



ECOLOGICAL ADVICE SERVICE

TO: *Alison Webster*

FROM: *Emma England*

DATE: *18 March 2026*

SUBJECT: *20260194 / St Josephs Convent of Mercy*

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.

CONDITION 5 DISCHARGE

We have reviewed the submitted documents in relation to condition 5 of permission 20241161 and advise that **sufficient** ecological information has been provided to discharge the condition.

Condition 5: No on-site building demolition, or works affecting the bat roost within Building B01 (as identified within Lizard Landscape Design and Ecology (25/11/24) Ecological Impact Assessment. Ref: LLD3294-ECO-REP-001-01-EcIA) shall be undertaken (including any site clearance) until one of the following has been provided to the Local Planning Authority which clearly shows that the impacts from the development with regards to roosting bats have been appropriately compensated for:

- A copy of the relevant granted protected species licence; or*
- A copy of a statement in writing from Natural England stating that such a licence is not necessary for the specified development.*

Reason: In accordance with paragraph 187 of the NPPF 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

CONDITION 8, 9 AND DEEMED CONDITION DISCHARGE

We have reviewed the submitted documents in relation to conditions 8, 9 and the deemed condition of permission 20241161 and advise that **insufficient** ecological information has been provided to discharge the conditions. Condition wording is provided in Appendix 1.

The original application was subject to statutory biodiversity net gain (BNG). Therefore, we remind the applicant that prior to any development commencing on site, an application must be submitted for discharge of the deemed condition of BNG, which is that that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

We have addressed whether sufficient information is or is not available to discharge the deemed condition in this response.

Table 1 shows a summary of the information as submitted. Further details are provided in Table 2.

Table 1: To show a summary of our review of submitted information

Percentage Net Gain Required	Percentage Gain/Loss for Habitats	Net Gain/Loss Reported for Linear Habitats	Net Gain Proposed: 1 – all on-site; 2 – no significant on-site and off-site; 3 – significant on-site and off-site	On-site 'significant' Net Gains Proposed (Yes/No)
10%	-2.17% (when accounting for corrections to the strategic significance scores).	N/A	3 – significant on-site habitats will be created, but off-site habitat is also required to meet the 10% BNG requirements.	Yes

Additional information requested:

- Update of the on-site post-development calculations to reflect the recently published Local Nature Recovery Strategy (LNRS);
- Provision of detailed landscaping plans;
- Update of the off-site habitat baseline and off-site habitat creation tabs in the metric calculation tool to show how off-site habitat allows the development to meet the 10% BNG requirement, including by meeting the trading rules;
- Evidence that sufficient off-site habitat has been placed on the biodiversity gain site register and that all necessary habitat units have been allocated to the development;
- Update to the on-site HMMP to ensure that it is clear that its implementation for management and monitoring starts from completion of development.

Gravesham Borough Council may want to consider whether it can/should secure monitoring fees for the proposed monitoring reports as part of the HMMP.

Detailed Comments

Legislation and government standing advice indicates that the information shown in Table 2¹ needs to be submitted to and approved by the local planning authority as part of the 'deemed condition' biodiversity gain plan prior to commencement of development.

References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric. As such, a copy of the completed biodiversity metric calculation tool, in excel spreadsheet format, has been submitted as part of this submission in conjunction with the biodiversity gain plan. The local planning authority must approve the biodiversity gain plan; without approval, the development may not commence.

Table 2: To show the information required for the biodiversity gain plan under legislation and as indicated by government standing advice, and whether the submitted information is sufficient.

Information Needed	Provided	Comments
The steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat. And, (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that.	Yes	The applicant is required by law to deliver biodiversity gains in accordance with the biodiversity gain hierarchy, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 Section 37A. We are satisfied that the applicant has appropriately applied the hierarchy to this development.
The relevant date , for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date.	Yes	With the original application, the applicant provided the date of 19th July 2024 as the date of the pre-development biodiversity site walkover to establish the habitats present at baseline. This is considered acceptable to inform the habitat baseline. No habitat degradation was reported on-site. The relevant date is stated within the biodiversity gain plan to be the same date as the planning application. More truly it should be the 19th July 2024. However, given that no habitat degradation has been reported and given that the 19th July 2024 was used to inform the habitat calculations we are content to leave question 4.1 as is in the biodiversity gain plan form.

¹ For development not proceeding in phases. For phased development there are different requirements for the Biodiversity Gain Plan.

The completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and post-development biodiversity value. And, evidence that biodiversity gain objective can be met.	Yes	We have reviewed the metric and we are satisfied with the habitat baseline. As the publication of the LNRS has occurred after planning permission but before submission of the biodiversity gain plan for approval post-determination, and as its publication alters the strategic significance score, the strategic significance scores in the biodiversity metric calculation tool for the post-development habitats will need to be reviewed in advance of the deemed condition discharge². On consulting the Local Habitat Map for the recently published LNRS, we can see that the site lies outside an ACIB. Following review of the metric strategic significance scores we advise that these are incorrect on this basis. All the post-development strategic significance scores need to be set to low. Detailed landscaping plans have not been submitted. Under paragraph 15 of Schedule 7A, the planning authority must only approve the Biodiversity Gain Plan if it is satisfied that the post-development biodiversity value of the onsite habitat is shown to be at least the value specified in the plan. At the biodiversity gain plan approval stage, ideally biodiversity metric calculations are based on detailed landscaping plans to demonstrate that the proposed BNG is deliverable and that the post-development habitat created will be in line with the biodiversity gain plan. We would encourage the applicant to produce the detailed landscaping plans and then review and update as necessary the biodiversity net gain calculations. If the applicant is unwilling or unable to produce the detailed landscaping plans at this stage, then extremely robust justification will need to be provided to give assurance that the biodiversity gain plan is deliverable. Additionally, scrutiny will need to be applied at the time of the discharge of the landscaping condition (condition 11), to ensure that no changes are required of the landscaping plan to bring it in line with the biodiversity gain plan. Once development has started, we do not understand that it will be possible to submit another biodiversity
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² [LNRS and SS Multiplier Transition Guidance_2.pdf](#)

