

Houghton, Michelle

From: Norton, Tristan <Tristan.Norton@hants.gov.uk>
Sent: 15 May 2018 10:24
To: Haywood, Daphney
Cc: Havant Planning and Development Mailbox New
Subject: APP/18/00357 Dunsbury Park, Fitzwygram Way, Havant, PO9 4EE 18.0804

Dear Daphney,

APP/18/00357 | Approval of Reserved Matters in respect to Phase 1 Plot 3b of APP/15/00732 (new employment uses, hotel and access road) comprising construction of 3,528 sqm B1(c)/B2/B8 commercial premises for plot access, layout, scale, appearance & landscaping and Condition B5 Other Matters criteria A to G inclusive. | Dunsbury Park, Fitzwygram Way, Havant, PO9 4EE 18.0804

Thank you for consulting me on this application for the development of Plot 3b of the Dunsbury Park site.

The application is accompanied by an Ecological Impact Assessment (Atkins, March 2018), a 2017 Dormouse Survey Results report (Atkins, February 2018) and a Bat Survey and Report (Sylvatica Ecology, December 2017).

As with the ecological submission for Plot 3a, my main comments are in relation to the proposed Habitat Creation Area (which is not yet functional) and the impacts of lighting (both at the site level and cumulatively) primarily on bats.

Habitats

Many of the residual ecological mitigation/compensation measures rely on the use of the proposed Habitat Creation Area to the north. This area has not yet been created. There is a risk of this area not being ready within a suitable timeframe for it to adequately mitigate the impacts associated with plots as they come forward – recent comments from the ecologists seem to confirm this. I would appreciate some clarification as to when exactly the area will be in suitable condition to be of use in mitigating ongoing impacts: there will come a time when impacts arising from various plots simply cannot be viewed as acceptable because they are essentially unmitigated within a reasonable timeframe. The EcIA contains reference to the mitigation hierarchy (avoid, mitigate, compensate) and repeated reference to the Habitat Creation Area but both are undermined if the site is not available when impacts are occurring and no idea is given of when it will be available. It would be useful to have a ‘running tally’ of which impacts on each plot are being mitigated using the Habitat Creation Area in order that it is not expected to offset too many impacts. The issue of the Habitat Creation Area is essential to the understanding of what exactly is being mitigated and the LPA should expect full details with each RM application.

The proposed landscape masterplan for the plot is acceptable.

Lighting

Whilst I agree that the proposed lighting scheme (dwg P115-2800-03) shows that lighting spill will be minimal at the site boundaries, spillage of 5 lux may still impact woodland bats. The lighting strategy for each plot should be guided by the ecological constraints, which at this site are considerable. I would again highlight that the issue of Bechstein’s bats within proximity to the application site is not as well-understood as described within the EcIA. The most recent surveys for bats (Sylvatica, 2017) only included one survey point and transect route for land near Plot 3 (i.e. only one boundary of the application site, see Figure 3, p.4) and no automated detector points at all

(Figure 4, p.5). I do not therefore agree that '*data obtained is considered to provide sufficient information as to the species present and how there [sic] are continuing to use the Application Site*'. In addition, and as identified in the EclA, it is not generally possible to identify Bechstein's bat (or several other mouse-eared species) from recorded calls alone. The most-recent bat data for habitats in proximity to the application site is from 2015. In the absence of definitive bat data for this application site it is essential that impacts are avoided and, if not possible, suitably mitigated.

Whilst I am content to agree that this lighting scheme is acceptable, the LPA should expect more robust details of bat presence (especially Bechstein's bat) for all subsequent plots. This is a major scheme with the potential to result in significant impacts to highly-protected bat species and the LPA will expect an appropriate level of detail to be provided.

Dormice

Updating surveys were carried out in 2017. No dormice were recorded but it is assumed that any dense woody vegetation supports this species. Given what we know about the distribution of this species in Hampshire I consider this to be a sensible approach. Personally, I would be very cautious about using a so-called 'precautionary method of working' when it is assumed (known) that the species is present. If dormouse habitat is being removed (irrespective of whether a dormouse is actually present at the time) then that is a licensable activity. Presumably it would very straightforward to seek a modification of the extant dormouse licence for the wider site.

Issues of licensing and legislative compliance rest with the ecologist and the applicant. Mitigation for dormice has been agreed previously with NE.

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

Kind regards,

Tristan

Tristan Norton

**Senior Ecologist
Ecology Team**

Specialist Environment Services
Economy, Transport and Environment Department
Hampshire County Council
Elizabeth II Court West
The Castle, Winchester
Hampshire SO23 8UD
Direct Line: 01962 832335
E-mail: tristan.norton@hants.gov.uk; www.hants.gov.uk/biodiversity



Hampshire Services offers a range of professional consultancy services to partner organisations. Specialist Environment Services provides data, advice and assessments for ecology, heritage and landscape.

www.hants.gov.uk/sharedexpertise

 Please consider the environment before printing this email.

Please note that this advice is given in accordance with the Service Level Agreement that has been signed between Hampshire County Council and your Council. These comments are expressed as a professional view provided to Havant Borough Council and should not, therefore, be interpreted as those of Hampshire County Council.

*** This email, and any attachments, is strictly confidential and may be legally privileged. It is intended only for the addressee. If you are not the intended recipient, any disclosure, copying, distribution or other use of this communication is strictly prohibited. If you have received this message in error, please contact the sender. Any request for disclosure of this document under the Data Protection Act 1998 or Freedom of Information Act 2000 should be referred to the sender. [disclaimer id: HCCStdDisclaimerExt] ***