

Application for discharge of planning conditions 5, 12 & 20

Re- Temporary on site Workers Accommodation

HBC Reference: APP/20/00990

EHDC Reference: 51680/010

I wish to **object** the application in relation to discharge of planning conditions 5, 12 & 20 and the siting of temporary workers accommodation at the Havant Thicket Reservoir site north-west compound for the following reasons.

- The adverse ecological impact the siting of workers accommodation will have on the night time ecology of adjacent ancient woodland, including European protected species (bats), badgers and nightjar (Schedule 1 species).
- The adverse ecological impact of increased vehicle movements at night along the northern access road which runs through ancient woodland.
- The loss of economic benefit to the local community.

If the LPA's are minded to support the siting of workers accommodation in the north-west compound of the reservoir site for a period of up to 4 years then further information should be required from the applicant in respect of the following matters.

- A. Re-siting of caravans further away from the ancient woodland edge.
- B. Provision of a robust Code of Conduct for workers living on site for submission to and approval by the LPA, including a monitoring and enforcement strategy.
- C. Confirmation that there will be a night time curfew on the use of the access road(s) except in an emergency, with additional information provided on the time period for the curfew.
- D. A robust and consistent lighting strategy to protect the night time ecology.
- E. Ecological mitigation/ compensation for the adverse impact on ecology over 4 years.

Further information on my concerns and information/ clarification required is set out below.

1.0 Need to re-site caravans further away from the ancient woodland edge

The ecological good practice mitigation hierarchy requires that the developer first remove the impact, then mitigate for the impacts, where there is not possible there should be appropriate compensation for the adverse impacts.

- **Removal of the impact** – this could be achieved by not having workers accommodation at the site, as was originally planned by P. Water. Having workers accommodation was not proposed or considered as part of the original ecological impact assessment. It is not essential to have workers accommodation at the site.
- **Mitigate for the impact** – at present the developer only proposes to have a 10m ecological buffer (Construction Lighting Strategy, Appendix E, Ecology Technical Note, Figure 1). This will not be adequate to protect species using the ancient woodland from noise and lighting impacts. For example, the Ecology Technical Note (CSL App E) confirms on page 2 that Myotis bat species including the rare Bechstein's bat present at the site are known to avoid lit areas up to 25m from light sources. Light sources will be present within 25m of the compound boundary, including within the caravans. The mitigation for light and noise impacts associated with workers living on site currently set out by the developer are not adequate to prevent an impact. **As a minimum the LPA's should require that the northern row of caravans are removed or re-sited further south.** This can be achieved by having less caravans (reference is already made in the report to the fact that they may not need 50

caravan spaces), or by adjusting the layout of the NW compound. The compound is very large and there is space to re-jig the layout through intelligent design. For example, the parking for resident workers cars could be provided in a shared carpark located north of the caravans, instead of each caravan having its own parking space. There are other options.

- **Compensate for residual impacts;** even if the northern row of caravans were to be removed or moved further south there will still be residual adverse impacts, but no additional compensation has been proposed. Please refer to Section 5.0 below.

2.0 Need to provide a robust comprehensive Code of Conduct for workers living on site

When the Havant Thicket Reservoir Environmental Sub Group expressed significant concerns about the proposal by Future Water to provide workers with accommodation at the site we were told that a 'Code of Conduct' would be provided for comment which any worker at the site would have to sign up to. While the reports submitted provide piecemeal suggestions (mainly of a generic nature) on how the impacts of workers living on site might be addressed there is **no comprehensive Resident Workers Code of Conduct document** submitted with the application which deals with all of the potential impacts and mitigation actions necessary if workers are to live on site.

For example, there is a one page Noise Code of Conduct (Appendix E to the CEMP) but this does not really address minimising ecological impacts, it focuses on impacts to humans/ residents who are much further away than the ecological receptors that are immediately alongside (see item 7.0 below). It also refers to other appropriate behavioural codes, but these have not been provided (see item 8.0 below).

There is also a lack of information as to how any Code of Conduct would be enforced, such that it can be relied upon to deliver the mitigation, rather than just being another piece of paper, see item 9.0 below.

As a minimum the LPA's should require the submission of and approval of a comprehensive Code of Conduct in one document for workers living on site, where measures to be taken to minimise environmental impacts are clearly set out in an unambiguous way, with the monitoring and enforcement procedures to be applied also set out. The implementation, monitoring and enforcement of that code should then be required by a planning condition.

3.0 Night time curfew on the use of the access road(s) – not clear if proposed?

It is not clear if a mandatory night time curfew will be imposed by the Contractor on the northern access road. A curfew is not mentioned in the supporting reports when discussing the Code of Conduct, nor mitigation measures. However, the Construction Traffic Management Plan table on pdf page 55 relating to 'Out of hours vehicle movements' refers to;

Out of hours vehicle movements	Set site rules for times of vehicle movements with the exception of emergencies, introduction of curfews , disciplinary action enforced against those who breach site rules.
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The Contractor has previously resisted any suggestion of a night time curfew on use of the Northern Access Road when it has been proposed by stakeholders.

- Is the Contractor confirming there will be a night time curfew? (except for emergency use)
- If so, what will the hours of the curfew be? (winter and summer?) – not specified?
- What enforcement action would there be? (if arriving back late would they be let in?)

