

Ecological Impact Assessment & Biodiversity Net Gain Assessment

Hilary Cottage, Higham
July 2025

Reference number: 0331

Version: 1.0

Luke Wallace ACIEEM

The copyright of this document remains with Kent Sussex Ecology. All rights reserved. The contents of this document must not be copied or reproduced in whole, or in part, for any purpose without the written consent of Kent Sussex Ecology.

Information and opinions within this report are considered to be accurate in accordance with the observations, skills and experience of the ecologist(s). The information set out within this report does not constitute a legal opinion and professional advice should be sought for legal interpretation.

No liability or responsibility is accepted by Kent Sussex Ecology for any use of this report, other than for the purposes for which it was originally prepared and provided. The content of this report is partly based on information provided by third parties; Kent Sussex Ecology accepts no liability for any reliance placed on such information.





CONTENTS

1.0.	SUMMARY	3
2.0.	INTRODUCTION.....	4
2.1.	OVERVIEW	4
3.0.	BASELINE ECOLOGICAL CONDITIONS	5
3.1.	DESIGNATED SITES	5
3.2.	HABITATS	5
3.3.	PROTECTED SPECIES.....	5
4.0.	CONCLUSION AND RECOMMENDATIONS	7
4.1.	DESIGNATED SITES	7
4.2.	HABITATS	7
4.3.	PROTECTED SPECIES.....	8
5.0.	BIODIVERSITY NET GAIN.....	9
5.1.	OVERVIEW	9
5.2.	METRIC INPUTS AND DEVELOPMENT IMPACTS	9
5.3.	RESULTS AND CONCLUSION.....	10
	APPENDIX A: PHOTOGRAPHS.....	11
	APPENDIX B: LEGISLATION.....	12



1.0. SUMMARY

An Ecological Impact Assessment (EclA) and Biodiversity Net Gain (BNG) assessment was undertaken at Hilary Cottage, Higham, in advance of the proposed provision of a new stable block. The site primarily comprises hardstanding, a sealed surface yard, a storage container and modified grassland, with no protected or notable habitats present.

Regarding protected species, the on-site survey found no direct evidence of their presence, and the site offers limited habitat opportunities for most species. As such, protected species are considered unlikely to be present or affected by the development activities, with precautionary mitigation measures being recommended for the construction phase. The new stable block will also feature no external lighting to avoid impact on nocturnal wildlife.

A Biodiversity Net Gain (BNG) assessment demonstrated a net gain of 45%, achieved through the proposed enhancement of existing grassland on-site to 'good condition' other neutral grassland. This outcome satisfies the BNG uplift obligation, ensuring the development adheres to the requirements under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The implementation and monitoring of this uplift can be secured through a 'Habitat Management and Monitoring Plan' as part of any granted planning permission.





2.0. INTRODUCTION

2.1. OVERVIEW

- 2.1.1. Kent Sussex Ecology was commissioned to undertake an Ecological Impact Assessment (EclA) and Biodiversity Net Gain (BNG) assessment at Hilary Cottage, Higham, Kent, centred on grid reference TQ7175971176.
- 2.1.2. The site (redline boundary) is approximately 1900m² and comprises a hardstanding access track, yard, a storage container and grassland. The proposed development is for the provision of a new stable block structure.
- 2.1.3. The site was surveyed on 30th June 2025 in calm and bright conditions, with no limitations regarding access. The surveyor is a qualified (BSc Ecology and Conservation) and CIEEM-accredited ecologist with over 15 years' experience in the field of ecology. A desktop study was carried out using DEFRA's 'Multi-Agency Geographic Information for the Countryside' (MAGIC) and other data resources for records of site designations, protected species and habitat information.
- 2.1.4. The objectives of the EclA were to:
 - Identify all relevant statutory and non-statutory designated sites and features of ecological significance within the site and its surroundings.
 - Assess the potential for the presence of protected species and species of principal conservation importance, important habitats or other biodiversity features within the site and its surroundings.
 - Provide recommendations for, and undertake, further surveys as necessary.
 - Present the likely significance of ecological impacts from potential development.
 - Present any likely mitigation and compensation measures required in relation to the relevant legislation and policy.
- 2.1.5. The EclA aspect of this report will remain valid for between 18 months and three years, in accordance with current CIEEM guidance.
- 2.1.6. The methodology for BNG assessment is detailed in Section 5 of this report.



