



ECOLOGICAL ADVICE SERVICE

TO: Kelly Joyce
FROM: Elizabeth Fagg
DATE: 22 May 2025
SUBJECT: 20250028 Northfleet School for Girls

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 below.

We are satisfied that the BNG baseline is representative. With the current proposals this site will result in a BNG net loss, and 1.02 habitat units will be required.

We do not consider the on-site habitat creation as significant as the only qualifying habitat is 0.6 habitat units of urban trees.

Protected Species and Habitats

Habitat is present that could provide suitable opportunities for protected species. The sports field is predominated modified grassland with dense scrub and some hardstanding, and it is located adjacent to woodland.

The Preliminary ecological appraisal (PEA) states that no trees will be lost to the development, and an arboricultural impact assessment has been provided that details root protection areas. Foraging and commuting opportunities for bats are present on site, with linkages to adjacent woodland, and the PEA recommended that further surveys are

conducted with a bat activity survey (nighttime walkover survey) to establish impact to bats. A lighting assessment and light spill plans have been provided. The lighting for the majority of the site's boundaries is under 1 lux and the tennis court, due to higher lighting requirements, has higher light levels to the strip of vegetation to the east, with approximately 3 lux at certain points.

The further bat surveys have now been completed and Common Pipistrelle, Noctule and Leisler's bat activity were recorded, with Common Pipistrelle noted likely using the boundary vegetation for foraging and commuting. We have reviewed the lighting information in line with the new bat survey information. We are satisfied that although all bats are light sensitive, the recorded species are more light tolerant species and low numbers were recorded.

We recommend lighting curfews, in line with other similar facilities, that lighting will be turned off at 10pm at the latest, as suggested in the Design and Access statement, with lighting turned off when not in use. With these measures in place we are satisfied there will not be a significant impact on the bat population from the lighting.

The ecologist has suggested incorporating plant species to attract night flying insects, and this can be included within the planting plans for the enhancement measures, noted further below.

Some vegetation removal is also proposed to northern and eastern elevations of the pitch fencing and checks by a suitably qualified person will be conducted for birds prior to any removal. We suggest also precautionary measures for bats for this vegetation removal, minimising pruning where possible, and this is to be included within a precautionary works method statement (PWMS).

Great crested newts (GCN) have been considered within the PEA by the ecologist as 2 ponds are located within 250m but in isolated urban ponds. Foraging and shelter opportunities exist within the boundary vegetation for GCN but the majority of the site is a sports field, which is shown in aerial imagery to be regularly maintained, and therefore we consider that reasonable avoidance measures proposed in the PEA can be included within the PWMS.

No signs of badger were reported but as they are a mobile species and as there is an adjacent woodland. Precautionary measures of a preconstruction surveys are proposed. Precautionary measures are also proposed for reptiles, breeding birds and hedgehogs and these also can be included within the PWMS. Suggested wording is provided below.

Suggested Precaution works method statement wording

From commencement of works (including site clearance), precautionary working methods are required regarding badger, bats, breeding birds, great crested newts and hedgehog. We advise that these are secured by condition. Suggested wording:

From commencement of works (including site clearance), to avoid impacts to protected and priority species, the following precautionary mitigation should be implemented:

- 1. Any hedgerow and trees to be retained, including its roots, will be protected from damage;*

2. *Pre construction walkover surveys for badgers will be carried out by a suitably qualified ecologist,*
3. *Prior to any tree pruning (if required), checks for the potential presence of breeding birds and roosting bats, will be conducted by a suitably qualified person.*
4. *Any required clearance of tall/dense vegetation with potential to support reptiles or great crested newts should be undertaken in two stages, with a first cut to 150mm, followed by a second cut several days later to ground level;*
5. *Any work to vegetation/structures that may provide suitable bird nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If within the breeding bird season a survey by a suitably qualified person needs to be conducted to confirm absence, prior to commencing works.*
6. *All excavations and trenches will be checked each morning throughout the construction period and prior to infilling;*
7. *All temporarily stored building materials (that might act as temporary resting places) will be isolated within hardstanding areas and raised off the ground, e.g. on pallets.*
8. *Measures will be in place to avoid pollution impacts from dust, water and run off, noise and lighting during the construction process.*

If at anytime a protected species is discovered within the works area all works must stop while a suitably qualified ecologist and/or Natural England are consulted. Works will not resume until any required surveys and/or mitigation are completed

Lighting

Nocturnal animals (including bats) are likely to be using the site and surrounding area for foraging and commuting and any lighting associated with the proposal may have a negative impact, especially any light spill to scrub boundaries and trees on the site.

With the updated information discussed above, we consider that the lighting arrangements are appropriate and suggest the following condition wording.

A sensitive lighting scheme will be implemented as detailed within in the lighting scheme report, Signify, Ref G218481, dated 30/4/25. No changes must be implemented unless agreed in writing with the LPA.

Reason: to minimise light spill and to protect adjacent habitats and wildlife from impacts from lighting

Biodiversity Net Gain

A baseline assessment and BNG metric have been provided. The baseline assessment has been provided with a habitat map, and we are satisfied that this is representative.

