



ECOLOGICAL ADVICE SERVICE

TO: *Ross McCardle*

FROM: *Emma England*

DATE: *22 October 2025*

SUBJECT: *25/1549/FH / Romney Farm, Lydd*

The following is provided by Kent County Council's Ecological Advice Service (KCC EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the county council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application and if sufficient/appropriate ecological information has been provided.

Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the planning officer, who will seek input from the EAS where appropriate and necessary.

SUMMARY: SUFFICIENT INFORMATION

We have reviewed the information submitted by the applicant and advise that sufficient ecological and biodiversity net gain information has been provided for determination. Recommended condition/informative wording is provided in Appendix 1.

No wording has been recommended for the implementation of the biodiversity enhancements proposed within the 'Proposed Landscaping Plan' (DHA/35883/13 dated 15th October 2025) and the 'Proposed Biodiversity Enhancement Plan' (DHA/35883/14 dated 15th October 2025), but this should be secured by condition should planning permission be granted.

A summary of our review of the submitted biodiversity net gain information is provided in Table 1, overleaf. Detailed comments on the submitted ecological and biodiversity net gain information follow the subheadings below.

Table 1: To show a summary of our review of submitted biodiversity net gain information

Percentage Net Gain Required	Percentage Net Gain/Loss Reported for Area Habitats	Percentage Net Gain/Loss Reported for Linear Habitats	Net Gain Proposed: 1 – all on-site; 2 – no significant on-site and off-site; 3 - significant on-site and off-site	On-site 'significant' Net Gains Proposed (Yes/No)
10%	+126.69%	+1,347.71%	1 – all on-site	Yes

Using the national and local guidance regarding significance, we consider that the on-site biodiversity net gain (excluding private gardens) should be treated as significant and so requires securing for 30-years.

Ecological Impact Assessment

Recommendations have been made in the preliminary ecological appraisal report with regards to precautionary working methods for nesting birds and retained trees and tree lines. These can be secured by condition should planning permission be granted.

The implementation of the biodiversity enhancements proposed within the 'Proposed Landscaping Plan' (DHA/35883/13 dated 15th October 2025) and the 'Proposed Biodiversity Enhancement Plan' (DHA/35883/14 dated 15th October 2025) should be secured by condition should planning permission be granted.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications¹ for development (unless exempt^{2,3},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development.

Significant on-site gains, and all off-site gains will need to be secured for at least 30 years.

Having reviewed submitted information⁴, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development. We consider there is no local policy biodiversity net gain requirement above 10% for this development.

We have produced the following table to aid the local planning authority in ascertaining whether sufficient BNG information has been submitted:

Table 2: To show whether the applicant has met the minimum validation requirements

Information Needed	Provided	Comments
Confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition.	Yes	

¹ All planning applications for major development (unless exempt) submitted on or after 12th February 2024 in England, and all minor applications (unless exempt), submitted on or after the 2nd April 2024.

² Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)

³ The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (legislation.gov.uk)

⁴ References to the biodiversity value of any habitat or habitat enhancement within this section of the advice note refer to the value as calculated in accordance with the biodiversity metric.

The pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate) .	Yes	A site survey was carried out in May 2025 which is considered acceptable to inform the application.
Where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date.	-	-
The completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value.	Yes	The site is 0.19 hectares in size, according to the information in the application form. The habitat area reported in the biodiversity metric calculation tool (0.19 ha) matches the reported red line boundary site area as per the application form. We are content with the baseline habitat classifications. The post-development habitats proposed seem realistic and achievable.
A statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value (' degradation '), and where they have: <ul style="list-style-type: none"> • a statement to the effect that these activities have been carried out; • the date immediately before these activities were carried out; • the pre-development biodiversity value of the onsite habitat on this date; • the completed metric calculation tool showing the calculations, and • any available supporting evidence of this. 	Yes	None reported or visible on aerial imagery.
A description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date).	-	None reported.
Plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).	Yes	

The habitat baseline must be correct prior to determination, but full details of how the proposals will deliver biodiversity gains are not strictly required until submission of the pre-commencement Biodiversity Gain Plan. However, it is advisable to seek an indication prior to determination as, it gives an indication of how the biodiversity gain hierarchy will be applied, and if granted consent, the project cannot commence until this information has been submitted to and approved by the local planning authority. This information will also provide sufficient indication as to how conditions need to be applied should planning permission be granted for this application.

Information has been submitted with this application to give confidence that the biodiversity gain hierarchy can be effectively applied to this application, and how

conditions should be applied should planning consent be granted. Biodiversity net gain calculations may need to be revised at the Biodiversity Gain Plan condition discharge stage to ensure that calculations are accurate.

On-site Significant Habitats

Significant on-site gains are areas of habitat creation or enhancement which contribute significantly to the proposed development's biodiversity net gain relative to the biodiversity value before development. Retention of existing habitat cannot count as an on-site significant gain.

