



ECOLOGICAL ADVICE SERVICE

TO: Amanda Grout

FROM: Emma England

DATE: 15 March 2023

SUBJECT: 20230178 and 20230190 / Kent Barn East of Gore Green Road, Higham

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 whether sufficient and appropriate ecological information has been provided to assist in its determination. 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 – MORE INFORMATION NEEDED

No ecological information has been submitted with this 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/having already arisen.

There is concern that roosting bats were identified within the building on-site in 2018. Further surveys were required to be undertaken for roosting bats as part of condition 2 of the previous planning permission (application 20180380) and no evidence of such surveys or a licence from Natural England to commence construction works at the site has been provided as part of the submission. Without further supporting information being submitted there is a risk that the planning condition and legislation relating to roosting bats have been breached. Roosting bats are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

Habitats and features (including previous records of roosting bats) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. As such, an Ecological

Impact Assessment (EcIA) should be undertaken by a suitably qualified ecologist¹, in accordance with good practice guidelines. The previous assessments undertaken at the site in 2018 are out-of-date².

The EcIA will include the following:

- Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA) and any 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.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the EcIA is sought prior to determination of the planning application. This is in alignment with paragraph 99 of ODPM 06/2005 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) 2021 and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act (2006) and paragraphs 174 and 180 of the NPPF (2021) biodiversity should be maintained and enhanced through the planning system. As such, we advise that information is submitted with the EcIA to demonstrate that the development can achieve a biodiversity net gain.

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

Emma England
Biodiversity Officer

This response was submitted following consideration of the following documents:

Clague Architects (March 2023) Design and Access Statement. Proposed Redevelopment at Gore Green Farm, Higham, Kent, ME3 7HL.

Gravesham Borough Council (January 2019) Notification of Grant of Permission to Develop Land. Application 20180380.

Lloydbore (July 2018) Reptile Report. Gore Green Farm. Ref: 4566-LLB-RP-EC-0004-S4-P01.

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

² CIEEM (2019) Advice Note: On the Lifespan of Ecological Reports and Surveys. Available [here](#).

Lloydbore (May 2018) Great Crested Newt Report. Gore Green Farm. Ref: 4566-LLB-RP-EC-0001-S3-P01.

Lloydbore (February 2018) Preliminary Ecological Impact Assessment. Gore Green Farm. Ref: 4566-LLB-ZZ-RP-EC-0003.