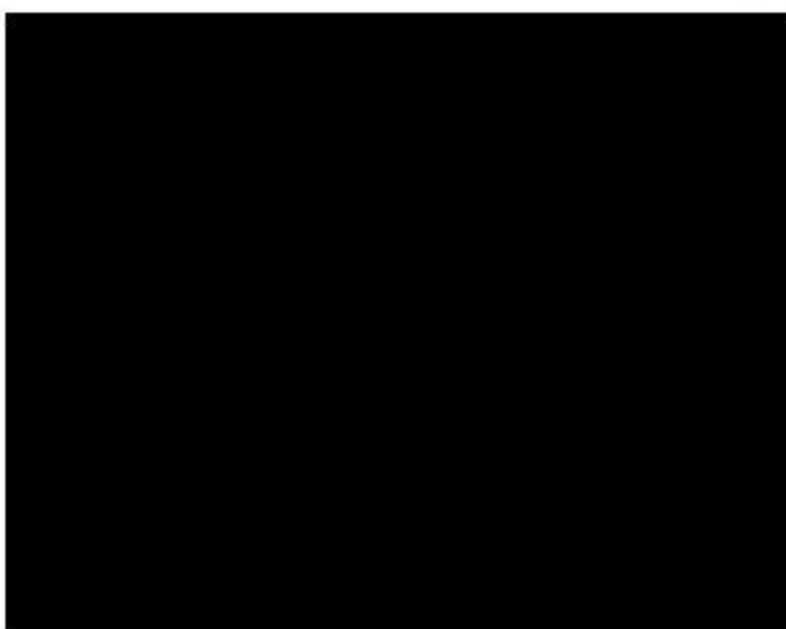


APP/21/01376 (Land adjacent to 54 Long Copse Lane, Emsworth) objections



Commenter type: Complainant

Stance: Object

Comments

(a) The application goes against the Government's intention.

The Government's stated intention is to build no more homes on green field sites, but instead to develop brownfield sites. This is a green field site. What is more, it is a Site of Importance for Nature Conservation (SINC).

(b) The site currently lies in the countryside.

The applicants' planning statement (para. 5.1) says that the site is currently lies in the countryside. Previous planning applications on this site have been refused because of its countryside location. The emerging Local Plan includes the site in the revised urban area, though this carries limited weight as the new Local Plan is being disputed by the Planning Inspectorate. The HBC planning policy application response on the recent planning application APP/21/00893 on site H8 (Land North of Long Copse Lane) said that if H8 remained in the rural area the application should be rejected, as the need for housing did not outweigh the fact that it was rural land. This should also be the case with this application.

The site is a SINC site that contains natural unimproved grassland that has grown there for many years. Should we really be building on SINC sites? These sites form the base set from which our Sites of Special Scientific Interest (SSSIs) are chosen. SINC sites in populated areas like this one are useful because they help to break up the urban area, while at the same time keeping the SINC site. They are more useful than if they were in the national park to the north because more people can see and appreciate them.

Even if the site is taken into the urban area in the new Plan, the NPPF (2019, para. 177) says that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant impact on a habitats site, unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. The NPPF definition of 'habitats sites' includes SINC sites. Under the applicants' management plan, the SINC turves would be moved to the field to the east owned by HBC. The applicants'

management report (para. 3.2.2) admits that “experience of translocating grasslands is varied (JNCC 2003)”. This translocation might end up with the turves dying. Therefore HBC cannot be certain that the SINC site would not be ruined. As the land is currently private, the public cannot check the current state of the turves to see if they are different after transplantation.

(c) The housing density does not reflect that adjacent to it in Long Copse Lane.

The site would be accessed from Long Copse Lane (LCL). There is no connection between the SINC field and the adjacent Redlands Grange estate. There are 9 properties along the Lane adjacent to it that have about half acre plots. These run from the Sussex Border Path at Redlands Lane to 54 Long Copse Lane adjacent to the site. In the interests of being in keeping with the character of these properties, it would seem sensible to maintain this housing density if any building is allowed on the site. This approach has been followed with the house recently built next to Redlands House, which has a half-acre plot. There are no semi-detached houses in this section of the Lane, whereas 3 pairs of semis are being proposed for the site. The only other mini-estate exiting to LCL is the 5 4-bed house estate exiting to Redlands Lane, which is more in keeping with the existing housing fronting LCL.

HBC have recommended that the developer increase the number of houses planned from the original application, they say to make more efficient use of land. This is presumably because of the recent ruling by the Planning Inspectorate regarding the Fowley Cottage site. However, Fowley Cottage is in an urban area. Why should the same criterion be applied in a rural area?

(d) LCL will become more dangerous

The entrance to the site is at the eastern end of the urban area in LCL. Along this section, LCL is only a single track road and has no footpath. There would be as many cars (18) associated with these 9 houses (with 50m frontage to LCL) as with the 9 houses along the south side of LCL between the mini-estate and Redlands Lane (with 5 times this frontage). The application includes no plan to widen LCL or to provide passing places or footpaths. About 40% of the journeys of the cars on site would be made towards Westbourne, as this has the closest amenities and is the easiest way to Chichester. The T-junction of LCL with North Street is dangerous, with a blind exit due to cars parked opposite the junction in North Street. While there would be an increase of cars using this junction, the main difficulty is that only one car can enter or exit LCL at a time, so that, if two cars meet at the junction, one or other has to back up, which can be difficult if there is traffic behind. This is another example of a planning application for houses which makes no attempt to improve the infrastructure surrounding them.

If a mini-estate of 9 houses must be built, it would make more sense for it to exit through the Redlands Grange estate rather than LCL, in order to protect the Lane and T-junction.

e) There is minimal bat corridor along the eastern boundary of the site.

