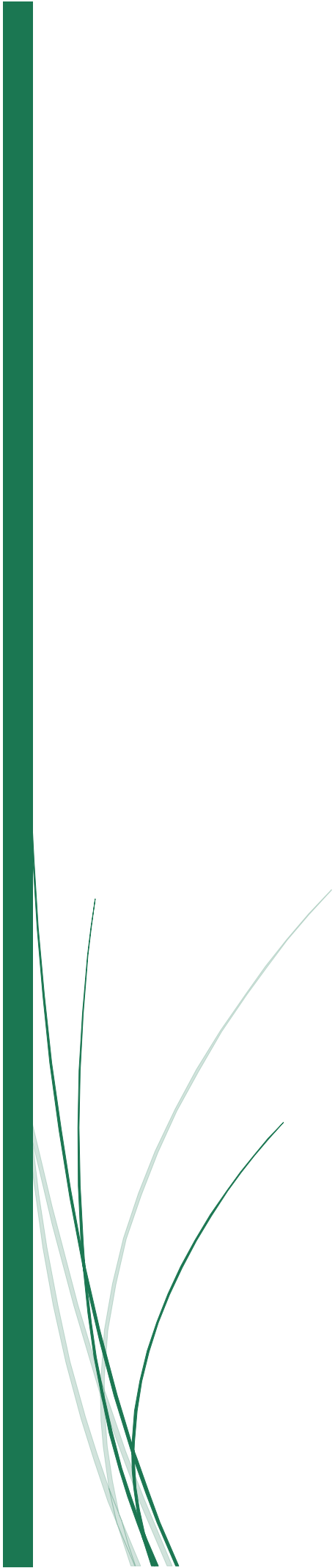




Farm Manager's House at New Green Farm, Lower Shorne, Gravesend, Kent

Preliminary Ecological Appraisal

A Report for Bloomfields Chartered Town
Planners

January 2025



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Farm Manager's House at New Green Farm, Lower Shorne, Gravesend, Kent DA12 3HL

Preliminary Ecological Appraisal

Client:	Bloomfields Chartered Town Planners	
Project Ref:	Farm Manager's House at New Green Farm	
Report Ref:	J24-021687	
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Revision Ref:	Status/ Comment:	Date of Issue:
-	Final	30 th January 2025
Disclosure:		
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1 PROJECT OVERVIEW

Client: Bloomfields Chartered Town Planners

Site Address: Farm Manager's House at New Green Farm, Lower Shorne, Gravesend, Kent, DA12 3HL

Associated Ecologist: Matthew Clark

Survey Date: 5th December 2024

Site Proposals: Construction of a dwelling with associated landscaping and hardstanding.

Associated Planning Reference Number: Not yet submitted.

Source of Relevant Documents:

Document:	Source:
Site Location Plan:	Google Earth Pro Bloomfields. Drawing no: P.3274.010.B
Proposed Site Plan:	Proposed Block Plan. Bloomfields. Drawing no: P.3274.030.B
Desk Study	Magic.gov.uk Kent Landscape Information System

2 NON-TECHNICAL SUMMARY

- 2.1 In response to the proposed development comprising construction of a Farm Manager's House at New Green Farm, Gravesend ('the Site'), a Preliminary Ecological Appraisal of land within the redline boundary (Figure 1) has been undertaken.
- 2.2 The Site occupies approximately 0.13ha and solely comprises an orchard.
- 2.3 Development of the Site is unlikely to impact areas of ancient woodland, non-statutory designated sites or any Habitats of Principal Importance (HPI) as listed on s41 of the Natural Environment and Rural Communities NERC (NERC) Act 2006.
- 2.4 Consultation with the local planning authority (LPA) and Natural England is required in relation to potential impacts associated with increased recreational pressure on the nearby Thames Estuary & Marshes Ramsar & SPA.
- 2.5 No evidence of badger was recorded. However, the habitats present are suitable for foraging and commuting badger and precautionary working measures during construction have been recommended.
- 2.6 Mitigation to protect nesting birds is required.
- 2.7 Proposed biodiversity enhancements for the Site include:
- Installation of three integrated nest boxes suitable for starling in new dwelling
 - Installation of two integrated bat boxes in new dwelling
 - Incorporation of a wildlife-friendly planting scheme
 - Installation of an invertebrate hotel and/or bee post
 - Incorporation of log and/or brash piles
- 2.8 Provided the recommendations set out within this report are implemented, the proposed development will not contravene any relevant legislation or planning policies pursuant to nature conservation.

3 INTRODUCTION

3.1 Context

- 3.1.1 In response to a proposed development for the construction of a Farm Manager's House at New Green Farm (hereafter referred to as 'the Site'), a Preliminary Ecological Appraisal (PEA) of land within the redline boundary was undertaken (see Phase 1 Habitat Map, Figure 1).
- 3.1.2 The Site's suitability to support protected and/or notable species and habitats was assessed and appropriate recommendations are provided within Section 6 of this report. Ecological features of interest are depicted in Figure 1: Phase 1 Habitat Map, and photographs of the Site are provided in Appendix A.

3.2 Site Location

- 3.2.1 The Site is located in a rural area approximately 0.6km from the village of Higham, a civil parish in the borough of Gravesham, Kent, at National Grid Reference: TQ 70057 72333. The location of the Site is depicted in Image 1 below.