Non-significant enhancements are those whose loss will not significantly decrease the development's biodiversity value e.g., private gardens or container planting. These types of enhancements do not normally require maintenance provisions and so no Habitat Management and Monitoring Plan, legal agreement or commitment to maintain them is required.

We consider the creation of native hedgerows with trees to constitute significant⁵ on-site gains. Government guidance states: *"The maintenance of these significant enhancements must be secured with a legal agreement (planning obligation or conservation covenant) or planning condition for 30 years in the same way as off-site gains. LPAs will consider the most appropriate mechanism and this will need to be agreed at the planning permission stage⁶".*

We recommend a condition for a Habitat Management and Monitoring Plan to secure the significant on-site gains. We also recommend that the condition secures the planting of the proposed trees and the retention of the proposed retained trees. Although, the retention of existing habitat cannot count as on-site significant habitat, the relevant retained habitats are recommended to be secured as well as the relevant created and enhanced habitats as without the retained habitats the 10% biodiversity net gain would not be achieved. Furthermore, there are national and local policies in place to conserve biodiversity.

Table 3 (in Appendix 2) takes elements from the national and local guidance to show how we have calculated the significance of habitats on-site. This site would qualify for use of the small sites metric.

Dungeness Additional Recreational Pressure

Proposals for holiday accommodation lie approximately 2.8km distance from the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) and Dungeness Special Area of Conservation (SAC), Wetland of International Importance under the Ramsar Convention (Ramsar Site) (together the 'Dungeness Complex') and approximately 300m from Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest (SSSI). We are not aware that the application site is an allocated site within the Core Strategy Review 2022. The application site is outside any the settlement boundaries.

The SSSI Impact Risk Zone for the application site indicates that Natural England should be consulted on the application by the Local Planning Authority. We note that Natural

⁵ We have recently drafted an advice note titled ['Defining significant onsite enhancements for Biodiversity Net Gain in Kent and Medway'](#) (February 2025) which outlines our definition of 'significant'. However, this document is awaiting a revision whereby reference to retained habitats counting as on-site significant habitats will be removed.

⁶ [Make on-site biodiversity gains as a developer - GOV.UK](#)

England has been consulted, but has indicated that it is unable to comment on this application. We see that planning permission has been granted for similar applications on land within the blue line boundary. We see that for application 25/0130/FH, Natural England raised no objections and considered that “*Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out*”. Given the scale, nature and location of the current proposals, taking into consideration Natural England’s previous response, we consider that if the organisation did comment, it is likely that it would take a similar view for this application.

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

Emma England
Biodiversity Officer

This response was submitted following consideration of the following documents:

DHA (October 2025) Proposed Biodiversity Enhancement Plan. DHA/35883/14.

DHA (October 2025) Proposed Landscaping Plan. DHA/35883/13.

Greenspace Ecological Solutions (June 2025) Preliminary Ecological Appraisal report (Ref: J25-000140) for Parcel 2, Romney Meadows Camping and Caravan Park.

Greenspace Ecological Solutions (June 2025) Biodiversity Gain Plan (Ref: J25-000140_BGP) for Parcel 2, Romney Meadows Caravan and Camping Park, Romney Farm.

Appendix 1: Suggested Condition/Informative Wording

ECOLOGICAL IMPACT ASSESSMENT

Suggested Condition Wording:

From commencement of works (including site/vegetation clearance), all mitigation for protected and priority species and habitats, and including nesting birds, trees and tree lines shall be carried out in accordance with the details contained in sections 6.3 and 6.4 of the Greenspace Ecological Solutions Preliminary Ecological Appraisal report (Ref: J25-000140) for Parcel 2, Romney Meadows Camping and Caravan Park, dated 6th June 2025, for the duration of construction.

BIODIVERSITY NET GAIN

Biodiversity Net Gain Informative

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. If planning permission is granted, the statutory biodiversity gain condition (and its reason for imposition) should not be included on decision notices as a condition. We recommend it is included in decision notices in the form of an informative.

Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the biodiversity net gain information which needs to be included on non-exempted decision notices. The Planning Practice Guidance (Paragraph: 026 Reference ID: 74-026-20240214)⁷ provides a link to a document with [suggested paragraphs for Biodiversity Gain Information](#) to fulfil these requirements.

Biodiversity Gain Plan

Suggested Condition Wording:

The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Gain Plan (Ref: J25-000140_BGP) for Parcel 2, Romney Meadows Caravan and Camping Park, Romney Farm, dated 6th June 2025 and prepared by Greenspace Ecological Solutions.

Reason: To ensure the proposals are in accordance with details submitted and considered as part of the planning application, in accordance with [insert relevant policy].

