

Date: 19 November 2018
Our ref: 263243
Your ref: O/18/84191



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Customer Services
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BY EMAIL ONLY

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Dear Andy

Planning consultation: Outline consent, with all matters reserved except means of access, for the relocation of cricket pitch off-site and improvements to existing bowls and football facilities on site to enable the erection of up to 148 residential dwellings (Use Class C3) with new vehicular access, car parking, work to highways, landscaping, and other associated works. The application also seeks the demolition of non-original extensions to Sydney Lodge and redundant factory buildings

Location: GE Aviation, Kings Avenue, Hamble-Le-Rice, SO31 4NF

Thank you for your consultation on the above dated 30 October 2018 which was received by Natural England on the same date.

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 ANCIENT WOODLAND

As submitted, the application could have potential significant effects on Solent & Southampton Water Special Protection Area (SPA) and ancient semi-natural woodland. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Further detail on the proposed surface water drainage strategy and how impacts on European protected sites will be avoided and/or mitigated.
- Woodland management plan that demonstrates how impacts on ancient woodland and Lowland Mixed Deciduous Woodland priority habitat will be avoided and/or mitigated by the proposals.

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

Natural England's advice on other natural environment issues is set out below.

Solent & Southampton Water Special Protection Area (SPA)

I would like to draw your attention to recent case law ('Sweetman II') that outlines that mitigation measures should not be assessed through an HRA to 'screen out' impacts at the stage of considering Likely Significant Effects (LSE), rather avoidance/mitigation measures should be considered through an Appropriate Assessment. Therefore where impacts are identified as having a LSE, the HRA will need to move on to the Appropriate Assessment stage where avoidance/mitigation measures can be fully assessed.

Surface Water Drainage

The application is supported by a Flood Risk Assessment & Surface Water Drainage Strategy (RSK, Aug 2018). It outlines a preferred option for surface water to discharge to the nearby watercourse within the ancient woodland to the west. This watercourse drains into Southampton Water SPA (within 1km).

The Strategy refers to pollutant and mitigation indices outlined within the CIRIA SuDS Manual (C753). It should be noted the pollution hazard indices relate to 'protected waters' with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that 'an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance'.

Due to the proximity of the SPA, it is advised that further consideration is given to potential impacts via poor water quality. Further detail and/or clarification should be provided on the specific measures incorporated to remove oils and other pollutants such as heavy metals and particulates prior to discharge into the watercourse. It may be deemed that additional measures should be incorporated in line with the precautionary principle when undertaking the Habitats Regulations Assessment. Further features that may be incorporated could include the provision on rainwater harvesting features on site (to reduce run-off volume), oil interceptors and further opportunity for particulate settlement.

Impacts on ancient woodland should also be considered with respect to surface water drainage, and addressed as outlined further below.

Recreational disturbance to SPA birds (in-combination impact)

This application is within 5.6km of Solent & Southampton Water SPA and will lead to a net increase in residential accommodation. Natural England is aware that Eastleigh Borough Council has adopted a Supplementary Planning Document (SPD) to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP).

Provided that the applicant is complying with the SPD or policy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

In line with Sweetman II case law, Natural England advise this impact and proposed mitigation is outlined within an Appropriate Assessment.

Ancient woodland and Lowland Mixed Deciduous Woodland priority habitat

The proposals have the potential to adversely impact on ancient woodland, an irreplaceable habitat.

The application site is situated adjacent to West Wood (Royal Victoria Country Park) Site of Importance for Nature Conservation (SINC) which is also classified as ancient semi-natural woodland.

The supporting Ecological Surveys Summary (RSK, July 2018) outlines that a 20m buffer will be

incorporated into the design to protect the ancient woodland and that a 'woodland management plan' should be developed. This is welcomed however it is noted that the supporting Proposed Site Layout (Fluid, July 2017) does not appear to show a 20m along the entire stretch of the ancient woodland where it abuts the application site. It is acknowledged that the existing use for this area is a car park and therefore the surface is already tarmacked. However this should not have a bearing on the potential impacts on the woodland from the proposed residential development including lighting spill, tipping, and damage from increased recreation (trampling of ground flora; soil compaction etc.).

It is advised that further information is provided that clearly demonstrates how ancient woodland will be protected by the proposals, considering impacts including those outlined above. The 20m buffer of semi-natural habitat should be incorporated into the design layout, and measures for protecting and enhancing the adjacent woodland should be provided (e.g. strengthening of boundary to prevent formation of desire lines, provision of enhancement features for woodland species etc.).

Consideration should also be given to potential impacts arising from the proposed surface water drainage strategy. It is noted that a detention basin (or infiltration basin) is proposed along the western boundary adjacent to the ancient woodland. Further detail should be provided that outlines how changes to local hydrology will not impact this site, along with any associated works or infrastructure. If it cannot be ascertained that impacts will be avoided (e.g. through amending the proposed strategy), then measures for mitigation of impacts and compensation for any habitat loss should be outlined in detail.

Additionally it is noted from the proposed layout plan that a small area of lowland mixed deciduous woodland habitat may require removal for the car parking in the south-western corner of the site, adjacent to the ancient woodland. Clarification should be given regarding any loss of priority habitat with appropriate justification and proposed mitigation/compensation where its loss cannot be first avoided.

Water resource

Natural England strongly recommends that all new development adopt the higher standard of water efficiency under the Building Regulations (which equates to 110 litres /head/day including external water use) and re-use in line with best practice. Consideration should be given to the use of grey water recycling systems and efficient appliances.

Net gain

The application does not appear to demonstrate how net biodiversity gain will be achieved by the development.

In order for your authority to be assured that the proposal meets the requirements of Natural England standing advice on ancient woodland and European Protected Species and the additional requirements for biodiversity enhancement and net gain as set out in National Planning Policy Framework paragraphs 8, 118, 170, 174 and 175d, Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by the Council's Ecology Specialist.

The submission of an approved BMEP will help ensure your authority meets the requirements of Section 40 of the Natural Environment and Rural Communities Act (2006), which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Please note that provided the Ecology Specialist is satisfied with the submitted biodiversity mitigation and enhancement measures and the measures are secured by any permission then no further consultation with Natural England on this aspect of the proposal is required.

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](#).

If you have any queries relating to the advice in this letter please contact me on 020 8026 0064.

Should the proposal change, please consult us again.

Yours sincerely

Rebecca Aziz
Sustainable Development Lead Advisor
Dorset, Hampshire and Isle of Wight Area Team