



ECOLOGICAL ADVICE SERVICE

TO: Lisa Fisher
FROM: Elizabeth Fagg
DATE: 08 November 2024
SUBJECT: 20240855 68 Whitehill Road, Gravesend

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.

NO INFORMATION – NO FURTHER INFORMATION REQUIRED

No ecological information has been submitted with this application for change of use, provision of bin and cycle store and associated landscaping. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in significant ecological impacts. We have taken this view due to the change of use of the existing residential property and garden will have minimal impacts. As such, we are satisfied that there is no requirement for an ecological survey to be carried out at this time¹.

This application is exempt from Biodiversity net gain requirements under the de minimis exemption.

The LPA need to conduct an appropriate assessment.

Breeding birds

The photographs provided showed the garden to be overgrown in places and landscaping is planned. There is the possibility that breeding birds may be using the vegetation and we

¹ We consider we have taken a proportionate approach to ensure that the provision of information within the planning application is appropriate to the environmental risk associated with the development and its location in line with Clause 4.1.2 of BS42020 (BSI, 2013).

recommend a breeding bird informative is included for the landscaping works. Suggested wording is below

Vegetation within the site has been identified as suitable breeding bird habitat and some will be impacted. We recommend that any works to vegetation are conducted outside the breeding bird season (1st March to 31st Aug) to avoid risk of impacts or if within the breeding bird season, a survey by a suitably qualified person needs to be conducted to confirm absence, prior to commencing works.

North Kent Sites

This application states it is for a change of use of an existing residential property to provide a residential care property for 7 adults. This property is c.2km from, and within the zone of influence (ZOI) (6km), of the Thames Estuary and Marshes Special Protection Area and its associated Wetland of International Importance under the Ramsar Convention (Ramsar Site).

As this this development is a change of use the LPA will need to determine if this application classifies as new dwellings for the agreed approach under the North Kent Strategic Access Management and Monitoring Strategy (SAMMS), and how the SAMMS payment is applicable. We consider that as this was a former dwelling there is unlikely to be any greater impact on the protected areas.

Gravesham Borough Council must consider the impact the proposal will have on these designated sites in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework (NPPF) 2023.

Gravesham Borough Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS). This is to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full Appropriate Assessment is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the North Kent SAMMS, there is still a need for an appropriate assessment to be carried out as part of this application.

The responsibility for carrying out a Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment lies with the Competent Authority, Gravesham Borough Council.

Biodiversity Net Gain (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from the 12th February 2024 and all minor applications from the 2nd April 2024.

This application is for a change of use of an existing residential building and garden. We consider that this comes under the de minimis exemption, as under 25m² of habitat will be affected.

Enhancements

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) 2023, biodiversity should be maintained and enhanced through the planning system. Enhancement refers to providing net benefits for biodiversity over and above requirements for avoidance, mitigation and compensation. As such, we advise that a simple enhancement plan is provided and this measure can be carried out within the garden as part of the landscaping plans. A condition wording is suggested below.

Within three months of works commencement, a plan showing how the development will enhance biodiversity, will be submitted to, and approved in writing by, the local planning authority. This will include a landscaping plan to include native and wildlife-friendly planting, and integrated wildlife features. The approved measures will be implemented and retained thereafter.

Appendix 1 provides some generic (non-exhaustive) information regarding the most common enhancements we see proposed. To provide a view regarding the potential ecological benefits of any project, in line with relevant legislation and planning policy, we require sufficient detail to be submitted. Without sufficient detail we are unable to provide an opinion regarding the suitability of any proposed measures. Suitable detail may include the provision of information such as:

- The proposed target species;
- Make and model of any boxes;
- Location information such as height, aspect, surrounding habitat;
- Detailed planting schedules; and
- Relevant management necessary to ensure the habitat is suitable for the target species.