3.0. BASELINE ECOLOGICAL CONDITIONS

3.1. DESIGNATED SITES

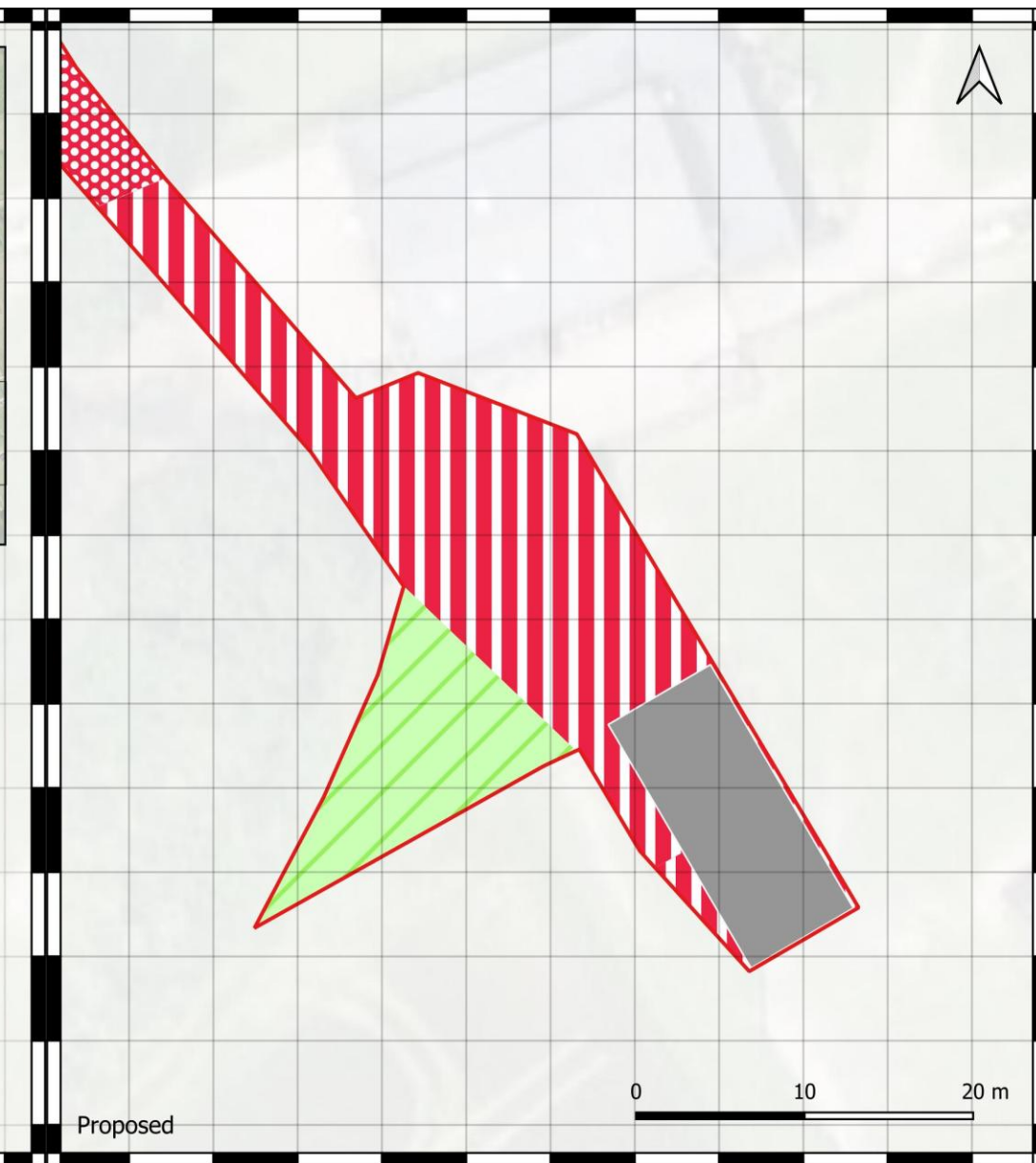
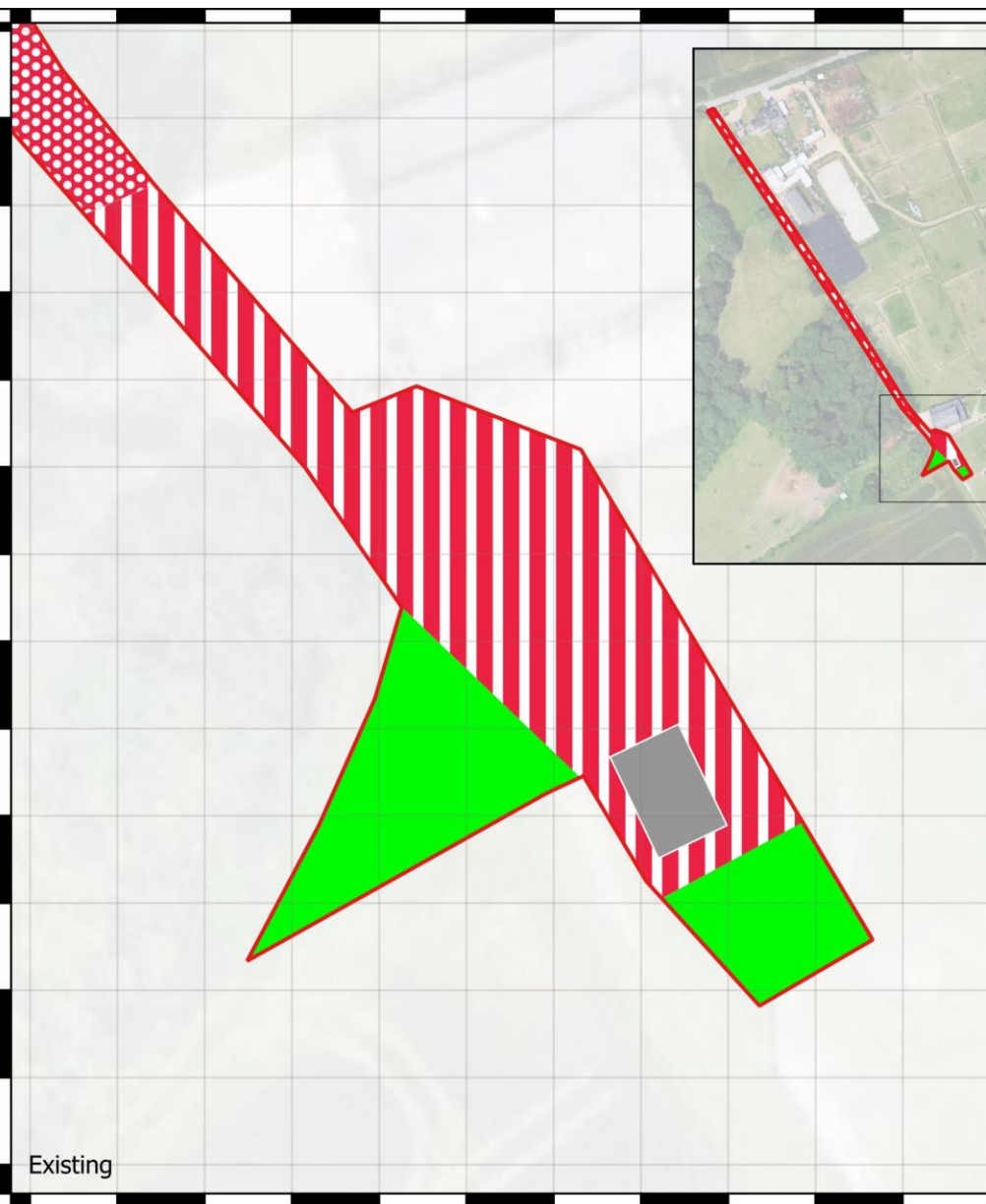
- 3.1.1. The site is not situated within or adjacent to a statutory designated site for nature conservation. The nearest designated site for nature is the 'Great Crabbles Wood' Site of Special Scientific Interest (SSSI), located approximately 1.3km to the west.