The LPA need to seek clarification to confirm that there will be a night time curfew on the access road(s) to the NW compound and a planning condition should be used to control the hours of use in order to protect the night time ecology of the ancient woodland.

Note: It is possible that the **Southern Access Road** will be completed within the next four years when workers will be living on site. It must be clear in the Code of Conduct and for any curfew applied that it is relevant to both the northern access and the southern access roads.

4.0 Provision of a robust and consistent lighting strategy

Condition 20 relating to the lighting strategy should not be discharged until the following issues and those set out in Appendix A have been considered and addressed.

4.1 Red spectrum lighting; While a lighting strategy is provided it is not clear that the applicant is committing to the use of red spectrum lighting to minimise the impact, as it does not appear to be mentioned in the Construction Lighting Strategy (CLS), Section 6, describing mitigation. Not even in Section 6.2 where mitigation specific to ecology is described. Nor in the Mackley V41 for external lighting of the compound and accommodation area (pdf page 111). However, the CEMP tables (pdf pages 31-33) Row 12 refers to measures to be implemented to minimise the potential for light spillage from the temporary residential caravans which include;

- Red spectrum lighting to reduce potential impacts on bat species.
- Passive infrared (PIR) to trigger lights to come on in response to movements.

This inconsistency in the documents needs to be addressed and the CLS/ lighting specification should specifically refer to the use of red spectrum lighting for all lights in the NW and satellite compound, with it also used wherever practical for task specific lighting.

4.2 Lighting control; In various places reference is made to lighting being “controlled either diurnally, seasonally, or according to human activity (light on demand) will be utilised” (e.g. CLS page 15, 6.2.1). To minimise impacts the default should be motion sensors, unless there is a strong health and safety argument to need something else. Mackley V41 for external lighting (pdf page 110) refers to manually controlled lighting from within buildings. This should be avoided wherever possible as there is a risk that lighting will be left on when it is not needed.

4.3 Light spill from windows; The CSL page 15, Appendix E and CEMP page 18, bullet 2 refers to; Using curtains and/ or blinds on the temporary workers accommodation during the evening/ night time period. However, it is not clear how F. Water will ensure;

- That curtains and blinds are heavy duty enough to block out light spill from the caravan/ door windows?
- Enforce what time curtains and blinds are shut and keeping them shut? (especially as the hours of darkness change through the season)

There is no reference to shutters being used on office / lab and other buildings within the compounds. F. Water previously acknowledged that offices are often used beyond the site working hours when it is dark. They proposed addressing this by putting shutters on windows, with a requirement for shutters to be shut when it is dark. This needs to be added to the CLS.

4.4 Buffer zone inadequate; Page 5 of the lighting assessment, Figure 1 & Appendix E of the CSL refer to a 10m buffer zone ‘dark corridor’, but this is not enough to provide a dark corridor for bats, especially at this critical woodland intersection between Havant Thicket and Bells Copse where there is a narrow corridor of connectivity for wildlife. There is no recognition of the impact lighting could have on bat movements around the landscape, or the knock on impacts this could have on reduced foraging time and access to roost sites. CSL Appendix E confirms *Myotis* bats (including

Bechstein's bat) are known to avoid lit areas up to 25m from a light source, this demonstrates why the 10m buffer proposed is inadequate.

Note: The Main Compound General Illumination Levels Plans (March 2024) on pdf page 135 shows light spill into the buffers from light columns, even with lighting shields fitted, which the text in the Construction Lighting Strategy (pdf page 144) says should not be relied upon to control light spill?

4.5 Work exclusion zones at night; There is no proposal to limit activities that might need to take place close to the woodland edge. For example, having a default 50m exclusion zone for working close to woodland between the hours of 18.00 to 0730. A night time work exclusion zone should be applied to the compound(s) and main site. Use of the compound/ site after 18.00 is a particular concern in March & April when it gets dark earlier and bats are emerging and need to feed, but feeding opportunities are limited, so any increased disturbance will have a significant effect.

4.6 Inspection & response to complaints; The 12 weekly (3 monthly) monitoring frequency and complaint response of 7 days is not considered adequate.

4.7 Vehicle light impacts/ curfew; The strategy does not address risks/ impacts on wildlife related to vehicles with lights using the northern access road at night where bats, badgers and nightjar are known to forage and are not used to vehicle movements. This can only be addressed with a curfew. It is not clear if F. Water are committing to a curfew and over what hours. The information in supporting documents is inconsistent.

Further comments on the Construction Lighting Strategy and issues that need to be addressed to minimise the impact on adjacent habitats and protected species is set out in Appendix A.

The LPA need to seek clarification and assurances on the matters raised in relation to the Construction Lighting Strategy in Section 4 and in Appendix A before Condition 20 is discharged.

