APP/26/00332 | Demolition of existing buildings and the erection of 90 residential dwellings with upgraded access to Padnell Road, associated landscaping and other works. | Padnell Grange, Padnell Road, Waterlooville, PO8 8ED

Thank you for consulting me on this application.

The application is accompanied by an Ecological Appraisal (HDA, April 2026), a Bat Survey Report (HDA, August 2026), a Great Crested Newt Survey Report (HDA, March 2026), and a Biodiversity Net Gain Statutory Metric and Technical Note (HDA, April 2026).

The application site comprises a relatively large area containing various buildings, expanses of managed grassland, herbaceous vegetation, ornamental plantings, native scrub, individual trees, woodland, and a ditch.

In terms of protected and notable species, the site is considered to be suitable for bat species (roosting, foraging, commuting), nesting birds, common reptiles, amphibians (including Great Crested Newt), and invertebrates. At least two potentially invasive plant species have been identified on site. I am content that sufficient survey effort has been deployed to assess the likelihood of various protected and notable species occurring and that their value has been assessed appropriately . Avoidance, mitigation, compensation, and enhancement measures are provided, and these are again acceptable. As detailed below, I consider that a Landscape and Ecological Management Plan is the appropriate method for securing all ecological measures. I would expect the built environment to include embedded enhancement features such as bat and bird boxes, and for landscaping areas to include locally appropriate plant species rather than typical ornamental species.

Detailed bat surveys of all buildings and a number of trees have been carried out. Methods and timings are appropriate, and I am confident that the bat surveys provide a robust assessment of the site for bat species. Three buildings and one tree have been shown to support roosting bats. This development will affect bats, all species of which are European protected species and receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Where development affects a European protected species (EPS), permission can be granted unless the development is likely to result in a breach of the Habitats Regulations and is unlikely to be granted a licence from Natural England to allow the development to proceed under a derogation from the law.

- *Will the development result in a breach of the EU Directive?* Yes, the proposed development will directly impact bat species and their habitat.

- *Is the development unlikely to be licensed?*

An EPS licence can only be granted if the development proposal is able to meet three tests:

1) *the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 55(2)(e))*

2) *there must be 'no satisfactory alternative' (Regulation 55(9)(a)); and*

3) *the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 55(9)(b)).*

It is for you as the case officer to assess the proposals against the first two tests – you may wish to ask for further information from the applicant. If the development is ordinarily acceptable in planning terms, then the first two tests can be met. In order to assess the development against the third test, sufficient details must be available to show how killing / injury of bat species will be avoided and how the loss of or damage to bat habitat will be compensated. The mitigation, compensation, and enhancement measures provided are acceptable and include supervised removal of roosting habitat, interim habitat provision and permanent habitat provision. It is the legal responsibility of the applicant and their appointed agents to ensure that a licence is obtained and implemented in strict accordance with its conditions.

Two off-site waterbodies within Waterlooville Golf Course returned positive eDNA results for Great Crested Newt (GCN). Whilst direct impacts to these waterbodies will not occur, the application site contains suitable terrestrial habitat that is within the range of GCN movement distances. It is therefore feasible that GCN terrestrial habitat – and individual GCN – could be affected by the proposed development, especially during construction.

This development will affect Great Crested Newts, which is a European protected species and receives strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Where development affects a European protected species (EPS), permission can be granted unless the development is likely to result in a breach of the Habitats Regulations and is unlikely to be granted a licence from Natural England to allow the development to proceed under a derogation from the law.

- *Will the development result in a breach of the EU Directive?* Yes, the proposed development will directly impact Great Crested Newts and their habitat.

- *Is the development unlikely to be licensed?*

An EPS licence can only be granted if the development proposal is able to meet three tests:

4) *the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 55(2)(e))*

5) *there must be 'no satisfactory alternative' (Regulation 55(9)(a)); and*

6) *the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 55(9)(b)).*

It is for you as the case officer to assess the proposals against the first two tests – you may wish to ask for further information from the applicant. If the development is ordinarily acceptable in planning terms, then the first two tests can be met. In order to assess the development against the third test, sufficient details must be available to show how killing / injury of Great Crested Newt will be avoided and how the loss of or damage to habitat will be compensated. I should highlight that Havant Borough Council is not party to the Hampshire-wide District Licensing approach for this species and therefore a bespoke mitigation strategy will be required. The details provided in terms of impact avoidance, mitigation, compensation, and enhancement are acceptable. It is the legal responsibility of the applicant and their appointed agents to ensure that a licence is obtained and implemented in strict accordance with its conditions.

Overall, I am content with the information submitted. If you are minded to grant permission, can I suggest the following condition wording:

Prior to the commencement of any development activities, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the ecological avoidance, mitigation, enhancement, and management measures as detailed in the Ecological Appraisal (HDA, April 2026), Bat Survey Report (HDA, March 2026), and Great Crested Newt Survey Report (HDA, March 2026) unless otherwise agreed in writing by the Local Planning Authority. It shall include but not necessarily be restricted to: details of any updating survey and assessment; full details of all ecological avoidance and mitigation measures, to include locations, timings, methods, and responsibilities; full details of all habitat and species compensation and enhancement measures, including location, composition, establishment and ongoing management, monitoring, and responsibilities. Development shall then procced in accordance with these details. Reason: to provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Prior to the commencement of any development activities, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include specific measures to avoid or mitigate potential impact pathways during construction affecting identified ecological features on-site and off-site and should include roles, responsibilities and methods for each specific avoidance and mitigation measure. Reason: to protect biodiversity in accordance with the Environment Act 2021, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Prior to the commencement of development activities, a Lighting Strategy shall be submitted to and approved by the Local Planning Authority. The Lighting Strategy shall include lux contour plans on the horizontal and vertical planes as necessary, and shall demonstrate how the proposed development will avoid and minimise the impacts of artificial lighting on bats and other nocturnal and crepuscular species. The Lighting Strategy shall be used to inform site layout and landscaping. Reason: to protect biodiversity in accordance with the Environment Act 2021, Habitats Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

In respect to Biodiversity Net Gain (BNG), the submitted Biodiversity Net Gain Statutory Metric and Technical Note (HDA, April 2026) demonstrates that the BNG process has been followed correctly. The proposed development will result in an overall loss of -10.39% in habitat units and a gain of 11.95% in hedgerow units. The deficit in habitat units will need to be addressed through the purchase of off-site units. I am content that the BNG assessment and Metric are acceptable and it is the obligation of the applicant to ensure that all measures are implemented as described.

If you are minded to grant permission, can I suggest that BNG measures are secured by condition. The deemed condition states that a Biodiversity Gain Plan be submitted to and approved by the local planning authority prior to the commencement of development.

Suggested wording is as follows:

- *Unless otherwise approved in writing by the Local Planning Authority, a Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Statutory BNG Metric (HDA, April 2026) and must include:*

(1) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;
(2) the pre-development biodiversity value of the on-site habitat;
(3) the post-development biodiversity value of the on-site habitat;
(4) any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;
(5) any biodiversity credits purchased for the development; and
(6) any such other matters as the Secretary of State may by regulations specify.

- *The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:*

(7) *a non-technical summary;*
(8) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
(9) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
(10) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
(11) the monitoring methodology and frequency in respect of the created or enhanced habitat.

- *Notice in writing shall be given to the Council when the:*

(a) HMMP has been implemented; and
(b) habitat creation and enhancement works as set out in the HMMP have been completed.

- *The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.*

- *Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.*

Reason: In the interest of securing and monitoring biodiversity net gain (BNG) and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990.

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

Kind regards,

Tristan

Tristan Norton

Principal Ecologist