



ECOLOGICAL ADVICE SERVICE

TO: *Amanda Cue*

FROM: *Helen Forster*

DATE: *17 February 2026*

SUBJECT: *Blackthorn Farm Meopham 20250802*

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 have reviewed the information submitted in support of this application and advise that it provides a good understanding of the ecological interest of the site but advise that the Interim Ecological Impact Assessment has not been updated to take into account the completed surveys.

When we previously commented we advised that Table 5.1 of the Interim Ecological impact Assessment details that the following surveys are required to be carried out:

- Botanical Surveys to inform BNG baseline assessment
- Building Assessment and Ground Level Tree Assessment for bats
- Bat Activity Surveys
- Recommended bat emergence surveys
- GCN HSI/eDNA surveys
- Dormouse Survey
- Badger Survey
- Reptile Surveys
- Breeding Bird Surveys

All the surveys have now been submitted how we note that the interim ecological impact assessment has not be updated. It should be noted that the industry standard report for

submission with a planning application is an Ecological Impact Assessment (EclA) as per 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (CIEEM, 2024¹). Review of an EclA, rather than a number of different ecology reports makes it much easier to understand all the individual impacts of a project on the various habitats and species concerned and ensures there is a cohesive approach to the avoidance, mitigation and compensation of ecological impacts.

In addition we note that the *Response to KCC ecology* (no date) details that an EclA report will follow in due course. However it is our understanding that it has yet to be submitted or has not been uploaded on the planning portal.

Regardless of this point we have reviewed the submitted survey reports and they have detailed the following:

The submitted surveys have detailed the following:

- At least 8 species of foraging bats
- 3 buildings with low potential to support roosting bats (no emerging bats recorded)
- 17 trees with to have suitable roosting potential for bats – no emergence surveys were carried out as the trees with suitable features to support multiple bats are to be retained.
- 36 species of birds during the breeding bird survey – tawny owl was recorded ad hoc during another survey.
- Unlikely to support dormouse – likely a wood mouse nest was recorded
- Glow worm
- Juvenile grass snake
- Suitable habitat for badger and hedgehog
- The site supports lowland meadow and Lowland Mixed deciduous woodland – priority habitats
- The site is adjacent to Ancient Woodland.

We agree that the submitted surveys provide a good understanding of the ecological interest of the site however a full assessment of the impacts have not been provided within the report. Details of mitigation has also been provided within the interim EclA but we highlight that it is overarching and not specific and refers to the on going surveys.

There are priority habitats on the site and we highlight that paragraph 84 of the Office of the Deputy Prime Minister (ODPM) Circular 06/2005² -states that “...*potential effects of a development, on habitats or species listed as priorities... ..are capable of being a material consideration in the preparation of regional spatial strategies and local development documents and the making of planning decisions*”.

As with species an assessment of the impacts on the priority habitat has not been included within the interim ecological impact assessment.

It is our view that the updated ecological impact assessment must be submitted prior to determination of the planning application.

¹ [Guidelines for Ecological Impact Assessment in the UK and Ireland \(CIEEM, September 2024\)](#)

² odpm-circ-0605.qxd (publishing.service.gov.uk)

Previous comments

When we previously commented we highlighted that only four breeding bird surveys were carried out and only covered May and June. The breeding bird guidelines (Bird Survey & Assessment Steering Group, 'Bird Survey Guidelines', 2024). The guidelines state that six visits (either fixed point for small sites or transect for large sites) covering the period late March- early July. However after discussing the proposal with the applicant we do accept that due to the size of the site and because it is heavily grazed the survey results are likely to be valid and updated surveys at this point are not required.

It was not clear when we last commented if further GCN surveys will be carried out or if the applicant will be using the District Level Licencing scheme to avoid an impact on Great Crested Newts. Following a discussion with the applicant we are satisfied that it is unlikely that GCN are present within the site but if so, impacts to GCN can be avoided following a precautionary mitigation approach.

Ancient Woodland

The site lies adjacent to an ancient woodland. Paragraph 193(c) of the NPPF 2024 states: *"development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists"*.

We cannot advise as to whether these proposals are 'wholly exceptional', but we can advise on whether any loss or deterioration will result from the development and whether any proposed compensation is suitable. We point out that proposed compensation measures³ should not be considered as part of the assessment of the merits of the development proposal⁴. Government standing advice is clear: *"Compensation measures are always a last resort. These measures can only partially compensate for loss or damage"*⁵.

When making its decision, the local planning authority should take into consideration the standing advice *'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions'* (Natural England and the Forestry Commission, 14 January 2022) which recommends a minimum 15m buffer between any development and ancient woodlands.

The illustrative masterplan confirms that it is only open space which is adjacent to the area of Ancient Woodland. GBC must be satisfied that the reserved matters will not result in a substantial redesign and the housing being located in the open space area.

