



Kent Sussex Ecology

Preliminary Ecological Appraisal

Huggens College, Gravesend

July 2023 (Amended April 2024)

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1.0. Summary

- 1.1. The site's ecological interest predominately consists of bat roosting habitat within the buildings, with other ecological interest including the semi-mature trees and amenity grassland.
- 1.2. There are no implications for any priority or notable habitat regarding the construction or operational phase of the proposed development.
- 1.3. As there is potential for impacts to occur regarding protected species during the construction phase, further surveys and precautionary mitigation measures have been recommended.
- 1.4. Further surveys have been recommended for roosting bats.
- 1.5. Further information in the form of a biodiversity net gain assessment has been recommended.

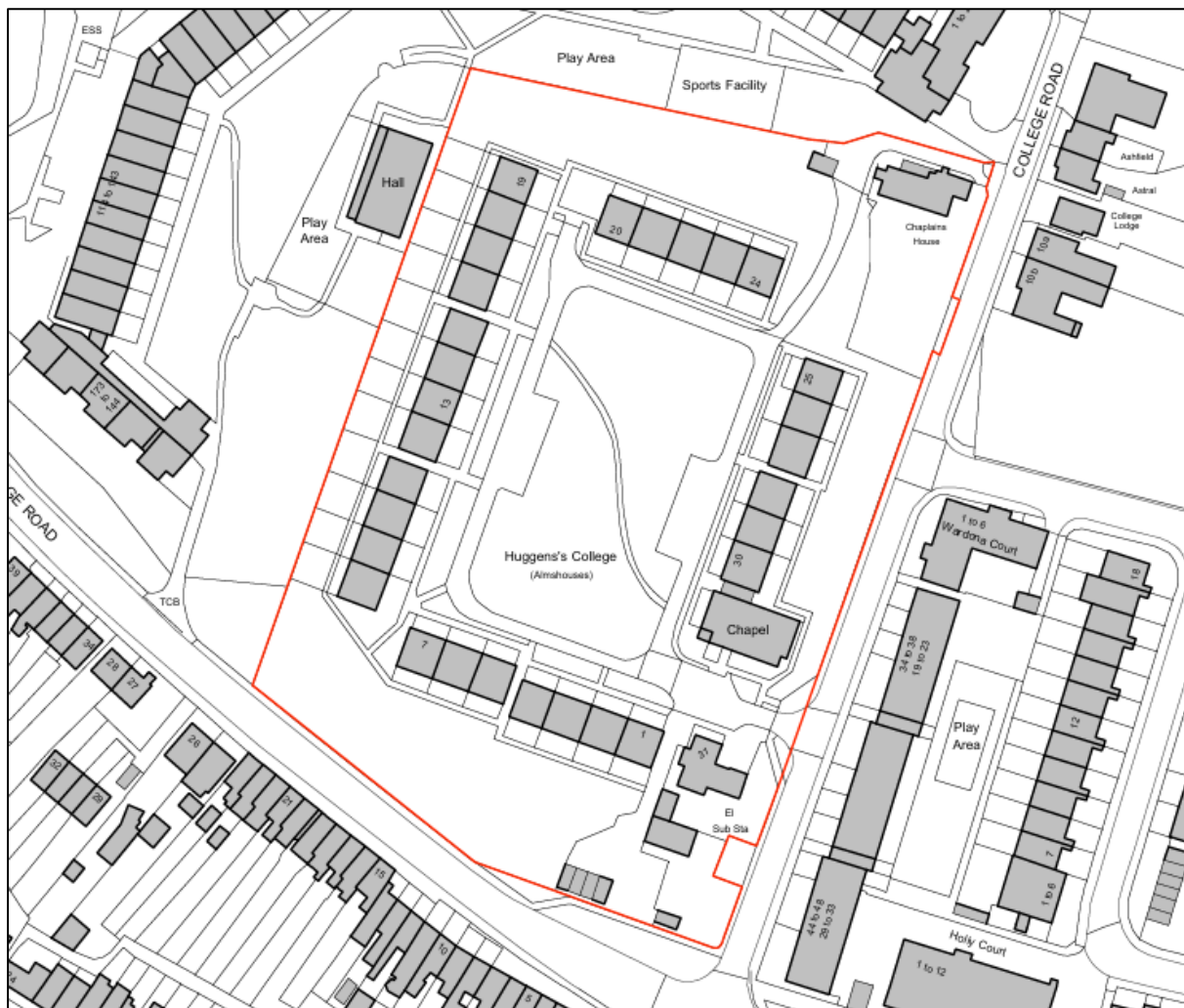


Figure 1. Site location plan.

