



ECOLOGICAL ADVICE SERVICE

TO: *Ethan Bonthron*

FROM: *Jonathan Lynch*

DATE: *15 July 2025*

SUBJECT: *20250630 / Rose Farm, Downs Road, Istead Rise, Gravesend Kent*

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: EIA NOT REQUIRED (ON ECOLOGICAL GROUNDS)

We have reviewed the submitted information in regard to determining if an Environmental Impact Assessment (EIA) will need to be carried out. We advise that on ecological grounds an EIA is not required.

Under the Town and Country Planning (EIA) Regulations 2017, developments falling within Schedule 1 always require an EIA and are referred to as 'Schedule 1' developments. **This is not a Schedule 1 development.**

If the development falls within the selection criteria for a 'Schedule 2' development then it needs to be determined whether the proposal is situated within a 'sensitive area' and/or whether it is likely to have significant effects on the environment. Sensitive areas as identified under Section 2(1) include the following:

- Sites of Special Scientific Interest (SSSI); and

- National Site Network sites, including Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsars.

If the proposed development is located in, partly in, or has the potential to have any negative effect on these sites, then an assessment will be required. The EIA Regulations also include World Heritage Sites, scheduled monuments, National Landscape and National Parks, which are not dealt with in these comments.

These proposals do meet the definition of a Schedule 2 10(b)(ii) urban development consisting of more than 150 dwellings, but are not located wholly or partly within an ecologically designated ‘sensitive area’.

The application site is located within the 6km impact risk zone of the Thames Estuary SPA/Ramsar and is likely to result in increased recreational pressure to these designated sites. The 2017 EIA Regulations in recognition of the Court of Appeals decision in R (Loader) v Secretary of State for Communities and Local Government and others [2012] EWCA Civ 869 allows mitigation measures that are modest in scope and/or plainly and easily achievable to be taken into account by the local planning authority during screening. Where relevant in accordance with Regulation 5(5) these must be recorded as part of the authority’s screening opinion. As Gravesham Borough Council has a [SAMMS](#) tariff system in place to mitigate recreational effects to the SPA/Ramsar, mitigation for this effect is considered to be plainly/easily achievable, presuming a tariff per new dwelling is paid by the developer.

To consider if the development will have significant effect on the environment, we have considered the selection criteria under ‘Schedule 3(1)’ (EIA Regulations 2017). These are:

- a. the size and design of the whole development;
- b. cumulation with other existing development and/or approved development;
- c. the use of natural resources, in particular land, soil, water and biodiversity;
- d. the production of waste;
- e. pollution and nuisances;
- f. the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
- g. the risks to human health (for example, due to water contamination or air pollution).

We have referred to the indicative thresholds and criteria published by the government¹ in assessing whether these selection criteria apply.

There are no statutory designated sites within or nearby to the boundary of the development and none of the above criteria appear to apply. Therefore, we advise that the site does not fall into an ecologically designated ‘sensitive area’, (although note

¹ [Environmental Impact Assessment \(paragraph 018 Reference ID: 4-018-20170728\) \(Ministry of Housing, Communities and Local Government, 13 May 2020\)](#)

that our comments do not include (d), (e) or (f) within the definitions of 'sensitive area' in the EIA Regulations 2017 in relation to archaeological, AONB and world heritage sites).

An Ecological Impact Assessment (EclA) and Biodiversity Net Gain (BNG) will be required as standard; the applicant has confirmed that this is understood in sections 4.37 and 4.39 of the Screening Request. **As such, we believe that on ecological grounds an EIA is not required.**

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:

- Environmental Impact Assessment (EIA) Screening Request (Iceni, June 2025)