



ECOLOGICAL ADVICE SERVICE

TO: Kelly Joyce
FROM: Hannah Simmons
DATE: 07 April 2026
SUBJECT: 20260163 St Andrews Gardens, Gravesend

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: SUFFICIENT INFORMATION

We have reviewed the information submitted by the applicant and advise that sufficient **ecological and biodiversity net gain** information has been provided for determination. Recommended **condition/informative** wording is provided below.

A summary of our review of the submitted biodiversity net gain information is provided below. Detailed comments on the submitted ecological and biodiversity net gain information follow the subheadings below.

Table 1: To show a summary of our review of submitted biodiversity net gain information

Percentage Net Gain Required	Percentage Net Gain/Loss Reported for Area Habitats	Percentage Net Gain/Loss Reported for Linear Habitats	Net Gain Proposed:	On-site 'significant' Net Gains Proposed
10%	15.29%	60.83%	All on site	No

Using the national and local guidance regarding significance, we consider that the on-site biodiversity net gain (excluding private gardens) should not be treated as significant and so does not require securing for 30-years.

Breeding Birds

It is possible that breeding birds may be using the vegetation on site. We advise that an informative is included on how works are to be carried out with respect to breeding birds should planning permission be granted.

Suggested Informative Wording:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications¹ for development (unless exempt^{2,3}), 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 information⁴, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development. We consider there is no local policy biodiversity net gain requirement above 10% for this development.

We have produced the following table to aid the local planning authority in ascertaining whether sufficient BNG information has been submitted:

Table 2: To show whether the applicant has met the minimum validation requirements

Information Needed	Provided	Comments
Confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition.	Yes	
The pre-development biodiversity	Yes	A site visit was carried out by a suitably

¹ All planning applications for major development (unless exempt) submitted on or after 12th February 2024 in England, and all minor applications (unless exempt), submitted on or after the 2nd April 2024.

² Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)

³ The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (legislation.gov.uk)

⁴ References to the biodiversity value of any habitat or habitat enhancement within this section of the advice note refer to the value as calculated in accordance with the biodiversity metric.

value(s), either on the date of application or earlier proposed date (as appropriate) .		qualified ecologist 12 January 2026. This is considered acceptable to inform the habitat baseline for this application given the site size, location and habitats reported.
Where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date.	Yes	
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.	Yes	The site is 2293.22 square metres (0.229 hectares) in size, according to the information in the application form. The habitat area reported in the biodiversity metric calculation tool matches the reported red line boundary site area as per the application form. We are content with the baseline habitat classifications. We highlight to Gravesham Borough Council that the Kent and Medway Local Nature Recovery Strategy (LNRS) was published 28th November 2025. The LNRS was published before the 'relevant date'. As the LNRS was published before the relevant date, the pre-development biodiversity value does need to be updated. This means that all baseline habitats need to be assigned a low strategic significance score. The strategic significance scores in the biodiversity metric calculation tool for the post-development habitats will need to be reviewed in advance of the deemed condition discharge⁵. The habitat creation/enhancement strategic significance scoring will need to reflect the published LNRS. The strategic significance score can be determined through use of the Local Habitat Map, available here: Local Nature Recovery Strategy mapping portal Making Space For Nature Kent, with guidance on

⁵ [LNRS and SS Multiplier Transition Guidance 2.pdf](#); [LNRS & Strategic Significance Multiplier Transition | Local Government Association](#)

		its use available here: How to use the online mapping tool Kent and Medway Local Nature Recovery Strategy. A guidance document on how to apply strategic significance is available here: The-role-of-Kent-Medways-Local-Nature-Recovery-Strategy-in-Biodiversity-Net-Gain-Strategic-Significance-.pdf. We consider that the proposed habitat creation/enhancement and proposed uplift of 15.29% for area and 60.83% for hedgerow BNG is achievable and realistic.
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 ')	Yes	None reported or visible on aerial imagery dated 6 March 2020 – 6 August 2025 (Google Earth Pro, accessed 7 April 2026 date)
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).	Yes	Veteran tree to be retained on site.
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).	Yes	

The habitat baseline must be correct prior to determination, but full details of how the proposals will deliver biodiversity gains are not strictly required until submission of the pre-commencement Biodiversity Gain Plan. However, it is advisable to seek an indication prior to determination as, it gives an indication of how the biodiversity gain hierarchy will be applied, and if granted consent, the project cannot commence until this information has been submitted to and approved by the local planning authority. This information will also provide sufficient indication as to how conditions need to be applied should planning permission be granted for this 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."

Information has been submitted with this application to give confidence that the biodiversity gain hierarchy can be effectively applied to this application, and how conditions should be applied should planning consent be granted.

Submission of Biodiversity Gain Plan

The applicant should submit a biodiversity gain plan form⁶ along with supporting information (e.g., legal agreement and habitat management and monitoring plan) once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered. The biodiversity gain plan must include the following information:

- Information about steps taken or to be taken to minimise the adverse effects of the development on biodiversity;
- The pre-development biodiversity value of the on-site habitat;
- The post-development biodiversity value of the on-site habitat;
- Any registered off-site biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- Any biodiversity credits purchased for the development; and
- Any other matters that the Secretary of State may be regulations specify.

