

Ecological Impact Assessment Report



Allhallows Swimming Pool
18th May 2023



**Tyler
Grange**

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Summary

- S.1. This Ecological Impact Assessment (EclA) report has been prepared by Tyler Grange Group Ltd on behalf of Lichfields and Bourne Leisure in relation to the proposed extension to the existing swimming pool at Allhallows Holiday Park, Allhallows, Medway, hereafter referred to as 'the site'.
- S.2. The proposals are for the partial demolition and site clearance to facilitate the construction of new outdoor and indoor pool facilities and associated plant.
- S.3. No adverse impacts are anticipated on statutory designated sites given the nature and scale of the proposed development, however given the short distance between the proposed development area and the closest statutory designated sites a shadow HRA is being produced and consultation with LPA will be required.
- S.4. Habitats being lost to the proposed development, are buildings and hardstanding, five scattered trees, modified grassland and introduced shrub. These habitats are of negligible to low ecological importance and require no specific mitigation or compensation for their loss.
- S.5. Low number of suitable features for roosting bats were identified during the Preliminary Bat Roost Assessment (PBRA) on buildings within the site. A single dusk emergence survey was therefore completed in May 2023 with no bats found to be utilising the features as such no further surveys were required.
- S.6. The site offers limited opportunities for birds to nest within introduced shrub, scattered trees or on the rooftop of the building. Any vegetation removal or rooftop works should be undertaken outside of the core nesting bird season (March-August, inclusive), otherwise, a pre-works check by an ecologist should be undertaken to determine whether active birds' nests are present. If nest(s) are present, no nests, eggs or young should be destroyed and an appropriate buffer must be instated until the chicks have been confirmed as fledged by an ecologist.
- S.7. No other protected or priority species are considered likely to be present within the site.
- S.8. The mitigation and enhancement recommendations made within this report, such as the provision of bird and bat boxes, a sensitive lighting strategy in relation to bats and a long-term management plan to secure the ecological enhancements that are proposed as part of the development could be controlled by appropriately worded planning conditions.
- S.9. In conclusion, it is considered that the future development of the Site would accord with relevant legislation and planning policy. The proposed development seeks to enhance ecological features and is likely to result in measurable net gains in biodiversity.



Section 1: Introduction, Context and Purpose

- 1.1. This Ecological Impact Assessment report has been prepared by Tyler Grange Group Ltd on behalf Bourne Leisure in relation land at Swimming pool redevelopment, Allhallows, Medway, Kent, ME3 9PZ, hereafter referred to as 'the site'.
- 1.2. The site is centred on approximate Ordnance Survey (OS) grid reference TQ 83775 78685. The location and indicative extent of the site is shown by a red line in Figure 1.1.



Figure 1.1: Site location and approximate extent (red line)
Space & Place © 2023)

- 1.3. The site is approximately 0.33 hectares (ha) in size and comprises a section of building, hardstanding as well as areas of grassland, scattered trees, and small areas of introduced shrub. The site within the existing pool central operational area of the Holiday and is near the show bar and adventure value. Immediately surrounded by buildings, caravans, and hardstanding. The wider landscape consists of rural farmland to the east, south and west and the Thames Estuary to the North.

Development Description

- 1.4. The proposals are for the partial demolition works and erection of an extension to the existing swimming pool building, new plant and equipment, landscaping and associated works.

Purpose

- 1.5. This report:
 - Use available background data and results of field surveys, describe, and evaluate the ecological resources present within the likely 'zone of influence' (Zoi) of the proposed development.



- Assess ecological issues and opportunities as a result of development; and
- Where appropriate, describe mitigation and enhancement proposals, together with planning controls to ensure their delivery and conformity with relevant policy and legislation (Appendix 1).

This assessment and the terminology used are consistent with the Chartered Institute of Ecology and Environmental Management (CIEEM) 'Guidelines for Ecological Impact Assessment in the UK and Ireland' ¹.

¹ Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland, version 1.1, CIEEM, Winchester.



Section 2: Methodology

Scope of Assessment

- 2.1. In line with CIEEM guidelines, the scope of work has informed the description and assessment of importance of ecological features, the consideration of opportunities and constraints to development, and mitigation and enhancement required to ensure conformity with legislation and policy (see **Appendix 1**).

Data search

- 2.2. The aim of the data search is to collate existing ecological records for the site and adjacent areas. Obtaining existing records is an important part of the assessment process as it provides information on constraints that may not be apparent during a single survey, which by its nature provides only a 'snapshot' of the ecology of a given site.
- 2.3. The Kent and Medway Biological Records Centre (KMBRC) was contacted for details of protected and priority species, statutory and non-statutory designated sites, within 2 km of the site. Where relevant records are identified (from the last 10 years), the information provided has been incorporated into the report with due acknowledgement.
- 2.4. The data search was conducted in March 2023. The following organisations and resources were contacted and consulted to supplement the biological records:
- Kent and Medway Biological Records Centre (KMBRC); - received 05/04/2023
 - Multi-Agency Geographic Information for Information for the countryside (MAGIC) website²;
 - Joint Nature Conservation Committee (JNCC) website^{3,4} ;
 - Natural England (NE) designated sites website⁵;
 - Ordnance Survey mapping; and
 - Google Maps, including aerial photography.

Extended Phase I Habitat Survey

- 2.5. An extended Phase I habitat survey was undertaken on by Gemma Costin on 30 August 2022 and updated by 22 March 2023 by George Siskos, an experienced Associate Ecologist and member of CIEEM. This survey methodology was based on guidance set out in the

² Natural England and Defra (2023) MAGIC website, [Online] Available at: <https://magic.defra.gov.uk/MagicMap.aspx> [Accessed 17/04/2023]

³ JNCC (2023) Special Areas of Conservation, [Online] Available at: <https://jncc.gov.uk/our-work/special-areas-of-conservation/> [Accessed: 17/04/2023]

⁴ JNCC (2023) Special Protection Areas, [Online] Available at: <https://jncc.gov.uk/our-work/special-protection-areas/> [Accessed: 17/04/2023]

⁵ Natural England (2023) Conservation objectives for European Sites, [Online] Available at: <http://publications.naturalengland.org.uk/category/6490068894089216> [Accessed: 17/04/2023]



'Handbook for Phase 1 habitat survey'⁶ and entailed recording the main plant species and classifying and mapping broad habitat types present.