5.0 Ecological mitigation / compensation to be provided for the adverse impact on ecology

There is inadequate Ecological Impact Assessment for the proposed change. The Ecological Impact Assessment for the original reservoir hybrid planning application did not take into consideration workers living on site, nor the night time use of the northern access. In fact the mitigation assumed that there would be no night time use of the northern access road. If the LPA is minded to support the application for accommodation on site the additional ecological impacts must be identified, quantified, mitigated and compensated. For example;

- Working days were to be Monday to Friday, with half a day on Saturday. The introduction of workers accommodation extends the impact to include Saturday afternoon/ evening and Sundays (all day/night), as not all workers will return home every weekend (Adams Hendry covering letter confirms). This will impact the woodland habitats adjacent to the NW compound and vehicle movements on the northern access road.
- Hours of use were to be 0730 to 1800 Monday to Friday, but are now proposed to be 0700 to 1900. This will extend the working day and associated impacts, with the compound/ offices subsequently operating later into the evening (beyond even 1900) and later vehicle movements on the northern access road.
- Workers living on site will be able to use the northern access through the night, unless there is curfew (for which there is no clear commitment).
- No information has been provided in the Transport Impact Assessment to identify the likely increase in the number of vehicles using the northern access at dawn, dusk and night time when ecological impacts will be most significant.

These impacts are not addressed by the existing mitigation & compensation strategy for the main reservoir site. As well as the Code of Conduct additional compensation measures should be proposed to help offset these negative impacts. This should include;

- Additional tree planting along the northern access road site boundary to fill in gaps between existing trees and provide new future standards that with time will replace the existing tree standards.
- Confirming the planting needed to screen the western side of the wetland so that this area east of the NE compound can be set aside now, fenced off and planted to create a broad tree screen. This will provide additional useful buffer habitat during construction, and in the medium / longer term habitat for EPS and other species impacted by the works.

Note: If a visual screening mound is agreed as being needed by stakeholders in this area, this should be set back as far as practicable from the water's edge to enable a grassy edge to the wetland to establish for the benefit of wildfowl. The mound should be created now and the west side planted as part of the tree screening block.

6.0 External sitting out space – not appropriate

The covering letter for the application from Adams Hendry dated 16 April 2024 refers in the Background section, paragraph 3, to the temporary accommodation having 'external sitting out space'. This is not referred to in any of the reports as far as I could see, and no designated area for a 'sitting out space' is specifically shown on the drawings provided.

Clarification should be obtained by the LPA as to whether this refers to a designated 'external sitting out space' to be provided for workers to use, or whether this relates to workers being able to sit out at night alongside their caravans?

Either way having workers sitting out at night represents a significant risk of an adverse impact on the night time ecology, as noise (talking, music, radios etc) and lighting spill (from external lighting or torches) will inevitably have an adverse impact on the behaviour of wildlife, especially EPS bats and Schedule 1 nightjar, which have both been recorded feeding along the southern edge of Havant Thicket where the accommodation is to be sited.

Any external noise and lighting at night will have an adverse impact on the adjacent narrow but important wildlife corridor between Bells Copse and Havant Thicket, with the potential for bats to be deterred from using it, reducing their foraging area, availability to roosting sites, including potentially impacting the use of bat boxes already erected in mitigation for the main reservoir works along the edge of Bells Copse.

If a communal sitting out area for resident workers was provided by F. Water further away from the woodland edge this would still be of concern as gatherings of workers could make more noise, and enforcing the use of such an area would be difficult and is likely to lead to conflicts.

It should be clear in the Code of Conduct that undertaking activities outside at night, playing music or gathering in groups is not appropriate, especially where this will generate noise or requires any external lighting.

7.0 Noise Code of Conduct – completely inadequate

A one page Noise Code of Conduct has been provided as Appendix E to the CEMP. This is completely inadequate. There is no recognition of the impact of noise on sensitive ecological receptors. The focus is on disturbance to humans, on site (other caravan residents) and off-site residential neighbours, which are much further away (at least 750m) than the immediately adjacent ecological

receptors. All of the control measures referred to are subjective with no reference to policing or enforcement, independent or otherwise. For example;

- Residents should not make *unreasonable* noise? Who defines/ determines this?
- No instrument, radio, television, or audio equipment of any kind to be used, so as to cause *an annoyance to other residents* at the site, or to others (neighbours) off-site? Who defines/ determines this? Other workers living on site may like the same music, or may be listening as well and not complain, allowing the noise to continue. Consideration must be given to the 'ecological neighbours' who are closer and very easily disturbed, who will not be habituated to night time noise given the remote rural location and will be adversely impacted.
- Excessive or *unacceptable* noise at any time which disturbs other residents within the site will not be tolerated. Who defines this? How will it be enforced?
- Not indulge in any anti-social behaviour. For example, must not *shout excessively*!

Personnel are told that they should be aware that "these regulations are particularly applicable between 2300 and 0700 hours, when it is expected that no noise or music should be audible from the site boundary of the accommodation site, or at other residential units (caravans)". This implies that before 2300 it is acceptable to make noise that is audible beyond the site boundary, noting that the site boundary is the ancient woodland, offering no protection to the night time ecology. The period from dusk until 2300 is a critical time for bat emergence and foraging, both of which could be adversely impacted by noise from the workers accommodation.

Noise from resident workers could cause delays to bat emergence, reduced foraging time, and lead to roost sites being deserted. This could also have an adverse impact on breeding success of the EPS bat populations, which will already be stressed by the loss of 13ha of ancient woodland habitat that has already occurred at the site. Ensuring there is no night time disturbance is especially critical in the NW compound area, which is close to the narrow commuting corridor between Havant Thicket and Bells Copse.

The Code of Conduct needs to ensure that noise is kept to an absolute minimum to protect the night time ecology, not be based on avoiding causing a nuisance to humans which will not necessarily protect the night time ecology.

