



ECOLOGICAL ADVICE SERVICE

TO: Kelly Joyce

FROM: Marie Thibault

DATE: 09 November 2021

SUBJECT: 20211161-SCON3 / Barn at Oaklands, Meopham

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.

Under the Natural Environment and Rural Communities Act (2006), "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". In order to comply with this 'Biodiversity Duty', planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

The National Planning Policy Framework states that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.

Summary – Additional Information Required

- Preliminary Ecological Appraisal

Detailed comment

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that further information is sought with regards to the potential for ecological impacts to arise as a result of the proposed development.

Habitats and features including building, trees and grassland are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision.

In addition, the boundary of the proposed development site is adjacent to an area which has been designated as the Tom Lotts, Molehill, Bottomfield **Ancient Woodland** (AW) and as the Strawberry Hill, Pasture & Woodland, Meopham **Local Wildlife Site** (LWS). It is also located within 10 metres of the Luxon Wood, Great Buckland Local Wildlife Site.

As such, a preliminary ecological appraisal (PEA) must be undertaken by a suitably qualified ecologist, in accordance with good practice guidelines and must be submitted prior to determination of the planning application. The PEA will assess the habitats and features within and around the site and identify if there is a need for further ecological surveys to assess ecological value and/or confirm protected species presence/likely absence. It will assess the impact the proposed development will have on the Ancient woodland and Local wildlife sites and provides recommendations to minimise any impacts from the construction or operational phase of the development.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the PEA report, OR, if further surveys are required, an Ecological Impact Assessment (EcIA) report, detailing all surveys and outcomes, must be sought as part of the planning application. This is in accordance with paragraph 99 of 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”*. An EcIA is a process of identifying, quantifying and evaluating the potential effects of development on habitats, species and ecosystems, so providing all ecological survey information alongside any necessary avoidance, mitigation and compensation proposals within one document.

We are concerned by the *Supporting Planning Statement* stating that a separate application will be submitted for the management of waste water and services, and for access.

There is a need to know that every potential impact arising from the proposed development will be considered into the ecological scoping survey. This will help to demonstrate that sufficient information has been provided to enable Gravesham Borough Council to make an informed decision when determining the planning application.

We are aware that prior notification for the proposed development has been granted but regardless of this planning approval for works the applicant still need to consider wildlife legislation.

Biodiversity and Ecological Enhancements

One of the principles of the National Planning Policy Framework is that planning policies and planning decisions should contribute to and enhance the natural environment, including by: *“minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*.

We suggest that the PEA recommends biodiversity enhancements to benefit the LWS and AW.

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

Marie Thibault ACIEEM

Biodiversity Officer

This response was submitted following consideration of the following document(s):
Supporting Planning Statement, September 2021, Mr Benjamin Frank Merchant