



ECOLOGICAL ADVICE SERVICE

TO: Lisa Fisher
FROM: Helen Forster
DATE: 27 November 2024
SUBJECT: 12 Campbell Road, Gravesend 20240949

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.

We provided the following comments in July 2024 for application PRE20240146 and we advise that they are still valid for this application.

No ecological information has been submitted with this planning application.. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

As the site is located within an area adjacent to areas of vegetation and residential gardens there is potential for bats to be present within the area. The building may provide suitable features to support roosting bats and as such an Ecological Impact Assessment (EcIA) should be undertaken by a suitably qualified ecologist¹, in accordance with good practice guidelines.

The EcIA will include the following:

¹ Suitably qualified ecologists can be found using either the: [CIEEM Registered Practice Directory](#) or the [Environmental Data Services Directory](#).

- Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA) and any necessary additional surveys undertaken;
- Details of any necessary and achievable ecological mitigation and/or compensation measures;
- Details of ecological enhancement measures, and;
- Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.

We highlight that the production of an EcIA does not need to be onerous and due to the time of year we recommend that ecological advice is sought as soon as possible. It is currently the bat survey season therefore if bat emergence surveys are required they can be carried out this year.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the EcIA is submitted prior to determination of the planning application. This is in alignment with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/2005² 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”*.

The EcIA will also ensure alignment with the National Planning Policy Framework (NPPF) 2023 and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act 2006 and paragraphs 180 and 186 of the NPPF 2023 biodiversity should be maintained and enhanced through the planning system.

Biodiversity Net Gain

Under the Environment Act 2021, all planning applications for major development (unless exempt^{3,4}) submitted on or after 12th February 2024 in England, will have to deliver at least a 10% biodiversity net gain. It is a requirement for minor applications, unless exempt, submitted on or after the 2nd April 2024.

The applicant has indicated within the application form that that they do not consider the general Biodiversity Gain Condition applies to this application. The applicant has indicated that this is because the development is subject to the de minimis exemption. The de minimis exemption applies where:

- The development will not impact any onsite priority habitat; AND
- The development will not impact more than 25 square metres of onsite habitat with a biodiversity value greater than zero; AND
- The development will not impact more than 5 metres of onsite linear habitat.

From reviewing satellite photos we agree with the conclusion that the site meets the de-minimis exemption. The aerial photos do suggest that prior to 2024 there was vegetation

² [odpm-circ-0605.qxd \(publishing.service.gov.uk\)](#)

³ [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](#)

⁴ [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024 \(legislation.gov.uk\)](#)

adjacent to the site but it appears it was not within the redline boundary and therefore we are satisfied that it does not need to be considered.

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

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:
Plans and Extensions; EP Architects;