

Department of the Environment

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## Planning consultation response

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**To:** Miss A Tostevin **From:** Natural Environment – John Pinel tel. 441600  
**Subject:** P/2011/1673, Plemont Bay Holiday Village **Date:** 16/01/2012

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Further to your request for consultation dated 10 January 2012 the Natural Environment team provides the following comments:

### **Basis of comment**

This comment is based on the information submitted and prior site knowledge.

The application refers to the findings of the EIA and the site wildlife survey, however it does not explain in sufficient detail what methodology will be followed to ensure that the issues identified will be suitably addressed.

It is proposed that a substantial area of the site will be 'returned to nature', however the application does not explain how this will be achieved, what the landscape will become, or what ongoing management is proposed. It is the experience of the Natural Environment Team that habitat restoration is costly, difficult and takes a long time. Restoration and management proposals, with timing of work and objectives to be met must be submitted and agreed with the Department of the Environment prior to development.

The wildlife survey identified protected species on site. More detail of the proposals for conservation of those species must be submitted. The application proposes that an area to the west of the development site is used to translocate animals to. This area must be surveyed prior to any work taking place to determine a) if it is suitable habitat, and b) to determine if it is already occupied by protected species.

If the area is suitable as a receptor site, a method statement must be submitted explaining what work is proposed and how it will be undertaken.

NB. A licence will be required to capture and translocate protected species.

### **Relevant Law or Policy Consideration**

Conservation of Wildlife (Jersey) Law 2000 (as amended)

A full extract of the Law can be found at [www.jerseylaw.je](http://www.jerseylaw.je)

## More information required

### Habitat restoration

A method statement must be submitted detailing what restoration is proposed, what the habitat will be after restoration, what steps will be taken to create this and how the site will be managed in the future.

The Natural Environment Team would be pleased to assist in developing such a plan if required.

### Species protection

Toads, green lizards and slow worms have been identified from the site. Detailed proposals for the conservation of these species must be submitted. Any work with these species will require a licence under article 16 of the Conservation of Wildlife (Jersey) Law 2000.

NB. Whilst the survey identified few of these animals, hundreds of toads were rescued from the swimming pool in 2011, and a green lizard was seen in 2010 amongst the buildings. It is assumed that these animals are more widespread than identified in the survey report.

Jersey Grasshopper has been identified on site. This species is not protected under the wildlife Law, but is a Biodiversity Action Plan species under the Biodiversity Strategy for Jersey. Specific conservation work on this species may not be required as the proposals to restore part of the site could be considered to provide sufficient enhancement for the species in this location. Further details of the restoration proposals must be submitted before this can be evaluated.

The site restoration proposals could be considered to provide enhancement for nature conservation, however more details are required before this could be assessed. However the development proposals would involve the removal of the abandoned swimming pool. This pool has not been used formally for several years and consequently it has been used as a breeding site for the local toad population. **The loss of this pool would remove a breeding site in this location and this must be replaced.**

Further information is required on how this important breeding site would be replaced.

## Suggested conditions and reasons

- 1) A detailed statement must be submitted, describing what the site restoration is proposed to achieve, how this will be carried out, what future management is proposed and any proposed monitoring of the consequences.
- 2) A detailed statement must be submitted, describing how protected species will be conserved from site clearance, during the development and into the future.
- 3) A detailed statement of the proposed landscaping must be submitted, including details of habitats and vegetation

### Reasons

- 1) To provide details of habitat restoration for the proposals to be evaluated
- 2) To ensure that the development does not conflict with the Conservation of Wildlife (Jersey) Law 2000

- 3) To ensure that no invasive species are introduced and that the habitats created are suitable for the species to be conserved.

(Must relate to legal or policy considerations/ All conditions must have a reason)

- This is advice to the applicant. If the applicant/ contractor requires any further pollution prevention advice, a member of the Natural Environment team will be available on 441600.
- or -
- Suggest condition
- or -
- A method statement is required before any decision is made.

***Note to agents/ applicants:***

**It is the responsibility of the applicant to inform all site workers of the possibility of protected species on site and the implications under the Wildlife Law and advised that it is their responsibility under the Law to stop work and notify the Department of the Environment immediately should any species be found.**

**The applicant should understand that the provisions of the Conservation of Wildlife (Jersey) Law 2000 are separate to any decisions made in respect of the planning conditions needed for these works and that any resulting damage caused to a protected species may result in prosecution.**

**Any comment on this consultation response must be addressed to the relevant Planning Officer and not to the Natural Environment Team.**

**Before acting upon this advice, please contact the relevant Planning Officer to discuss in relation to the application.**

**A full reading of the legislation referred to above is recommended to avoid prosecution under the law.**