There is a lack of information in the Noise Code of Conduct as to how noise will be monitored and the code enforced. Reference is made to; "If you cannot resolve the matter speak to the Future Water Site Environment Manager." But he will not be on site at night to resolve issues, allowing unacceptable noise to continue (see also 9.0 below). The last sentence of the code refers to; "F. Water retains the right to remove any item which causes excessive noise", but who will police that? Presumably any removal of items would be the next day by the Site Environment Manager when it is too late.

If the LPA's are minded to approve the application for workers accommodation at the site then more robust measures to mitigate the risks of noise causing disturbance to wildlife including EPS bat and Schedule 1 bird species need to be set out in a robust Code of Conduct to be provided and approved by the LPA's. The Code should set out how it will be monitored and enforced to guarantee disturbance is minimised to ecological receptors.

It is worth noting that the Noise Assessment page that proceeds the Noise Code of Conduct does not consider impacts of noise on the night time ecology either. Instead it is focused on compound generator noise and assessing the potential impact on residents 750m away. The Noise Assessment should consider the impact on ecology of;

- Noise from residents living on site.
- Generator noise emanating from the NW compound.

- Generator noise emanating from the satellite compound closer to Round Wood & Staunton Country Park woodland.

8.0 Other codes of conduct to address risks to ecology – not provided

The Noise Code of Conduct indicated that there would be ‘other behavioural codes’ but these have not been supplied with the supporting information. Ad hoc references are made in the CEMP report to some controls. For example;

- CEMP paragraph 61 refers to a workforce Code of Conduct being adopted which will stipulate expectations and requirements of workers using the temporary workers accommodation. This has not been submitted as a supporting document.
- CEMP paragraph 62 includes a small number of bullets for very broad measures to control some risks including keeping noise down, driving carefully, no littering, switch of lights at night, but this does not represent a robust Code of Conduct that could be enforced.
- CEMP paragraph 62 refers to there being ‘strictly no fires’, but the Code of Conduct needs to make it specifically clear that open fires & BBQ’s (gas or charcoal powered) are not permitted. Allowing BBQ’s would not only encourage more outside activity (lighting & noise) at night it would also result in smoke that could drift into the woodland causing disturbance to wildlife and a fire risk.
- There is nothing to restrict outside activity and a reference to ‘external sitting out space’ mentioned in the Adams Hendry covering letter is of significant concern. Activity outside of the caravans would need to be restricted within the Code of Conduct to avoid and minimise disturbance.
- CEMP F. Water tables (pdf pages 31-33), row 12 & 16 refers to a low speed limit but does not say what that is? (5 or 10 miles are mentioned elsewhere)
- CEMP F. Water tables (pdf pages 31-33), row 18 refers to the risk of generation of litter/ fly tipping on site and off site, with mitigation being achieved through provision of recycling bins at canteen/ mess facilities and a Code of Conduct, but this is not provided. Not clear what will happen to caravan domestic waste?
- Any references to monitoring and enforcement of measures are vague and not always consistent across the documents (see 9.0 below).

The Env. Sub Group were told that a broad Code of Conduct would be submitted with this planning application, but unfortunately this is not the case. The text submitted to date is weak and spread across several documents. F. Water need to provide just one overall robust Code of Practice addressing all potential risks of disturbance to local residents, visitors using adjacent paths, and the local ecology.

There needs to be a clear commitment to how this will be monitored on a daily/ nightly basis, frequency of audits (including regular night time audits) and the enforcement regime that will ensure the Code of Conduct is robustly followed.

There should be a specific tool box talk for all those living on site (even for the odd night) to ensure they are aware of the sensitivity of the site, risks to ecology and the restrictions on their activities if they chose to live on site. With a requirement to sign to make a written commitment to comply with the Code of Conduct and its enforcement regime.

The LPA need to require that a new comprehensive and robust Code of Conduct is submitted for approval, which addresses all of the environmental risks in one document, not just the risks relating to noise and lighting. This will ensure that the control measures needed are clear to all, including the workers living on the site and those enforcing the rules.

9.0 Monitoring & Enforcement of Codes of Conduct – proposal unclear/ inconsistent

Information on the means of enforcement is inconsistent across the various documents submitted.

- The Noise Code of Conduct (App E, CEMP) only refers to matters being resolved by the Site Environmental Manager, who is unlikely to be present on site at night.
- The CEMP page 18 (64) refers to; Environmental monitoring will be undertaken to measure the effectiveness of environmental controls and implementation of this TWA CEMP, but it is not stipulated what monitoring and frequency of checks will be undertaken at night?
- The CEMP page 18 (65) refers to; The Inspections, auditing and monitoring procedure (doc no. HS-0005) which is contained in Appendix F (pdf page 36), but this contained no specific monitoring procedures for the workers accommodation.
- The Construction Traffic Management Plan table on pdf page 55 refers to out of hours vehicle movements and behaviour, indicating that “**on site guardians allocated to monitor & manage caravan residents**”. This is not mentioned in any of the other submitted documents, so it is not clear if this is a commitment, or who the ‘site guardians’ would be and what powers ‘guardians’ would have to enforce the Code of Practice? Could they insist noise stops, switch off or remove equipment, turn lights off, insist people move inside?
- The proposal in the Construction Lighting Strategy (Page 16, 7.1.2) referred to a 12 weekly inspection to be completed after sunset to ensure all lighting mitigation measures are in place. A 3 monthly inspection is inadequate.
- The Habitats Regulation Assessment does not address risks to European Protected Species using the site or mitigation/ enforcement of control measures.