- 2.6. Note was taken of the more conspicuous fauna and any evidence of, or potential for the presence of protected or notable flora and fauna. A basic inventory of the habitats and a representative species list was produced. Where access allowed, adjacent habitats were also considered in order to assess the site within the wider landscape and to provide information with which to assess possible impacts within the context of the site boundaries.
- 2.7. If applicable, invasive species were recorded where visible, including those listed under Schedule 9 of the Wildlife and Countryside Act (WCA) 1981 and plants listed on the London Invasive Species initiative (LISI). It is an offence to plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9 of the WCA 1981
- 2.8. The weather conditions during the survey were dry, with an air temperature of 10°C, 20% cloud cover, and a gentle breeze.

Preliminary Bat Roost Assessment

- 2.9. All buildings and trees within and adjacent to the boundaries of the site were subject to a preliminary bat roost assessment (PBRA) to determine their suitability for bats. The survey was completed by George Siskos at the same time as the 'extended' phase I habitat survey and followed guidance provided in the Bat Conservation Trust (BCT) good practice guidelines⁶. The survey comprised a thorough visual inspection of each building and tree from ground level.
- 2.10. The PBRA for structures comprised an external inspection of all structures present within the proposed development area to assess their potential to support roosting bats. In summary, this entailed the following:
 - A ground level visual inspection of the exterior of the structures within the site, examining features such as brickwork, cladding, and roofs for evidence of, or potential use by, bats including the presence of bat droppings, feeding remains, staining from fur-oil or urine, or live bats; and
 - Consideration of a number of factors including the presence or absence of features suitable for use by crevice dwelling bats, proximity to foraging habitats or cover, and potential for disturbance from lighting and other sources.
- 2.11. The PBRA of trees comprised a ground level inspection of all trees within the proposed development area to determine the respective suitability of each tree for roosting bats. Potential Roost Features (PRFs) that may be used by bats, as defined within the Bat Conservation Trust (BCT) best practice guidelines (Collins, 2016), were sought. Types of PRF may include the following:
 - Woodpecker holes, rot holes, knot holes arising from naturally shed branches and man-made holes;

⁶ Joint Nature Conservation Committee (JNCC) (2010). Handbook for Phase 1 habitat survey - a technique for environmental audit. JNCC, Peterborough.



- Hazard beams and other vertical or horizontal cracks and splits (such as frost-cracks) in stems or branches;
- Partially detached bark;
- Cankers;
- Other hollows or cavities, including butt-rots;
- Partially detached ivy with stem diameters in excess of 50mm; and
- Bird, bat or dormouse boxes.
- Evidence of the presence of bat roosts was also sought where PRFs were present. These signs include:
 - Bat droppings in, around or below a PRF;
 - Odour emanating from a PRF; and
 - Visible staining below a PRF.

2.12. An assessment of the immediate surroundings was also undertaken to determine the connectivity of the building to the surrounding landscape that would offer commuting and foraging habitats.

2.13. The potential of the buildings and trees on site to support roosting bats has been categorised against the criteria described in Table 1 below:

2.14. Table 1: Roost Assessment Criteria (Adapted from Collins, 2016⁷)

Suitability	Description of Roosting Habitat
Negligible	Negligible habitat features on-site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for long periods of time due to their size, shelter, protection conditions and surrounding habitat.

⁷ Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd Edition. The Bat Conservation Trust, London.



Bat emergence / re-entry survey

- 2.15. An emergence survey was completed for buildings with 'low' suitability for roosting bats, as identified following the PBRA and endoscope surveys, in accordance with standard methodologies⁸.
- 2.16. The emergence survey aimed to identify bats emerging from a roost. As per best practice guidelines¹, one emergence survey was carried out. Both surveyors were positioned facing the PRF. Surveyor locations (TH and DD) are shown in the Bat Survey Location Plan (14448/P02).
- 2.17. A dusk emergence survey was completed on 3rd May 2022. The survey began 15 minutes before sunset and continued until 90 minutes after sunset, in accordance with best practice guidance⁹.
- 2.18. The surveyors used Echometer Touch Pro 2 and Batlogger M2 bat detectors to listen to and record echolocation calls of bats observed.
- 2.19. During the survey visit, surveyors noted whether bats were seen to exit or enter the building and collected incidental records of bat activity near the surveyor locations.
- 2.20. No bat emergences were observed during the dusk emergence survey on 3rd May 2023. Survey results and weather conditions are provided in **Appendix 3**. PRF and surveyor positions are shown in the Bat Survey Plan (15114/P02) **Appendix 2**.

Evaluation

- 2.21. The evaluation of habitats and species is defined in accordance with published guidance¹. The level of importance of specific ecological features is assigned using a geographic frame of reference, with international being most important, then national, regional, county, borough and local.
- 2.22. Evaluation is based on various characteristics that can be used to identify ecological features likely to be important in terms of biodiversity. This includes site designations (such as sites of Species Scientific Interest (SSSIs)), or for undesignated features, the size, conservation status (local, national or international), and the quality of the ecological feature. In terms of the latter, quality can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats) or species populations or assemblages.

Quality Control

- 2.23. All ecologists at Tyler Grange are members of CIEEM or are working towards membership and act under the direction of members and abide by the Institute's code of conduct.

⁸ Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd Edition*. The Bat Conservation Trust, London.

⁹ Mitchell-Jones, A.J. and McLeish, A.P. (2004). *Bat Workers' Manual. 3rd Edition*. JNCC, Peterborough.



Limitations.

