

5th December 2022

Ref: 20221064

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



Ms Genna Henry,

Gravesham Borough Council

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

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.

Dear Ms Genna Henry,

The RSPB has serious concerns about the current design of the development, given the likely impact on the adjacent Swanscombe Marshes SSSI, its habitats and its breeding birds, as well as impacts on Schedule 1 breeding birds around the development. Overall, the proposed development as currently designed is too close to the SSSI and lacks adequate buffer areas. In particular, Plots 17, 18 and 19 are too close to the SSSI boundary to avoid direct impacts through disturbance and impact of pets, amongst others, and the mitigation suggested does not appear sufficient to avoid harm to the designated site given the size and design of the development. Therefore, we object to the current proposals, although if the development design is later revisited and changed to take account of our concerns it may be possible for us to remove our objection to development at this location.

The application site is adjacent to Swanscombe Peninsula Site of Special Scientific Interest (SSSI). Swanscombe Peninsula SSSI, which is adjacent to the application site's north-western boundary, is designated in part for its diverse assemblages of breeding birds, and its important range of invertebrate species. Within Swanscombe Marshes SSSI, Botany Marsh Local Wildlife Site is directly alongside the north-west perimeter of the development site. Swanscombe Marshes SSSI is designated partly due to *"...two diverse assemblages of breeding birds, one associated with lowland*

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open waters and their margins, lowland fen and lowland damp grassland, the other with lowland scrub.” To avoid harmful impacts on these and to the scrub-nesting assemblage of birds in particular, as their habitat is closest to the development boundary, we consider a 400m buffer zone at the north-west boundary to be necessary to protect this key feature of the SSSI, particularly from the impacts of pets and recreational disturbance.

To avoid likely harmful impacts of the operational phase of the development to the scrub-nesting assemblage of bird species, such as nightingale *Luscinia megarhynchos*, grasshopper warbler *Locustella naevia*, garden warbler *Sylvia borin* and others, we consider a 400-metre ecological buffer zone at the north-west boundary, where residential buildings are not to be sited, to be a reasonable measure to protect these breeding birds from direct and indirect impacts. This distance is based on studies at heathland sites where residential development has been sited close to scarce ground and scrub-nesting birds. This buffer would help protect these vulnerable birds from the worst impacts of cat predation and to help reduce excess recreational disturbance, including from dogs. If residential buildings are to be sited closer than this, then there is likely to be damage to the scrub-nesting bird assemblage of the SSSI and further assessment would be needed to determine impacts, with viable alternative measures produced to reduce these risks to an acceptable level. The proposed development risks going against the Council’s policies for Nationally and Locally Protected Sites such as Swanscombe Marshes SSSI which are protected under Policy CS12 of Gravesham Borough Council’s Local Plan.

The development could be reduced in size to account for the above. Also, the closest areas (Plots 18 and 19) to the SSSI might be less impactful if set back further from the boundary and operated as commercial or community use rather than for residential use (to help reduce cat predation, for example) and by extending the parkland planned for that area to create an adequate ecological buffer between the SSSI and any new buildings there. Paths from the site could be redesigned to not directly lead to the SSSI. This would reduce recreational disturbance and other visitor pressures to the SSSI by providing suitable parkland for residents to exercise and walk dogs.

The RSPB is concerned for the breeding little ringed plovers (*Charadrius dubius*) and Cetti’s warblers (*Cettia cetti*), Schedule 1 protected species identified in the initial survey. Plots 10 and 11 are close to a Cetti’s warbler breeding site at Robins Creek and would need careful work to safeguard this population. The plovers nest on shingle at the mudflats along the north-east section of the development area and would need their habitat safeguarded from disturbance, which they are very

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susceptible to as open-ground nesters, and damage. The plovers return from their wintering grounds in April and would need protection from then until at least July. We suggest ecological buffer zones at these boundaries to help reduce risks of disturbance and damage to these areas and the Schedule 1 birds breeding there. In Ch. 14, 14.135 it is suggested habitat loss there will be 'negligible', however it is not clear how both habitat damage and disturbance will be adequately mitigated for little ringed plover and other species.

The applicant states that Kent Wildlife Trust and Natural England are to be consulted further (for example, Ch.14, 14.40) on recreational disturbance impacts and the disturbance threshold. While this is welcomed, avoidance is always better than reactive mitigation (National Planning Policy Framework 2021, Paragraph 180). Therefore rethinking location, function and size in particular of Plots 18 and 19 and Plots 10 and 11, and importantly through the implementation of adequate ecological buffer zones, would be preferable as a first step to help avoid later 'firefighting' long-term impacts to the SSSI and protected species.

In summary, adequate ecological buffers will be needed and a rethink of the size, location and arrangement of the development's component parts is necessary to effectively safeguard the breeding bird assemblages of Swanscombe Marshes SSSI from impacts of all phases of the proposals, and to avoid recurring problems ongoing once the operational phase is established.

Thank you for the opportunity to comment on this application. We trust that this information is helpful, and we reserve the right to amend our position should any further information be presented.

Yours sincerely,

Joseph Beale

RSPB Conservation Officer, Kent and Essex

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