The post development habitats have been provided, with developed land sealed surface, modified grassland and urban trees created. As there is limited opportunity for habitat creation within the area due to the sports use there is a BNG deficit of -20.16%, and a unit deficit of 1.02 habitat units.

We previously noted there is a bund being created with spoil and queried if this could be utilised further for post development habitats to reduce the unit deficit. It has been

confirmed that due to the school use that recreational impacts will be present and other habitat types would not be achievable in this location.

As habitat creation may be required offsite, we direct the applicant towards the Kent Biodiversity Net Gain Site Register¹ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

Off-site gains/the purchase of biodiversity units will need to be subject to a deed of conservation covenants or Section 106 (as appropriate). Off-site gains must be registered² after determination. Section 106 agreement templates are available on the Planning Advisory Service website³. We have provided more information regarding the use of off-site gains in appendix a.

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision_Notice_Text.odt. The applicant should submit a biodiversity gain plan form⁴ along with supporting information (e.g., legal agreement and habitat management and monitoring plan) once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

Suggested Condition Wording:

The Biodiversity Gain Plan shall be prepared in accordance with the baseline information within the Biodiversity Statement & Metric Assessment, for Northfleet School for Girls, Gravesend, Kent, dated December 2024 and prepared by Middlemarch Environmental Ltd..

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. This condition may not be appropriate for some outline planning permissions where the post-development biodiversity value will not be known until reserved matters have been approved.

Enhancements

¹ <https://www.makingspacefornaturekent.org.uk/bng/kent-biodiversity-net-gain-site-register/>

² [Register a biodiversity gain site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/register-a-biodiversity-gain-site)

³ [PAS Biodiversity Net Gain \(BNG\) Legal Agreement and Planning Condition Templates | Local Government Association](https://www.gov.uk/government/publications/pas-biodiversity-net-gain-bng-legal-agreement-and-planning-condition-templates)

⁴

^[1] <https://www.gov.uk/government/publications/biodiversity-gain-plan>

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 187 and 193 of the National Planning Policy Framework (NPPF) 2024, biodiversity should be maintained and enhanced through the planning system. Enhancement refers to providing net benefits for biodiversity over and above requirements for BNG, avoidance, mitigation and compensation. As such, we advise that an enhancement plan is provided that includes the actions proposed and the ownership and responsibilities for future management and a proposed condition wording is further below.

Suggested biodiversity enhancements include the provision of durable bird/bat boxes, native tree/shrub planting, inclusion of plants to attract night flying insects, sowing of an appropriate wildflower mix, the creation of artificial refugia for reptiles/amphibians, the creation of 'hedgehog highways' (13×13cm gaps in closed board fencing) and/or creation of bug hotels/bee bricks for invertebrates.

Suggested Ecological Enhancement condition

Within three months of works commencement, a detailed plan(s) showing how the development will enhance biodiversity, will be submitted to, and approved in writing by, the local planning authority. This will include a detailed landscaping plan, detail on ownership and responsibilities of the outlined management measures to achieve the proposed habitat target conditions, native and wildlife-friendly planting, and integrated durable bat and bird boxes aimed at species of conservation concern. The approved measures will be implemented and retained thereafter.

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

Elizabeth Fagg
Biodiversity Officer

This response was submitted following consideration of the following documents:

- Location plan, Labosport, 6/10/24
- Winter markings, Labosport, 8/1/25
- Preliminary ecological appraisal, Middlemarch, Dec 24
- Preliminary arboricultural assessment, Middlemarch, Aug 24
- Light survey, Signify, 30/10/24
- Lighting overspill, Labosport, 6/10/24
- Biodiversity statement and metric assessment, Dec 24
- BNG Metric, completed 13/12/24
- Update letter, undated
- Bat activity survey, Middlemarch, August 25

Appendix A

OFF-SITE GAINS (NEEDS TO BE REGISTERED)

'Off-site' biodiversity gains are any BNG measures proposed outside of the red line boundary. It can be achieved through habitat creation on land owned by the applicant/developer, a third-party provider or through the purchase of BNG units from a habitat bank operator for a site which is registered on the Biodiversity Gain Site Register.

The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any offsite units if these are used. BNG sites must be registered here: [Register a biodiversity gain site - GOV.UK](https://www.makingspacefornaturekent.org.uk/bng/kent-biodiversity-net-gain-site-register/).

If off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register⁵ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

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

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a 'habitat bank operator'⁶), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory Service website. It is generally inappropriate to rely solely on conditions to secure off-site biodiversity net gain. The following needs to be secured as part of the off-site biodiversity net gain:

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

The HMMP shall be submitted when the general BNG condition is discharged and shall contain the following information ⁷:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

⁵ <https://www.makingspacefornaturekent.org.uk/bng/kent-biodiversity-net-gain-site-register/>

⁶ A registered BNG Habitat Bank is a site which has been registered on the Biodiversity gain site register and has a site register reference number ([Register a biodiversity gain site - GOV.UK](https://www.makingspacefornaturekent.org.uk/bng/kent-biodiversity-net-gain-site-register/)).

⁷ From Local Government Association

- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

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

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

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

How the BNG is to be achieved will have to be agreed, secured and, where applicable, registered on the Biodiversity Gain Site Register, prior to the submission of the pre-commencement Biodiversity Gain Plan.