



## ECOLOGICAL ADVICE SERVICE

**TO:** *Alison Webster*

**FROM:** *Hannah Simmons*

**DATE:** *23 June 2026*

**SUBJECT:** *20250993 Land Adj To Longfield Rd, Meopham*

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*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.*

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### **SUMMARY – SUFFICIENT INFORMATION**

We have reviewed the information submitted by the applicant and advise that sufficient **ecological and biodiversity net gain** information has been provided for determination. We have provided suggested condition wording for the following:

- [Farmland Bird Compensation Strategy](#)
- [Badger Walkover](#)
- [Construction and Environmental Management Plan](#)
- [Habitat Management and Monitoring Plan](#)
- [Biodiversity Gain Plan](#)
- [Notice of HMMP works commencing](#)
- [Notice of completion of the creation/enhancement works](#)
- [Submission of Monitoring Reports](#)
- [Ecological Enhancements](#)
- [Lighting](#)

A summary of our review of the submitted biodiversity net gain information is provided below. Detailed comments on the submitted ecological and biodiversity net gain information follow the subheadings below.

**Table 1:** *To show a summary of our review of submitted biodiversity net gain information*

| Percentage Net Gain Required | Percentage Net Gain Reported for Area Habitats | Percentage Net Gain Reported for Linear Habitats | Net Proposed: Gain               | On-site 'significant' Net Gains Proposed |
|------------------------------|------------------------------------------------|--------------------------------------------------|----------------------------------|------------------------------------------|
| 20%                          | 19.17%                                         | 385.29%                                          | Significant on-site and off-site | Yes                                      |

Using the national and local guidance regarding significance, we consider that the on-site biodiversity net gain (excluding private gardens) should be treated as significant and so requires securing for 30-years.

## Protected Species

### Breeding Birds

Wintering bird surveys were carried out in Winter 2024/2025 and breeding bird surveys were carried out in Spring 2025. However, further wintering bird surveys were cancelled after a bird scarer had been installed in the field which would reduce the suitability of birds being recorded on site.

The May breeding bird survey recorded one singing skylark outside the site boundary to the southwest, that could point to a breeding pair of skylarks being present on site. No other birds of conservation concern were recorded during the surveys. Skylark are a Birds of Conservation Concern 'red listed' species and are listed as a Species of Principal Importance (also known as 'priority' species) under S41 of the NERC Act 2006. Their conservation must therefore be considered as part of any local planning authority's biodiversity duty<sup>1</sup>. As such, suitable mitigation in the form of additional breeding territory to compensate for the loss of one breeding territory is required. Therefore we advise that a Farmland bird compensation strategy should be submitted prior to or with the reserve matters application and secured via condition if planning permission is granted.

With regards to submitting a compensation strategy, it will be important to demonstrate that it will be possible to secure the mitigation/compensation through condition/obligation, and that the mitigation/compensation is achievable.

A map should be included to show as a minimum where there is possible mitigation land. There should be an explanation of the type of fields to be targeted (size, shape, field boundaries) and how it has been assessed that the compensation measures proposed are capable of supporting the additional birds. The number of skylark territories proposed within any plot of land should be determined based on the minimum field sizes recommended in guidance (5ha bounded by open field boundaries or short hedges, 10ha if bounded by tall hedges or woodland) and scientific evidence/ monitoring data for other similar projects should support the proposed approach with regards to any enhancement measures to increase territory numbers within existing areas of land.

We note that any off-site mitigation will need to be secured via a legal agreement.

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<sup>1</sup> [Complying with the biodiversity duty - GOV.UK](https://www.gov.uk/guidance/complying-with-the-biodiversity-duty)

### Farmland Bird Compensation Strategy – Suggested Condition Wording

*Prior to or concurrent with the submission of the first of the reserved matters, a Farmland Bird Compensation Strategy shall be submitted to and approved in writing by the Local Planning Authority.*

*The Farmland Bird Compensation Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed measures*
- b) Detailed Methodology for measures to be delivered*
- c) Location of the proposed measures by appropriate maps and/or plans*
- d) Mechanism for implementation & Monitoring of delivery*

*The Farmland Bird Compensation Strategy shall be implemented in the first nesting season following commencement of the development and in accordance with the approved details, or any amendment as may be approved in writing pursuant to this condition, and all features shall be delivered for a minimum period of 10 years.*

*Reason: To allow the Local Planning Authority to discharge its duties under the NERC Act 2006 (as amended).*

### Badgers

Badger surveys undertaken in Spring 2025 found that there are two active badger setts within 30m of the site to the south within the adjacent woodland. Additionally, latrines and badger paths were also recorded along the site boundary.