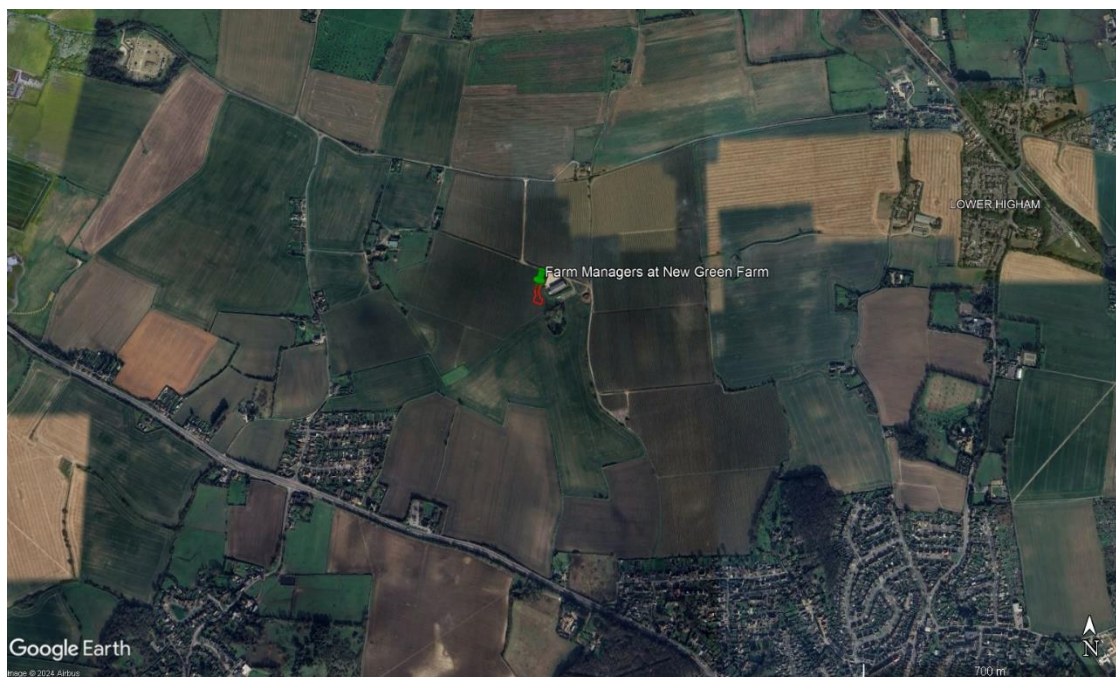


Image 1 – Geographical Location of land proposed for a Farm Manager's House at New Green Farm ('the Site')

3.3 Site Description

- 3.3.1 The Site occupies approximately 0.13ha and comprises entirely of an intensive orchard.
- 3.3.2 The Site is bound by agricultural fields on all sides, including additional intensive orchard within the immediate vicinity to the west. The wider landscape comprises mainly agricultural fields, intensive orchards and scattered residential properties with associated gardens.

3.4 Legislation and Planning Policy

3.4.1 Relevant legislation and policies that apply to ecological issues within the Site are:

- [The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#)
- [The Environment Act 2021](#)
- [The Wildlife and Countryside Act 1981 \(as amended\)](#)
- [The Countryside Rights of Way Act 2000](#)
- [The Natural Environment and Rural Communities \(NERC\) Act 2006](#)
- [Hedgerows Regulations 1997](#)
- [The Protection of Badgers Act 1992](#)
- [The Wild Mammal \(Protection\) Act 1996](#)
- [The National Planning Policy Framework \(NPPF\) 2024](#)
- [Government Circular 06/05](#)
- [Gravesham Borough Council Local Plan](#)

3.4.2 The above summary serves as guidance only. Further information is presented in Appendix B.

3.5 Objectives of the Survey

3.5.1 The objectives of the survey were to:

- Classify the main habitats present within the Site.
- Evaluate the ecological importance of these habitats.
- Assess the suitability for protected species and any otherwise notable species to occur within the Site.
- Provide appropriate recommendations for further surveys and mitigation where required, as well as opportunities for biodiversity enhancement.

4 METHODS

4.1 Desk Study

4.1.1 A desk study was undertaken in December 2024 to determine the presence of sites and habitats of conservation importance, along with existing records of freely available European Protected Species records.

4.1.2 The following bodies were consulted for the desk study:

- Google Earth Pro for aerial imagery.
- Magic Map (Magic.defra.gov.org) for statutory designated sites, ancient woodland and Habitats of Principal Importance (NERC Act 2006), as well as European Protected Species Mitigation Licence (EPSML) sites and great crested newt (GCN) Licence Records.
- OS mapping for ponds within 250m of the Site.
- Kent Landscape Information System for non-statutory designated sites.

4.1.3 The desk study involved obtaining the following information:

- International statutory designated sites and UK National Site Network within 5km.
- National statutory designated sites within 1km.
- Non-statutory designated sites within 1km.
- EPSMLs and GCN Licence Records within 1km.
- Ancient woodland parcels within 30m.
- Waterbodies within 250m.
- Habitats of Principal Importance (NERC Act 2006) within or immediately adjacent to the Site.

4.1.4 These search areas are considered sufficient to cover the potential zone of influence of the proposed development.

4.2 Habitats

Phase 1 Habitat Survey

4.2.1 The Site was surveyed using the methods outlined in '[The Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit](#)' (JNCC, 2016). The techniques applied during the survey involve identifying the main plant communities present on the Site and classifying the habitat types following the JNCC methodology. This technique provides an inventory of the basic habitat types present and enables areas of greater botanical interest which may require further, more detailed, surveys to be identified.

