



ECOLOGICAL ADVICE SERVICE

TO: *Alison Webster*

FROM: *Jonathan Lynch*

DATE: *13 September 2024*

SUBJECT: *20240700 / Cheneys Farm Barns, Thong Lane, Shorne*

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 PROVIDED

We have reviewed the information submitted by the applicant and advise that sufficient ecological information has been provided to determine the planning application and recommend that a mitigation condition is attached to any notice of planning consent.

The current proposals will result in a biodiversity net loss (-3.4% habitat units). The applicant proposes to purchase biodiversity units to compensate for a 0.08 habitat unit deficit. No further biodiversity gain information is required prior to determination.

SITE IMPACTS

The application site contains two barns, hardstanding, modified and neutral grassland, ephemeral vegetation, scrub and bare ground as well as a non-native ornamental hedgerow.

Whilst breeding birds, Hedgehogs and foraging/commuting bats may occupy the site, no significant ecological constraints have been identified by the submitted Preliminary Ecological Appraisal (KB Ecology, April 2024). As such, commencement of works outside of the core nesting period (March through August inclusive) or the presence of an ECoW at commencement is recommended, as well as general avoidance/mitigation measures for Hedgehogs and bats¹ as detailed in the submitted PEA. **Adherence to these simple mitigation measures is suitable to avoid a wildlife offence. The following condition wording is suggested:**

Suggested condition: *From commencement of works (including site clearance), methods for the protection of retained habitats and precautionary mitigation measures for nesting birds, Hedgehogs and foraging/commuting bats will be followed in accordance with the details contained in Section 4 of the Preliminary Ecological Appraisal associated with the planning application (KB Ecology, April 2024).*

Reason: *To avoid a wildlife offence under Section 1 of the Wildlife and Countryside Act 1981 and to protect Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act 2006.*

We note that there are five Great Crested Newt (GCN) records within 1.5km of the application site (all of which are located within Shorne Wood Country Park). The nearest waterbody to the site is 280m southeast. Given the absence of any waterbodies within 250m and the bisection of the wider landscape by busy roads, GCN are not seen as an ecological constraint for this application. A lack of suitable onsite habitat for reptiles also precludes further consideration for this species group.

The existing barn buildings (including the southern barn proposed for demolition) were assessed as having 'Negligible' suitability to support roosting bats in the PEA. As such, roosting bats are not seen as an ecological constraint for this application.

BIODIVERSITY NET GAIN AND ENHANCEMENTS

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from the 12th February 2024 and all minor applications from the 2nd April 2024. Where required, the Defra Statutory Metric will need to be used to demonstrate a minimum 10% biodiversity net gain. Local policy may request a higher level of net gain. Habitats created/enhanced to achieve net gain will need to be secured for at least 30 years.

¹ Measures to avoid impacts to Hedgehogs, a priority species, are given in section 4.9 of the PEA; measures to avoid impacts to foraging and commuting bats are recommended in section 4.8 (with reference to the BCT/ILP document 'Guidance Note 8 Bats and Artificial Lighting' which is freely available online: [Guidance Note 8 Bats and Artificial Lighting | Institution of Lighting Professionals \(theilp.org.uk\)](https://theilp.org.uk/Guidance%20Note%208%20Bats%20and%20Artificial%20Lighting))

Biodiversity gain is a statutory requirement of this proposed development. References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric. A metric and biodiversity gain statement have been submitted.

The 0.2ha site is described in the submitted Small Sites Metric (KB Ecology, July 2024) as having a baseline value of 0.6 habitat units and 0.04 hedgerow units. Post-development, this value has changed to 0.58 habitat units and 0.4 hedgerow units (a -3.4% habitat net loss and 962.77% hedgerow net gain).

Therefore, the current proposals result in a deficit of 0.08 habitat units. Impacts to medium/high distinctiveness habitats (bramble scrub and other neutral grassland) have been avoided or compensated for onsite (with creation of neutral grassland and planting of trees). **As such, the current deficit can be compensated for with the purchase of offsite biodiversity units of equal or greater distinctiveness.** We suggest the applicant visits the Kent Biodiversity Net Gain Site Register to find offsite unit providers, but other suppliers are available. **This must be evidenced at the biodiversity gain condition discharge stage, but no further biodiversity gain information is required prior to determination.**

Offsite gains/the purchase of biodiversity credits will need to be subject to a deed of conservation covenants, unilateral undertaking, s106 or planning obligation (as appropriate) and registered following determination.

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

Jonathan Lynch
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Small Sites Metric (The Statutory Biodiversity Metric) (KB Ecology, July 2024)
- Existing Plans (Synergy, November 2023)
- Proposed Block Plan (Synergy, February 2024)
- Preliminary Ecological Appraisal (KB Ecology, April 2024)
- Biodiversity Gain Statement (BB Contracts Ltd, July 2024)