



ECOLOGICAL ADVICE SERVICE

TO: Lisa Fisher

FROM: Nancy Inman

DATE: 28 October 2025

SUBJECT: 20250281: Ebbsfleet Grill, 1 - 2 Stonebridge Road, Northfleet

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 PROVIDED

We have reviewed the submitted ecological information and are satisfied that potential impacts on protected species can be reasonably avoided through the implementation of sensitive working practices. The site is located within an urban setting and comprises hardstanding, making it unlikely to support species such as reptiles or amphibians.

A Preliminary Roost Assessment (PRA) was undertaken by Arbtech in June 2025, which identified some potential roost features. While buildings with low suitability for roosting bats would typically require an emergence survey, we are satisfied that the precautionary measures outlined in the bat report will be sufficient to avoid adverse impacts.

It should be noted that there remains a risk of delay if a bat is encountered during works, as operations would need to pause and a bat licence obtained. However, the proposed approach is considered appropriate for preventing disturbance, injury, or killing of bats.

BATS

A preliminary bat roost assessment was completed as part of an Ecological Assessment (Arbtech, June 25). Some bat roost features were noted, however the ecological report considers the implementation of precautionary working methods to be suitable in avoiding risks to bats as these features are of low value. Details of the precautionary working methods have been provided within the Preliminary Roost Assessment and Ecological Impact Assessment Report (Arbtech, June 25).

Suggested Condition Wording:

All bat mitigation measures shall be implemented in full accordance with the Precautionary Working Method Statement set out in the Preliminary Roost Assessment and Ecological Impact Assessment Report (Arbtech, June 2025), unless alternative or additional measures are required following further investigation.

Within one month of commencement of works, a verification report prepared by the supervising ecologist (holding a Natural England bat licence) shall be submitted to the Local Planning Authority for written approval, confirming that works have been carried out in accordance with the approved method statement.

Bat roosts are protected at all times under the Conservation of Habitats and Species Regulations 2017. Planning permission does not override these legal protections or remove the need to obtain a bat licence where an offence is likely. If bats or evidence of bats are discovered during works, all activity shall cease immediately, and a bat licence (informed by further emergence surveys) must be obtained before works resume.

All bat mitigation and any agreed enhancements shall be implemented as approved and retained thereafter.

NESTING BIRDS

There is some potential for nesting birds to be present in, or on, the onsite building.

Suggested Informative Wording:

All wild birds and their nests are protected from harm under Section 1 of the Wildlife and Countryside Act 1981. As such, any works which may result in impacts to nesting birds should be conducted outside of the core nesting season which is March through August (inclusive) or under ecological supervision. A suitable exclusion zone should be established around any active bird nest in the event one is discovered during works; this exclusion zone should be maintained until all nesting birds have fledged and the nest is unoccupied.

ARTIFICIAL LIGHTING

Lighting in the vicinity of a bat roost or along commuting / foraging routes could constitute an offence both to a population and to individuals. Artificial lighting has been shown to be

particularly harmful to bats along river corridors, near woodland edges and near hedgerows¹. Local authorities have a duty to ensure impacts upon legally protected species are avoided and impacts upon bats are a material consideration in any planning permission under the Natural Environment and Rural Communities (NERC) Act 2006 and through the NPPF 2024.

Therefore, to mitigate against potential adverse effects on biodiversity and to enable the site to provide enhancements for bats, the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 8 Bats and Artificial Lighting at Night' (or subsequent updates) should be consulted in the lighting design of the development.

We advise that the incorporation of sensitive lighting design for biodiversity is submitted to the local planning authority and secured via an attached condition with any planning permission.

Suggested Condition Wording:

No external lighting, whether temporary or permanent, shall be installed on the site unless details are submitted to and approved in writing by the local planning authority. Details of any proposed external lighting shall accord with the Bat Conservation Trust/Institute of Lighting Professionals 'Guidance Note 08/23: Bats and Artificial Lighting at Night' and demonstrate that no impacts to bat foraging/commuting activity will result. Such details shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) as well as an ISO lux plan showing light spill. The details shall be implemented as approved and retained thereafter.

Reason: To limit the impact of light pollution from artificial light in accordance with the NPPF 2024, paragraph 198(c). With consideration for bats and other nocturnal wildlife in accordance with the NPPF 2024, paragraph 187(d).

BIODIVERSITY NET GAIN – DE MINIMIS

The applicant has indicated within the application form that that they do not consider the general Biodiversity Gain Condition applies to this application. As the proposal consists of hardstanding only, we agree with this position due to the development being subject to the *de minimis* exemption:

- The development will not impact any onsite priority habitat; AND
- The development will not impact more than 25 square metres of onsite habitat with a biodiversity value greater than zero; AND
- The development will not impact more than 5 metres of onsite linear habitat.

As such, we are satisfied that there is no requirement for a statutory biodiversity metric to be carried out at this time.

BIODIVERSITY ENHANCEMENT PLAN

¹ Bats and Artificial Lighting guidance. Available [here](#).

Opportunities to provide additional enhancements for biodiversity should be incorporated into proposals. We suggest that these are secured through the production and implementation of a Biodiversity Enhancement Plan.

Suggested Condition Wording:

Prior to any works above slab level, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the local planning authority. The plan shall include full details of biodiversity enhancements and shall include locations and specifications of the provision of durable and suitably-placed integrated bat and bird boxes.

The Plan shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To protect and enhance biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (December 2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

EVIDENCE OF IMPLEMENTATION – BEP

Suggested Condition Wording:

Within twelve months of first use of the development hereby approved, photographic evidence of the implementation of the approved biodiversity enhancement measures as required by condition X (the BEP condition) shall be submitted to the local planning authority for approval. The approved measures shall be thereafter retained.

Reason: To protect and enhance biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (December 2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

NORTH KENT SITES

The application site falls within the 6km zone of influence of the Thames Estuary and Marshes Special Protection Area, its associated Wetland(s) of International Importance under the Ramsar Convention (Ramsar Site).

This type of development may cause additional recreational disturbance, and likely significant effects on birds using the SPA and Ramsar sites. As such, the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) applies and the applicant will be required to make a tariff payment which is based on the net number of additional dwellings/overnight accommodation proposed. The payment is to mitigate for additional recreational effects on the designated sites. The local planning authority must ensure that adequate means are in place to secure this mitigation before first occupation.

Gravesham Borough Council must consider the impact the proposal will have on these designated sites in accordance with the Conservation of Habitats and Species Regulations (CHSR) 2017 (as amended) and the National Planning Policy Framework (NPPF) 2024.

A decision from the Court of Justice of the European Union (CJEU: C-323/17) has detailed that mitigation measures cannot be considered when carrying out a screening assessment to decide whether a full 'Appropriate Assessment' is needed under the Habitats Directive. Therefore, we advise that there is a need for the local planning authority to carry out an Appropriate Assessment as part of a Habitats Regulations Assessment (HRA).

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

Nancy Inman
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Site Plan (Besa Architectural Design Ltd., March 2025)
- Existing and Proposed Block Plans (Besa Architectural Design Ltd., March 2025)
- Existing Ground Floor Plan (Besa Architectural Design Ltd., March 2025)
- Preliminary Roost Assessment / Ecological Impact Assessment (Arbtech, June 25)