

Technical Note

Project:	Tournerbury Woods Estate retrospective planning application	Date:	14 th June 2023
Subject:	Information provided in response to objection received by HBC	Author:	Nicola French MA MSc MRTPI MCIEEM CEnv

1.0 Introduction

- 1.1. Havant Borough Council (HBC) has received an objection to the retrospective planning application for a change of use of land and woodland as a wedding and events venue at Tournerbury Woods Estate, Hayling Island (Ref: APP/23/00076), dated 10th May 2023. The objection concerns the connection between the existing track that runs across the Tournerbury Woods Estate and the new access track that runs across land owned by Mr & Mrs Phillips of Tournerbury Farm.
- 1.2. In summary, the objection states the following:
1. The objector claims that Tournerbury Woods Estate wish to surface and widen a track inside the northern edge of Tournerbury Woods that lies within the Chichester Harbour SSSI to the standard of a road that can accommodate coaches.
 2. The objector suggests that work to the Northern track will be needed to achieve the same specifications as the existing road approved under APP-17-00207- 'Construct vehicular track from the public highway to Tournerbury Woods'. This will include a new connection between the new track part constructed from Tournerbury Lane that runs across land owned by Mr & Mrs Phillips and will require bridging of a ditch within the SSSI.
 3. The objector makes the suggestion that the Northern Track was resurfaced in 2013, contrary to the provisions of the 1997 Site Management Statement.
- 1.3. The objection purports to be 'correction' to a note previously prepared by Holbury Consultancy Service¹ but this is not the case. No correction is required since the information provided in the first technical note remains accurate. This note provides information in response to the objection and to address the points raised. It is anticipated that HBC will consult Natural England on the contents.

¹ Holbury Consultancy Services Ltd, March 2023, Further information provided at the request of Natural England. For Tournerbury Woods Estate.

Context

- 1.4. The current application is an exact copy of the deferred Application APP/21/01310 with the only difference being that this application utilises the alternative access across the field owned by the adjoining landowner rather than the existing Right of Way through the farm.
- 1.5. The application is supported by a suite of ecological surveys that cover the entirety of the Tournembury Woods Estate (including the northern track). They also include an assessment of ecological impact on all areas of the Chichester Harbour SSSI². The report sets out the statutory protections for a SSSI, considers the reasons for which the SSSI is designated and concludes that the scheme will have a negligible impact on the features for which the SSSI is designated and that this is not significant. The survey and reporting include the northern track, and this is shown on the Phase 1 habitat plan (included at page 52 of the report - see **Appendix 1**). Natural England agreed with these conclusions as part of their previous consultation responses.
- 1.6. Although the objection tries to raise concerns in the context of the 1997 Site Management Statement³, Natural England has confirmed that the significance of any impact of the connection between the 2 access tracks on the Chichester Harbour SSSI must be assessed in the context of the current planning application and addressed as part of the planning process.

Track along northern boundary

- 1.7. The planning application relies on the track along the northern boundary, within the SSSI. This track is already in existence and dates back to at least 1938 when OS maps clearly show the track, prior to SSSI designation (**Appendix 2**). A previous note prepared by Holbury Consultancy Services Ltd⁴ (Holbury) described the historical basis for the track, the current state of the track and demonstrated its construction through photographs recording the constructed profile through exposure by trial holes. It concluded that no further works to the track of any sort are needed for the purpose of this application.
- 1.8. In an email uploaded to the planning portal on 27th March 2023, Natural England agreed with the conclusions of the note, advising that the proposed use of this track will not damage or destroy the interest features for which the site has been notified

² Hampshire Ecological Services Ltd, June 2020. Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL. Ecological Impact Assessment. For Tournembury Woods Estate.

³ English Nature, April 1997. Site Management Statement. Chichester Harbour Site of Special Scientific Interest. Mr F Snell and Mr C Snell.

⁴ Holbury Consultancy Services Ltd, March 2023, Further information provided at the request of Natural England. For Tournembury Woods Estate.

