



ECOLOGICAL ADVICE SERVICE

TO: Gary Edwards

FROM: Helen Forster

DATE: 23 July 2025

SUBJECT: East Court Farm Church Lane Gravesend 20250558

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 information submitted and we advise that additional information is required prior to determination.

Protected/Notable Species

We have reviewed the submitted ecological information and it has detailed that the site has potential for foraging/commuting bats, reptiles, GCN, badgers and breeding birds.

The report has detailed with the exception of GCN a precautionary mitigation approach is implemented to avoid a breach of wildlife legislation. We advise that we have concerns with this approach regarding reptiles as no information has been provided demonstrating where the reptiles will be moved in to. The retained habitat is areas of scrub which may not provide sufficient habitat to retain any reptiles moved in to those areas. We advise that additional information is required addressing this point.

For GCN it has recommended that GCN assessment is carried out and this has not been submitted as a part of the planning application. We highlight that it is too late in the season to carry out a GCN population assessment or eDNA survey this year. Alternatively we draw the applicants attention to District Level Licensing (DLL), a strategic mitigation scheme, which requires a conservation payment to remove the need for on-site survey,

mitigation and compensation. The use of DLL is restricted to areas defined as green or amber risk zones⁸ for GCN presence⁹.

If DLL is chosen by the applicant, the following is required prior to determination:

- A countersigned and dated¹⁰ DLL impact assessment and conservation payment certificate (IACPC). The IACPC would need to show the site address matches that of the planning application, and that the boundaries of the IACPC are the same^{11,12}.

Once a suitable IACPC has been received, evidence of the full conservation payment can be conditioned if planning permission is granted.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁶⁸ for development (unless exempt^{69,70}), must deliver at least a 10% biodiversity net gain (BNG). Significant on-site gains, and all off-site gains will need to be secured for at least 30 years.

Having reviewed submitted information, we consider this application to fall under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum¹:

1. confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
2. the pre-development biodiversity value(s), [either on the date of application or earlier proposed date \(as appropriate\)](#);
3. where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
4. [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;
5. 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. a statement to the effect that these activities have been carried out;
 - b. the date immediately before these activities were carried out;
 - c. the pre-development biodiversity value of the onsite habitat on this date;
 - d. the completed metric calculation tool showing the calculations, and
 - e. any available supporting evidence of this;
6. 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

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

7. 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).

The application form has detailed that a BNG assessment has been carried out but it has not been submitted. We advise that the BNG assessment and metric is submitted prior to determination of the planning application.

The Town and Country Planning Act 1990, Schedule 7A (6 and 6B) seeks to discourage developers from engaging in site clearance prior to making a planning application. This legislation essentially states that if habitat degradation/loss has occurred on an application site on or after 30 January 2020, *“the pre-development biodiversity value of the onsite habitat is to be taken to be its biodiversity value immediately before the carrying on of the activities.”*

We advise that the BNG assessment must be based on the results of the 2023 PEA not the 2025 PEA as satellite photos suggest that habitat clearance has been carried out sometime after 2024.

Shadow Habitat Regulations Assessment

The proposal is located within 200m of the South Thames Estuary and Marshes SSSI and the Thames Estuary and Marshes Ramsar and the field to the north of the site may provide functionally linked land. Functionally linked land is land not within the designated site but supports species which are found associated with the designated sites.

Therefore we advise that additional information is provided to enable GBC carry out a habitat regulations assessment. The submitted information detailed that other than recreational pressure the proposal is unlikely to impact the designated site however no consideration has been given to the potential for the habitat to the north being functionally linked land.

The additional information must assess the impact the proposal will have on the designated sites (both operational and construction). We highlight that this may require wintering bird surveys to be carried out as part of the application to assess whether the proposal will have an impact.

The development includes proposals for holiday accommodation within the zone of influence (6km) of the Thames Estuary and Marshes Special Protection Area, and its associated Wetland(s) of International Importance under the Ramsar Convention (Ramsar Site). therefore if the proposal will be operational between October and March there will be a need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS). This is to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

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; United Environmental Services; May 2025