

Land at Rose Farm, Downs Road, Istead Rise

Outline Ecological Impact Assessment

Prepared on behalf of

Esquire Developments

Final Report

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Land at Rose Farm, Downs Road, Istead Rise

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Client: Esquire Developments
Studio 3
The Old Laundry
Longfield
Kent
DA2 8EB

Main Author(s): Barney Scott BSc (Hons) MSc CEnv MCIEEM

Contributors/Surveyors: Sean Manley BSc (Hons)
David W. Smith BSc (Hons) PhD MCIEEM

Report Prepared for Issue by: [Redacted]
Barney Scott BSc (Hons) MSc CEnv MCIEEM

Report Approved for Issue by: [Redacted]
David W. Smith BSc (Hons) PhD MCIEEM



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Outline Ecological Impact Assessment

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Land at Rose Farm, Downs Road, Istead Rise

Outline Ecological Impact Assessment

Executive Summary

Ecological Planning & Research conducted a Preliminary Ecological Appraisal of Land at Rose Farm, Downs Road, Istead Rise to inform the proposals for residential development associated with the Site. This has been used to produce an Outline Ecological Impact Assessment.

The Site comprised arable and horse-grazed fields with scattered trees. Two large, vegetated gardens within the red-line boundary supported ornamental and native planting. Woodland bisected the survey area but lay beyond the boundary. Residential development bordered the north-east, with arable fields to the south-west.

Ecological features of potential importance are:

- Mature trees
- Historic field boundaries
- Remnant orchard
- Bats
- Badgers

Recommendations within this report are based on the ecological mitigation hierarchy, where impacts are first avoided, and when this is not possible, mitigation, compensation and enhancement measures are applied. For design and Biodiversity Net Gain purposes this could be summarised into a 'Protect, Restore, Create' design framework:

- **Protect:** Ecologically important trees, tree-lined boundaries and grassland habitats (where possible). In doing so it demonstrates that the emerging proposals adhere to CIEEM's ecological mitigation hierarchy (CIEEM, 2018) and the Biodiversity Net Gain Hierarchy associated with the implementation of the Environment Act 2021;
- **Restore:** On-site grasslands, hedgerows and field boundaries where impacts are avoided; and
- **Create:** A mosaic of open grassland habitat with traditional orchard and scattered trees. Options to create ponds within the informal areas of grassland should be explored.

A residential development at Rose Farm, Downs Road has the potential to deliver ecological benefits if the emerging scheme avoids many of the ecological features identified in this report. Any lighting scheme should be bat friendly and based on the Bat Conservation Trust's Bats and Artificial Lighting in the UK document.

More ecological information will be provided in due course, including survey reports for habitats, vegetation and flora, reptiles and bats. These will be accompanied by a detailed ecological impact assessment.

Land at Rose Farm, Downs Road, Istead Rise

Outline Ecological Impact Assessment

1. INTRODUCTION

- 1.1 Ecological Planning & Research (EPR) was commissioned by Esquire Developments to conduct a Preliminary Ecological Appraisal of Land at Rose Farm, Downs Road, Istead Rise (the 'Site'). This has been used to produce an Outline Ecological Impact Assessment.

Site Location and Context

- 1.2 **Figures 1a and 1b** show the location of the Site. It is approximately 9.6ha, located on the west of Istead Rise and is bordered by Downs Road on the east and arable land on all other sides. It falls within the local authority area of Gravesham Borough Council.

Relevant Legislation, Policy, and Guidance

- 1.3 The legislation, planning policy and guidance referred to in this report is summarised in **Appendix 1**.

- 1.4 Those of relevance are:

- The Environment Act 2021
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- The Wildlife and Countryside Act 1981 (as amended)
- The Countryside and Rights of Way (CROW) Act 2000 (as amended)
- The Natural Environment and Rural Communities (NERC) Act 2006 (as amended)
- The Protection of Badgers Act 1992 (as amended)
- National Planning Policy Framework (NPPF) 2025
- Circular 06/05: Biodiversity and Geological Conservation
- Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018)
- Gravesham Local Plan Core Strategy (adopted 2014):
 - Including Policy CS01 - Sustainable Development
 - Policy CS12 - Green infrastructure
 - SO8 - Preserve the openness of the Green Belt, maintain its national and local planning purposes and protect it from inappropriate development
 - SO9 - Conserve and enhance the diverse rural landscape including the Kent Downs Area of Outstanding Natural Beauty and its setting

- SO14 - Ensure that all new development makes a positive contribution to the local character and distinctiveness of the Borough, minimises the risk of crime, responds to climate change, and integrates into the existing built, historic and natural environment
- SO16 - Safeguard and enhance the biodiversity of the Borough

The Study Area

National Character Area (NCA)

- 1.5 The study area is located within Natural England's North Kent Plain NCA (Number 113).
- 1.6 Within each NCA, there are associated Statements of Environmental Opportunity (SEO). Consideration of these SEOs has been made with respect to the potential biodiversity gains that the proposals at Rose Farm, Downs Road could deliver. The SEOs for NCA 113, and that are of relevance, are:
- SEO 1: Maintain the historic character and long tradition of a farmed landscape, creating habitats to establish more resilient and coherent ecological networks within the farmed and peri-urban areas, benefitting biodiversity and geodiversity, and helping to regulate water and soil quality. Protect traditional practices including the longstanding associations of the fruit belt, maintaining a strong sense of place and reinforcing Kent's reputation as the Garden of England.
 - SEO3: Increasing the area of broadleaved woodland where appropriate, while increasing the connectivity of the mosaic of associated habitats notably wooded heath and semi-improved grassland while enhancing the recreational resource.
 - SEO4: Plan for the creation of significant new areas of green space and green corridors to provide a framework for new and existing development in urban areas and along major transport routes.

Local Conservation Objectives

Making Space for Nature: Kent and Medway – Local Nature Recovery Strategy

- 1.7 Formed under the Environment Act 2021 (as amended), Local Nature Recovery Strategies (LNRS) are a system of country wide spatial strategies for nature recovery. Within Kent the draft *Kent and Medway Local Nature Recovery Strategy* was consulted on in early 2025, and it is based on the 'Lawton Principles' of bigger, better, more and joined up. It has ten ambitions for nature recovery, and these are:
- Connectivity
 - Nature based solutions
 - Land management and land use
 - Species
 - Grasslands

- Successional habitats
- Woodland, trees and hedgerows
- Freshwater
- Urban
- Coasts

1.8 The emerging proposals have the potential to contribute to some of above ambitions, particularly those related to grasslands, freshwater (e.g. ponds), urban habitats, whilst also connecting people with nature and the environment at the same time via the creation of traditional orchard.

Kent Nature Partnership Biodiversity Opportunity Areas (BOAs)

1.9 The Site is not within a Biodiversity Opportunity Area (BOA), but it is near to the Thames-side Green Corridors BOA, which lies to the north and east along the A2. Of relevance to the emerging proposals are the following targets:

- Restore, enhance and recreate...grassland both in and around built-up areas.
- Use biodiversity projects to improve the engagement of local people with the natural environment.
- Ensure that development contributes to the delivery of biodiversity targets.
- Action for naturally widely dispersed habitats (ponds, traditional orchards), wildlife associated with arable farmland, and widely dispersed species such as Great Crested Newt *Triturus cristatus*.

Kent Biodiversity Action Plan (BAP)

1.10 Whilst this document has not been updated since 1997, it is the most current document that outlines the vision for the wildlife and natural habitats for Kent.

1.11 Habitats that are included in the Kent BAP, and of relevance to the development proposals include:

- Woodland and scrub
- Old orchards (of particular relevance)
- Hedgerow
- Chalk/ Acid/ Neutral and Marshy Grassland

1.12 Species that are included in the Kent BAP and of potential relevance include:

- Eurasian Serotine Bat *Cnephaeus serotinus*.

- 1.13 The proposals provide an opportunity to contribute to the Kent Biodiversity Action Plan. For example, there are opportunities to protect, restore and create woodland, scrub, hedgerow, grassland and pond habitats.

2. ASSESSMENT METHODOLOGY

2.1 The assessment approach used in this report has been informed by guidelines within the Guidelines for Preliminary Ecological Appraisals (CIEEM, 2017) produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) and *BS 42020:2013: Biodiversity: Code of practice for planning and development* (BSI, 2013).

2.2 Of relevance is Section 5.5 of this guidance, which states:

'The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development.'

2.3 Whilst the approach in this report has been informed by the guidance presented in *Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland* (CIEEM, 2018), this report does not yet provide details associated with all the further survey work that has been instructed and the associated impact assessment.

2.4 Some of the significant ecological effects arising from the proposal are not fully understood at the time of producing this report. Therefore, a detailed Ecological Impact Assessment (EclA) will be produced once all the survey work has been completed, data analysed, and baseline reports produced. This will be provided in due course.

Likely Biophysical Changes and Zone of Influence (Zol)

2.5 Biophysical change means an *"alteration in biological and/or physical conditions of the environment (e.g. changes in the atmospheric concentration of carbon dioxide, altered soil pH or change in the frequency of a plant species in an area)"* (CIEEM, 2018).

2.6 The Zol of a proposed development is defined by the EclA Guidelines (CIEEM, 2018) as *"...the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities."*

2.7 The activities associated with the proposed development that are likely to lead to biophysical changes, and could accordingly give rise to ecological impacts, are set out in **Table 2.1** below, which is drawn from Box 9 of the EclA Guidelines (CIEEM, 2018).

2.8 The Zols predicted in **Table 2.1** are based on the construction and operational phase of the proposals. Potential effects are likely to extend to different areas, and thus potentially impact upon different ecological receptors, depending upon the spatial extent of the relevant biophysical change (e.g., habitat loss and disturbance during construction).

Table 2.1: Summary of predicted changes and Zone of Influence. This is not an exhaustive list.

Activity	Potential Impact	Zone of Influence
Site Clearance and Construction Phase		
Vegetation clearance and ground works	Loss and fragmentation of habitat. Disturbance. Direct harm or death of individual animals/plants.	The Site and immediate surrounds in most cases but could be up to 4km to capture in relation to bats roosting within the wider landscape that may also use the Site
Access and travel on / off site	Noise / visual / lighting disturbance of sensitive species	The Site and immediate surrounds.
Assembly and storage areas for machines and materials; construction compounds	Loss and fragmentation of habitats. Noise / visual / lighting disturbance to sensitive species.	The Site and immediate surrounds in most cases but could be up to 4km in relation to bats (as per above).
Lighting of work area	Disturbance to sensitive species.	The Site and immediate surrounds in most cases but could be up to 4km in relation to bats (as per above).
Drainage	Change of ground and surface water flows. Change of water quality in ground and surface water. Change in habitats fed by ground and surface water flows.	The Site and immediate surrounds, as well as downstream water bodies.
Creation of new habitats	Beneficial impacts on flora and fauna.	The creation of new habitats has the potential to benefit a range of species, including invertebrates, birds, and foraging bats. Therefore, the Zoi will be mainly within 300-400m, but potentially up to 4km.
Operational Phase		
Implementation of habitat management plans	Enhancement of existing boundary habitats and creation/improvement of new habitats.	As above.
Access and travel on and off-site, including increased number of people visiting the Site and nearby designated sites for recreational purposes	Disturbance of existing populations of flora and/or fauna via, for example, increased interactions with people and their pets; Increased deposition of nitrogen and other pollutants associated with car travel; and Potential increase in mortality rates from increased access, domestic pets (such as cats) and interactions with people.	The Site and immediate surrounds generally extending up to 400m from the Site boundary. However, it will extend beyond this for effects associated with recreational activities (for example up to 6km).

Activity	Potential Impact	Zone of Influence
Occupation of new houses: urban effects	Disturbance and predation by domestic pets; Loss and fragmentation of habitats by trampling, which in turn can have knock-on impacts on ecologically important fauna and plants; and Degradation and pollution of habitats through urban effects (such as fly tipping and introduction of non-native species).	The Site and immediate surrounds generally extending up to 400m from the Site boundary. However, it could extend beyond this as per above.
Lighting of homes, roads, and paths	Lighting of homes, roads, and paths.	The Site and up to 4km beyond in relation to bats.

2.9 Most of the activities and resultant biophysical changes listed in **Table 2.1** are unlikely to have an effect beyond the site boundary and the immediate surrounding area. There are some exceptions to this, which are described below.

2.10 Recreational disturbance arising from new residents, such as dogs off leads, and increased predation rates from domestic cats, is likely to extend beyond the Site boundary. In the latter case, there is evidence cats have a home range of approximately 300m to 400m (Thomas, *et al.*, 2014). As the Site is adjacent to several woodland habitats, increased cat predation could have a significant impact upon reptiles (on woodland edges), breeding birds, and small mammals. Dogs off leads may disturb bird species. Furthermore, recreational effects (and deposition of nitrogen and other pollutants associated with car travel) may occur several kilometres from a Site (for example up to 5 to 6km).

2.11 With specific reference to breeding birds another important factor is the likely foraging distances that breeding birds will travel, and in particular the foraging distances birds travel from the nest. This could vary from as little as 100m-300m (e.g., Kuiper *et al.*, 2013; Stoate *et al.*, 2010) to greater distances for species such as Starling *Sturnus vulgaris*. Therefore, the ZoI associated with different breeding bird species could be greater than 400m in those instances when the area over which the biophysical changes occur also overlaps with bird species that travel further from the nest to forage (such as Starling).

2.12 It is generally considered that Great Crested Newt will use terrestrial habitat within 250m (English Nature, 2004; Langton *et al.*, 2001), and potentially up to 500m from a breeding pond (English Nature (now Natural England), 2001). Therefore, Great Crested Newt in any pond within 500m of the Site and not isolated by barriers to movement could be affected by the proposed development in the absence of mitigation. However, surveys at a distance greater than 250m from a pond are necessary only when the following conditions are met (Natural England, 2015):

- Maps, aerial photos, walk-over surveys, or other data indicate that the pond(s) has potential to support a large Great Crested Newt population;
- The footprint contains particularly favourable habitat for Great Crested Newt, especially if it constitutes the majority available locally;

- The development would have a substantial negative effect on that habitat; and
- There is an absence of dispersal barriers.

- 2.13 However, Great Crested Newts are most commonly found within 100m of water bodies, and in particular at distances of 50m or less from ponds (English Nature, 2001, 2004; Natural England 2015). Furthermore, the likelihood of newts being present in terrestrial habitat decreases as the distances from a water body increase beyond 100m. Some studies indicate the probability of Great Crested Newts being present markedly decreases at distances beyond 150m (Jehle and Arntzen, 2000) and/or at distances of 200m (English Nature, 2004). Therefore this, and the Survey Guidance Table contained within the Great Crested Newt method statement, which is used when making an application for a European Protected Species Licence (EPSLs), has also been used to inform the need and scope of any Great Crested Newt survey work that might be needed to support a planning application.
- 2.14 Whilst major roads (such as motorways and major A-roads) are likely to act as dispersal barriers to Great Crested Newt (Oldham *et al.*, 2000), the roads close to the Site are unlikely to deter newt movement.
- 2.15 Due to their mobile nature, the Zol for bats is likely to extend further afield. For the most common and larger bat species that are most likely to occur in the landscape surrounding the Site (e.g. Noctule *Nyctalus noctule*, Natterer's bat *Myotis nattereri* and Serotine bat) this could potentially be up to 4km. The 4km distance is based on Bat Conservation Trust CSZs (BCT, 2016).

Method of Ecological Valuation

- 2.16 When relevant (and it is often not possible to evaluate ecological features at this initial stage because further survey work often needed to do so); ecological evaluation uses the following geographical scale of importance:
- International and European
 - National
 - Regional
 - County/Metropolitan
 - Local
 - Within the Zol
- 2.17 When completing ecological assessments, features that are valued at below 'Local' importance (often after further survey work) are not considered to be sufficiently important for an impact to be considered "significant". This approach is based on CIEEM guidance.

