



ECOLOGICAL ADVICE SERVICE

TO: Lisa Williams
FROM: Clair Thackray
DATE: 16 March 2023
SUBJECT: 20230123 Tourmalane, Gravesend

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.

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

- A bat scoping survey – to include a Preliminary Roost Assessment of all existing structures and Preliminary Ground Level Roost Assessment of all existing trees within the site, in accordance with the Bat Conservation Trust Good Practice Guidelines (Collins, 2016)

The development meets the requirements on the planning trigger list as identified by the Bat Conservation Trust's 'Bat Surveys for Professional Ecologists' (2016). Woodland habitat suitable for foraging bats is located immediately to the south beyond Old Watling Street, ultimately connecting to Claylane Wood and Shorne Woods ancient woodland sites to the east. The golf-course to the north of the site also provides suitable foraging habitat.

As such, we recommend that a bat scoping survey is carried out; if potential for roosting bats is identified, it is likely that bat emergence/re-entry surveys will also be required. The results of all surveys, and details of any mitigation required, should be submitted prior to determination of the planning application. This is in alignment with paragraph 99 of the 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”.

Lighting and Biodiversity

To mitigate against potential adverse effects on biodiversity, and in accordance with the National Planning Policy Framework 2021, the Bat Conservation Trust’s ‘Guidance Note 8 Bats and Artificial Lighting’ (or subsequent updates) should be consulted in the lighting design of the development. We advise that the incorporation of sensitive lighting design for biodiversity is submitted to the local planning authority and secured via an attached condition with any planning permission. The lighting plan should feature an assessment to show expected light spill in lux levels.

Biodiversity Enhancements

Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2021), biodiversity must 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.

The replacement of green space with a larger built development constitutes a loss of biodiversity in the absence of compensation. Therefore, we advise that it is demonstrated that enhancements / net-gain in biodiversity can be achieved through landscaping and habitat features. This information should be included within the bat survey report. The proposals include a section of flat roof and we advise that incorporation of a green roof is considered.

Designated Sites

The proposals involve the replacement of an existing bungalow with a two-storey house within the zone of influence (6km) of the Thames Estuary and Marshes Special Protection Area and Wetland of International Importance under the Ramsar Convention (Ramsar Site). While the number of properties will remain the same, there is understood to be a net increase in the number of bedrooms from four to five.

Gravesham Borough Council will 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.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full Appropriate Assessment is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the North Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application.

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:

Existing Plans. TA Architects. November 2021.

Proposed Plans. TA Architects. November 2021.

Proposed Roof Plan. TA Architects. March 2022.