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7th December 2022

Dear Genna Henry

RE: 20221064. Outline planning application with all matters reserved, except for the primary means of access and road layout, for a phased mixed-use redevelopment involving the demolition of existing buildings and structures including site preparation / remediation works, and the development of residential units (Use Class C3), Class E uses including floorspace for retail Class E(a)), food/beverage and drinking establishments (Use Class E(b)), local services (Use Class E(c)), indoor sport/recreation/fitness (use Class E(d)), healthcare space (Use Class E(e)), creche/nursery uses (Use Class E(f)), office floorspace (Use Class E(g)(i)), a new multi-use stadium with associated business and leisure facilities (sui generis), hotel (Use Class C1), community uses floorspace (Use Class F2). The phased redevelopment will include other sui generis uses, delivery of open space and significant realignment of the road network including the A226 Galley Hill Road / Stonebridge Road / Lower Road with hard / soft landscaping, car and cycle parking provisions, infrastructure works, ancillary and associated works. | Northfleet Harbourside - Land Surrounding Ebbsfleet United Football Club, Stonebridge Road, Northfleet

Buglife- The Invertebrate Conservation Trust would like to make the following comments on the above planning application.

Buglife objects to the current proposals, due the potential impacts on the adjacent Swanscombe Peninsula Site of Special Scientific Interest (SSSI)¹, which incorporates the Botany Marshes Local Wildlife Site (LWS). The Swanscombe Peninsula supports a nationally important assemblage of invertebrates, including over 200 species of conservation concern, associated with its unique mosaic of Priority Habitat grasslands, coastal habitats, brownfield features, scrub and intricate wetlands². This includes the Critically Endangered Distinguished Jumping Spider (*Attulus distinguendus*), Shrill Carder Bee (*Bombus sylvarum*), Saltmarsh Shortspur Beetle (*Anisodactylus poeciloides*), Brown-banded Carder Bee (*Bombus humilis*), and Five-banded Weevil-wasp (*Cerceris quinquefasciata*). The applicant correctly identifies the SSSI as being of “*high ecological value*”, however, it fails to address the potential impacts of the development.

¹<https://consult.defra.gov.uk/natural-england/swanscombe-peninsula/results/swanscombepeninsulassissummarymapconfirmed19nov2021.pdf> [Accessed 6th December 2022]

²<https://consult.defra.gov.uk/natural-england/swanscombe-peninsula/results/swanscombepeninsulassiscitationconfirmed19nov2021.pdf> [Accessed 6th December 2022]

Artificial Light at Night (ALAN) is a particular concern, as it has numerous direct and indirect impacts on invertebrates, including exhaustion, increased predation, and a disrupted ability to navigate³. The proposals include buildings and associated lighting immediately adjacent to the SSSI so is expected to impact the invertebrate assemblages that are a notified feature of the SSSI. There is currently no proposed buffer between the SSSI boundary and the build footprint of the proposed development, only boundary trees.

The Environmental Statement's (ES) Ecology and Biodiversity chapter does not properly assess the potential impacts of light spills on the SSSI⁴. The ES does reference impacts of lighting on mudflats on the estuary, and the birds and invertebrates of this habitat both during construction and as part of the completed development, and potential impacts on the SSSI of lighting during the demolition and construction phase. However, it fails to address the potential impacts of the completed development on the adjacent SSSI. The embedded mitigation proposals mention "*a wildlife sensitive lighting strategy*" but no detail is provided of what this strategy might entail or how the potential impacts on invertebrate populations would be reduced post construction.

An additional concern is the impacts of overshadowing of the SSSI as identified in the Transient Overshadowing Assessments^{5,6,7}. The Environmental Statement's (ES) Ecology and Biodiversity chapter confirms the Botany Marshes portion of the SSSI would experience some overshadowing throughout the year, but states that "*the Proposed Development would not overshadow the same portions of this area for long periods of time. Furthermore, the overshadowing is localized and restricted to the southern corner of the SSSI next to Lower Road.*" It identifies the impact as "*transient, long-term, Minor Adverse (Not Significant)*". However, many of the invertebrate species recorded at the Swanscombe Peninsula are thermophilic and at the northern limit of their range, actively seeking out warmer habitat. Overshadowing of areas at key points throughout the year can have a considerable impact on localised areas of habitat and affect the activity of invertebrate populations within them. Overshadowing can also impact on vegetation communities, as reduced sunlight favours some plant species and can affect soil moisture as a result of reduced evapotranspiration, which overtime changes the composition of plant species.

Buglife would like to see a reconfiguration of the proposed development, with a buffer between the SSSI and the development to both reduce the impact of light spill and to avoid overshadowing of habitats within the SSSI that would affect its notified interest.

Policy CS12 of Gravesham's Local Plan states that, "*Sites designated for their biodiversity will be protected, with the highest level of protection given to internationally designated SPAs, SAC and Ramsar sites, followed by nationally designated SSSIs, followed by LWS and then by other areas of more local importance of biodiversity*"⁸.

³https://cdn.buglife.org.uk/2019/08/A-Review-of-the-Impact-of-Artificial-Light-on-Invertebrates-docx_0.pdf [Accessed 6th December 2022]

⁴https://docs.gravesham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=F928E6FABF0D43E89BCFBB31982DE387 [Accessed 7th December 2022]

⁵https://docs.gravesham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=771E73221F4648E5AB947CDD9A92E750 [Accessed 7th December 2022]

⁶https://docs.gravesham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=771E73221F4648E5AB947CDD9A92E753 [Accessed 7th December 2022]

⁷https://docs.gravesham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=771E73221F4648E5AB947CDD9A92E757 [Accessed 7th December 2022]

⁸<https://drive.google.com/file/d/1bJTgQLmhbzjqZFibl-5WFb2tbvixXpLk/view> [Accessed 6th December 2022]

Paragraph 174 of the National Planning Policy Framework (NPPF) states that, “*Planning policies and decisions should contribute to and enhance the natural and local environment by: a) 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)*”⁹. Paragraph 180 of the NPPF states that, “*When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest*”.

The current proposals do not meet the requirements of the NPPF as they are expected to have an unacceptable impact on the integrity of the Swanscombe Peninsula SSSI, nor do they meet Gravesham Borough Council’s own Local Plan policies.

In summary, Buglife objects to the current proposals as it considers it highly likely that they will have a significant negative impact on the Swanscombe Peninsula SSSI and the nationally important populations of invertebrates and the habitats that it supports.

Please do get in contact if you require any further information.

Yours sincerely


Jamie Robins
Programmes Manager

⁹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf [Accessed 6th December 2022]