

Delegated Report

Discharge of Conditions

Planning Application No: 20250756

Location: Eastcourt Marshes Electricity Substation Mark Lane Gravesend Kent

Description: Application for the approval of condition 12 a,c,d,h,i,j,k,m,n,o (Ecological Design Strategy) 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Superseded Documents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

No objection

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 12

12. *No development approved by this permission shall take place (including any site/vegetation clearance) before an Ecological Design Strategy (EDS) has been submitted to and approved in writing by, the Local Planning Authority. The EDS shall ensure that on-site compensatory habitat is provided for relevant protected and priority species (as determined by a suitably qualified ecologist). The EDS shall ensure that both on and off-site compensatory habitat is provided for the projected permanent and temporary loss of reptile habitat (as identified in the AECOM Technical Note: Response to Ecological Points Raised in KCC Advice to Gravesham BC Dated 27th February 2024 (24th July 2024 Rev02). The EDS shall ensure the mitigation and compensation measures with regards to habitat improvements proposed, and the*

area of land required, are based on available scientific research and government standing advice. If the proposed compensation site already has an existing population of the relevant species and/or is already proposed as compensation for other development, evidence shall be provided to demonstrate that the measures proposed are additional. The EDS shall include where practical the following:

- a. Up-to-date survey data carried out in accordance with best practice for the both the development site and the proposed off-site compensation site(s);
- b. Purpose and conservation objectives for the proposed works;
- c. Review of site potential and constraints;
- d. Description and evaluation of features to be managed;
- e. Detailed design(s) and/or working method(s) to achieve stated objectives. This shall include a detailed methodology for the movement of reptiles and measures to prevent reptiles returning to the site prior to and during the development. This shall also include details of how any receptor sites will be enhanced and be in a suitable condition to support the likely number of animals which will be moved, prior to any animals being moved, and details of the management of the compensation site(s) in perpetuity.
- f. Full details of soft landscape works, to include species, size and location of new habitats (e.g., trees, shrubs, hedges and grassed areas to be planted) with the extent and location/area of proposed works shown on appropriate scaled maps and plans;
- g. Full details of the proposed ecological features. For habitat boxes details shall include numbers, make and model, locations to include height, aspect and mounting location shown on scaled landscaping plans suitable for construction. For log piles and hibernacula details shall include materials, size, shape and construction methodology. Locations shall be shown on scaled landscaping plans suitable for construction;
- h. Extent and location/area of proposed works on appropriate scale maps and plans; i. Full details of the extent of appropriate buffers (as set out by a suitably qualified ecologist) for protected and priority species;
- j. Type and source of building materials to be used where appropriate, e.g. native species of local provenance;
- k. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- l. Details of the body or organisation(s) responsible for implementing the EDS and the mechanisms for securing the mitigation/compensation land and its management for the lifetime of the development;
- m. Details of initial aftercare and appropriate management prescriptions for relevant protected and priority species and habitats (as identified by a suitably qualified ecologist and in accordance with information submitted as part of the application) for the lifetime of the development within a Landscape and Ecological Management Plan;
- n. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- o. Details for monitoring (to be undertaken by a suitably qualified ecologist(s)) and remedial measures.

The EDS shall be implemented in accordance with the approved details. All features shall be retained as approved thereafter, unless remedial measures are required. Approval for any remedial measures shall be sought from the Local Planning Authority in writing and thereafter implemented as approved.

The following information has been submitted to discharge condition 12 a,c,d,h,i,j,k,m,n,o (Ecological Design Strategy).

- 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).

KCC Biodiversity (4th September 2025) stated that more information was required around the following elements.

- Construction phase information

- Operational phase information prior to first use of the project.
- Reptiles
- Invertebrates

Discussions took place with KCC Bio who revised additional information from the agent and on 2nd October 2025 raised the following outstanding issues.

