



ECOLOGICAL ADVICE SERVICE

TO: Lucy Hankin
FROM: Helen Forster
DATE: 10 July 2025
SUBJECT: Land at Stoney Wood, Meopham 20250539

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.

We advise that sufficient information has been provided to determine the planning application.

Protected/Notable species

The submitted information has detailed that the site has potential to support breeding birds and foraging/commuting badgers, hedgehogs and bats. In addition the site boundaries may support reptiles. We advise that we are satisfied that any impacts on protected/notable species can be mitigated through the precautionary mitigation approaches detailed within the report.

If planning permission is granted we recommend that the following condition is included:

Prior to and during construction works the ecological mitigation detailed within section 6 of the preliminary ecological appraisal (Arborweald; May 2025) must be implemented as detailed.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁶⁷ for development (unless exempt^{68,69}), must deliver at

least a 10% biodiversity net gain (BNG). Significant on-site gains, and all off-site gains will need to be secured for at least 30 years.

The applicant considers the proposals to be exempt from statutory biodiversity net gain under the self-build exemption. For this exemption to apply, the proposals must:

- consist of no more than 9 dwellings;
- on a site that has an area no larger than 0.5 hectares; and
- consist exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

It is not within our remit to verify that the proposed dwelling(s) meet the definition of self-build or custom housebuilding as defined in the 2015 Act. The LPA should therefore ensure that the proposals meet the definition and that a mandatory 10% biodiversity net gain does not apply.

Government guidance on self-build and custom housebuilding indicates that *“[in] considering whether a home is self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout ... Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of self-build and custom housing”*.

A recent appeal decision⁷³ indicates that a *“suitably robust mechanism such as a planning obligation/legal agreement or other means”* is necessary to properly secure a development as self-build and to prevent it reverting to an open market dwelling where a mandatory 10% biodiversity net gain would otherwise apply.

Ecological Enhancements

Under section 40 of the NERC Act 2006 and paragraphs 187 and 193 of the NPPF 2024 biodiversity should be maintained and enhanced through the planning system. We advise that ecological enhancement features must also be incorporated in to the site. If planning permission is granted we recommend that an ecological enhancement plan is included. Enhancements include bat and bird boxes within the site and buildings, insect hotels or log piles within the site and the inclusion of planting to benefit pollinators within any landscaping. We suggest the following:

Within 3 months of works commencing within the site an ecological enhancement plan must be submitted to the LPA for written approval. The plan must demonstrate how the site will enhance biodiversity through planting which will benefit pollinators, and/or native species planting and ecological enhancement features within the buildings and site. The plan must be implemented as approved.

Lighting

Nocturnal animals could forage/commute within the site and lighting can have a negative impact on nocturnal species and therefore any lighting must be designed to minimise light spill.

We recommend that if planning permission is granted the **lighting condition** has the following requirements:

- Be designed following best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's '*Guidance Note 08/23 Bats and Artificial Lighting at Night*'¹
- Downward facing and on motion sensors
- Site plan showing the location and types of lighting.

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

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Proposed Block Plan Rev D; JRD Kent; October 2024
- Existing Site Plan; JRD Kent; July 2024
- *Preliminary Ecological Appraisal; Arborweald; May 2025*

¹ ['Bats and Artificial Lighting at Night' ILP Guidance Note update released - News - Bat Conservation Trust](#)