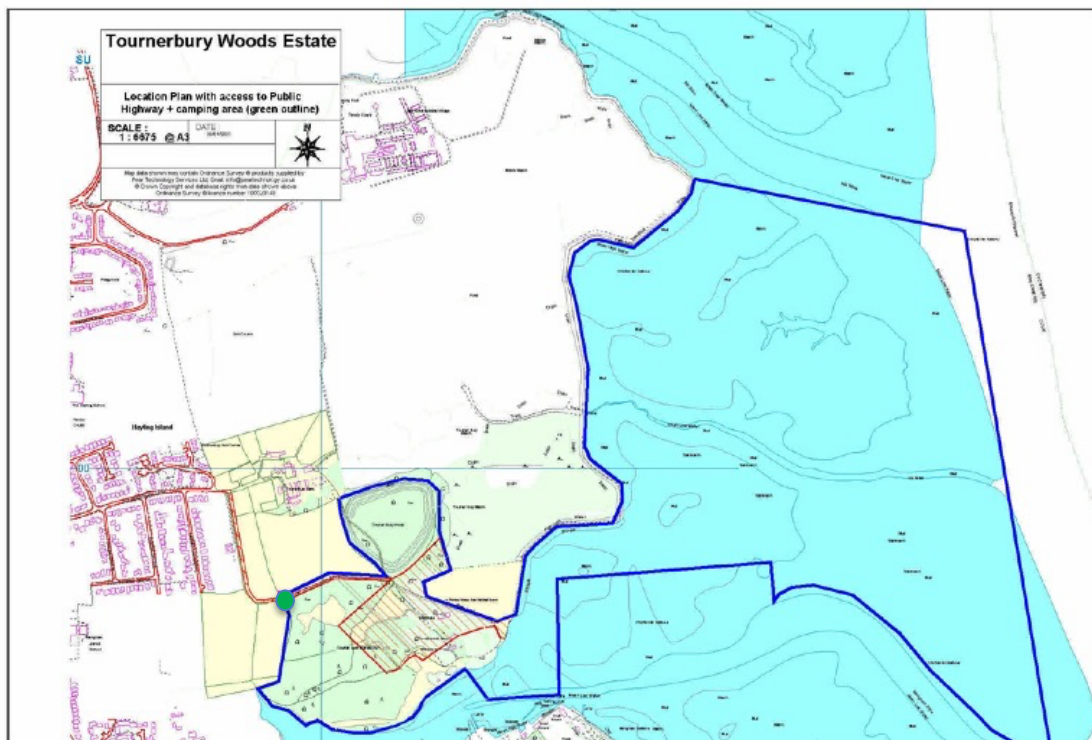
and raised no objection. This conclusion was subject to the following qualification, taken from the guarantees set out in the Holbury note:

- that no further works are required to make the track passable and useable to vehicles. The track exists and is fully available for vehicular use and is in regular use within the estate at the current time.
- that no materials will be imported to the woodland for any works to upgrade the existing track, as no works are necessary. The existing track is fit for purpose and does not require upgrade.
- that no works to trees or other adjacent vegetation is required for use of the track by vehicles.

- 1.9. In May 2023 the track was further inspected by two Havant Borough Council Planning Officers who tested the track randomly using trial holes at various points along its full length. This independent assessment allowed the Officers to agree with the historical basis for the track, current state and proposed use.

Connection of the existing northern track to the new track

- 1.10. It has become clear that the connection of the northern track to the new track to be constructed across land owned by Mr & Mrs Phillips will require the infill of a small depression on the boundary between the two land ownerships. The location of the connection is marked by the green dot on the western edge of the red line of the retrospective planning application shown on the location plan below.



1.11. The depression used to be a formal ditch draining water from the adjacent arable land in the 1980's when Tournurbury Farm was in active production. The farm was sold in 1987 since when the ditch has served no purpose and has naturally infilled over the past 37 years to create the depression that remains as evidence of its once existence. The ditch has not been cleared or dug out since the land was sold. The depression at the point where the connection will be made is:

- 6.5m in length, approximately 70cm in width and is less than 30cm in depth.
- the starting point of the old ditch, so is at the highest point of the depression that remains; and,
- adjacent to a small earth bank that separates it from land in the ownership of Mr & Mrs Phillips and the new access track.

