

Date: 29th October 2025

Ref: 20250730

Site address: Land Adjacent To Thames Way, Northfleet, Gravesend, DA11 8HL

Ms Amanda Cue

Gravesham Borough Council

By email only planning.reps@gravesham.gov.uk



Kent
Wildlife Trust

Dear Ms Amanda Cue,

RE: Application Ref. 20250730 – Installation of electricity infrastructure including a battery energy storage system, sub station and ancillary electrical infrastructure.

The application site contains open mosaic habitat on previously developed land (OMHPDL). The site is also situated within a Biodiversity Opportunity Areas and adjoins the Ebbsfleet Marshes, Northfleet Local Wildlife Site (LWS).

Paragraph 187 of the National Planning Policy Framework (2024) (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity and soils (in a manner commensurate with their statutory status or identified quality in the development plan) and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species.

Paragraph 193 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

Policy CS12 of the Core Strategy (2014) states that:

'There will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought, in particular within the Biodiversity Opportunity Areas shown on the Strategic Green Infrastructure Network map and within new development.'

The application is supported by a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) Baseline Assessment which both make clear that the site contains habitats which are of value and likely to support a range of species. The PEA advises that follow up survey work should be carried out for reptiles, Great Crested Newts and hazel dormouse as a minimum. The submission sets out that these surveys will be carried out in the future. In the absence of these surveys, it is unclear how the mitigation hierarchy could have been followed when selecting the site and deciding on its proposed layout. The PEA also recommends a series of mitigation and enhancement measures to address potential impacts to other species alongside appropriate biodiversity enhancement features. These recommendations have not been incorporated into the layout and design of the proposed development.

As set out above the site contains OMHPDL which is a Priority Habitat under Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act). The inclusion of OMHPDL in Section 41 is to guide decision makers in implementing their duty under Section 40 of the NERC Act to have regard for the conservation of biodiversity, including making it a material consideration in planning decisions. The proposed development would result in 0.93ha of OMHPDL being permanently lost.

OMHPDL provides a refuge for rare and scarce invertebrates due to the decline of more natural habitats. The altered nature of OMHPDL means that a range of habitats develop alongside each other creating a diversity which benefits species that utilise more than one habitat to complete their life cycle. This type of diversity also attracts specialists for each habitat type alongside more generalist species. Bare ground within OMHPDL creates warm microclimates for thermophilic invertebrates to bask as well as providing nesting opportunities for ground nesting species and areas for active predators to hunt. A number of UK Priority species are strongly associated with OMHPDL and an absence of management provides opportunities by allowing invertebrates to overwinter in seeds, flower heads, leaves and stems, which is increasingly difficult in a highly managed landscape.

The submission does not attempt to mitigate for the loss of OMHPDL on site and does not provide any details on how this Priority Habitat will be compensated for. While the arguments made against this classification within the BNG Baseline Assessment are noted the designation has not been changed and remains in place. In addition, the absence of more targeted surveys means it is not possible to establish whether species which utilise OMHPDL are present, including those listed as Priority Species. Taking into account the above it is advised that appropriate onsite mitigation and offsite compensation measures should be provided prior to determination of the application alongside the results of targeted surveys, as advised in the supporting PEA. The survey results should inform measures to address impacts to species recorded.

The statutory BNG metric is clear that for high distinctiveness habitats such as OMHPDL the same habitat must be created, either on or off site, to meet the trading rules. The submitted BNG Baseline Assessment indicates that because of the design of the development offsite habitat creation or statutory credits will be needed. In terms of providing off-site habitat, it should be noted that due to the complex make-up of OMHPDL it can be a very difficult habitat to re-create and manage, particularly as there is a need to maintain a range of ages of successional stages. It should also be noted that there is a risk that the cost of purchasing the off-site units could render the scheme unviable thereby making it impossible to discharge the mandatory BNG condition. Assurance should therefore be provided that these units can be secured in the local area to ensure the habitat loss resulting from the development is appropriately mitigated.

In the event planning permission is granted it is recommended that a condition is included with any permission requiring the submission of a Construction Environmental Management Plan (CEMP) to ensure appropriate mitigation measures are put in place to reduce the risk of adverse impacts on sensitive wildlife receptors and any retained on-site habitats from construction. Of particular concern are the potential impacts of construction work on protected and priority species and habitats. The CEMP should be secured via a suitably worded condition to require detailed mitigation measures for noise, pollution, surface water run-off, dust, and light impacts during the construction phase.

We hope that our comments and suggestions are useful. If you have any questions, please do not hesitate to contact me.

Yours sincerely,

Nicholas Trower

Planning and Policy Officer

Kent Wildlife Trust

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