3.2. HABITATS

- 3.2.1. The site comprises a hardstanding permeable access driveway, a sealed surface yard, a storage container and modified grassland (see existing habitat plan on page 6), with further details in the BNG section of this report.
- 3.2.2. There are no protected or otherwise notable habitats on site; however, an area of 'priority habitat' deciduous woodland partially borders the site's access route. Overall, the site has reasonable habitat connectivity to the wider natural environment.

3.3. PROTECTED SPECIES

- 3.3.1. No evidence of protected species presence was observed during the site visit, and the site offers limited habitat opportunities for most protected species. Some protected species are considered further regarding their potential presence and/or susceptibility to impact from development activities.
- 3.3.2. Regarding bats, there were no structures capable of supporting roosting bats. The small, flat-roofed, single-skinned metal storage container offers negligible potential for roosting bats. It is likely that bats forage and commute over the site.
- 3.3.3. Regarding herptiles, there are no ponds within 500m of the site, entailing little probability of Great Crested Newt (GCN) being present. While all four species of reptile found in the region are likely to be present (supported by records of slow worms and grass snakes in the biological record dataset), there is little suitable basking and foraging habitat for this group on-site. There is no hibernation or sheltering habitat for GCN or reptiles within the redline boundary. Similarly, there are no opportunities for breeding birds.
- 3.3.4. While no field signs of other terrestrial protected species, such as badgers and hedgehogs, were observed, it is possible that these species could commute and forage through the site, with both having been recorded in the area.