³ The Chartered Institute of Ecology and Environmental Management (CIEEM) defines 'compensation' in its 2018 Ecological Impact Assessment guidelines as: *"Measures taken to offset the loss of, or permanent damage to, ecological features despite mitigation. Any replacement area should be similar in terms of biological features and ecological functions that have been lost or damaged, or with appropriate management have the ability to reproduce the ecological functions and conditions of those biological features. Compensation addresses negative effects which are residual, after avoidance and mitigation have been considered. It is this objective of compensation, and not its location, that distinguishes compensation from 'mitigation'. Depending on circumstances, compensation measures may be located within or outside the project site"*.

⁴ [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions)

⁵ [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions)

The illustrative masterplan confirms that a AW Buffer will be created and we advise that it must be designed following the above mentioned standing advice. We note that the masterplan suggests a footpath will be located in the buffer area and highlight that the standing advice states the following: *You can allow access to buffer zones if the habitat is not harmed by trampling.* Therefore if it is likely that the habitat will be impacted by trampling we advise the finalised plans remove the footpath from the buffer area.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60}), must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum⁶:

- 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

⁶ <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

- 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 have reviewed the submitted information and we are satisfied that sufficient information has been submitted to meet the requirements for mandatory net gain.

A BNG report and metric has been submitted and it provides details of the baseline habitat information and confirms what habitat will be lost to facilitate the proposal. The metric currently details that there will be loss of 40% for habitats and 100% for hedgerows. Due to the habitat creation proposed it is likely that the loss will be reduced when the metric is completed however due to the habitats on site it is likely that there will be a trading rules issue.

We advise that we would prefer details of how lowland meadow will/can be compensated to be submitted as part of this application. Whilst we acknowledge that a full metric demonstrating a 10% net gain is not required for validation or determination of a planning application, the government's standing advice on BNG states (under paragraph 002 Reference ID: 74-002-20240214): *"[BNG] is not just a post-permission matter. To ensure the biodiversity gain objective is met and the condition can be discharged successfully, it is important biodiversity net gain is considered throughout the planning process."*

However from discussions with the applicant we understand that they have been having discussions with a habitat bank provider and they are confident that sufficient units can be purchased to achieve a BNG. We would encourage this information to be submitted as part of the planning application to demonstrate that sufficient units can be purchased.

Due to the open space within the site and the baseline habitats it is our view that the BNG on site will meet the requirements of on site significant. Significant on-site gains are areas of habitat creation or enhancement which contribute significantly to the proposed development's biodiversity net gain relative to the biodiversity value before development.

We consider the creation of the other neutral grassland and tree planting to constitute significant⁷ on-site gains. Government guidance states: *"The maintenance of these significant enhancements must be secured with a legal agreement (planning obligation or conservation covenant) or planning condition for 30 years in the same way as off-site gains. LPAs will consider the most appropriate mechanism and this will need to be agreed at the planning permission stage."*⁸

Therefore It is our view that these significant on-site gains should be subject to a S106 agreement or conservation covenant to secure a monitoring fee and ensure enforceability over a 30-year period. It is our view that monitoring fees should be secured for these significant on-site gains as these gains will need to be subject to monitoring reports across 30 years, which will need to be reviewed (and acted upon as necessary) by the LPA at

⁷ We have recently drafted an advice note titled '[Defining significant onsite habitat for Biodiversity Net Gain in Kent and Medway](#)' (March 2025) which outlines our definition of 'significant'. However, this document is awaiting a revision whereby reference to retained habitats counting as on-site significant habitats will be removed.

⁸ [Make on-site biodiversity gains as a developer - GOV.UK](#)

their own cost. We provide details of suggested monitoring fees in our March 2025 advice note 'KCC Ecological Advice Service suggested BNG Monitoring Fees' which has been distributed to all LPAs in Kent.

We highlight that the Kent and Medway Local Nature Recovery Strategy (LNRS) was published 28th November 2025. The strategic significance scores in the biodiversity metric calculation tool for the baseline habitats will need to be reviewed in advance of the deemed condition discharge as once a LNRS has been published the strategic significance in the baseline tab can not be set at Formally identified in local strategy. We highlight that this will reduce the baseline value of the site BNG site slightly.

Ecological Enhancement Plan

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 187 and 193 of the National Planning Policy Framework (NPPF) 2024, biodiversity should be maintained and enhanced through the planning system.

We advise that if planning permission is granted there will be a need for an enhancement plan to be submitted as part of the reserved matters application – it must demonstrate that integrated enhancement features are incorporated in to the buildings as well as the wider site.

Lighting

There will be a need for any lighting to be designed to minimise light spill on the retained and surrounding habitats.

Habitat Management and Monitoring Plan

As part of the BNG and the species mitigation will be reliant on the management of the open space we advise that there will be a need for habitat management and monitoring plan to be produced as a condition of planning permission.

Conditions which will be required

Detailed mitigation strategy
Habitat Management and Monitoring Plan
Ecological Enhancement Plan
Lighting Plan

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:

- Outline Ecological Impact Assessment; EPR; September 2025
- Herptile Survey Report; EPR; September 2025
- Biodiversity Net Gain Validation Statement; EPR; September 2025
- Breeding Bird Survey Report; EPR September 2025
- Bat Survey Report; EPR; November 2025
- Dormouse Survey Report; November 2025
- Habitats, Flora and Vegetation Survey Report; EPR; October 2025