Invasive Non-Native Species

- 4.2.2 Any occurrences of recognised invasive species as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were also noted, if present.
- 4.2.3 A map of the habitats and areas of interest (using a variation of the JNCC (2016) protocol for Phase 1 Habitat plans) is provided in Figure 1. Photographs of features of interest are presented in Appendix A.
- 4.2.4 The survey was undertaken by GES Ecologist Ashley Walker on 5th December 2024.

4.3 Protected and Notable Species

- 4.3.1 The survey was 'extended' to consider the suitability of the Site to support protected and notable species. Species considered included those identified during the desk study, or those considered appropriate by the surveyor during the survey. Detailed surveys were not completed for these species. However, based on an understanding of species ecology, consideration was given to the Site's potential to provide sheltering or foraging habitat and/or connectivity from other areas of potentially suitable habitat to allow dispersal between populations. Core species considered during the survey are outlined below.

Badger

- 4.3.2 Evidence of badger *Meles meles* activity within the Site (and, where possible, on land adjacent to the Site) was assessed by searching for signs such as:
- Presence of setts, indicated by suitably sized holes or burrows.
 - Evidence of badger latrines, badger hair and/or footprints.
 - Evidence of well-used runs supported by secondary evidence such as foraging signs.

*Bats**Foraging and Commuting Habitat Assessment*

- 4.3.3 An assessment of suitable foraging, commuting, roosting and swarming habitat for bats both within the Site and adjacent habitats was carried out in accordance with current good practice guidance (Collins, 2023). The presence of features suitable for bat foraging or commuting was noted and the assessment enabled the Site and surrounds to be categorised as having either 'none,' 'negligible,' 'low,' 'moderate,' or 'high' suitability for bats.

Ground-Level Tree Assessment (GLTA)

- 4.3.4 The trees within the Site were subject to a GLTA to assess their suitability for roosting bats. This was carried out in accordance with current good practice guidance (Collins *et al.*, 2023). Trees were inspected for potential roosting features (PRFs) such as splits, fissures, cavities,

delaminated bark, heavy ivy *Hedera* sp. cover and woodpecker holes. Evidence such as droppings, staining and bats themselves were searched for below suitable features, with the use of high-powered torch, telephoto lens camera and binoculars (where necessary). Each tree was categorised as having:

- PRFs suitable for individual bats (PRF-I)
- PRFs suitable for multiple bats (PRF-M)
- No PRFs.

4.3.5 The above information was used to determine the level (if any) of further surveys required in respect of tree-roosting bats.

Dormouse

4.3.6 The Site was surveyed for suitable hazel dormouse *Muscardinus avellanarius* habitat, such as the presence of well-connected broadleaved woodland, hedgerows, mature scrub and suitable food sources such as oak *Quercus* sp., hazel *Corylus avellana* and other nut-bearing trees, fruiting trees and shrubs and flowers. Evidence of hazel dormouse searched for included woven nests and/or dormouse-gnawed nuts.

Great Crested Newts (GCN)

4.3.7 Any suitable terrestrial habitat for great crested newts (GCN) *Triturus cristatus* including long grass, tall ruderal, woodland and hedgerow borders, as well as wood and rubble piles that act as sheltering places, was searched for. In addition, a search of any potentially suitable waterbodies within 250m of the Site using OS and aerial mapping was undertaken.

Reptiles

4.3.8 The Site was assessed for any suitable habitat for reptiles, including long grass, vegetated boundaries, woodland and hedgerow borders, as well as wood and rubble piles that provide sheltering opportunities.

Nesting Birds

4.3.9 The habitats within the Site were assessed for their suitability to support nesting birds. Factors considered include suitable cover and feeding habitat. Evidence was searched for in the form of any active or disused birds' nests.

4.4 Constraints

4.4.1 The survey was carried out outside the optimal period for conducting Phase 1 habitat surveys (generally considered to be April to September inclusive) and therefore certain plant species may not have been recorded during the survey. However, the habitats within the Site were

exclusively intensively managed orchard. Therefore, the level of information gathered during this survey is sufficient to effectively evaluate the habitats within the Site, and this does not pose a constraint to the survey findings.

- 4.4.2 Any measurements or indications of area provided within this report are estimates and are provided as a guide only.

5 RESULTS

5.1 Desk Study

Designated Sites

- 5.1.1 Designated sites identified within the potential zone of influence of the proposed development are presented in Table 1 below.