- *Reptile surveys in line with current professional standards at the proposed receptor site that has existing suitability for reptiles;*
- *Clear consideration of which habitats reptiles will be able to move into if solely relying on using habitat manipulation, and an acceptance that in some areas, a more targeted trapping effort may be preferable;*
- *Commitment to ensuring that the 'enhancement areas' have been suitably enhanced prior to carrying out site/vegetation clearance activities, and that management of the 'enhancement areas' will commence as soon as they are ready and expected to receive displaced animals;*
- *Further confirmation that for key invertebrate species of conservation concern, that habitat will be continuously available in sufficient quantity on or sufficiently near the site to permit recolonisation of the site post-development;*
- *Full understanding of the habitat management requirements of fiery clearwing moth to ensure that the size of the reptile enhancement area is not effectively reduced by using the site for both fiery clearwing moth conservation and for reptiles.*

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



The applicant's letter of 9th October 2025 set out a timeline of events that had occurred on site to assist KCC Biodiversity in understanding if the works that had commenced had an impact on biodiversity on site.

The key outcomes

Ecological supervision during vegetation clearance.	September 2020 We can confirm that key ecological surveys were completed ahead of any site clearance, helping ensure that appropriate control measures were in place from the outset. Arboriculture, badger, and reptile surveys were all undertaken in advance of works, in line with best practice. Full details of the surveys undertaken, together with their timing is provided within the submitted documentation. Whilst the buffer zones alongside site watercourses have been demarcated, nonetheless the water vole surveys were also initiated prior to clearance.
---	--

The projects' badger survey confirmed that the species is absent from the site. The reptile survey identified the species present and has provided evidence to supporting the proposals present within the reptile mitigation strategy and detailed precautionary method of works document. Water vole surveys re-confirmed the requirement for a 5m buffer, which is also helping to inform our understanding of potential future impacts on the site's ditches.

These surveys have provided a solid ecological baseline and have helped guide our approach moving forward.

The vegetation clearance activity to facilitate the pre-construction activity was carried out under the supervision of a qualified Ecologist, in full accordance with the methodology outlined in the Precautionary Method of Work document. This best practice approach was designed to respond to the findings of the reptile surveys, which recorded a peak count of 10 slow worms, 2 common lizards, and 1 grass snake.