- 2.24. Internal inspection of structures within the site boundary were not possible due to access constraints. Notwithstanding this as all elevations of structures on site could be assessed externally as such it was not considered to be a limitation to the assessment.
- 2.25. The findings of this report are valid at the time of writing. Owing to the dynamic nature of ecological resources, if more than 12 months have elapsed since the report was written, advice should be sought to determine whether update work is required. The findings of the report should not be relied upon without this advice.
- 2.26. This report is also partly based on third party data held by the Local Record Centre, of which Tyler Grange Group Ltd. cannot guarantee the accuracy.



Section 3: Ecological Features

- 3.1. Ecological features within the site and Zol are described below, together with an assessment of their importance using a geographical frame of reference.

Protected sites

- 3.2. The site is not covered by any statutory or non-statutory sites designated for nature conservation importance.

Statutory designated sites

- 3.3. The data search returned four European statutory designated sites of international ecological importance within 10km of the site, which were as follows:

- Thames Estuary and Marshes, Ramsar and SPA: Located 0.14km north of the site, it is designated for its wetland / tidal habitats which are used by large numbers of resident and migratory waterfowl including *Avocet Recurvirostra avosetta*, Hen Harrier *Circus cyaneus* and Ringed Plover *Charadrius hiaticula*.
- Medway Estuary and Marshes, Ramsar and SPA located 3.3km south of the site, which is designated for its important wetland / tidal habitats which supports species such as Dark-bellied Brent Goose *Branta bernicla bernicla*, Redshank *Tringa tetanus* and, Shelduck *Tadorna tadorna*
- Benfleet and Southend, Ramsar and SPA, located 3.8km north which is designated for its wetland / tidal habitats which supports important populations of resident and migratory bird species which include Ringed Plover *Charadrius hiaticula* and Dark-bellied Brent Goose *Branta bernicla bernicla*
- Foulness (Mid-Essex Coast Phase 5), Ramsar and SPA, located 8.3km north of the site and designated for its wetland / tidal habitats which support important bird assemblages such as avocet *Recurvirostra avosetta*, oystercatcher *Haematopus ostralegus* and grey plover *Pluvialis squatarola*.

- 3.4. There is one nationally designated site within 2km of the site, namely South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI), located 0.1km north of the site. This is an overlapping designation with Thames Estuary and Marshes SPA and Ramsar site (as described above).

- 3.5. The site also falls within the SSSI Impact Risk Zone (IRZ) for South Thames Estuary and Marshes SSSI. The IRZ criteria states that for all planning applications (except householder) outside or extending outside existing settlements/urban areas affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures Natural England should be contacted.



Non-statutory Designated Sites

- 3.6. There are no Local Wildlife Sites (LWS) within 2km of the site boundary.

Habitats

- 3.7. The dominant habitats on site are modified grassland, buildings, hard standing as well as several scattered trees and small areas of introduced shrub. The site is part of the wider Allhallows Haven site consisting of caravans plus amenity and leisure facilities.
- 3.8. The habitats present within the site and their respective ecological importance are described below. This section should be read in conjunction with the Habitat Features Plan 15317/P01.

Buildings

- 3.9. Building 1 was a multi-use building with a swimming pool with steel frame, glass and metal clad roof; an arcade with a concrete roof with canvas canopy; and a restaurant area with wooden cladding and pitched tiled roofing. The building is likely to be from 1970's. Generally, the building is in good condition, with tiles well sealed and wood cladding well sealed. A collared dove is nesting on a light fitting on the eastern side. Buildings were of limited ecological value as had potential to support roosting bats and nesting birds, so this habitat type is assessed as of negligible ecological importance. not with stating it potential to support roosting bats and nesting birds.



Photograph 1: Building 1



Hardstanding

- 3.10. The building was surrounded by hardstanding forming access (as shown in Photograph 3.2 below). A small. Hardstanding is of no inherent ecological value and so is assessed to be of negligible ecological importance.



Photograph 2: Hard standing

Open water – swimming pool

- 3.11. A small outdoor swimming pool was also present on site. The pool was clad in tiles and well managed as such had no inherent ecological value and so is assessed to be of negligible ecological importance.

Scattered trees

- 3.12. Four semi-mature trees were identified within the scattered grassland area on site. Species included: alder *Alnus glutinosa*, willow *Salix spp.*, sycamore *Acer pseudoplatanus* and ash *Fraxinus excelsior*. Native scattered trees do have some inherent ecological value although, given the low numbers of trees present and the young age of the on-site tree, scattered trees are assessed to be of up to local ecological importance only.



Photograph 3: Line of semi-mature trees



Modified grassland

- 3.13. The site contained areas of modified grassland dominated by perennial rye grass *Lolium perene* with infrequent herb species including dandelion *Taraxacum agg.*, ribwort plantain *Plantago lanceolata* and common mallow *Malva sylvestris*. The sward height was very short throughout and there were extensive areas of bare ground indicating the habitat is heavily used for recreation. Although the grassland and in particular the herb species do have some inherent ecological value, given the small extent and the low diversity of herb species the grassland is assessed as having negligible ecological importance.



Photograph 4: Small area of modified grassland

Introduced shrub

A small area of introduced shrub dominated by ornamental species was present in the centre of the site. Species included bamboo spp., buddleia *buddleia davidii*, and cotoneaster spp, as well some areas of self-seeded bramble, ivy and goat willow. Although the bramble, ivy and goat willow offer some inherent biodiversity value overall this habitat is of negligible ecological importance.

Protected and priority fauna

- 3.14. Habitats within the site may offer opportunities for the following species groups. Species which are considered likely absent from the site based on professional judgement, following consideration of habitats within the site, signs of species presence at the time of survey and data search records, are not discussed. The potential for protected and priority species to be present within the site is described below and target notes (TN) are shown on the Habitat Features Plan (Reference: 15317/P01) and referenced below where applicable.