Table 1 – Designated Sites within ZOI of the development

Site Name	Description	Distance and Orientation from Site
Statutory Designated Sites		
Internationally Designated Sites (Ramsar) and UK National Site Network (SPA, SAC)		
Thames Estuary & Marshes Ramsar	<i>Comprises a complex of brackish, floodplain grazing marsh ditches, saline lagoons and intertidal saltmarsh and mudflat along the River Thames between Gravesend and Sheerness in Essex and Kent.</i>	1.3km NE
Thames Estuary & Marshes SPA	<i>Comprises a complex of brackish, floodplain grazing marsh ditches, saline lagoons and intertidal saltmarsh and mudflat along the River Thames between Gravesend and Sheerness in Essex and Kent.</i>	2.1km NE
Nationally Designated Sites (SSSI, NNR, LNR)		
	<i>None within the zone of influence</i>	
Non-Statutory Designated Sites (LWS)		
Court Wood LWS	<i>Eastern parcel, Site of ancient woodland</i>	0.8km S
Court Wood (The Warren) LWS	<i>Area of grassland and scattered trees</i>	1km SW

(SPA – Special Protection Area, SAC – Special Area of Conservation, SSSI – Site of Special Scientific Interest, NNR – National Nature Reserve, LNR – Local Nature Reserve, LWS – Local Wildlife Site)

SSSI Impact Risk Zones (IRZs)

- 5.1.2 The Site lies within the IRZs of Great Crabbles Wood SSSI, Shorne and Ashenbank Woods SSSI and South Thames Estuary & Marshes SSSI.

Ancient Woodland

- 5.1.3 The desk study returned no records of ancient woodland parcels within 30m of the Site.

NERC s41 Habitats of Principal Importance (HPI)

- 5.1.4 The desk study returned no records of a habitat listed under s41 of the NERC Act 2006 within or adjacent to the Site.

European Protected Species (EPS) Mitigation Licences and GCN Licence Records

- 5.1.5 The desk study returned no records of EPS licences within 1km of the Site.

5.2 Habitats

Phase 1 Habitat Survey

5.2.1 The following habitat type was recorded within the Site on 5th December 2024:

- Intensive orchard

5.2.2 A summary of the key botanical species present within the habitat is included within the description below. While considering this information, reference should be made to the Phase 1 Habitat Map presented in Figure 1, photographs presented in Appendix A.

Intensive apple orchard

5.2.3 The Site entirely comprises intensive apple orchard, with two rows of bare ground in each aisle as a result of vehicle movement. The average sward height is less than 5cm. Species present include abundant young apple trees *Malus sp.*, with frequent perennial rye-grass *Lolium perenne* and groundsel *Senecio vulgaris* at the base of the trees.

5.3 Protected and Notable Species

Badger

5.3.1 The habitats within the Site provide suitable foraging and commuting habitat for badger. There is no suitable sett-building habitat present.

5.3.2 No signs of badger or their setts were observed during the survey.

Bats

Foraging and Commuting Habitat Assessment

5.3.3 The grassland within the Site provides suitable foraging and commuting opportunities for bats. Furthermore, the Site is connected to areas of grassland within field margins which provide foraging opportunities within the surrounding landscape, albeit sub-optimal due to the mainly arable nature of the wider area.

Ground-Level Tree Assessment

5.3.4 None of the trees within the Site were identified as offering any bat roost suitability.

Dormouse

5.3.5 No evidence of dormouse was recorded during the survey and no suitable habitat exists within the Site. The orchard trees are young and are not connected to any dormouse habitat, such as mature hedgerows, scrub, tree lines or woodland, in the surrounding area.

Great Crested Newt

Terrestrial Habitat

5.3.6 There is no suitable terrestrial habitat for GCN within the Site.

Aquatic Habitat

- 5.3.7 A review of available online OS mapping also identified no ponds within 250m of the Site.

Reptiles

- 5.3.8 There is no suitable habitat for reptiles within the Site.

Nesting Birds

- 5.3.9 No nesting birds or disused nests were recorded during the survey. Suitable nesting habitat is present within the Site in the form of orchard trees.
- 5.3.10 Approximately 20 starlings *Sturnus vulgaris* were seen within the Site during the survey, as well as fieldfare *Turdus pilaris*, redwing *Turdus iliacus* and pied wagtail *Motacilla alba*.
- 5.3.11 A further 80 starlings were recorded on telegraph lines 100m from the Site.

Other Species

- 5.3.12 Beyond those noted above, the survey identified negligible suitability for other species of conservation concern within the Site.

6 EVALUATION AND RECOMMENDATIONS

6.1 Designated Sites

Statutory Designated Sites

Internationally Designated Sites

- 6.1.1 The desk study returned records of two internationally designated sites within 5km of the Site.
- 6.1.2 Thames Estuary & Marshes Ramsar & SPA are located approximately 1.3km NE and 2.1km NE of the Site at its closest point, respectively. The proposed development would provide a net increase in residential units, from none to one, which has the potential to effect qualifying features of the Ramsar and SPA sites through increased recreational pressure when considered either alone or in combination with other plans and projects. Gravesham Borough Council has opted to manage these potential impacts through the North Kent Strategic Access Management and Monitoring Scheme (SAMMS). The Client will be required to make a SAMMS contribution once the planning application has been approved.

Nationally Designated Sites

- 6.1.3 The desk study returned no records of nationally designated sites within 1km of the Site.

Non-statutory Designated Sites

- 6.1.4 The desk study returned two records of non-statutory designated sites within 1km of the Site.
- 6.1.5 The closest of these is Court Wood LWS, located 0.8km south of the Site. However, due to the limited extent of proposals (i.e. construction of a single residential dwelling) and the spatial separation between the Site and this (or any other) LWS, no impacts will occur as a result of the proposed development.

SSSI Impact Risk Zones (IRZs)

- 6.1.6 The Site is within the IRZs of several SSSIs. The IRZs for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, there is potential for the proposed development to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.
- 6.1.7 Therefore, the development meets the criteria that would require the LPA to consult Natural England for advice on the nature of the potential impacts and how these might be avoided or mitigated, which is likely to be satisfied through a financial contribution to the SAMMS, as mentioned above.