2.0. Introduction

- 2.1. Kent Sussex Ecology was commissioned to undertake a Preliminary Ecological Appraisal (PEA) at 'Huggens College, College Road, Gravesend, Kent. DA11 9DL'.
- 2.2. The site (red-line boundary) is c.1.72ha in size.
- 2.3. The main objectives of the ecological assessment were to:



- Identify all relevant statutory and non-statutory designated sites and features of ecological significance within the site and its surroundings.
- Assess the potential for the presence of protected species and species of principal conservation importance, important habitats or other biodiversity features within the site and its surroundings.
- Provide recommendations for further surveys as necessary.
- Present the likely significance of ecological impacts from a proposed development.
- Present any likely mitigation and compensation measures to be required in relation to the relevant legislation and policy.

3.0. Methodology

- 3.1. A desktop study was carried out using the DEFRA website MAGIC¹, NBN Atlas² and other internet-based resources, for records of site designations, protected species and habitat information.
- 3.2. Two surveyors visited the site on 5th July 2023 and carried out the survey in alignment with JNCC phase one survey guidance³ and current CIEEM guidance⁴.
- 3.3. Surveyor one (Kate Baldock) has over 17 years' experience in the ecological consultancy industry, a BSc in Zoology and an MSc in Biodiversity and Conservation, holds Natural England survey licences for bats and is a registered consultant on the Bat Low Impact Class Licence.
- 3.4. Surveyor two (Luke Wallace) is a qualified (Ecology and Conservation BSc) and CIEEM-accredited ecologist with over a decade of experience in the field of ecology.
- 3.5. Every habitat within and surrounding the site was identified and categorised, however, the primary focus was a 'bat scoping' survey of all structures on-site.
- 3.0. The external inspection included a systematic search of the building exterior to:
 - Assess the building in terms of wall and roof construction;
 - Identify potential access points and roosting features - such as holes or gaps in the roof, walls, brickwork or soffits; crevice spaces behind hanging tiles, fascia or cladding, and lifted/damaged tiles or lead flashing, and;
 - Search for evidence of bats such as live or dead specimens, squeaking noises, urine splashes, staining and/or bat droppings below any features, on walls, windows and windowsills, and on the ground/vegetation at the base of the building.
- 3.1. The internal inspection included a systematic search of the cellar and loft space to identify bat access points and roosting places, droppings, staining, urine splashes, odour and/or feeding remains, through an inspection of the following:
 - Floors, walls, structures, surfaces of stored items and any open chimneys/shafts, and;
 - Commonly used roost locations such as gable end or dividing walls, top of chimney breasts, ridge, hip and other roof beams, mortise and tenon joints, roof timber junctions, behind purlins, the space between the ridge beam and roof lining, and the space between the inner roofing felt and tiles/flat roof (where these features were present/accessible).

¹ magic.defra.gov.uk/magicmap.aspx

² records.nbnatlas.org/

³ data.jncc.gov.uk/data/9578d07b-e018-4c66-9c1b-47110f14df2a/Handbook-Phase1-HabitatSurvey-Revised-2016.pdf

⁴ cieem.net/resource/guidance-on-preliminary-ecological-appraisal-gpea/



- 3.2. The type of roof lining and presence of insulation were noted, including whether this blocked potential access points. Access to cavity walls was also noted.
- 3.3. Close-focus binoculars, a high-powered torch, ladder and endoscope were used where required. The assessment was carried out in accordance with the Good Practice Guidelines for bat surveys (Collins, 2016). Any droppings collected during the internal assessment would be collected for DNA analysis if required.
- 3.4. The overall suitability to support roosting bats at any time of year was classified by placing the building into one of four categories, as described in Collins (2016):
 - High: A structure with one or more potential roost sites that are obviously suitable for use by a larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter protection, conditions and surrounding habitat;
 - Moderate: A structure with one or more potential roost sites that could be used by bats but which is unlikely to support a roost of high conservation status, such as a maternity or hibernation roost;
 - Low: A structure with one or more potential roost features that could be used by individual bats opportunistically, but are unlikely to support larger numbers of bats or to support bats on a regular basis;
 - Negligible: Negligible features likely to be used by roosting bats.
- 3.6. General faunal activity/evidence of activity (both visual and aural) was recorded.
- 3.7. The only notable limitation was that full access within Chaplain's residence was unable to be gained due to the layout/structure of the loft space.
- 3.8. This report will remain valid for 12 to 36 months in accordance with current CIEEM guidance.



