

From: Norton, Tristan
Sent: Friday, August 23, 2024 12:18 PM
To: Taylor, Kayleigh
Cc: Norton, Tristan
Subject: APP/24/00408 | Replacement of existing two bedroomed prefabricated residential building with two bedroomed traditionally built bungalow. | Littlebarn Way, Higworth Lane, Hayling Island, PO11 0QZ

Dear Kayleigh,

APP/24/00408 | Replacement of existing two bedroomed prefabricated residential building with two bedroomed traditionally built bungalow. | Littlebarn Way, Higworth Lane, Hayling Island, PO11 0QZ

Thank you for consulting me on this application. Further information is required.

The application is accompanied by a completed Biodiversity Net Gain Small Sites Metric (Ian Murray, June 2024). The Metric has been completed correctly and is acceptable. However, there are matters pertaining to BNG that require further clarification.

I would request further information on the location and nature of vegetation to be lost. For example, the Metric states that a 'line of trees' and a 'native hedgerow' (together totalling 31m length) are to be lost. It would be helpful to have a site plan showing the location of these features, and for a description of them (species, height, width) to be provided – this will allow me to assess the value of the habitats to be affected and determine whether it would be preferable to retain these features in accordance with the mitigation hierarchy. These features are not shown on any submitted document. The photos submitted with the Metric are welcome, but not especially helpful in identifying the features to be affected.

BNG measures must be secured for a minimum of 30 years. Given the apparently relatively limited value (beyond the site scale) of the on-site habitats, and those to be created post-development, a full legal agreement such as a Section 106 may not be appropriate. Therefore, a planning condition would be the alternative mechanism for securing BNG. However, given that the estimated BNG delivers just over the mandatory 10% uplift, it will be necessary to secure almost all BNG measures for 30 years in order for the 10% requirement to be met for the necessary period. Details of how the proposed on-site habitat features are to be managed, maintained and secured for the required 30 years period can be provided within a completed Biodiversity Gain Plan – this is a mandatory part of BNG, to be provided post-permission.

Aside from BNG, the loss of a native hedgerow and line of trees has the potential to affect legally protected species including nesting birds. Any works to remove vegetation must be carried out so as to avoid impacts. On that basis, I would recommend that the following condition be included in any future permission.

Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Clearance of potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc) must be undertaken outside the bird nesting season, which extends from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area should be carried out by a suitably qualified person before clearance starts. If active nests are present then work must stop in that area, a suitable stand-off maintained, and clearance should only recommence once nesting activity has concluded naturally.

In summary, there is a query outstanding related to the on-site baseline habitats. Once that is resolved, the general BNG condition will apply to any permission and it will be for the applicant to provide a Biodiversity Gain Plan prior to commencement.

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

Kind regards,

Tristan

Tristan Norton

Principal Ecologist | E: tristan.norton@havant.gov.uk M: 07552 248974

Planning Services, Havant Borough Council, Public Service Plaza, Havant, PO9 2AX



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