

Michelle Houghton

From: Stephen Cantwell
Sent: 25 March 2014 15:12
To: bst shared
Subject: FW: APP/14/00270 | Discharge of Conditions A1 (i)c and A1 (ii), A17 and A18 of Planning Permission APP/12/00338 | Dunsbury Hill Farm, 12.0529 - Havant BC Proposed partial approval

Hi

Please log to Acolaid APP/14/00270: *HCC Ecologist. Further comment*

Thanks

Stephen Cantwell
Havant Borough Council
Development Control Team Leader
(02392) 446509

From: Norton, Tristan [mailto:Tristan.Norton@hants.gov.uk]
Sent: 25 March 2014 09:38
To: Stephen Cantwell
Subject: RE: APP/14/00270 | Discharge of Conditions A1 (i)c and A1 (ii), A17 and A18 of Planning Permission APP/12/00338 | Dunsbury Hill Farm, 12.0529 - Havant BC Proposed partial approval

Hi Stephen,

This looks fine to me – I admire your ability to tease out the detail from such a complex scenario!. Anyway, it allows for the qualified partial discharge of the three conditions and should therefore allow the applicant to continue with their application for European Protected Species Mitigation licenses from Natural England for bats and dormice. I suspect there will be ongoing issues with respect to licensing (this is a very complex multi-phase build), but the LPA can be confident that it has addressed its obligations under the Conservation Regulations.

Hope this is suitable – if you have any queries please don't hesitate to contact me.

Kind regards,

Tristan

Tristan Norton

Senior Ecologist
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From: Stephen Cantwell [mailto:Stephen.Cantwell@havant.gov.uk]

Sent: 24 March 2014 17:43

To: Norton, Tristan

Subject: RE: APP/14/00270 | Discharge of Conditions A1 (i)c and A1 (ii), A17 and A18 of Planning Permission APP/12/00338 | Dunsbury Hill Farm, 12.0529 - Havant BC Proposed partial approval

Tristan,

Here is my intended approach. It is necessarily a qualified partial discharge because of the limitations of the info provided at this stage. I trust that this reflects our discussion earlier today but please note I have also referred to the phasing condition (A3 - please see black font below) of the planning permission since we spoke, as this governs the timetable for the provision of the habitat creation area and other ecological mitigation. I trust you are happy with the following words if so I will write to the applicant's accordingly.

Regards
Stephen Cantwell

Proposed Partial Discharge:

Summary: The details submitted are sufficient to deal with ecological impacts and mitigation of the construction of the access link road.

Condition A1 - Ecological Mitigation and management and establishment of the habitat creation area

To confirm partial discharge i.e. that these details are acceptable in terms of the content of the habitat creation area (HCA) and the timetable for its provision in three phases up to 2016 (the timetabling is a requirement of condition A3 (v & vi), but the applicant had overlooked to ask for this to be discharged in the current application).

The timetable for the development of buildings, the hotel and internal roads within phase 1 (page 16), the timetable for mitigation and possibly the range of mitigation measures within the document will need to be updated and amended, with agreement of the Planning Authority, if the detailed development departs from the layout of the indicative masterplan [for info this is reproduced as Appendix A Fig 15.2 Rev D in the Atkins Management/Maintenance Plan Feb 2014 but called Figure 5.8 - Revision A - in the notice of planning permission.]

Mitigation measures and a timetable for phase 2 will also need to be agreed in writing by the Planning Authority.

Updates and amendments can be dealt with as a further discharge under this condition.

Condition A17 - Dormouse mitigation.

To confirm partial discharge i.e. that this is acceptable to mitigate the construction of the access link road and Hermitage Stream realignment only. The timetable up to 2020 within Document 2 of the Dormouse Method Statement relates only to these works and arising mitigation activity and is acceptable under condition A3 (v).

The dormouse mitigation and timetable will need to be updated and amended with written agreement of the Planning Authority to deal with any mitigation requirements arising from the development of buildings, the hotel and internal roads, and for any development works beyond 2020.

Updates and amendments can be dealt with as a further discharge under this condition.

Condition A18 - Bat mitigation.

To confirm partial discharge i.e that this is acceptable to mitigate the construction of the access link road only. The timetable for mitigation up to 2018 in the Bat Method Statement Document 2, pg 18 is also acceptable under condition A3 (v).

The bat mitigation and timetable will need to be updated and amended with written agreement of the Planning Authority to deal with any mitigation requirements arising from the Hermitage Stream realignment and the development of buildings, the hotel and internal roads, the development of buildings, and for any development works beyond 2018.

