



ECOLOGICAL ADVICE SERVICE

TO: Amanda Grout
FROM: Clair Thackray
DATE: 04 April 2023
SUBJECT: 20221116 / Swift Farm, Harvel

The following is provided by Kent County Council's Ecological Advice Service (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 whether sufficient and appropriate ecological information has been provided to assist in its determination. 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 - MORE INFORMATION NEEDED

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

The proposed location for the stables and access path supports bare ground and small areas of grassland/scrub mosaic and scattered trees with potential for protected and priority species to be present. The site is bordered to the north and west by Strawberry Hill, Pasture & Woodland Local Wildlife Site (LWS, Ref. GR6), designated for unimproved chalk grassland and chalk scrub, ancient woodland and diverse communities of associated butterflies, snails and birds. Badgers are present within the LWS and there is potential for Roman Snail, which hibernates within bare ground, to be present. The habitats within and bordering the site indicate ecological value and potential impacts on these features and the immediate surrounding area through clearance, groundworks, construction, access, lighting, landscaping proposals and future use must be taken account of in the planning decision. As such, an Ecological Impact Assessment (EcIA) should be undertaken by a suitably qualified ecologist¹, in accordance with good practice guidelines.

¹ Suitably qualified ecologists can be found using either the: [CIEEM Registered Practice Directory](#) or the [Environmental Data Services Directory](#).

The EcIA will include the following:

- Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA) and any additional surveys undertaken;
- Details of any necessary and achievable ecological mitigation and/or compensation measures;
- Details of ecological enhancement measures, and;
- Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the EcIA is sought prior to determination of the planning application. This is in alignment with paragraph 99 of ODPM 06/2005 which states *“it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”*.

The EcIA will also ensure alignment with the National Planning Policy Framework (NPPF 2021) and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2021), biodiversity should be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of measurable net gains for biodiversity (integrated as part of design) should be encouraged. As such, we advise that submitted plans must reflect net-gain and enhancement proposals.

Local Wildlife Site (LWS) Management

LWS are important for the conservation of wildlife at the county level. These are non-statutory designations which are generally recognised by local authorities and given weight and protection by inclusion in development plan policies.

The proposals refer to an associated grazing area to the north of the site, within the Strawberry Hill, Pasture & Woodland LWS. In this regard, Policy CS12 of Gravesham Borough Council's Local Plan Core Strategy (2014) includes the following:

5.7.24 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.

5.7.25 Where a negative impact on protected or priority habitats/species cannot be avoided on development sites and where the importance of the development is considered to outweigh the biodiversity impact, compensatory provision will be required either elsewhere on the site or off-site, including measures for ongoing maintenance.

And with regard to delivery of CS12 states:

“...local wildlife sites will be managed through agreements between Natural England, Kent Wildlife Trust and landowners to maintain and improve their biodiversity.”

The site lies within the Medway Gap and North Kent Downs Biodiversity Opportunity Area and the proposed associated grazing area includes calcareous grassland, listed as a priority habitat (or Habitat of Principal Importance) under Section 41 of the NERC Act 2006. In accordance with Policy CS12, we advise that an outline management plan for this part of the LWS is submitted, providing details of how grazing management will be regulated to enhance the grassland habitat of the LWS.

If you have any queries regarding our comments, please do not hesitate to get in touch.

Clair Thackray
Biodiversity Officer

This response was submitted following consideration of the following documents:

Site Location and Proposal Plans. No date.

Proposed Stable Block and Associated Grazing – Land Registry Maps. No date.

Design and Access Statement. Tracey Marshall. No date.