Bats

- 3.15. Records of common pipistrelle *Pipistrellus pipistrellus*, Leisler's bat *Nyctalus leisleri*, Nathusius' pipistrelle *Pipistrellus nathusii*, noctule bat *Nyctalus noctula* and serotine bat *Eptesicus serotinus*, soprano pipistrelle *Pipistrellus pygmaeus* were returned by the data search. Records of seven roosts (of unknown type) and two maternity roosts were found within 2km of the site.
- 3.16. No European protected species licence application records were returned for bats within the search area.



- 3.17. Habitats within the site offer limited foraging and commuting opportunities for bats, limited to the isolated specimens of buddleia. Given the urban context of the site, it is likely that existing lighting and noise disturbance levels are relatively high. Given these factors, it is **considered unlikely that the site supports significant numbers of foraging or commuting bats.**

PBRA results

- **Buildings** - The external assessment (no internal) found the B1 to be in a relatively good state of repair. The PBRA did however identify three PRF's as per below:
 - Gap and void between wall/roof (under soffit) were swimming pool structure meets main building. Also lifted flashing on eave/roof join.
 - Hole in wooden panelling of soffit.
 - Gap in fascia
- **Scattered trees** - within and adjacent to the site were found to contain no potential roost features during the PBRA.

- 3.18. No further surveys are required on the trees as these were assessed as having negligible potential to support roosting bats and therefore are considered likely absent from the trees on site.

Bat emergence survey results

- 3.19. As per best practise a single emergence survey was undertaken on potential roosting features by suitably experienced bat ecologists Tom Haley (Class 2 Licence Holder: 2020-44792-CLS-CLS) and Daniel Davies on the 3rd May 2023. The PRF and surveyor locations are shown on the Bat Survey Plan **15114/P02**.

There was no evidence of bats using building B1 for roosting during the dusk survey and no emergences were recorded. No bats were observed or recorded by the surveyors during the survey as such **bats have been assessed as being likely absent from the site.**

Great crested newt

- 3.20. No records for great crested newts were returned from the desk study and there were no European protected species licence application records within 2km of the site. The nearest pond to site is approx. 486m to the east however this is separated from the site by multiple roads and caravans which are likely to act as a barrier to dispersal. Although the modified grassland and introduced shrub offered some sub-optimal terrestrial habitats for great crested newts.
- 3.21. Based on the limited ecological value of habitats present within the site, desk study records and the lack of connectivity, **great crested newts have been assessed as being likely absent from the site.**



Breeding birds

- 3.22. Numerous records of bird species were returned from the data search which included species that may utilise the site such as house sparrow *Passer domesticus*, and starling *Sturnus vulgaris*.
- 3.23. The building, trees and introduced shrub on site had potential to support nesting birds. A collard dove nest was also observed within the building during the initial ecological assessment in August 2022.
- 3.24. Considering the above, it likely that **low numbers of nesting birds, could utilise the site** and it is likely these would be relatively common and widespread species such as collard doves, starlings and house sparrows.

Wintering bird

- 3.25. Given the proximity of the site to the Thames Estuary and Marshes, Ramsar and SPA it is possible that wintering birds are potentially using the site. However, given the very small size and sub-optimal grassland habitat on site and it is unlikely to be of supporting importance to the SPA as **such further surveys for this species group were scoped out**.

Reptiles

- 3.26. Three records of grass snake *Natrix Helvetica*, two of slow worm *Anguis Helvetica* and one record of viviparous lizard *Zootoca vivipara*, both recorded in 2016, were returned by the data search. Numerous viviparous lizard were also found on another area on site in 2022 (Tyler Grange, 2022)
- 3.27.** Although common reptile species are known to be present in the wider landscape habitat, the grassland was assessed as being unsuitable for supporting reptiles and no potential refugia were identified within the site boundaries. Furthermore, there was no habitat connectivity between known reptile population and the development site **as such reptiles have been assessed as being likely absent from the site**.

Other priority or protected species

- 3.28. Based on the limited ecological value of habitats present within the site, desk study records and the lack of connectivity, no other protected or priority species are considered likely to be present within the site.

Invasive Species

- 3.29. Invasive species are those listed under Schedule 9 of the Wildlife and Countryside Act 1981. Regarding invasive plant species (listed under Part II of Schedule 9), it is an offence to plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9.
- 3.30. No invasive plant species were observed at the site during the site visit and as such it is **considered that invasive plant species are likely to be absent from the site**.



Section 4: Potential Impacts, Mitigation and Enhancements

- 4.1. The proposals comprise the renovation and extension of the existing building to deliver new indoor and outdoor pools with associated soft and hard landscaping (**Appendix 4**)
- 4.2. Where there are potential impacts to the ecological features described above during either the construction or operational phases of the proposed development they are described below. Relevant legislation and policy are described within **Appendix 1**.

Statutory designated sites

- 4.3. Thames Estuary and Marshes (Ramsar, SPA), Medway Estuary and Marshes (Ramsar, SPA) and Benfleet and Southend Marshes (Ramsar, SPA) are considered to be of **international ecological value** given their designations as European designated sites.
- 4.4. South Thames Estuary and Marshes (SSSI) is considered to be of **national ecological value**, given its designation as a SSSI.
- 4.5. The development has the potential to have direct pollution from construction and operation and indirect impact noise and lighting on the designated site.
- 4.6. The site is also within 10km of three other statutory designated sites; Development within the site may also affect Benfleet and Southend, Ramsar and SPA and Foulness (Mid-Essex Coast Phase 5) which are 3.7km and 8.2km from the site.
- 4.7. A Shadow Habitat Regulation Assessment (HRA) has been conducted for the recent extant planning applications (MC/19/1820) at Allhallows Haven. The finding of this assessment has been used to produce a HRA technical note which assess impacts on Thames Estuary and Marshes Ramsar, SPA and South Thames and Marshes SSSI by this latest planning application. The previous application of much larger and nearer to the designated site as such impact was assessed as being greater than this application therefore its conclusion can be relied upon regarding this application.
- 4.8. No adverse impacts are anticipated on statutory designated sites given the nature and scale of the proposed development and the large distance between the proposed development area and the closest statutory designated sites. Subject to mitigation measures as referenced in the technical note.