The cropland offers little suitable habitat to badgers, and the modified grassland (which is proposed to be retained) offers some foraging opportunities for badgers. Therefore, it is possible that badgers may be on site. However, no works (other than tree planting) are proposed within 30m of the setts. Therefore we are satisfied that a badger licence is not required.

We advise that no more than one month prior to site/vegetation clearance/construction, a precautionary walkover of the site and a 30m radius around the site should be undertaken, by a suitably qualified ecologist, to search for active badger setts. If a badger sett is discovered on site, or within 30m of site, a suitably experienced ecologist will need to provide advice on any necessary further survey and mitigations for badgers. This should include whether a badger mitigation licence from Natural England is required prior to the commencement of any works on site. This and other precautionary measures to ensure that impacts to badgers are minimised can be conditioned if planning permission is granted.

### Badger Walkover – Suggested Condition Wording

*No earlier than one month prior to commencement (including site or vegetation clearance), a pre-works update badger walkover survey shall be undertaken by a suitably qualified ecologist to identify any badger sett entrances within 30m of the site boundary. Should badger sett entrances be identified, details of any necessary additional survey undertaken, along with any mitigation and licensing requirements shall be submitted to the Local Planning Authority for written approval prior to commencement.*

### Reptiles and Amphibians

As there is little suitable habitat (modified grassland) on site for reptiles and amphibians, plus what is there is proposed to be retained, we are satisfied that it is unlikely that they will be present on site or will be impacted by the proposal.

As it is a small risk that reptiles may be using the site, we are satisfied that precautionary measures will be sufficient for the clearing of the habitat. If planning permission is granted, we advise that precautionary measures are included in a Construction Environmental Management Plan (CEMP) and secured via a condition.

### Construction and Environmental Management Plan – Suggested Condition Wording

*No development shall be undertaken (including any ground works, site and/or vegetation clearance) until a construction ecological management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and include the following:*

- *Retained tree and hedgerow protection measures in accordance with BS 5837:2012;*
- *Measures to avoid impacts to the adjacent woodland, including identification of a construction exclusion zone (and the use of protective fences, exclusion barriers and warning signs);*
- *Extent and location of proposed construction and mitigation works, shown on appropriate scale maps and plans;*
- *Specific measures (which may be presented as a series of method statements) to avoid impacts to amphibians, reptiles and breeding birds and a timetable for implementation of the measures;*
- *Persons responsible for implementing the measures, including times during construction when specialist ecologists need to be present on-site;*
- *The role and responsibilities of an Ecological Clerk of Works (ECOW) or similarly competent person(s);*
- *Contingency plans should a protected species be encountered;*
- *Copies of any protected species mitigation licences issued by Natural England as required; and*
- *Details of the safe disposal of any wastes for implementing measures.*

*The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.*

### Bats

A Ground Level Tree Assessment (GLTA) was undertaken in Summer 2025. Two trees were identified as offering limited roosting potential for individual/low numbers of crevice dwelling bats and therefore were classified as PRF-I. Currently the trees are proposed to be retained, but should these trees require felling, we are satisfied that no further surveys are required and that felling can be completed under precautionary felling measures.

### Dormice

Surveys were undertaken in Spring-Autumn 2025 and no signs of dormouse were recorded. We are satisfied that dormouse mitigation does not need to be considered as part of this proposal.

## Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications<sup>2</sup> for development (unless exempt<sup>3,4</sup>), must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development.

Significant on-site gains, and all off-site gains will need to be secured for at least 30 years.

Having reviewed submitted information<sup>5</sup>, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development. We consider there is no local policy biodiversity net gain requirement above 10% for this development.

