



ECOLOGICAL ADVICE SERVICE

TO: Alison Webster

FROM: Helen Forster

DATE: 27 July 2026

SUBJECT: Golden Lion Luddesdown 20260556

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.

SIMPLIFIED RESPONSE

In providing the following comments, all relevant information has been considered including ecological information (where submitted) and site plans. In addition, other documents when considered useful have been reviewed. This will include (but not limited to) the design and access statement and arboricultural reports.

Sufficient information provided.

Ecological Element	Present on site	Additional Info Required	Comments
Protected/notable species	A preliminary ecological appraisal has been submitted and detailed there is potential for foraging/commuting bats, reptiles, GCN, dormouse, roosting bats and breeding birds within the site or wider area. Bats were not recorded	Nio	We are satisfied that sufficient survey information has been provided and the precautionary mitigation detailed within the report is appropriate to avoid a breach of wildlife legislation. The habitat creation proposed as part of the BNG requirement will benefit

Ecological Element	Present on site	Additional Info Required	Comments
	roosting within the survey during the surveys submitted with application 20250053		species present/likely to be present within the wider area.
Ecological Enhancements	The PEA has made recommendations to enhance the site for biodiversity	No	An enhancement plan must be submitted demonstrating the enhancement features have been incorporated in to the site.
Lighting	The proposal is for a Pub Garden extension therefore any lighting must be switched of after the pub is closed	No	A lighting plan can be submitted as a condition of planning permission.
Biodiversity Net Gain (BNG)	A BNG assessment has been submitted	Yes	A statutory metric has been submitted and it has detailed that the BNG of 33% can be achieved through the implementation of off site BNG within land within the applicants ownership. We advise that as this is in the blueline boundary the habitat creation will have to be secured with a legal agreement or a conservation covenant prior to the submission of the gain plan. Further information on this point can be found at the end of the report. We advise that the baseline information within the submitted metric has accurately reflect the published LNRS.. We advise that the proposed on site habitats do not meet the requirements for on site significant.

This response was submitted following consideration of the following documents:
Preliminary Ecological Appraisal; Greenspace Ecological Solutions; March 2026

Additional Information to support the advice provided.

Biodiversity Net Gain

Any application which is required to achieve a 10% BNG must submit the following information as a minimum:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), [either on the date of application or earlier proposed date \(as appropriate\)](#);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('[degradation](#)'), and where they have:
 - a statement to the effect that these activities have been carried out;
 - the date immediately before these activities were carried out;
 - the pre-development biodiversity value of the onsite habitat on this date;
 - the completed metric calculation tool showing the calculations, and
 - any available supporting evidence of this;
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

BNG Deemed Condition information

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is 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.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is referred to in decision notices in the form of an informative. The government's published Biodiversity Gain Plan (BGP) template should be used to discharge it: [Biodiversity gain plan - GOV.UK](#). Please note that the submission of the finalised Statutory Biodiversity Metric/BGP is required by law prior to the commencement of any development.

Suggested Condition Wording

Ecological Enhancements

Prior to the site being operational a letter must be submitted to the LPA for written approval demonstrating that the ecological enhancements detailed within section 7 of the Preliminary Ecological Appraisal (Greenspace Ecological Solutions; March 2026) has been implemented.

All features shall be retained in that manner thereafter.

Sensitive Lighting (if any external lighting is proposed)

The condition requiring a lighting plan must have 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
- Site plan showing the location and types of lighting
- Hours of operation .

Precautionary Mitigation

Prior to and during the works the precautionary mitigation detailed within section 7 of the Preliminary Ecological Appraisal (Greenspace Ecological Solutions; March 2026) must be implemented as detailed. If works have not commenced within 2 years of the date of the report a review and, where necessary, update of the ecological report must be carried out prior to works commencing.

OFF-SITE GAINS (NEEDS TO BE REGISTERED)

'Off-site' biodiversity gains are any BNG measures proposed outside of the red line boundary. The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any offsite units if these are used. BNG sites must be registered here: [Register a biodiversity gain site - GOV.UK](#).

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a 'habitat bank operator'⁷⁰), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory Service website. It is generally inappropriate to rely solely on conditions to secure off-site biodiversity net gain. The following needs to be secured as part of the off-site biodiversity net gain:

- *The submission of a habitat management and monitoring plan (HMMP);*
- *Notice of HMMP implementation and completion of the habitat creation and enhancement works;*
- *Timescales for completion of habitat creation, and the submission of a completion report;*
- *Submission of a monitoring report;*
- *A habitat monitoring fee to be paid to the local planning authority on every habitat management monitoring event.*

The HMMP shall be submitted when the general BNG condition is discharged and shall contain the following information ⁷¹:

- (a) a non-technical summary;*
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*

*(d) the management measures to maintain 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 in respect of the created or enhanced habitat to be submitted to the local planning authority.*

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.