6.2 Ancient Woodland

- 6.2.1 Guidance from Natural England and the Forestry Commission states that no development should occur within 15m of an ancient woodland. The proposed development lies well beyond 15m and, therefore, no detrimental impacts any area of ancient woodland are likely to result from the proposed development.

6.3 Habitats and Botanical Species of Interest

- 6.3.1 No HPs are present within or adjacent to the Site.
- 6.3.2 There is a single habitat within the Site, which is intensive orchard, therefore, no further botanical surveys are required.

6.4 Protected and Notable Species

Badger

- 6.4.1 Although suitable habitat for foraging and commuting badger is present within the Site, no evidence of badger was recorded within or adjacent to the Site, and no further consideration to the presence of badgers is required.
- 6.4.2 However, badgers are a highly mobile species that will readily move into new areas and as badgers and their setts are protected under the Protection of Badgers Act 1992. Due to the suitability of the Site for commuting and foraging badgers, the following sensitive working strategy to ensure the welfare of badgers throughout the course of the development should be implemented in full:
- Prior to the start of works all contractors working on the development should be briefed regarding the potential presence of badgers crossing the Site and the method of works detailed below.
 - To prevent badgers becoming trapped in excavations, any trenches or deep pits should be covered or closed overnight, any excavations that are to be left open overnight should be provided with a means of escape should a badger enter. This could be achieved through the construction of a graded bank or the installation of a rough sawn timber board such as a scaffold board or similar, which will allow the badgers to exit of their own accord. Any trenches or pits should be inspected each morning to ensure no badgers (or any other wildlife) have become trapped overnight. In the event that a trapped badger is encountered and the insertion of a means of escape prove futile, then the appointed ecologist should be contacted immediately to discuss an appropriate manner in which to proceed.

- Should the development require the installation of culverts and/or large diameter piping, measures to ensure the ends are closed should be implemented overnight.
- The storage of topsoil or other soft building material should be subject to daily inspections for the presence of badgers, stored on pallets or ring-fenced with a badger-proof fencing material. Badgers will readily adopt such mounds for a sett and should this event occur, the mound will be afforded the same level of protection as an established sett.
- To avoid any upset/spillage by badgers, the storage of any chemicals required during the development will be away from unaffected habitats and preferably within a steel container.

Bats

Commuting and Foraging Habitat

- 6.4.3 The intensive apple orchard provides suitable foraging and commuting habitat for bats, though it is limited in quality. The Site is connected to other small areas of grassland but the majority of the surrounding landscape comprises arable land with a lack of mature trees, scrub, hedgerows or woodland. The Site's habitats are, therefore, considered to offer 'Low' suitability for foraging and commuting bats, and given the small scale of the Site, it is not considered necessary or proportionate to undertake bat activity surveys in this instance.
- 6.4.4 However, since lighting can be detrimental to bats using vegetation for foraging and commuting, if any external lighting is proposed for the development (only if deemed necessary for safety or security) this should be designed to be sensitive to the surrounding habitats, avoiding direct illumination of them, such as through the use of highly directional L.E.D lighting (with no UV component), downward facing and ideally of a colour temperature of 2700K or less. Also could utilise luminaires that are PIR activated and therefore only illuminated when motion detected. The Institution of Lighting Professionals (ILP), in partnership with the Bat Conservation Trust (BCT), has published guidance relating to bats and lighting – this is available at the following link: <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>.

Roosting Habitat

- 6.4.5 There are no trees within the Site that offer any potential bat roosting features. Therefore, no further consideration to tree-roosting bats is required in this instance.
- 6.4.6 In addition, no buildings or built structures currently exist within the Site and, therefore, no further consideration to roosting bats in relation to buildings is required either.

Dormouse

- 6.4.7 No suitable habitat for dormice exists within the Site and there is no suitable connected habitat within the wider landscape, therefore, no further consideration is required in relation to this species.

Great Crested Newt

- 6.4.8 No suitable habitat is present within the Site and the desk study identified no ponds within 250m of the Site, via review of OS and aerial mapping. Therefore, the species is considered likely absent from the Site and no further consideration in this regard is required.

Reptiles

- 6.4.9 No suitable habitat for reptiles is present within the Site. Therefore, no further consideration to reptiles is required.

Nesting Birds

- 6.4.10 Suitable breeding, nesting and foraging habitat for birds is present within the Site. Bird species recorded within the Site although common and widespread contained two Birds of Conservation Concern 5 (BoCC5) red listed species (starling and fieldfare) and a single amber listed species (redwing). However, due to the small size of the Site and the extensive similar surrounding suitable habitat which will be undisturbed, in this instance, further surveys for birds are considered disproportionate.

- 6.4.11 However, as all nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended), and fieldfare and redwing are also further protected under Schedule 1 of the Act from disturbance whilst nesting, it is recommended that tree clearance works (where necessary) are conducted outside the core breeding period for birds of late February – August inclusive. Fieldfare and redwing are both largely considered as winter visitors in the UK, and it is unusual for these species to nest. In addition, their nesting habitat on the continent is typically within woodlands or wooded farmland, therefore, it is considered highly unlikely that they would nest within or adjacent to the Site.

