



ECOLOGICAL ADVICE SERVICE

TO: Katherine Parkin
FROM: Emma England
DATE: 03 June 2026
SUBJECT: 20260461 / Little Cottage, Meopham

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

The proposed development is within the recommended 15m buffer ancient woodland should have from development. 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*".

A tree officer would be able to provide advice regarding the potential impact of proposals upon the root protection areas of trees within the nearby ancient woodland.

Ecological Impact Assessment

The proposed development appears to be on land which has had hardstanding or bare ground since at least 2013. We do not consider surveys for protected species necessary for this application due to the small scale and likely low risk of the site.

Ancient Woodland

We note that the site lies within the recommended 15m buffer ancient woodland should have from development. 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 measures¹ should not be considered as part of the assessment of the merits of the development proposal². Government standing advice is clear: “*Compensation measures are always a last resort. These measures can only partially compensate for loss or damage*”³.

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.

Ancient woodlands and ancient/veteran trees need to be protected with adherence to such measures as:

- putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution;
- measures to reduce noise or light;
- designing open space to protect ancient or veteran trees;
- rerouting footpaths and managing vegetation to deflect trampling pressure away from sensitive locations; and
- creating buffer zones.

The Natural England and Forestry Commission standing advice states that the minimum 15m buffer zone between development and the boundary of any ancient woodland should include gardens (so the woodland should be at least 15m away from gardens). The guidance also requires consideration of the potential for additional impacts from proposals even when there is existing development within this minimum buffer. A larger buffer zone may be needed to account for any direct or indirect adverse effects associated with proposals, as well as to preserve the root protection area of trees within the woodland.

¹ 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”.

² [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/103442/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions.pdf)

³ [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/103442/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions.pdf)

Larger buffer zones are more likely to be needed if the surrounding area is less densely wooded, close to residential areas or steeply sloped.

We would recommend that a tree officer is consulted regarding the potential impact of proposals on nearby trees and the ancient woodland should the development be permitted.

Despite the existing nature of the site, we would also recommend that a construction ecological management plan be secured by condition should planning permission be granted for this application to mitigate for potential negative impacts on the woodland during site clearance and construction.

Biodiversity Net Gain

Self-build

The applicant considers the proposals to be exempt from statutory biodiversity net gain under the self-build exemption. For this exemption to apply, the proposals must:

- consist of no more than 9 dwellings;
on a site that has an area no larger than 0.5 hectares (The site is 0.15ha in size according to the information in the application form); and
- consist exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

It is not within our remit to verify that the proposed dwelling(s) meet the definition of self-build or custom housebuilding as defined in the 2015 Act. The LPA should therefore ensure that the proposals meet the definition and that a mandatory 10% biodiversity net gain does not apply.

Government guidance on self-build and custom housebuilding indicates that *“[in] considering whether a home is self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout ... Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of self-build and custom housing”*.

A recent appeal decision⁴ indicates that a *“suitably robust mechanism such as a planning obligation/legal agreement or other means”* is necessary to properly secure a development as self-build and to prevent it reverting to an open market dwelling where a mandatory 10% biodiversity net gain would otherwise apply.

Retrospective

We note that the application is part-retrospective. Retrospective applications are currently out of scope for mandatory 10% biodiversity net gain.

⁴ APP/P4415/W/24/3356246 - 38 Goose Lane, Wickersley, Rotherham, S66 1JS.

Emma England
Biodiversity Officer