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

Elizabeth Fagg
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Block Plan, 17/9/24
- Planning Statement, Bonnystreet Planning Ltd, Sep 24

Appendix 1: Ecological Enhancement Measures

Possible Biodiversity Enhancements	Details
Provision of ready-made bird boxes	Suitability: All development. Location: Semi-mature/mature trees, buildings To provide a long-term ecological benefit for the site, boxes will need to be correctly sited: • Be away from windows and doors; • Be at the appropriate height for the target species and erected in accordance with the manufacturer guidelines; • Be sheltered, and sited on a northern or eastern facing aspect; • The boxes should be away from artificial light sources. • If siting on a tree, place the box in a way that avoids damaging the tree, and select a mature or semi-mature specimen; and • There should be a clear flight path to the box, so vegetation should not clutter the box entrance. Material: Wall or tree-mounted woodcrete or building integrated boxes are generally recommended for development projects over wooden boxes. Wooden boxes are only likely to last 5-10 years before needing to be replaced to continue to provide a wildlife benefit. A woodcrete box has a much longer lifespan of 20-25 years before needing to be replaced. We would always recommend durable materials be selected for installation to minimise maintenance in the long-term and to provide a longer-term assurance of biodiversity net gain in line with the NPPF 2023. Potential target species: Swifts: If trying to attract swifts, the minimum height for box placement is 4.5m. Boxes should be placed on a sheltered, north facing aspect, away from doors and windows. Care needs to be taken to avoid placement of swift boxes very close to trees or other structures which could provide a perch for predators, or

	not provide a good, clear flight line into the bird box. Further information is available from Swift Conservation². Starling: Starling boxes will need to be sited at a minimum height of 2.5m, although around 5m high will likely be better. (For relevant amber/red listed species e.g., wren): Open fronted boxes are generally best placed hidden from view. For example, placed on a fence/wall with bushes/climbers growing on it. Maintenance: Many bird boxes need clearing out at the end of the nesting season. The manufacturer can provide relevant information as well as the Royal Society for the Protection of Birds (RSPB)³ and British Trust for Ornithology (BTO)⁴.
Provision of bat boxes/bricks/tubes/tiles or bat roosting spaces within the new buildings	Suitability: Most development. Location: Semi-mature/mature trees, buildings To provide a long-term ecological benefit for the site, boxes will need to be correctly sited: • Be away from windows and doors or any features that might allow access to cats; • Be at the appropriate height (ideally 4-5m high) and erected in accordance with the manufacturer guidelines. • Be sheltered, and with the majority sited on a southerly facing aspect; • The boxes and a flight path to the box should be unlit; • A clear flight path to the box is needed, so vegetation should not clutter the space around the box; and • On trees, only mature or semi-mature specimens should be chosen. Material: Wall or tree-mounted woodcrete or building integrated boxes are generally recommended for development projects over wooden boxes. Wooden boxes are only likely to last 5-10 years before needing to be replaced to continue to provide a wildlife benefit. A woodcrete box has a much longer lifespan of 20-25 years before needing to be replaced. We would always

² [Fitting Swift Nest Places \(swift-conservation.org\)](https://www.swift-conservation.org/)

³ [How To Clean a Bird Nesting Box - The RSPB](https://www.rspb.org.uk/your-garden/birds-and-wildlife/bird-boxes/how-to-clean-a-bird-nesting-box/)

⁴ [Putting up a nest box | BTO - British Trust for Ornithology](https://www.bto.org.uk/conservation/putting-up-a-nest-box)

	recommend durable materials be selected for installation to minimise maintenance in the long-term and to provide a longer-term assurance of biodiversity net gain in line with the NPPF 2023. Maintenance: Bat boxes should only be checked by a suitably licensed individual to avoid breaches of legislation.
Provision of space for solitary bees	Suitability: Most development. Location: Building integrated or wall-mounted Bricks or boxes for solitary bees need to be correctly sited in a warm, sunny spot. The box should be near vegetation, but vegetation should not clutter the entrances. Place at least 1m from ground level. The box should not sway in the wind or easily become dislodged. Avoid where possible using single large hotels. Instead use lots of smaller ones spaced around the site. Material: Woodcrete boxes and building integrated boxes are generally recommended for development projects over wooden/other boxes. Although, as some sources recommend regular maintenance of solitary bee hotels, provided there is a commitment to regular maintenance, less durable boxes can be acceptable. Erection: Follow the manufacturer guidelines. Maintenance: See www.bumblebeeconservation.org/bee-nest-boxes/. And here.
Provision of hedgehog holes in fencing	Suitability: Many developments. Location: Base of fencing Construction: 13cm x 13cm gaps at the base of fencing to allow hedgehog access to all garden areas. To reduce the risk of the holes being blocked by future residents, a sign above the hole is recommended as shown on the hedgehog street website⁵.
Provision of hedgehog nesting boxes	Suitability: Many developments. Location: Tucked away under a hedge, in shrubbery or near a wall in a quiet, sheltered place. Place the box where it will not flood after heavy rain.