Figure 2. Indicative masterplan (Haysom Ward Miller Architects Rev B April 2023).



4.0. Baseline Ecological Conditions

4.1. Designated Sites

- 4.1.1. The site is not part of, nor adjacent to, any statutory designated site for nature conservation.
- 4.1.2. The site is situated within 440m of the 'Swanscombe Peninsula' Site of Special Scientific Interest (SSSI), located to the north-west.
- 4.1.3. The 'Thames Estuary and Marshes' Special Protection Area (SPA) and Ramsar site is located approximately 6km to the east of the site.

4.2. Habitats

- 4.2.1. The site's built environment consists of a rectangular block of single-storey dwellings (joined in blocks of three, four and five), which are of relatively young age (c.1960s). One of these eastern blocks is connected to a much larger 'chapel' building. There are several small structures to the south, including another single-storey building (the lodgekeeper's residence), an asbestos-clad garage and a wooden-clad shed. In the north-east of the site is the chaplain's house, which is significantly older than the other buildings on-site.
- 4.2.2. The site's natural environment consists mostly of maintained amenity grassland (regularly mown); notably the central area (which also contains several immature birch trees) and the front lawns/verges of the apartments. The majority of the rear apartment curtilages appear mostly paved.
- 4.2.3. The south-west corner contains a sizeable compost heap. A vegetable garden is located in the south-east corner. Young and semi-mature trees are scattered throughout the site and these consist of species such as silver birch, cherry and other fruit trees.
- 4.2.4. Most of the site's boundary encompasses semi-mature trees, with species such as cedar, poplar and chestnut noted (the latter displaying symptoms of chestnut blight in most trees). The only hedgerow that occurs on-site is situated around the curtilage of the chaplain's house.
- 4.2.5. The site does not contain any protected, priority or otherwise notable habitat. The closest priority habitat to the site is an area of lowland deciduous woodland c.50m to the north and west.
- 4.2.6. Under Schedule 9 of the Wildlife & Countryside Act 1981, it is an offence to knowingly plant, grow or allow the spread of certain species. No Schedule 9 invasive species were noted on-site.



4.3. Protected Species

4.3.1. Bats

Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

A search of the Kent and Medway Biological Record Centre (KMBRC) data returned several records of 'grounded' pipistrelle bats within 100m of the site, including one record within (or very close to) the application site in 2002.

A bat scoping survey was undertaken regarding all buildings on-site, which included an external and internal inspection. The results are denoted in the table below (see figure 3 corresponding habitat map for locations).

Building	Bat Roost Evidence or Features	Roost Potential
Apartment block 1-4	Gaps in soffit at the eastern gable end.	Low
Apartment block 3-7	No evidence or roost features.	Negligible
Apartment block 8-11	No evidence or roost features.	Negligible
Apartment block 12-15	Gaps in soffit at the northern gable end.	Low
Apartment block 16-19	No evidence or roost features.	Negligible
Apartment block 20-24	Gaps in mortar/ridge line along western part of the roof and gaps in mortar/lead flashing along northern/southern part of the roof.	Low
Apartment block 25-27	Bat dropping found (externally) under northern gable end. Some gaps in lead flashing.	High
Apartment block 28-30	Gaps in leading flashing in southern part of the block.	Low
Chapel Building	Bat droppings found (externally) under the eastern gable end of the chapel building. Numerous gaps observed between soffit and wall.	High
Apartment 31	One gap over front porch and one gap in the western part of the roof.	Low
Chaplain's House	Gaps associated with eastern gable end, southern dormers, lead flashing, soffits and slate tiling.	Low
Garage and shed	No evidence or roost features.	Negligible

Table one: bat scoping survey results.



