



ECOLOGICAL ADVICE SERVICE

TO: Amanda Cue
FROM: Helen Forster
DATE: 13 April 2026
SUBJECT: Land Adjacent To Thames Way Northfleet 20250730

The following is provided by Kent County Council's Ecological Advice Service (KCC 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 if sufficient/appropriate ecological information has been provided.

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.

We have reviewed the submitted ecological mitigation and we advise that clarification on the proposed site layout is required.

Protected/Notable Species

The submitted ecological information has confirmed the presence of dormouse and a low population of common lizard. It has detailed that the site or surrounding area contains suitable habitat to support breeding birds, foraging/commuting bats, Great Crested Newts, badgers, hedgehogs and invertebrates.

A reptile and dormouse mitigation strategy has been submitted as part of this application.

Reptile Mitigation

The reptile mitigation strategy has provide details of what mitigation will be required to be implemented if planning permission is granted. It has detailed that a reptile translocation will be required and what criteria will be required for the off site receptor site. However no details of the receptor site has been provided. We advise that it would be preferred if the details of the reptile receptor site is provided prior to determination however due to the size of the population we accept that GBC can be confident that a suitable receptor site can be found.

We understand the applicant owns land to the north however the location plan does not confirm the extent of ownership. It may be possible for the reptile receptor site to be established within the blueline boundary and we anticipate that reptiles will also be present in the north of the site but its likely that it could support the increase in reptile population

However this approach will depend on the extent of land, within the applicants ownership, required for the dormouse mitigation, if both species can be retained in the blueline boundary.

Dormouse Mitigation

A dormouse mitigation strategy has been submitted and it has detailed that the proposed site layout will be reduced to retain a larger area of dormouse habitat within the site.

This is shown in the below plan with the current proposed site plan on the left and the revised site plan (as detailed in the dormouse mitigation strategy) on the right.

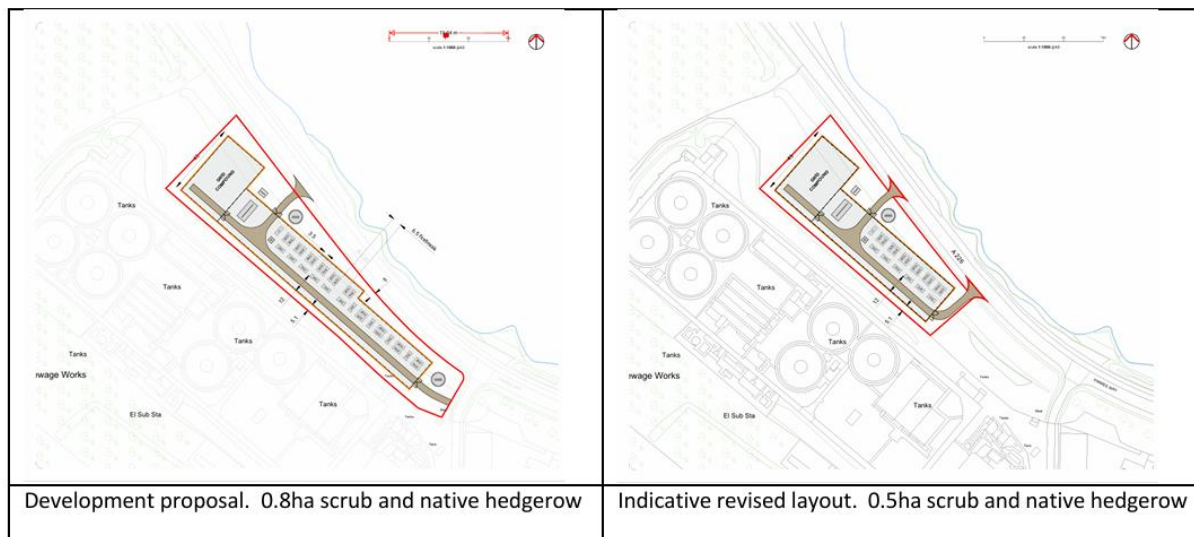


Figure 4 – Proposed Development and Indicative Revised Site Layouts.

