

REPORT TO WOULDHAM PARISH COUNCIL 1st July 2025

By the Tonbridge and Malling Borough Councillors for **Aylesford North and North Downs Ward**

Councillors Dave Davis, Alex McDermott and Roger Dalton

QUERIES FROM YOUR LAST MEETING

MALEVOLENT PREPARATORY WORK ON BIODIVERSITY NET GAIN -QUERY

1. At your last meeting and in discussion with your chairman, concern was raised about developers doing groundworks to damage biodiversity to reduce the requirement for future biodiversity net gain.
2. We have checked this with our officers and this is their response: ***Sites cleared prior to the introduction of mandatory BNG***

Schedule 14 of the Environment Act includes measures that allow the Local Planning Authority to take account of any habitat degradation or destruction undertaken on a site since January 2020. If a site has been cleared or degraded the baseline for the purposes of Biodiversity Net Gain is taken to be that before the clearance or degradation has taken place.

Aerial or other photographs may be used to evidence the habitat types formerly present on site and, in the absence of any other information, the habitat should be allocated a condition score of 'good' on a precautionary basis.

This is to deter intentional degradation/destruction prior to planning applications being submitted, by ensuring that there is no advantage to be gained by the deliberate clearance of land to achieve a lower baseline value for BNG with potential penalties where a higher value habitat or condition has to be assumed in the absence of evidence to the contrary.

LOCAL PLAN

3. There have been no further updates since our last report.

DEVOLUTION

4. There has been no further update on devolution since last time.

ENFORCEMENT ACTIONS IN PROGRESS

5. **Common Road Blue Bell Hill** There has been no change in this action since your last meeting.