We have produced the following table to aid the local planning authority in ascertaining whether sufficient BNG information has been submitted:

**Table 1:** To show whether the applicant has met the minimum validation requirements

| Information Needed                                                                                                                                                                                                                                                                           | Provided | Comments                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition.                                                                                                                                          | Yes      |                                                                                                                                                                                                                                                                                                                                                                        |
| The pre-development biodiversity value(s), <a href="#">either on the date of application or earlier proposed date (as appropriate)</a> .                                                                                                                                                     | Yes      | A site visit was carried out by a suitably qualified ecologist 26 February 2025. This is considered acceptable to inform the habitat baseline for this application given the site size, location and habitats reported.                                                                                                                                                |
| Where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date.                                                                                                                                                                     | Yes      |                                                                                                                                                                                                                                                                                                                                                                        |
| <a href="#">The completed metric calculation tool</a> showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value. | Yes      | The site is 5.68 hectares in size, according to the information in the application form. The habitat area reported in the biodiversity metric calculation tool (6.24 hectares) does not match the reported red line boundary site area as per the application form. This is a discrepancy of 0.56 hectares. The redline boundary and metric have been adjusted so that |

<sup>2</sup> All planning applications for major development (unless exempt) submitted on or after 12<sup>th</sup> February 2024 in England, and all minor applications (unless exempt), submitted on or after the 2<sup>nd</sup> April 2024.

<sup>3</sup> Biodiversity net gain: exempt developments - GOV.UK ([www.gov.uk](http://www.gov.uk))

<sup>4</sup> The Biodiversity Gain Requirements (Exemptions) Regulations 2024 ([legislation.gov.uk](http://legislation.gov.uk))

<sup>5</sup> References to the biodiversity value of any habitat or habitat enhancement within this section of the advice note refer to the value as calculated in accordance with the biodiversity metric.

| Information Needed                                                                                                                                                                                                                                                                                              | Provided | Comments                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                 |          | <p>the off-site habitat works are within the blue line boundary.</p> <p>We are content with the baseline habitat classifications for both on and off-site.</p> <p>As there are no potential measures on site, we are satisfied that the habitats have been correctly identified as low strategic significance for both pre and post-development.</p> |
| A statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value (' <a href="#">degradation</a> ')                                                                                                            | Yes      | None reported or visible on aerial imagery dated 2020-2025 (Google Earth Pro, accessed 28 April 2026 date)                                                                                                                                                                                                                                           |
| A description of any <a href="#">irreplaceable habitat</a> (as set out in <a href="#">column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024</a> ) on the land to which the application relates, that exists on the date of application, (or an earlier date). | -        | None reported.                                                                                                                                                                                                                                                                                                                                       |
| Plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).                                                                                           | Yes      | The redline boundary and metric have been adjusted so that the off-site habitat works are within the blue line boundary.                                                                                                                                                                                                                             |

## Post-development Habitats

### Habitat Creation and Enhancement Tabs

We consider that the proposed habitat creation/enhancement and proposed uplift of 19.17% habitat and 385.29% hedgerow BNG is achievable and realistic.

Information has been submitted with this application to give confidence that the biodiversity gain hierarchy can be effectively applied to this application, and how conditions should be applied should planning consent be granted.

### On-site Significant Gains

Significant on-site gains are areas of habitat creation or enhancement which contribute significantly to the proposed development's biodiversity net gain relative to the biodiversity value before development. Retention of existing habitat cannot count as an on-site significant gain.

Non-significant enhancements are those whose loss will not significantly decrease the development's biodiversity value e.g., private gardens or container planting. These types

of enhancements do not normally require maintenance provisions and so no Habitat Management and Monitoring Plan, legal agreement or commitment to maintain them is required.

Indicative calculations suggest that the creation of Other Neutral, Mixed Scrub and Urban Trees is likely to constitute significant<sup>6</sup> on-site gains. Government guidance states: “*The maintenance of these significant enhancements must be secured with a [legal agreement](#) (planning obligation or conservation covenant) or planning condition for 30 years in the same way as off-site gains. LPAs will consider the most appropriate mechanism and this will need to be agreed at the planning permission stage.*”<sup>7</sup>

It is our view that these significant on-site gains should be subject to a S106 agreement or conservation covenant to secure a monitoring fee and ensure enforceability over a 30-year period. It is our view that monitoring fees should be secured for these significant on-site gains as these gains will need to be subject to monitoring reports across 30 years, which will need to be reviewed (and acted upon as necessary) by the LPA at their own cost. We provided details of suggested monitoring fees in our March 2025 advice note ‘KCC Ecological Advice Service suggested BNG Monitoring Fees’ which has been distributed to all LPAs in Kent.

Additionally, we recommend conditions for a Habitat Management and Monitoring Plan (HMMP) to secure the significant on-site gains. The HMMP will need to align with the approved biodiversity gain plan and detailed landscaping plans. We also recommend that the conditions secure the retention of the urban trees. Although the retention of existing habitat cannot count as on-site significant habitat, the relevant retained habitats are recommended to be secured, as well as the relevant created and enhanced habitats, as without the retained habitats, the 10% biodiversity net gain would not be achieved. Furthermore, there are national and local policies in place to conserve biodiversity.