We advise the local planning authority that there may be conditions attached to the decision notice should planning permission be granted that are linked to the biodiversity gain plan. Wording should be included in such conditions to ensure that it is clear that any documents/plans are produced in accordance with the 'approved biodiversity gain plan'. Relevant conditions where this is likely to be appropriate include soft and hard landscaping conditions, and any other ecology/biodiversity conditions. Other relevant conditions may include drainage conditions.

On-site Gains

The creation of medium distinctiveness habitats and hedgerows is proposed onsite, these include the creation of Individual (16 urban) Trees and Native Hedgerows. However, due to the amount of habitat created (in this case, less than 1 Biodiversity Unit), and ease with which it can be created and maintained, it is not considered proportionate to implement LPA oversight through the collection of monitoring fees and the submission and approval of monitoring reports to the LPA.

Habitat Management and Monitoring Plan

The below condition is recommended as the scheme must set out the actions needed to create and enhance habitat on-site as well as maintain it for 30 years from the "completion of development" (Paragraph 9(3) of Schedule 7A of the Town and Country Planning Act 1990).

Neither the statutory definition of the biodiversity gain plan nor the current DEFRA biodiversity gain plan template require management and maintenance measures to be specified. As a result, the statutory condition does not on its own secure compliance with the approved biodiversity gain plan (including the implementation of any habitat creation and enhancement works or their maintenance for a 30-year period). The delivery of the

⁶ [Biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/forms/biodiversity-gain-plan-form)

gain envisaged by the HMMP needs to be secured by condition or, where necessary, legal agreement.

The suggested condition wording below also includes reference to habitat retention. Retention of existing habitat cannot count as on-site significant habitat. Only created and enhanced habitats can count as on-site significant habitats. However, the retained habitats are recommended to be secured as well as the created and enhanced habitats as without the retained habitats the 10% biodiversity net gain would not be achieved. Furthermore, there are national and local policies in place to conserve biodiversity.

Suggested Condition Wording:

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan (submitted as part of the deemed condition discharge application), and based on the most up-to-date and/or relevant ecology surveys as determined by a suitably qualified ecologist, has been submitted to, and approved in writing by, the local planning authority. The Plan shall include:

- 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 (including detailed landscaping plan(s) and planting schedule(s)) 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 retained, created or enhanced habitat;*
- f) details of the decommissioning process to be followed, and measures to be taken, to mitigate impacts to protected and priority species and habitats, including reference to an up-to-date ecological impact assessment carried out in line with current professional guidelines.*

The retained, created and/or enhanced habitat specified in the approved HMMP shall be implemented, managed, maintained and monitored in accordance with the approved HMMP.

Ecological Enhancements

Paragraph 187(d) of the NPPF 2024 states: “Planning policies and decisions should contribute to and enhance the natural and local environment by ... 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 such as swifts, bats and hedgehogs.” The updated NPPF encourages habitat features. These are in addition to the requirements of mandatory 10% biodiversity net gain.

Suggested biodiversity enhancements include the provision of durable bird/bat boxes (for house sparrows, starlings, swifts or as appropriate to the development), the creation of artificial refugia for wildlife, and/or creation of bug hotels/bee bricks for invertebrates.

Where placed on buildings, bat and bird boxes should be clearly visible on elevations plans.

Suggested Condition Wording:

*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 the biodiversity enhancements to be implemented on-site. The Plan shall be based on the details contained in sections *insert number(s)* of the *insert consultancy/title/date/reference number* report and shall include:*

- Provision of suitably placed bat and/or bird boxes, with the exact locations, make and model and height from ground level shown on scaled plans suitable for construction. Boxes for breeding birds shall be targeted at S41 priority species and/or red/amber listed species as listed within the latest British Trust for Ornithology Birds of Conservation Concern report. Boxes shall be building integrated and/or constructed of woodcrete to ensure durability;*
- The provision of bee bricks and/or the provision of log piles/artificial refugia for wildlife. The exact locations, make and model, height from ground level, size and construction materials shall be shown on scaled plans suitable for construction.*

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

Reason: To protect and enhance biodiversity in accordance with paragraphs 187 and 193 of the National Planning Policy Framework (December 2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Lighting

Lighting in the vicinity of a bat roost or along commuting / foraging routes could constitute an offence both to a population and to individuals. Artificial lighting has been shown to be particularly harmful to bats along river corridors, near woodland edges and near hedgerows⁷. Local authorities have a duty to ensure impacts upon legally protected species are avoided and impacts upon bats are a material consideration in any planning permission under the Natural Environment and Rural Communities (NERC) Act 2006 and through the NPPF 2024.

Therefore, to mitigate against potential adverse effects on biodiversity, the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 8 Bats and Artificial Lighting at Night' (or subsequent updates) should be consulted in the lighting design of the development.

We advise that the incorporation of sensitive lighting design for biodiversity is submitted to the local planning authority and secured via an attached condition with any planning permission.

Suggested Condition Wording:

⁷ Bats and Artificial Lighting guidance. Available [here](#).

Prior to occupation, a lighting design plan for biodiversity 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.

Hannah Simmons
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Ecological Impact Assessment. Lakeway Ecological Consultancy Ltd. 27 January 2026
- Biodiversity Gain Statement and metric. 26 January 2026