

Dear David,

APP/24/01010 | Proposed employment development, with associated access, parking, yards and landscaping Classes B2 (General Industry), B8 (storage & distribution) and Class Ec-g. | Interbridges Site, New Brighton Road, Emsworth

Thank you for consulting me on this application. The application is now accompanied by an ecological letter report (EcoSupport, 7 March 2025) that seeks to address the comments made in my previous consultation response. I have also reviewed the Biodiversity Net Gain Assessment, Management and Monitoring Plan and the amended Biodiversity Net Gain Statutory Metric (both EcoSupport, March 2025).

I welcome the further detail on the composition of on-site grassland. The site has been subject to intermittent but comprehensive disturbance on several occasions over the previous decade, resulting in the loss of what most likely was Lowland Meadow Priority Habitat: the presence of Meadow Barley indicates that the grassland was most likely good semi-improved. In terms of habitat classification for Biodiversity Net Gain (BNG) the point at which habitat degradation (in this case habitat clearance associated with a previous planning application) takes place is material to the baseline biodiversity value. Government Planning Policy Guidance on BNG states that:

- *If activities to implement or in connection with a planning permission are carried out after 25 August 2023 that lower the biodiversity value of the onsite habitat, the pre-development biodiversity value of the onsite habitat is taken to be the biodiversity value immediately before the carrying out of the activities. The relevant date should therefore be set as a date immediately before these activities.*

The letter report dated 7 March 2025 states that the most recent habitat 'degradation' occurred in October 2023. Therefore, for the purposes of BNG the correct baseline habitat date is 25 August 2023, prior to those most recent degradation works being completed. I therefore accept that the submitted baseline relating to the site containing Other Neutral Grassland is correct. I still maintain that the presence of the old grassland indicator Meadow Barley suggests that this site was likely botanically more interesting prior to its initial clearance in 2015, but there is no value in pursuing this matter further.

I acknowledge the detail provided in respect to artificial lighting and am content that the proposed lighting strategy has been reviewed by the applicant's ecologist and that it will accord with industry best practice guidelines in respect to bats and artificial lighting. This can be secured through condition.

Further clarification is provided on the matter of reptile species. An additional trapping exercise will be carried out prior to any further habitat clearance works. This is now acceptable.

Clarification on the suitability of habitat for nesting birds has been provided. I am content that the submitted information provides reassurance that the presence of nesting birds will be addressed during vegetation removal. No further information is required.

On the matter of Biodiversity Net Gain (BNG) I do acknowledge that there is a balance between a workable development site and the space available for meaningful biodiverse habitats. I also acknowledge the need to maintain trading rules within the BNG process, although there is some flexibility on this matter if sufficiently justified. The amended Biodiversity Net Gain Statutory Metric (EcoSupport, March 2025) demonstrate that the proposed scheme will result in deficit of 2.99 habitat units (equating to a 75.52% loss), comprising medium distinctiveness habitats such as Other Neutral Grassland and Bramble Scrub. In summary, I accept that there is limited opportunity for meaningful BNG measures with this submitted site layout. It is also true that this site has benefitted from a previous planning permission to which BNG did not apply, and so any BNG related gains would indeed not have occurred. This obvious benefit is rendered somewhat moot as the BNG is to be delivered well outside Havant borough, which is of course a procedurally correct option for the applicant and highlights the absence of a local BNG off-site market.

The letter report does not address the matter of potential hydrological impacts on the nearby Lumley Meadows SINC (Brook Meadow). I would again welcome further clarification on whether the potential hydrological impacts of development on sensitive 'downstream' areas has been considered, if indeed there is any hydrological link. This may be a matter for the applicant's drainage specialist, with input from the ecologist.

The proposed 'native groundcover' has been amended to now include Ivy, Large Thyme and Tutsan. This is an odd combination, and I can imagine the thyme (a scarce plant of chalk downland) soon being swamped by Ivy. The Tutsan *Hypericum androsaemum* will undoubtedly be the ornamental variety (the native plant is a scarce species of damper ancient woodlands on chalk or lime soils). I don't see why these 'native groundcover' areas cannot simply contain some native hardy perennial flowering species. In any case, these areas are mapped as ornamental in the BNG calculations.

In respect to BNG, the deemed condition states that a Biodiversity Gain Plan be submitted to and approved by the local planning authority prior to the commencement of development but is silent on implementation. If you are minded to grant permission, can I suggest that a condition setting out the expectations for BNG implementation is included as follows:

A Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment, Management and Monitoring Plan and the amended Biodiversity Net Gain Statutory Metric (both EcoSupport, March 2025) and must include:

- (1) *information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;*
- (2) *the pre-development biodiversity value of the on-site habitat;*
- (3) *the post-development biodiversity value of the on-site habitat;*
- (4) *any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;*
- (5) *any biodiversity credits purchased for the development; and*
- (6) *any such other matters as the Secretary of State may by regulations specify.*

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (7) *a non-technical summary;*
- (8) *the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- (9) *the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
- (10) *the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
- (11) *the monitoring methodology and frequency in respect of the created or enhanced habitat.*

Notice in writing shall be given to the Council when the:

- (12) *HMMP has been implemented; and*
- (13) *habitat creation and enhancement works as set out in the HMMP have been completed.*

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

The purchase of off-site BNG units from the indicated provider (Iford Estate, East Sussex) will be subject to their own legal agreement between the provider and applicant, and their own HMMP. Havant Borough Council will need to see evidence (ideally within the Biodiversity Gain Plan) that the required units have been purchased solely for the use of this development.

For other ecological matters, I would recommend that these are all captured within a single Ecological Mitigation, Compensation and Enhancement Strategy secured through condition. This should provide a single document setting out all ecological avoidance, mitigation, compensation and enhancement measures and should be in full accordance with other key documents such as landscaping, arboriculture, drainage and lighting proposals.

Prior to the commencement of development activities, an Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the ecological avoidance, mitigation, and compensation measures as detailed in the Preliminary Ecological Appraisal (EcoSupport, November 2024), Phase II Bat Survey Report (EcoSupport, November 2024), BNG Habitat Management & Monitoring Plan (EcoSupport, March 2025), and Landscape & Ecological Management Plan (EcoSupport, November 2024) unless otherwise agreed in writing by the Local Planning Authority. It shall include, but not necessarily be restricted to: full details of all measures to avoid and mitigate the potential impacts of development on ecological receptors (including artificial lighting); full details of all proposed ecological compensation and enhancement measures including location, area, composition, establishment and ongoing management, monitoring, and roles and responsibilities. Reason: to provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

If you have any queries, please don't hesitate to contact me.

Kind regards,

Tristan

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