Desktop Study

- 2.18 A desktop study has been included as part of this assessment. This allows existing information about features of nature conservation priority (within the predicted Zol) to be considered. The desk study included an interrogation of online resources such as aerial images and current and historical maps, as well as Multi Agency Geographic Information for the Countryside (MAGIC) maps.

- 2.19 A biological records data search was commissioned from Kent and Medway Biological Record Centre (KMBRC). These records are discussed in **Section 3**.

Field Survey Methodology

- 2.20 The Preliminary Ecological Appraisal field survey visit was conducted on the 18th March 2025 by Senior Ecologist Sean Manley BSc (Hons) MCIEEM and Ecologist Holly Pay BSc (Hons) MSc ACIEEM. Important Ecological Features (IEF's) were mapped using target notes. A summary of the methodology is described in **Appendix 2**.
- 2.21 Further surveys have been undertaken and are summarised where possible in **Section 3**. However, data analysis and reporting for several ecological features is on-going and will be provided once complete.

Considerations

- 2.22 All the further survey work, when referred to, was conducted in the optimum survey season; however, spring/summer 2025 followed a period of heavy drought. Additionally, the Site was frequently grazed by horses. As such, certain flora may have been missed. One field was permanently occupied and grazed by a bull and cows with calves. For health and safety reasons this meant Field G14 was not accessed for survey.
- 2.23 The assessment did not examine the possible presence of priority fungi species and/or assemblages or the likely importance of habitats for this group (as per Box 2 of CIEEM's PEA guidance, 2017). However, many fungal assemblages of ecological importance are associated with habitats that have been present in the landscape for a long period of time, for example ancient woodland, ancient and veteran trees and/or old grasslands. Furthermore, there is a broad correlation between fungal diversity and plant diversity (Griffith *et al.*, 2004), which is considered as part of this ecological assessment. Therefore, this is a minor limitation.
- 2.24 When the biological data search or other ecologists in their reports recorded a 'Long-eared Bat' *Plecotus* sp, it has been assumed that they are most likely to be of the common and widespread species Brown Long-eared Bat *Plecotus auritus* because the Site is outside of the main distribution for the much rarer and range-restricted Grey Long-eared Bat *P. austriacus*.

3. ECOLOGICAL BASELINE

Overview

- 3.1 The ecological baseline has been compiled following the programme of surveys set out in **Table 3.1** below. Further information will be provided in the associated baseline reports, and/or is provided in **Appendix 3**.

Table 3.1: Overview of ecological survey programme.

Survey Type	Dates
Preliminary Ecological Appraisal	25 th March 2025
Reptile Survey	22 nd May, 27 th May, 30 th May, 16 th May, 5 th September, 9 th September, 18 th September 2025
Botanical Survey	9 th June, 2 nd July, 12 th July, 13 th July and 6 th October 2025
Breeding bird survey	12 th May, 22 nd May, 2 nd June, 16 th June 2025
Bat survey - Nighttime bat walkover	21 st May, 24 th June and 4 th September
Bat survey - Emergence survey	3 rd July, 9 th July, 23 rd July, 28 th July, 12 th August and 19 th August.
Bat survey - Automated detector survey	16 th – 21 st May, 18 th – 22 nd June (redeployment 26 th – 30 th June), 9 th – 13 th July, 19 th – 23 rd August, 16 th – 21 st September and 13 th – 17 th October.

Geology and Soils

- 3.2 The British Geological Survey's Open Geoscience Viewer indicates the whole of the Site is underlain by the Lewes Nodular Chalk Formation, Seaford Chalk Formation and Newhaven Chalk Formation; consisting of Chalk.
- 3.3 One superficial deposit overlays the bedrock on the Site: Head - Clay, silt, sand and gravel.
- 3.4 The Cranfield Soil and Agrifood Institute Soilscales describes the soils within the Site as Soilscale 5: Freely draining lime-rich loamy soils. This is associated with herb-rich chalk and limestone pastures and lime-rich deciduous woodland habitats.
- 3.5 The above geological and soil characteristics should be considered when deciding on the most appropriate habitat restoration or creation measures as part of the Biodiversity Net Gain Strategy.

Hydrology

- 3.6 The Governments 'Flood Map for Planning' website indicates that the Site is within Flood Zone 1 and has low probability of flooding. The risk of flooding from other sources, such as surface water, should be determined by relevant technical specialists.
- 3.7 Frequency of flooding should be considered when deciding on the most appropriate habitat restoration or creation measures and habitat management practices associated with Biodiversity Net Gain.

Landscape History

- 3.8 The Site comprises fields used for grazing or open grassland and two arable fields, with housing running along, but beyond, the eastern boundary.
- 3.9 Polygons G2 and G3 (**Figure 2a**) supports scattered trees. Historical mapping dating back to 1864 (OS Six Inch, Kent XVIII) show that the trees are remnants of the historical woodland 'Elmlands Shaw'.
- 3.10 Going back to the 1970's (using freely accessible aerial imagery), Polygons G2 and G3 (**Figure 2a**) still supported significant amounts of Elmlands Shaw. There had been a narrow strip of woodland named Landwayfield Shaw, mapped in 1869 just outside the edge of the western field but not within the redline boundary. This may include remnant ecological features present within the habitat, such as botanical ground flora of importance, historic trees supporting veteran or ancient features and historical ecology that has developed over time.
- 3.11 There is an area within the southern, now arable field, which, on the 1888 to 1915 six-inch OS map, looks to have been an orchard. Further orchards were present within Polygon G1 and appear to have been present since 1960 and removed recently in either 2023 or 2024.

Designated Site of Nature Conservation Importance

- 3.12 **Figure 1a** and **1b** shows those sites that designations because of their ecological importance.

Statutory Designated Sites of International Importance

- 3.13 There are two designated nature conservation sites within 6km of the Site boundary that are of ecological importance at the **International Level** (i.e., Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites). These are:
- Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar site, which at its closest point is 5.6km to the north-west. This is designated for its waterbird assemblage and non-breeding populations of Hen Harrier *Circus cyaneus*, Avocet *Recurvirostra avosetta*, Ringed Plover *Charadrius hiaticula*, Grey Plover *Pluvialis squatarola*, Knot *Calidris canutus islandica*, Dunlin *Calidris alpina alpina*, Black-tailed Godwit *Limosa limosa islandica* and Redshank *Tringa totanus tetanus*. The Ramsar designation also incorporates the international importance of the Thames Estuary and Marshes for certain plant and invertebrate species under criterion 2; and
 - North Downs Woodlands SAC, which lies 5.6km to the south-east (and the Halling to Trottscliffe Escarpement Site of Special Scientific Interest (SSSI) is a component part of this SAC). The SAC has been designated because of its Asperulo-Fagetum Beech *Fagus sylvatica* forests and Yew *Taxus baccata* woodlands; Semi-natural dry grasslands, and because of its scrubland facies on calcareous substrates (Festuco-Brometalia).
- 3.14 According to MAGIC, the Site falls within the associated Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ) for Thames Estuary and Marshes SSSI, a component part of the Thames Estuary and Marshes SPA.

- 3.15 The proposals also fall with the 6km Strategic Access Management and Monitoring Scheme (SAMMS) buffer associated with the Thames Estuary and Marshes SPA and Ramsar site, as designated by Gravesham Borough Council¹. SAMM contributions are set at £328.27 per dwelling, where any scheme within the 6km buffer results in a net increase in dwellings.
- 3.16 The proposals do not fall within the IRZ associated with the North Downs Woodland SAC or associated SSSIs.

Statutory Designated Sites of National Importance

- 3.17 There are five sites of ecological importance at the **National Level** within 5km of the Site. These are:
- Halling to Trottiscliffe Escarpment SSSI, which is 5.4km to the south-east. This site consists of chalk grassland and beech woodland on chalk, and the SSSI supports outstanding assemblages of plants and invertebrates;
 - Shorne and Ashenbank Woods SSSI, which is 3.4km to the east. This site supports ancient and plantation woodland and include a variety of stand-types associated with tertiary gravels, clays and sands;
 - Cobham Woods SSSI is 4.9km to the east. The site consists of woodland and old parkland, which is on acidic Thanet Sands and chalk soils. One nationally rare plant, Rough Marsh-mallow *Althaea hirsute*, occurs in the arable land close to the wood;
 - Swanscombe Peninsula SSSI, which is 3.3km to the north-west. This complex of open mosaic habitats on previously developed land and traditional estuarine habitats supports a range of habitats including free-draining grassland, scrub, wetlands, grazing marsh, mudflats and saltmarsh, alongside diverse breeding bird assemblages; and
 - Darenth Wood SSSI is 4.7km to the north-west. It comprises ancient semi-natural woodland of several rare woodland types. The area supports a wide range of chalk-loving plants, including the nationally rare Watling Street Thistle *Eryngium campestre*. This plant species is also afforded legal protection by the Wildlife and Countryside Act 1981 (as amended) and is listed on Schedule 8.

Statutory Designated Sites of Local Importance

- 3.18 No Local Nature Reserves (LNRs) are within 2km of the Site. The nearest is Rectory Meadow LNR, which is 2.8km to the south-west.

Non-statutory Designated Sites

- 3.19 Local Wildlife Sites (LWS) are non-statutory designated sites of ecological importance at the **County Level**. Of relevance are:
- Grassland and scrub, Istead Rise LWS (ref: GR 15): the closest part is approximately 390m to the south-east. Other component parts lie 706m to the east.

¹ see <https://www.gravesham.gov.uk/downloads/file/475/samms-6km-buffer-zone>

- Pasture South of Istead Rise LWS (ref: GR 03) is approximately 665m to the south.
- Woods, Nash Street LWS is approximately 865m to the south-west.

Ancient Semi-Natural and Ancient Replanted Woodland

3.20 There are five ancient semi-natural and ancient replanted woodland listed on Natural England's Provisional Ancient Woodland Inventory within 1km of the Site. These are:

- Walnut Wood, c.185m to the south-east
- Thirty-acre shaw, c. 425m the south-west
- Nursted Wood, c. 755m to the south-east
- An unnamed wood, c.500m to the south
- Court Wood, which includes Courtwood Shore and Bushfield Shore, which is c. 765m to the west.

Habitats and Flora

3.21 Full species lists and quadrat data collected during the surveys will be provided in due course. This data was used in combination with the desk study to produce a habitat map of the Site using the UK Habitat Classification (**Figure 2a and 2b**). The following semi-natural habitat types were identified:

- c1c Cereal Crops
- g3c Other neutral grassland;
- g4 Modified grassland
- h3h Mixed scrub;
- w1g Other broadleaved woodland;
- u1b Developed land
- u1b5 Buildings
- u1c Artificially unvegetated, unsealed surface
- u1d Suburban Mosaic
- h2a Native hedgerow;
- h2a5 Species-rich native hedgerow;
- Line of trees (secondary code 33); and
- Individual trees (secondary code 200).

3.22 A description of the main habitat types are set out below.

Cereal Crops

- 3.23 The Site supports 3.58 ha of arable cropland. The arable fields had 1-2m wide margins with tall ruderal herb margins dominated by Cow Parsley *Anthriscus sylvatica*, Hemlock *Conium maculatum*, Cleavers *Galium aparine*, Common Nettle *Urtica dioica* and False Oat-grass *Arrhenatherum elatius*.

Other Neutral Grassland

- 3.24 The Site supports 4.65 ha of Other Neutral Grassland. The habitat is distributed across much of the Site in the form of informally mown areas of grassland and as short grazed, significantly poached, pasture for horses and cattle. The grasslands associated with the 'Long Walk' G11, G12 and G13 supported the greatest species richness, likely resulting from the fact that the grassland has been present within the landscape away from intensification since at least 1930.
- 3.25 G1 is an extensive area of unevenly mown grassland. During the survey season the grassland was sporadically mown in sections, some more frequently than others. The grasslands are species poor and when left unmown dominated by False Oat-grass. Typical species found within the unmown margins included Red Fescue *Festuca rubra*, Yorkshire Fog *Holcus lanatus*, Field Bindweed *Convolvulus arvensis*, Ragwort *Jacobaea vulgaris* and Hogweed *Heracleum spondylium*. The infrequently mown areas improved in species richness and supported scattered Smooth Hawk's-beard *Crepis capillaris*, Cut-leaved Cranesbill *Geranium dissectum*, Common Mouse-ear *Cerastium fontanum* and Ground Ivy *Glechoma hederacea*. The grasslands range between 6 species per m² in the False Oat-grass dominated rank areas and 11 species per m² in mown areas. Similar grassland communities are found extending along the irregularly mown arable margins. Grass margins support annually cut False Oat-grass, Cock's Foot *Dactylis glomerata*, Cleavers *Galium aparine*, Common Nettle and Smooth Sow-thistle *Sonchus oleraceus*.
- 3.26 The grassland mosaic around Evelyn cottage is formed of short-grazed horse paddocks, and in some cases with extensive bare ground resulting from poaching. The grasslands on the east of the Site (polygons G11-13) supported the greatest species richness and best formed grassland communities meeting the criteria of the Level 5 UK Habitat type g3c6 Lolium-Cynosurus neutral grassland. These grasslands were characterised by a species swards ranging between 15-19 species per m². Constant species across these grasslands included; Common Bent *Agrostis capillaris*, Common Mouse-ear, Cock's Foot, Perennial Rye-grass *Lolium perenne*, Ribwort Plantain *Plantago lanceolata*, Selfheal *Prunella vulgaris*, Meadow Buttercup *Ranunculus acris*, Lesser Trefoil *Trifolium dubium* and White Clover *Trifolium repens*. Species such as Crested Dog's Tail *Cynosurus cristatus*, Meadow Barley *Hordeum secalinum*, Red Clover *Trifolium pratense* and Bird's-foot Trefoil *Lotus corniculatus* were found infrequently within these grasslands. This grassland community is a typical representation of the more species rich type of Other Neutral Grassland.
- 3.27 All other horse grazed paddocks associated with the Site suffered from significant poaching and disturbance. The grassland communities within these supported a lower species richness ranging from 9 – 14 species per m². The swards were often broken up with significant bare ground and represented by a few frequent species including Common Bent, Perennial Rye-grass, Selfheal, Creeping Buttercup *Ranunculus repens* alongside Common Daisy *Bellis perennis*, Smooth Hawk's-beard, Red Fescue, Small Cat's Tail *Phleum bertolonii* and Yorkshire Fog. Areas of significant poaching have been populated by locally abundant Broadleaved

Plantain *Plantago major*, Common Knotgrass *Polygonum aviculare* and Annual Meadow Grass *Poa annua*. This grassland community is a typical representation of a moderate species richness Other Neutral Grassland.

Modified Grassland

- 3.28 A small area of frequently managed short, cropped grassland was associated with two large 'verges' within the Evelyn Cottage land. These verges were characterised by a species poor sward between five and six species per m² including Common Bent and Perennial Rye-grass with Creeping Buttercup, Daisy, Field Bindweed, Germander Speedwell *Veronica chamaedrys* and Self Heal. A small area did support one individual Birds Foot Trefoil plant and Black Knapweed plant on the verge. Other than the presence of these two plants the community was species poor and uniform.

