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26th September 2023

Dear Katherine Parkin

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 additional comments on the above planning application, whilst maintaining the objection outlined in its submission dated 7th December 2022.

These comments are in response to the applicant submitting additional information and predominantly with regards to the applicant's response to consultee comments on the Environmental Statement (ES) submitted with the application in October 2022.

Buglife objects to the current proposals, due to concerns that impacts to the adjacent Swanscombe Peninsula Site of Special Scientific Interest (SSSI)¹, which incorporates the Botany Marshes Local Wildlife Site (LWS) are still not being adequately assessed. The applicant continues to argue that there is "*no potential mechanism for direct or indirect effects upon invertebrate species associated with the SSSI as a result of the Proposed Development*". Buglife reiterates that Artificial Lighting at Night (ALAN) and overshadowing effects represent two key areas that could result in negative impacts on the nationally important assemblage of invertebrates supported by the SSSI.

¹<https://consult.defra.gov.uk/natural-england/swanscombe-peninsula/results/swanscombepeninsulassissummarymapconfirmed19nov2021.pdf>

Artificial Light at Night (ALAN)

Buglife remains concerned that impacts of ALAN during the operational phase of the development on the notified invertebrates features of the SSSI are not being addressed. The applicant states that a *“full lighting assessment will be undertaken at Reserved Matters Stage, when further information on lighting/building design is known”*. Impacts on designated sites and their notified features are a material consideration in a planning application so it is imperative that a lighting strategy can be reviewed prior to a decision being made, to ensure there will be no negative impacts on invertebrates. There are multiple potential impacts of ALAN on invertebrates, many which can lead to mortality and disruption to life cycles². Buglife notes that whilst the applicant anticipates there will be no adverse effects on the SSSI due to lighting mitigation measures, no new evidence has been presented to support this position.

Overshadowing

Concerns remain that the impacts of overshadowing of a section of the SSSI are being underestimated. As detailed in Buglife’s previous comments, overshadowing can lead to changes in vegetation and affect invertebrate activity levels, particularly thermophilic species that rely on warm microclimates to remain active. Whilst the ES acknowledges that the southern corner of the SSSI will be affected by overshadowing, an argument is presented that this area is *“next to Lower Road which supports dense scrub habitats, which are subject to noise disturbance from Lower Road, and unlikely to be sensitive to overshadowing effects”*. Noise of road traffic does not prevent this habitat being used by a range of invertebrates and scrub is an important component of Open Mosaic Habitat on Previously Developed Land (OMHPDL), providing shelter and foraging resources to many species. Therefore, any overshadowing of the SSSI habitats by the development should fully consider potential impacts on important invertebrate populations.

Buffer Zone

Buglife noted that in the applicant’s comments to Natural England it is stated, *“A new buffer zone along the boundary of the Proposed Development will be introduced, to provide separation between the SSSI and proposed residential dwellings. It should also be noted that the Proposed Development will not result in buildings being located closer to the SSSI than is the current baseline”*. Buglife welcomes that a buffer zone is being proposed but plans of the area are needed to determine if this buffer zone will be adequate. That no buildings are to be constructed closer to the SSSI boundary than the current site appears a positive re-design, but concerns remain as the design of these buildings and associated infrastructure may still result in overshadowing effects and impacts through ALAN. Buglife would like to see new assessments of lighting and overshadowing that take into account the revised buffer zone.

Mitigation and landscape proposals

Buglife understands that opportunities will be taken within the landscape scheme for some green areas to reflect species associated with the habitats within the SSSI and Buglife would recommend this approach within the ‘buffer zone’. Buglife would like to highlight that sowing commercial wildflower mixes in close proximity to a SSSI is not best practice. The document ‘Creating habitat for pollinators in Britain & Ireland’³ sets out best practice guidance which should be followed to avoid impacts on Swanscombe Peninsular SSSI.

² [Impact of artificial light on invertebrates Final_docx \(buglife.org.uk\)](#)

³ [Restoring, enhancing and creating habitat for pollinators in Britain & Ireland \(cieem.net\)](#)

Both green and brown roofs are proposed as part of the 'mitigation' for invertebrates and these can provide useful habitat for invertebrates. Buglife has created a detailed guidance document 'Creating Green Roofs for Invertebrates'⁴ which provides advice on how to create biodiverse green roofs and the importance of using locally appropriate and ideally locally sourced seeds/plants alongside natural colonisation over time.

Paragraph 180 of the National Planning Policy Framework (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"*.

Current information submitted for these proposals are insufficient to determine that there will not be significant adverse impacts on Swanscombe Peninsula SSSI. Therefore, the proposals do not meet the requirements of the NPPF as there is potential for unacceptable impact on the integrity of the SSSI.

In summary, Buglife objects to the current proposals until further detailed information is provided with regards to the implementation of a buffer zone and if this buffer zone will prevent overshadowing of Swanscombe Peninsula SSSI. Also, a full lighting strategy is necessary to determine if the proposals will have a significant negative impact on the 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

⁴ [Creating-Green-Roofs-for-Invertebrates_Best-practice-guidance.pdf \(buglife.org.uk\)](https://buglife.org.uk/creating-green-roofs-for-invertebrates-best-practice-guidance.pdf)