



ECOLOGICAL ADVICE SERVICE

TO: *Ethan Bonthron*

FROM: *Clair Thackray*

DATE: *26 February 2024*

SUBJECT: *20240013 St Josephs Convent Preparatory School*

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.

We have reviewed the ecological information submitted by the applicant and advise that sufficient information has been provided. If planning permission is granted, we advise that the conditions below are included.

PRECAUTIONARY WORKING METHODS

The PEA report includes recommendations for precautionary working methods regarding breeding birds, reptiles and hedgehog. We advise that implementation is 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) A pre-commencement Toolbox Talk will be provided by an ecologist to all site staff (aligned with any phasing of works);*
- 2) Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season¹ (1st March to 31st August)*

¹ It should be noted that some birds are capable of nesting outside of these times, especially where weather conditions are favourable. Birds such as feral pigeon, wood pigeon and barn owl have been recorded nesting in every month of the year. Care when removing bird nesting habitat may therefore be required at all times of

inclusive) to avoid destroying or damaging bird nests in use or being built. If removal is required during the breeding season, examination by a suitably qualified and experienced ecologist will be undertaken immediately prior to works. If any nesting birds are found, works within the relevant area will be delayed until all chicks have fledged and the nest is no longer in use;

- 3) Any required clearance of tall/dense vegetation with potential to support reptiles should be undertaken in two stages in dry, warm conditions. This will include a first cut to 150mm, followed by a second cut at least 24 hours later to ground level. The vegetation will be maintained at this height until completion of all works;*
- 4) Brash, rubble and log piles to be removed will be dismantled by hand. Where these are suitable for hibernating reptiles/hedgehog (to be identified by the site ecologist during the Toolbox Talk), removal will be conducted outside of the core hibernation period (November – February inclusive);*
- 5) Backfilling of trenches and other excavations will be undertaken before nightfall, or a ramp will be left to allow any animals to easily exit;*
- 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/bare ground areas and raised off the ground, e.g. on pallets.*
- 8) If at anytime a protected species is suspected within the works area all works must stop while the site ecologist is consulted. Works will not resume until any required surveys and/or mitigation have been completed;*
- 9) A written summary of the Toolbox Talk and above measures will be retained and displayed on site throughout pre-works and construction.*

INVASIVE PLANT MANAGEMENT

The invasive non-native species Buddleia is present within the site. Control and avoidance of the spread of species identified as invasive non-native species is advised by the GB Non-native Species Secretariat (NNSS)². As such we advise that a method statement for the control of invasive species present within the site is attached to any planning permission. Suggested wording:

Prior to the commencement of works (including site clearance), a non-native species eradication strategy will be submitted to, and approved in writing by, the local planning authority. The strategy will detail the containment, control and removal of Buddleia. The measures will be carried out in accordance with the approved details.

PROTECTION OF RETAINED HABITATS DURING CONSTRUCTION

All hedgerows and trees to be retained within the proposed development shall be protected during construction in line with standard arboriculture best practice (BS5837:2012). We advise incorporating such measures into the Construction Management Plan and to secure this as a condition of any planning permission approved.

year, with attention paid to the nesting habits of the species that could make use of the site and weather conditions at the time of clearance.

² <https://www.nonnativespecies.org/non-native-species/>

LIGHTING AND BIODIVERSITY

Artificial lighting has been proven to significantly impact on the behaviour of insects, birds, bats, and other nocturnal mammals. NPPF 2023 paragraph 185 states that planning decisions and policies should: "...limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation". This is relevant to the retained vegetation bordering the site and proposed enhancements such as native species landscaping and bat/bird boxes.

We advise that the avoidance of increased artificial lighting impacts is secured through provision of a sensitive lighting plan. The Plan should be designed in accordance with National Planning Policy Framework 2023 and the Bat Conservation Trust's 'Guidance Note 8: Bats and Artificial Lighting 08/23'. Suggested wording:

Prior to occupation, a lighting plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. Lighting will be designed in accordance with the Bat Conservation Trust's 'Guidance Note 8: Bats and Artificial Lighting 08/23'. The Plan will show the type and locations of proposed external lighting, as well as the expected light spill in lux levels, to demonstrate that areas to be lit will not adversely impact biodiversity including existing dark corridors and proposed areas of landscaping. This will include details of any measures to reduce impacts from emitted internal lighting. All lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) 2023, biodiversity should be maintained and enhanced through the planning system.

The Planning Statement includes reference to Policy CS12: Green Infrastructure of the Gravesham Local Plan Core Strategy (2014), which states:

*There will be no net loss of biodiversity within the Borough and opportunities to enhance, restore, re-create and maintain habitats will be sought;
Where a negative impact on a protected or priority habitat/species cannot be avoided on development sites and where the importance of the development outweighs the biodiversity impacts, compensatory provision is required either elsewhere on the site or off-site;...*

There will be a net loss of greenspace through the proposed development and the majority of that retained will lie within residential curtilage. To avoid biodiversity net loss, effective long-term management of the central area of proposed open space and roadside areas will be required. While the site currently supports grassland of limited diversity, there remains potential for biodiversity net loss given that the central open space will provide the only area for public recreation. As such, we advise that the potential for avoiding net loss and achieving biodiversity enhancement is maximised through implementation of a native-species only landscaping scheme. In addition, we advise that justification for the lack of a green roof on the proposed medical centre is sought.

Management of all public open space areas should be carried out in accordance with a Landscape and Ecological Management Plan for the site, to be secured by condition.

Ideally there should only be one management plan that includes all the management requirements for the site (including SuDS and amenity areas) to avoid any risk of over management by separate teams/plans. Suggested wording:

No development shall commence (including site clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The Plan will include the following:

- *Details of a diverse native-species only planting scheme (including initial planting of residential plots) to maintain and enhance biodiversity;*
- *Details of additional biodiversity enhancements to be provided including type, number and location of measures in accordance with Section 4.2, Table 8 of the Preliminary Ecological Appraisal, Arbtech, May 2023. Boxes for breeding birds will be targeted at those S41 priority species / red/amber listed species likely to occur within the development. Felled tree cordwood will be used to create standing deadwood features and log piles. All boxes included for wildlife will be Woodstone/woodcrete to ensure durability;*
- *Aims and objectives of management;*
- *Appropriate management prescriptions for achieving aims and objectives;*
- *Description and evaluation of all features to be managed;*
- *Details of information to be provided to residents regarding potential impacts of domestic pets on wildlife and proposed measures to limit such impacts (such as minimum heights for bat and bird boxes; dense thicket planting around nesting areas and log refugia);*
- *Constraints on site that might influence management;*
- *Proposals regarding remedial measures;*
- *Preparation of a work schedule including an annual work plan capable of being rolled forward over a five-year period, for the lifetime of the development;*
- *Details of the body or organisation responsible for implementation of the plan.*

The LEMP will include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer, with details of the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

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

Clair Thackray
Biodiversity Officer

This response was submitted following consideration of the following documents:

Proposed Landscape Plan. Hollaway. October 2023.

Preliminary Ecological Appraisal and Preliminary Roost Assessment. Arbtech. May 2023

Bat Emergence Survey report. Arbtech. July 2023 (survey date; report non-dated).

Illustrated Plan. EA. September 2023.