Mixed Scrub

- 3.29 Scrub habitat was formed of h3h Mixed Scrub associated with areas of ungrazed and abandoned field margins. The scrub margins were formed of dense Cherry Plum *Prunus cerasifera*, Blackthorn *Prunus spinosa*, Bramble *Rubus fruticosus* agg, and Elder with scattered areas of mixed scrub including young Ash and Hawthorn *Crataegus monogyna*. Within the horse paddocks areas of scrub were interspersed with dense stands of Hemlock and Teasel *Dipsacus fullonum*

Broadleaved Woodland

- 3.30 Native broadleaved woodland comprised a mix of young Ash *Fraxinus excelsior*, Cherry *Prunus avium*, Elder *Sambucus nigra* and Oak *Quercus robur*. The woodland was young, with a loose herbaceous understory of Cow Parsley, Common Nettle, Ivy *Hedera helix*, Lords and Ladies *Arum maculatum* and Sweet Violet *Viola odoratum*.

Developed Land

- 3.31 Hardstanding and buildings dominated substantial areas in the form of two residential properties and associated gardens, a bungalow 'B1' and a two-story house 'B15.' There is also an area of farm buildings and stables associated with a horse livery 'B3 – B14.' There were 21 structures within the site in total.
- 3.32 The buildings associated with the horse livery were a mixture of modern structures, open faced barns and sheds. Many of these were single skinned wooden clad buildings, corrugated metal sheds and barns and one brick walled stable. Two low semi-circular 'nissen hut' style buildings were also present and in current use as barns. Areas of ornamental planting and gardens consisted of a mixture of very regularly mown lawns, planted ornamental shrubs and trees around structures B1 and B15.

Hedgerows

- 3.33 The Site supported scattered and fragmented native hedgerows along some of its boundaries. Most hedgerows showed evidence of flailing and formed low gappy boundary features. H5, H6, H7, H8, H9 and H11b formed a heavily flailed and significantly defunct boundary feature dominated by a few woody species. H5 and H6 were formed along earthen banks. The hedgerows were varied in their species composition and supported a variety of native species

including Blackthorn and Dog Rose *Rosa canina*, Elder *Sambucus nigra*, Elm *Ulmus sp.*, Field Maple *Acer campestre*, Hawthorn, Hazel *Corylus avellana*, Sycamore *Acer pseudoplatanus*.

- 3.34 H11a is a single species hedgerow formed of Hawthorn. The hedgerow is taller and shrubbier than other hedgerows present within the Site.
- 3.35 H14 and H16 are part of the Site's curtilage and included a mixture of regularly managed boundary shrubs and trees such as Ash, Cherry, Elder, Hawthorn alongside scattered Ash and Sycamore trees. All these hedgerows were considered to meet the definition of the Hedgerow Section 41 priority habitat.
- 3.36 H10 was a species rich native hedgerow and was heavily flailed leaving it short and in places defunct, but it was considered to meet the definition of the Hedgerow Section 41 priority habitat. It is a moderately species rich hedgerow, supporting Elder, Hawthorn, Field Maple, *Rosa sp* and Privet within 30m.

Line of Trees

- 3.37 Several native and mixed native/ornamental tree-lines were present. These were associated with Evelyn Cottage to north-west of the Site and formed a series of treelines bounding the Site curtilage. The treelines were formed of Cherry, Rowan *Sorbus aucuparia*, Scot's Pine *Pinus sylvestris*, Silver Birch *Betula pendula*, Sycamore *Acer pseudoplatanus*. Western Red Cedar *Thuja plicata*.

Veteran trees and other trees of ecological interest

- 3.38 The Site supported a mix of native and non-native individual trees, with a total of 45 individual rural trees being identified. Most of these are associated with the north-west area of the Site.
- 3.39 Of greatest interest were the remnant trees associated with the previous orchards and Elmlands Shaw to the north-west of the Site. The remnant Pear and Apple trees were large for their species and contained cavities, loose bark and rot holes, and had exposed heart wood due to damage. The trees are not considered to meet the definition of a veteran tree under the National Planning Policy Framework (NPPF) but do meet the alternative definition under the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024.
- 3.40 The former Elmlands Shaw area supported numerous very large Mature Oaks, Hornbeam *Carpinus betulus*, Ash and Field Maple now scattered within horse paddocks. These trees do not meet the NPPF or BNG Veteran tree criteria but collectively formed a feature that has been present within the landscape a long time. As such, this ecological continuity within the landscape, alongside some deadwood and exposed lignum, means these trees are of some ecological importance. Finally, one large Lime tree *Tilia sp* (T59) is also of ecological interest.
- 3.41 The Site also supports a variety of large immature to mature scattered native and non-native species including Walnut *Juglans regia*, Sycamore, Ash, Cherry, Willow *Salix sp.* and Apple. These species are present around field boundaries, scattered between the on-site structures and featured as ornamental planting within gardens.

Evaluation

- 3.42 The on-site hedgerows and tree lines comprised common and widespread species. Hedgerows are a Section 41 Priority Habitat, however as noted in the Priority Habitat description (BRIG,

2008), this applies to most native countryside hedgerows. The value of the hedgerows lies in their role as habitat for other taxa such as bats, birds, and terrestrial mammals – for example by providing nesting, shelter and foraging resources and connectivity to the wider landscape. Those within the Site are poorly connected to wider woody habitats, and many of the hedgerows are defunct with significant gaps. These features are of importance at the **Local** level.

- 3.43 The three trees T6, T89 and T91 do not qualify as veteran trees under the NPPF 2024, but they do support veteran features such as deadwood, rot holes and cavities and are considered to meet the alternative definition of a veteran tree as set out in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. These features have the potential to provide habitat for specialist invertebrates, lichens and fungi, and are therefore considered to be of ecological importance at the **Local** level.
- 3.44 The mature and over-mature native trees within the former Elmlands Shaw (i.e. Oak, Sweet Chestnut, Ash and Field Maple) and large Lime Tree (T61) have some potential to provide habitat for various species, including birds and bats, and are therefore considered to be of importance at the **Local** level.
- 3.45 The MG6b *Lolium perenne-Cynosurus cristatus* grassland within the Site is a widespread and common habitat in Kent. Those present are relatively species-rich and contribute to the diversity of habitats in the area. They also provide nectar resources and forage for invertebrates in the landscape and overall are of importance at the **Local** level.
- 3.46 All other habitats are of importance at the **Within Zone of Influence** level only.

Fauna

Invertebrates

Desktop Study

- 3.47 The biological records search returned records of Section 41 priority invertebrate species, including multiple records of Stag Beetle *Lucanus cervus* within 250m of the Site.

Field Survey

- 3.48 The on-site habitats provide suitable habitat for common and widespread terrestrial invertebrates. This includes the mature trees and short-grazed fields with exposed bare earth, which provides habitat for burrowing invertebrates, such as solitary bees and wasps.

Preliminary Recommendations for Impact Avoidance, Mitigation and Compensation

- 3.49 Where possible, the emerging proposals should avoid direct impacts to off-site woodland, on and off-site mature native trees (including those within field boundaries), and on-site native hedgerows.
- 3.50 Furthermore, where possible, artificial lighting in areas close to these habitat types should also be avoided because this is known to have an adverse effect on invertebrate assemblages and populations. The extent of mitigation and/or compensation will be provided in the more detailed ecological impact assessment report.

Recommendations for Further Work

- 3.51 No further survey or assessment work in relation to invertebrates is recommended because the Site only supports habitats for common and widespread species, and many of the potential impacts on mature trees have been avoided. Furthermore, the proposals to create traditional orchard, flower-rich grass swards, and native mixed species hedgerows and trees will significantly benefit any on-site invertebrate assemblage.

Great Crested Newt and other Amphibians

Desktop Study

- 3.52 There are no ponds within Site or within 250m of it. The biological records search returned no records of Great Crested Newt. The nearest Great Crested Newt licence record shown on MAGIC is approximately 3.45km to the south-west. Furthermore, the Site falls within a Natural England Green low risk zone, meaning the probability of Great Crested Newt being present is low.
- 3.53 Common Toad *Bufo bufo* and Common Frog *Rana temporaria* were last recorded 360m from the Site in 2009. Common frog was last recorded on-site over 50 years ago.

Field Survey

- 3.54 No ponds were found within the Site. It does provide some suitable terrestrial habitat for amphibians if they are present in the wider landscape.

Preliminary Recommendations for Impact Avoidance, Mitigation and Compensation

- 3.55 No further impact avoidance or mitigation measures in relation to Great Crested Newt and other amphibians is recommended. However, **Section 6** of this report details recommendations in the unlikely event Great Crested Newt is recorded on-site prior to or during development.

Recommendations for Further Work

- 3.56 No further survey or assessment work in relation to Great Crested Newt and other amphibians is recommended.

Reptiles

Desktop Study

- 3.57 The KMBRC biological record search returned two records of Slow-worm between 2005 and 2009. Two records of Common lizard were returned between 1967 and 2009, as well as one record of Grass Snake in 2019. Each of these records were within 1km of the Site.

Field Survey

- 3.58 The Site provides limited suitable reptile habitat along the borders of the most eastern and western fields, where the grassland meets scrub habitat.
- 3.59 The horse and cattle grazed fields and arable land, which comprise the greater part of the Site, are unsuitable for reptiles.
- 3.60 No reptiles were recorded during presence/absence surveys and reptiles are therefore considered to be likely absent from the Site. Further information will be provided in the reptile survey report.

Birds

Desktop Study

- 3.61 The Site provides suitable breeding and foraging habitat for relatively common and widespread scrub/farmland bird species that are also red or amber status. For example, Greenfinch *Chloris chloris*, Linnet *Carduelis cannabina*, Stock Dove *Columba oenas* and Song Thrush *Turdus philomelos*.
- 3.62 The short, grazed horse paddocks, the field supporting cattle, and the areas of hard standing and associated buildings, which comprised the greater part of the Site, do not provide suitable habitat for ground nesting birds, but could provide foraging habitat for Starling *Sturnus vulgaris*.
- 3.63 Arable farmland surrounding the Site supported suitable breeding and foraging habitat for several farmland specialists, including Skylark *Alauda arvensis*, Linnet, Corn Bunting *Emberiza calandra*, Yellow Wagtail *Motacilla flava* and Whitethroat *Sylvia communis*.

Field Survey

- 3.64 A total of 45 bird species were recorded during the breeding bird survey and more information is provided in the associated Breeding Bird Report.
- 3.65 Of the 45 species recorded, the following were seen flying over the Site and making no further use of it: Greylag Goose *Anser anser*, Herring Gull *Larus argentatus*, Lesser Black-backed Gull *Larus fuscus*, Mediterranean Gull *Ichthyaetus melanocephalus* and Ring-necked Parakeet *Psittacula kramera*. These species are not considered further.
- 3.66 Furthermore, Skylark, Corn Bunting, Yellow Wagtail and Whitethroat were recorded exclusively outside of the Site in surrounding arable fields. None of these species were observed using the Site and the fields upon which these birds were recorded had no public access. Whilst they did not use the Site, they are considered as part of the breeding bird assemblage within the Zol of the Proposed Development.
- 3.67 Swift *Apus apus* was seen flying over the Site and were flying low and actively used it for foraging/hunting.
- 3.68 Of the 36 species that used the Site, five are red status and seven are amber status species. Furthermore, of the species that used the Site, five species are listed as Species of Principal Importance.

Evaluation

- 3.69 Farmland specialists such as Corn Bunting, Skylark, Yellow Wagtail and Whitethroat were observed using adjacent arable land, however, none of these bird species used the Site during survey work, and the on-site habitats are not suitable because the on-site fields are small and enclosed.
- 3.70 Given the bird species seen and the associated numbers recorded, the breeding bird assemblage using the Site is of ecological importance at the **Zol** level only. The breeding bird assemblage within the wider Zol of the Proposed Development is also of ecological importance at the **Zol** level.

Bats

3.71 Bat records within 5km of the Site were obtained from KMBRC and included records of the following 10 species:

- Common Pipistrelle *Pipistrellus pipistrellus*;
- Soprano Pipistrelle *Pipistrellus pygmaeus*;
- Nathusius Pipistrelle *Pipistrellus nathusii*;
- Noctule *Nyctalus noctula*;
- Leisler's *Nyctalus leisleri*;
- Brown Long-eared Bat *Plecotus auritus* (roost adjacent to the Site to the north/ roughly 100m from the Site at TQ632699 in 2002);
- Whiskered Bat *Myotis mystacinus*;
- Daubenton's bat *Myotis daubentonii*;
- Natterer's Bat *Myotis nattereri*; and
- Serotine Bat *Eptesicus serotinus*

Roosts (within 1km)

3.72 Details of five bat roosts were returned from within 1km of the Site in the records search, and these were:

- One maternity roost of unknown species approximately 650m to the north-east of the Site from 2005;
- Three roosts of unknown type, including one long-eared species roost from 2015, which was recorded as 'droppings only' 670m west of the Site;
- One Brown Long-eared roost record from 2002, adjacent/roughly 100m from the Site at TQ 632699;
- One pipistrelle roost (species unknown) in 1997, approximately 280m south of the Site; and
- One record of a hibernating Leisler's bat, approximately 525m to the south-west.

Field Survey: Habitats

3.73 The suitability of habitats and features for bats was assessed using categories set out within the Bat Conservation Trust's Bat Surveys Good Practice Guidelines (2023).

3.74 The grassland, scrub, and wooded mosaic provide habitat that is likely to be of moderate to good suitability for foraging bats. Furthermore, these habitats are not currently illuminated (compared to the illuminated surrounds), and consequently the Site provides a 'dark' refuge for the local bat assemblage.

Field Survey: Trees

3.75 This Site supports mature Oak, Ash, and fruit trees. These are in historical field boundaries and within habitat polygon G3.

- 3.76 Some of the on-site trees provided potential roosting features (PRFs) for bats, and the lines of trees and hedgerows created linear features along which bats are likely to use for foraging and commuting.

Field Survey: Buildings

- 3.77 The on-site buildings were viewed externally. Most buildings were single skinned timber and metal structures with negligible potential for roosting bats.
- 3.78 A summary of buildings that provide suitability for roosting bats, based on external inspections are summarised in **Table 3.2**.

Table 3.2 Preliminary Roost Assessments - buildings with suitability for roosting bats

Building reference	Description	Initial Suitability
B1	Bungalow located in the south of the Site and had a tiled roof and gaps in the soffit.	Moderate
B15	Farmhouse in the north of the Site, which had gaps in the mortar around the windows and breaks in the soffits	Moderate
B4	Old brick stable building, with a corrugated metal roof. Features of potential interest include cracks in the mortar and crevices where the timber framework meets the building.	Low
B8	The new stable block made of breeze blocks and a corrugated roof (B8) also appears to have a low suitability for roosting bats, for example the bargeboard on the exterior could provide limited roosting opportunities.	Low
B18	A stable with bargeboard, timber frame, and metal corrugated roof. Cracks in the mortar and joins in the timber frame provide low bat roosting suitability features.	Low

- 3.79 All other on-site buildings were assessed as having negligible bat roosting suitability.

Recommendations for Further Work

- 3.80 A range of bat surveys have been completed in spring/summer 2025, and further information will be provided in due course, including information about the presence of bat roosts (of low conservation) within some of the on-site buildings. The data associated with static surveys is currently being reviewed and the relevant information will be provided as soon as possible, as part of the Bat Survey Report.

Hazel Dormouse, Badger, Water Vole, Otter and Hedgehog

Desktop Study

- 3.81 No records of Hazel Dormouse were returned.
- 3.82 The biological records search returned 17 records of Badger *Meles meles* within 1km of the Site. The latest record was from 2023, and records were between 600m and 2km from the Site.
- 3.83 The biological records search returned several records of Hedgehog *Erinaceus europaeus* within 1km of the Site, the latest from the year 2000.