#### Habitat Management and Monitoring Plan – Suggested Condition Wording

*The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan (submitted as part of the deemed condition discharge application), and based on the most up-to-date and/or relevant ecology surveys as determined by a suitably qualified ecologist, has been submitted to, and approved in writing by, the local planning authority. The Plan shall include:*

- a) a non-technical summary;*
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- c) the planned habitat retention, creation and enhancement works (including detailed landscaping plan(s) and planting schedule(s)) to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*

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<sup>6</sup> We have recently drafted an advice note titled ‘[Defining significant onsite habitat for Biodiversity Net Gain in Kent and Medway](#)’ (March 2025) which outlines our definition of ‘significant’. However, this document is awaiting a revision whereby reference to retained habitats counting as on-site significant habitats will be removed.

<sup>7</sup> [Make on-site biodiversity gains as a developer - GOV.UK](#)

- 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 retained, created or enhanced habitat to be submitted to the local planning authority;*
- f) *details of the decommissioning process to be followed, and measures to be taken, to mitigate impacts to protected and priority species and habitats, including reference to an up-to-date ecological impact assessment carried out in line with current professional guidelines.*

*The retained, created and/or enhanced habitat specified in the approved HMMP shall be implemented, managed, maintained and monitored in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.*

#### Off-site Compensation

Off-site compensation is likely to be required for this development. With the information available at this stage, there is an outstanding deficit of 2.59 habitat units in low and medium distinctiveness habitat; this can be made up off-site subject general BNG condition.

Currently it is proposed that the area within the blue line boundary will be used as the off-site area.

Further information on off-site BNG can be found in [Appendix 1](#).

#### Submission of Biodiversity Gain Plan

The applicant should submit a biodiversity gain plan form<sup>8</sup> along with supporting information (e.g., legal agreement and habitat management and monitoring plan) once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered. The biodiversity gain plan must include the following information:

- Information about steps taken or to be taken to minimise the adverse effects of the development on biodiversity;
- The pre-development biodiversity value of the on-site habitat;
- The post-development biodiversity value of the on-site habitat;
- Any registered off-site biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- Any biodiversity credits purchased for the development; and
- Any other matters that the Secretary of State may be regulations specify.

We advise the local planning authority that there may be conditions attached to the decision notice should planning permission be granted that are linked to the biodiversity gain plan. Wording should be included in such conditions to ensure that it is clear that any documents/plans are produced in accordance with the 'approved biodiversity gain plan'. Relevant conditions where this is likely to be appropriate include soft and hard landscaping

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<sup>8</sup> [Biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-gain-plan)

conditions, and any other ecology/biodiversity conditions. Other relevant conditions may include drainage conditions.

*Biodiversity Gain Plan - Suggested Condition Wording*

*The details required by Condition 1 (Reserved Matters condition for layout and/or landscaping whichever is submitted first) shall demonstrate that the requirements for on-site biodiversity net gain can be accommodated within the proposed development layout, through submission of a draft Biodiversity Gain Plan.*

This is not a statutory requirement; imposing this may give additional certainty that the Biodiversity Gain Objective for the development will be met. It also provides flexibility for subsequent approvals of an overall gain plan.

*Implementation And Monitoring Biodiversity Net Gain*

To ensure the proposed biodiversity net gain is achieved, we recommend conditions for the submission of monitoring reports to the local authority to help ensure target habitats and their associated conditions are meeting their goals should planning permission be granted.

The conditions enable monitoring of the delivery of the BNG and needs to align with any monitoring fees required through S106 agreement. Monitoring fees may be required by the Local Planning Authority to enable the effective resourcing of the delivery and management of BNG.

*Notice of HMMP works commencing - Suggested Condition Wording*

*Notice in writing shall be given to the Council when the HMMP works have started.*

The above condition is not a statutory requirement. Local authorities may wish to have knowledge of when the habitat enhancement and creation works have been implemented and completed so they can more easily enforce against any non-compliance with the plan. The HMMP (or equivalent plan) can be set out in phases, even if the development is not phased, so there may be different completion dates for different habitat types or phases. This condition is drafted to require notification when all the habitat creation and enhancement has been completed. Local authorities should consider whether notification on completion of each HMMP phase or habitat type is needed.