Updates and amendments can be dealt with as a further discharge under this condition.

Planning Permission Condition A3: Phasing Plan & Schedule

Prior to the commencement of any development hereby approved a phasing plan and schedule shall be submitted to and approved in writing by the Local Planning Authority to show how the full development of the site is to be carried out in numbered phases, and this plan and schedule shall be updated as phases are subsequently divided, subdivided or amalgamated and each updated version shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan and schedule and any updated version shall include all of the following information:

- i) The location of each phase
- ii) The quantum of the development of each phase (size of the site or floorspace of buildings)
- iii) Any elements of Sustainable Drainage (SUDS) to be provided within each phase and how these will connect to other drainage downstream or upstream of each phase with a timetable for the provision of drainage relative to each phase
- iv) The provision of access to each phase, including any phased provision of the Access Link Road, the bridge over Hermitage Stream, bus gate (including vehicle turning space), bus stops and shelters, paths and cyclepaths and other new access roads, with a timetable for the connection of the Access Link Road to Woolston Road and for the provision of access roads relative to each phase
- v) A timetable for the provision of ecological mitigation and provision of new habitat relative to each phase
- vi) A timetable for the provision of a Habitat Creation Area
- vii) A timetable for the provision and completion of open space and landscaped areas, including publicly accessible open space relative to each phase

Development shall only be carried out in accordance with the approved phasing plan, schedule and timetable or any approved updated version unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a co-ordinated and comprehensive form of development in which interdependent elements of the overall development are planned for and timetabled. It also allows flexibility by means of updating of these phases and timetabling as detailed plans for the site emerge. This is important in delivering a high quality and properly planned form of development having due regard to policy CS18 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework 2012.

From: Norton, Tristan [<mailto:Tristan.Norton@hants.gov.uk>]

Sent: 19 March 2014 13:10

To: Stephen Cantwell

Subject: RE: APP/14/00270 | Discharge of Conditions A1 (i)c and A1 (ii), A17 and A18 of Planning Permission APP/12/00338 | Dunsbury Hill Farm, Park Lane, Cowplain, Waterlooville | 12.0529

Hi Stephen,

No, it is designed to deal with the whole site but, by their own admission, Atkins have insufficient information on the likely proposals for the outline areas to make any firm commitments. I can agree that in principle the measures are OK, but I seriously doubt whether the proposals will look anything like what was submitted for outline – hence the requirement to provide updated details as plans change. It is odd that they are looking to get a licence on the basis of so many unknowns – they will have to constantly make amendments in that case.

Happy to discuss...

Cheers,

Tristan

Tristan Norton

**Senior Ecologist
Ecology Team**

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From: Stephen Cantwell [<mailto:Stephen.Cantwell@havant.gov.uk>]

Sent: 19 March 2014 13:03

To: Norton, Tristan

Subject: RE: APP/14/00270 | Discharge of Conditions A1 (i)c and A1 (ii), A17 and A18 of Planning Permission APP/12/00338 | Dunsbury Hill Farm, Park Lane, Cowplain, Waterlooville | 12.0529

Many thanks for v prompt reply Tristan.

re the dormouse strategy is it your understanding that the dormouse document currently deals only with the construction of the road? if so I could also make this discharge partial, in order to allow for updating as other phases come forward.

Kind regards

Stephen

**Stephen Cantwell
Havant Borough Council**

From: Norton, Tristan [<mailto:Tristan.Norton@hants.gov.uk>]
Sent: 19 March 2014 12:47
To: Stephen Cantwell
Cc: Planning and Development Shared Mailbox
Subject: APP/14/00270 | Discharge of Conditions A1 (i)c and A1 (ii), A17 and A18 of Planning Permission
APP/12/00338 | Dunsbury Hill Farm, Park Lane, Cowplain, Waterlooville | 12.0529

Dear Stephen,

APP/14/00270 | Discharge of Conditions A1 (i)c and A1 (ii), A17 and A18 of Planning Permission APP/12/00338 | Dunsbury Hill Farm, Park Lane, Cowplain, Waterlooville | 12.0529

Thank you for consulting me on this application in relation to the discharge of Planning Conditions A1 (ecological mitigation and habitat creation plan), A17 (hazel dormouse mitigation) and A18 (bat mitigation).