In general, the roofs of the apartment blocks had tightly sealed tiles and well-sealed lead flashing. The internal inspections did not produce evidence of roosting bats. Therefore, it is expected that if roosting bats are present, these are likely to be crevice-dwelling species utilising the external features of the buildings. The presence of bat droppings on the chapel and associated with apartment no.25 is evidence that bat roosting has occurred on-site (see images in appendix A). None of the trees were considered to have bat roosting potential.

4.3.2. **Great Crested Newt**

Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

A search of the record data did not return any records of Great Crested Newt (GCN) within 1km of the site beyond 1990.

There is a relatively small area of suitable terrestrial habitat on-site for GCN. However, the site does not contain any waterbodies and no ponds exist within c.250m of the site. Waterbodies do occur within 500m of the site but there are considerable dispersal barriers between these waterbodies and the site (railway lines, roads, and urbanisation). Moreover, the application site is strongly delineated by a mostly impenetrable brick wall. Therefore, GCN is considered likely absent from the site.

4.3.3. **Reptiles**

Schedule 5 of the Wildlife & Countryside Act 1981 (as amended).

A search of the record data did not return any records of reptiles within 1km of the site beyond 1990.

As with GCN (as above), while a relatively small area of suitable habitat exists on-site for reptiles, the site is relatively isolated regarding wider habitat connectivity and the perimeter brick wall makes colonisation by reptiles improbable. Therefore, reptiles are considered to be likely absent from the site.

4.3.4. **Badger**

The Protection of Badgers Act 1992.

The record data contained a 2003 record of badger very close to the site.

No evidence of badger use or setts were observed on-site. There is a possibility that this species could forage on-site (possibly gaining access via the entrance gates or elsewhere). While anecdotal evidence of foxes using the site was noted, these mammals are more agile than badgers and have been observed gaining access by scaling the perimeter wall.

4.3.5. **Breeding Birds**

Protected when actively nesting under the Wildlife & Countryside Act 1981 (as amended).

Evidence of nesting starlings (faeces/staining) was observed under the western gable end of the chapel building, and it is likely that some common bird species nest within the boundary trees/scrub and hedgerow.