Field Survey

- 3.84 The Site provides a limited area of suitable habitat for Hazel Dormouse, which includes those hedgerows connected to Walnut Wood. However, the poor condition of these and the very limited connectivity of habitats reduces the likelihood of Hazel Dormouse presence. Furthermore, there are few/no woodlands on or connected to the Site of sufficient size. Given this and given the Dormouse Conservation Handbook indicates copses of woodland less than 10ha in size and that are isolated from other woodlands by distances greater than 500m are less likely to support Dormice, the probably of Hazel Dormouse being present is very low.
- 3.85 Evidence of Badger (for example, a dung pit in the stable yard and another elsewhere) was recorded during Site visits. However, no setts or evidence of foraging was found at any point. The Site does provide suitable foraging habitat, and limited locations for sett building, including some areas that are covered in dense scrub.
- 3.86 The Site contains suitable habitat for Hedgehog, including the mosaic of rough field edges and grassland.

Preliminary Recommendations for Impact Avoidance, Mitigation and Compensation

- 3.87 Where possible, the emerging proposals should avoid direct impacts to off-site woodland and on-site native hedgerows, including those associated with field boundaries (see **Map 2a, 2b and 3**).
- 3.88 Furthermore, where possible artificial lighting in areas close to these habitat types should also be avoided. The recommendations for impact avoidance associated with bats will be sufficient to avoid and mitigate for effects on other nocturnal mammals.

Recommendations for Further Work

- 3.89 No further survey or assessment work in relation to Hazel Dormouse is recommended. However, **Section 6** of this report details recommendations in the unlikely event Hazel Dormouse is recorded on-site prior to or during development.
- 3.90 Habitats adjacent to the Site and within it are suitable for Badger. As Polygon G14 was not accessed during the survey for health and safety reasons, and given the number of local records of Badger, a pre-commencement Badger survey three to six months prior to construction should be conducted because of the legal protection afforded to this species. Especially as this species is highly mobile 'digging' animals that can create setts overnight.

Summary of Important Ecological Features

- 3.91 With reference to the assessment criteria set out in **Appendix 3**, IEFs that are considered to be of Local importance or greater, and to be taken forward for impact assessment in **Section 4** are summarised in **Table 3.4** below.

Table 3.4: Important Ecological Features to be considered further in this EcIA.

Feature	Likely Importance
Thames Estuary and Marshes SPA and Ramsar site	International
North Downs Woodlands SAC	International
Halling to Trottsclidde Escarpment SSSI	National

Feature	Likely Importance
Shome and Ashenbank Woods SSSI	National
Cobham Woods SSSI	National
Swanscombe Peninsula SSSI	National
Darenth Wood SSSI	National
Grassland and scrub, Istead Rise LWS	County
Pasture South of Istead Rise LWS	County
Woods, Nash Street LWS	County
Native Hedgerows and Tree Lines	Local
Veteran Trees	Local
Former Elmlands Shaw Trees	Local
MG6b grasslands	Local
Invertebrates	Within the Zone of Influence
Great crested newt	<i>Likely absent</i>
Reptiles	<i>Likely absent</i>
Breeding bird assemblage	Within the Zone of Influence
Bat assemblage	TBD
Dormouse	<i>Likely absent</i>
Badger and other mammals	Within the Zone of Influence

4. DESIGN IMPLICATIONS AND BIODIVERSITY NET GAIN STRATEGY

4.1 The emerging proposals should:

- **Protect:** Ecologically important trees, tree-lined boundaries and grassland habitats (where possible). In doing so it demonstrates that the emerging proposals adhere to CIEEM's ecological mitigation hierarchy (CIEEM, 2018) and the Biodiversity Net Gain Hierarchy associated with the implementation of the Environment Act 2021;
- **Restore:** On-site grasslands, hedgerows and field boundaries where impacts are avoided; and
- **Create:** A mosaic of open grassland habitat with traditional orchard and scattered trees. Option to create ponds within the informal green infrastructure should be investigated.

4.2 The protection, restoration and creation of habitats will in turn benefit flora and fauna within the Zol, by creating larger areas of habitat, that are of higher quality, and which are better connected (Lawton, 2010). Sensitive management of habitats will ensure the long-term quality of these.

4.3 The above should form the basis of a Biodiversity Gain Strategy and Ecological Management Plan, which must also reflect the results of ecological survey work. The importance of basing the Biodiversity Gain Strategy on evidence and further survey work is highlighted by Zu Ermgassen *et al.*, (2021) and Conservation Evidence.

4.4 Zu Ermgassen *et al.*, (2021) also highlighted the production and implementation of an Ecological Management Plan is essential to ensure BNG is realised, and that net gain targets are delivered as they had been assessed in the submitted planning documents.

4.5 Recommended 'themes' for the Biodiversity Gain Strategy and/or Ecological Management Plan when they are produced are:

- **Flower-rich Spaces for Insects and People:** This theme promotes the restoration and creation of flower-rich habitats (grassland, native mixed species scrub/hedgerows and traditional orchard) that suit the on-site soils and hydrology present. In turn this will benefit invertebrate pollinators and create a wonderful space for new residents;
- **Scrub-Loving Birds:** Native-mixed scrub provides habitat for a range of fauna, including various red status bird species. Allowing the natural regeneration of some scrub in selected corners could promote a 'wilder' approach to some areas of the Site, which in turn delivers a diversity of complimentary habitat benefits; and
- **Homes for Wildlife:** Some animal species benefit from the provision of structures that they can use for breeding and/or shelter, and this can include integrated Swift *Apus apus* bricks, bee bricks and earth banks formed of friable substrates for ground nesting bee species.

5. RECOMMENDATIONS AND CONCLUSIONS

- 5.1 The development proposals at Rose Farm, Downs Road have the potential to deliver ecological benefits, if the emerging scheme avoids many of the important ecological features identified in this outline assessment.
- 5.2 Furthermore, based on this and assuming the project can implement relevant mitigation and compensation strategies, no biodiversity related legal, or planning policy reason has been identified that would prevent a scheme being built.
- 5.3 Delivering 10% BNG entirely within the Site boundary will be investigated. If needed, there are now opportunities to secure off-site BNG units within Kent.

Ecological Constraints and Opportunities

- 5.4 An Ecological Constraints and Opportunities Plan (ECOP) was used to inform the emerging designs. This resulted in material changes to the proposals (where possible) to avoid and reduce ecological impacts. Further detail will be provided in the detailed Ecological Impact Assessment (EclA) Report.

Further Work

- 5.5 **Table 5.1** provides a summary of the further work that will be reported on in due course.

Table 5.1: Recommended further survey work and impact avoidance

Further Work	Reason for Recommendation
Daytime habitat assessment for bats, including a Ground Level Tree Assessment (GLTA) and external building assessment.	Bats were considered to be (at the start if survey work) – and are - a feature of ecological importance, and the information from the daytime bat walkover will be used to inform ecological evaluation, impact avoidance, mitigation, and compensation. Due to the number of on-site structures, the walkover by a bat specialist was also used to inform the scope of further work (which was completed).
Bat activity survey	As above. Furthermore, the results from the bat emergence roost surveys will be used to inform a NE licence.
Bat dusk emergence roost surveys	
Badger Survey Pre-commencement badger survey three to six months prior to construction.	Badger is a common and widespread species, and the main consideration relates to their legal protection. Field evidence to date does not indicate setts are present, but this could change in the future because animals can dig new setts quickly.

6. LEGAL CONSIDERATIONS

Great Crested Newt, Bats and Hazel Dormouse

- 6.1 Great Crested Newt, Bats and Hazel Dormouse are afforded legal protection by the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).
- 6.2 Therefore, in the unlikely event Great Crested Newt or Hazel Dormouse are recorded on-site prior to or during works, all works should cease in that area and a suitably qualified and experienced ecologist contacted for advice to address the legal risk present. A licence from Natural England is likely to be required in this instance.
- 6.3 If roosting bats are present and their roosts will be impacted, a licence from Natural England is likely to be required to facilitate development. Furthermore, the planning authority has certain legal duties when making planning decisions with respect to roosting bats (as well as Great Crested Newt and Hazel Dormouse).

Nesting Birds

- 6.4 Nesting birds are afforded legal protection by the Wildlife and Countryside Act 1981 (as amended).
- 6.5 Given the legal protection afforded to nesting birds, their nests, eggs, and chicks; vegetation clearance should be conducted during the period mid-September to February (inclusive), which is outside of the bird nesting season (but see caveat below).
- 6.6 If this is not possible (perhaps because of the risks to other protected species) and vegetation clearance is required within the bird nesting season (March to mid-September, inclusive), a nesting bird check will need to be undertaken by a suitably experienced ecologist prior to the commencement of vegetation clearance. If any active nests are discovered, these will need to be retained and protected in situ until they are no longer in use by nesting birds.

Badger and Other Mammals

- 6.7 Badger is afforded legal protection by the Protection of Badgers Act 1992 (as amended). In the event an active Badger sett is found on-site prior to or during works (or field evidence indicating the presence of them), works within approximately 20m-30m of any potential sett should cease immediately because of the nature of the legal protection afforded to these species, and a suitably experienced and competent ecologist should be contacted for advice.
- 6.8 All Wild Mammals receive some protection under the Wild Mammals (Protection) Act 1996 (as amended). This Act includes offences of crushing and asphyxiation of any wild mammal with intent to inflict unnecessary suffering.
- 6.9 The above legislation may be of particular importance if there is likely to be significant ground works.

7. REFERENCES

- Bat Conservation Trust (2016). *Core Sustainance Zones: Determining zone size*. Bat Conservation Trust, London.
- Bat Conservation Trust (2018). *Bats and Artificial Lighting in the UK. Bats and the Built Environment Series*. Bat Conservation Trust, London.
- Butcher, B., Carey, P., Edmonds, R., Norton, L and Treweek, J. (2020). *UK Habitat Classification – Habitat Definitions V1.1* at <http://ukhab.org>
- Butcher, B., Carey, P., Edmonds, R., Norton, L and Treweek, J. (2020). *UK Habitat Classification – User Manual Version 1.1* at <http://ukhab.org>
- CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.3. Chartered Institute of Ecology and Environmental Management, Winchester.
- CIEEM (2017). Guidelines for Preliminary Ecological Appraisals. Second Edition (December 2017). Chartered Institute of Ecology and Environmental Management. Winchester, UK.
- Collins, J. (ed). (2016) *Bat Surveys for Professional Ecologists - Good Practice Guidelines. 3rd Edition*. Bat Conservation Trust, London.
- Department for Environment, Food and Rural Affairs (DEFRA) (2011). *Biodiversity 2020: A strategy for England's wildlife and ecosystem services*. London, DEFRA.
- Department for Environment, Food and Rural Affairs (DEFRA) (2024). The Statutory Biodiversity Metric User Guide. Available at: <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>
- Defra (undated). Multi-agency Geographic Information for the Countryside (MAGIC) Map (<http://magic.defra.gov.uk/MagicMap>).
- Elmeros, M., Madsen, A.B., and Prang, A. (2005). Home range of the badger (*Meles meles*) in a heterogeneous landscape in Denmark. *Lufa*, **48**, 35-44.
- English Nature, (2001). *Great Crested Newt Mitigation Guidelines*. Peterborough.
- English Nature (2004). An assessment of the efficiency of capture techniques and the value of different habitats for the great crested newt *Triturus cristatus*. Report 576. English Nature, Peterborough.
- Geology - British Geological Society: www.bgs.ac.uk
- Gov.UK (2022). Ancient woodland, ancient trees and veteran trees: advice for making planning decisions. Available at: <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>.
- Gov.UK (2023) Statutory biodiversity credits. Information for developers and local planning authorities explaining statutory biodiversity credits, and the process of buying them. Available at: <https://www.gov.uk/guidance/statutory-biodiversity-credits>

Zu Ermgassen, S.O.S.E., Marsh, S., Ryland, K., Church, E., Marsh, R., and Bull, J.W. (2021). Exploring the ecological outcomes of mandatory biodiversity net gain using evidence from early- adopter jurisdictions in England. *Conservation Letters*, **14**(6), p.e1280.

Figures

- Figure 1a** Site Location and Statutory Designated Sites
- Figure 1b** Site Location and Non-Statutory Designated Sites
- Figure 2a** UK Habitats Classification: Level 3
- Figure 2b** UK Habitats Classification: Level 3 Linear Features

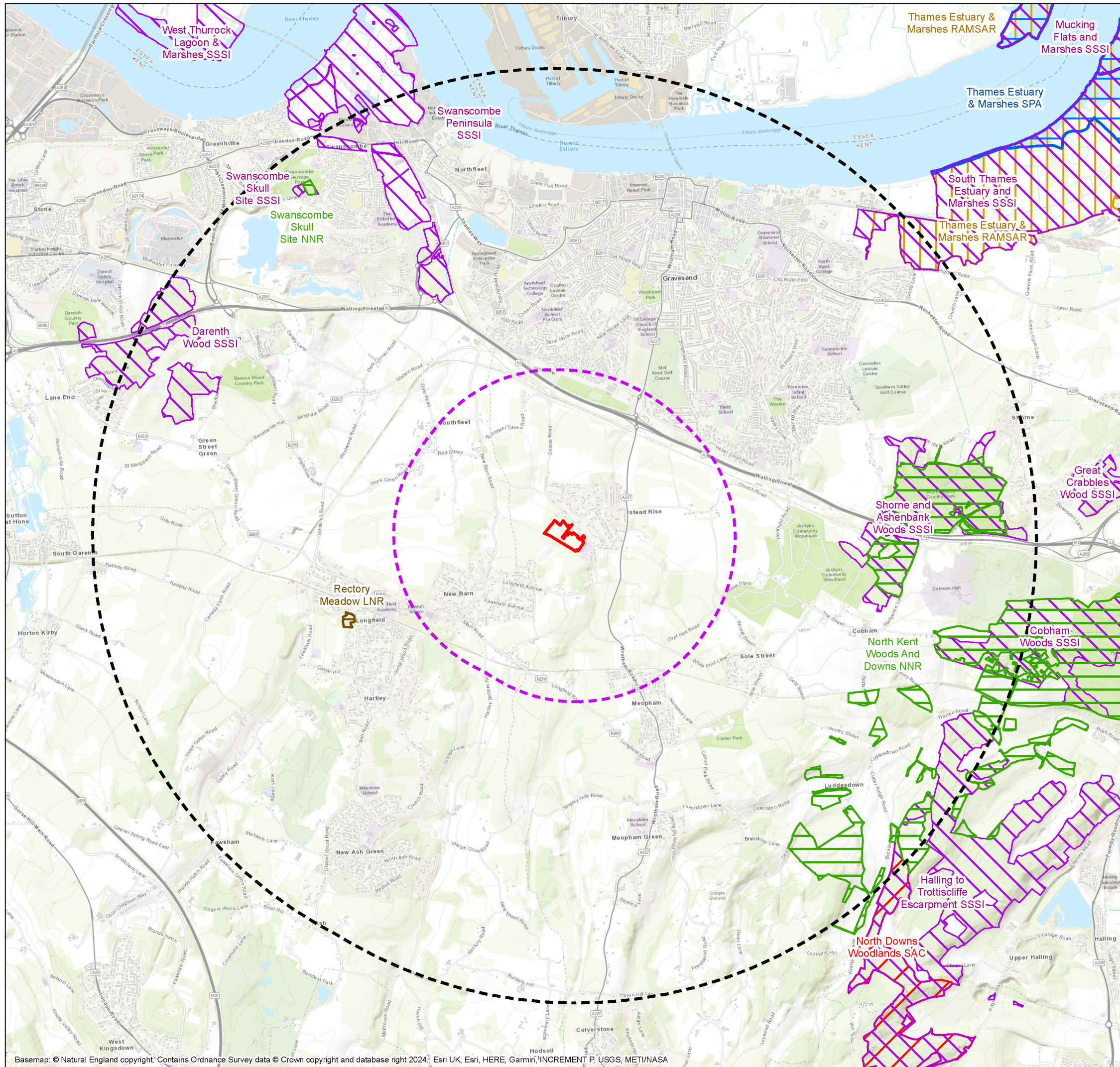











Figure 1a Site Location & Statutory Designated Sites

KEY

-  Site boundary
-  2km linear distance from site boundary
-  6km linear distance from site boundary
-  Sites of Special Scientific Interest (SSSI)
-  Special Areas of Conservation (SAC)
-  Special Protection Areas (SPA)
-  Ramsar
-  Local Nature Reserves (LNR)
-  National Nature Reserves (NNR)

