

Consultee Comments for Planning Application APP/21/01376

Application Summary

Application Number: APP/21/01376

Address: Land adjacent to 54, Long Copse Lane, Emsworth

Proposal: Erection of 9No. dwellings together with associated works (resubmission of APP/21/00683).

Case Officer: Lesley Wells

Consultee Details

Name: Mr Tristan Norton

Address: Elizabeth II Court West, The Castle, Winchester SO23 8UD

Email: tristan.norton@hants.gov.uk

On Behalf Of: County Ecologist

Comments

Dear Lesley,

APP/21/01376 | Erection of 9No. dwellings together with associated works (resubmission of APP/21/00683). | Land adjacent to 54, Long Copse Lane, Emsworth 22.0050

Thank you for consulting me on this application.

I have provided detailed comments on the previous iteration of this proposal. The amended proposal is for one additional dwelling. The current proposal does not materially change the previous ecological assessment.

The submitted Ecological Assessment (WYG, November 2021), Reptile Presence/Likely Absence Survey (WYG, November 2021) and Ecological Management Plan (WYG, May 2020) provide a sound assessment of the current ecological value of the application site and adjacent scrubby grassland site proposed for enhancement. I am content that sufficient ecological assessment has been carried out and that the ecological value of the application site and adjacent mitigation/enhancement area are understood.

As previously discussed, the proposed housing site is classified as Land East of 54 Long Copse Lane Site of Interest for Nature Conservation (SINC) and as such its development would be contrary to Policy CS11 of the Havant Borough Core Strategy March 2011. The emerging Local Plan 2036 Policy E14 provides details of how SINC's are expected to be addressed in planning. The expectation is that impacts to SINC's are avoided, but where impacts will occur the benefits of the development must clearly outweigh the impact to biodiversity and the SINC: this is purely a planning matter for Havant Borough Council. The SINC is not currently being managed in a

suitable way for promoting its interest features (unimproved neutral grassland) and, without landowner cooperation, there is essentially no mechanism for ensuring that the site can be managed in an appropriate manner. As a result, the botanical interest will continue to deteriorate: this is a common occurrence on many SINC sites.

The proposal is to translocate areas of unimproved meadow grassland from the application site to the adjacent scrubby grassland site. The receptor site will then be subject to ongoing management to promote its botanical value. I am supportive of the proposed mitigation/compensation/enhancement measures and consider that this is the best option for maintaining SINC-quality grassland in this location. The close proximity of the receptor site is a beneficial factor and there is every reason to suggest that this technique would be successful. As ever, this is wholly dependent on a commitment to long-term care, management and monitoring to ensure success. It is imperative that sufficient funding is secured for that ongoing management and that there is a robust, unambiguous plan for management that includes measures for botanical diversity, reptiles, breeding birds and public recreation.

If you are minded to grant permission, can I suggest that an Ecological Mitigation and Management Plan is secured by condition. This should provide clear details of all translocation, management and monitoring activities necessary to ensure the continuation of SINC-quality grassland and other ecological receptors. This Plan must be fully-detailed and its contents must be agreed by the proposed mitigation area site manager, Havant Borough Council. The translocation, any preparatory work, and all construction-phase mitigation will be carried out by the applicant and all ongoing management of the receptor site will be undertaken by Havant Borough Council: as such, the Plan will include elements related to pre-, during, and post-construction periods. It is for HBCs estate management team to determine if sufficient detail and funding is included to allow for the ongoing management, and then a suitable legal agreement will need to be secured that clarifies all roles and responsibilities. It will be essential to include monitoring and a means of reviewing and measuring success, with actions to be taken should translocation or other management measures prove unsuccessful. In particular, the translocation process is subject to risk from e.g. lack of effective turf-laying, lack of suitable turf care, damage from recreational use, and potential issues may not become apparent for some time after development has concluded. Parts of this Plan will be implemented by contractors potentially unfamiliar with this site and who are not ecological professionals: it is absolutely essential that it is explicit in its management aims, objectives and detailed prescriptions so that all parties are clear on what is required. It will be helpful to differentiate between activities carried out by the developer and those by HBC.

If I may suggest some suitable condition wording:

Prior to the commencement of development activities, a detailed Ecological Mitigation & Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All EMMP measures shall be in accordance with those detailed within the Ecological Assessment (WYG, November 2021), Reptile Presence/Likely Absence Survey (WYG, November 2021) and

Ecological Management Plan (WYG, May 2020) unless otherwise agreed in writing by the local planning authority. The EMMP shall include (but not necessarily be restricted to): grassland translocation (to include details of preparatory works, translocation methods and timings, aftercare); details of all habitat and species mitigation measures; details of the ongoing management of all compensatory/enhancement habitat; location, type and number of all bat/bird boxes and other ecological enhancements; details of lighting. All ecological compensation/enhancement measures shall be installed/implemented in accordance with ecologists instructions and retained in a location and condition suited to their intended function. Reason: to protect and enhance biodiversity in accordance with the Conservation Regulations 2019, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

In addition, I would recommend that a Construction Environment Management Plan (CEMP) is secured. This should include full details of all measures to avoid/mitigate construction impacts on the natural environment during construction.

Prior to the commencement of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP . Reason: to protect biodiversity in accordance with the Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

I would also recommend the following condition wording to ensure that all ecological mitigation, compensation and enhancement measures related to the proposed development site are secured.

Development shall proceed in accordance with the ecological avoidance, mitigation, compensation and enhancement measures detailed within the submitted Ecological Assessment (WYG, November 2021), Reptile Presence/Likely Absence Survey (WYG, November 2021) and Ecological Management Plan (WYG, May 2020 unless otherwise agreed in writing by the Local Planning Authority. Reason: to protect biodiversity in accordance with the Conservation Regulations 2019, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

If you have any queries please dont 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