1.12. Photo 1 on the following page shows the depression and bank that require removal for purpose of the connection of the two tracks. A series of further photographs showing the form and character of the depression are appended to this document at **Appendix 3**.



Photo 1: Looking west at the depression and small earth bank. The new alternative access lies in the field owned by Mr & Mrs Phillips behind.

1.13. Water can no longer flow through the now derelict ditch, nor has it for very many years. The depression that remains is not a functioning watercourse. The

photograph taken by the objector after a period of heavy rainfall was of standing water, not flowing water.

1.14. Installation of a crossing will involve the removal of the small earth bank separating the depression from the new track and infill of the depression to grade the old track into the new. The following points are relevant:

- the bank for removal is approximately 6.5m in length, 40cm in height and 90cm in width. The volume of the bank for removal is therefore estimated to be approximately 2.5m³. The soil will be removed and spread on the non-SSSI field within the Tournerbury Woods Estate.
- the depression will be filled using inert, screened crushed brick rubble on site, consistent with the former use of the site as a brick works. No materials will be imported for purpose of fill. The hardcore is Type 1 recycled subbase and 6F5 recycled granular capping, screened and approved by Hampshire County Council and is already present on site and is legally permitted under Environment Agency permit / licence. The fill is already present on site and stored in that part of the Tournerbury Woods Estate that does not fall within the SSSI designation. It is used for infill and repair on the track network across the Estate, permissible under the 1997 Site Management Statement⁵ which includes explicit provision for the infilling of 'ruts'.
- The hardcore will be compacted to finish without need for top dressing.
- Neither the removal of the earth bank nor the infill of the depression require the removal of trees. 4 small blackthorn bushes (less than a meter in height) will be removed (see photo above: please note that the stock fence that is visible does not follow the land ownership boundary line here). These are on the neighbouring land and are located outside of the SSSI boundary.

2.0 Connection of the existing track to new: impact assessment

2.1. Jeff Picksley MSc MCIEEM attended site on 12th June 2023 to review the depression and associated bank and to carry out all necessary ecological survey work to assess the ecological impact of establishing the connection between the two tracks. The results of the survey and assessment of the significance of the impact are set out in **Appendix 4** to this note.

2.2. The assessment has been prepared in full accordance with the Chartered Institute of Ecology & Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment in the UK and Ireland⁶.

⁵ English Nature, April 1997. Site Management Statement. Chichester Harbour Site of Special Scientific Interest. Mr F Snell and Mr C Snell.

⁶ CIEEM (2019). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester

- 2.3. The CIEEM guidelines note that the level of detail required in an EclA will inevitably be proportionate to the scale of the development and the complexity of its potential impacts. The guidelines do not prescribe exactly how to undertake an EclA but provide guidance to practitioners for refining their own methodologies.
- 2.4. The survey and assessment concludes that the connection will result in the limited disturbance to the woodland habitat during construction only and permanent loss of a small area of woodland depression and bank habitat. These impacts will not have a significant effect on the ecological function and integrity of the woodland, nor will the construction of the connection damage or destroy the interest features for which the site has been notified as part of Chichester Harbour SSSI. Neither will construction have any adverse impact on the wider Chichester Harbour SSSI.

