarchy and BS42020: 2013.
- 6.6 Once avoidance, mitigation and compensation measures have been taken into account, the impacts of the planned development upon biodiversity will be **negligible and non-significant**
- 6.7 Proposed ecological enhancements shall result in a Biodiversity Net Gain in accordance with local and national planning policy.

7.0 REFERENCES

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Table No. 08 – Species List for Habitat Parcels**INTRODUCED SHRUB**

Common Name	Scientific Name	DAFOR
Butterfly bush	<i>Buddleja</i>	F
Cotoneaster	<i>Cotoneaster</i>	F
Golden Privet	<i>Ligustrum vulgare</i>	A
Hornbeam	<i>Carpinus</i>	L
Japanese spindle	<i>Euonymus japonicus</i>	F
Red robin	<i>Photinia fraseri</i>	A
Sycamore saplings	<i>Acer pseudoplatanus</i>	O

D – Dominant; A – Abundant; F – Frequent; O – Occasional; R – Rare; L – Locally

Appendix A – Planning Policy and Legislation

Legislation

Legislation relating to wildlife and biodiversity of particular relevance to this report includes:

- *The Conservation of Habitats and Species Regulations 2017;*
- *The Wildlife and Countryside Act 1981 (as amended);*
- *The Natural Environment and Rural Communities (NERC) Act 2006; and*
- *The Environment Act 2021.*

This above legislation has been addressed, as appropriate, in the production of this report. Further details of legislation relating to the protection of particular ecological receptors are provided in the table below:

Ecological Constraint	Rationale
SACs (Special Area of Conservation), SPAs (Special Protection Areas) and Ramsars (Wetlands of International Importance)	Under the Conservation of Habitats and Species Regulations 2017 places a duty on the competent authority to maintain the favourable conservation status of designated SAC, SPA and Ramsar sites. Therefore, where it appears to the appropriate nature conservation body that a notice of a proposal relates to an operation which is, or forms, part of a plan or project which is likely to have a significant effect on a European site (either alone or in-combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, it must make an appropriate assessment of the implications for that site in view of that site's conservation objectives. In the light of the conclusions of the assessment, it may give consent for the operation only after having ascertained that the plan or project will not adversely affect the integrity of the site.
European protected species (bats, otters, dormice, water voles, great crested newts)	It is an offence under the Conservation of Habitats and Species Regulations 2017 to deliberately kill or injure a European protected species, to destroy breeding/resting sites, or to deliberately disturb these species and affect their ability to survive, rear young, breed, or hibernate.
Nationally protected species (bats, water vole, otter)	It is an offence under the Wildlife and Countryside Act 1981 (as amended) to intentionally or recklessly disturb a species listed on Schedule 5 whilst it is in a place of shelter, or to obstruct access to a place for shelter.
Nationally protected species (reptiles)	It is an offence under the Wildlife and Countryside Act 1981 (as amended) to kill or injure common species of reptiles.
National conservation priority species (white-clawed crayfish, fish, common toad, reptiles, noctule, water vole, otter, hedgehog), i.e., UKBAPs	Section 41 of the NERC Act 2006 requires the Secretary of State to publish a list of species and habitats that are of principal importance for the conservation of biodiversity, and to take, and promote others to take, such steps to further the conservation of these habitats and species. These species and habitats will be considered by Planning Authorities in regard to the National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2021) to conserve and enhance the natural environment.
Badgers	It is an offence under the Protection of Badgers Act 1992 to damage or destroy a badger sett; obstruct any entrance of a

Ecological Constraint	Rationale
	badger sett; and disturb a badger whilst it is occupying a badger sett.
Wild mammals (rabbits, foxes, water vole, otter, hedgehog, badger)	It is an offence under the Wild Mammals (Protection) Act 1996 to inflict unnecessary suffering to any wild mammal with intent.
Nesting birds	It is an offence under the Wildlife and Countryside Act 1981 (as amended) to damage or destroy a bird's nest whilst it is in use, and to kill or injure a bird or destroy an egg.
Non-statutory designated sites (SNCI's, LWS, LNR's, etc.)	LNRs are designated under Section 21 of the National Parks and Access to the Countryside Act 1949, which was amended by the Natural Environment and Rural Communities Act 2006. The value for biodiversity of LNRs and LWSs are recognised, and the sites and surrounding buffers are protected by the Local Plan.
Biodiversity	Section 40 of the NERC Act 2006 states that each 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." This legislation makes it clear that planning authorities should consider impacts to biodiversity when determining planning applications. Chapter 15 of the National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2021) states that the planning system and policies should minimise impacts on and provide net gains for biodiversity, and that, if significant harm to biodiversity would result from a development, then development should be avoided (through locating on alternative sites with less harmful impacts).
Irreplaceable habitats (ancient woodland, veteran trees, lowland meadows)	Chapter 15 of the National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2021) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
Biodiversity Net Gain	+10% Biodiversity Net Gain (BNG) for new developments will be mandatory under the Environment Act (2021), although this deadline will be extended to April 2024 for small sites and there are exemptions for development below a 25m ² threshold, and for householder applications and self-builds. BNG means that proposals must result in more and/or better-quality natural habitats than there were before development. This also requires that any proposed habitats within the scheme would be necessary to manage for at least 30 years, which would be sought through the provision of S106 legal agreements or conservation covenants.