I have received a number of documents directly from the applicant: (all documents: Atkins, February 2014)

- Habitat Management and Maintenance Plan (Link Road and Associated Infrastructure Phase)
- Dormouse Licence - Method Statement Document 1: Background and Supporting Information
- Dormouse Licence Method Statement - Document 2: Delivery Information
- Application for a Natural England Licence – Bats - Bat Master Plan
- Application for a Natural England Licence – Bats – Application Form
- Application for a Natural England Licence – Bats - Method Statement: Document 1 Background and Supporting Information
- Application for a Natural England Licence – Bats - Method Statement: Document 2 Delivery Information

Upon review of these documents I have the following comments to make in relation to the discharge of the Planning Conditions:

Condition A1

The submitted Habitat Management and Maintenance Plan covers that portion of the DHF site subject to the full planning permission – details for the remainder (bulk) of the site are not provided due to current uncertainty as to the exact layout and composition of landscaping for each proposed development plot/phase. Although some details are given for the proposed Habitat Creation Area. This is a working document and therefore a degree of uncertainty is to be expected – I would however like to state that it is unusual for European Protected Species Mitigation (EPSM) licences (in this case for bats and dormouse) to be granted in the absence of a site-wide landscaping plan – the successful granting of an EPSM licence is based upon a detailed understanding of the impacts and mitigation across the entire development site, even where there is proposed phasing of works.

In summary, based on the information submitted, I have no issues with the proposed Habitat Management and Maintenance Plan for the Link Road and associated infrastructure phase. This document provides a useful summary of the various threads of ecological mitigation

(encompassing vegetation, bats, dormice and reptiles) and demonstrates how and when such mitigation measures will be carried out.

I therefore consider that this document provides sufficient detail for the partial discharge of Planning Condition A1 (i.e. parts (i)c and (ii)) and I look forward to reviewing the plans for the remainder of the application site in due course.

Condition A17

The submitted documents provide a site-wide mitigation strategy (covering both full and outline permitted areas) for hazel dormice which seeks to retain key habitats and landscape connections. A relatively sizeable area (2.4Ha) of potential dormouse habitat is to be lost (actually 10% of the proposed development area), although through retention, new planting and the provision of a dormouse tunnel crossing it is hoped that landscape-scale habitat corridors can be maintained. A series of dormouse nest boxes will be installed across the wider site.

On the basis of the details provided within the EPSM Method Statements 1 and 2 I have no overriding concerns in respect to the dormouse mitigation measures proposed. I would however point out that the proposed March 2014 commencement date for vegetation removal is highly improbable – the application submission timetable will take it well into April if not May before any response is received from Natural England, meaning that vegetation removal will have to be undertaken in June. Whilst this is acceptable, any later and dependent young will be present and there is always the potential for nesting bird species to occur then as well. This will require very careful planning.

To summarise, in principle I have no overriding issues with the dormouse mitigation strategy as presented and, timing issues aside, the measures provided are sufficient to allow the discharge of Planning Condition A17. I would however like to note that all mitigation measures are likely to require amendment as the various development phases come forward – the wording of Condition A17 does not explicitly allow for the provision of updated ecological information prior to the commencement of each phase.

Condition A18

The submitted Method Statements 1 and 2 are solely in relation to the proposed felling of on-site trees within the Spine Road development area and thus have no bearing on any subsequent development phases. Two trees here have been confirmed as supporting roosting bats and a small number of additional trees have potential to support bats also. All trees will be subjected to soft-felling techniques, under licence. These measures are standard operational procedure for tree roosts and, in principle, should be perfectly acceptable to Natural England. I would however note that additional Phase 2 bat surveys are planned for several trees which may require works due to the realignment of the Hermitage Stream – it is therefore imperative that further details are provided for those works as they are collected and that it is understood that such works cannot take place until the LPA has reviewed and agreed them.

Site-wide bat mitigation measures are dealt with by the Bat Master Plan. This document sets out the detail contained within Method Statements 1 and 2, as well as some additional measures designed to compensate for impacts from the wider development phases. The document concludes that although direct impacts to bats are not anticipated for the two subsequent phases, this cannot be ruled out due to insufficient information at the current time. This again highlights the absolute necessity for updated ecological information for each development phase – the impacts are highly likely to change from those currently understood and, unfortunately, the wording of Condition 18 does not allow for the repeated provision of information as each phase comes forward.

In summary, I am content that the bat mitigation information is sufficient for the Spine Road application but there is not yet sufficient detail to allow discharge in relation to either of the subsequent development phases or the Hermitage Stream works.

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

Kind regards,

Tristan

Tristan Norton

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