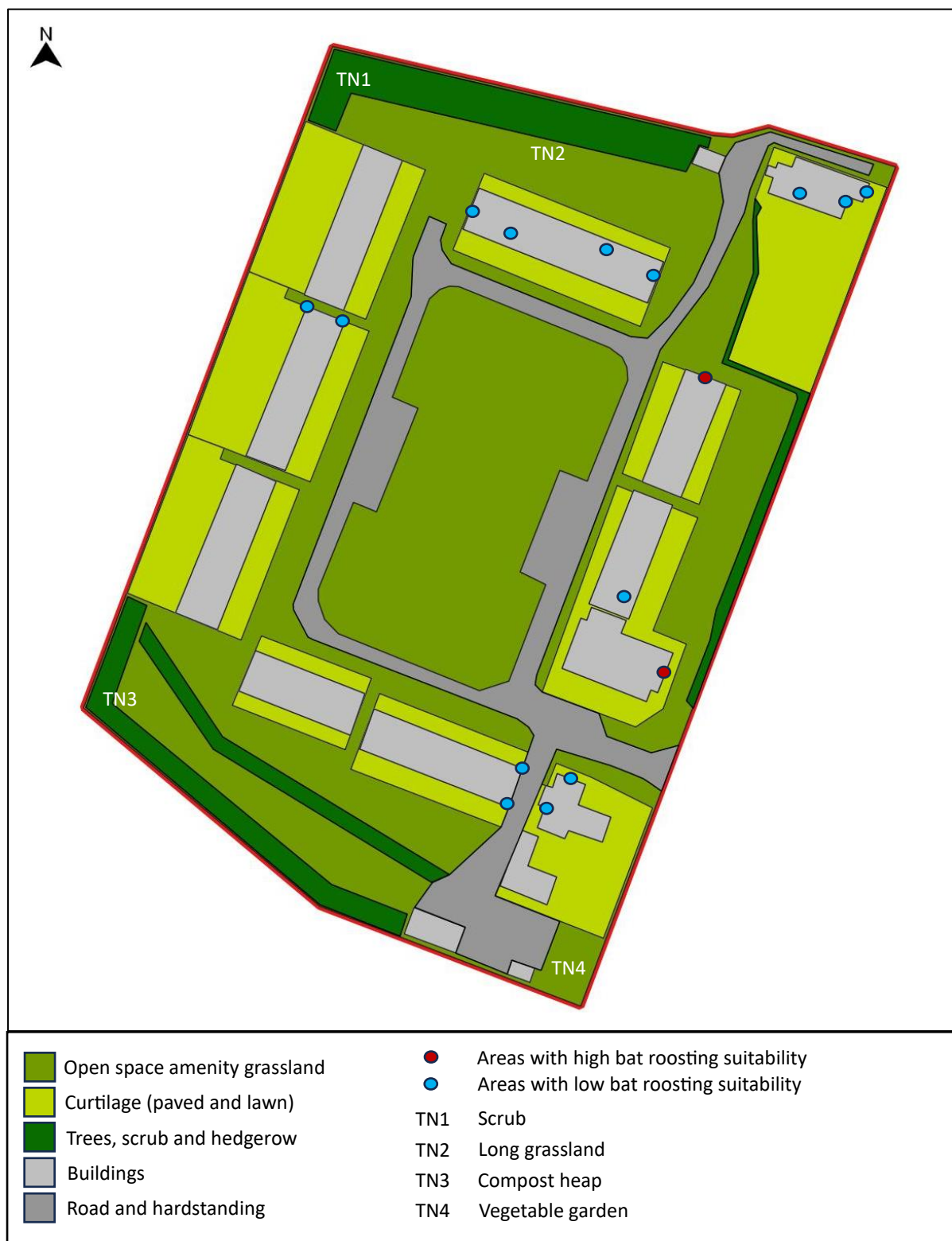


Figure 3. baseline habitat map.