SCALE: 1:50,000 at A3

0 500 1,000 1,500 2,000 2,500 Metres



CLIENT: Esquire Developments Ltd

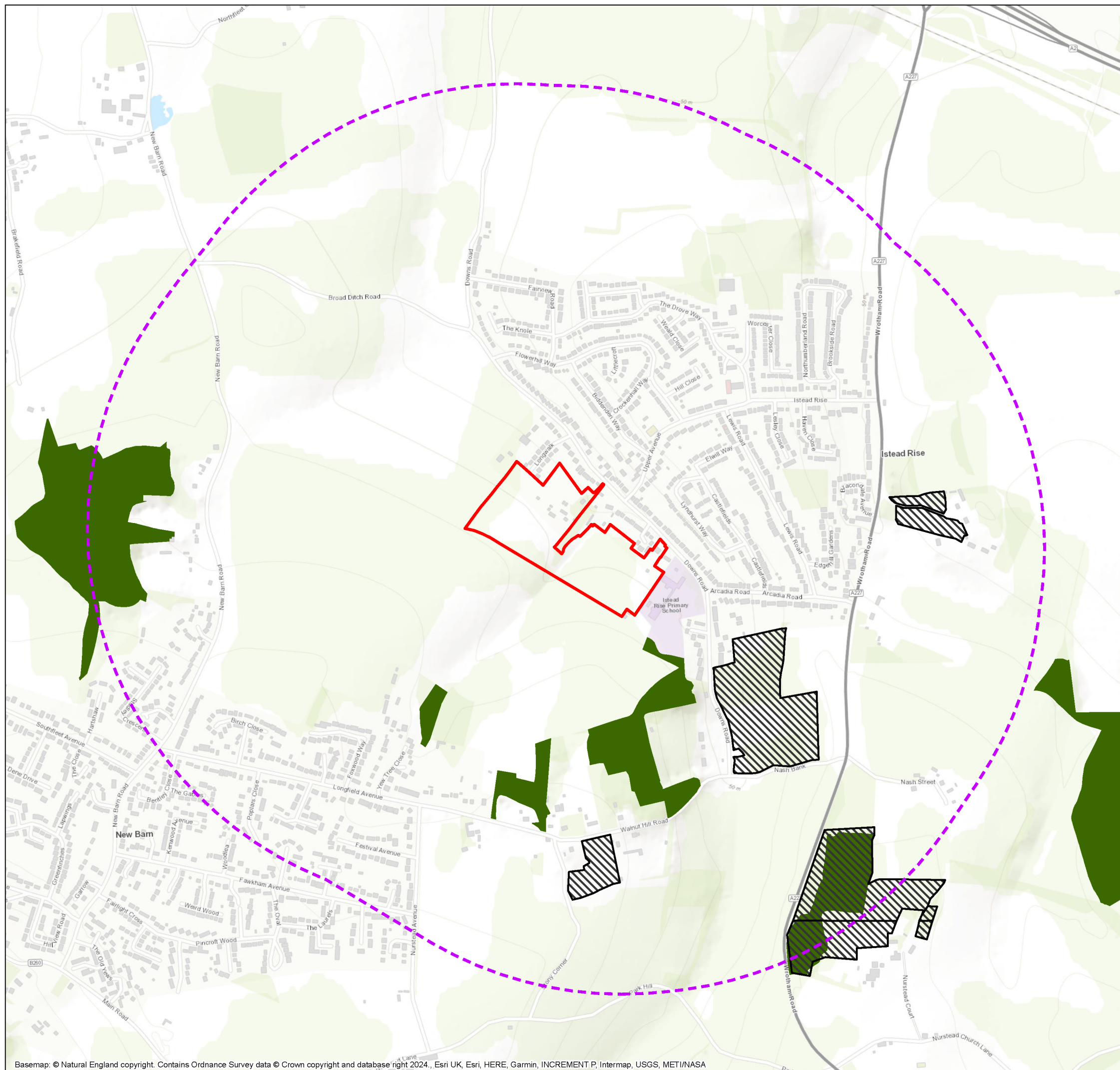
PROJECT: Istead Rise, Kent

DATE: 20 November 2025


Y:Istead Rise, Kent 327261SEDARFigure 1a_StatutoryDesignations_P0272_4263_201125.aprx

P32/72

Figure 1b Site Location and Sites Relevant to Planning Policy



KEY

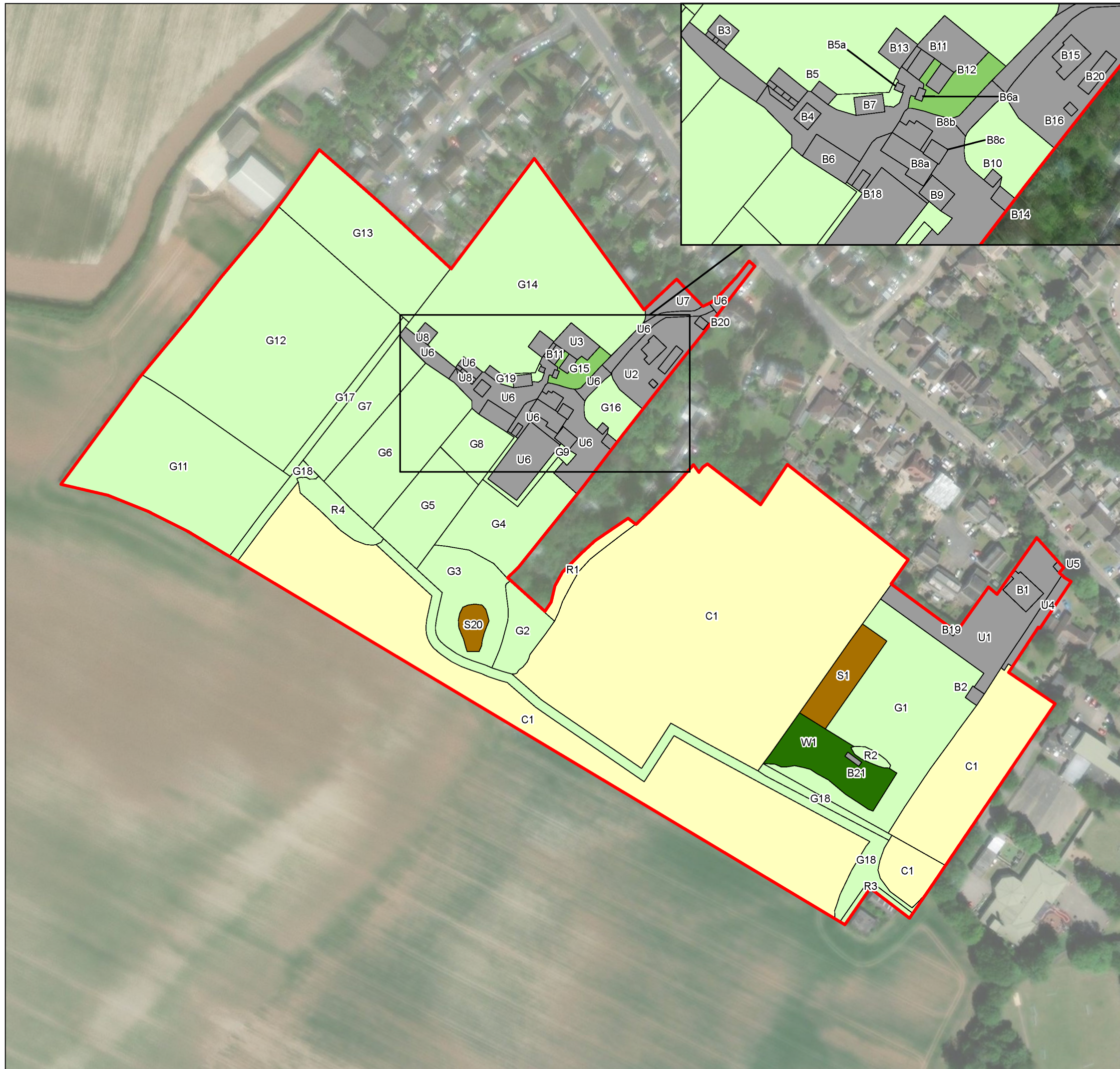
-  Site boundary
-  2km linear distance from site boundary
-  Local Wildlife Sites (LWS)
-  Natural England's Ancient Woodland
-  Ancient & Semi-Natural Woodland

SCALE: 1:10,000 at A3
 0 100 200 300 400 500 Metres



CLIENT: Esquire Developments Ltd
 PROJECT: Istead Rise, Kent
 DATE: 20 November 2025

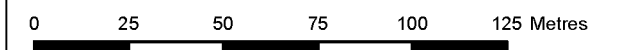
Figure 2a UK Habitat Level 3



KEY

- Site boundary
- c1 Arable and horticulture
- g3 Neutral grassland
- g4 Modified grassland
- h3 Dense scrub
- u1 Built-up areas and gardens
- w1 Broadleaved mixed and yew woodland

Main Map Frame:
SCALE: 1:2,000 at A3



CLIENT: Esquire Developments Ltd





PROJECT: Istead Rise, Kent

DATE: 20 November 2025

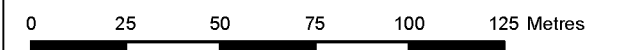
Figure 2b UK Habitats Level 3 - Linear Features



KEY

-  Site boundary
-  h2 Hedgerows
-  w Woodland and forest
-  w1 Broadleaved and mixed woodland

SCALE: 1:2,000 at A3



CLIENT: Esquire Developments Ltd

PROJECT: Istead Rise, Kent

DATE: 20 November 2025

Appendix 1

Summary of Relevant Legislation and Policy

LEGISLATION

The Environment Act 2021

The Environment Act 2021 places a requirement on the Secretary of State to make regulations setting out long-term targets for air quality, water, biodiversity, resource efficiency and waste reduction. It also requires the Government to produce an Environmental Improvement Plan, to report on progress towards its goals annually, to meet the targets that are set in relation to the improvement of the natural environment and to produce remedial plans should this not be achieved.

In relation to water quality, the Act places new duties on the Government, Environment Agency and sewerage undertakers to reduce the frequency and harm of discharges from storm overflows on the environment, and for monitoring the quality of watercourses affected by those overflows.

It also includes a requirement for an independent Office for Environmental Protection (OEP) to be established, with responsibilities for monitoring and reporting on progress against environmental improvement plans and targets. The OEP will also have investigation and enforcement powers against public authorities failing to comply with environmental law when exercising their functions.

The Act makes provisions for 10% biodiversity gain to become a condition of planning permission in England, through amendments to the Town and Country Planning Act 1990. These amendments are due to come into force on the 12th February 2024 (2nd April 2024 for 'small sites'). This will be measured through a biodiversity metric to be published by the Secretary of State. The Act also establishes Biodiversity Net Gain (BNG) as a requirement for Nationally Significant Infrastructure Projects (NSIPs).

The Act also strengthens the biodiversity duty placed on public authorities through amendments to the Natural Environment and Rural Communities Act 2006 Section 40, requiring such authorities to not only conserve but also enhance biodiversity when exercising their functions. Public authorities will also be required to publish summary reports of actions taken under Section 40 at least every five years.

The Act provides the legal basis for the creation of Local Nature Recovery Strategies (LNRSs) for England (including specifying their content), and the preparation and publication of species conservation strategies and protected sites strategies.

It also creates a new legal vehicle known as a 'Conservation Covenant' which is a voluntary, legally binding private agreement between landowners and responsible bodies (the latter designated by the Secretary of State) which conserve the natural or heritage features of the land, enabling long-term conservation. Conservation Covenants are designed to 'run with the land' when it is sold or passed on and are intended to eventually become a primary mechanism for the delivery of BNG.

The Act provides new powers for the Government to amend in future Regulation 9 and Part 6 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations') – but "only if satisfied that the regulations do not reduce the level of environmental protection provided by the Habitats Regulations".

Several aspects of protected species licencing have also been adjusted by the Act. These include the removal of several inconsistencies between the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended), ensuring that licences issued under the former piece of legislation also apply under the latter, and making it now possible for licences to be issued under Section 16(3) of the Wildlife & Countryside Act 1981 (as amended) for purposes of overriding public interest. The maximum term of a licence that can be issued by Natural England has also been extended from 2 to 5 years.

All biodiversity-related commitments and requirements (as set out in Part 6 of the Act) will come into force upon the adoption of secondary legislation and regulations, following a period of consultation. Timescales are to be confirmed, but this is currently expected to be around late 2023.

The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (known as the “Habitats Regulations”) were originally drawn up to transpose the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the “Habitats Directive”) into UK legislation. Following the UK’s exit from the European Union, the Habitats Regulations – as amended by Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – remain in force until such a time as they are superseded by new or updated domestic legislation.

The Habitats Regulations provide for the designation of both Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) in the UK, which previously formed part of the Natura 2000 network of protected areas across Europe and are now part of the UK’s “National Sites Network”. New National Sites may be designated under the Regulations.

The Regulations also prohibit certain actions relating to European Protected Species (EPS), which include *inter alia* Hazel Dormouse *Muscardinus avellanarius*, Great Crested Newt *Triturus cristatus*, European Otter *Lutra lutra* and all native species of bat.

Further information on SPAs, SACs and European Protected Species is provided in the relevant sub-sections of this Appendix.

Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 is the principal mechanism for the legislative protection of wildlife in Great Britain. Various amendments have occurred since the original enactment. Certain species of bird, animal and plant (including all of the European Protected Species listed above) are afforded protection under Schedules 1, 5 and 8 of the Act. Reference is made to the various Schedules and Parts of this Act (**Table A1.1**) in the section of this Appendix dealing with Legally Protected Species. The Act also contains measures for the protection of the countryside, National Parks, Sites of Special Scientific Interest (SSSIs) and public rights of way as well as preventing the establishment of invasive non-native species that may be detrimental to native wildlife.

Table A1.1: Relevant Schedules of the Wildlife & Countryside Act 1981 (as amended)

Schedule	Protected Species
Schedule 1 Part 1	Protects listed birds through special penalties at all times
Schedule 1 Part 2	Protects listed birds through special penalties during the close season
Schedule 5 Section 9.1 (killing/injuring)	Protects listed animals from intentional killing or injuring
Schedule 5 Section 9.1 (taking)	Protects listed animals from taking
Schedule 5 Section 9.2	Protects listed animals from being possessed or controlled (live or dead)
Schedule 5 Section 9.4a	Protects listed animals from intentional damage or destruction to any structure or place used for shelter or protection
Schedule 5 Section 9.4b	Protects listed animals from intentional disturbance while occupying a structure or place used for shelter or protection
Schedule 5 Section 9.5a	Protects listed animals from being sold, offered for sale or being held or transported for sale either live or dead, whole or part
Schedule 5 Section 9.5b	Protects listed animals from being published or advertised as being for sale
Schedule 8	Protects listed plants from: intentional picking, uprooting or destruction (Section 13 1a); selling, offering for sale, possessing or transporting for the purpose of sale (live or dead, part or derivative) (Section 13 2a); advertising (any of these) for buying or selling (Section 13 2b).
Schedule 9	Prohibits the release of species listed in the Schedule into the wild.
Schedule 9a	Allows environmental authorities to issue species control orders to landowners, obliging them to control/eradicate invasive and/or non-native species.