The applicants' ecological survey found that there was a moderate likely of foraging bats on the site. Table 6 said that the bats here were only of local importance. However, a bat survey was carried out in 2020 using a bat monitor at 54 Long Copse Lane, directly adjacent to the site. The survey found that many bats were active here, including the western barbastelle and myotis species (Bechstein's or Daubenton's) (Hampshire Bat Recorder). Bechstein's and western barbastelle bats in particular are both rare bats that are classed as vulnerable in the UK, and HBC have a duty to protect them. Bechstein's bat has a population of only 1500 in

the UK. The SINC site is only 280 m from the large roost of 51 Bechstein's bats within site H8. The bats forage along habitat features and wildlife corridors such as lines of trees. Land and Partners, the developers of site H8, report that Bechstein bats forage along the line of trees running south from Hollybank Woods for 500 m, which forms the eastern boundaries of site H8 and the SINC site, which is directly south of H8. (Contrary to section 3.3.3 of the applicants' ecological survey, there is direct connectivity between the line of trees and Hollybank Woods to the north).

Some species of bat will not use foraging routes if these become lit, and a lit-up section of the foraging route will become a barrier that they will not cross [1]. Bats of the myotis species are known to be particularly sensitive to light. Leicestershire and Rutland Environmental Records Centre (LRERC) [2] recommend a lighting level (luminance) of no more than 1 lumen/sq.m. along the bat corridors.

In their proposals for the H8 site to the north of LCL, Land and Partners propose using a 30-40 m-wide bat corridor to reduce the effects of lighting. However, Plots 4 and 9 on the proposed site are no more than 10 m from the eastern line of trees. Just two old-style 60-watt bulbs in the windows of one of these houses will produce 1 lumen/sq.m. at the trees. In addition, if development were allowed here, nothing could stop residents putting up external lighting, which would nullify any mitigation measures the developer could propose. This might reduce the length of the linear feature along which the bats could forage, which might adversely affect them.

The applicants plan to give reptiles (lizards, slow-worms) a buffer in the northern part of the site. A more substantial bat corridor should also be considered. No bat corridor seems to have been thought necessary when the Redlands Grange estate to the south was built. Knowledge of the effect of light upon bats has improved since then, and up-to-date local bat surveys close to the site are now available. To build the same short distance from the trees on the proposed site as on the Redlands Grange estate would be to compound an error.

(f) The site would violate the principle of nitrogen neutrality

The development would drain to Thornham WwTW. HBC plan to mitigate the additional nitrogen generated from development draining to Thornham by re-wilding Warblington Farm. Thornham WwTW drains to the Thorney Channel in Chichester Harbour, while Warblington Farm drains in the Emsworth Channel. HBC have treated all of Chichester Harbour SAC as single unit, and used the re-wilding of the farm to mitigate this. However, this ignores the fact that nitrogen 'hot spots' may be created by their mitigation plan.

The Riccardo report on Warblington Farm Mitigation [3] says that it is possible to treat "Chichester Harbour and the East Solent as a hydrological unit that has a level of exchange, predominantly at high tide. Therefore, the direct proximity of Warblington Farm to Chichester Harbour makes it suitable for mitigating housing development draining to Thornham." The report does not back up this statement by presenting the results of any quantitative water quality modelling to check the effect of re-wilding Warblington Farm on the nitrogen levels in the Thorney Channel. The statement is likely to be an over-simplification.

After its re-wilding, Warblington Farm would produce water of lower nutrient content at the north end of the Emsworth Channel. In order for this water to influence the Thorney Channel on the other side of Thorney Island, it would have to move south down the Emsworth

Channel for 4 km, travel east past the southern tip of Thorney Island for 2 km, then flow north back up the Thorney Channel for 3 km to the Thornham outfall, a total of 9 km.

It can certainly move down the Emsworth Channel on the ebb tide, but at the southern tip of Thorney Island it will meet a large body of water ebbing out of the Thorney Channel and the rest of Chichester Harbour, which will force it out into the Solent. There it will be mixed with the general Solent waters, which will include water with increased nutrient content from the Budds Farm Long Sea Outfall.

So the water flowing back into the Thorney Channel on the rising tide would be unlikely to have a lower nutrient content than before the 10,000 houses in the Local Plan were built. Meanwhile the nutrient outflow from Thornham would increase if the houses planned for Emsworth were built. The nitrogen budget for the Thorney Channel would therefore be positive.

This scenario should be compared to the Riccardo one using a computer-based tidal model driving a water quality model predicting concentrations of nitrogen at various points in Chichester Harbour. The tidal model would simulate the currents moving the nitrogen around the Solent and Chichester Harbour. The modelling should simulate the situations before the housing had been built, and afterwards when Warblington Farm had been re-wilded. Unless HBC carries out this modelling, it won't be able to say for certain that Warblington Farm will mitigate development draining to Thornham.

HBC admitted at their recent Local Plan Examination Hearings that they treat the whole SAC as a single unit, that they had not carried out the above tidal modelling, and that they had ignored hot spots. The Thorney Channel is a serious nitrogen hot spot since its inter-tidal zone is 5 sq.km and already suffers from serious algal growth. If HBC implement their mitigation plan, it would appear to violate the law arising from the 'Dutch case', which makes no mention of the area over which the law should apply. To satisfy this law, it is incumbent on applicants to guarantee **beyond all reasonable doubt** that the project will not affect the integrity of a protected area (static.turley.co.uk).

References

1. Stone, E.L. (2013). Bats and lighting: Overview of current evidence and mitigation strategies. University of Bristol.
2. LRERC (2014). Bats and lighting.
3. Riccardo E&E (2020). Review of the Warblington Farm mitigation option for nutrient neutral development in the Havant Borough.