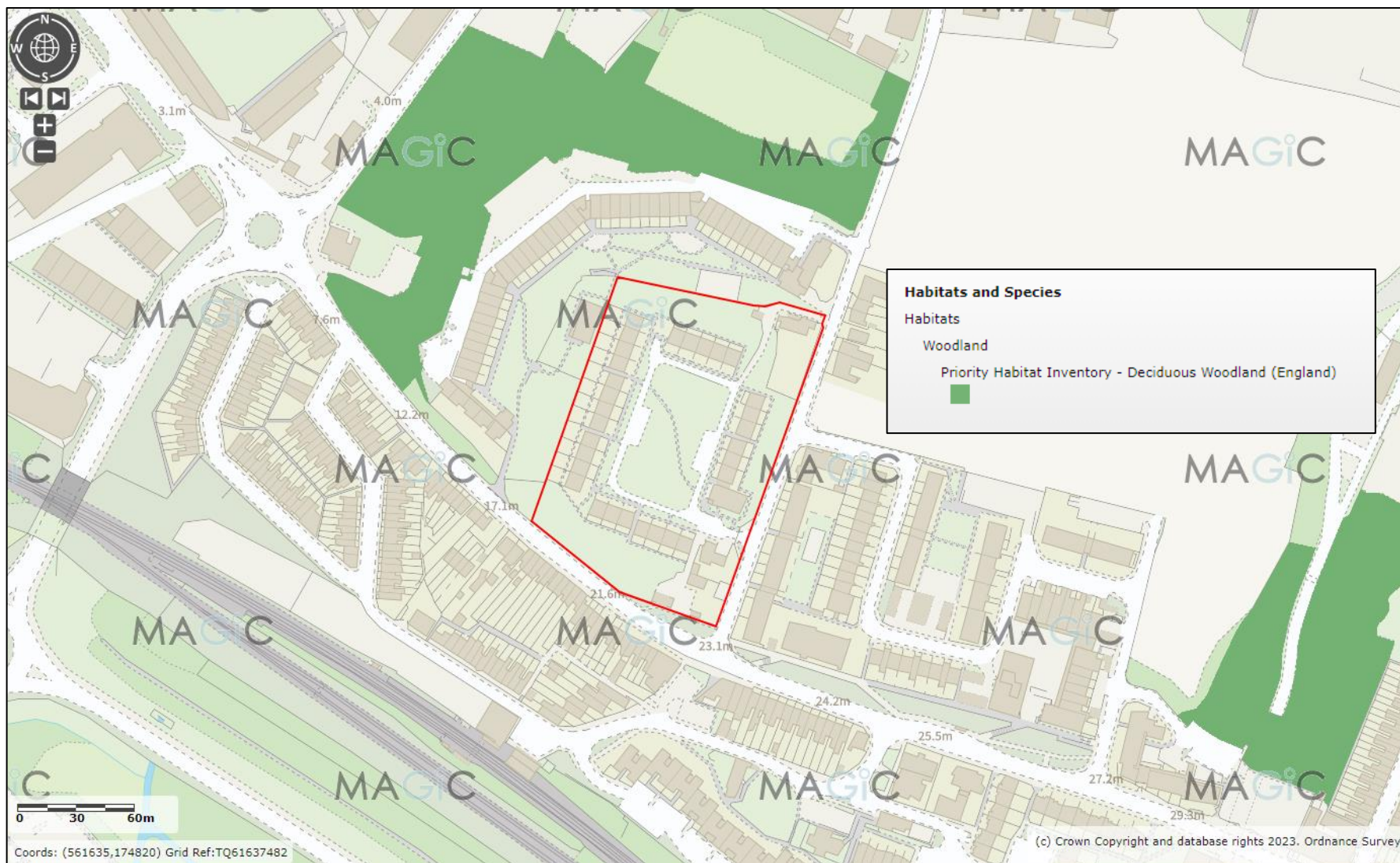


Figure 4. Priority woodland habitat.



5.0. Conclusion, Evaluation and Recommendations

5.1. Designated Sites

- 5.1.1. Schedule 4 (w) of the Town and Country Planning (Development Management Procedure) Order 2015 states that Natural England must be consulted on "Development in or likely to affect a Site of special Scientific Interest".
- 5.1.2. Paragraph 180 of the National Planning Policy Framework (NPPF) 2023 states that "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".
- 5.1.3. Regarding the European designation (SPA and SAC), Article 6(3) of the Habitats Directive 2017, states that "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public".
- 5.1.4. **Swanscombe Peninsula of Special Scientific Interest (SSSI)**
In accordance with Natural England's SSSI's Impact Risk Zone⁵ map, the application site is situated at a distance from the Swanscombe Peninsula SSSI where consultation with Natural England is needed when there is a 'residential development of 50 units or more'. As the proposed development is expected to feature more than 50 residential units, consultation with Natural England will likely be required.
- 5.1.5. **Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar site**
The development would appear to lie within the zone of influence (6km) of the Thames Estuary and Marshes SPA and Ramsar site. Therefore, the local planning authority will likely have to ensure that proposals adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS).

5.2. Habitats

- 5.2.1. The NPPF states that development resulting in the loss or deterioration of irreplaceable habitat (such as ancient woodland) should be refused, unless there are wholly exceptional

⁵ SSSI Impact Risk Zones (England) | SSSI Impact Risk Zones (England) | Natural England Open Data Geoportal (arcgis.com)



reasons and a suitable compensation strategy exists. Additionally, section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 obliges local authorities to conserve 'priority habitats', which are capable of being a material consideration in the determination of the planning application (in alignment with the ODPM 06/2005).

- 5.2.2. The site does not contain any irreplaceable, priority or otherwise notable habitat. The habitat which is found on-site is considered common; mostly amenity grassland, ornamental planting, scattered fruit trees and semi-mature tree lines (encompassing non-native species). Regardless, any loss of habitat will have to be accounted for regarding biodiversity net-gain obligations (mentioned further on).

5.3. Protected Species

- 5.3.1. Paragraph 99 of the ODPM 06/2005 states that "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

5.3.2. **Bats**

All species of bat are afforded full legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended), as well as being listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (giving them the status as a 'European Protected Species'). Some species of bats are also listed as species of principal conservation importance under the NERC Act 2006. As such, it is a criminal offence to:

- Deliberately capture, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
- Damage or destroy a bat roosting place (even if not occupied);
- Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat, and;
- Intentionally or recklessly obstruct access to a bat roost.

The bat scoping survey identified several areas of 'low' roosting potential, and two areas of 'high' bat roosting potential regarding the buildings on-site (see table one and images within Appendix A).

In accordance with formal guidance from the Bat Conservation Trust, and as requested by planning authorities prior to determination of any planning application, buildings with roost potential must be subject to emergence surveys; specifically, at least one survey for buildings of 'low' roosting potential and three surveys for buildings of 'high' roost potential. These surveys can be carried out between May and September (when bats are active).

