



ECOLOGICAL ADVICE SERVICE

TO: *Ethan Bonthron*

FROM: *Nancy Inman*

DATE: *14 August 2025*

SUBJECT: *Brimsole Farm, Meopham 20250512*

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.

SUMMARY: SUFFICIENT INFORMATION RECEIVED

A preliminary ecological assessment (PEA) has been completed (Greenlink, July 25) which has made an assessment of ecological constraints present onsite, and we are satisfied that impacts to protected species (breeding birds and bats) can be avoided through the implementation of precautionary working methods. The carport building was determined to be of low suitability for roosting bats, and a single emergence survey was undertaken. No evidence of roosting bats was recorded.

The PEA has been used to inform a Landscape and Ecological Management Plan and Landscape Masterplan (Christina Odell, April 25), which looks to provide suitable enhancement recommendations for improving the value of the site for biodiversity. This has been further evidenced within the production of the BNG metric and accompanying report (Christina Odell, April 25), where net gains of +0.14 habitat units (+56.27%) and +0.19 hedgerow units (1078.58%) have been demonstrated onsite. We consider these gains to be achievable and can be secured within the LEMP.

NESTING BIRDS

Suggested Informative Wording:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

N.B.: It should be noted that some birds are capable of nesting outside of the core nesting period, especially where weather conditions are favourable. Birds such as feral pigeon, wood pigeon and barn owl have been recorded nesting in every month of the year. Care when removing bird nesting habitat may therefore be required at all times of year, with attention paid to the nesting habits of the species that could make use of the site and weather conditions at the time of clearance.

BATS

Suggested Informative Wording:

There is a risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0345 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

ARTIFICIAL 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 hedgerows¹⁰. 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.

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.

Suggested Condition Wording:

No external lighting, whether temporary or permanent, shall be installed on the site unless details are 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 demonstrate that no impacts to bat foraging/commuting activity will result. Such details shall include layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) as well as an ISO lux plan showing light spill. The subsequently approved details shall be retained thereafter.

Reason: To limit the impact of light pollution from artificial light in accordance with the NPPF 2024, paragraph 198(c).

BIODIVERSITY NET GAIN

A BNG metric and accompanying report (Christina Odell, April 25) have been provided, where net gains of +0.14 habitat units (+56.27%) and +0.19 hedgerow units (1078.58%) have been demonstrated onsite. Provided that these habitat creation/enhancement measures are securable (i.e. outside of residential curtilages), we consider these gains to be achievable.

This net gain is not considered to be significant due to the limited scale of the creation of medium distinctiveness habitats and the small unit uplift (less than 0.5 units). The creation and ongoing management of newly created habitats should therefore be secured through the production of a Landscape and Ecological Management Plan (LEMP).

A LEMP has been produced, fThe LEMP should also incorporate the enhancements proposed within the Biodiversity Enhancement Plan (Kent Design Studio, Dec 24) and the PEA (KB Ecology, Jan 25)

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision_Notice_Text.odt. The applicant should submit a biodiversity gain plan form^[1] 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.

[1] <https://www.gov.uk/government/publications/biodiversity-gain-plan>

LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN (LEMP)

A Landscape and Ecological Management Plan (LEMP) has been provided (Christina Odell, April 25) which demonstrates how BNG can be achieved onsite. This will be secured by condition and updated to include the locations and specifications of additional biodiversity enhancements (e.g. bat and bird boxes) as outlined within the PEA (Greenlink, July 25).

Suggested Condition Wording:

No development shall take place (including any ground works, site, or vegetation clearance), until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority addressing:

- 1. Creation and enhancement of habitats in accordance with the Biodiversity Gain Plan;*
- 2. Management of on-site habitats to achieve biodiversity net gain in accordance with the Biodiversity Gain Plan;*
- 3. Biodiversity enhancement measures, including the recommendations of the PEA (Greenlink, July 25)*

The content of the LEMP shall use the recommendations within the existing LEMP (Christina Odell, April 25) and updated to include the additional biodiversity enhancements as recommended within the PEA (Greenlink, July 25). This will include the following:

- a. Purpose and conservation objectives for the proposed ecological design works;*
- b. Detailed design(s) to achieve stated objectives;*
- c. Extent and location/area of proposed works on appropriate scale maps and plans;*
- d. Type and source of materials to be used where appropriate, e.g. native species of local provenance;*
- e. Timetable for implementation*
- f. Persons responsible for implementing the works;*
- g. Details of initial aftercare;*
- h. Aims and objectives of management;*
- i. Prescriptions for management actions;*
- j. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);*
- l. Habitat monitoring provisions;*
- m. Locations and specifications of suitably placed and durable biodiversity enhancement opportunities (e.g. bird and bat boxes)*
- n. Details of the individual, body or organisation(s) responsible for implementation of the plan.*

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

Reason: To protect and enhance biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (December 2024), and in order for the

Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

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

Nancy Inman
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Location Plan (Open Architecture, Jan 25)
- Proposed Site Plan (Open Architecture, Feb 25)
- Landscape Masterplan (Christina Odell, April 25)
- Design and Access Statement (Open Architecture, May 25)
- Preliminary Ecological Appraisal (Greenlink, Feb 25, updated July 25)
- Landscape and Ecological Management Plan (Christina Odell, April 25)
- Planting Plans (Christina Odell, April 25)
- BNG Baseline Plan (Christina Odell, April 25)
- BNG Report
- BNG Metric (June 25)