



APPEAL BY Hodson Developments

*POSSINGHAM FARM*

*PLANNING APPEAL RE: REFUSAL OF PLANNING APPLICATION 22/00571/AS*

APPEAL REFERENCE

APP/E2205/W/24/3345454

Ecology Proof of Evidence

*of Helen Lucking BSc Hons, BES, MCIEEM*

September 2024

**APPEAL DETAILS:** Appeal by Hodson Developments against the refusal by Ashford Council of a planning application in respect of the proposed development at Possingham Farm, Ashford.

**LPA REFERENCE:** 22/00571/AS

**SITE ADDRESS:** Possingham Farm, Chilmington Green, Ashford,

**APPEAL REFERENCE:** APP/E2205/W/24/3345454

**Proof of Evidence by:**  
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**On Behalf of Hodson Developments**  
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## 1.0 INTRODUCTION

- 1.1 My name is Helen Lucking. I am a professional ecologist with 25 years professional experience. Corylus Ecology became involved with the appeal site in November 2021 specifically with respect to providing species specific surveys in relation to the proposed Site.
- 1.2 As part of this work, a review of the Preliminary Ecological Survey survey completed by Lloyd Bore was undertaken.
- 1.3 I hold a Bachelor of Science with Honours in Environmental Life Science from Nottingham University (1997). I am a member of the British Ecological Society and a full member of the Chartered Institute of Ecology and Environmental Management.
- 1.4 I am currently a Director of Corylus Ecology Ltd and although a general ecologist I specialise in bats and other protected species. I have held a Natural England bat licence since 2001 and held bat EPSM licences since 2001. I regularly carry out bat surveys for a range of proposals including bat detector and bat radio-tracking surveys. I have held a Natural England dormouse licence for about 22 years and have held dormouse EPSM licences.
- 1.5 Corylus Ecology undertakes a wide range of projects that include survey and appraisal, Environmental Impact Assessment, mitigation design and delivery and land management advice relating to ecology and planned development.
- 1.6 I have experience in the ecological appraisal and assessment of sites relating to the planned development of a range of different schemes including large infrastructure, housing, roads and utilities.
- 1.7 I am familiar with the appeal site and have undertaken many of the surveys of the site. The evidence which I have prepared in this proof is true and is given in accordance with the guidance of my professional institute. I confirm that the opinions expressed herein are my true and professional opinions.
- 1.8 The refusal of the planning application on 14<sup>th</sup> December 2023 included the following reason relating to biodiversity:

**Reason 4: In the absence of appropriate surveys and a robust assessment of the cumulative impact of development in the vicinity of the site, the applicant has failed to demonstrate that the development would not cause harm to protected species. The**

**applicant has also failed to demonstrate that appropriate mitigation measures can be secured**

1.9 A statement of common ground between the developer and the council has been prepared. It has not yet been signed by Kent County Council Ecological Advice Service due to IT issues but it is understood that the intention is that it will be reviewed and signed before the Inquiry.

1.10 In the event that it is not signed, I will present myself to the inquiry to give evidence in relation to the reasons for refusal.

1.11 The documents I will refer to are:

- Corylus Ecology Possingham Farm Ecological Impact Assessment Report April 2023;
- Corylus Ecology Possingham Farm Addendum Ecological Impact Assessment Report November 2023;
- Corylus Ecology Addendum Possingham Farm Ecological Impact Assessment Report September 2024;
- Draft Statement of Common Ground between Corylus Ecology and KCC Ecological Advisory Service.

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## 2.0 Background

2.1 A suite of ecological surveys submitted with the application have been completed between 2021 and 2023 and an Ecological Impact Assessment carried out in 2023. In addition, a Biodiversity Metric has been calculated. This suite of surveys has included:

- a. Preliminary Ecological Appraisal Lloyd Bore March 2021
- b. Ecological Impact Assessment Report (EclA) Corylus Ecology April 2023
- c. Addendum Ecological Impact Assessment Report Corylus Ecology November 2023
- d. Addendum Ecological Impact Assessment Report – Corylus Ecology, September 2024 (submitted on 6 September 2024)

2.2 The Addendum Ecological Impact Assessment Report Corylus Ecology November 2023 provided results of species-specific surveys carried out in 2023 and provided information relating to predicted impacts and proposed mitigation for all protected species. Comments regarding the November 2023 Addendum EclA by KCC Ecological Advice Service were dated 21<sup>st</sup> August 2024. KCC Ecological Advice Service accepts the method and results of the surveys and the evaluation of the significance of the ecological interest within the Site and also accepts the majority of the mitigation measures outlined in the addendum reports. It is noted that KCC EAS do not agree with the way the bat assemblage has been downgraded to local importance. However, KCC EAS have stated that they do not consider that this makes a material difference to the approach to be taken with regards to avoidance, mitigation and compensation measures at the site.

2.3 The outstanding issues between the parties in relation to biodiversity were over two issues:

- 1 Skylarks – KCC Ecological Advice Service was concerned that Land Parcel EC8 which was proposed by the appellant to provide mitigation in the field to the south-east would not provide appropriate compensation for the loss of skylark nesting habitat due to the size, shape and boundary features of that field;
2. Figure 4 of the November 2023 Addendum EclA report which detailed dormouse and breeding bird mitigation did not match with the landscape parameter plan that was submitted (N (May 2021) Landscape Parameter Plan: Open Space Plan. Possingham Farm, Chilmington Green, Ashford, Kent. D0410\_001 C). Areas shown as being scrub for dormouse and breeding bird habitat were shown as long open grassland/species rich grassland on the landscape parameter plan/open space plan.

2.4 With respect to skylark, the appellant has committed to carrying out update bird surveys for skylark of land within their wider Chilmington Green development site. The purpose of this is to assess the

extent by which the additional 6 skylark plots (the number of territories confirmed at Possingham) can be included within the areas of Ecologically Managed Farmland which has already been committed to support 2 skylark plots per ha as part of the mitigation for the Chilmington Green development. In the event that the additional skylark plots cannot be incorporated into the Chilmington Green areas of Ecologically Managed Farmland, the appellant has committed to off-site skylark compensation for the loss of territories with adjacent landowners with whom they have good relations.

- 2.5 With respect to the Landscape Parameter Plan: Open Space Plan, this has been amended to reflect the requirements of the ecological mitigation and enhancements (figure reference D0410\_001 F dated 9<sup>th</sup> September 2024).