



ECOLOGICAL ADVICE SERVICE

TO: *Ethan Bonthron*

FROM: *Helen Forster*

DATE: *26 October 2025*

SUBJECT: *Land At 7 To 39 Rose Avenue Gravesend 20250874*

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 submitted information and are satisfied that sufficient information has been submitted to determine the planning application.

Protected/Notable Species

The submitted preliminary ecological appraisal and bat emergence survey has detailed that the site is largely hardstanding/building with areas of residential garden. The surveys have confirmed that there is evidence of breeding birds within the site and 3 species of foraging/commuting bats were recorded during the emergence survey. The reports have detailed that the site and surrounding area has potential to foraging/commuting badgers, hedgehogs, reptiles and amphibians. We are satisfied with the conclusions of the reports that it is unlikely that bats are roosting within the buildings.

We have reviewed the satellite photos and it appears that the vegetation which could support reptiles has only established in the last few years. Therefore we do agree that a reptile survey is not required however we advise that habitat to support reptiles must be retained along the northern boundary of the site in case reptiles are caught during the site clearance works.

We are satisfied that sufficient surveys have been carried out but advise that a mitigation strategy must be submitted if planning permission is granted.

We recommend the following:

No development shall be undertaken (including any site and/or vegetation clearance) until a construction ecological management plan (CEMP) which contains full details of the ecological mitigation measures required has been submitted to and approved in writing by the local planning authority. The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and include the following:

- a) *Retained tree and hedgerow protection measures in accordance with BS 5837:2012;*
- b) *Measures to avoid impacts to the retained trees on site including identification of a construction exclusion zone;*
- c) *Specific measures (which may be presented as a series of method statements) to avoid impacts to protected species*
- d) *Plans demonstrating where the mitigation measures will be implemented.*
- e) *The role and responsibilities of an Ecological Clerk of Works (ECoW) or similarly competent person(s); and*

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Biodiversity Net Gain

In providing the following comments we have assumed that the trees on the NW boundary of the site are not within the redline boundary and will not be impacted by the proposed development.

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. Significant on-site gains, and all off-site gains will need to be secured for at least 30 years. 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 minimum¹:

- 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;

¹ <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

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

We advise that the habitat within the private gardens should have been recorded as vegetated garden rather than modified grassland however as the grassland was assessed as poor condition it has the same BNG value and therefore we do not require the metric to be updated. However we advise that this error must be addressed within the biodiversity net gain plan submission if planning permission is granted.

The submitted information has detailed that the proposed development will result in a BNG loss of 48% for habitats and to achieve a BNG 0.65units will be required to achieve a BNG of over 10%.

As it is not possible to achieve BNG on site off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units Further details of off site habitat creation can be found at the end of the report.

We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for off site habitat providers in Kent [Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent](#).

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain register (if granted). [Search the biodiversity gain sites register - GOV.UK](#)

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_Note_Text.odt. The applicant should submit a biodiversity gain plan form² along with supporting information once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

BIODIVERSITY AND ENHANCEMENTS

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.

If planning permission is granted we recommend that a condition is included requiring an ecological enhancement plan. We suggest the following:

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 a detailed, scaled soft landscaping plan, planting schedule and simple habitat management measures. Details must also include provision of integrated bat/bird boxes, the creation of hedgehog highways (by creating small 13×13cm gaps in close board fencing), the provision of bee bricks and/or the provision of log piles/artificial refugia for reptiles and amphibians.

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

Lighting

Common Pipistrelle have been recorded within the site and lighting can have a negative impact on bats (and other nocturnal species) and therefore any lighting must be designed to minimise light spill.

We recommend that if planning permission is granted a **condition** requiring a lighting plan is submitted. We suggest the following:

Prior to occupation, a lighting plan shall be submitted to, and approved in writing by, the local planning authority. The plan shall show the type and locations of external lighting, as well as the expected light spill in lux levels, to demonstrate that areas to be lit shall not adversely impact biodiversity. All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and shall be maintained thereafter.

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; Middlemarch; January 2025

² [Biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-gain-plan-form)

- Biodiversity Statement and Metric Assessment; Middlemarch; January 2025
- Preliminary Bat Roost Assessment; Middlemarch; January 2025
- Bat scoping and Emergence Survey report; The Ecology co-op; June 2025
- Landscape Masterplan; Standerwick Land design; Feb 2025

OFF-SITE GAINS (NEEDS TO BE REGISTERED)

'Off-site' biodiversity gains are any BNG measures proposed outside of the red line boundary. The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any offsite units if these are used. BNG sites must be registered here: [Register a biodiversity gain site - GOV.UK](#).

If off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register⁶⁹ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

If any off-site habitat creation/enhancement is proposed outside of the LPA boundary/National Character Area of the impact site these will be subject to spatial risk penalties.

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a 'habitat bank operator'⁷⁰), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory Service website. It is generally inappropriate to rely solely on conditions to secure off-site biodiversity net gain. The following needs to be secured as part of the off-site biodiversity net gain:

- *The submission of a habitat management and monitoring plan (HMMP);*
- *Notice of HMMP implementation and completion of the habitat creation and enhancement works;*
- *Timescales for completion of habitat creation, and the submission of a completion report;*
- *Submission of a monitoring report;*
- *A habitat monitoring fee to be paid to the local planning authority on every habitat management monitoring event.*

The HMMP shall be submitted when the general BNG condition is discharged and shall contain the following information⁷¹:

- (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.*

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

Where off-site gains are to be secured through a ‘habitat bank operator’ (which has its own legal agreement and HMMP), no additional conditions or section 106 obligations are required, above a condition requiring biodiversity net gain to be delivered as set out in the planning application.

The submission of provisional/draft legal documents outlining the agreement between the applicant and the provider of any off-site gains are advisable prior to determination to confirm that the proposed route to delivering net gain is feasible, but this information is not required until submission of the pre-commencement Biodiversity Gain Plan.