

Dear Tristan

I'm very pleased to see that your Consultee Response has now been correctly labelled in the Documents related to APP/20/01093, as 'County Ecology'. Also that you refer to and have considered some of the information I have sent to consultees in an effort to keep you fully informed on issues surrounding this site and applications by Barratt Homes.

I have just read, with great interest, the very recent and informative RSPB response in which Heather Richards has confirmed that the RSPB are already '*disappointed*' that the Winter Bird Mitigation Strategy (November 2020) does not '*reflect the latest discussions and situation*'. The RSPB also note '*inconsistencies within supporting documents*' and also in relation to the Biodiversity Net Gain (BNG) Document (November 2020), where they '*strongly disagree with this assessment*'.

There are several other issues which you need to be informed about and some points which require more answers and I would appreciate it if you could spare the time to consider the following:

1. You say, '*There were clearly implementation issues with the secure fencing, which is highly regrettable. I understand that this has been addressed*'

You need to know that the implementation of the fencing **has not been** successfully addressed. Despite this problem being shared with HBC before, it appears that this has not been followed up or communicated to you. I have attached very recent 1 day old pictures to illustrate the point.



Looking West from Hayling Billy Trail into northern part of H34C (28th January 2021)

The attempt by Barratt Homes to replace the fencing, following the exposure of their lack of adherence to the Oysters mitigation by residents in a meeting at HBC in November 2018, has not been successfully addressed; the fences certainly have not been maintained properly since then and the mitigation has not been enforced.

I would hope you agree that HBC and/or HCC have a duty of care to ensure the Hayling Billy Trail is safe for its users and not leave the broken fencing to obstruct and actually cause a health and safety hazard.

Eg: Only about 2 weeks ago, [REDACTED] who is actively engaged in Hayling Sewage Watch, slipped and fell as he was running on the Hayling Billy Trail. He cut his arm on some sharp wire left at the side of the track. This wire was part of the broken down fencing that Barratt Homes supposedly secured and maintained.



Yet again, the mitigation has not been followed up or adhered to over the past 3 years let alone before that. There are informal footpaths onto H34C from the Hayling Billy Trail all the way up to the Salt Marsh. (See photos)

Local residents have reported it is unsafe to cycle on the Trail due to the lack of upkeep. It is now very muddy, slippery and the drainage ditches between the Trail and H34C are overloaded and stagnant.



It is also quite clear that the whole field H34C, prior to 2018, was quite satisfactorily undergoing the standard crop rotation which was to continue for the Oysters mitigation. However, from 2018, at the same time as the first Barratt Homes Application was submitted, as I explained in previous emails, planting on whole field then stopped, crops were destroyed and winter crop planting only continued into north in such a way as to match the application plan. This has skewed the recording of the Brent Geese utilising the site and supports development plans and applications on this site no matter how many constraints there are. The very recent planting of the middle section, as well as the north, has demonstrated that the Geese do use the field further. The only reason this

has happened must be in order to discourage the Brent Geese in support of the argument in favour of just the northern part of the field being changed to a refuge. This manipulation of the standard crop rotation has not been properly addressed or justifiably explained by HBC.

You have agreed that if winter wheat is grown elsewhere, then the Geese will forage there too. This is indeed the case. Depending on crop rotation, and the wind direction, they also flock in large numbers on the fields further north and east (the very fields I describe below as IN1K/E26 /the Hayling Island Brent Goose Refuge). So if the northern part of H34C/H29 is converted to mixed grass and even grazed, the current population of Brent Geese will choose to go to these other fields anyway in preference, causing the new refuge to fail. It will become another reduction in the land available and contradict the aim of the SWGBS and of great concern to many including the RSPB.

Also won't the new possibility of grazing on the refuge disturb the delicate balance, already under scrutiny regarding nutrient neutrality run off into the Harbour, let alone negatively disturb the current biodiversity balance?