The above condition is not a statutory requirement but unless imposed there would be no requirement that the Biodiversity Gain Plan submitted for approval to be in accordance with any biodiversity or ecological information submitted with the planning application.

Habitat Management and Monitoring Plan

The below condition is recommended as the scheme must set out the actions needed to create and enhance habitat on-site as well as maintain it for 30 years from the "completion

⁷ [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain)

of development"⁸ (Paragraph 9(3) of Schedule 7A of the Town and Country Planning Act 1990).

Neither the statutory definition of the biodiversity gain plan⁹ nor the current DEFRA biodiversity gain plan template require management and maintenance measures to be specified¹⁰. As a result, the statutory condition does not on its own secure compliance with the approved biodiversity gain plan (including the implementation of any habitat creation and enhancement works or their maintenance for a 30-year period). The delivery of the gain envisaged by the HMMP needs to be secured by condition or, where necessary, legal agreement.

The suggested condition wording below also includes reference to habitat retention. Retention of existing habitat cannot count as on-site significant habitat. Only created and enhanced habitats can count as on-site significant habitats. However, the retained habitats are recommended to be secured as well as the created and enhanced habitats as without the retained habitats the 10% biodiversity net gain would not be achieved. Furthermore, there are national and local policies in place to conserve biodiversity.

Suggested Condition Wording:

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, and based on the most up-to-date and/or relevant ecology surveys as determined by a suitably qualified ecologist, has been submitted to, and approved in writing by, the local planning authority and including:

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

The retained, created and/or enhanced habitat specified in the approved HMMP shall be monitored, managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers the required biodiversity net gain on site in accordance with [local policy reference] and Schedule 7A of the Town and Country Planning Act 1990.

⁸ PPG 015 Reference ID: 74-015-20240214

⁹ Paragraph 14(2) of Schedule 7A TCPA 1990

¹⁰ The DEFRA biodiversity gain plan template acknowledges a Habitat Management and Monitoring Plan (HMMP) can be annexed to the approved plan. The statutory condition does not require the HMMP to be approved even if it is attached.

Appendix 2: On-site Significance Calculator

Table 3: On-site Significance of Habitats Calculator

Row No.	On-site Habitat	Present (Y/N)	No. of BU.	Comments
1	Created habitats of medium distinctiveness	Y	0.08	Proposal to plant 6 small trees. It is also proposed to plant native hedgerows with trees totalling 0.71 hedge units.
2	Created habitats of high distinctiveness	N		-
3	Created habitats of very high distinctiveness	N		-
4	Created habitats of low distinctiveness making up many BU relative to biodiversity value pre-development	N	-	Local guidance indicates that low distinctiveness habitats are considered significant where, in total, created low distinctiveness units are 10% or more of the baseline BU value of the site <u>AND</u> the total number of units delivered is above 0.5. Local guidance indicates that the creation of low distinctiveness habitats should not be considered significant for sites qualifying for the small sites metric. The pre-development total BU is reported to be 0.23. The pre-development total of hedge units is reported to be: 0.06.
5	Created habitats have increased distinctiveness compared to pre-development (e.g., modified grassland to other neutral grassland)	N	-	
6	There have been enhancements proposed to the raise the distinctiveness of retained habitats.	N	-	
7	There have been enhancements proposed to the condition of retained habitats	N	-	
8	Habitat creation or enhancement of low distinctiveness habitats or higher is significant in area relative to size of development (excluding individual trees and vertical habitats).	N	-	Site is 0.19 ha and relevant habitat creation/enhancement is across 0.0653 ha (34.37% of the site). However, local guidance indicates that the creation/enhancement of low distinctiveness habitats should not be considered significant for sites qualifying for the small sites metric. Only modified grassland, a low distinctiveness habitat qualifies for consideration on this row.

Total biodiversity habitat units (BU) delivered by relevant creation/enhancement action: 0.08 habitat area units and 0.71 hedge units.

The above table indicates that the on-site habitat is considered significant because due to the creation of over 0.5 relevant hedge units.

* National guidance indicates that significant enhancements contribute significantly to the proposed development's biodiversity net gain relative to the biodiversity value before development *e.g.*;

- o Habitats of medium or higher distinctiveness in the biodiversity metric;
- o Habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development;
- o Habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development;
- o Areas of habitat creation or enhancement which are significant in area relative to the size of the development;
- o Enhancements to habitat condition.

** In Kent, guidance indicates that the delivery of above 0.5 (total) relevant biodiversity units is considered the threshold for on-site significance for created or enhanced habitats.

*** Private gardens and container planting are not considered significant enhancements in national guidance and have not been included in the above table.

**** Cropland habitats (except arable field margins, and winter stubble, where providing mitigation/compensation for wintering birds), Rhododendron scrub, introduced shrub and culverts cannot be considered significant enhancements in local guidance and have not been included in the above table.