

## Delegated Report

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**Application No:** 20251232

**Location:** St Josephs Convent Of Mercy, Hillside Drive, Gravesend DA12 1NY

**Description:** Application for the approval of condition 4 (Badger Survey Report) attached to planning reference number 20241161.

**Applicant:** Sister Anne O'Connell

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### Submitted Documents/Plans

Application form  
Covering letter  
Letter from Lizard Landscape Design and Ecology Ecological Consultancy Services  
(Investigation of a potential badger sett)  
~~Habitat Management and Monitoring Plan~~

### Relevant Planning History

**20241161** Change of use of surplus convent buildings into two 6-bedroom townhouses, demolition of existing single-storey extensions to the west and construction of a 2-bedroom attached chalet bungalow, reorganisation of the convent car park and alterations to create a front entrance, erection of two single-storey bays to the rear elevation, dividing up the existing garden, and forming a new driveway to access the gardens to the rear.

**Permitted 09.07.2025**

### Consultations, Publicity and Representations

#### KCC Biodiversity

#### CONDITION 4 DISCHARGE

We have reviewed the submitted documents in relation to condition 4 of permission 20241161 and advise that sufficient ecological information has been provided to discharge the condition.

Condition 4 states: *"No development shall be undertaken (including any site and/or vegetation clearance) until an updated badger survey report for the site (including any necessary mitigation, compensation and licensing measures) has been provided to, and approved in writing by, the Local Planning Authority."*

*Reason: In accordance with paragraph 187 of the NPPF 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014".*

## CONDITION 9 DISCHARGE

We have reviewed the submitted documents in relation to condition 9 of permission 20241161 and advise that insufficient ecological information has been provided to discharge the condition.

We note that application 20241161 fell under a requirement for a mandatory 10% biodiversity net gain. We note that Condition 9 requires that the HMMP be produced in accordance with the biodiversity gain plan. Therefore, condition 9 should be discharged at the same time as, or after the deemed condition has been discharged.

Condition 9 states: *"The development shall not commence until a Habitat Management and Monitoring Plan(s) (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, and including the information required by (a) to (e) below, has been submitted to, and approved in writing by, the Local Planning Authority:*

- (a) A non-technical summary;*
- (b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- (c) The planned habitat retention, creation and enhancement works to conserve, create and/or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and the NPPF 2024. This shall include the provision of scaled and detailed soft landscaping plans, as well as planting schedules. This shall also include details of habitat features to be provided (e.g., hedgehog highways, bat and bird boxes) shown on scaled plans with details regarding numbers, target species, make and model, and precise locations (including height);*
- (d) The management measures to conserve, maintain and improve 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 by suitably qualified person, in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority. The retained, created and/or enhanced habitat specified in the approved HMMP(s) shall be managed, created and maintained in accordance with the approved HMMP(s).*

*Reason: To ensure the development delivers the required biodiversity net gain on site in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy and Schedule 7A of the Town and Country Planning Act 1990.*

Following on from the above advice the applicant has agreed to remove condition 9 from the application and so this application relates only to discharging condition 4.

## Analysis

Condition 4 of 20241161 states:

- 4. *No development shall be undertaken (including any site and/or vegetation clearance) until an updated badger survey report for the site (including any necessary mitigation, compensation and licensing measures) has been provided to, and approved in writing by, the Local Planning Authority.*

*Reason: In accordance with paragraph 187 of the NPPF 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014*

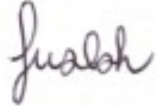
The applicant has submitted a letter from Lizard Landscape Design and Ecology Ecological Consultancy Services relating to the investigation of a potential badger sett. This letter provides sufficient ecological information to discharge the condition. Condition 4 therefore can be discharged.

## Recommendation:



Discharge condition 4 of 20241161.

**See draft Decision**

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|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <b>Case Officer:</b> Alison Webster                                                              | <b>Team Leader:</b> Faye Walsh                                                                   |
| <b>Signed:</b>  | <b>Signed:</b>  |
| <b>Dated:</b> 19 January 2026                                                                    | <b>Dated:</b> 19 January 2026                                                                    |