Further information on legally protected species, designated wildlife sites and invasive non-native species is provided in the relevant sub-sections of this Appendix.

Countryside and Rights of Way Act 2000

Many of the provisions of the Countryside and Rights of Way (CRoW) Act 2000 have been incorporated as amendments into the Wildlife and Countryside Act (1981) and some provisions have now been superseded by later legislation such as The Natural Environment and Rural Communities Act (2006).

The most relevant changes provided by the CRoW Act include the added protection given to SSSIs and other important sites for nature conservation. Importantly, under the Act it became a criminal offence to "recklessly disturb" Schedule 1 nesting birds and species protected under Schedule 5 of the Wildlife and Countryside Act. It also enabled heavier penalties on conviction of wildlife offences.

The Natural Environment and Rural Communities Act 2006

The Natural Environment and Rural Communities (NERC) Act 2006 was intended to raise the profile of biodiversity amongst all public authorities (including local authorities, and statutory undertakers) and to make biodiversity an integral part of policy and decision-making processes. The NERC Act also improved wildlife protection by amending the Wildlife and Countryside Act 1981.

Section 40 (S40) of the Act places a 'Biodiversity Duty' on all public bodies to have regard to the conservation of biodiversity when carrying out their normal functions. This includes giving consideration to the restoration and enhancement of species and habitats.

Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of Principal Importance for the conservation of biodiversity in England. This was published in 2007 and is commonly referred to as the "S41 list". Public authorities have a responsibility to give specific consideration to the S41 list when exercising their normal functions. For planning authorities, consideration for Species and Habitats of Principal Importance will be exercised through the planning and development control processes. Further information on Species and Habitats of Principal Importance is provided in the relevant sub-sections of this Appendix.

The Water Environment Regulations 2017

Currently, the overriding legislation relating to freshwater is the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. The Regulations set out objectives to deliver a better water environment based upon achieving a 'good status' for freshwater bodies. The concept of 'good status' is a more rigorous measure of environmental quality than previous measures, which now takes into account not just the chemical status but also the ecological health and the extent of artificial physical modification to rivers.

The Regulations are based upon the concept of protecting water through the management of river basin districts (RBDs) and require the implementation of River Basin Management Plans (RBMPs). Regulation 33 requires public bodies to 'have regard' to the RBMP when making planning decisions, for example through the granting of planning permission with appropriate planning conditions and/or obligations. These could require measures to be implemented (e.g. Sustainable Urban Drainage Systems (SUDS), grey water recycling etc.) or funds to be provided for habitat enhancement schemes.

The Regulations also affect planning policy through the implementation of Programmes of Measures for each river basin district. This involves bringing together funding from various sources and co-ordination of the activities of organisations with an interest in the use of land and water, including developers.

SITES DESIGNATED FOR THE CONSERVATION OF NATURE

There is a hierarchy of nature conservation sites which is based on the level of statutory (legal) protection and the administrative level of importance. Other features of nature conservation interest outside designated sites may also be a material consideration in the determination of planning applications.

Statutory Sites: National

Nationally important sites include Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs). A development proposal that is likely to affect a nationally important site will be subject to special scrutiny by the local planning authority and Natural England. Certain operations may be permitted. Any potentially damaging operations that could have an adverse effect directly or indirectly

on the special interest of the site will not be permitted unless the reasons for the development clearly outweigh the nature conservation and/or geological value of the site itself and the national policy to safeguard such sites, as set out in Section 15 of the National Planning Policy Framework (NPPF).

Sites of Special Scientific Interest

The Wildlife and Countryside Act 1981 (as amended) and the CROW Act 2000 provide the primary legal basis for the protection of Sites of Special Scientific Interest (SSSIs). These sites have been designated to capture the best examples of England's flora, fauna, geological or physiographical diversity.

Public bodies have a duty to take reasonable steps to conserve and enhance the special features of sites of special scientific interest (SSSIs) when carrying out their statutory duties and giving others permission for works, such as reviewing planning applications.

National Nature Reserves

National Nature Reserves (NNRs) are declared under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981, as amended by the Environmental Protection Act 1990. They are managed to conserve their habitats or to provide special opportunities for scientific study of the habitats communities and species represented within them. NNRs represent the very best parts of England's SSSIs. The majority of NNRs also have European nature conservation designations.

Statutory Sites: Regional/Local

Local Nature Reserves

Local Nature Reserves (LNRs) are declared by local authorities under the National Parks and Access to the Countryside Act 1949 as living green spaces in towns, cities, villages and countryside. They provide opportunities for research and education, or for simply enjoying and having contact with nature. LNRs are usually protected from development through local planning documents which may be supplemented by local by-laws.

Non-Statutory Sites

Local Wildlife Sites

Local planning authorities may designate non-statutory sites for their nature conservation value based on important, distinctive and threatened habitats and species within a national, regional and local context. These sites are not legally protected but are given some protection through the planning system. These sites may be declared as 'County Wildlife Sites', 'Sites of Importance for Nature Conservation' (SINCs), or 'Sites of Nature Conservation Importance' (SNCIs) in local and structure plans. Non-statutory sites are a material consideration when planning applications are being determined. The precise amount of weight to be attached, however, will take into account the position of the site in the hierarchy of sites as set out above. Further information is typically provided in local level planning policy.

Nature Conservation in Areas Outside Designated Sites

Various other features exist outside designated sites that are important for the conservation of nature and which are a material consideration in the planning system.

Habitats of Principal Importance in England

Fifty-six habitat types have been identified as Habitats of Principal Importance for the conservation of biodiversity in England under Section 41 of the NERC Act 2006. Although these habitats are not legally protected, the NPPF, Government Circular 06/05, good practice guidance and the NERC Act place a clear responsibility on planning authorities to further the conservation of these habitats. They can be a material consideration in planning decisions, and so developers are advised to take reasonable measures to avoid or mitigate impacts to prevent their net loss and to enhance them where possible. Additional guidance to developers is typically provided in local level planning policy.

The S41 list also includes species as explained below under 'Species of Principal Importance in England'.

Networks of Natural Habitats

Networks of natural habitats link sites of biodiversity importance and provide routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment. Examples include rivers with their banks, traditional field boundary systems (such as hedgerows), ponds and small woods. Local planning authorities are encouraged through the NPPF to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through planning, policies and development control.

Hedgerows

Hedgerows can act as wildlife corridors that are essential for migration, dispersal and genetic exchange of wild species. Hedgerows that qualify as a Habitat of Principal Importance under S41 of the NERC Act 2006 are a material consideration in the planning system.

Under the Hedgerow Regulations 1997, it is an offence to remove a hedgerow classed as 'important' under the criteria set out by the Regulations without submitting a notice to the Local Planning Authority and waiting for their decision. The Regulations are aimed at countryside hedges and do not apply to hedges around private dwellings or where planning permission has been granted for a project that includes hedge removal. Hedgerows that satisfy wildlife, archaeological, historical or landscape criteria qualify as 'important' under the Regulations. If a hedgerow is not important, the Local Planning Authority may not prevent its removal; however, Local Planning Authorities are required under the Regulations to protect and retain important hedgerows unless satisfied that the circumstances justify their removal.

Tree Preservation Orders

Tree Preservation Orders (TPOs) may be declared under the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999 to protect individual trees and woodlands from development and cutting. TPOs are primarily put in place to preserve amenity or for landscape conservation reasons. The importance of trees as wildlife habitat may be taken into account, but alone is not sufficient to warrant a TPO. For this reason, TPOs do not fit comfortably under the remit of nature conservation and are generally dealt with by an arboricultural consultant rather than an ecologist. Further guidance on TPOs in relation to development is available from the Department for Communities and Local Government.

Ancient Woodland and Veteran Trees

Ancient woodlands are defined as areas continuously wooded since at least 1600 AD. Even an ancient wood which has been replanted may still have remnants of ancient woodland wildlife and historical features and has potential to be restored. Ancient woodland is not a statutory designation and does not provide legal protection, but local authorities are advised under the NPPF and National Planning Practice Guidance (NPPG) not to grant planning permission for any development that would result in the loss or deterioration of ancient woodland, ancient trees or veteran trees unless there are 'wholly exceptional reasons' and 'a suitable compensation strategy in place'. Local Planning Authorities must take into account Natural England and the Forestry Commission's *Standing Advice for Ancient Woodland and Veteran Trees*, available on the www.gov.uk website.

Surface and Ground Waters

Surface waters (including flowing and standing water) and ground water can directly and indirectly impact upon the conservation of nature.

Guidance on pollution prevention is hosted on the Government's website and focuses on regulatory requirements. This covers topics including the prevention of pollution if you are a business, managing business and commercial waste, oil storage, working on or near water, and managing water on land. Careful planning and the application of these guidelines can help reduce the risk of construction and maintenance work causing pollution to surface and ground waters. Some activities with the potential to impact watercourses or groundwater may require consent under the Water Resources Act 1991.

Water Resources Act (WRA) 1991

Under the WRA there is strict regulation of discharges (including sediment, chemicals, nutrients) to rivers, lakes, estuaries and groundwaters. It also aims to ensure that polluters cover the costs associated with pollution incidents.

SPECIES PROTECTION

Legally Protected Species

The species listed in the following subsections are protected by law in England. When preparing a planning application, it is essential to determine the presence or likely absence of legally protected species and the extent to which they may be affected by a proposed development. This can best be achieved by undertaking surveys early in the planning process. Avoidance and/or mitigation measures may be required to address any predicted impacts upon protected species and may necessitate a licence. The Government website offers standing advice from Natural England and DEFRA which can be applied to planning applications that affect protected species.

Bats

There are 18 species of bat in the UK, seven of which are Species of Principal Importance in England. All bats and bat roosts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Bats are also a European Protected Species protected under the Habitats Regulations 2017 (as amended). It is an offence to:

- Intentionally or deliberately kill, injure or capture bats;

- Intentionally, deliberately or recklessly disturb bats in such a way as to be likely to significantly affect the ability of any significant group of bats to survive, breed, or rear or nurture their young or the local distribution of or abundance of a species of bat;
- Intentionally, or recklessly damage, destroy or obstruct any place used for shelter or protection (i.e. bat roosts) or intentionally or recklessly disturb a bat whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a bat; and
- Possess, sell or transport a bat, or anything derived from it.

Development proposals affecting bats or their roosts require a European Protected Species mitigation licence from Natural England.

Great Crested Newt

The Great Crested Newt *Triturus cristatus* is a Species of Principal Importance in England. It is legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and is afforded significant further protection as a European Protected Species under the Habitats Regulations 2017 (as amended). Collectively, this legislation makes it an offence to:

- Intentionally or deliberately kill, injure or capture Great Crested Newts;
- Intentionally, deliberately or recklessly disturb Great Crested Newts in such a way as to be likely to significantly affect the ability of any significant group of Newts to survive, breed, or rear or nurture their young or the local distribution of or abundance the species;
- Intentionally or recklessly damage, destroy or obstruct any place used by Great Crested Newts for shelter or protection, or intentionally or recklessly disturb a Great Crested Newt whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a Great Crested Newt; and
- Possess, sell or transport a Great Crested Newt, or anything derived from it.

Development proposals affecting the Great Crested Newt require a European Protected Species mitigation licence from Natural England.

Intentional or reckless behaviour leading to an offence being committed as detailed above may result in maximum penalties of:

- Up to £5,000 fine per offence committed;
- A custodial sentence of up to six months instead of, or in addition to, a fine; and/or
- Items of equipment involved in committing the offence may be seized and detained.

In addition to the above penalties, it is likely that any EPS mitigation licence obtained for a site will be revoked whilst any wildlife offence is investigated. This will lead to immediate temporary and, depending on investigation outcomes, possible permanent restrictions on site works, as well as associated cost.

Hazel Dormouse

The Hazel Dormouse *Muscardinus avellanarius* is a Species of Principal Importance in England. It is legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and is afforded significant further protection as a European Protected Species under the Habitats Regulations 2017 (as amended). Collectively, this legislation makes it an offence to:

- Intentionally or deliberately kill, injure or capture Dormice;
- Intentionally, deliberately or recklessly disturb Dormice in such a way as to be likely to significantly affect the ability of any significant group of Dormice to survive, breed, or rear or nurture their young or the local distribution of or abundance of the species;
- Intentionally or recklessly damage, destroy or obstruct access to places used by Dormice for shelter or protection (whether occupied or not) or intentionally or recklessly disturb a Dormouse whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a Dormouse;
- Possess or transport a Dormouse (or any part thereof) unless under licence; and
- Sell or exchange Dormice.

Development proposals affecting Hazel Dormouse require a European Protected Species mitigation licence from Natural England.

Reptiles

All four of the widespread British species of reptile, namely the Common Lizard *Zootoca vivipara*, Slow-Worm *Anguis fragilis*, Grass Snake *Natrix helvetica* (previously *Natrix natrix*) and Adder *Vipera berus*, are Species of Principal Importance in England. They are protected under Schedule 5 (Sections 9.1, 9.5a, 9.5b) of the Wildlife & Countryside Act 1981 (as amended) from intentional killing, injury and trade. The habitat of the four widespread reptiles is not legally protected; however the replacement of habitat lost through development may be required through the planning system. Mitigation for these species is not subject to licensing by Natural England but should nonetheless be planned to minimise disturbance and potential project delays.

Birds

49 species of bird are listed as Species of Principal Importance in England. All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), making it an offence, with certain exceptions (e.g. game birds), to intentionally kill, injure or take any wild bird and to take, damage or destroy their nests or eggs.

Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) affords extra protection for certain species and applies harsher penalties for offences. Any intentional or reckless disturbance of a Schedule 1 bird, whilst it is nesting or rearing dependent young, constitutes an offence.

Regulation 10 of the Conservation of Habitats and Species Regulations 2017 (as amended) requires appropriate authorities and conservation bodies, in the exercise of their functions, to take such steps that they consider appropriate in order to secure “*the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat (...)*”.

European Badger

The Protection of Badgers Act 1992 offers considerable protection to both Badgers and Badger setts. This legislation was enacted to protect the European Badger *Meles meles* against baiting and not as a means of species recovery as it is common in England. It is an offence to cruelly treat, kill or take Badgers, but it is also illegal to intentionally or recklessly damage or disturb a Badger sett while it indicates signs of current use by a Badger.

The Government website contains information to help developers and their proponents avoid sett disturbance and to identify setts that are in current use. It is important to maintain adequate foraging territory in development proposals affecting Badgers as the destruction or severance of large areas of foraging territory could also be taken to include habitat loss. Licences to disturb Badgers and their setts in respect of development may be issued by Natural England provided provisions are made to minimise disturbance.

Wild Mammals

All wild mammals are protected against cruelty under the Wild Mammals (Protection) Act 1996, which makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

Licences for Development

Licences are required to permit activities prohibited under wildlife legislation, namely the disturbance or capture of protected species or damage to their habitats. Natural England is the licensing authority in England. Licences are only issued for certain purposes, which are set out in the legislation, and only where there is a valid justification. The licences most relevant to development scenarios are discussed below.

European Protected Species Mitigation Licences

A European Protected Species mitigation licence (EPSML) is required from Natural England to undertake any development that is reasonably likely to result in an offence in respect of a European Protected Species protected under Schedule 2 of the Habitats Regulations 2017 (as amended); including *inter alia* all species of bats, Hazel Dormouse, Great Crested Newt, European Otter and Eurasian Beaver. Natural England must be satisfied that the following three tests are satisfied before it will issue a licence covering a European Protected Species:

1. The proposal is necessary to preserve 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;
2. There is no satisfactory alternative; and
3. The proposal will have no detrimental effect to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Other Protected Species Mitigation Licences

Natural England can issue mitigation licences for reasons of “overriding public interest” in respect of animal and plant species listed on Schedules 5, 6 and 8 of the Wildlife and Countryside Act 1981 (as amended), excluding birds and European Protected Species (as these have separate licensing

systems). In the context of development, the most relevant species are likely to include Adder, Grass Snake, Common Lizard, Slow-worm and several species of plant.