Local Planning Policy

The Folkestone & Hythe District sets out the planning policies for development in the district in relation to biodiversity. Those of potential relevance to this assessment are highlighted in the table below:

Policy Reference	Policy Text
Policy NE2: Biodiversity	European Sites - Development will safeguard and protect all sites of European and Global importance, designated as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites. Development must not result in significant adverse effects on these internationally important nature conservation sites, either alone or in combination with other projects and plans. The Council will expect development proposals to demonstrate and contribute to appropriate mitigation and management measures to maintain the ecological integrity of the relevant European site(s). National Sites - For nationally important sites, including Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR), where developments may have a significant impact, an ecological impact assessment will be required. For proposals where impacts cannot be avoided or adequately mitigated, these will be refused, unless exceptional circumstances can be demonstrated. Local Sites - Local sites, including Local Nature Reserves (LNR), Key Wildlife Sites (KWS) and Regionally Important Geological and Geomorphological Sites (RIGS) will be safeguarded from development, unless the benefits of the development outweigh the nature conservation or scientific interest of the site. Where development is considered necessary, adequate mitigation measures or, exceptionally, compensatory measures, will be required, with the aim of providing an overall improvement in local biodiversity and/or geodiversity. Opportunities will be sought to access and enhance the value of such sites for educational purposes, particularly in relation to promoting public awareness and appreciation of their historic and aesthetic value. Protected Species - Development proposals that would adversely affect European Protected Species (EPS) or Nationally Protected Species will not be supported, unless appropriate safeguarding measures can be provided (which may include brownfield or previously developed land (PDL) that can support priority habitats and/or be of value to protected species). Development and the Natural Environment - All new development will be required to conserve and enhance the natural environment, including all sites of biodiversity or geodiversity value (whether or not they have statutory protection) and all legally protected or priority habitats and species. The Council will support development that: i. Enhances, retains and protects existing sites and features of nature conservation value including wildlife corridors, ancient woodland and geological exposure that contribute to the

Policy Reference	Policy Text
	priorities established through the Biodiversity Action Plan and the Green Infrastructure Plan; ii. Does not reduce, and where feasible, improves species' ability to move through the environment in response to predicted climate change, and to prevent isolation of significant populations of species; and iii. Incorporates features that enhance biodiversity as part of good design and sustainable development, including the creation of new pollinator habitat suitable to the scale of development. - The District has a number of undesignated sites, which may nevertheless host rare species or valuable habitats. Where a site is indicated to have such an interest, the applicant should observe the precautionary principle and the Council will seek to ensure that the intrinsic value of the site for biodiversity and any community interest is enhanced or, at least, maintained. - Where an impact cannot be avoided or mitigated (including post-development management and monitoring), compensatory measures will be sought. The Council may, in exceptional circumstances, allow for biodiversity offsets, to prevent loss of biodiversity at the district level. Such compensation will be directed to Biodiversity Opportunity Areas (BOAs) within the district or projects identified in the Council's Green Infrastructure Plan.

Appendix B – Full Bat Survey Results

Date	26/08/2025
Survey Type	Dusk
Sunrise / Sunset	19:53:00
Start Time	19:38:00
End Time	21:23:00
Start Temperature	19 °C
End Temperature	17 °C
Wind (Beauforts)	2
Cloud Cover	3/8
Rain	None

Surveyor	SH	
Survey Point	SW	
Brief Summary of Observed Bat Activity	very low activity with no emergences observed	
Time	Species	Notes
20:11	NOCT	HNS

Surveyor	LD	
Survey Point	N	
Brief Summary of Observed Bat Activity	very low activity with no emergences observed	
Time	Species	Notes
20:12	NOCT	flying east to west to the north of the building
20:52	SPIP	hns

Surveyor	AB	
Survey Point	W	
Brief Summary of Observed Bat Activity	very low activity with no emergencies observed	
Time	Species	Notes
20.12	NOCT	faint hns
20.41	CPIP	Commuting going w to e

Surveyor	RE	
Survey Point	SE	
Brief Summary of Observed Bat Activity	No activity	
Time	Species	Notes
		No records

Date	30.09.2025
Survey Type	Dusk
Sunrise / Sunset	18:34
Start Time	18:19
End Time	20:04:00
Start Temperature	15 °C
End Temperature	13 °C
Wind (Beauforts)	0
Cloud Cover	1/8
Rain	None

Surveyor	AC	
Survey Point	SW	
Brief Summary of Observed Bat Activity	low activity, most IDs were cars passing through	
Time	Species	Notes
1849	NOCT	hns
1857	CPIP	hns
1944	CPIP	hns

Surveyor	RE	
Survey Point	SE	
Brief Summary of Observed Bat Activity	Most Noctules are cars in and out of car park	
Time	Species	Notes
18.49	NOCT	Flying high over site

Surveyor	LD	
Survey Point	North	
Brief Summary of Observed Bat Activity	low activity with no emergences observed	
Time	Species	Notes
18:41	NOCT	hns, quiet
18:49	NOCT	flying high west to east above OB
18:49	CPIP	flying east to west above building

Surveyor	OB	
Survey Point	West	
Brief Summary of Observed Bat Activity	Very low activity, no emergences	
Time	Species	Notes
18:41	NOCT	HNS
18:49	NOCT	HNS