Given the significant risk of disturbance to wildlife from workers accommodation there needs to be a very clear commitment from F. Water & P. Water as to how the Code of Conduct will be monitored on a daily/ nightly basis, frequency of audits (including regular night time audits) and the enforcement regime that will ensure the Code of Practice is consistently followed.

The LPA should ensure that there is a new Code of Practice submitted that has a section addressing the monitoring and enforcement regime that will be put in place, including punishment and removal of staff who breach the code and cause disturbance to wildlife, residents or legitimate users of the adjacent paths/ woodland.

The implementation, monitoring and enforcement of the approved code should then be required by a planning condition. This will then allow independent enforcement action to be taken by the LPA if the Code of Conduct is not being implemented & enforced by the Contractor.

10.0 Construction Traffic Management Plan – flawed assessment for works accommodation

Condition 12 relating to the Construction Traffic Management Plan (CTMP) should not be discharged until the concerns set out below and in Appendix B have been considered and addressed.

10.1 Vehicle movement assessment; This section of the CTMP provides the assessment of vehicle movement associated with the temporary workers accommodation on site, suggesting that there could be a saving of 50% in vehicle movements with 50 caravans located on site. The assessment is very optimistic and appears to be quite naive. The table suggests there will be just 6 vehicle movements per caravan per week made up of:

- 1 on site at beginning of week
- 1 off site for shopping – highly likely to be more to pick up milk, bread, cigarettes etc.
- 1 back on site from shopping – as above
- 1 off site trip - likely to be more with trips to pub, leisure activities (cinema, gym etc), girlfriends etc.
- 1 back on site – as above
- 1 off site at end of working week

Experience during earlier construction phases of the reservoir site is that workers did use local pubs, facilities, have local girlfriends etc. As a result, it is highly likely that the caravans could generate the same level of activity as workers commuting to the site, and it could easily result in more vehicle movements, so there is no guarantee of a benefit in reduced vehicle movements. **It will certainly result in more night time vehicle movements which is the biggest concern due to the inevitable impact on the night time ecology of the ancient woodland through which the road access passes (unless there is an enforced night time curfew with a tight restriction on hours).**

It is also not clear if workers will be able to have visitors to the caravans, such as family visits, for evenings or at weekends. If so, there vehicle movements are not taken into account.

10.2 The Risk Assessment table in Section 13 does not consider risks to ecology from traffic movements. A night time curfew on the use of the northern access road would provide the most robust solution to the risks, but it remains unclear if this is to be provided.

Further comments on the CTMP are provided in Appendix B.

The LPA need to seek clarification on whether there will be a curfew on the use of the access road and review the matters in Appendix B and raised above which will impact the number of likely vehicle movements before Condition 12 is discharged.

11.0 Habitats Regulation Assessment inadequate

The Habitats Regulation Assessment (HRA) is not robust and relies too heavily on the assessment made for the original hybrid planning application. However, the previous assessment did not consider night time noise/ lighting impacts as the hours of work were expected to be restricted to day time which would be controlled by a planning condition, and there was no planned night time use of the northern access road. This is no longer the case and a robust reassessment should have been undertaken in accordance with the request from the LPA's and assessed all potential new impacts related to having workers accommodation on site.

It is disappointing that the HRA screening only focuses on potential impacts to the Singleton & Cocking Tunnels SAC, when there are EPS protected species including rare bats which use the tunnels and are known to use the area around the reservoir for roosting and foraging, including Bechstein's bats which have been proven to commute to the site from further afield (e.g. Southleigh Forest). The use of the core sustenance zone of 0.82km in isolation is not appropriate when assessing the impact at this site, when bats have been proven to travel longer distances. The CEMP page 17 (53) indicates that the HRA;

- Has not identified any additional impacts arising from the temporary workers accommodation on the qualifying features of European designated sites.
- As such, no additional biodiversity mitigation measures are required.

My own view is that a robust assessment should have come to different conclusions.

Other specific comments on the HRA provided are set out below;

- a) In Section 2 it is indicated that the workers accommodation will stay on site until 2026. This is not consistent with statements made elsewhere, including in the covering letter that refers to use between 2024 and 2027 (4 years, not 3 years).
- b) The CEMP refers on pdf page 11 to the months in use typically being from March to October, but in reality (and elsewhere) it is acknowledged that some people would live on site all year round. **It is important that the HRA considers this all year round use** of the workers accommodation.
- c) Night time use of accommodation is a significant concern in March and April, especially before the clocks change when it is dark still much earlier. This is also when bats and dormice will be

emerging from hibernation & torpor, with an urgent need to forage and commute to find suitable food sources, which will be more limited at this time of year. This is also a concern in relation to the proposed extension of working hours at the site.

