

**LAND EAST OF CROFTON CEMETERY AND WEST  
OF PEAK LANE, STUBBINGTON, FAREHAM**

**APPEAL STATEMENT IN RESPECT OF ECOLOGY IN  
RELATION TO P/20/0522/FP**

**Final Document**

May 2021

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Preliminary Ecological Appraisals • Protected Species Surveys and Licensing • NVC • EclA • HRA • Management Plans  
Habitats • Badger • Bats • Hazel Dormouse • Birds • Reptiles • Amphibians • Invertebrates • Riparian and Aquatic Species


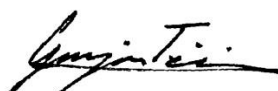
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## 1.0 INTRODUCTION

### Background

- 1.1 Ecological Survey & Assessment Limited (ECOSA) have been appointed by Persimmon Homes South Coast to prepare a statement in relation to ecology to support the planning appeal associated with the redevelopment of Land East of Crofton Cemetery and West of Peak Lane, Stubbington, Fareham PO14 2EB (hereafter referred to as the “appeal site”).
- 1.2 ECOSA has undertaken a range of ecological survey work at the appeal site with an extended Phase 1 ecological assessment originally undertaken in February 2014 (ECOSA, 2015) and subsequent protected species surveys including bat activity, reptile surveys and great crested newt surveys undertaken in 2015 (ECOSA, 2015). A suite of wintering bird surveys was also undertaken between 2014 and 2016 (ECOSA, 2015) (ECOSA, 2015) (ECOSA, 2016). Given the length of time since the completion of this initial survey work, ECOSA were subsequently instructed to undertake an Updating Preliminary Ecological Appraisal of the site in 2017 (ECOSA, 2018), and a subsequent update of the original survey work was undertaken in 2018 (ECOSA, 2020).
- 1.3 A planning application was submitted, including the 2018 ecological survey data, for the development of the site for 261 residential dwellings was submitted to Fareham Borough Council on 14<sup>th</sup> March 2019 (reference P/19/0301/FP, hereafter referred to as the “2019 application”). The planning application was subsequently refused on 22<sup>nd</sup> August 2019 including a number of reasons in relation to the ecology. The specific reasons for refusal listed on the 2019 application in relation to ecology were as follows:
- 1.4 *“(ix) inadequate information has been provided to assess the impact of the proposed works on water voles on site and any measures required to mitigate these impacts such as the provision of enhanced riparian buffers. In addition, there is insufficient information in relation to their long-term protection within the wider landscape by failing to undertake an assessment of the impact of the proposals on connectivity between the mitigation pond created as part of the Stubbington Bypass Scheme and the wider landscape. The proposal fails to provide appropriate biodiversity enhancements to allow the better dispersal of the recovering/reintroduced water vole population in Stubbington.*
- 1.5 *(x) insufficient information has been submitted in relation to the adverse impacts of the proposals on the Solent Waders and Brent Goose Strategy Low Use Site and Secondary Support Area and any mitigation measures required to ensure the long-term resilience of these support networks.*

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- 1.6 *(xi) the development proposal fails to provide adequate wildlife corridors along the boundaries of the site to ensure the long-term viability of the protected and notable species on the site and avoidance of any future conflicts between the residents and wildlife (e.g. badgers damaging private garden areas) due to the lack of available suitable foraging habitat.*
- 1.7 *(xii) in the absence of sufficient information, it is considered that the proposal will result in a net loss in biodiversity and is therefore contrary to the NPPF which requires a net gain in biodiversity.*
- 1.8 *(xviii) in the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the ‘in combination’ effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas.”*
- 1.9 Subsequent to this the proposals for the site were revised and a new planning application for 209 residential units was submitted in June 2020 (application reference number P/20/0522/FP). This planning application was supported by an Ecological Impact Assessment (ECOSA, 2020), Biodiversity Impact Calculator (ECOSA, 2020), Shadow Habitats Regulations Assessment (ECOSA, 2020) and Ecological Management Plan (ECOSA, 2020). These documents were updated as the planning process developed following comments received by Natural England and Fareham Borough Council.
- 1.10 The planning application was recommended for approval by officers but subsequently refused at committee on 17<sup>th</sup> February 2021 with the subsequent decision notice issued on 18<sup>th</sup> February with the following reasons for refusal:
- 1.11 *“The development would be contrary to Policies CS2, CS4, CS6, CS14, CS15, CS17, CS18, CS20, and CS21 of the Adopted Fareham Borough Core Strategy and Policies DSP1, DSP2, DSP3, DSP6, DSP13, DSP14, DSP15 and DSP40 of the Adopted Local Plan Part 2, and is unacceptable in that:*
- i) the provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent residential development in the countryside;*
  - ii) the development of the site would result in an adverse visual effect on the immediate countryside setting around the site;*
  - iii) the introduction of dwellings in this location would fail to respond positively to and be respectful of the key characteristics of the area, in this countryside, edge of settlement location, providing limited green infrastructure and offering a lack of interconnected green/public spaces;*