Existing

Proposed

0 10 20 m

-  Redline boundary
-  Existing and proposed structures
-  Sealed surface
-  Other neutral grassland
-  Modified grassland
-  Artificial unsealed surface



Existing and Proposed Plan
Hilary Cottage
Scale 1:400

Reproduced Google Satellite and QGIS



4.0. CONCLUSION AND RECOMMENDATIONS

4.1. DESIGNATED SITES

- 4.1.1. Schedule 4(w) of the Town and Country Planning (Development Management Procedure) Order 2015 states that Natural England must be consulted on “development in or likely to affect a Site of Special Scientific Interest”.
- 4.1.2. Paragraph 193(b) of the National Planning Policy Framework (NPPF) 2024 states that “development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest”.
- 4.1.3. Regarding the European designation (SPA and SAC), Article 6(3) of the Habitats Directive 2017 states that “Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”.
- 4.1.4. The size of the site and nature of the proposed development will not trigger a consultation with Natural England according to the SSSI impact zone. Therefore, no further information is recommended regarding designated sites.

4.2. HABITATS

- 4.2.1. Certain habitat types are listed as ‘habitats of principal importance’, or ‘priority habitats’, under the NERC Act 2006. In accordance with Section 41 of the Act, these habitats are capable of being a material consideration in the making of planning decisions (Paragraph 84, Government Circular (ODPM 06/2005)). Additionally, ancient woodland benefits from some protection through the National Planning Policy Framework, which states that development resulting in the loss or deterioration of this habitat should not be permitted unless there are wholly exceptional reasons.
- 4.2.2. There are no priority or otherwise notable habitats within the site. The implications of the development on the site’s habitat value are addressed in the BNG section of this report (page 9).



4.3. PROTECTED SPECIES

- 4.3.1. Paragraph 99 of the ODPM 06/2005 states that “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”.
- 4.3.2. It is concluded that protected species are likely to be absent and unaffected by development activities. The site provides no roost potential for bats and little habitat for reptiles, breeding birds and other protected species. As such, no further surveys have been recommended; however, precautionary mitigation measures for the construction phase have been outlined below.
- 4.3.3. Any excavations on site must be managed to prevent harm to protected species. This means all open excavations should be covered overnight or fitted with mammal and amphibian escape ramps. Ramps, typically constructed from timber or mesh, should be angled gently enough for terrestrial fauna to climb out. Additionally, all excavations must be inspected by a competent person each morning before work commences to ensure no animals have become trapped. Any unanticipated discovery of protected species during works will necessitate an immediate cessation of work and expert ecological advice to ensure compliance with relevant wildlife legislation.
- 4.3.4. The new stable block will not have any external lighting once operational and, therefore, there will be no impact to nocturnal wildlife.



5.0. BIODIVERSITY NET GAIN

5.1. OVERVIEW

- 5.1.1. A BNG assessment was carried out in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The site and proposed development meet the criteria for the 'small sites metric', being 0.5ha or smaller in size. As such, the small sites metric (SSM) calculation tool (Biodiversity Metric 4.0) was used for the assessment, with the guidance in Natural England's 'The Small Sites Metric (Biodiversity Metric 4.0) User Guide' followed to ensure compliance.
- 5.1.2. There are four rules that must be met for the metric results to be valid. These are:
- Completion of the metric (and baseline habitat assessment) by a competent person(s);
 - The three types of biodiversity units generated cannot be summed together for a positive result;
 - The trading rules within the metric must be satisfied, and;
 - No use of the SSM on sites that contain irreplaceable, high or very high distinctiveness habitats.
- 5.1.3. Unlike the main metric calculation tool, the SSM calculation tool's 'habitat conditions' are fixed and cannot be altered. Regarding 'habitat distinctiveness', the user guide states that this category is not required by the user for the SSM, as it is automatically assigned.
- 5.1.4. There were no limitations regarding access to the site. However, not all flowering annuals will have been visible at the time of the survey and, due to a prolonged period without rain, the grassland was not in optimal condition.