- d) Page 5 discussed impacts from noise & vibration but only considers construction noise, such as the compound generator. The wider impacts of workers living on site (noise & lighting) are not mentioned/ considered, nor is additional vehicle impacting the northern access.
- e) Page 5 , lighting assessment, refers to the Construction Lighting Strategy in relation to controlling impacts, but information presented on lighting controls across the documents is inconsistent and not robust enough to control the risks (see item 4.0 above & Appendix A)
- f) Page 5, lighting assessment, refers to a 10m buffer zone 'dark corridor' but this is not enough to provide a dark corridor for bats, especially at this critical woodland intersection between Havant Thicket and Bells Copse where there is a narrow corridor of connectivity for wildlife. There is no recognition of the impact lighting could have on bat movements around the landscape, or the knock impacts this could have on reduced foraging time and roost sites.

*Note: The Main Compound General Illumination Levels Plans (March 2024) on page 135 shows light spill into the buffers from light columns, even with lighting shields fitted, which the text in the Construction Lighting Strategy (pdf page 144) says should **not** be relied upon to control light spill?*

- g) The impacts are not off-set by the measures in Table 1 as it does not consider the most likely source of impacts which is from workers living on site (noise, lighting at workers accommodation and from associated night time vehicle movements)
- h) Page 7 says that the temporary workers accommodation does not present any in-combination effects with other plans and projects. However, there is no indication as to how this has been assessed? How have the impacts in-combination with Land East of Horndean been assessed?, where tree clearance has also commenced and works are likely to run concurrently. Will workers be living on site at the LEOH development just to the north where Bechstein's bats are also found foraging and commuting and are part of the same meta population? Or how in-combination effects with housing developments taking place in the Southleigh Park vicinity have been considered?

12.0 CEMP tables – additional feedback/ concerns

CEMP tables (pdf 31 to 33) by F. Water make no reference to mitigation actions referenced elsewhere in Row 12 including;

- There is nothing to indicate that resident workers should not undertake activities, involving noise or lighting at night, especially outside.
- There is no reference to having 'Guardians' to ensure the Code of Conduct is complied with at night.
- There is nothing to indicate that **workers who could live on site all year round will be allocated caravans further away from the woodland edge**, deeper into the site. F.Water have previously made statements to this effect at meetings with stakeholders but I could not find this reassurance anyway in the documents.

In relation to row 16 – Traffic movements, reference is only made to traffic collisions with wildlife, there is no recognition that car lights and vehicle noise will also have an impact on ecology at night, hence the need to restrict the use of the access road(s).

Row 18 flags a risk from litter and fly tipping resulting in potential pollution both on and off site. There is no reference to waste disposal arrangements and recycling provision to be made in the workers accommodation area.

13.0 Lack of stakeholder engagement

It is disappointing that despite taking an early decision to want to have workers accommodation at the site there has been no engagement with stakeholders to;

- Discuss the site layout of the caravans within the NW compound to minimise adverse impacts. Only the final plan has been provided. It is a very large compound and it should have been possible to come up with a better layout that would have less impact by locating the caravans away from the woodland edge.
- Discuss a Code of Conduct to try to agree the measures necessary to minimise the impacts.

This was despite many stakeholders objecting and raising concerns about having temporary accommodation on site, and regarding any use of the northern access road at night, especially as there had been no ecological impact assessment. To try to alleviate these concerns F. Water indicated that they would produce a resident worker's Code of Conduct to minimise impacts. P. Water gave assurance that Env. Sub Group stakeholders would be given the opportunity to review and comment on the Code of Conduct. Unfortunately, this did not happen, instead P. Water changed its position in 2024 indicating that stakeholders would have to provide their comments through the planning application process to the LPA's.

It is important that F. Water and P. Water are encouraged to engage in meaningful discussions with stakeholders to identify and address any concerns before planning applications for Reserved Matters are submitted to the LPA, when there would still be the opportunity to try and address their concerns.

14.0 Principle of workers accommodation has not been established

Despite statements made in the Adams Hendry covering letter with the application on page 2, the principle of the workers accommodation on site has not been established. This is clear from the LPA response referred to dated 15 June 2023, which required submission of a new application and Habitats Regulation Assessment.

15.0 Other general comments

16.1 CEMP page 14 (45) refers to site induction modules and specific method statements. No method statements have been provided. It is not clear if there would be any method statements which are specifically relevant to workers accommodation, and if so what they cover? If there are they should be referenced in the Code of Conduct for workers living on site.

16.2 CEMP page 15, Site Environmental Manager (SEM) responsibilities are not indicated to include supervision/ control of workers living on site. Do they?

- If there are to be 'Guardians' will they be appointed by the Site Environmental Manager? Or will the guardians be the security guards?
- Refers to SEM undertaking day to day inspections, will this include night time inspections or audits to ensure Compliance with the Code of Conduct at night?

Appendix A

Condition 20 - Construction Lighting Strategy - Concerns / Feedback

In addition to the concerns and comments made in the main response Section 4, I have the following concerns which should be considered and addressed before Condition 20 relating to the lighting strategy is discharged.