- iv) *the quantum of development proposed would result in a cramped layout and would not deliver a housing scheme of high quality which respects and responds positively to the key characteristics of the area. Some of the house types also fail to meet with the Nationally Described Space Standards.*
- v) *had it not been for the overriding reasons for refusal the Council would have sought to secure the details of the SuDS strategy including the mechanisms for securing its long term maintenance. Statement of Case Land east of Crofton Cemetery and West of Peak Lane, Stubbington, Fareham Persimmon Homes South Coast April 2021 2*
- vi) *in the absence of a legal agreement to secure such, the development proposal would fail to secure a provision of affordable housing at a level in accordance with the requirements of the Local Plan.*
- vii) *in the absence of a legal agreement to secure such, the proposal would fail to;*
  - a) *provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas, and*
  - b) *secure the creation of the ecological enhancement area and its long term management and maintenance to enhance the wider Solent Wader and Brent Goose network.*
- viii) *in the absence of a legal agreement securing provision of the open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met.*
- ix) *in the absence of a legal agreement to secure the submission and implementation of a full Travel Plan, payment of the Travel Plan approval and monitoring fees and provision of a surety mechanism to ensure implementation of the Travel Plan, the proposed development would not make the necessary provision to ensure measures are in place to assist in reducing the dependency on the use of the private motorcar.*
- x) *in the absence of a legal agreement to secure such, the proposal would fail to provide a financial contribution towards education provision."*

1.12 This statement has been prepared to specifically address the single reason for refusal in relation to ecology (vii) and to provide a wider supporting statement in relation to ecology. This document will form an appendix to the Statement of Case.

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### **The Appeal Site**

- 1.13 The appeal site is located in Stubbington, Hampshire, centred on National Grid Reference (NGR) SU 5536 0454.
- 1.14 The appeal site comprises two agricultural fields with boundary vegetation and a small copse to the south-west of the site. The appeal site is bounded to the south and east by existing residential development, to the north-east by Peak Lane, and to the north by agricultural fields, including the area of land proposed for the construction of the consented Stubbington Bypass. Crofton Ditch with associated vegetation and Crofton Cemetery bounds the west of the appeal site whilst a ditch is also present in the south of the appeal site. The northern and southern parcels of land are bisected by Oakcroft Lane.
- 1.15 The wider landscape comprises Stubbington to the south and Fareham to the north and east. To the west lies open countryside comprising agricultural fields with associated boundary vegetation, occasional areas of woodland and the River Meon. The Solent lies towards the south and west (approximately 0.32 kilometres west at its nearest point) separated from the appeal site by open countryside and existing residential development.

### **Site Proposals**

- 1.16 The proposals for the appeal site are for “*development comprising 206 dwellings, access road from Peak Lane maintaining link to Oakcroft Lane, stopping up of a section of Oakcroft Lane (from Old Peak Lane to Access Road), with car parking, landscaping, sub-station, public open space and associated works*”).

## **2.0 ECOLOGICAL BASELINE, MITIGATION COMPENSATION AND ENHANCEMENT**

### **Introduction**

- 2.1 The full ecological baseline is set out in the ecological documentation submitted with the planning application (ECOSA, 2020). However, the important ecological features identified as part of the work undertaken and associated mitigation, compensation and enhancement measures are summarised below.

