



ECOLOGICAL ADVICE SERVICE

TO: Kelly Joyce
FROM: Elizabeth Fagg
DATE: 12 March 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: INSUFFICIENT INFORMATION

We have reviewed the information submitted in support of this application and advise that insufficient ecological information has been provided to determine the application. The following information is required:

- Bat nighttime walkover surveys and any proposed mitigation measures
- Further information on lighting to the adjacent vegetation, to consider protected species.

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.

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 recommends 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, discussed further below.

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 Construction environmental management plan (CEMP), detailed below.

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

Construction Environmental Management Plan

We suggest that the below wording is included as a condition for a Construction Environmental Management Plan (CEMP – biodiversity) if planning permission is granted. This will mitigate for impacts to biodiversity and help ensure compliance with relevant legislation. The plan will include mitigation as outlined in the PEA. We can provide condition wording once the further information is provided.

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.

The lighting assessment and the design and access statement has discussed controlling light spill to nearby residential properties and upward light spill, but not on the adjacent vegetation where protected species may be present. Louvres have been suggested but no use of cowls and shades have been proposed to restrict light spill on to the adjacent vegetation, where protected species may be present, and bats could be using this area for foraging and commuting. Further bats surveys have been proposed in the PEA to understand bat presence within the site.

We therefore request further information to show the lighting of vegetation has been considered and mitigated. A lighting condition will be required with the following information

- *Plan of the whole site showing location of all external lighting, light fitting type (downward facing) and light spill evaluated in relation to adjacent vegetation and protected species*
- *Operational hours and curfew times*
- *On a motion sensor (where possible)*
- *Follow the recommendations within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'*

<https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released>

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 note there is a bund being created with spoil and this is not considered in post development habitats. We suggest that if appropriate this could be utilised to provide further habitat that could reduce the deficit.

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.

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.

Enhancements

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 condition wording can be provided.

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/guidance/register-a-biodiversity-gain-site)

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

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

Suggested biodiversity enhancements include the provision of durable bird/bat boxes, native tree/shrub planting, 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.

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