- 6.4.12 However, should this timeframe be unobtainable, a thorough search for the presence of nesting birds within and adjacent to the Site should be conducted by a suitably experienced ecologist immediately prior to the start of works. Should evidence of nesting birds be recorded, works within 5m of the nest, or works that have the potential to destroy the nest(s) (or disturb if a Schedule 1 bird species nest is found), should stop until the eggs have hatched, and the chicks fledged, or the nest is deemed by a suitably experienced ecologist to no longer be active.

Other Species

- 6.4.13 There are no obvious and immediate issues regarding other protected or notable species on the Site and no further surveys to determine the presence of other protected or notable species is required in this instance.
- 6.4.14 Should at any point during the development a protected or notable species be identified within the Site, then all works should **stop** and the appointed ecologist consulted on the appropriate manner in which to proceed.

7 ECOLOGICAL ENHANCEMENTS

7.1 Opportunities to include biodiversity enhancements within the Site exist and, in accordance with the requirements of the NPPF 2024, the following recommendations are considered appropriate for the Site:

- The installation of three nest boxes suitable for starling in suitable locations on the proposed dwelling would increase the Site's suitability for nesting starlings. Boxes should be hole-fronted nesting boxes, such as those available from [NHBS](#) . To maximise suitability, boxes should be installed on sheltered aspects close to vegetation at a height of 3-4m, preferably on north, northeast or northwest facing elevations.
- The installation of two integrated bat boxes installed on the southern aspect of the proposed building would increase the Site's suitability for roosting bats. These boxes should be installed at a height of 3m or more or at eaves height on sunny, sheltered aspects, away from direct illumination by artificial lighting and in a location, which ensures connectivity to foraging habitats within the wider landscape. In this instance, boxes such as those provided by www.habibat.co.uk are recommended for within built structures.
- The incorporation of a wildlife-friendly planting scheme within the grounds post-development, including native plant species, and native species-rich hedgerows within the Site and Client's wider landownership, would be of benefit to invertebrates, and subsequently birds and bats.
- The incorporation of a bug hotel and/or bee post would enhance the opportunities within the Site for invertebrates.
- The incorporation of log and/or brash piles at suitable locations within the Site or wider landownership would provide an enhancement for hedgehog and other species.
- Any tree planting should be undertaken using native species such as pedunculate oak, small leaved lime *Tilia cordata*, black poplar *Populus nigra*, wild service tree *Sorbus torminalis* or similar.

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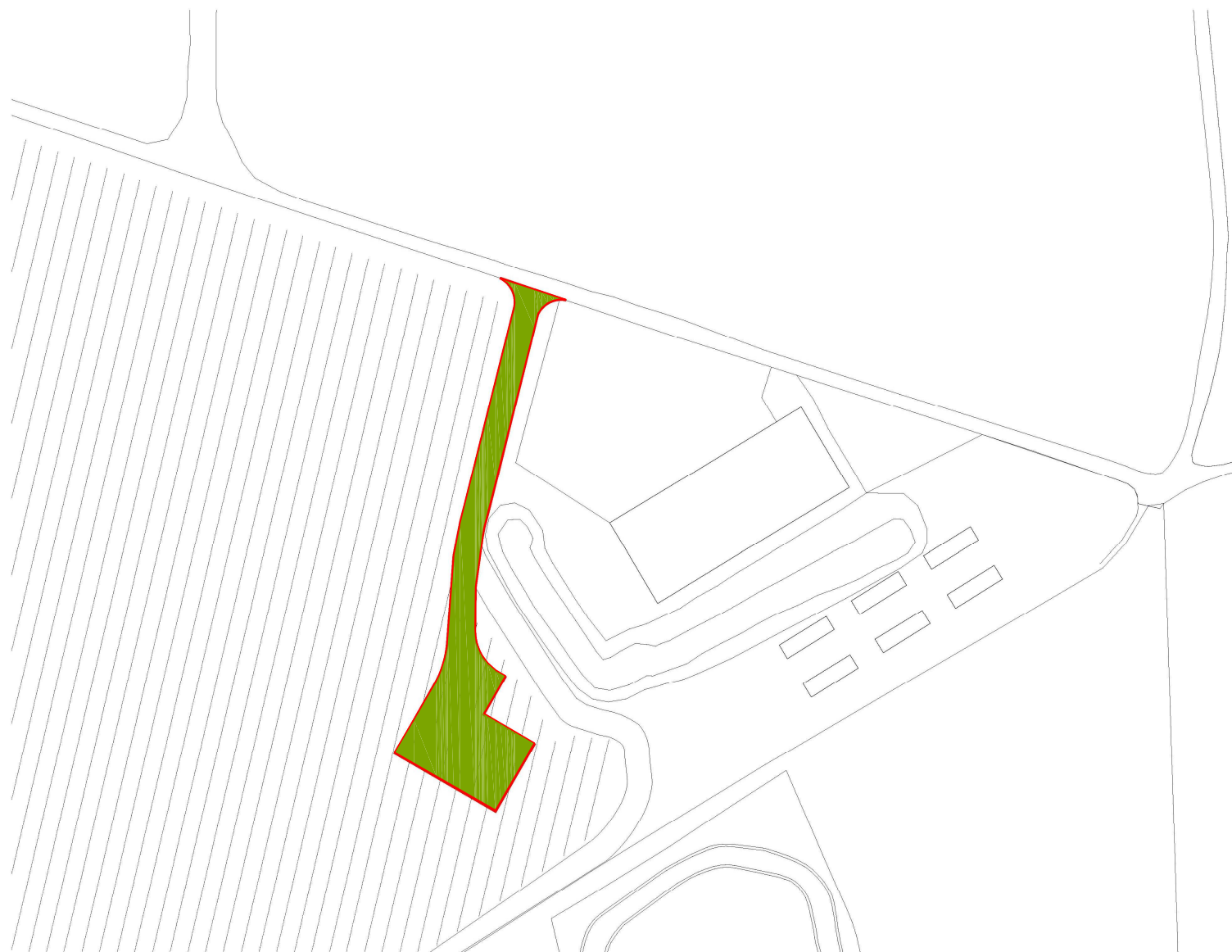
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<http://www.legislation.gov.uk/uksi/2017/1012/made>