⁵ [Link your garden with a hedgehog highway \(hedgehogstreet.org\)](http://hedgehogstreet.org)

	Material: Woodcrete boxes are generally recommended for development projects over wooden/other boxes. Boxes should have a tunnel entrance or internal dividing wall to reduce risk of predators getting to the hedgehogs inside. Maintenance: See information provided by Hedgehog Street⁶ or The British Hedgehog Preservation Society⁷.
Provision of hibernacula (for great crested newts or reptiles)	Suitability: For larger sites with suitable habitats such as hedgerows and long grassland. Location: A sunny position on a well-drained site, not prone to flooding. One of the long sides should be south-facing. Should be placed in a patch of suitable habitat such as tussocky grassland with minimal public disturbance. Material and construction: For reptiles at least 4m long, 2m wide and 1m high and for great crested newt at least 2m long, 1m wide and 1m high. On free-draining soils, locate below ground level by excavating a pit or trench, then infilling with a mixture of topsoil and rubble, sleepers, logs, etc. For ideas on the design and construction of suitable hibernacula, see here. Maintenance: Hibernacula should be left undisturbed. Where log filled hibernacula deteriorate over time, to maintain habitat provision, consider building new ones.
Provision of log piles (for invertebrates, but could also benefit other species e.g., amphibians, reptiles, hedgehogs)	Suitability: For sites which can provide the right location and surrounding vegetation. Location: Wood in direct contact with the ground, in dappled shade. Can be placed in shrub beds, edge of woodland, near hedgerows, in long grassland etc. Material and construction: Logs at least 100mm thick with the bark still attached, and from native hardwood species. Lay stacks of logs on their side in compact piles to maintain humidity. To prevent the logs rolling, drive a stake into the ground on either side of the pile. Can also partially bury logs vertically in the ground to an approximate depth of 450 to 500mm. Use logs of different diameters and length and bury them side-

⁶ <https://www.hedgehogstreet.org/cleaning-out-boxes/>

⁷ [Hedgehog Homes \(britishhedgehogs.org.uk\)](http://britishhedgehogs.org.uk)

	by-side to form a pyramid ⁸ .
The creation of ponds	Suitability: Many developments. Location: Place away from the root protection area of trees and risk excess leaf litter. Ideally have some longer vegetation and log piles around the edge of the pond, and this connected to suitable habitat in the wider environment. This will encourage the movement of wildlife to and from the pond. Construction: For maximum benefit to wildlife, the pond should be left to colonise naturally (if in a good location for it to do so) or planted with native, local provenance plants and include no fish. Consider what to do with the spoil removed from the pond (avoid placing topsoil in a location where sediment run-off to the pond could occur). Spoil could be used in the construction of other wildlife features such as hibernacula. Create varied depths in the pond: shallow margins and areas that allow any animals that get into the pond to escape, deeper areas, at least 600mm in the middle of the pond. Where planting up, allow for submerged and emergent vegetation. <i>How to build a wildlife pond guide:</i> http://www.froglife.org/wp-content/uploads/2013/07/JAW2014-for-printing-HLF1.pdf https://freshwaterhabitats.org.uk/pond-clinic/create-pond/
Provision of native/ wildlife-friendly planting	Suitability: Most development. Native Species: An RHS study found that the best way to support invertebrates in gardens and promote a healthy ecosystem, is to choose plantings biased towards British native plants, and encourage dense vegetation, although leaving some areas of bare soil⁹. https://www.rhs.org.uk/advice/profile?pid=848 or https://www.britishflora.co.uk Hedgerows: As far as possible, hedgerows should be connected to high-quality habitats to improve species movement. To maximise any potential wildlife benefit long-term, species-rich (containing at least 5 different species) native hedgerows should be prioritised and be managed sympathetically for wildlife. They should have a target height and width of at least 1.8m by 1.8m. A native

⁸ [Build-a-log-pile-for-stag-beetles.pdf \(ptes.org\)](#)

⁹ [Plants for Bugs - RHS science projects / RHS Gardening](#)

	hedgerow consisting of a single species, managed to 1m high by 1m wide and cut every year will likely provide very limited ecological benefit in comparison. Hedgerows should ideally be managed sensitively on a three year rotation, with cutting avoiding the bird breeding season and retaining at least some winter fruit/berries (see here). Establish climbing plants on walls and other vertical structures: Where space is limited, climbing plants can provide increased wildlife benefit within the space available. Climbing Plants & Wall Shrubs - The RSPB
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