5.2. METRIC INPUTS AND DEVELOPMENT IMPACTS

- 5.2.1. As stated in Section 3.2, the site's vegetation consists of modified grassland. Specifically, this was species-poor, heavily grazed grassland to the south and longer sward grassland, both predominantly perennial ryegrass, to the west (entering the field). As such, the habitat types input to the metric were as follows:
- Artificial unvegetated, unsealed surface (1267m²);
 - Developed land; sealed surface (431m²), and;
 - Modified grassland (202m²).
- 5.2.2. The development will retain the hardstanding but entail a relatively small loss of grassland to the south (replaced by part of the new structure). It is proposed that modified grassland to the east can be enhanced to good condition other neutral grassland (which could tend towards a calcareous grassland over time given the underlying chalk bedrock) to offset the grassland loss.



- 5.2.3. Good condition other neutral grassland typically contains a minimum of 10 native plant species per square metre and exhibits low cover of undesirable species, which can indicate higher-than-desired soil fertility. The overall appearance and composition of the vegetation should closely match the characteristics defined for this specific habitat type within the UK Habitat Classification (UKHab) system.

5.3. RESULTS AND CONCLUSION

- 5.3.1. The results show a net gain of 45.16% (see the headline results table below), satisfying the trading rules in achieving this result. The uplift will be delivered through the enhancement of existing grassland on-site.

Headline		BNG Targets Met ✓	
Trading Rules		Trading Rules Satisfied ✓	
Baseline Units	<i>Habitat units</i>	0.0808	
	<i>Hedgerow units</i>	Zero Units Baseline	
	<i>Watercourse units</i>	Zero Units Baseline	
Post-development Units	<i>Habitat units</i>	0.1173	
	<i>Hedgerow units</i>	0.0000	
	<i>Watercourse units</i>	0.0000	
Total net unit change	<i>Habitat units</i>	0.0365	✓
	<i>Hedgerow units</i>	0.0000	
	<i>Watercourse units</i>	0.0000	
Total net % change	<i>Habitat units</i>	45.16%	✓
	<i>Hedgerow units</i>	% target not appropriate	
	<i>Watercourse units</i>	% target not appropriate	

Headline results.

- 5.3.2. It As the BNG uplift obligation has been met, the development currently adheres to the requirements under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The details and monitoring of the uplift can be secured via a 'Habitat Management and Monitoring Plan' with any granted planning permission.



APPENDIX A: PHOTOGRAPHS



The existing storage container to be relocated.



The area of modified grassland to be enhanced.



APPENDIX B: LEGISLATION

The Wildlife and Countryside Act (as amended) 1981

The Wildlife and Countryside Act 1981 (as amended) is the principal piece of UK legislation relating to the protection of wildlife. It consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain.

The Act makes it an offence to:

Intentionally kill, injure, or take any wild bird or their eggs or nests (with exception of species listed in Schedule 2). Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young.

Intentionally kill, injure, or take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places (subject to exceptions). The Act also prohibits certain methods of killing, injuring, or taking wild animals listed in Schedule 6.

Uproot, trade in, or possess (for the purposes of trade) any wild plant listed in Schedule 8, and prohibits the unauthorised intentional uprooting of such plants (subject to exceptions).

Facilitate the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9. It also provides a mechanism making any of the above offences legal through the granting of licences by the appropriate authorities.

The Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 (the 'Habitat Regulations'), as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, establish the requirements for protecting sites that are internationally important for threatened habitats and species and thus the requirement for a 'Habitat Regulations Assessment' of plans or developments with potential to affect them.

The Habitat Regulations also establish the strict protection of some species (European Protected Species) and make it an offence to deliberately capture, kill or disturb certain wild animals, and to damage or destroy a breeding site or resting place of such an animal even if the animal is not present at the time.

The competent authority will have to adhere to the requirements of the Habitats Directive in the exercise of their functions. As such, they must consider whether it is likely that an EPSM Licence from Natural England will be granted, and in so doing must address the three tests when deciding whether to grant planning permission for the proposed development. The three tests are that:

Regulation 55(2)(e) states: a licence can be granted for the purposes of *"preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"*.

Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied *"that there is no satisfactory alternative"*.

Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied *"that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."*



Natural Environment and Rural Communities Act 2006

Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as local planning authorities, in implementing their duty under Section 40 of the Act, to have regard to the conservation of biodiversity in England, when exercising their normal functions. 56 habitats and 943 species of principal importance are included on the S41 list. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (BAP).