Applicants must demonstrate that the licence is for the purpose of overriding public interest, and also that there are “no other satisfactory solutions”. In practice, therefore, this type of licence is likely to be difficult to obtain for most types of development.

Conservation Licences

In the context of development, conservation licences are normally only relevant to mitigation involving the capture of Water Voles or White-Clawed Crayfish. Conservation licences are granted to permit the trapping and translocation of these species on the condition that the development activity is properly planned and executed and thereby contributes to the conservation of the population of the species.

Badger Licences

Licences to disturb Badgers and their setts in respect of development may be issued by Natural England, provided provisions are made to minimise disturbance.

Species of Principal Importance in England

943 species have been identified as being of Principal Importance for the conservation of biodiversity in England under Section 41 (S41) of the NERC Act 2006. The S41 list includes species found in England which have been identified as requiring action under the now superseded UK Biodiversity Action Plan 2007 (plus the Hen Harrier). While many of these species may not be legally protected (some are protected under the legislation described above), there is a clear responsibility on local planning authorities to further their conservation. These species can be a material consideration in development control decisions and so developers are advised to take reasonable measures to avoid or mitigate impacts to prevent the net loss of these species, and to enhance their habitats where possible. Additional guidance to developers is typically provided in local level planning policies.

Invasive Non-Native Species

There are a number of species not ordinarily resident in the UK, such as Japanese Knotweed. Those which pose a significant threat, if uncontrolled, to our ecology and economy are listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). For an offence to be committed, a species must be released or allowed to escape into the wild. For example, if a plant listed on Schedule 9 is not adequately controlled by a land owner, once they are aware that it is present, and the species is allowed to spread into adjoining areas, then this could constitute an offence.

Japanese Knotweed is also classed as ‘controlled waste’ under the Environment Protection Act 1990 (as amended) and if taken off site it must be disposed of safely at a licensed landfill site. Soil containing rhizome material should also be regarded as contaminated and treated accordingly.

Species Control Orders

A new schedule 9A was inserted into the Wildlife and Countryside Act 1981 (as amended) by Sections 23 to 25 of the Infrastructure Act 2015. This gives environmental authorities (in England the Secretary of State, Environment Agency, Natural England and the Forestry Commission) the power to offer ‘species control agreements’ to landowners in respect of invasive and/or non-native species, such as Japanese Knotweed. If the landowner does not comply with a species control agreement, or refuses to

enter into one, the environmental authority may issue a 'species control order', requiring the owner to eradicate or control the species, or to allow the environmental authority access to carry out these operations themselves.

If the owner does not comply with the species control order, the maximum penalty if convicted is a fine of up to £40,000 and/or imprisonment for up to 51 weeks. The environmental authority can also recover costs for carrying out the necessary work themselves.

PLANNING POLICY AND GUIDANCE

This section set out the main planning policy and government guidance that relates to the conservation of nature at all levels of government.

National Level

National Planning Policy Framework 2024

The National Planning Policy Framework (NPPF) 2024 sets out the Government's planning policies for England and how these should be applied in local-level policy and decision making. The NPPF has a clear "presumption in favour of sustainable development" (paragraph 11), with economic, social and environmental objectives. This presumption does not apply where a plan or project has failed the 'appropriate assessment' test under the Habitats Regulations (paragraph 195).

Section 15 of the NPPF provides guidance on conserving and enhancing the natural environment through the planning system, as summarised below.

Firstly, planning policies and decisions should contribute to and enhance the natural and local environment by applying the following key principles:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Section 15 also requires planning policies and decisions to limit the impact of artificial light pollution on nature conservation.

Secondly, when determining planning applications, local planning authorities should apply the following key principles:

- if significant harm resulting from a development cannot be avoided, adequately mitigated or (as a last resort) compensated for, then planning permission should be refused;
- proposed development that is likely to have an adverse effect on a SSSI (either individually or in combination with other developments) should normally be refused;
- planning permission should normally be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and ancient or veteran trees, unless there are 'wholly exceptional reasons' and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

In the case of SSSIs and irreplaceable habitats, exceptions may be made if it can be demonstrated that the benefits of the development, in that location, clearly outweigh the costs in terms of loss or adverse impacts.

Section 15 specifies that listed or proposed Ramsar sites, potential European sites, and sites identified or required as compensatory measures for adverse effects on designated/listed or potential/proposed European and Ramsar sites should be given the same protection as designated European sites.

Section 15 includes the following text on air quality:

- Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas;
- Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications; and
- Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

The NPPF also sets out principles for plan-making, including the allocation of land with the least environmental or amenity value, and taking a strategic approach to maintaining and enhancing networks of habitats and green infrastructure by identifying, mapping and safeguarding components of local wildlife-rich habitats, wider ecological networks, wildlife corridors and stepping stones, and those areas identified by national and local partnerships for habitat management, enhancement, restoration or creation.

Government Circular 06/05: Biodiversity and Geological Conservation

The Government produced Circular 06/05 to provide guidance on the application of the law to the conservation of nature. Although the document is in the process of being updated, Paragraphs 98 and 99 remain relevant as they set out the following principles and obligations:

- The presence of protected species is a material consideration when determining a development proposal;
- Local authorities should consult with Natural England before granting permission, and consider imposing planning conditions or obligations to secure the long-term protection of the species;
- The presence of protected species, and the extent to which they may be affected by the proposed development, must be established before permission is granted;
- Given the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.

MHCLG Planning Practice Guidance

Revised and updated Planning Practice Guidance (PPG) was launched by the Department for Communities and Local Government (now the Ministry of Housing, Communities and Local Government, MHCLG) as a web-based tool in March 2014 to accompany the NPPF. The webpages are set out in a Q&A format. The PPG consolidates and supersedes existing guidance on a range of planning-related topics, clarifies some of the statements made in the NPPF, and provides links to relevant legislation and other sources of advice.

The Guidance outlines a number of important principles in relation to nature conservation and biodiversity, including the need to integrate biodiversity into all stages of the planning process and to consider opportunities to enhance biodiversity and contribute to the Government's commitments and targets set out in *Biodiversity 2020: A strategy for England's wildlife and ecosystem services*.

The guidance also requires that "an ecological survey will be necessary in advance of a planning application if the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate", and recommends that "local planning authorities should only require ecological surveys where clearly justified, for example if they consider there is a reasonable likelihood of a protected species being present and affected by development."

Other guidance

In addition to the Planning Practice Guidance, various other forms of guidance and standards are available in relation to biodiversity and the development process. Of particular note is *British Standard BS42020:2013 Biodiversity – Code of practice for planning and development*, published in August 2013, which replaces *Planning to Halt the Loss of Biodiversity (PAS 2010): Biodiversity conservation standards for planning in the United Kingdom*.

This document is designed to complement the NPPF and is aimed at organisations concerned with ecological issues throughout the planning process, including local authorities, developers, planners and ecological consultants. It sets out step-by-step recommendations on how to incorporate biodiversity considerations at all stages of the planning process, with a focus on the provision of consistent, high quality and appropriate ecological information, effective decision making, and high standards of professional conduct and competence.

Local Level

Biodiversity Net Gain: Gravesham Borough Council

Under the Environment Act 2021 and supporting Statutory Instruments Biodiversity Net Gain (BNG) is now mandatory for most development. The legislation requires a minimum 10% gain in biodiversity from applicable development either on-site, offsite or a combination of both.

BNG provided under the mandatory requirements offsite and significant BNG on-site must be secured by a legal agreement for 30 years under an approved Habitat Management and Monitoring Plan (HMMP).

The Council's approach to BNG for all applicable development will now follow the Statutory Instruments and supporting guidance.

Gravesham Local Plan Core Strategy

Role of the Local Plan Core Strategy

Habitats Regulations Assessment

Gravesham Borough contains sites of international importance for wildlife, i.e. a Special Protection Area, a Special Area of Conservation and a Ramsar site. As a result, the Core Strategy has also been subject to a Habitats Regulations Assessment (HRA). This considered the impacts of the plan on the international sites and ensured that the plan does not have a negative impact on them.

What are the Characteristics, Challenges and Opportunities in Gravesham Borough?

Natural Environment, Sport and Recreation

Gravesham has significant natural resources. These include sites of international and national significance for wildlife such as the Thames Estuary and Marshes as well as local wildlife sites. It also includes the Kent Downs Area of Outstanding Natural Beauty which is a nationally important landscape as well as large areas of accessible countryside. The Borough also has a number of public greenspaces such as Riverside Leisure Area and Shorne Country Park, indoor sports facilities such as Cygnet Leisure Centre and Meopham Leisure Centre, and outdoor sports facilities such as outdoor tennis courts and bowling greens at Windmill Hill Gardens. There are some issues in terms of the quantity, quality and access to some greenspaces and indoor and outdoor sports facilities in the Borough. 2.11.2 As a result of the above, there is a need to conserve and enhance the Borough's high quality natural environment. There is also a need to protect, enhance and make adequate provision for greenspaces and indoor and outdoor sports facilities to meet the needs of the existing and future population of the Borough. In addition, it will be important to prevent adverse impacts on the birds and habitats of the internationally important wildlife sites, including disturbance to birds from uncontrolled recreational intrusion on the marshes.

Strategic Objectives

Location and Amount of Development

SO8 Preserve the openness of the Green Belt, maintain its national and local planning purposes and protect it from inappropriate development.

SO9 Conserve and enhance the diverse rural landscape including the Kent Downs Area of Outstanding Natural Beauty and its setting.

Across the Borough

SO14 Ensure that all new development makes a positive contribution to the local character and distinctiveness of the Borough, minimises the risk of crime, responds to climate change, and integrates into the existing built, historic and natural environment.

SO15 Improve opportunities for recreation, sport, walking and cycling.

SO16 Safeguard and enhance the biodiversity of the Borough.

Spatial Policies

Sustainable Development

The National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This has three dimensions: economic, social and environment. There is a need for the planning system to perform a number of roles under each of these as follows:

An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

For plan making, the presumption in favour of sustainable development means that:

The NPPF advises that the specific policies within it which indicate that development should be restricted include those relating to: sites protected under the Birds and Habitats Directives and/or where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined. Also included are: Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, or an Area of Outstanding Natural Beauty; designated heritage assets; and locations at risk of flooding or coastal erosion.

The national aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The extent of the Green Belt in Gravesham is defined on the Policies Map. Its local planning purposes are:

- To maintain the break in development between the eastern edge of Gravesend and the Medway Towns which is one of the few barriers preventing further eastward sprawl of London and the merging of towns along the southern part of the Thames Estuary;
- to assist in safeguarding the countryside by minimising the expansion of the Borough's rural settlements; and
- to assist in concentrating development on underused, derelict and previously developed land in the urban area of Gravesend and Northfleet.

The Core Strategy acknowledges that as development opportunities within the existing urban area and settlements inset from the Green Belt become more limited, some development may be required on land in the rural area before the end of the plan period to meet the Borough's housing needs and sustain rural communities. The Green Belt has therefore been identified as a broad location for future growth and its boundaries will be subject to a review.

Green Infrastructure

This section addresses Gravesham's multi-functional green space network and its Green Grid, together with wider biodiversity and landscape resources which are considered to form the green infrastructure network of the Borough.

Green Spaces

Gravesham Borough has a number of strategic green spaces and some of these have come about as a result of previous major investments in the Borough, e.g. Jeskyns Community Woodland, and the Cyclopark. The Borough also has a number of more local green spaces such as Windmill Hill and Northfleet Urban Country Park. All green spaces contribute towards the green infrastructure network. Further information on levels of provision and our approach towards them is given in the Green Space, Sport and Recreation section below.

Green Grid

There has been a long term aspiration to develop a linked network of open spaces and routes across the Borough, joining with a wider network beyond the Borough's boundaries. This is known as the Green Grid. The focus of the Green Grid in Gravesham is on building a network that:

- Links green spaces to create green continuity, including ecological continuity, wherever possible;
- Improves access within the urban area, between the urban area and the rural area and along the River Thames for leisure and sustainable travel purposes; and
- Creates safe and attractive routes for walkers, cyclists and mobility-impaired people.

The network includes: public highways, public rights of way and cycle routes, with their associated verges and planting; waterways with their associated bank-sides and verges; railway and road embankments; and green roofs and walls. Ultimately, the Council's aim for the Green Grid is for it to become a well-used, safe and attractive network of green links carrying a variety of non-vehicular paths and ecological corridors through the urban area, and connecting up with local and long distance riverside and countryside trails.

There is a long standing desire to develop a Thames Estuary Path to provide a continuous route for walkers and cyclists from the Thames Barrier in London to the Isle of Sheppey in Kent which the Council supports. Natural England is also implementing a Coastal Access Scheme which seeks to create and improve pedestrian access along the coast. Work has started on this scheme in Kent. The Urban Baseline Study recognises the importance of providing open access to the riverside in new developments and creating a continuous riverwalk from Canal Basin to Swanscombe Peninsula. This is supported through both the Green Infrastructure and Transport policies.

There is also an aspiration for a pedestrian link between Northfleet and Ebbsfleet stations. If implemented, such a link would provide part of the Green Infrastructure network but is considered in more detail under Policy CS11 Transport.

Biodiversity

Gravesham Borough has a significant biodiversity resource. This includes:

- Sites of international and national significance for wildlife, e.g. Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar Site, North Downs Woodlands

Special Area of Conservation (SAC), and Cobham Woods Site of Special Scientific Interest (SSSI). Internationally significant sites are all designated as Sites of Special Scientific Interest and so are protected by national legislation;

- Species protected by European and/or national legislation, e.g. bats, great crested newts;
- Local wildlife sites which are important for the conservation of wildlife at the county level, e.g. Ebbsfleet Marshes, Court Wood Shorne;
- Roadside nature reserves, e.g. A226 Gravesend Road, Chalk; and
- Priority habitats and species identified in the UK Biodiversity Action Plan, e.g. native woodland including ancient woodland, lowland calcareous (chalk) grassland.

Some previously developed sites in the urban area have high biodiversity value. The green space and green grid networks together with other areas such as school grounds and private gardens also have a role in providing and connecting habitats.

Recent evidence suggests that there has been a decline in bird populations in the internationally significant Special Protection Areas (SPA) and Ramsar sites that make up the North Kent marshes (Thames Estuary and Marshes SPA/Ramsar Site, Medway Estuary and Marshes SPA/Ramsar Site, and The Swale SPA/Ramsar Site). There is currently insufficient evidence to adequately assess the cause of this decline although interim findings indicate that recreational activity causes disturbance to birds and that more development will lead to an increase in disturbance. Further work is being carried out by the North Kent Environmental Planning Group (NKEPG) in relation to this matter. In the meantime, a precautionary approach to development will be applied. This means that developers may need to provide or contribute to mitigation measures for the recreation needs arising from their developments, which may include provision of alternative greenspace, contributions to visitor control mechanisms and/ or management of the SPAs, to ensure that detrimental impacts on the integrity of the SPAs/ Ramsar sites are avoided.