2. In your response you state, *'On the basis of the submitted information I am satisfied that the refuge will be suitable compensatory habitat.'*

Also, *'For Core or Primary sites, compensatory areas must be large and close by the site being lost, and suitable options are few'.*

Again I need to challenge these statements. The onsite refuge, which is only 5.7 hectares, is already known and agreed to be inadequate compensation for the removal of the existing 12.4 ha of Primary Support Site, as well as more land for the mitigation for the Oysters. Another 9.2 ha is needed. It cannot be right that important consultants create strategies and use guiding principles to erode away and continually squeeze the land needed to protect rare species.

It is clearly stated in E17 and H29 of the Pre-submission Local Plan 2037, with changes and consultation in final preparation for the Inspectorate, that this site, along with 2 others, is already recognised as an exception to the rule that no other Core or Primary Support Sites will be considered for planning permission, and importantly that it can only be granted planning permission if E26/ IN1K (or so called 'Hayling Island Brent Goose Refuge') is included with the application to compensate for the number of hectares already lost to development. *'Land north of Sinah Lane will be providing a refuge on the north of the proposed housing development **adjacent** to the Hayling Island Brent Goose Refuge IN1) (E26).'*

Regardless of the guiding principle of the SWBGS, the inclusion of IN1K (E26) has not been documented alongside this application. Neither has it been shown to have management in perpetuity. It is currently under multiple ownership and still arable farmland undergoing standard crop rotation, as explained above. It is also in flood zone 3 and suffering from coastal erosion and **NOT adjacent** to the onsite proposed refuge from which it is separated by the salt marsh and set back by the Hayling Billy Trail.

Surely until management of E26 is sorted out, there simply isn't enough area for compensation and the change of land-use of H34C cannot be considered for any application? Wouldn't leaving the farmland as it is with agreed crop rotation be more straight forward, considerably less expensive and less damaging to the environment especially considering all the other risks and constraints that building on the site exposes.

What is apparent is that H34C was not included in the current Adopted Local Plan of 2014 and HBC itself demands more than just the onsite refuge in the Pre-submission Local Plan 2037 which takes account of the guiding principles of the SWBGS.

How can this application be deemed acceptable when there is so much conflict with HBC's own policies? This housing meets minimum standards and is inappropriately located.

Despite the onsite refuge on its own already being a great reduction in hectares, the rapid and increasing erosion by winter storms, which have already become more frequent and intense, must be accounted for. In the future this will become worse. The claim that the site will be more secure for the Brent Geese and Waders in perpetuity should be brought into question.

3. Whilst in the last response to APP/18/00724, you referred to the costs being higher than anticipated for the management company to maintain the refuge. In this response you have not mentioned the costs to the management company, possibly the RSPB, to even manage and protect their own coastline. In fact there is no evidence that they have done anything to protect that small area of coastline which they already own. (see picture).

Neither have you included the costs of managing the part of the SuDS located on the refuge the management company (possibly RSPB) may have to manage. I am referring to the huge raised attenuation pond taking up more room within the onsite refuge to ensure no pollution to the existing and perhaps rare habitats into which it will be able to overflow and drain, which are right on the border of this site.

Assessments of the ancient natural woodland pond on the northern border along with the salt marsh are surely a necessity when the surface water and ground water drainage is to be directed through this habitat at greater volume and rate, than is currently the case, before draining into the Langstone Harbour. This part of the SuDS is NOT to be part of Southern Waters drainage management, however, if any of the SuDS and associated pumps fail, there is a risk that sewage and waste water drainage could cross contaminate into this surface water and groundwater drainage and directly affect the refuge itself..

4. You do not mention the implications on the ecology, of the groundwater that lies so close to the surface of this field and neighbouring gardens except that it may assist in the development of scrapes and swales. However, it poses more complex issues for the drainage of the housing part of the site and could easily be disturbed by the housing development. The raising of ground water to the surface by the tidal forces that cause it to rise and fall with the tide, means that decades of old fertiliser held in this water could also affect nutrient neutrality. Surely this deserves the expertise and scrutiny from the County Ecologist?