3.0 Conclusion

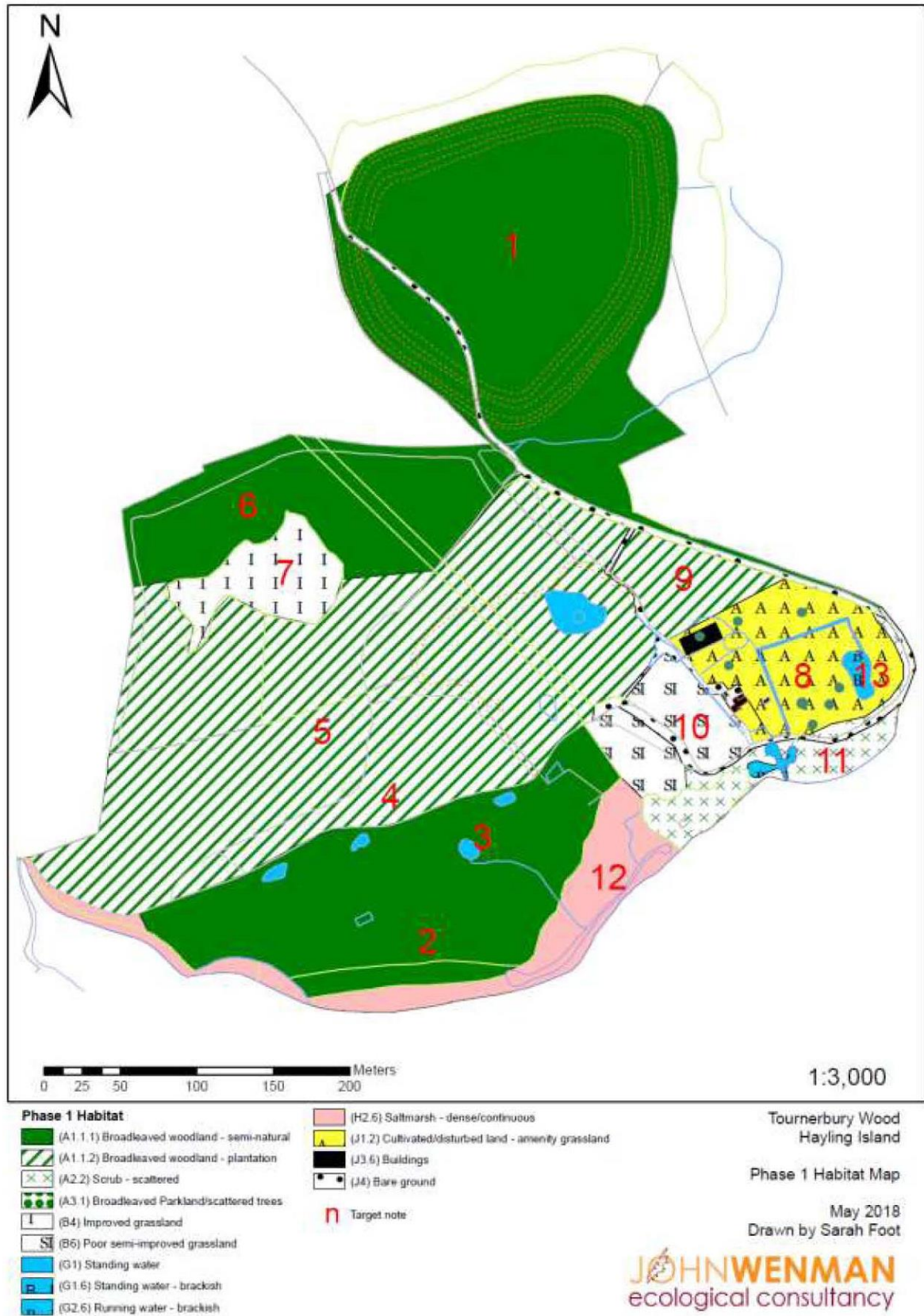
- 3.1. The current retrospective planning application for a wedding and event venue at Tournembury Woods Estate is the same as previously submitted to Havant Borough Council, (APP/21/01310) other than for the fact that this application makes use of the 'alternative access' across the field owned by the adjoining land owner rather than the existing Right of Way through the farm, the principle of which has long been established.
- 3.2. This paper has focused on the connection of the two tracks across the boundary of the Tournembury Woods Estate, that will require localised works to remove a *de minimis* section of a relict, non-operational ditch and a small area of earth bank within Chichester Harbour SSSI. An ecological impact assessment has concluded that the connection will not result in damage to the interest features of Chichester Harbour SSSI.

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Appendix 1

Phase 1 habitat plan showing northern track

Figure 3. Phase 1 Habitat Survey map produced by John Wenman Ecological consultancy LLP.