Natural Environment and Rural Communities (NERC) Act (2006).
<http://www.legislation.gov.uk/ukpga/2006/16/contents>

The Wildlife and Countryside Act (as amended) 1981. <http://jncc.defra.gov.uk/page-1377>

Figures



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Issued for Planning

Revision:	Rev By:	Checked By:
A. 15.12.2022	RB	BW
B. 10.07.2024	RB	BW



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Client:
AC Goatham

Project:
Proposed Dwelling

Site Address:
New Green Farm
Lower Shorne
Gravesend

Scale: 1:500 @ A2

Date: 15.12.2022
Checked By: TWO

Drawing Title:
Existing Block Plan

St: | Job No: | Drawing No: | Rev:
P.3274.020.B

Legend



Job Reference : J24-021687

Project Title: Farm Manager's House at
New Green Farm

Drawing Title:
Figure 1: Phase 1 Habitat Map

Date : 17/12/24 Checked : CB

Drawn : MC Approved : CB

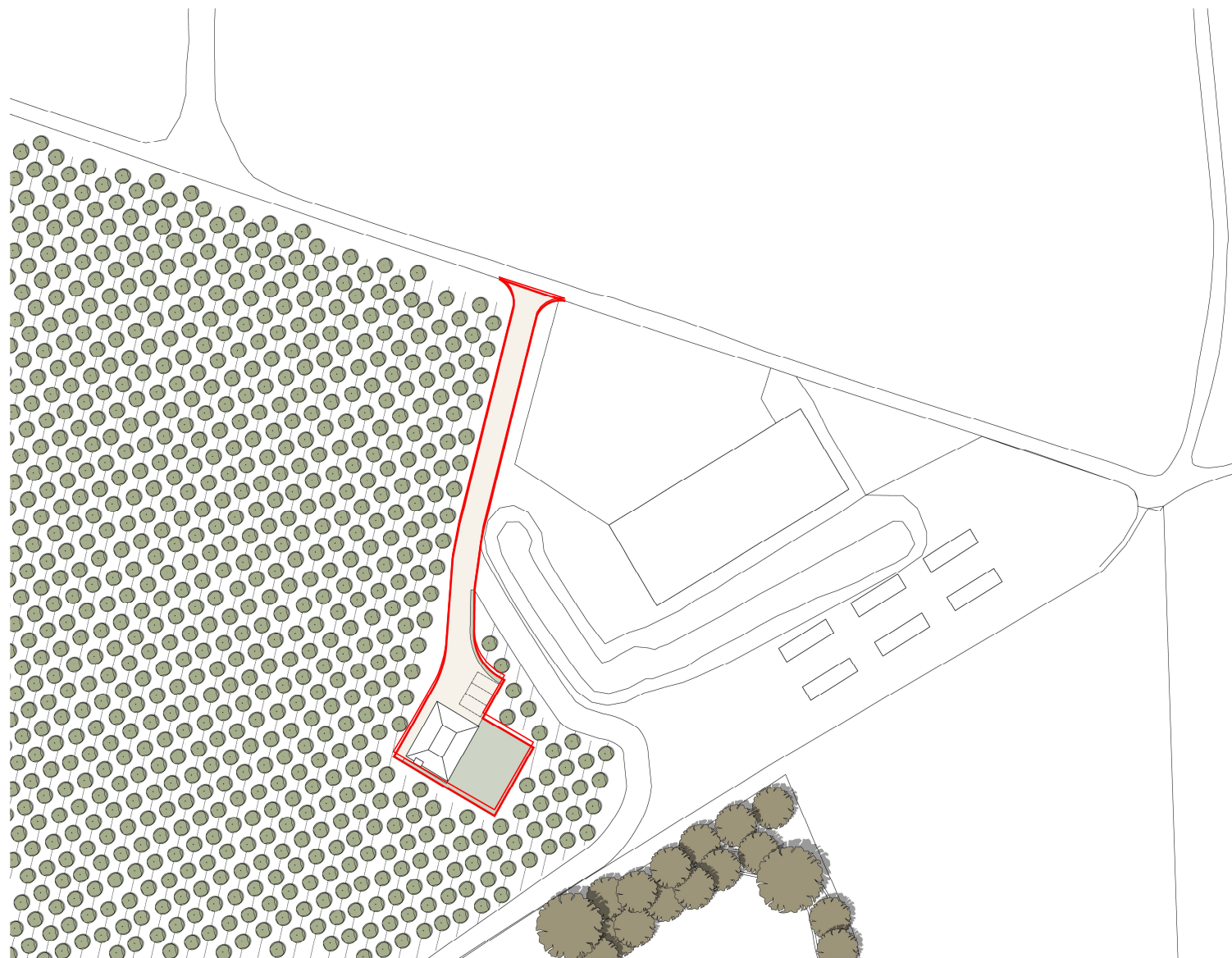
Status : Final Scale : NTS



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Key:

