



ECOLOGICAL ADVICE SERVICE

TO: Lisa Fisher
FROM: Helen Forster
DATE: 15 April 2025
SUBJECT: Kimberly Clark Ltd Northfleet 20250251

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

We are satisfied with the results of the ecological reports which have confirmed that there is potential for badgers, breeding birds and foraging bats within the site and surrounding area. We are satisfied that there is no requirement for further surveys to be carried out and any impacts can be avoided through a precautionary mitigation approach.

If planning permission is granted we recommend that the precautionary mitigation detailed in section 6.4 is included within the **construction management plan**.

The proposed development is within 40m of the River Thames and therefore we advise that best practice construction measures are implemented during construction to minimise impacts from noise and dust on the river.

Biodiversity Net Gain

Under the Environment Act 2021, all planning applications for major development (unless exempt^{1,2}) submitted on or after 12th February 2024 in England, will have to deliver at least a 10% biodiversity net gain. It is a requirement for minor applications, unless exempt, submitted on or after the 2nd April 2024.

Having reviewed submitted information, we consider this application to fall under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum³:

- 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).

We advise that sufficient information has been provided with regard to mandated BNG.

The metric has detailed that through habitat creation within the adjacent habitat a BNG of over 10% can be achieved and we agree with this conclusion. The metric has detailed

¹ [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](#)

² [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024 \(legislation.gov.uk\)](#)

³ <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

that to achieve a 10% the retained habitats within the wider area will be enhanced. We highlight that any habitat creation or enhancements proposed as part of BNG must be retained for at least 30 years and therefore there is a need to ensure that the applicant does not have any plans for development within the areas proposed to be enhanced.

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision_Notice_Text.odt. The applicant should submit a biodiversity gain plan form⁴ along with supporting information once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

As habitat creation/enhancement is proposed within the blueline boundary is to be implemented to achieve a BNG for habitats. We advise that the following conditions are included within the decision notice:

In addition the following condition wording is recommended if planning permission is granted:

HMMP CONDITION: *With the submission of the Biodiversity Gain Plan a Habitat Management and Monitoring Plan (HMMP), must be submitted to the LPA for written approval and must include the following:*

- (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,*

has been submitted to, and approved in writing by, 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.

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

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

⁴ [Biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/biodiversity-gain-plan)

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

We are aware that habitat management recommendations have been proposed within the submitted ecological appraisal but highlight that if the plans change prior to the submission of the biodiversity gain plan the management may not be valid.

We highlight that where habitat creation is carried out within the blueline boundary there is a need for the works to be legally secured either through a legal agreement or a conservation covenant.

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:

- Preliminary Ecological Appraisal; ITP Energised; March 2025