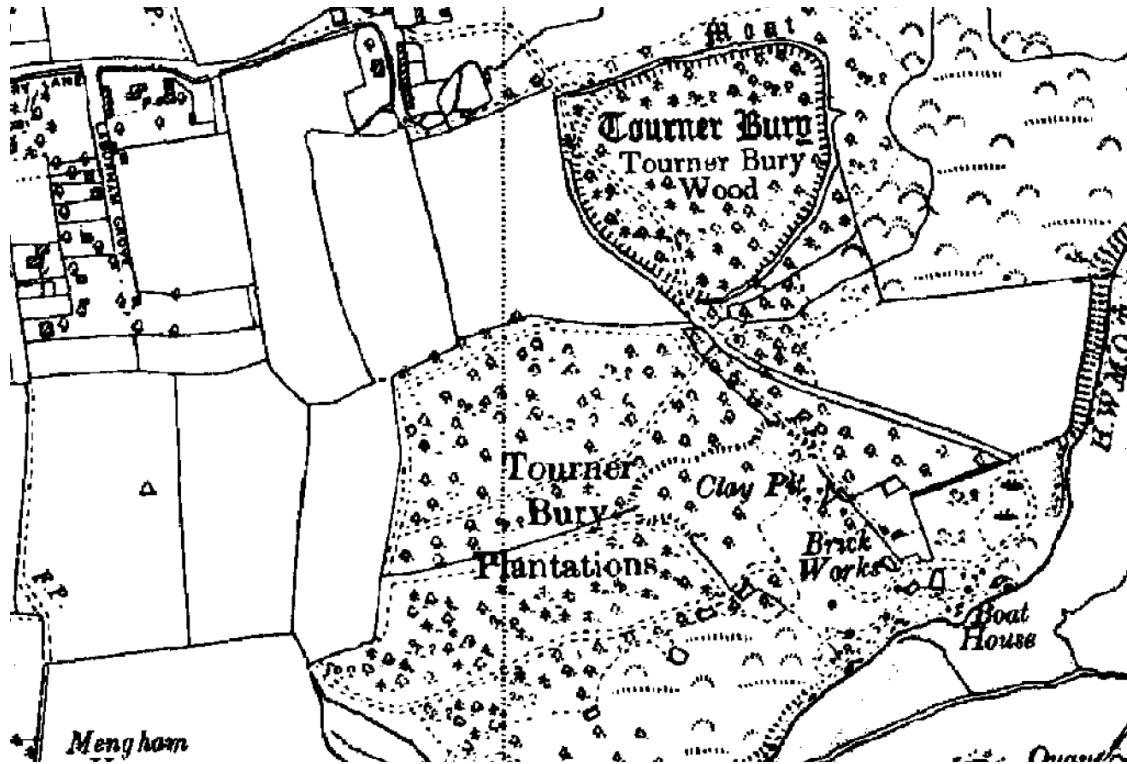
John Wenman Ecological Consultancy
17/09/2018

Appendix 2

1938 OS map showing presence of northern track

Appendix 2

Historic map showing the existence of the northern track at Tournembury Woods Estate



Source: OS County Series: Hampshire & Isle of Wight 1:10,560 1938 - 1942

Appendix 3
Photographs showing location of connection

Appendix 3: photographic record of depression and earth bank



Photo 1: The red arrow shows the line of the depression looking south



Photo 2: depth of depression measured at less than 30cm



Photo 3: Looking north to show small earth bank (on left hand side of photo). The connection will require the removal of $<3\text{m}^3$ of earth from this bank.



Photo 4: Looking west at the depression and small earth bank. The connection will require the removal of $<3\text{m}^3$ of the earth bank to join the existing track in the Tournerbury Woods Estate to the new track in the field behind.



Photo 5: The depression that requires infill is hatched yellow. The extent of earth bank that requires removal is hatched red.

Appendix 4
Report of site visit to assess ecological impact
of connecting the new and existing track

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Report of site visit to assess ecological impact of connecting the new and existing track

A field visit to the site of the track linkage was made on 12th June 2023 by Jeff Picksley MCIEEM. On arrival it was noted that some of the vegetation along the bank that forms the boundary of the woodland had been strimmed. The landowner confirmed that this work was undertaken two weeks earlier at the behest of Havant Borough Council to allow officers to determine the extent of the existing made track within the woodland and to be able to view the non-operational ditch feature.

The vegetation clearance was localised and sufficient remnant vegetation remained to allow an assessment of the ground flora to be made. It is not considered that the clearance of the vegetation prevented an adequate assessment of the floral interest of the area affected by the track extension.