Habitats and flora

- 4.9. Most habitats within the proposed development area to be removed (buildings and hardstanding) are of **negligible ecological value**.
- 4.10. The semi-mature trees should be retained or replaced as part of the proposals if lost. Any retained trees and shrub should also be appropriately buffered and protected during both construction and operational phase.



- 4.11. The loss of the grassland and trees will be enhanced through the planting of wildflower grassland and incorporation of new trees of known wildlife value as well as further enhancement through SUDs features and hedgerows.

Protected and priority fauna

Bats

Roosting

- 4.12. Bats are European protected species, and their breeding sites and resting places are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and under Schedule 5 of the Wildlife and Countryside Act (WCA) 1981 (as amended), making it an offence to capture, injure or kill a bat or to disturb or obstruct access to a bat roost. Certain species of bat are also Species of Principal Importance (SoPI) under the NERC Act 2006.
- 4.13. The PBRA of the site found all trees within and adjacent to the site to be of negligible suitability to support roosting bats as such no further surveys are required on trees.
- 4.14. The building was however found to contain potential roosting features of low suitability to support roosting bats. As these may be impacted by proposed works a single dusk emergence survey was completed on 3rd May 2023 and found bats to be likely absent from the building.

Commuting and Foraging

- 4.15. The habitats within the site are not connected to similar habitats or corridors which may be utilised by foraging or commuting bats and are restricted to small individual stands of buddleia within hardstanding. Furthermore, the site is in an existing urban context with relatively high light and noise disturbance levels anticipated. Therefore, the site is unlikely to be utilised by foraging and commuting bats and they are assumed absent from the site.
- 4.16. The proposed trees and shrubs are anticipated to provide foraging resource for bats than the existing habitats. Such enhancements accord with local planning policy. The site could be further enhanced for bats through inclusion of bat boxes within building design.

Nesting birds

- 4.17. All breeding birds, their nests, eggs, and young are protected under the Wildlife and Countryside Act 1981 (as amended), which makes it illegal to knowingly damage or destroy a nest site while it is in use or being built.
- 4.18. It is therefore recommended that any required works to the rooftop of the building and vegetation clearance works are completed outside of the core nesting bird season (March-August inclusive), although nests can be present at any time of year. Where this is not possible, a pre-clearance nesting bird check should be completed by a suitably experienced ecologist. If nesting birds are found to be present, a buffer zone around any active nests will be instated, with no works to be undertaken within the buffer zone until the chicks have fledged. A repeat visit by the ecologist will be required to determine if the chicks have fledged.



These measures should be detailed within a CEMP, which can be secured by a suitably worded planning condition.

- 4.19. The site could be enhanced for nesting birds through the erection of bird boxes on the existing buildings and retained trees.



Section 5: Conclusion

- 5.1. With the implementation of the mitigation and enhancement described in **Section 4** the proposed development would conform with relevant planning policy and adopted/draft local planning policy listed in **Appendix 1**.
- 5.2. The site is located within 0.14km of the Thames Estuary and Marshes (Ramsar, SPA) and South Thames Estuary and Marshes (SSSI), which forms part of the Thames Estuary and Marshes; and within 2.9km of the Medway Estuary and Marshes (Ramsar, SPA). The development has the potential to have direct (pollution from construction and operational phase) impacts on the Thames Estuary and Marshes (Ramsar, SPA) and South Thames Estuary and Marshes (SSSI). A Technical Note – HRA has therefore been produced with referenced to approved adjacent larger scheme which is in closer proximity to designated site (MC/19/1820), where consultation with LPA and Natural England took place. It provides details assessment and mitigation measures that can be secured through appropriately worded planning conditions on LSEs at both construction and operational phase.
- 5.3. Loss of habitats such as the scattered trees, modified grassland and introduced shrub should be mitigated through planting of native trees, native shrub species and species rich grassland within the landscaping proposals and provide greater opportunities for flora and fauna species within the proposed development when compared to the existing habitats.
- 5.4. All appropriate bat surveys (PBRA and emergence survey) were completed in accordance with best practice guidance. No bat roosts were identified during the emergence survey In May 2023. It is therefore considered that sufficient survey effort and mitigation measures have been/will be implemented regarding legal compliance for the protection of bats.
- 5.5. Removal of buildings, shrub, and tree vegetation should be carried out outside of the nesting bird season (March-August inclusive); if the vegetation removal works are due to be completed during the nesting bird season, the works should be supervised by an ECoW.
- 5.6. The ecological mitigation and enhancement strategies detailed in this and the HRA Technical Note report, summarised below, can be secured through an appropriately worded planning condition:
 - the landscaping and ecological enhancements (habitat including trees, shrub, and species rich grassland and bird and bat boxes) for biodiversity as per Section 4.
 - secure the production of a CEMP to ensure the protection of designated sites, habitats and species on-site during the construction phase .
 - a sensitive lighting strategy to be designed as per best practice guidance.
 - the long-term monitoring of the habitats and species present on-site to ensure management changes can be implemented if mitigation measures are not achieving their intended goals.
- 5.7. With the implementation of the proposed landscaping, and nesting bird avoidance measures described in Section 4 it is considered that the proposed development would conform with



relevant legislation, national planning policy and adopted local planning policy as listed in **Appendix 1**.



Appendix 1: Relevant Legislation and Planning Policy

- A1.1. Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:
- The Environment Act 2021;
 - The Wildlife and Countryside Act (WCA) 1981 (as amended);
 - The Conservation of Habitats and Species Regulations 2017 (as amended);
 - The Countryside and Rights of Way (CRoW) Act 2000;
 - The Natural Environment and Rural Communities Act (NERC) 2006;
 - The Hedgerows Regulations 1997; and
 - The Protection of Badgers Act 1992.
- A1.2. The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of conservation interest. The Birds Directive (formally known as Council Directive 2009/147/EC on the conservation of wild birds) was also adopted in 2009. These directives have been transposed into UK law through The Conservation of Habitats and Species Regulations 2017 (as amended).
- A1.3. In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.
- A1.4. The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected I whilst it is using a place of rest or shelter or breeding/nest site.