		gain plan for approval should the approved one be found to be undeliverable. Paragraph: 043 Reference ID: 74-043-20240214³ of the Planning Practice Guidance states: <i>"There is no mechanism to amend an approved Biodiversity Gain Plan. If the approach to meeting the biodiversity gain objective for a development has changed after the approval of a Biodiversity Gain Plan but before the commencement of the development (for instance, due to a switch between registered offsite gains and biodiversity credits), a new Biodiversity Gain Plan can be submitted to the planning authority for approval"</i>.
Pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date , and drawn to an identified scale and showing the direction of North.	Yes	Within the HMMP.
A description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date , and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat, arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.	N/A	None present on site

³ [Biodiversity net gain - GOV.UK](#)

If habitat degradation has taken place: • a statement to this effect, • the date immediately before the degradation activity, • the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and • any available supporting evidence for the value.	Yes	The applicant indicated that there is no approved habitat degradation at baseline.
Where any registered off-site biodiversity gain is specified in the plan and allocated to the development: - o The registered off-site biodiversity gain is so allocated (and, if the allocation is conditional, that any conditions attaching to the allocation have been met, or will be met by the time to development begins), and - o The registered off-site biodiversity gain has the biodiversity value specified in the plan in relation to the development.	Yes	We advise that we require further information on the off-site habitat before discharge of the deemed condition. We will need the completed biodiversity metric calculation tool that includes the off-site habitat. We understand that an off-site habitat bank will be used to achieve the BNG and the biodiversity gain site register number is BGS-300525001. We are satisfied that the reasons for using a BNG habitat bank are appropriate for this application. However, we note that the 10% BNG has not been demonstrated through the submission. We further see that 0.24 units have been allocated to this development, but that 0.39 units of individual trees are required to meet trading rules. Without the trading rules having been met, it is not possible to claim a biodiversity net gain of the appropriate percentage.
Evidence that any biodiversity credits specified in the plan have been purchased.	N/A	
Name and address of the person completing the Plan, and (if different) the person submitting the Plan.	Yes	
A description of the development and planning permission reference number (to which the Plan relates).	Yes	
A description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed).	Yes – for on-site	<u>On-site</u> The HMMP needs to set out the actions needed to create and enhance habitat on-site as well as maintain it for 30 years from the "completion of development"⁶ (Paragraph 9(3) of Schedule 7A of the Town and Country Planning Act 1990). We note that the start date of the HMMP is estimated to be 2026. We recommend that it be made clear that the HMMP starts from the completion of the development in case that will not occur in 2026. The HMMP will need to be updated with the correct start date once known. Otherwise, we are content with the content of the on-site HMMP and that it effectively

		secures the on-site significant habitats. We note that the HMMP requires monitoring reports to be submitted to Gravesham Borough Council. Any review and action taken by the Council in light of these reports will be at the Council's own cost unless monitoring fees are or will be secured via legal agreement. <u>Off-site</u> As the off-site provision is proposed to be through a habitat bank provider, the gain site reference number is considered sufficient evidence that appropriate management will be implemented for the relevant habitats.
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Emma England
Biodiversity Officer

This response was submitted following consideration of the following documents:

Hall, S. (November 2025) Habitat Management and Monitoring Plan. St Joseph's Convent of Mercy, Gravesend. Rev. 01

Hall, S. (February 2026) Biodiversity Gain Plan. St Joseph's Convent of Mercy, Gravesend. 20241161.

Hall, S. (January 2026). 8FB4A67412DA4C968FA53F46423EE23D. The Convent of Mercy – Convent Building.

Natural England (February 2026) 2025-72873-EPS-MIT.

Appendix 1: Condition Wording

Condition 8: *The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Statement (Ref: LLD3294-ECO-REP-003-00-BNG), submitted with the planning application, for The Convent of Mercy, Hillside Drive, Gravesend, dated 27th November 2024 and prepared by Lizard Landscape Design and Ecology.*

Reason: In accordance with paragraph 187 of the NPPF 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Condition 9: *The development shall not commence until a Habitat Management and Monitoring Plan(s) (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, and including the information required by (a) to (e) below, has been submitted to, and approved in writing by, the Local Planning Authority:*

- (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 to conserve, create and/or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and the NPPF 2024. This shall include the provision of scaled and detailed soft landscaping plans, as well as planting schedules. This shall also include details of habitat features to be provided (e.g., hedgehog highways, bat and bird boxes) shown on scaled plans with details regarding numbers, target species, make and model, and precise locations (including height);*
- (d) The management measures to conserve, maintain and improve 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 by suitably qualified person, in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority.*

The retained, created and/or enhanced habitat specified in the approved HMMP(s) shall be managed, created and maintained in accordance with the approved HMMP(s).

Reason: To ensure the development delivers the required biodiversity net gain on site in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy and Schedule 7A of the Town and Country Planning Act 1990.

Condition 11: *Prior to the first occupation of the dwelling hereby approved, details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. The approved scheme shall be carried out in full during the first available planting season following first occupation of the dwelling hereby approved. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the soft landscaping scheme is implemented shall be replaced with a species of a similar size and species during the next available planting season.*

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development and the wider area, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).