As part of its commitment to ensuring the ongoing protection of SACs, SPAs and Ramsar sites, the Council will: implement the findings of the bird population and visitor studies commissioned by the NKEPG; ensure that any proposed strategic avoidance and/or mitigation measures are adopted as appropriate in all planning documents and in the assessment of planning applications; and adopt a flexible approach that enables development on a case by case basis, which also takes into consideration the potential for in-combination effects based on best available evidence until the full results of the NKEPG studies are available, using a precautionary approach to require Habitats Regulations Assessment (HRA) where effects are uncertain. The Council will consider the need for HRA to be undertaken for sites with outline planning permission at the reserved matters stage.

The Greater Thames Marshes has been declared a Nature Improvement Area (NIA). This recognises that it has a unique yet fractured landscape and significant biodiversity importance but that the biodiversity is in decline and struggling to compete with increasing pressures. The NIA seeks to protect and enhance this valuable habitat, increase numbers of endangered species and protect existing flora and fauna. In Gravesham, the NIA includes the River Thames and much of the marshland to the east of Gravesend.

Local Nature Partnerships have been set up to help local areas to manage the natural environment as a system and to embed its value in local decisions for the benefit of nature, people and the economy. Local Nature Partnerships have been approved for Kent and Thames Gateway.

The strategy is to ensure that there is no net loss of biodiversity in the Borough and to take every opportunity to improve biodiversity. Existing sites of biodiversity value will be protected according to their importance. Where development is proposed, ecological surveys must be conducted and mitigation strategies produced, where applicable, prior to seeking planning permission. Development will then be expected to be designed, laid out and constructed in a manner which protects habitats and important species and also includes features to enhance biodiversity. Biodiversity Opportunity Areas have been identified across Kent and the wider South East which incorporate areas of the greatest biodiversity value. In Gravesham, these comprise: North Kent Marshes; Thames-side Green Corridors; and Medway Gap and North Kent Downs. These areas give opportunities for the restoration or creation of new priority habitats and will be the focus for improvement where opportunities arise, for example through the Local Nature Partnerships and the Nature Improvement Area.

Gravesham has a diverse rural landscape, from the marshes around the Thames in the north, arable farmlands to the south and east of Gravesend, and downs and woodland in the south. Part of the nationally important landscape of the Kent Downs Area of Outstanding Natural Beauty (AONB) is located on the eastern side of the Borough and it extends from Shorne south to Vigo. It is designated because of its scarp slope and dry valleys which often retain a downland character and its woodlands are also highly valued. The views from the escarpment are also important. Great weight should be given to protecting the landscape and natural beauty of the AONB. The Kent Downs AONB Management Plan has been adopted by the Council. It sets out a clear vision, aims and policies for the conservation, management and enhancement of the AONB and its setting up to 2019.

The Council can only make informed and responsible decisions on the management and planning of landscapes if it pays proper regard to their existing character. A Landscape Character Assessment for the urban fringes and rural area of Gravesham has been produced. This sets out 11 local landscape character areas. For each area, there is an assessment of condition and sensitivity and guidelines for appropriate actions to protect and enhance the landscape. In addition, it contains generic guidelines for different types of landscape and development. This will be used to inform future decisions on proposals affecting the urban fringes and rural area

A number of Cluster Studies have been produced which assess the landscape to identify areas that could be enhanced for the benefit of communities in North Kent. As a result of these, funding was received for the creation of the Cyclopark, the restoration of part of the Thames and Medway Canal and the enhancement of the Riverside Leisure Area. The Shorne to Shore Cluster Study is more recent and covers the countryside to the east of Gravesend as far as the built up area of Medway. It seeks to protect vulnerable areas and enhance biodiversity, while also offering opportunities to increase access to the countryside, boost the local economy and raise the profile of the area

In addition significant investment has been made in terms of accessible green infrastructure in and around Cobham via the Cobham Ashenbank Management Scheme, a new visitor centre at Shorne Woods Country Park; Jeskyns Community Woodland and Ranscombe Farm, which is primarily in Medway.

Landscape features such as trees and hedgerows within the urban area are also important as they help to raise the quality of the environment and the quality of people's lives, as well as providing

stepping stones and habitats for wildlife. Therefore, it is important that such landscape features within the urban area are retained and enhanced.

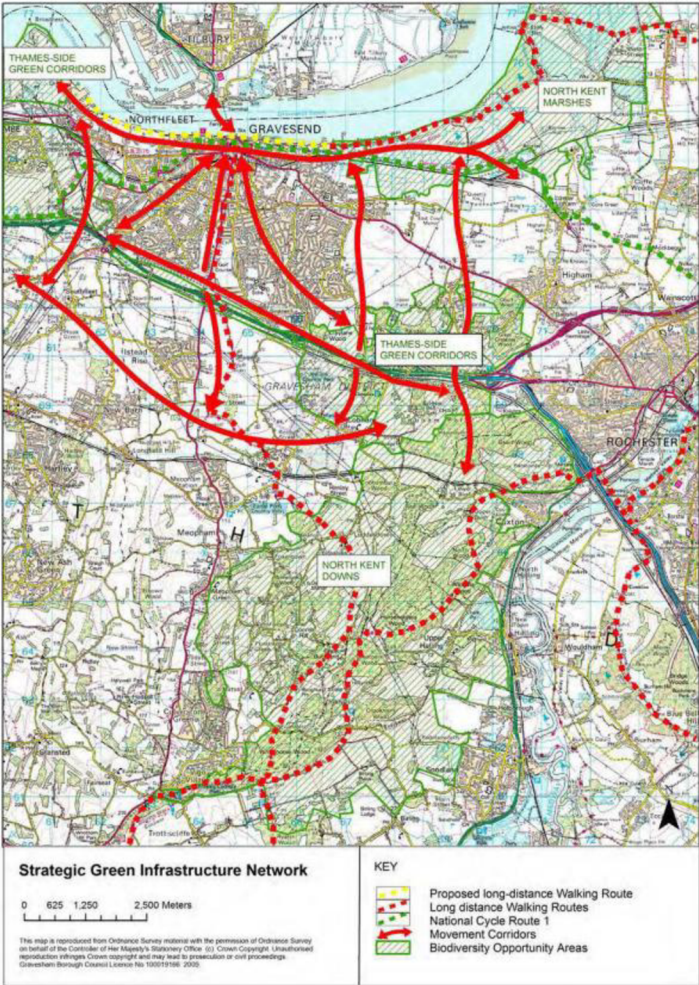
The Council's strategy is to conserve and enhance the landscape character and valued landscapes of the Borough, giving greatest weight to conserving and enhancing the Kent Downs Area of Outstanding Natural Beauty and its setting. Proposals affecting the urban fringe and rural area will be expected to take into account landscape character. All developments will be expected to protect and enhance landscape features as part of Gravesham's green infrastructure network.

Green Infrastructure Network

The strategic green infrastructure network for the Borough is identified on Figure 19. This shows: existing and proposed long distance walking and cycling routes; movement corridors; and Biodiversity Opportunity Areas. The latter includes: major green spaces, e.g. Shorne Wood Country Park, Jeskyns; strategic green grid corridors, e.g. Cyclopark; and most of the Kent Downs AONB nationally important landscape falling within Gravesham Borough.

It should be noted that all green spaces, the Green Grid, biodiversity resources, and landscape features contribute towards the Borough's green infrastructure network. The strategy is to protect and enhance this network.

Figure 19: Strategic Green Infrastructure Network



BIODIVERSITY PLANS AND STRATEGIES

The NERC Act 2006 places a duty on local authorities to have due regard to biodiversity when exercising their normal functions, and the NPPF requires planning policies to “promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species and identify and pursue opportunities for securing measurable net gains for biodiversity” (paragraph 174). These targets are set out in a range of biodiversity plans and strategies from the international through to the district level.

An overview of the key biodiversity plans and strategies in the UK, and their implications for development, are set out below.

National level

The Government's Environmental Improvement Plan 2023 is the first revision of the 25 Year Environment Plan published in 2018. It sets out ten goals aimed at restoring nature – of which the 'apex goal' is to halt the decline of biodiversity. The EIP 2023 includes targets and commitments to:

- Halt the decline in species abundance by 2030;
- Restore or create more than 140,000 hectares of wildlife-rich habitat outside protected sites by 2028;
- Improve the Red List Index for England by 2042;
- Achieve favourable condition for 48% of designated features in Marine Protected Areas by 2028;
- Complete update condition assessments for all SSSIs by 2028;
- Increase tree canopy and woodland cover by 0.26% by 2028;
- Reduce water pollution from agricultural nitrogen, phosphorus and sediments by at least 40% by 2038; and
- Reduce phosphorus loadings from treated wastewater by 80% by 2038.

Other targets have been set in relation to, water demand, residual waste, air quality, and pollution from abandoned metal mines and agriculture.

The *UK Biodiversity Action Plan 2007* (UK BAP) has been superseded by the *UK Post-2010 Biodiversity Framework* and individual national biodiversity strategies. The UK Framework sets out the overarching vision, strategic goals and priority activities for the UK's work towards international biodiversity targets (known as the 'Aichi Targets'), as agreed by 192 parties at the UN Convention on Biological Diversity in 2010.

In England, *Biodiversity 2020: A strategy for England's wildlife and ecosystem services* is the national biodiversity strategy, which has the stated mission “(...) to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people.” In order to focus activity and assess performance in achieving this mission, Biodiversity 2020 sets out objectives relating to terrestrial and marine habitats and ecosystems, species and people.

Biodiversity Net Gain

The Environment Act 2021 makes provisions for 10% biodiversity gain, as measured by a metric, to become a condition of planning permission in England. This came into force upon the adoption of secondary legislation and regulations on the 12th February 2024 (delayed to 2nd April 2024 for sites meeting the published definition of a 'small site'). A publicly accessible register of Biodiversity Gain Sites was published on this date, along with the Statutory Biodiversity Metric and associated guidance.

The Act specifies that biodiversity gain can be delivered on and/or offsite, and establishes the basis for purchasing off-site credits to meet the 10% obligation if required. In most cases the land used to deliver biodiversity gain must be maintained for at least 30 years, and the biodiversity gain planning condition requires a Biodiversity Gain Plan to be submitted to and approved by the planning authority prior to commencement of development.

The legislation also clarifies that the baseline biodiversity value of a site should be taken from the date on which planning consent is granted, unless otherwise agreed with the LPA. This excludes any activities undertaken without planning permission (or other relevant permissions) after 30 January 2020 which have had the effect of reducing the biodiversity value of the land. In such cases, "the pre-development biodiversity value is to be taken to be its biodiversity value immediately before the carrying on of the activities."

Biodiversity net gain (BNG) is already enshrined in the key principles of the NPPF, and some local planning policies include a requirement to deliver net gain above the minimum statutory 10% figure.

Enhancement measures may not just benefit biodiversity. There are many functional benefits to be won from strategically planned green infrastructure projects such as semi-natural urban green spaces, sustainable drainage schemes (SUDS) and green roofs.

Appendix 2

Assessment Methods

This assessment has considered and referred to the guidance in The Chartered Institute of Ecology and Environmental Management (CIEEM) *Guidelines for Ecological Impact Assessment in the UK and Ireland* (2018). Further work, such as field surveys and assessment will follow this guidance as the assessment process goes forward.

DESK STUDY METHODOLOGY

A desk study was carried out to gather and refer to existing biodiversity and contextual information with respect to the Zone of Influence and the wider area. This involved interrogation of internet resources, including the Multi-agency Geographic Information for the Countryside (MAGIC) and National Biodiversity Network (NBN), aerial photos, current Ordnance Survey maps and historical maps. Reference was also made to local planning policies, strategies and initiatives relating to biodiversity.

A biological records data search was commissioned from Greenspace Information for Greater London (GiGL) as part of the ecological appraisal. This, along with other information sources, such as that held by the National Biodiversity Network (NBN) atlas and nearby planning applications have been used when available.

FIELDWORK METHODOLOGY

The site walkover was completed by Sean Manley BSc (Hons), and Holly Pay BSc (Hons) MSc on the 18th March 2025. Features of potential importance to wildlife and any evidence of, or potential for, protected or notable species or habitats were recorded. The broad methods used are described below.

Land Use, Habitat Types, Vegetation Communities and Flora

Within the Site the land use, habitat types and landscape features (such as hedgerows) were described. For each main habitat type the dominant vegetation communities were recorded, along with any priority or indicator plant species, (including Japanese Knotweed where present). A preliminary evaluation of the structure, quality and likely management of each habitat or feature was also carried out.

Fauna

The potential of habitats and features to support protected or priority species, or Species of Principal Importance (SPIs) for the purpose of conserving biodiversity, were recorded, as were any signs encountered. The following is a summary of the approach taken for this Ecological Appraisal.

Badgers

Consideration was given to the presence of habitat potentially suitable for supporting Badgers, including woodland and grassland. Potential evidence of the presence of Badgers was looked out for and noted, including earthworks that might be Badger setts, and signs such as dung pits, mammal pathways through ground vegetation and under fences, and hairs on fences.

Bats

The instructed work did not include an assessment of the existing building for its suitability to support a bat roost.

Existing trees within the footprint of the landscape proposals were assessed for Potential Roosting Features (PRFs). This preliminary assessment of the potential for these features to support bats was undertaken during the survey in accordance with categories set out within the Bat Conservation Trust's Bat Surveys Good Practice Guidelines (2016). Potential features associated with trees include woodpecker holes, splits in branches and peeling bark.

An evaluation was also undertaken of potential bat foraging habitat in the area, including woodland, pasture, hedges, and watercourses.

Hazel Dormouse

The type and quality of habitat with the potential to be suitable for supporting Hazel Dormice, such as woodland and hedgerows, was considered during the survey. In particular the presence of Oak, Hazel and berry-bearing shrubs was noted, and the connectivity of habitat recorded.

Birds

Any birds seen whilst carrying out the survey were recorded, and the type and quality of habitats available for birds was considered, including vegetation suitable for nesting, and habitat with the potential to support valued species, including breeding and wintering birds.

Amphibians

Consideration was given to the presence of habitat potentially suitable for supporting amphibians, including waterbodies (ponds, ditches), woodland, scrub and rough grassland, and features such as log piles that might provide hibernation areas.

Reptiles

The presence and quality of habitat considered potentially suitable for supporting reptiles was recorded. This included areas that provide basking and foraging opportunities, hibernation and breeding sites, such as rough grassland and scrub, banks, burrows, rubble piles, compost heaps, hedge banks and waterbodies.

Invertebrates

Habitats and features likely to support noteworthy groups and species were noted, for example herb-rich grasslands, areas of bare ground and deadwood habitats.

Appendix 3
Illustrative Landscape Masterplan



LEGEND

-  Site Boundary
-  Existing Contours
-  Existing Trees and Hedgerow
-  Existing Overhead Line and Buffer
-  Proposed Woodland
-  Proposed Trees
-  Proposed Ornamental Trees
-  Proposed Wetland Trees
-  Proposed Traditional Orchard
-  Proposed Community Orchard
-  Proposed Hedgerow
-  Proposed Native Scrub
-  Proposed Wildflower Meadow
-  Proposed Amenity Grassland
-  Proposed Pond with Marginal Planting
-  Proposed Footpaths
-  Proposed Play on the Way
-  Proposed Trim Trail
-  Proposed Equipped Play Area
-  Proposed Built Form

Sources:
 Environmental Agency Lidar Data Set
 Aerial Photograph © Bing Maps, 2025 Microsoft Corporation
 Data collected for constraints and analysis mapping is based on publicly available sources at the time of preparation inserted using the British National Grid and may itself not be accurate. Sources shall not be liable for the accuracy of data derived from external sources.

Figure 7

Project:
**Land at Rose Farm,
 Istead Rise**



Drawing Title:
**Illustrative Landscape
 Masterplan**

Date	Scale	Drawn by	Check by
10.11.2025	1:1,000 OAD 1:2,000 OAD	AC	MF
Project No	Drawing No	Revised	
333102059	LN-LP-07		C