National Planning Policy

National Planning Policy Framework, July 2021

- A1.5. The National Planning Policy Framework (NPPF) was updated in July 2021 and sets out the Government's planning policies for England and how these should be applied. It replaces the National Planning Policy Framework published in July 2019.
- A1.6. Paragraph 11 states that:



"Plans and decisions should apply a presumption in favour of sustainable development."

A1.7. Section 15 of IPF (paragraphs 174 to 182) considers the conservation and enhancement of the natural environment including habitats and biodiversity (paragraphs 179-182)

A1.8. Paragraph 174 states planning and decisions should contribute to and enhance the natural and local environment by:

"protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the proposed development plan);

recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and

minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"

A1.9. Paragraph 175 states that plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

A1.10. Paragraph 179 states that in order to protect and enhance biodiversity and geodiversity, plans should:

"Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

A1.11. When determining planning applications, Paragraph 180 states that local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

"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;

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 proposed 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;

development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and

development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

A1.12. As stated in paragraph 181 the following should be given the same protection as habitats sites:

"potential Special Protection Areas and possible Special Areas of Conservation;

listed or proposed Ramsar sites; and

sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites."

A1.13. Paragraph 182 states that the presumption in favour of sustainable development does not apply where the planned project is likely to have a significant effect on a habitat site (alone or in combination with other plans or projects) unless an appropriate assessment has concluded the plan or project will not adversely affect the integrity of the habitats site.

Local Planning Policy

Medway Local Plan (Adopted-2003)

A1.14. The Medway Local Plan (2004) sets out the long-term spatial vision for the District and contains policies to help deliver that vision.

POLICY ED15 states that:

"Proposals for new facilities will be permitted provided it can be demonstrated that:

(i) the scale of development would not adversely affect local amenity, nature conservation interests or be an intrusive element in the surrounding landscape; and

(ii) the local highway network is capable of supporting the scale of development proposed; and

(iii) the facilities associated with the development are of a design and scale in keeping with the locality."

A1.15. POLICY BNE38: WILDLIFE CORRIDORS AND STEPPING STONES states:



“Development should, wherever practical, make provision for wild life habitats, as part of a network of wildlife corridors or stepping stones.”

A1.16. POLICY BNE39: PROTECTED SPECIES states:

“Development will not be permitted if statutorily protected species and/or their habitat will be harmed. Conditions will be attached, and/or obligations sought, to ensure that protected species and/or their habitats are safeguarded and maintained.”

A1.17. Policy H6: Mobile Home Parks of the Medway Habitat Regulation Assessment: Medway Local Plan Development Strategy Interim Consideration of the Implications of Development Strategy Scenarios on European Sites, states:

- *“Proposals for mobile or park home developments will be given the same consideration as other dwellings and will be subject to the same compliance with planning policy in assessing impact and sustainability.*
- *The council seeks to protect existing parks from competing uses but restrict their expansion outside designated areas. It will restrict intensification beyond density guidelines and seek opportunities to enhance the design and visual impact on the surrounding area particularly those near areas of sensitive environmental interests.*
- *The policy outlines general criteria for testing the acceptability of the development of mobile home parks and development that may result in the loss of mobile homes. Any development that may result in the permanent loss of mobile homes at the Hoo Marina Park or the Kingsmead Mobile Home park, or a reduction in the area available for their use will not be permitted.*
- *The council will set out criteria by which it will consider the development of new mobile homes or caravans outside of existing sites. Intensification within the footprint of existing sites must adhere to latest Model Standards for Caravans in England. Any proposals for updates or intensification must have careful consideration for the colour, massing and materials used, incorporate appropriate landscaping and have no adverse impact on the character of the locality or amenity of nearby residents.”*
- *Maximise biodiversity gains from new developments by requiring developments to incorporate biodiversity measures;*
- *Require all major developments and new build minor developments to incorporate high quality green roofs as standard, including on new Council buildings;*
- *Encourage biodiversity improvements to be delivered through sustainable urban drainage systems;*
- *Review landscaping proposals submitted with planning applications, to ensure that biodiversity benefits are maximised;*
- *Provide specialist arboricultural advice on planning applications; and*
- *Identify opportunities to green the public realm through the creation of pocket parks and improvements of green infrastructure on our public roads and pavements including SUDs schemes.*