The mitigation strategy has detailed that retained habitat in the north and south of the site of the revised layout (as detailed within the mitigation strategy) will be enhanced with scrub planting – see image below:



Figure 5 – Potential Mitigation Land (orange line – within existing site, blue line – additional land)

While we agree with the principle of what is proposed we advise that we have the following concerns with the proposed mitigation:

- The proposed mitigation is not achievable in the current site plan
- The mitigation strategy has not clarified if the proposed habitat creation is likely to impact any reptiles which are within the grass/scrub habitat within the blueline boundary.

Priority Habitat

The site has been identified as Open Mosaic Habitats on Previously Developed Land via the BugLife All Of A Buzz Data Set. [All of a Buzz in the Thames Gateway - Buglife](#)

Open Mosaic Habitats on Previously Developed Land can be a 'habitat of principal importance', or priority habitat, as listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Paragraph 84 of the Office of the Deputy Prime Minister (ODPM) Circular 06/2005¹ -states that "...*potential effects of a development, on habitats or species listed as priorities... are capable of being a material consideration in the preparation of regional spatial strategies and local development documents and the making of planning decisions*".

The BNG assessment has been updated and we accept that the site no longer meet the requirement for Open Mosaic Habitats on Previously Developed Land as there is no bare ground within the site.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60}), must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum²:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), [either on the date of application or earlier proposed date \(as appropriate\)](#);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;

¹ odpm-circ-0605.qxd (publishing.service.gov.uk)

² <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('[degradation](#)'), and where they have:
 - a statement to the effect that these activities have been carried out;
 - the date immediately before these activities were carried out;
 - the pre-development biodiversity value of the onsite habitat on this date;
 - the completed metric calculation tool showing the calculations, and
 - any available supporting evidence of this;
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We have reviewed the submitted information and we advise that sufficient information has been submitted to meet the requirements for mandatory net gain as additional information has now been provided to demonstrate the site no longer meets the requirements of Open Mosaic Habitats on Previously Developed Land.

The submitted metric currently details that the proposal will result in a loss of 100% BNG for habitats and hedgerows. We advise that this loss may change following amendments to the site plan.

We advise that regardless of which layout is implemented it will not be possible to achieve a BNG of over 10% for habitats within the site – depending on the landscaping proposed it may be possible to achieve a BNG of over 10% for hedgerows.

As such off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units. Further details of off site habitat creation can be found at the end of the report.

We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for off site habitat providers in Kent [Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent](#).

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). [Search the biodiversity gain sites register - GOV.UK](#)

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

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Preliminary Ecological Appraisal; Calumma Ecological Services; July 2025
- Biodiversity Net Gain Assessment; Ecology and Land Management;
- Dormouse Survey; Calumma; November 2025
- Reptile Survey; Calumma; September 2025

OFF-SITE GAINS (NEEDS TO BE REGISTERED)

'Off-site' biodiversity gains are any BNG measures proposed outside of the red line boundary. The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any offsite units if these are used. BNG sites must be registered here: [Register a biodiversity gain site - GOV.UK](#).

If off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register⁶⁹ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

If any off-site habitat creation/enhancement is proposed outside of the LPA boundary/National Character Area of the impact site these will be subject to spatial risk penalties.

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a 'habitat bank operator'⁷⁰), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory Service website. It is generally inappropriate to rely solely on conditions to secure off-site biodiversity net gain. The following needs to be secured as part of the off-site biodiversity net gain:

- *The submission of a habitat management and monitoring plan (HMMP);*
- *Notice of HMMP implementation and completion of the habitat creation and enhancement works;*
- *Timescales for completion of habitat creation, and the submission of a completion report;*
- *Submission of a monitoring report;*
- *A habitat monitoring fee to be paid to the local planning authority on every habitat management monitoring event.*

The HMMP shall be submitted when the general BNG condition is discharged and shall contain the following information ⁷¹:

- (a) a non-technical summary;*
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Where off-site gains are to be secured through a 'habitat bank operator' (which has its own legal agreement and HMMP), no additional conditions or section 106 obligations are required, above a condition requiring biodiversity net gain to be delivered as set out in the planning application.

The submission of provisional/draft legal documents outlining the agreement between the applicant and the provider of any off-site gains are advisable prior to determination to confirm that the proposed route to delivering net gain is feasible, but this information is not required until submission of the pre-commencement Biodiversity Gain Plan.