



ECOLOGICAL ADVICE SERVICE

TO: Kelly Joyce
FROM: Nancy Inman
DATE: 10 November 2025
SUBJECT: Leasden, Meopham 20250121

The following is provided by Kent County Council's Ecological Advice Service (KCC EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the county council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application and if sufficient/appropriate ecological information has been provided.

Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the planning officer, who will seek input from the EAS where appropriate and necessary.

SUMMARY: ADDITIONAL INFORMATION REQUIRED

We have reviewed the submitted ecological information, and whilst a Preliminary Ecological Appraisal (PEA, KB Ecology, July 25) has been completed, this was conducted post-habitat clearance as such the outlined mitigation and enhancement recommendations are inadequate. The PEA acknowledges that site clearance has taken place '*Historical aerial photos from 1960 show that the site was mainly bare, with a structure, but then became mainly wooded by 1990, then cleared again by 2003 then started to get scrubby/wooded by 2015 once more*', however it is clear that the biodiversity value of the site has been significantly reduced, and that woodland has been present since at least the 1940s in the blue line area and is mapped as priority woodland on MAGIC.

HABITAT DEGRADATION

Lowland mixed deciduous woodland has been cleared from the redline and blue line boundary, this is a priority habitat. Without an ecological impact assessment having been undertaken, it is possible that a breach of the Wildlife and Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) has occurred. This is of particular concern due to the site's connectivity to

ancient woodland and other parcels of broadleaved woodland and the potential for nesting birds and dormice to have been impacted.

Additionally, bat roosts within trees may have been lost without assessment from a suitably qualified ecologist, resulting in an offence. This is in alignment with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/200519, which states “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”.



At present, no attempt at compensation for the loss of this habitat has been made within proposals, other than the proposed installation of a single bird box and the planting of 2 x trees.

The applicant states that proposals are exempt from BNG under the custom/self-build exemption criteria and it is not within our remit to confirm this. Regardless, The NPPF 2024, paragraph 193(d) indicates “...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

This is generally taken to mean that local planning authorities may reasonably request a 1% biodiversity net gain of applications which are otherwise exempt from statutory BNG, as upheld in previous appeal decisions (APP/Y3940/W/21/3278256, APP/Y3940/Q/21/3278923, APP/Y3940/W/21/3282365) which have clarified that:

- “Paragraph 174 [now 187] of the Framework [encourages applicants to], ... seek a net gain in biodiversity without identifying a specific percentage...”
- The relevant Core Strategy may “...seek a net gain in biodiversity without identifying a specific percentage...”; and
- “A net gain of just 1% would be policy compliant...”



Fig 1. Habitats onsite and in the wider site prior to (2020) and post-site clearance (2025)

If you have any queries regarding our comments, please do not hesitate to get in touch.

Nancy Inman
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Preliminary Ecological Appraisal (KB Ecology, July 25)
- Proposed Site Plan (Kentec, March 24)