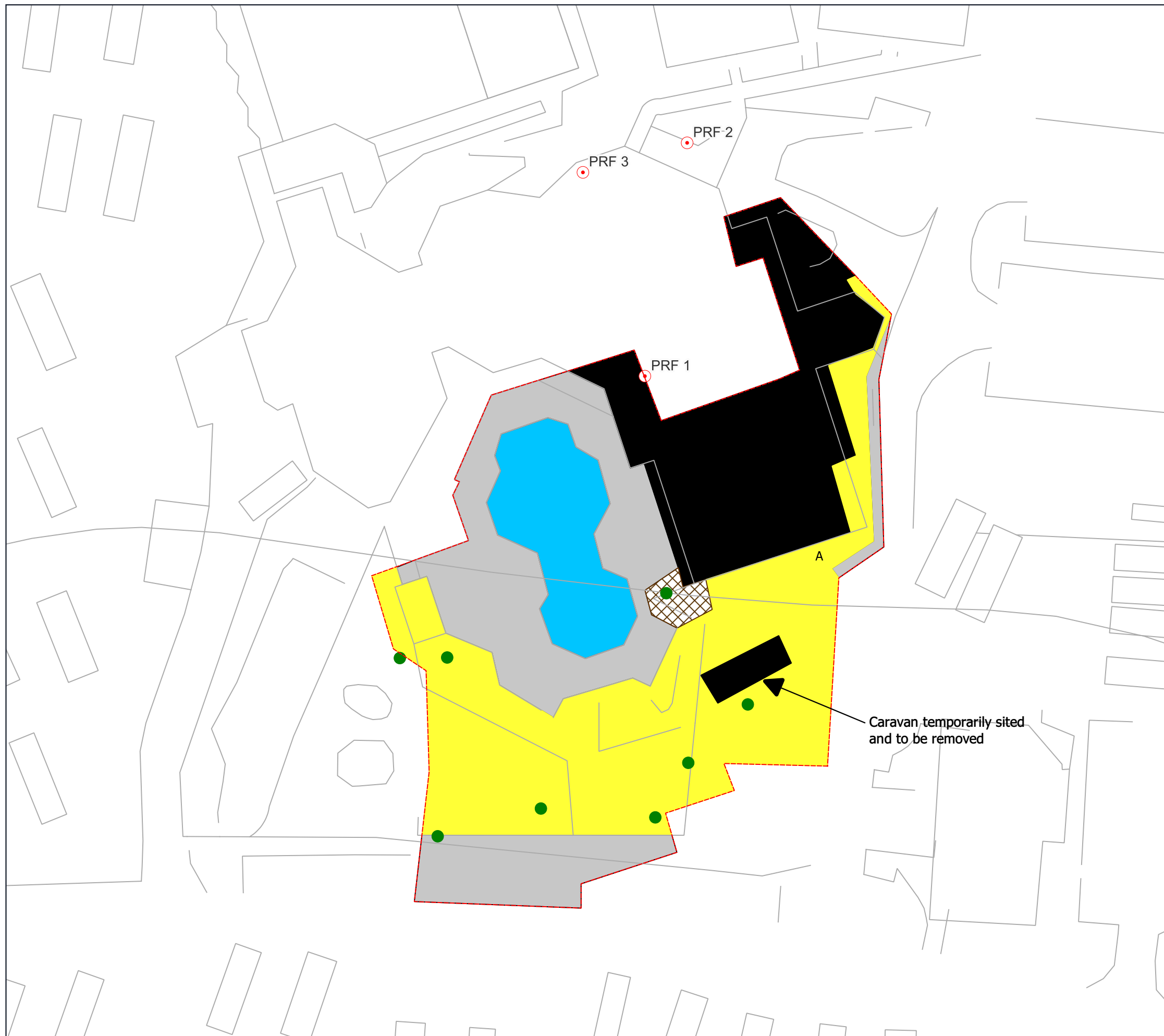


Appendix 2: Plans:





Plan 1: Habitat Features Plan 15114/P01

Plan 2: Bat Survey Plan 15114/P02










Boundaries

-  Site boundary
-  Baseline - Target Notes
-  Broad-Leaved Scattered Trees
-  Line

Habitat_Areas

-  Building
-  Hardstanding
-  Modified grassland
-  Standing water -Swimming pool
-  Introduced shrub



Project	Allhallows Swimming Pool
Drawing Title	Habitat Survey Plan
Scale	As Shown (Approximate)
Drawing No.	15114/P01
Date	05/2023
Checked	GS/NJ



WeWork Offices, 30 Stamford Street, Southbank, London, SE1 9LQ
 T: 020 393 494 70 E: info@tylergrange.co.uk W: www.tylergrange.co.uk



KEY

- ⊕ Bat Survey Location
- ⊙ Potential Roosting Features
- Redline Boundary



Project	Allhallows Swimming Pool Application
Drawing Title	Bat Survey Plan
Scale	As Shown (Approximate)
Drawing No.	15114/P02
Date	05 2023
Checked	WW/GS



WeWork Offices, 30 Stamford Street, Southbank, London, SE1 9LQ
 T: 020 393 494 70 E: info@tylergrange.co.uk W: www.tylergrange.co.uk

Appendix 3: Bat Survey Data

Bat Emergence/Re-entry Form			
Project: 15114 - Allhallows Swimming Pool Extension	Visit: 1	Date: 03/05/23	Surveyor: TH
Equipment: Batlogger M2	Start Time: 20:11	End Time: 21:56	Sunrise/Sunset: 20:26
Wind Start: (5 / 12)	Temp Start: 9°C	Prec Start: None	Cloud Start: (4 / 8)
Wind End: (5 / 12)	Temp End: 8°C	Prec End: None	Cloud End: (4 / 8)
			
<p>Summary: No bats seen or heard during survey. Both locations heavily lighted, with lots of disturbance.</p>			



Project Name		Date	Survey Type:		Sunset time:		Start/End temps.	9 °C	Bat detector	Batlogger M2
15114: Allhallows Swimming Pool Extension		03/05/2023	Dusk - emergence		Sunrise time: 20:26		Start/End Cloud cover	50%	Recording device	
Survey position		Surveyor Name	Survey Number: 1		Survey Start time	20:21	Wind (Beaufort)	6	Recording start time	
1		Tom Haley			Finish time	20:56	Rain (1-5)	0	Notes	
Licence Holder:		Class 2 bats		Years' Experience:	12					
Map Ref (plot flight-line on map)	Time	Species	Number	Heard/Seen	Behaviour: (Foraging, Passing, Commuting, Social Calling etc)			Direction of travel	Notes (Direction of travel, height of bat, no. of bats etc)	
									No Bats recorded	
Please provide a brief summary of activity during the survey:										
No Bats recorded. Very lit up with lots of noise and light disturbance										
Example: "No emergences. Frequent common pipistrelle foraging activity during first hour after sunset. Very little activity thereafter".										