### **Designated Sites**

- 2.2 The appeal site has been identified in the Solent Waders and Brent Goose Strategy (Whitfield, 2017) with the southern parcel (to the south of Oakcroft Lane) comprising a “Low Use” site (known as as F17D) and the northern parcel (to the north of Oakcroft Lane) comprising a “Secondary Support Area” (F17C). In order to address the loss of the low use site as a result of the proposals, extensive enhancements are proposed to the northern parcel of land to order to provide a enhancement to the overall Solent Wader and Brent Goose Strategy site network (the “Ecological Enhancement Area”).
- 2.3 As a set out in the Shadow Habitats Regulations Assessment (ECOSA, 2020) one of the key concerns in relation to the designated sites in the Solent catchments is the potential for new development to have an increase in nitrogen output into the Solent. This has the potential to result in an increase in eutrophication and negative effects on the associated SPAs, SACs and Ramsar sites. Mitigation for these impacts are often challenging to secure within the boundary of planning applications with change of land use one of the key mitigation options available. A nitrogen budget produced as part of the application identified that the proposals have the potential to deliver a net reduction in nitrogen output of 153 kilograms of total nitrogen per year.

### **Habitats**

- 2.4 The existing habitats are dominated by arable with boundary hedgerows and a woodland copse in the south of the site. The proposed scheme includes a range of new habitat creation including 2.4 kilometres of new hedgerow planting, new wildflower planting, new native shrub planting and new native tree planting. The Ecological Enhancement Area covers approximately 10.6 hectares and includes creation of semi-natural grassland, creation of new wader scrapes, buffer planting and strengthening of hedgerows and new areas of scrub planted around the peripheries.
- 2.5 The baseline habitats and the proposed landscaping scheme have been assessed using the DEFRA Biodiversity Metric 2.0 with the results of this provided in the Biodiversity Impact Calculator. The calculator has identified the proposals have the potential to deliver a net gain of 40.32 habitat units and 9.18 hedgerow units which is a net gain of 91.46% and 64.40% respectively.



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### **Protected and Notable Species**

- 2.6 The Ecological Impact Assessment undertaken identified that the site supports foraging and commuting bats, badger *Meles meles*, breeding and wintering birds and a low population of common lizard *Zootoca vivipara* present within the proposed Ecological Enhancement Area. The site has also been assessed as having suitability to support tree roosting bats. Various measures have been incorporated into the proposals including:
- Protection and buffering of retained habitats including treelines, hedgerows and woodland;
  - Implementation of Construction Environmental Management Plan (CEMP);
  - Sensitive lighting strategy in respect of bats (to be secured by condition);
  - Creation of new features for roosting bats and breeding birds;
  - Sensitive construction methods in respect of identified badger sett; and
  - Creation of new habitats which will provide an enhancement for bats, badger breeding birds, reptiles and invertebrates.
- 2.7 The detail of these measures can be found within the Ecological Impact Assessment and associated landscaping plans submitted as part of the application.

### **3.0 APPELLANT'S CASE IN RESPECT TO ECOLOGY**

#### **Introduction**

- 3.1 This section sets out the appellant's case in relation to ecology and sets out how the scheme complies with relevant planning policy and legislation.

#### **Pre-Planning Engagement**

- 3.2 Following the refusal of the 2019 planning application a meeting was held on 20<sup>th</sup> February 2020 which included representatives from Fareham Borough Council including the Hampshire County Council Ecology Team, ECOSA, ACD Environmental (landscape) and the appellant. The purpose of the meeting was to discuss the reasons for refusal for the 2019 application and how these were to be addressed in a new application. During this meeting general concepts were agreed and that a net gain would be targeted for the application in light of developing Government policy to be mandated in the proposed Environmental Bill<sup>1</sup>.
- 3.3 Following this meeting the new application was prepared with a detailed mitigation, compensation and enhancement strategy in order to reflect the discussions held including the parcels to the south and north of Oakcroft Lane.

#### **Consultation Responses**

- 3.4 Following consultation responses from Hampshire County Council Ecology Team and Natural England on the planning application minor revisions were made to the scheme and associated ecological documentation with final consultation responses from Hampshire Country Council's Ecology Team received on 22<sup>nd</sup> October 2020. Within these comments it was confirmed that Biodiversity Net Gain could be achieved as a result of the proposals:
- 3.5 *"I am satisfied that the calculations are correct and a net gain of 40.32 in habitat units and 9.18 in hedgerow units could be achieved. Therefore, a measurable biodiversity net gain could be delivered as part of the proposals."*
- 3.6 This consultation response also confirms that the baseline ecological conditions had been accurately assessed and that proposed mitigation was appropriate for the scheme and agreed with the conclusions of the Ecological Impact Assessment, Shadow Habitats Regulations Assessment and Ecological Management Plan.
- 3.7 The consultation comments subsequently recommended that the following conditions be added to a decision notice:

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<sup>1</sup> At the time of preparation of this document the Environment Bill is currently at the report stage in the House of Commons. It is anticipated to mandate that new development will be required to deliver a minimum 10% biodiversity net gain when measured using a recognised metric. The exact timelines for the implementation of this are currently unknown.