*Notice of completion of the creation/enhancement works - Suggested Condition Wording*

*No occupation of any dwelling built as part of the development shall take place until:*

- *the habitat creation and enhancement works set out in the approved HMMP have been completed; and*
- *a dated completion report, written by a suitably qualified ecologist and evidencing the completed habitat creation and enhancements, has been submitted to, and approved in writing by the Local Planning Authority.*

This above condition is not a statutory requirement. The created and enhanced habitat need only be maintained for 30 years after "the completion of development." If local authorities choose to agree a meaning for "completion of development" with applicants, they may also wish to agree timeframes for the creation of the habitat creation and enhancement works. This allows local authorities to enforce against the non-compliance of the HMMP or equivalent plan.

### Submission of Monitoring Reports - Suggested Condition Wording

*Monitoring reports demonstrating that the development is achieving the targeted biodiversity net gain in the approved biodiversity gain plan shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP. Remedial measures, if required, shall be specified within an updated HMMP submitted for approval in writing by the local planning authority at the same time as the submission of each monitoring report. The remedial management measures shall be implemented as approved.*

### **Ecological Enhancements**

Paragraph 187(d) of the NPPF 2024 states: “Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.” The updated NPPF encourages habitat features. These are in addition to the requirements of mandatory 10% biodiversity net gain.

Suggested biodiversity enhancements include the provision of durable bird/bat boxes (for house sparrows, starlings, swifts or as appropriate to the development and preferably integrated into new structures), native tree/shrub planting, sowing of an appropriate wildflower mix, the creation of artificial refugia for reptiles/amphibians, the creation of ‘hedgehog highways’ (13×13cm gaps in close board fencing) and/or creation of bug hotels/bee bricks for invertebrates. Where placed on buildings, bat and bird boxes should be clearly visible on elevations plans.

The proposed development provides opportunities to incorporate features into the design which are beneficial to wildlife. We advise that measures to enhance biodiversity are secured as a condition of planning permission, if granted.

### Ecological Enhancements - Suggested Condition Wording

*Prior to any works above slab level, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the local planning authority. The Plan shall include full details of the biodiversity enhancements to be implemented on-site. The Plan shall include:*

- A detailed, scaled soft landscaping plan, planting schedule and relevant habitat management measures;*
- Provision of suitably placed bat and/or bird boxes, with the exact locations, make and model and height from ground level shown on scaled plans suitable for construction. In the case of building mounted boxes, scaled elevation plans shall be provided. Boxes for breeding birds shall be targeted at S41 priority species and/or red/amber listed species as listed within the latest British Trust for Ornithology Birds of Conservation Concern report. Boxes shall be building integrated and/or constructed of woodcrete to ensure durability. The numbers and types of bat and bird boxes shall be chosen with reference to site ecological survey data, the published Kent Local Nature Recovery Strategy and BS 42021:2022 ‘British Standard for integral nest boxes’;*
- The creation of labelled hedgehog highways (by creating small 13×13cm gaps in close board fencing) to facilitate the movement of hedgehogs across the site,*

*shown on the scaled boundary treatments plan(s) and/or the scaled detailed landscaping plan(s);*

- *The provision of bee bricks and/or the provision of log piles/artificial refugia for reptiles and amphibians. The exact locations, make and model, height from ground level, size and construction materials shall be shown on scaled plans suitable for construction.*

*The Plan shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.*

## **Lighting**

Lighting in the vicinity of a bat roost or along commuting / foraging routes could constitute an offence both to a population and to individuals. Artificial lighting has been shown to be particularly harmful to bats along river corridors, near woodland edges and near hedgerows<sup>9</sup>. Local authorities have a duty to ensure impacts upon legally protected species are avoided and impacts upon bats are a material consideration in any planning permission under the Natural Environment and Rural Communities (NERC) Act 2006 and through the NPPF 2024.

Bat walkover surveys (Transect surveys and Automated/static bat detector surveys) were undertaken in Spring, Summer and Autumn 2025. Bats were recorded (predominantly common pipistrelle, along with other pipistrelle species, Brown long eared, Myotis species, noctule, serotine and Leisler's) commuting across the site.

Therefore, to mitigate against potential adverse effects on biodiversity, the Bat Conservation Trust/Institute of Lighting Professional's '*Guidance Note 8 Bats and Artificial Lighting at Night*' (or subsequent updates) should be consulted in the lighting design of the development.

We advise that the incorporation of sensitive lighting design for biodiversity is submitted to the local planning authority and secured via an attached condition with any planning permission.

