



ECOLOGICAL ADVICE SERVICE

TO: Lisa Fisher

FROM: Emma England

DATE: 28 April 2026

SUBJECT: 20260033 & 20260034 / Open Space St Albans Close

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.

DEEMED CONDITION, CONDITION 7 and CONDITION 8 DISCHARGE

We have been asked to comment on the discharge of conditions 7 and 8 for planning permission 20250479.

Please note that this development requires a 10% mandatory biodiversity net gain under the general biodiversity gain condition as per Schedule 7A, Section 13(1) of the Town and Country Planning Act 1990 as well.

The general biodiversity gain condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

We have reviewed the submitted documents in relation to conditions 7 and 8, and the general biodiversity gain condition. We note that conditions 8 and 14 have relevance to the biodiversity gain plan.

We note that no application appears to have been made to discharge the deemed condition. We recommend that the description of Condition 7 be updated to make clear that the deemed condition is also a subject of the application, or we advise that a separate

application should be made for discharge of the deemed condition to formalise its discharge, as required by legislation.

Insufficient information has been provided for discharge of these conditions. The following information is required prior to determination:

- Review and where necessary update of the biodiversity metric calculation tool;
- Update of the post-development habitat plan within the HMMP;
- Update of some of the management measures within the HMMP; and
- Agreement between the LPA and applicant regarding the submission of monitoring reports

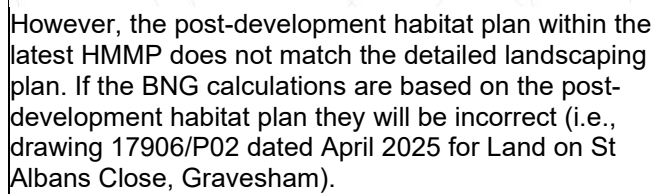
Detailed Comments

Legislation and government standing advice indicates that the information shown in Table 2¹ needs to be submitted to and approved by the local planning authority as part of the 'deemed condition' biodiversity gain plan prior to commencement of development.

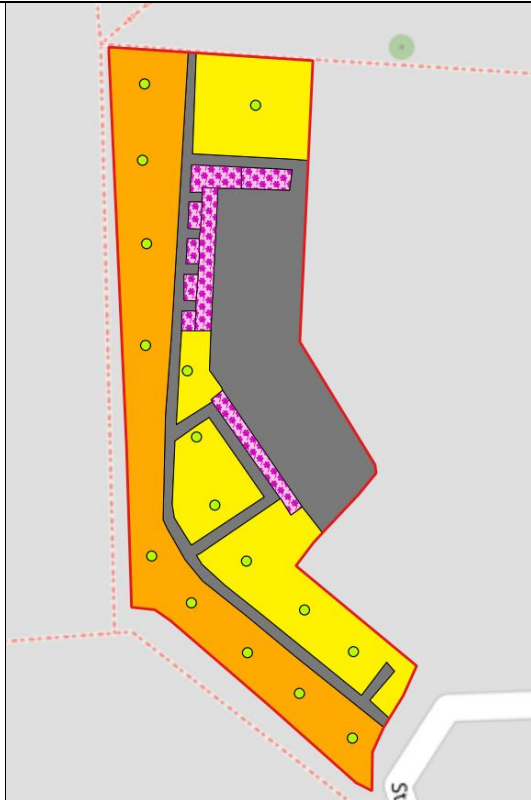
References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric. As such, a copy of the completed biodiversity metric calculation tool, in excel spreadsheet format, has been submitted as part of this submission in conjunction with the biodiversity gain plan. The local planning authority must approve the biodiversity gain plan; without approval, the development may not commence.

Table 2: To show the information required for the biodiversity gain plan under legislation and as indicated by government standing advice, and whether the submitted information is sufficient.

Information Needed	Provided	Comments
The steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat. And, (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that.	Yes	The applicant is required by law to deliver biodiversity gains in accordance with the biodiversity gain hierarchy, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 Section 37A. We are satisfied that the applicant has appropriately applied the hierarchy to this development.
The relevant date , for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date.	Yes	With the original application, the applicant has provided the date of 14 th April 2025 as the date of the pre-development biodiversity value calculation, which is the date the metric was completed based on a desk study. This is considered acceptable to inform the application.
The completed biodiversity metric calculation tool(s) , stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date , and post-development biodiversity value. And, evidence that biodiversity gain objective can be met.	No	Accurate biodiversity metric calculations need to be submitted as part of the biodiversity gain plan condition discharge application. A detailed landscaping plan has now been submitted.



However, the post-development habitat plan within the latest HMMP does not match the detailed landscaping plan. If the BNG calculations are based on the post-development habitat plan they will be incorrect (i.e., drawing 17906/P02 dated April 2025 for Land on St Albans Close, Gravesham).