- 3.8 *“Development shall proceed in accordance with the measures detailed within Section 5 of the Ecological Impact Assessment (ECOSA Ltd., revised Sept 2020), Ecological Management Plan (ECOSA, revised Sept 2020) and the Shadow Habitat Regulations Assessment (ECOSA Ltd.). Reason: to ensure the protection of habitats, species, designated sites and their supportive network of habitats in line with Policies DSP13, DSP14 & DSP15 of the Fareham Local Plan Part 2: Development Sites and Policies February 2014.*
- 3.9 *Prior to commencement, a scheme of lighting (during operational life of the development), designed to minimise impacts on wildlife, particularly bats, shall be submitted to and approved in writing by the LPA. Thereafter the approved scheme shall be implemented. Reason: in order to minimise impacts of lighting on the ecological interest of the site in accordance with Policy DSP13: Nature Conservation of the Fareham Local Plan.”*
- 3.10 Fareham Borough Council’s Habitats Regulation Assessment dated 23<sup>rd</sup> December 2020 largely reflected the conclusions reached with the appellants Shadow Habitats Regulations Assessment. The conclusion of Fareham Borough Council’s Habitats Regulations Assessment is as follows:
- 3.11 *“In conclusion, the application will have a likely significant effect in the absence of avoidance and mitigation measures on the Solent and Southampton Water SPA, Solent & Southampton Water Ramsar, Portsmouth Harbour SPA and Ramsar, Solent and Dorset Coast SPA, and the New Forest SPA, Ramsar and SAC. This represents the authority’s Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the Natural Environment and Rural Communities Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s and potential Special Protection Areas is a matter of government policy set out in the National Planning Policy Framework 2019. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Solent Recreation Mitigation Strategy. The authority’s assessment is that the proposed mitigation package complies with this Strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the Solent and Southampton Water SPA/Ramsar Site and Portsmouth Harbour SPA/Ramsar Site. There will be no adverse effect on the integrity of the Solent and Southampton Water SPA/Ramsar Site, and Solent and Dorset Coast SPA as a result of hydrological changes (increased flood risk), provided that the SuDS measures detailed above are put in place. In order to ensure that the nitrogen budget was correctly calculated, a planning condition to require the Building Regulations optional*

*requirement to secure measures designed to achieve water consumption to 110 litres per person per day will be imposed. The authority has also concluded that there will be no adverse effect on the integrity of the New Forest SPA, Ramsar and SAC as a result of the in-combination effects of air pollution provided that 19 Fareham Borough Council implements the developing mitigation and monitoring strategy by the New Forest District Council.”*

- 3.12 Further consultation between Natural England and Hampshire County Council Ecology Team took place in January 2021 primarily to determine how the funding of the Ecological Enhancement Area would be secured. It was confirmed that the Ecological Enhancement Area would initially be implemented by the appellant and then be transferred to Fareham Borough Council with a commuted sum for management of £331,000.00. The commuted sum would cover monitoring and management of the first 20 years post-development with the following 80 years of management to be secured by Fareham Borough Council through funds from their own maintenance budget. Natural England confirmed their acceptance of this position in an e-mail dated 19<sup>th</sup> January 2021 and that they had no further comments on the planning application to make.

#### **Committee Report**

- 3.13 The committee report contained a detailed assessment of the ecological considerations of the scheme including confirming the conclusions of Fareham Borough Council’s own Habitats Regulations Assessment
- 3.14 At Paragraph 8.35 to 8.49 the committee report specifically considers the scheme in relation to ecology and the previous reasons for refusal. In Paragraph 8.37 of the committee report it is confirmed that the previous reasons for refusal in relation to ecology have been addressed:
- 3.15 *“8.37 The provision of a biodiversity enhancement area, with detailed mitigation measures in place to the north of Oakcroft Lane addresses reasons for refusal (ix), (x) and (xi). Reason for refusal (xi) is also addressed by the increased level of landscaping belts to the periphery of the southern part of the site. All these elements combine to address the impact on biodiversity loss, and the scheme now results in a measurable increase in biodiversity, addressing reason for refusal (xii). The development proposal now benefits from support from both the Council’s Ecologist and Natural England, subject to a Section 106 Legal Agreement and suitably worded planning conditions.”*
- 3.16 In Paragraph 8.49 of the committee report it is confirmed that the scheme accorded with relevant planning policy and that Fareham Borough Council could discharge their duties as part of the Habitats Regulations Assessment:

