

Delegated Report

Discharge of Conditions

Planning Application No: 20250754

Location: Eastcourt Marshes Electricity Substation Mark Lane Gravesend Kent

Description: Application for the approval of condition 10 (Construction Ecological Management Strategy (CEMS) - Biodiversity/Biodiversity Method Statement) attached to planning reference number 20231313.

Applicant: National Grid Electricity Transmission PLC

Submitted Documents/Plans

- Application form;
- Covering Letter;
- Landscape and Ecological Management Plan (LEMP) - Rev P5;
- Response to KCC Biodiversity (24th September 2025);
- Response to KCC Biodiversity (6th October 2025); and
- Response to KCC Biodiversity (9th October 2025).

Superseded Documents

- ~~Landscape and Ecological Management Plan (LEMP) (contains appendix 1 & 2).~~
- ~~LEMP Appendix 3 – Construction Ecological Management Strategy and Ecological Design Strategy.~~

Relevant Planning History

20231313 Proposed construction of a new cable tunnel beneath the River Thames between Gravesend and Tilbury to provide additional transmission capacity. Above-ground infrastructure in the form of a new Cable Sealing End compound and a new head house building along with associated electricity infrastructure, access, parking, boundary treatment and two overhead gantry structures for future overhead lines. Temporary compound for the duration of the project to provide parking, staff welfare facilities, delivery vehicle parking, and equipment and machinery storage, including boundary treatment and lighting.

Permitted 04.03.2025

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS12 – Green Infrastructure
- CS19 – Development & Design Principles

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and

Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and enhancing the natural environment

Consultations, Publicity and Representations

Consultees

Environment Agency

This application relates to condition 10 that was not requested by us, we therefore have no comments to make with regards to the discharge of condition 10.

North Kent Marshes Internal Drainage Board

The site is within the North Kent Marshes Internal Drainage Board's district; however, this application relates to the Construction Ecological Management Strategy, and as such, the Board has no comment.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Natural England

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details

Extensive comments have been received from KCC Biodiversity which are available to view on public access <https://plan.gravesham.gov.uk/online-applications/>

KCC Biodiversity (20th October 2025)

Sufficient information/clarification has been provided and no further information is required.

KCC Biodiversity (2nd October 2025)

Additional information required

KCC Biodiversity (4th September 2025)

The submitted document is well structured and fairly comprehensive. However, there are a few updates that we consider necessary to ensure that the document is fully accurate and achievable.

Officer's Analysis

Condition 10

10. No development approved by this permission shall take place (including any site/vegetation clearance) before a construction ecological management strategy (CEMS - biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMS - biodiversity shall be based on the avoidance, mitigation and compensation measures indicated within the ecological information submitted with the planning application. The CEMS - biodiversity shall include the following:

- a. Risk assessment of potentially damaging construction activities;
- b. The identification of biodiversity protection zones and the use of protective fences, exclusion barriers and warning signs. This shall include a suitable buffer zone(s) (as set out by a suitably qualified ecologist) for relevant protected and priority species;
- c. Extent and location of proposed works shown on appropriate scale maps and plans for all relevant species and habitats;
- d. Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of species or habitat-specific method statements);
- e. The location and timing of sensitive works to avoid harm to biodiversity features;
- f. Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- g. The times during construction when specialist ecologists need to be present on site to oversee works;
- h. Details of any necessary protected species licences or reference to other relevant documents as required (e.g., Arboricultural Method Statement/ updated species survey reports/ecological design strategy);
- i. Responsible persons and lines of communication; and
- j. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The following information has been submitted to discharge condition 10.

- Application form;
- Covering Letter;
- Landscape and Ecological Management Plan (LEMP) (contains appendix 1 & 2).
- LEMP Appendix 3 - Construction Ecological Management Strategy and Ecological Design Strategy.

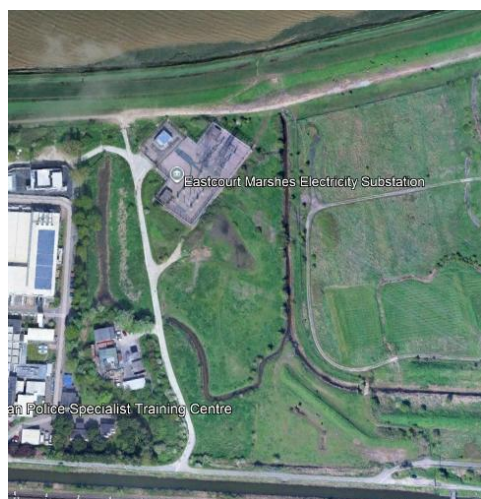
KCC Biodiversity (4th September 2025) stated that the above documents which had been submitted were well structured and fairly comprehensive. However, there were updates that we considered necessary to ensure that the document is fully accurate and achievable.

In response to this these concerns the agent had direct dialogue with KCC Biodiversity to advance the discussions which resulted in three formal responses to KCC in the form of these letters.

- Response to KCC Biodiversity (24th September 2025)
- Response to KCC Biodiversity (6th October 2025)
- Response to KCC Biodiversity (9th October 2025)

It was noted that during a site visit during September 2025 that site clearance had commenced and this was confirmed by Google Earth photos as shown below.

March 2025



August 2025



KCC Biodiversity Officer confirmed in their letter dated 20th October 2025 that due to the mitigation already being implemented we accept that no further information is required to discharge condition. It's worth noting the following which expands on the above.

Since providing this information we understand that all the reptile mitigation proposed be carried out in 2025 had been completed by June 2025. As the information to discharge the condition was not submitted until the end of July it should have been clear with the submission what information had been carried out. It was not disclosed by the applicant - It only was only discovered that the works had been carried out when the satellite images on google earth were updated.

The additional information submitted on the 9th of October has confirmed that the ecological mitigation was implemented with an ecological clerk of works on site to ensure that the works did not result in a breach of wildlife legislation.

It is considered that sufficient information has been submitted to discharge condition 10 and there is no conflict with Policy CS12 (Green Infrastructure) and Section 15 of the NPPF (2024).

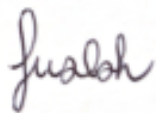
Conclusion

Condition 10 can be discharged.

Recommendation

Discharge Condition 10

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Richard Hart	Team Leader:	Mrs Faye Walsh
Signed:	<i>R Hart</i>	Signed:	
Dated:	22 nd October 2025	Dated:	24 October 2025