The Tyler Grange drawing shows the correct number of trees. However, the hard landscaping appears to be incorrect, as well as the incorrect amount and locations of ornamental shrub planting and grassland. We request that the post-development habitat plan in the HMMP is updated and that it be confirmed that biodiversity metric calculations are correct, or they will need to be updated prior to discharge of the conditions. We are currently not satisfied that the post-development biodiversity value of the onsite habitat is shown to be at least the value specified in the plan. Under paragraph 15 of Schedule 7A, the planning authority must only approve the Biodiversity Gain Plan if they are satisfied that this is the case.

The same number of trees now show on the landscaping plan and on the post-development habitat plan. Having reviewed the condition assessment sheets we are content that the proposed tree conditions, even for the non-native trees (x3) is possible.

The submitted landscape plan provides a seed mix for the other neutral grassland and this is considered acceptable given the metric calculations.

The HMMP has not been updated to include the removal of arisings which should be specified in the management measures.

The amenity grassland seed mix proposed within the landscaping plan is acceptable given the metric calculations. The submitted HMMP does not currently reflect this seed mix. We note that the HMMP indicates

		that the grassland within the amenity areas will be managed as meadow grassland. We suspect that this is not practical. We request that the project team either confirm that the proposed management is suitable for amenity use, or we recommend that the HMMP is updated to reflect a more realistic management regime. We note that the applicant, within the HMMP has proposed submitting monitoring reports to Gravesham Borough Council. Reviewing these monitoring reports is likely to come at a cost to Gravesham, and we would generally recommend that fees for this monitoring are collected through a section 106 agreement. We are unaware if such an agreement is being or has been produced. We originally indicated that whilst the on-site proposed habitats are considered significant gains in line with national and local guidance, and require securing and monitoring for 30 years, we did not consider it necessary for there to be direct LPA oversight via the submission of monitoring reports. This is because most of the habitats can relatively easily achieve their target condition with the right planting and management, with the exception of other neutral grassland. However, in the case of the other neutral grassland, the habitat units proposed for delivery are under 0.5 units. Nevertheless, the submission of monitoring reports to the Council would provide comfort that the biodiversity gain plan is being delivered as envisaged. The Kent Local Nature Recovery Strategy (LNRS) was published in November 2025 and must now be used to produce biodiversity net gain metrics submitted in support of the deemed condition discharge. The site falls within an ACIB (Area that Could Become of Particular Importance for Biodiversity). This can affect the strategic significance scoring within the metric calculation tool. The baseline habitat strategic significance scoring within the metric calculations submitted as part of the parent permission is correct. We accept the post-development strategic significance scores currently applied in the metric calculations. Scrutiny will need to be applied at the time of the discharge of condition 14 to ensure that no changes occur which alter the biodiversity net gain plan. Once development has started, we do not understand that it will be possible to submit another biodiversity gain plan for approval.
Pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date , and drawn to an identified scale and showing the direction of North.	Yes	Although the post-development plans need to align. There is currently mis-match between the landscaping plan and post-development habitat plan in the HMMP.
A description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date , and any part of the development for which planning permission is granted	N/A	None present on site

where the onsite habitat of that part is irreplaceable habitat, arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.		
If habitat degradation has taken place: - o a statement to this effect, - o the date immediately before the degradation activity, - o the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and - o any available supporting evidence for the value.	Yes	The applicant indicated that no on-site habitat degradation has occurred since 30 th January 2020. This is corroborated by a review of aerial imagery (Google Earth Pro, accessed February 2026).
Where any registered off-site biodiversity gain is specified in the plan and allocated to the development: - o The registered off-site biodiversity gain is so allocated (and, if the allocation is conditional, that any conditions attaching to the allocation have been met, or will be met by the time to development begins), and - o The registered off-site biodiversity gain has the biodiversity value specified in the plan in relation to the development.	N/A	
Evidence that any biodiversity credits specified in the plan have been purchased.	N/A	
Name and address of the person completing the Plan, and (if different) the person submitting the Plan.	Yes	
A description of the development and planning permission reference number (to which the Plan relates).	Yes	
A description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed).	Yes	As part of the submission material for condition 8, an HMMP has been submitted. We recommend some changes/clarifications within this document prior to approval.

Emma England
Biodiversity Officer

This response was submitted following consideration of the following documents:

Whittaker, J. (December 2025) Biodiversity Gain Plan. 20250479.

Tyler Grange (April 2025) Biodiversity Net Gain Assessment. Land on St Albans Close, Gravesham.

Tyler Grange (December 2025) Habitat Management and Monitoring Plan. St Albans Close, Gravesend.

Appendix 1: Condition Wording

7. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment (Ref: 179061_R01_JW) dated 14 April 2025 and prepared by Tyler Grange.

Reason: In order to safeguard ecology and biodiversity in accordance with paragraph 193 of the National Planning Policy Framework 2024.

8. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including:

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat. The retained, created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers the required biodiversity net gain on site in accordance with Policy CS12 of the Gravesham Core Strategy and Schedule 7A of the Town and Country Planning Act 1990.

14. Prior to above ground works, and notwithstanding the details shown on the approved plans, submitted documents and application form, a scheme detailing the proposed soft and hard landscaping and boundary treatments, shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter, the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping of the scheme as proposed is properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).