- Planning Boundary (877 m²)
- Ownership Boundary

Revision:	Rev By:	Checked By:
A. 05.06.2024	RB	BW
B. 10.07.2024	RB	BW

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Project:
Proposed Dwelling

Site Address:
New Green Farm
Lower Shorne
Gravesend

Scale: 1:500 @ A2 Drawn By: RB

Date: 05.08.2024

Drawing Title:
Proposed Block Plan

St: | Job No: | Drawing No: | Rev:
P.3274.030.B

Job Reference : J24-021687

Drawing Title:
Figure 2: Project Proposals

Drawn : MC Approved : CB

Status : Final	Scale : NTS
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Appendices

APPENDIX A – Site Photographs

	
Photo 1: Intensive orchard	Photo 2: Orchard edge, with bare ground
	
Photo 3: Base of orchard rows	Photo 4: Bare ground due to vehicle access

APPENDIX B – Legislation and Planning Policies

Legislation

- The Conservation of Habitats and Species Regulations 2017 (as amended) transposes European Union Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into National law. These regulations provide for the designation and protection of 'European Sites', the protection of 'European Protected Species' and the adaptation of planning controls for the protection of such sites and species. Under the regulations, public bodies have a duty in exercising their functions to have regard to the EC Habitats Directive.
- The Environment Act 2021 operates as the new framework of environmental protection following the United Kingdom's departure from the EU. The Environment Act allows the UK to enshrine some environmental protection into law, and offers new powers to set new binding targets, including for air quality, water, biodiversity, and waste reduction. The Act mandates the creation of Local Nature Recovery Strategies, Protected Site Strategies, Species Conservation Strategies, and the use of conservation covenants to support the design and delivery of strategic approaches to deliver better outcomes for nature. Additional mandates covered by The Act (Part 7) came into force in February 2024 and include:
 - A requirement for Biodiversity Net Gain for developments, to ensure all development deliver a minimum of 10% net gains in biodiversity (Section 98).
 - Strengthening of the duty placed on all public bodies to “conserve” and “enhance” biodiversity (Section 102).
 - Duty placed upon Local Authorities to consult prior to felling street trees (Section 115).
- The Wildlife and Countryside Act 1981 (as amended) provides detail on a range of protection and offences relating to wild birds, other animals, and plants. The level of protection depends on which Schedule of the Act the species is listed on. Licences are available for specific purposes to permit actions that would otherwise constitute an offence in relation to species.
- The Countryside Rights of Way Act 2000 provides additional support to the Wildlife and Countryside Act 1981; for example, increasing the level of protection for certain species of reptiles.
- The Natural Environment and Rural Communities (NERC) Act 2006 imposes an obligation on all public bodies, including local authorities, to consider whether their activities can

contribute to the protection of wildlife. The duty is created by section 40(1) of the Act, which states that: "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."

- The Hedgerows Regulations 1997 are enforced under the Environment Act 1995, and serves to: restrict the removal of hedgerows, or parts of hedgerows which are over 20m in length. In this case, removal includes digging up and replanting elsewhere, as well as removing from the land completely or destroying in the course of other actions. This includes developments or activities which destroy the roots, causing the vegetation to die.
- The Protection of Badgers Act 1992 exists to protect badgers *Meles meles* from cruelty. Under the act it is a criminal offense to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so, or to intentionally or recklessly interfere with a sett.
- The Wild Mammal (Protection) Act 1996 protects wild mammal species from certain cruel acts, including kicking, beating, nailing, or otherwise impaling, stabbing, burning, stoning, crushing, drowning, dragging or asphyxiation of any wild mammal with intent to inflict unnecessary suffering. Crushing and asphyxiation are most likely to occur as a result of development proposals, should these works collapse any mammal burrows, or encounter wild mammals on site.

National Planning Policy

- The National Planning Policy Framework (December 2024) states (Section 15) that the planning system should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks; promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. It also states that local planning authorities should refuse planning on the following principles:
 - If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for.
 - If development is on land within or outside a Site of Special Scientific Interest (SSSI), and is likely to have an adverse effect on it (the exception being where the benefits of the development in the location proposed clearly outweigh its likely impact);
 - If development results in the loss or deterioration of irreplaceable habitats, such as ancient woodland and ancient or veteran trees (unless there are wholly exceptional reasons, and a suitable compensation strategy exists).

Additionally, the NPPF states that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- Species and Habitats of Principal Importance for Conservation in England and Wales and priority habitats and species listed in the Gravesham local plan are species which are targeted for conservation. The government has a duty to ensure that involved parties take reasonable practice steps to further the conservation of such species under Section 41 of the Natural Environment and Rural Communities Act 2006. In addition, the Act places a biodiversity duty on public authorities who 'must, in exercising their functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity' (Section 40 [1]). Criteria for selection of national priority habitats and species in the UK include international threat and marked national decline.

Local Planning Policy

- Gravesham Local Plan Core Strategy (Adopted September 2014) Policy CS19: Development and Design Principles: New development will protect and, where opportunities arise, enhance biodiversity and the Brough's Green Infrastructure network. Support will be given to environmental enhancements where opportunities arise.