### **Lighting - Suggested Condition Wording**

*Prior to commencement of works above slab level, a lighting plan which has been designed to minimise impacts on biodiversity shall be submitted to and approved in writing by the local planning authority. Details of any proposed external lighting shall accord with the Bat Conservation Trust/Institute of Lighting Professionals '*Guidance Note 08/23: Bats and Artificial Lighting at Night*' and include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) as well as ISO lux plan(s) showing light spill. It shall be clearly demonstrated that areas to be lit shall not impact protected species or their habitats. All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and be maintained thereafter.*

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

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<sup>9</sup> Bats and Artificial Lighting guidance. Available [here](#).

**Hannah Simmons**  
**Biodiversity Officer**

This response was submitted following consideration of the following documents:

- Preliminary Ecological Appraisal Report (PEAR). RammSanderson Ecology Ltd. 30 September 2025
- Ecological Impact Assessment (EclA). RammSanderson Ecology Ltd. 6 November 2025
- Illustrative Landscape Strategy. Tyler Grange. September 2025
- Statutory Biodiversity Metric V2R1. 9 June 2026
- BIA Baseline Habitat Plan - Site B. RammSanderson Ecology Ltd. 9 June 2026

**Appendix 1 – Off-site biodiversity gains**

‘Off-site’ biodiversity gains are any BNG measures proposed outside of the red line boundary. It can be achieved through habitat creation on land owned by the applicant/developer, a third-party provider or through the purchase of BNG units from a habitat bank operator for a site which is registered on the Biodiversity Gain Site Register.

The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any off-site units if these are used. BNG sites must be registered here: [Register a biodiversity gain site - GOV.UK](#).

If off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register<sup>10</sup> available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

If any off-site habitat creation/enhancement is proposed outside of the LPA boundary/National Character Area of the impact site these will be subject to spatial risk penalties.

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a ‘habitat bank operator’<sup>11</sup>), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory Service website. It is generally inappropriate to rely solely on conditions to secure off-site biodiversity net gain. The following needs to be secured as part of the off-site biodiversity net gain:

- The submission of a habitat management and monitoring plan (HMMP);
- Notice of HMMP implementation and completion of the habitat creation and enhancement works;
- Timescales for completion of habitat creation, and the submission of a completion report;
- Submission of monitoring reports;
- A habitat monitoring fee to be paid to the local planning authority on every habitat management monitoring event.

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<sup>10</sup> <https://www.makingspacefornaturekent.org.uk/bng/kent-biodiversity-net-gain-site-register/>

<sup>11</sup> A registered BNG Habitat Bank is a site which has been registered on the Biodiversity gain site register and has a site register reference number ([Register a biodiversity gain site - GOV.UK](#)).

The HMMP shall be submitted when the general BNG condition is discharged and shall contain the following information <sup>12</sup>:

- (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 to be submitted to the local planning authority.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Where off-site gains are to be secured through a 'habitat bank operator' (which has its own legal agreement and HMMP), no additional conditions or section 106 obligations are required, but the deemed condition still applies.

How the BNG is to be achieved will have to be agreed, secured and, where applicable, registered on the Biodiversity Gain Site Register, prior to the submission of the pre-commencement Biodiversity Gain Plan.

#### Statutory Credits

If it can be demonstrated that onsite biodiversity gains are not possible, the developer will need to demonstrate that they have approached 3 local or national suppliers, habitat banks or trading websites before considering statutory credits. The only exception<sup>13</sup> to this is where a developer has a unit deficit smaller than 0.25 biodiversity units (area or linear), in which case they do not need to approach 3 suppliers before considering statutory biodiversity credits. Statutory credits are intentionally marked up in price to prevent undercutting the off-site market; these prices are reviewed every 6 months. Prices are available here: [Statutory biodiversity credit prices - GOV.UK](#).

It is not usually necessary to secure the biodiversity net gain through additional conditions (other than the deemed condition) or a section 106 agreement.

#### **REGISTERING OFFSITE BNG**

If land has been purchased for the purposes of creating and selling offsite units (i.e. a habitat bank) but the Land Registry does not reflect the change of ownership, Natural England have confirmed that the following evidence of ownership is acceptable:

- The current Land Registry entry and title plan, no more than two months old;
- A certified signed transfer document; and
- Evidence that an application to register the transfer has been made to the Land Registry.

Source: Broadfield UK (Angus Walker).

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<sup>12</sup> From Local Government Association

<sup>13</sup> See: [Statutory biodiversity credits - GOV.UK](#)