As such, it is recommended that bat emergence surveys are carried out to determine the status of roosting bats on-site. If bats are found to be roosting within any of the buildings, mitigation measures will need to be implemented and works carried out under Natural England licence.

- 5.3.3. For the operational development, a sensitive lighting design is recommended. This will not only act to limit the impact on foraging and commuting bats but will also act to safeguard



the surrounding biodiversity value by negating impacts to invertebrates (the faunal basis of ecosystems) and other nocturnal wildlife.

Recommendations for the development's lighting scheme include:

- Keeping the number of lights to an absolute minimum;
- No direct light spill on boundary vegetation, hedgerows and/or meadow grassland;
- Only luminaires with 0% upward light ratio should be used and fitted;
- No luminaires with more than 2000 lumens (150 W) should be installed;
- Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats;
- Luminaires with a warm white spectrum (ideally under 2700 Kelvin) should be used in order to reduce blue light component;
- Movement sensors or timers should be used to reduce the amount of time a light is on;
- The habitat immediately beyond the development should be subject to below 0.2 lux on the horizontal plane and below 0.4 lux on the vertical plane, and;
- Column heights should be carefully considered to minimise light spill.

5.3.4. **Breeding Birds**

All species of birds are afforded legal protection under the Wildlife & Countryside Act 1981 (as amended) while actively nesting and special penalties are available for offences related to birds listed on Schedule 1. Some species are also listed as species of principal conservation importance under the NERC Act 2006.

The indicative plan for the development entails the loss of some nesting bird habitat, such as the hedgerow and trees. As such, it is recommended that these areas of vegetation are removed outside of the breeding bird season (March to August, inclusive). If this cannot be achieved, the areas of vegetation should be subject to pre-works checks by an experienced ecologist to ensure nesting birds are not present and at risk of being impacted.

5.3.5. **Other Protected Species**

The presence of commuting and foraging badgers on-site cannot be ruled out. As such, it is recommended that precautionary mitigation measures are implemented during the construction phase of development works. Primarily, this will include ensuring that any excavations are covered overnight, or escape routes provisioned, to prevent badgers becoming trapped and harmed.

- 5.3.6. No other protected or priority species are considered to be potentially present or capable of being impacted by the proposed development.

5.4. **Biodiversity Considerations and Ecological Enhancement**

- 5.4.1. In alignment with paragraph 180 of the National Planning Policy Framework (NPPF) 2023 and section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, planning decisions should seek to maintain and enhance the natural environment. Specifically, paragraph 180 of the NPPF states that planning decisions should enhance the natural world by "minimising impacts on and providing net gains for biodiversity...".



- 5.4.2. In addition to the obligations under the NNPF and NERC Act, developments are now legally required to deliver a biodiversity net gain of 10%. This is in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). As such, biodiversity net gain calculations will have to be produced and submitted in alignment with the recognised approach of the net gain legislation.
- 5.4.3. It is recommended that all planting consist of native species only to maximise biodiversity value. This is because non-native species cannot support the lifecycle of the majority of invertebrates, which are the faunal basis of ecosystems. If the development is to include ornamental planting, this should not include species that have the capacity to become invasive, such as cherry laurel.
- 5.4.4. Where possible, it is recommended that bird nest space is incorporated into the development. This should include integrated or affixed nest boxes for declining species found in this environment, such as Swifts, Starlings and House Sparrows.
- 5.4.5. As mentioned above, lighting can be detrimental to biodiversity and sensitive habitats. As such, the development should incorporate a sensitive lighting design (external and internal) and avoid excessive light spill. The Institution of Lighting Professionals (ILP), in partnership with the Bat Conservation Trust (BCT), has published guidance relating to bats and lighting⁶.

⁶ Guidance Note 8 Bats and artificial lighting | Institution of Lighting Professionals (theilp.org.uk)





Appendix A



Image one: the vegetable garden in the SE corner.



Image two: front of apartment blocks 3 – 7.



Image three: the central area of amenity grassland.



Image four: the northern boundary tree line and grassland.



Image five: the eastern boundary, towards the chapel.



Image six: front of apartment blocks 13 – 19.



Image seven: western gable end of the chapel (nesting).



Image eight: gaps in the soffit of apartment 1.

