

Date: 12 August 2021
Our ref: 360279
Your ref: APP/20/00441



Lesley Wells
Havant Borough Council

Consultations
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BY EMAIL ONLY

Dear Ms Wells

Planning consultation: Outline planning application with all matters reserved except access for the development of up to 100 dwellings and associated improved site access, landscaping, footpaths, SuDS and other associated works on land to the west of Hulbert Road, Havant

Location: Land west of, Hulbert Road, Havant

Thank you for your consultation on the above dated 14 July 2021 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on designated sites. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

- A Habitat Regulations Assessment
- Details of mitigation to achieve nitrogen neutrality for the scheme
- Construction Environmental Management Plan
- Biodiversity Mitigation and Enhancement Plan

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the [Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

Deterioration of the water environment

The application is supported by a shadow Habitat Regulations Assessment (HRA) which sets out the proposals will result in positive nitrogen contribution of 121.619Kg/TN/yr.

Provided the competent authority is assured and satisfied the calculation is in line with Natural England's Advice on Achieving Nutrient Neutrality in the Solent (version 5 June 2020), that the site areas used in the calculation are correct and that the existing land uses are appropriately precautionary, then Natural England raises no concerns with regard to the nutrient budget. As the proposals result in a positive nitrogen budget, mitigation will be required. The appropriate assessment should set out how nutrient neutrality will be achieved and secured. We note the supporting email dated 27th May 2021 which proposes to use the Meon Springs scheme as mitigation.

Recreational Disturbance

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). This should be confirmed via an appropriate assessment

Construction impacts

Natural England advises a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the district ecologist/biodiversity officer that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats. The CEMP should address the following impacts:

- Storage of construction materials/chemicals and equipment;
- Dust suppression
- Chemical and/or fuel run-off from construction into nearby watercourse(s) and woodland
- Waste disposal
- Noise/visual/vibrational impacts

The approved CEMP should be secured via an appropriately worded condition attached to any planning consent and shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Ancient woodland

The proposals are in close proximity to ancient semi-natural woodland. You should consider any impacts on ancient woodland and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances. Please note where proposals will deviate from standing advice Natural England will require further consultation in these circumstances.

Protected species

Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

Biodiversity Enhancement

Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP) that has been agreed by a Hampshire County Council (HCC) Ecologist. This will ensure the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement as set out in National Planning Policy Framework paragraphs 8, 118, 170, 174 and 175d.

The scope of the BMEP should be agreed with the HCC Ecologist and should consider great crested newts, reptiles, bats (roosting and foraging), hazel dormice, and nesting birds. Consideration will also need to be given to the area of lowland mixed deciduous woodland within the application boundary, which is designated as a Site of Importance for Nature Conservation (SINC). An appropriate planted buffer between the SINC and any new development will be required and a consideration of the potential impacts arising from recreational disturbance.

Natural England would like to draw your attention to the proximity of the site to the ancient Forest of Bere landscape where the Bechstein's bat species is found in internationally important numbers. The species is listed as a Priority Species under the UK Biodiversity Action Plan (BAP).

Policy E18 of the Draft Havant Local Plan sets out the following advice:

*'For sites that contain or are **adjacent to sites likely to contain Bechstein's bat**, planning permission will only be granted where:*

- *Survey methods appropriate to Bechstein's bat are used and undertaken by a suitably-qualified ecologist.*

*If the **presence of Bechstein's bat is established**, planning permission would only be granted where:*

- *The net loss of woodland (including groups of trees) is avoided;*
- *Impacts on Bechstein's bat breeding habitat (i.e. net loss of/excessive disturbance to woodland or trees containing maternity roosts) are avoided;*
- *Proposals include appropriate buffers to woodlands, hedgerows and other flight corridors, taking into account the location of roosts and foraging/commuting habitats; and*
- *Review and monitoring plans are put in place, where appropriate.'*

In line with the 'avoid, mitigate, compensate' hierarchy, Natural England recommends that potential impacts are avoided in the first instance, for example through the design of the scheme, such as location of built development, access restrictions, sensitive lighting strategy. Where avoidance is not possible, the BMEP should include measures for mitigating impacts on protected species and habitats and include biodiversity compensation measures for any residual biodiversity losses that cannot be fully mitigated on site. This might include the provision of offsite replacement habitats, or an agreed financial contribution for biodiversity enhancements elsewhere calculated using a Biodiversity Compensation Framework, Environment Bank, or similar mechanism.

The BMEP should also include measures to benefit wildlife such as planting native trees including fruit trees within gardens, native hedges, new wildlife ponds and the provision of bird (eg house martin, swift) and bat boxes of a design that is incorporated into the fabric the new buildings.

Opportunities for enhancement might include:

- Restoring a neglected hedgerow
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England expects any forthcoming application to set out how biodiversity net gain will be achieved, over and above residual losses which should be accounted for and addressed. We recommend the applicants make use of the Defra [biodiversity metric](#), which is a clear and methodical calculation for net gain in biodiversity for individual planning proposals.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

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Thames Solent Area Team