



Date: 27th September 2023

Ref: 20221064

Site address: Land Surrounding Ebbsfleet United Football Club, Stonebridge Road, Northfleet, Gravesend, Kent

Katherine Parkin

Gravesham Borough Council

By email only planning.reps@gravesham.gov.uk

Dear Katherine,

RE: 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.

SUMMARY

Kent Wildlife Trust (KWT) provided comments on the application in December 2022, with concerns over the loss of habitats which were identified by the applicant as having “*high ecological value*”. There were also concerns over the inappropriate mitigation, which we believed were not adequate for the scale of the development, nor for the biodiversity rich value of the immediate surrounding habitats, which comprise of Swanscombe Peninsula Site of Special Scientific Importance (SSSI), Botany Marsh Local Wildlife Site (LWS) and several priority habitats. In our previous response, KWT did not object to the development in principle. We strongly urged that all mitigation should be proactive rather than reactive and advised that if appropriate mitigation could not be provided due to the scale of the development, then the development should be reduced to a size where effective mitigation could be designed to protect the surrounding habitats and species. We also strongly recommended the need for buffer zones to be incorporated into the proposals along all ecological sensitive areas (Botany Marsh LWS/Swanscombe Peninsula SSSI, Robin’s Creek and the mudflat priority habitat), and suggested that Plots 18 – 19 and Plots 10 – 11 were changed from residential units to commercial/community buildings, as this would likely have less of an impact in terms of cat predation and recreational pressures on the adjacent designated wildlife sites. However, from reviewing the additional information within the application since our last response, we note that the majority of our previous concerns have not been addressed. As the proposed development still poses a substantial threat to biodiversity, KWT **object** to the current proposals, as a development of this scale at this location cannot have an overarching positive impact to wildlife and biodiversity. We are also confused as to why our previous response letter cannot be found within the documents along with other consultee responses, and that our concerns have not been addressed within the applicant’s Biodiversity and Ecology Response letter.

NATIONAL POLICY

We wish to bring to your attention the Government’s 25 Year Plan for the Environment. Of particular consideration to this application are the Government's targets for:

- Creating or restoring 500,000 hectares of wildlife-rich habitats outside the protected site network, focusing on priority habitats as part of a wider set of land management changes providing extensive benefits

- Taking action to recover threatened, iconic or economically important species of animals, plants and fungi, and where possible prevent human induced extinction or loss of known threatened species in England
- Embed an 'environment net gain' principle for development, including housing and infrastructure

IMPACTS TO BIODIVERSITY

KWT still have concerns regarding impacts to the surrounding designated sites such as Swanscombe Peninsula SSSI, Thames Estuary MCZ, Botany Marsh LWS, Ebbsfleet Marshes LWS, Alkerden Pit Site of Nature Conservation Interest (SNCI) and River Thames Site of Importance for Nature Conservation (SINC). This also includes Robin's Creek, which is adjacent to the site's north-eastern corner and home to breeding Cetti's warbler, a Schedule 1 species, and five Priority Habitats - coastal saltmarsh, mudflats, coastal and floodplain grazing marsh, deciduous woodland, and open mosaic habitat, which are all adjacent to the site and support an abundance of species such as the nationally scarce tentacled lagoon worm and breeding ringed plover, which is a qualifying species for the Thames Estuary Marshes Special Protection Area (SPA) and Ramsar.

From reviewing the Biodiversity and Ecology Response letter, we support the inclusion of a buffer zone between the development and Swanscombe Peninsula SSSI, however we are still extremely concerned that the applicant fails to mention size and composition of the buffer. We urge more information is needed before the decision stage regarding the specific detail of the proposed buffer so its effectiveness at mitigating against the impacts of the development can be adequately assessed. KWT still firmly believe the applicant has not provided satisfactory information regarding mitigation measures. We disagree with the statement within the Biodiversity and Ecology Response letter which states the mitigation has *"adopted a mitigation hierarchy approach, ensuring that where possible and relevant the evolving design was able to effectively consider potential adverse ecological effects (particularly in relation to the SSSI), informed by detailed assessment work, and in turn respond with embedding mitigation and commitments to manage constraints."* We disagree to this statement due to the fact that the applicant is proposing an *"audit to monitor the recreational usage from the Proposed Development on the SSSI [Swanscombe Peninsula], which will be secured via planning condition. This will identify the effect threshold or the point at which wildlife begins to be disturbed by such recreational activities to provide informed recommendations to key stakeholders regarding infrastructure construction and visitor management. This will inform future phases of this Proposed Development on the most appropriate and proportionate mitigation requirements to reduce impacts on the SSSI if a threshold is reached."* This audit will essentially permit negative impacts to Swanscombe Peninsula SSSI because the applicant can't effectively mitigate against the recreational pressures a development of this scale, and in this location, will cause. If the applicant can't be proactive to reduce impacts in the first instance, then the application should not be granted planning permission as it clearly cannot follow the mitigation hierarchy.

In our previous response we suggested that Plots 18 – 19 and Plots 10 – 11 were changed from residential units to commercial/community buildings, as this would likely have less of an impact in terms of cat predation and recreational pressures on the adjacent designated wildlife sites. From reviewing the additional information provided by the applicant, it appears this recommendation has not been taken into consideration. We strongly disagree with the statement within the Biodiversity and Ecology Response which states, *"in relation to cat predation, given the low numbers of residential house being introduced (compared to high-rise apartments), it is considered that cat predation would not increase significantly."* We understand from reviewing paragraph 4.2.4 of the Shadow Habitat Regulations Assessment, that *"the scheme will need to provide detailed dwelling numbers during Reserved Matters Application during the detailed design process"*, however from our understanding of the project, and from what has been published on the Northfleet Harbourside website, it is understood that up to 3,500 homes are proposed to be built¹. Studies have

¹ Northfleet Harbourside new neighbourhood surrounds Ebbsfleet United FC

suggested a figure of 320 – 330 cats per 1,000 homes², which would equate to approximately 1,120 – 1,155 cats living within the new development, which we consider a significant increase.

As mentioned within our previous response, the designated sites and priority habitats are protected under Section 15 of the National Planning Policy Framework (NPPF, 2021), which sets out the Government's current planning policy in relation to conserving and enhancing the natural environment. Nationally and Locally Protected Sites are also protected under Policy CS12 of Gravesham's Local Plan, which states: *"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."* From reviewing the application, it is clear that the proposed development will cause considerable adverse effects from direct and indirect impacts, which currently the applicant has not effectively mitigated against. KWT are not convinced the proposed mitigation will overturn the negative impacts the proposals will have on Swanscombe Peninsula SSSI, Botany Marsh LWS and surrounding priority habitats. We also consider the current proposals do not commit to supporting the Government's 25 Year Plan for the Environment due to the negative impacts the development will have on the adjacent designated sites and priority habitats which support protected and priority species. We stand by our previous comments that if appropriate mitigation cannot be provided due to the scale of the development, then the development should be reduced to a size where effective mitigation can be designed and delivered to proactively protect the habitats and species within the surrounding environment. At this stage, the development should not be granted planning permission.

If you require any further clarification regarding this response, please do not hesitate to contact me.

Yours sincerely,

Emma Waller

Planning and Policy Officer

Kent Wildlife Trust

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² Underhill-Day, J. (2005). A literature review of urban effects on lowland heaths and their wildlife. In. English Nature Research Report No. 623. English Nature, Peterborough.