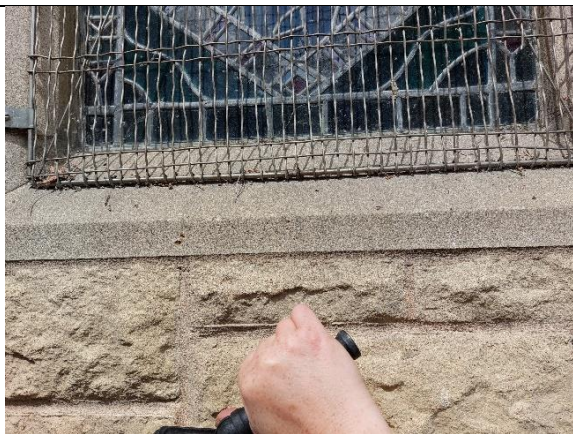


Image nine: bat droppings on the eastern wall of chapel.



Image 10: a close-up of a bat dropping on the chapel.



Image 11: gaps between soffit and wall on the chapel.



Image 12: bat dropping on bins at apartment 25 gable end.



Image 13: internal roof space of the chapel.



Image 14: the gable end of the Chaplain's house.



Image 15: gaps under dormer slates on Chaplain's house.



Image 16: gaps at the gable end of apartment 15.



Image 17: gaps under the ridge tiles on apartment 20.



Image 18: gap under the lead flashing on apartment 23.



Appendix B

The Wildlife and Countryside Act (as amended) 1981

The Wildlife & Countryside Act 1981 (as amended) is the principal piece of UK legislation relating to the protection of wildlife. It consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain.

The Act makes it an offence to:

- Intentionally kill, injure, or take any wild bird or their eggs or nests (with exception to species listed in Schedule 2). Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young.
- Intentionally kill, injure, or take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places (subject to exceptions). The Act also prohibits certain methods of killing, injuring, or taking wild animals listed in Schedule 6.
- Uproot, trade in, or possess (for the purposes of trade) any wild plant listed in Schedule 8, and prohibits the unauthorised intentional uprooting of such plants (subject to exceptions).
- Facilitate the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9. It also provides a mechanism making any of the above offences legal through the granting of licences by the appropriate authorities.

The Conservation of Habitats and Species Regulations 2017

The competent authority will have to adhere to the requirements of the Habitats Directive in the exercise of their functions. As such, they must consider whether it is likely that an EPSM Licence from Natural England will be granted, and in so doing must address the three tests when deciding whether to grant planning permission for the proposed development. The three tests are that:

1. Regulation 55(2)(e) states: a licence can be granted for the purposes of *“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”*.
2. Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied *“that there is no satisfactory alternative”*.
3. Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied *“that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”*

Natural Environment and Rural Communities Act 2006

Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as local planning authorities, in implementing their duty under Section 40 of the Act, to have regard to the conservation of biodiversity in England, when exercising their normal functions. 56 habitats and 943 species of principal importance are included on the S41 list. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (BAP).

The Protection of Badgers Act 1992

The legislation affording protection to badgers is primarily concerned with animal welfare and the need to protect badgers from activities such as baiting and deliberate harm. The Protection of Badgers Act 1992 makes it an offence to:

- Wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;
- To intentionally or recklessly interfere with a sett (this includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

As with The Wildlife and Countryside Act 1981 (as amended), there are several defences to prosecution in the legislation and the text should be consulted for details of these. Penalties for offences include



finer up to £5,000, plus up to six months imprisonment for each illegal sett interference, or badger death or injury.

National Planning Policy Framework 2023

The National Planning Policy Framework (NPPF) sets out the view of central government on how planners should balance nature conservation with development and helps ensure that government meets its biodiversity commitments with regard to the operation of the planning system.

Section 15 of the NPPF sets out key policy requirements regarding ecology and development.

Paragraph 180 of the NPPF: "Planning policies and decisions should contribute to and enhance the natural and local environment by... ..minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

Hedgerows Regulations 1997

Important' hedgerows (as defined by the Regulations) are protected from removal (up-rooting or otherwise destroying). Criteria specified in the regulations are employed to identify 'important' hedgerows for wildlife, landscape or historical reasons.

Office of the Deputy Prime Minister 06/2005

Paragraph 99 of the ODPM 06/2005 states that "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".