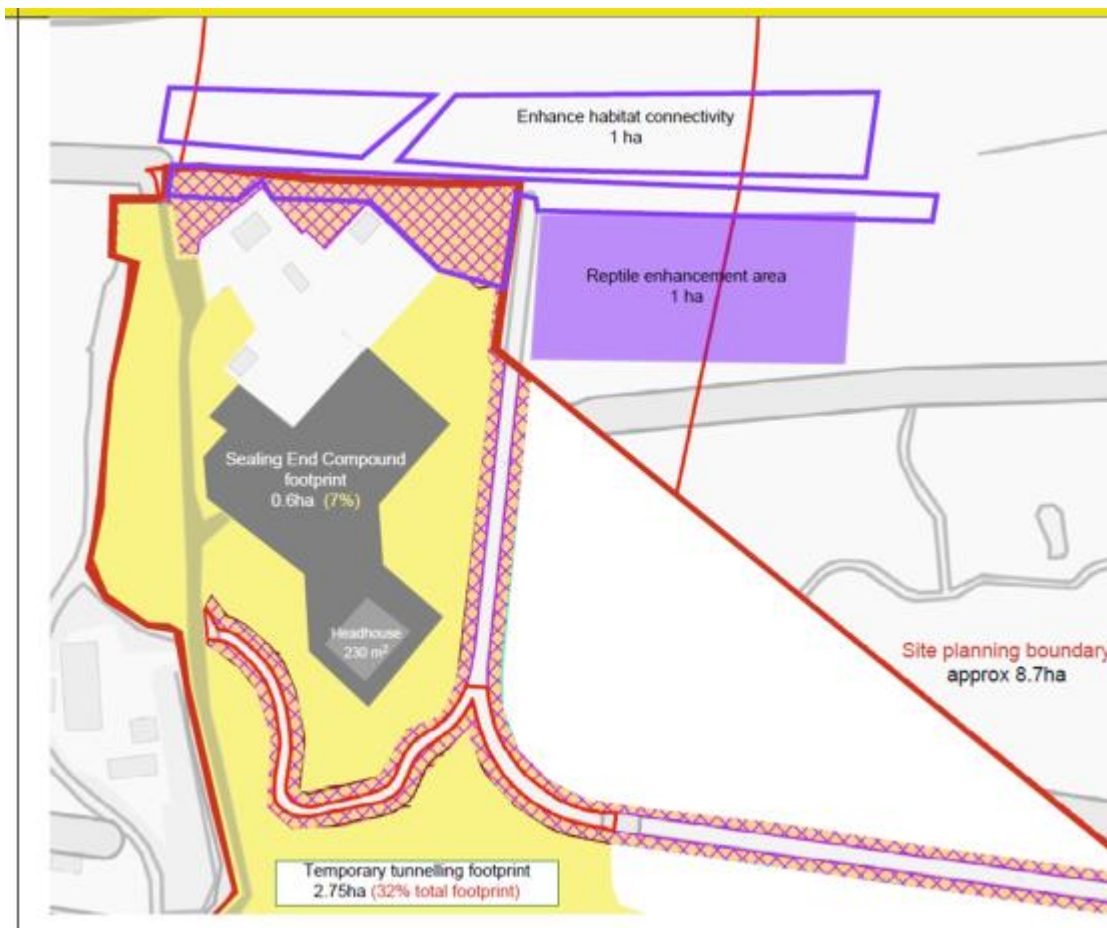
A two-stage clearance method was followed, working progressively towards designated buffer areas. Vegetation was initially cut to a height of over 100mm, with arisings removed, and the area thoroughly searched by an ecologist to support and encourage reptile dispersal. The area was then left undisturbed for 24 hours, followed by a detailed fingertip search prior to final clearance.

Where necessary, suitable reptile habitat was carefully cleared, with any reptiles directed into the buffer zones. As part of this process, 1 slow worm and 1 common lizard were relocated to the east of the site.

Given the paucity of reptiles encountered on the site during the pre-clearance surveys, and the clearance works themselves, the project is comfortable that the areas immediately surrounding the site provided extensive suitable habitat to accommodate the low numbers of displaced individuals.

An Ecological Clerk of Works (ECoW) was present throughout, with duties including ensuring the water vole buffer was maintained adjacent to the sites drainage ditches, and that nesting birds were protected.

The applicant also confirmed the status of land adjacent to the working area, earmarked for ecological Enhancement which confirmed the following;



The applicant also confirmed the following:

The documentation submitted (Landscape and Ecological Management Plan (LEMP) - Rev P5) represents the appropriate mitigation and control measures, both those that have already been adhered in line with best practice for clearance associated with pre-development activities, as well as to:

- *Control future vegetation clearance required for the project.*
- *Offset the long term/permanent footprint of the completed works As described, one (to the north of the site) of the two areas of committed offsite habitat enhancement has been implemented prior to the initial pre development vegetation clearance, with the other (to the east of the site) due to be implemented at the start of development, and prior to the further site vegetation clearance. As described within the submitted documentation*

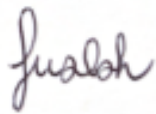
The remainder of the outstanding issues that KCC Biodiversity have raised will be addressed through the future discharge of Condition 12 b,e,f,g, and I. As these details are unknown as this stage KCC Biodiversity are happy that they are discharged at a later date. Due to the complex nature of the development and the fact of timings of surveys and some what need to occur on site before further mitigation measures can be introduced only a partial discharge of the condition can occur.

It is considered that sufficient information has been submitted to discharge condition 12 a,c,d,h,i,j,k,m,n,o and there is no conflict with Policy CS12 (Green Infrastructure) and Section 15 of the NPPF (2024).

Recommendation

Discharge condition 12 a,c,d,h,i,j,k,m,n,o.

(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