

Dear Lewis,

**APP/18/00450 | Erection of 320 dwellings (including a 30% provision of affordable homes), 66 bed care home, provision of public open space, habitat mitigation zone, allotments, closure of existing access and creation of 2 new access points and associated infrastructure following demolition of existing buildings. | Land at Forty Acre Farm, Havant Road, Havant 18.1022**

Thank you for consulting me on this application. Please accept my apologies for the delay in responding to you. I consider that further information is required before determination.

The application is accompanied by a suite of ecological reports from WYG: an Extended Phase 1 Habitat Survey (April 2018), Bat Activity and Emergence Survey report (April 2018), Wintering Bird Survey report (April 2018), Winter Bird Mitigation Strategy (April 2018) and a Reptile Presence/Likely Absence Survey report (April 2018).

#### Wintering Birds

I am a little confused with respect to the information submitted. The submitted report does not seem to include any data from the latest Solent Waders & Brent Goose Strategy (SWBGS) but relies solely on the WYG surveys from 2015/16 and surveys undertaken by Havant Borough Council in the period 2012-15. The Hampshire Biodiversity Information Centre (HBIC) holds records of birds recorded on site from winter 2016/17 but these have not been included. The records from 2016/17 include 30 brent geese within H04C (the easternmost parcel) and a single brent goose and 74 lapwing within H04B (the western parcel). I do not understand why these records have not been included and discussed – I explicitly mentioned the 30 brent geese in my comments at pre-application stage – all available data should certainly be included so that the conclusions are based on up-to-date and transparent information.

Each SWBGS site has recently been reassessed and a new system of site classification proposed. Within the new strategy, H04C is classified as a Secondary Support Area and H04B as a Low Use Area. The SWBGS steering group has developed a mitigation framework for addressing impacts to each category of SWBGS site and development proposals will be expected to adhere to this framework if they are to be consistent with the Conservation Regulations 2017.

It is proposed to provide a permanent wintering bird refuge in the east of the site and the general principle of this is acceptable. The primary purpose of the refuge is to offset the loss of H04B (to housing) and some of H04C (to open spaces/SuDS), and to ensure that the overall network of SWBGS sites is maintained and, where possible, enhanced. As the refuge is smaller than the existing, measures will be needed to enhance it and ensure that there is continuity of habitat for wintering birds: this is primarily through measures such as fencing, habitat improvement and ensuring long-term management and monitoring. Details of the proposed refuge are sparse: for example, it is not even stated how large it is (I estimate c.2.5Ha); there is no projected timetable for creation (the refuge must be functioning at the time of impact i.e. prior to site clearance) and only generic measures for management are provided.

Natural England have provided detailed comments on this proposal: I agree fully with NE's comments and the applicant will need to address these carefully. I agree with NE that a fully costed and timetabled management plan is needed so that the LPA can have certainty that the necessary resources are in place to secure *in perpetuity* management and that it can and will be delivered: this should not be left to condition but secured now. I concur with NE that the optimum solution for management would be to allow a suitably-experienced NGO or specialist ecological contractor to manage the site. Given the recent experience at a development site immediately north of the site, where proposed bird mitigation measures were not implemented at all, the LPA should be particularly mindful of the use of private management companies in delivering biodiversity measures.

I also agree with NE that the refuge should incorporate at least some of the southern 'nature area' containing scrapes and other wetland features – if this wetland area is open to public access then it is extremely unlikely to be used by bird species, and certainly not waders: there appears to be no restriction on public access to these scrapes/SuDS features and so one would expect them to be far too disturbed to be of any use to birds (judging by the artist's impression drawings these areas look like a well-used and maintained town park). I would suggest that at least the eastern third of the 'nature area' is incorporated into the refuge to create a single space for biodiversity (i.e. the entirety of H04C). This will need to be securely fenced and incorporated into the long-term management strategy for the site.

I also agree that some form of vegetation screening, or at least an offset, around the perimeter fence would be preferable. The proposed post-and-wire fence around the refuge is highly unlikely to be suitable for preventing public (and dog) intrusion. I would suggest that a taller fence would be more appropriate.

In summary, the applicant needs to provide a fully-detailed strategy for the proposed bird refuge prior to determination. This should be in accordance with the comments made by Natural England. Without certainty on the bird refuge issue the proposal would not be consistent with the Conservation Regulations 2017 and the LPA could not conclude that there would be no 'likely significant effect' on the adjacent SPA. The LPA will need to undertake a Habitats Regulations Assessment and it is for the applicant to provide information sufficient for the LPA to do this.

#### Other SPA, SAC, Ramsar and SSSI issues

Natural England have requested further details on issues such as air quality and water quality which may result in impacts to the various designated sites nearby. I would strongly recommend that the applicant addresses these concerns.

#### General Biodiversity

The site overall is not considered to be of particularly high ecological value. The vegetation communities are generally species-poor and comprise improved grassland, cereals and boundary hedgerows, scrub and planted trees. The site has long been cultivated as arable, with areas of permanent pasture. Small waterbodies are present at the southern boundary and within the small collection of farm buildings in the centre of the site.

Based on the initial ecological assessment, further detailed surveys were carried out for bats, reptiles and breeding birds. The site has been shown to support at least four species of foraging/commuting bat and no bats were recorded roosting. I am content with the level of bat survey carried out. Given that the site is not of particular value to bats I would not expect impacts to be significant, provided that mitigation measures are incorporated. This will include the retention of boundary tree lines, the provision of wetland and terrestrial habitats within the so-called 'nature area' and a sensitive lighting strategy. At present, no details of lighting have been provided.

The site supports a reasonable population of slow-worms, with 17 animals recorded during surveys. The actual breeding population is likely to be far higher. Mitigation includes the use of habitat manipulation methods to encourage reptiles to move into retained boundary habitats, followed by the clearance of habitat. Post-development the southern 'nature area' will incorporate areas of longer, species-rich grassland and scrub habitat which will result in an overall net increase in reptile habitat.

Provided that the issues detailed above are addressed, I would be content to recommend that a single, site-wide ecological mitigation strategy be secured by condition.

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

Kind regards,

Tristan

**Tristan Norton**

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