



ECOLOGICAL ADVICE SERVICE

TO: *Amanda Cue*

FROM: *Jonathan Lynch*

DATE: *23 August 2024*

SUBJECT: *20240604 / Steeles Wood Stables, Wrotham Road, South Street, Meopham*

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

We have reviewed the information submitted by the applicant and advise that sufficient ecological information has been provided to determine the planning application. Conditions are recommended to mitigate impacts to and enhance biodiversity.

The applicant has claimed the self-build exemption from Biodiversity Net Gain. Details of this exemption are included below so that Gravesham Borough Council can confirm that it applies in this instance.

SITE IMPACTS

The submitted Preliminary Ecological Appraisal (KB Ecology, June 2024) describes the application site as being primarily composed of developed land/sealed surface and artificial unvegetated ground, with some areas of ruderal/scrubby vegetation and some neutral grassland (to the south of the existing barn).

The site is located <50m west of Happy Valley Local Wildlife Site/Steeles Wood Ancient Semi-Natural Woodland (these are essentially the same site for the purposes of this application). The LWS/ancient woodland is sufficiently distant from the application site that no direct impacts are anticipated, but measures to minimise indirect impacts (of dust, lighting, noise, etc) should be provided in a pre-commencement Construction and Environmental Management Plan (CEMP) secured via planning condition.

Impacts to roosting bats, Hazel Dormice and Great Crested Newts (GCN) have been fully ruled out¹, but the proposals have the potential to impact the following protected/priority species groups: reptiles, nesting birds, badgers, hedgehogs and foraging/commuting bats. Simple avoidance/mitigation measures are suitable to avoid impacts (as outlined in the submitted PEA, section 4) and no further surveys are recommended given the small scale of the proposals. Full details of these measures should be provided in a pre-commencement CEMP. We recommend the following condition wording:

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by Gravesham Borough Council. The CEMP shall elaborate on the measures outlined in section 4 of the Preliminary Ecological Appraisal (KB Ecology, June 2024) associated with the planning application and include full details of the following:

- *A risk assessment of potentially damaging construction activities;*
- *Responsible persons and lines of communication;*
- *Protection measures to avoid indirect impacts (light, noise and dust pollution) to the nearby Local Wildlife Site/Ancient Woodland;*
- *Measures to avoid impacts to individual badgers/their setts;*
- *Measures to avoid impacts to reptiles;*
- *Measures to avoid impacts to hedgehogs;*
- *Measures to avoid impacts to breeding birds.*

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

Reason: To ensure that any adverse environmental impacts of development activities are avoided or mitigated in line with the NPPF 2023, paragraph 186.

BIODIVERSITY NET GAIN AND ENHANCEMENTS

¹ The barn proposed for conversion was determined to have 'Negligible' suitability for roosting bats as it is of single skin construction and lacks any potential roost features (i.e. crevices/cavities) which bats may utilise. Hazel Dormice and GCN were ruled out given the small scale of the proposals and a lack of potential impacts to suitable habitat, as well as (regarding GCN) a lack of potential breeding ponds within 100m of the site.

The applicant has claimed an exemption from statutory Biodiversity Net Gain (BNG) under Regulation 8 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024 as the proposed development is a self-build. Gravesham Borough Council may wish to consider whether this exemption applies:

Self-build and custom build applications.

8.—(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which—

- (a) consists of no more than 9 dwellings;
- (b) is carried out on a site which has an area no larger than 0.5 hectares; and
- (c) consists exclusively of dwellings which are self-build or custom housebuilding.

(2) In this regulation “self-build or custom housebuilding” has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015([1](#)).

Regardless of any exemption, the applicant has an obligation to deliver measurable gains for biodiversity under the NPPF 2023, paragraph 180(d). At present, the loss of an area of neutral grassland as well as some mixed scrub and vegetated garden is proposed. The planting of two mixed native hedgerows and the provision of five bat boxes is proposed as a form of mitigation. These measures alone are not sufficient to deliver measurable gains given the loss of ~250m² of neutral grassland to facilitate access/parking for the new dwellings. The submitted PEA (section 4.10) recommends several other enhancement measures which, if implemented, will be suitable to avoid a net loss of biodiversity. As such, a general Biodiversity Enhancement Plan (BEP) condition is recommended below:

Within six months of works commencing, a Biodiversity Enhancement Plan (BEP) detailing how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include a native species-only landscaping scheme and other measures as outlined in section 4.10 of the Preliminary Ecological Appraisal (KB Ecology, June 2024) associated with the planning application. The approved measures will be implemented and retained thereafter.

Reason: To minimise impacts on and provide net gains for biodiversity in accordance with the NPPF (2023) paragraph 180(d).

Adherence to a sensitive lighting strategy is of particular importance given the rural setting of the proposed development and its proximity to a Local Wildlife Site/Ancient Woodland. As such, we recommend that sensitive external lighting features are integrated into the development itself, beyond just the construction phase, in accordance with best practice. We recommend the following condition wording:

No external lighting, whether temporary or permanent, shall be placed or erected within the site unless details are submitted to and approved in writing by the Local Planning Authority. Any details to be submitted shall be in accordance with the Bat Conservation

Trust/Institute of Lighting Professional's 'Guidance Note 8 Bats and Artificial Lighting', and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: To limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation in accordance with paragraph 191(c) of the NPPF 2023

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

Jonathan Lynch
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Site Location Plan (Graham Simpkin Planning, March 2024)
- Existing Block Plan (Graham Simpkin Planning, March 2024)
- Existing Block Plan (Graham Simpkin Planning, March 2024)
- Preliminary Ecological Appraisal (KB Ecology, June 2024)