- A. The CLS at 3.3.1 (page 11) refers to artificial lighting being switched on 30 minutes before sunset to the end of the shift, as well at the start of the shift to up to 30 minutes after sunrise. This is the time at dawn and dusk when much wildlife is most active, or becoming active. Use of artificial lighting during these hours is not appropriate in sensitive areas, such as close to the woodland edge.
- B. The CLS should **include early/ late working exclusion/ buffer zones around sensitive ecological receptors/** habitats such as woodland edges and tree lines. A 50m buffer would provide a precautionary approach as a default, with anything closer having to be agreed with the Ecological Clerk of Works to reduce the risks, but with a minimum mandatory 25m buffer in any sensitive area where working with lights would not be permitted after 18.00.
- C. In various places in the documents it refers to using existing vegetation screens to minimise the impact of any light spill. For example, CLS, page 14, Table 5.1 and page 15 (6.2.1). All vegetation at the site, including hedgerows, tree lines and woodland blocks are used by European protected species and provide important wildlife corridors. They should never be used as light screens to protect other receptors.
- D. Page 11 of CLS, 3.4.1 refers to the ECoW monitoring the implementation of the CLS, but they are unlikely to be present at night on a routine basis. A more robust option for monitoring the implementation of the lighting strategy needs to be provided and undertaken.
- E. CLS, page 12, refers in the table to residential receptors at Durrants Road. The houses at Manor Lodge Road, Rowlands Castle, which are closest to the eastern embankment works are not included within the table.
- F. Page 14 of the CLS, Section 6.1.1 and 6.2 refer to LED Luminaires will be used *where possible*. This is a key mitigation, the CSL should explain where this would not be possible?, or for what tasks?, to show that they will be used most of the time.
- G. Page 15 of the CLS, bullet 10, refers to; Where *appropriate* external security lighting will be set on motion sensors and set to as short a possible a timer as the risk allow (1 to 2 minutes). When would this not be appropriate? Would this be a rare event? The default position should be for all lighting to be triggered by motion sensors, with a strong argument needing to be made for anything else.
- H. Page 15 of the CLS, bullet 11 indicated that “only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it to where it is needed.” Going on to note that “the effect of cowls and baffles is often far less than anticipated and so should not be relied upon solely.” Yet the Main Compound General Illumination Levels Plans (March 2024) on pdf page 135 text box states that; “Compound light spill onto boundary has been minimised by fitting light spill shields to luminaires against the boundary.” The lighting strategy close to the boundary needs to be reconsidered to provide a more robust solution.

Note: If the northern row of caravans are removed or moved south the lighting would not need to be so close to the boundary of the woodland.

- I. The contours shown on the Main Compound General Illumination Levels Plans (March 2024) on pdf page 135 do not seem to be consistent with all of the external lighting positions shown on the Mackley Main Compound Lighting Layout drawing (pdf page 138). The wall mounted lights are not included. There is also no external lighting proposed for the main office building or shower block, which seems unlikely. **The Lighting Drawing Layout drawing should show all proposed lighting and the Illumination Levels Plan should be updated to reflect the impact of all external lighting.**
- J. Light columns in the main carpark which is close to the critical narrow junction between the Havant Thicket and Bells Copse woodland blocks are shown on the drawings to be 7m high. (Mackley V41 for external lighting refers to a 1m cube plus 6m column, pdf page 110). Why does the light columns have to be so high? CSL Appendix E page 4 states that “column heights should minimise light spill”. The light column heights should be reviewed to minimise their impact and light spill effects. Good practice should be to design the light scheme to minimise impacts, not just to meet a defined boundary criteria.
- K. Page 15 (6.2.1) of the CLS refers to windbreak mesh/ dust- type netting provided to the inside of the compound boundary to help further reduce light spill . It is important to recognise that this will not help to mitigate light spill above the fence height where most of the bats would be flying, it may be of some assistance to species closer to ground level, such as glow worms and dormice. The benefit of the fence could be increased if the light column height within the compound were significantly reduced.
- L. The Construction Lighting Strategy at 6.2.3 confirmed that there will be no lighting on the access roads. This is a key mitigation which needs to be emphasised more clearly at the beginning of the strategy.
- M. **Proposed monitoring of compliance with the CLS is inadequate.** Page 16, 7.1.2 refers to a 12 weekly inspection to be completed after sunset to ensure all mitigation measures are in place. This frequency of inspection is not enough given the sensitivity of the surrounding woodland and EPS species present. A more appropriate strategy would be to inspect/ audit the control measures at the commencement of the earthworks season and thereafter having a minimum of fortnightly audits take place, with action taken within 24 hours to address any issues identified.
- N. The **proposed complaints response is inadequate.** Page 16, 7.1.3 of the CLS refers to a 7 day timeframe to respond to a complaint. The strategy needs to make it clear that any complaint regarding lighting will be investigated the night after receiving the complaint and appropriate action taken immediately to address any valid concerns.

The LPA need to seek clarification and assurances on the matters raised in relation to the Construction Lighting Strategy in Section 4 and in Appendix B before Condition 20 is discharged.

Condition 12 – Construction Traffic Management Plan Concerns / Feedback

In addition to the concerns and comments made in the main response Section 10, I have the following concerns which should be considered and addressed before Condition 12 relating to the Construction Traffic Management Plan (CTMP) is discharged.

a) Manned control point at B2149 junction

Page 3, 4b confirmed that “a manned control point will be established at the B2149 end of the NAR. This control point will ensure that only authorised vehicles enter the site”. Env Sub Group Stakeholders were recently advised that this roadside monitoring point will be manned 24/7 during the construction phase to stop illicit use (motorcycles, fly tipping etc) of the northern access route through the ancient woodland.

- It is not currently clear in the CTMP that this control point is to be manned 24/7, this should be clarified before the CTMP is approved.

Nor is it clear if the existing farm type gate will be kept locked at night, so that access is only possible if the gate is opened by the security officer manning the control point?