National Planning Policy Framework 2024

The National Planning Policy Framework (NPPF) sets out the view of central government on how planners should balance nature conservation with development and helps ensure that government meets its biodiversity commitments with regard to the operation of the planning system.

Section 15 of the NPPF sets out key policy requirements regarding ecology and development.

Paragraph 187 of the NPPF: "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".

The Protection of Badgers Act 1992

The legislation affording protection to badgers is primarily concerned with animal welfare and the need to protect badgers from activities such as baiting and deliberate harm. The Protection of Badgers Act 1992 makes it an offence to:

Wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;

To intentionally or recklessly interfere with a sett (this includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

As with The Wildlife and Countryside Act 1981 (as amended), there are several defences to prosecution in the legislation and the text should be consulted for details of these. Penalties for offences include fines up to £5,000, plus up to six months imprisonment for each illegal sett interference, or badger death or injury.

Hedgerows Regulations 1997

Important' hedgerows (as defined by the Regulations) are protected from removal (up-rooting or otherwise destroying). Criteria specified in the regulations are employed to identify 'important' hedgerows for wildlife, landscape or historical reasons.

Office of the Deputy Prime Minister 06/2005

Paragraph 99 of the ODPM 06/2005 states that "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".

Biodiversity Net Gain Legislation Summary

The Environment Act 2021 introduced mandatory BNG requirements in England, amending the Town and Country Planning Act 1990 (Schedule 7A). Implementation began February 12, 2024, with some exceptions for smaller developments.

Key Requirements:

Most new developments requiring planning permission must achieve a measurable net gain in biodiversity of at least 10%.

This is assessed using a standardized metric that assigns values to different habitat types.



Developers must demonstrate how they will achieve BNG through habitat creation, enhancement, or compensation measures.

BNG plans must consider a minimum 30-year management period to ensure biodiversity gains are sustained.

A biodiversity net-gain assessment (BNG) assessment involves making a comparison between the biodiversity value of habitats present within the site prior to development (the 'baseline') and the predicted biodiversity value of habitats following the completion of the development (i.e., 'post-development'). The comparison is made in terms of 'biodiversity units', with a 'biodiversity metric' providing the mechanism to allow biodiversity values to be calculated and compared.

The metric calculates the overall loss or gain of biodiversity for development projects by assessing the distinctiveness (type of habitat and its value), condition, extent, and strategic significance of habitats on site pre- and post-development. To achieve biodiversity net gain, the biodiversity unit score must have a post-development score higher than the baseline score. When calculating the post-development biodiversity units, the metric includes a series of standard 'risk multipliers' to account for the inherent risk of creating and restoring habitats, the time taken to establish habitats and the location of the mitigation in relation to the habitats lost on site. The risk multipliers have the effect of reducing the value of the proposed habitats, which means larger areas, habitats of higher distinctiveness, and/or condition are required to achieve net gain.

The metric assesses and generates separate outputs for area-based habitats (measured in habitat units) and linear based habitats, including hedgerows (measured in hedgerow units) and rivers (measured in river units). For the purpose of the BNG assessment, the output with the lowest value is used to determine whether following development there has been a net gain in biodiversity.

Distinctiveness

Each habitat is assigned a score for distinctiveness. Distinctiveness includes parameters such as species richness, diversity, rarity (at local, regional, national, and international scales) and the degree to which a habitat supports species rarely found in other habitats (Trewick et al., 2010). The categories for distinctiveness within the metric are shown within the Natural England.

Condition

The condition of each habitat is assessed using the methods set out in the Auditing and accounting for biodiversity value: technical supplement. This approach determines how many of the condition criteria descriptions for each habitat type are met or are not met. This is used as a guide but may be superseded where appropriate by other evidence and best ecological judgement. Where this is the case, additional information is provided in the tables used to the condition assessment. Conditions and associated scores in the Natural England. Certain habitats are allocated a fixed condition score and do not need their condition to be assessed. Some Low distinctiveness habitats are assigned 'No assessment required – condition fixed at 'Poor' and all Very Low distinctiveness habitats are assigned 'No assessment required – condition N/A'.

Strategic Significance

The metric requires that the strategic significance of all baseline and post-development habitats be defined. Strategic significance refers to areas of local priority for biodiversity and nature improvement, identified within local planning policies. As part of this assessment, the relevant local planning policy documents were reviewed to determine the strategic significance of the habitats on site. None of the habitats on site met the criteria associated with the Kent HAPs. Hedgerows and wet woodland are present on site, which are listed within the Biodiversity Action Plan (BAP) for Kent.