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To: Miszewska, Arleta <Arleta.Miszewska@havant.gov.uk>

Cc: Norton, Tristan <Tristan.Norton@havant.gov.uk>

Subject: APP/22/00439 The South Downs College, College Road, Purbrook, Waterlooville, PO7 8AA

Dear Arleta,

APP/22/00439 | Redevelopment of southern section of site to provide 91 dwellings comprising 42 No. 2, 3 & 4 bed houses and 49 No. 1 & 2 bed flats with associated parking, landscaping, waste and cycle storage. New access from College Road and other associated works. | The South Downs College, College Road, Purbrook, Waterlooville, PO7 8AA

Thank you for consulting me on this application.

The application is accompanied by an amended Ecological Assessment (Pro-Vision, March 2025). The site comprises a large area of predominantly hardstanding with associated areas of semi-improved grassland/scrub with numerous planted trees. The site is bordered to the south, east and west by strips of broadleaved woodland. The site sits at the southern end of the South Downs College complex, with extensive areas of ancient woodland to the north/north-east many of which are Sites of Importance for Nature Conservation (SINCs). The land to the south of the site comprises extensive open semi-improved grassland with scrub and hedgerows and is subject to a separate planning application for housing. I have welcomed the ongoing engagement with the applicant and their positive response to comments from consultees, in particular around potential impacts to protected species and the need for increased ecological buffers.

A range of ecological surveys have been carried out in the period 2021 to 2024 covering relevant habitats and species groups. I am content that the survey methodologies applied are satisfactory and provide a sound assessment of the site's ecological features. The bulk of the application site contains hard surfacing and I am content to agree that this is of negligible ecological value. Occasional patches of modified grassland are present surrounding the hardstanding and contain a typical range of plant species associated with this habitat type. The key habitat feature on site is a continuous strip of broadleaved woodland containing a good range of native tree and shrub species. This woodland strip continues around the western, southern and eastern site boundaries and merges with the nearby Littlepark Wood (West) SINC to the north-east.

In terms of protected and notable species, the site has been shown to support an active Badger sett and evidence that Badgers were active across the site. I concur with the conclusion that the application site itself likely provides limited foraging habitat and the main focus of Badger foraging and other activity would be the extensive grassland located to the south of the site as well as the extensive wooded areas to the north-east.

In respect to bat species, none of the buildings within/adjacent to the application site are considered to offer suitability for roosting bats: I am content to agree with this assessment and no further works are necessary. All trees within the site have been subject to ground-level assessment and it is concluded that no trees offer roosting opportunities. I am happy to concur with this assessment. General bat activity (foraging, commuting, other flying activity) has been assessed in 2021 and 2024 using walked transects and automated detector monitoring. The site has been shown to be of County

importance for bat species, supporting a range of common and less common species including Western Barbastelle. Bat activity is unsurprisingly dominated by Common Pipistrelles. I acknowledge that the key areas of bat activity are the wooded southern and eastern boundaries and that the bulk of the site is likely to be of relatively limited value for bat species. No further bat survey work is necessary.

The site has been shown to support a population of Hazel Dormice. After no evidence was recorded in 2021, in 2024 evidence was recorded in the form of Dormouse nests and live Dormice. This result is expected as this species is known to occur in woodland locally and the wooded boundary of the application site offers suitable habitat connected to known occupied habitat. Interestingly, Dormouse evidence was not only recorded within the continuous wooded southern, western and eastern boundaries but also in the north-west of the site

Similarly, common reptile species have now been recorded, having been seemingly absent in 2021. Low numbers of Common Lizard and Slow-worm were recorded across the site.

There is a potential for construction and operational phase disturbance to fields located immediately south of the application site. These fields are included in the Solent Waders & Brent Goose Strategy (SWBGS) and provide valuable terrestrial habitat for wintering bird species associated with the Solent's Special Protection Areas (SPAs). Construction phase impacts can be avoided and mitigated through the use of sensitive construction methods and I am content for these to be detailed within a Construction Environment Management Plan (CEMP) secured by condition. The retention of the wooded southern and eastern boundaries will serve to screen much of the construction and operational activity from the fields to the south.

Impacts to Badgers will be partially avoided by the retention of the southern and eastern wooded boundary. One of the recorded setts will require closure under licence and the methods detailed are standard and acceptable. The presence of new residential housing in close proximity to active Badger setts has the potential to lead to conflict and so the use of secure Badger-proof fencing along the site's wooded boundaries is a sensible strategy. The proposed woodland buffer in the south-east corner of the site, made possible by the reconfiguration of the site layout.

For bats, direct impacts from habitat loss will be avoided and therefore the key impact will arise from an increase in artificial lighting. I acknowledge that the site is currently rather well-lit. It is proposed that the development lighting strategy is guided by key avoidance principles and that the wooded boundary will not be subject to illuminance levels greater than 1 lux and luminaires will be fitted with sensitive lamps set at suitable aspects. I am content that this is acceptable.

Habitat occupied by Hazel Dormice will be directly affected, resulting a loss of an estimated 0.094 hectares. This habitat clearance will need to be carried out under a European protected species mitigation licence. Habitat will be subject to supervised clearance in stages. A new area of native

scrub/woodland habitat is to be created at the site's south-eastern corner and this will include new plantings as well as translocated Hazel stools from the proposed new access at the western boundary. This will create an area of c.0.75 hectares of new habitat. A series of Dormouse nesting boxes will be installed within the retained boundary woodland. Overall, I am satisfied that these measures are acceptable.

This development will affect Hazel Dormice, which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Where development affects a European protected species (EPS), permission can be granted unless the development is likely to result in a breach of the Habitats Regulations and is unlikely to be granted a licence from Natural England to allow the development to proceed under a derogation from the law.

An EPS licence can only be granted if the development proposal is able to meet three tests:

- 1) *the consented operation must be for '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'; (Regulation 53(2)(e))*
- 2) *there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and*
- 3) *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' (Regulation 53(9)(b)).*

It is for you as the case officer to assess the proposals against the first two tests – you may wish to ask for further information from the applicant but if the proposed development is acceptable in planning terms then the first two test can be said to be met. In order to assess the development against the third test, sufficient details must be available to show how killing / injury of Hazel Dormice and will be avoided and how the loss or damage to Hazel Dormice habitat will be compensated. As detailed above, a mitigation strategy has been provided, detailing specific measures to avoid harm to Hazel Dormice and their habitat during construction works and to provide compensatory habitat within the application site. I would support these measures and, on the basis of the information currently available, and if you are satisfied that the first two tests can be met, I am confident that the development is not unlikely to be licensed. I would recommend that LPA's engagement with the Habitats Regulations is detailed in your report.

In relation to proposed mitigation, compensation and enhancement measures for other species I am content with the information provided. The development will include areas of new grassland habitat and will include a range of bat and bird box features on new buildings.

If you are minded to grant permission, can I suggest that all ecological avoidance, mitigation, compensation and enhancement measures are secured. Suggested condition wording is as follows:

Prior to the commencement of development activities, a Landscape and Ecological Management Plan shall be submitted to an 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 Ecological Assessment (Pro-Vision, March 2025) 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.

Prior to the commencement of development activities, a Construction Environment Management Plan (CEMP) shall be submitted to an approved in writing by the Local Planning Authority. The CEMP shall include, but not necessarily be restricted to: details of all measures to avoid the potential impacts of development on functionally linked land associated with the Solent Special Protection Areas (SPAs. 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

Tristan Norton

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