Presumably contractor’s staff would not be given a key or fob to the gate, as this is likely to lead to problems with the gate being left open?

The LPA need to seek additional information to answer these questions before Condition 12 is discharged.

b) Night time curfew on northern access route

It is not clear if a mandatory night time curfew will be imposed by the Contractor on the northern access road. Page 11 states;

Out of hours vehicle movements	Set site rules for times of vehicle movements with the exception of emergencies, introduction of curfews , disciplinary action enforced against those who breach site rules. It is in the caravan residents
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I hope that a curfew is to be introduced, but the Contractor has previously resisted any suggestion of a night time curfew on use of the NAR when it has been proposed by stakeholders.

- Is the Contractor confirming there will be a night time curfew?
- If so, what will the hours of the curfew be? (winter and summer)

The LPA need to seek clarification that there will be a night time curfew and a planning condition should control the hours of use of the access road in order to protect the night time ecology of the ancient woodland.

Note: There is no mention in the CTMP that the Contractor has proposed to extend the working hours and this will have an adverse impact on ecology at the site, extending the period of traffic movements, with site and office workers all subsequently starting and leaving the compound later.

- Will this also extend the hours over which deliveries can be made? (not clear)
- The LPA should ensure that deliveries to the site stay restricted to no later than 18.00.

c) Speed limit on northern access road

Page 7, 4c of the main works CTMP confirmed that; “The speed limit will be **20mph** however it will be reduced if any works are being completed”. In that document it is currently proposed that the access road will be accessible at night. Given that the road passes through ancient woodland, an ecologically sensitive habitat where the night time ecology is not used to any vehicle traffic the contractor should either include in the CTMP;

- Imposition of a night time curfew on the use of the northern access road and provide a robust security gate to prohibit access. (See b above) This is the most appropriate solution and is what was envisaged at the time of the original reservoir Ecological Impact Assessment.
- **Impose a stricter speed limit at night (dusk until dawn) of a maximum of 10mph.** Along with tool box talks for drivers working at the site explaining why the speed limits are important, speed limit signage be put in place. **Speed cameras should be sited at various locations along the NAR** and moved intermittently. These should be used to identify any contractor/ worker vehicle that breaks the daytime or night time speed limit, with an appropriate punishment system. For example, 3 strikes and their employment at the site will be terminated.

The CEMP page 18 (62) refers to; Drive carefully within the site compound (max 5mph) and on the northern access road. Is it proposed the northern access road speed limit is 5mph?

The CEMP page 17 (55) refers to addressing the risk of badgers being involved in traffic accidents by having a **10mph speed limit** on the northern access road. This contradicts the information in the main reservoir site CTMP (Page 7, 4c) which referred to 20mph.

- Is it proposed that there will be a 20mph speed limit during the day and a 5 or 10mph hour speed limit at night?
- If so, how will this be enforced? (Speed cameras? Where? How many?)

As can be seen above contradictory information is provided in the reports on speed limits.

The LPA need to seek more information on how the night time use of the road will be controlled, what the speed limit on access routes will be (day time & night time), what time any lower night time speed limit would start and end.

d) Vehicle movement assessment

Section of the CTMP provides the assessment of vehicle movement associated with the temporary workers accommodation on site, suggesting that there could be a saving of 50% in vehicle movements with 50 caravans located on site. The assessment is very optimistic and appears to be quite naive. The table suggests there will be just 6 vehicle movements per caravan per week made up of:

- 1 on site at beginning of week
- 1 off site for shopping – highly likely to be more to pick up milk, bread, cigarettes etc.
- 1 back on site from shopping – as above
- 1 off site trip - likely to be more with trips to pub, leisure activities (cinema, gym etc), girlfriends etc.
- 1 back on site – as above
- 1 off site at end of working week

Experience during earlier construction phases of the reservoir site is that workers did use local pubs, facilities, have local girlfriends etc. As a result, it is highly likely that the caravans could generate the same level of activity as workers commuting to the site, and it could easily result in more vehicle movements, so there is no guarantee of a benefit in reduced vehicle movements. **It will certainly result in more night time vehicle movements which is the biggest concern due to the inevitable impact on the night time ecology of the ancient woodland through which the access passes (unless there is an enforced night time curfew with a tight restriction on hours).**

It is also not clear if workers will be able to have visitors to the caravans, such as family visits, for evenings or at weekends. If so, there vehicle movements are not taken into account.

The LPA need to seek clarification on whether there will be a curfew and on the access road(s) as well as a review of the matters raised above which will impact the number of likely vehicle movements before Condition 12 is discharged.

e) Single lane access road with a blind bend

The northern access road is a single carriageway with passing places. There is a blind bend half way down the northern access road with a lay-by either side of it. There is nothing in the CTMP to indicate how small or large HGV vehicles will negotiate the single carriageway road, especially at the blind bend, to avoid traffic having to reverse down the single track road which has relatively steep banks in places. The blind bend poses a risk to road users but also to ecology, especially the night time ecology which will not be used to any vehicle traffic in Havant Thicket woodland.

The LPA need to seek clarification on how traffic flow / vehicle movements are to be controlled to ensure safe use of the private access road, including the minimising the risk of collisions with wildlife?

Note: With the increased use of electric vehicles which make less noise the risk of collisions with wildlife especially at the blind bend are significant.