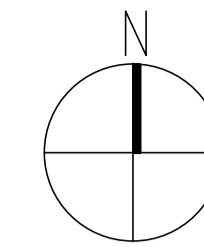
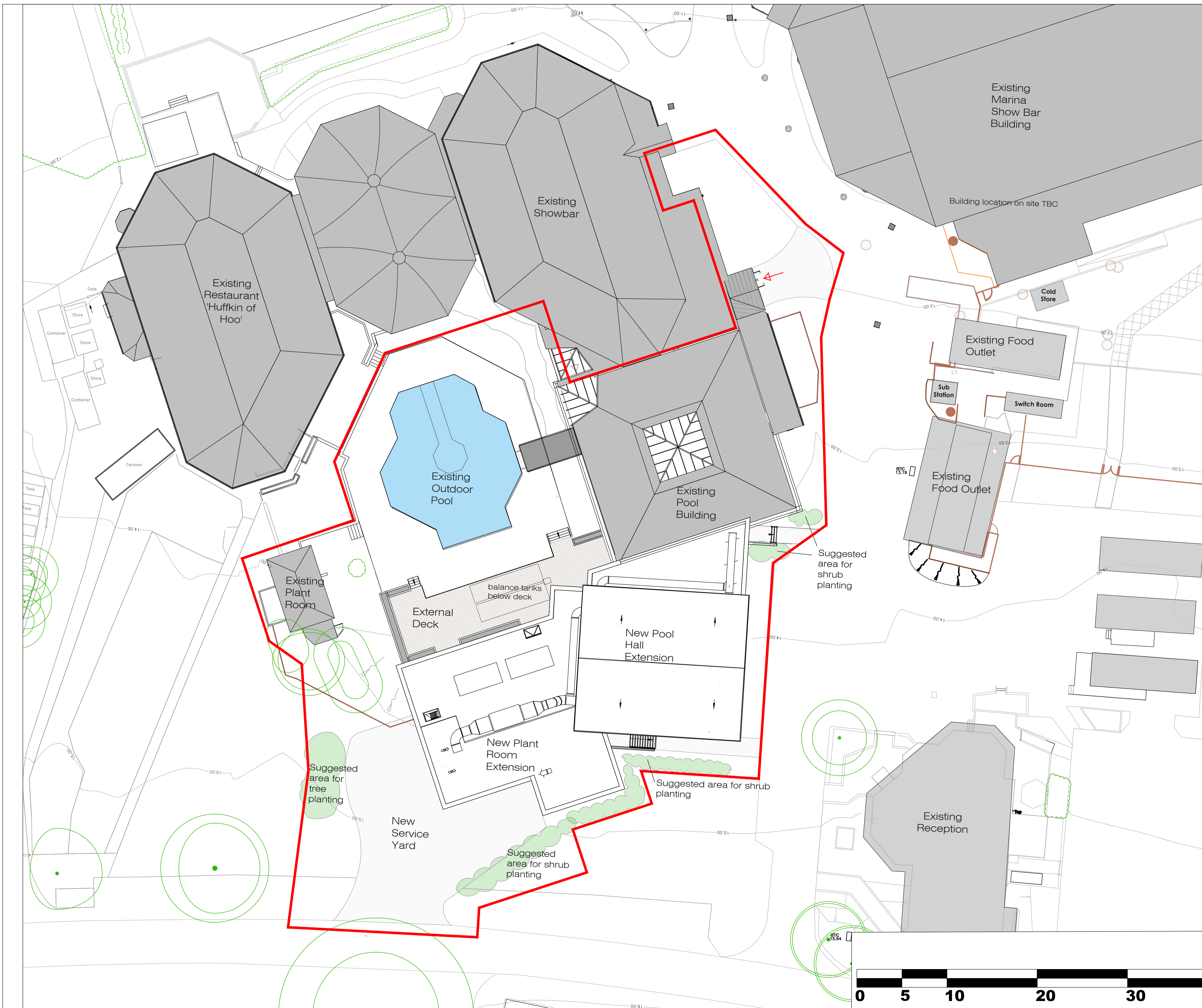


Project Name	Date	Survey Type:	Sunset time:	Start/End temps.	9 °C	Bat detector	Echometer pro
15114: Allhallows Swimming Pool Extension	03/05/2023	Dusk - emergence	Surise time: 20:26	Start/End Cloud cover	50%	Recording device	
Survey position	Surveyor Name	Survey Number: 1	Survey Start time	20:21	Wind (Beaufort)	6	Recording start time
1	Danial Davies		Finish time	20:56	Rain (1-5)	0	Notes
Licence Holder:	None		Years' Experience:	3			
Map Ref (plot flightline on map)	Time	Species	Number	Heard/Seen	Behaviour: (Foraging, Passing, Commuting, Social Calling etc)	Direction of travel	Notes (Direction of travel, height of bat, no. of bats etc)
							No Bats recorded
Please provide a brief summary of activity during the survey:							
No Bats recorded. Very lit up with lots of noise and light disturbance							
Example: "No emergences. Frequent common pipistrelle foraging activity during first hour after sunset. Very little activity thereafter".							



Appendix 4: Proposed Site Plan (Space & Place, 2023) –





NOTE

— Planning Boundary Line

Revision	Date	Description	By/Ch
P01	11.05.23	Issued for Planning	SG

CLIENT
Haven Leisure Ltd



+44 800 900 8008 enquiries@space-place.com www.space-place.com

STATUS: Issued for Planning

PROJECT
Haven Holiday Parks
Allhallows

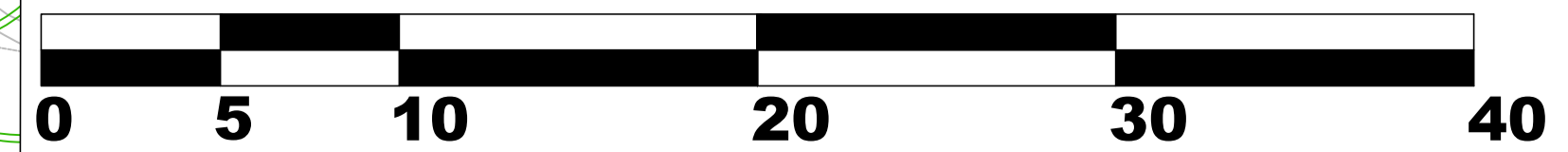
DRAWING

Site Plan As Proposed

SCALE 1:200 SHEET SIZE A1 DRAWN BY GM CHECKED BY SP DATE 10.10.2022

PROJECT NO. DRAWING NO. REVISION
3893-ASP-ZZ-XX-DR-A-0823-P01

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