The ground flora was found to comprise common and widespread species typical of woodland edge habitat where light levels are relatively high. Common grass species such as Yorkshire fog, rough meadow grass and wood false brome were present on the eastern side of the bank. The grass dominated sward extends beyond the area affected by the track extension. The western bank was dominated by a carpet of ivy with bramble, occasional soft shield fern and bracken along with scattered wood dock and soft rush. Four small blackthorn bushes are present on the field boundary (outside the SSSI) along with a single black bryony plant present.

The old ditch network is clearly neglected and unused. This is consistent with the sale of the the arable landholding that the network served in 1987 and it is understood that no covenants to maintain the network were entered into with the new owners. Although probably subject to localised ponding, it does not have appear to have any recognisable drainage function. The former drainage ditch was inspected at several points as it runs south towards the creek on the southern boundary of Tournier Bury Plantation. It is clear that maintenance of the ditch from within the woodland has not taken place and the ditch has filled with leaf litter, branches, other debris and colonising vegetation. None of the signs of regularly flowing water such as debris caught on vegetation, debris dams, soiled vegetation or aquatic vegetation were noted. It was concluded that the former ditch has no significant hydrological connectivity to the creek.

Impact assessment

Impacts requiring assessment are considered to be as follows:

1. Loss of vegetation (ground flora and shrub layer) during construction of the link between the two tracks.
2. Impacts on an old field non-operational ditch, now no more than a slight ground depression running from the site of the proposed track linkage towards the creek.

Construction impacts

The proposed link between two tracks will have very limited impacts on ecological receptors during the construction phase due to the footprint of the development and short duration that the works would take to complete (estimated by the landowner to be no more than a day).

The works proposed will result in the loss of a small area of semi-natural habitat on the edge of a woodland complex covered by the SSSI designation. The extent of woodland within the SSSI is approximately c16.3ha with an estimated footprint of these works of less than c30m². The extent of the habitat loss will not affect the ecological function of the wider woodland and is not considered significant. Neither will the construction of the track connection cause a significant adverse long-term impact on the interest features of the Chichester Harbour SSSI.

Operational impacts

During operation the impacts of an unsealed, lightly trafficked track on ecological receptors will be limited to noise and light disturbance from traffic movements.

It is noted that in an email uploaded to the planning portal on 27th March 2023, Natural England advised that the proposed use of this track will not damage or destroy the SSSI interest features for which the site has been notified and raised no objection. On this basis it is concluded that operational impacts have already been adequately assessed and do not require further consideration.

No field evidence was recorded that suggests any significant hydrological link between the track extension area and the creek to the south of Towner Bury Plantation. The area affected by the track connection may be subject to localised ponding following periods of heavy or prolonged rain but this appears more likely to drain to ground than flow along the defunct ditch into the creek. There is no evidence that any culvert existed in the past to allow the ditch to discharge directly into the creek. It is not considered that the construction of the track link would represent a significant adverse long-term impact on the hydrology of the local area.

Data searches undertaken by Hampshire Ecological Services Ltd returned no records of hazel dormice within 1km of the site. Previous ecological surveys have not identified any badger setts within the wider woodland, although mammal holes were noted in the earthworks of the The Bury (a former hill fort) in 2018. Great crested newt records are from Rowlands Castle. None of these species are considered likely to be directly or indirectly impacted by the proposed works.

Only very limited vegetation clearance is required to allow the completion of the track link. Given the small-scale of the proposed work supervision by an Ecological Clerk of Work should be sufficient to ensure the works comply with relevant wildlife legislation.

Species potentially impacted by the works include nesting birds (depending on when the work is undertaken) and common reptiles.

It is proposed that vegetation clearance is undertaken following inspection of the area by a professional ecologist. The vegetation is sufficiently sparse to allow any bird nests to be seen in the vegetation to be removed. Initial clearance of the vegetation using hand-tools (including motor manual equipment such as brush cutters) during the period May-September would allow any common reptiles present to disperse into the surround area. The initial vegetation cut would be to now lower than 10cm above ground level. After a 20 minute period the cut vegetation can be removed and machines can be used to complete the works.