- 3.17 *“8.49 The Council has carried out an Appropriate Assessment and concluded, in conjunction with the applicant’s submitted Shadow Habitat Regulations Assessment that the proposed development, which would take over 15ha of land out of agricultural use and subject to the water usage condition, will ensure no adverse effects on the integrity of the Protected Sites either alone or in combination with other plans or projects. The development will result in a reduction of over 150kg TN/year of nitrates being discharged from the site. Natural England has been consulted and has agreed with the considerations of the Shadow HRA and the Council’s findings, subject to the Council adopting the Shadow HRA. It is considered that the development would accord with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan. The application proposal is therefore considered to comply with point (v) – environmental impact of Policy DSP40, and in doing so satisfactorily addresses reasons for refusal (ix) to (xiii) from the earlier application.”*

#### **Reason for Refusal**

- 3.18 A single reason for refusal relates to ecology. The reason for refusal was in relation to the absence of legal agreement to secure funding towards The Solent Recreation Mitigation Partnership Strategy and the funding for the long-term management and maintenance of the proposed Ecological Enhancement Area.

*vii) in the absence of a legal agreement to secure such, the proposal would fail to;*  
*a) provide satisfactory mitigation of the ‘in combination’ effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas, and b) secure the creation of the ecological enhancement area and its long term management and maintenance to enhance the wider Solent Wader and Brent Goose network.*

- 3.19 The reason for refusal was based on the absence of a mechanism securing the funding for the measures set out as part of the application and not based on the merits or appropriateness of the proposals.

- 3.20 This is reflected in Fareham Borough Council’s Appropriate Assessment and consultation responses provided by both Hampshire County Council Ecology Team and Natural England. The sum to be commuted has been agreed and no objection to the scheme stands subject to conditions and the Section 106 agreement. This position is reflected in the Statement of Common Ground.

#### **Survey Validity**

- 3.21 Given the extended timescales since the 2019 application and subsequent 2020 application the appellant has instructed a range of updating ecological surveys in order to ensure that the baseline remains up to date and relevant for the appeal process.

Whilst there is no reason to believe that there would be have been any material changes to the site which would effect the conclusions of the previous assessment an updated suite of surveys and an assessment of any changes would be provided during the appeal process.

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#### **4.0 CONCLUSION**

- 4.1 The application received support from officers and consultees including Hampshire County Council Ecology Team and Natural England. This led to a recommendation for approval by officers which was subsequently refused by members.
- 4.2 As confirmed by the officers report the application addresses all the reasons for refusal in relation to ecology which were provided as part of the 2019 application
- 4.3 The scheme accords with the NPPF and Policies DPS13 and DSP14 of the local plan and Policy CS4 of the Core Strategy delivering appropriate mitigation, compensation and enhancements to address the requirements of these policies. A Shadow Habitat Regulations Assessment concluded that there would be no effect on the identified SPAs, SACs and Ramsar sites at the Appropriate Assessment stage either alone or in combination with other plans or projects. The proposals will also accord with all other relevant legislation including Regulation 43 of the Conservation of Habitats and Species Regulation 2017 (as amended), Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.
- 4.4 The single reason for refusal in relation to ecology can be addressed by including appropriate measures within the Section 106 agreement. These measures have already been agreed between Fareham Borough Council and the appellant and approved by Natural England as the statutory consultee on designated site issues.
- 4.5 The scheme also has the potential to deliver significant ecological enhancements through the delivery of the Ecological Enhancement Area and extensive other landscaping incorporated into the scheme. This has the potential to deliver a net gain of 40.32 habitat units and 9.18 hedgerow units which is a 91.46% and 64.40% gain respectively when calculated using the DEFRA Metric 2.0. This is a significant gain over the 10% currently anticipated to be mandated as part of the Environmental Bill (over nine fold for habitat units and six fold for hedgerow units).
- 4.6 The proposals would also result in a reduction in nitrogen output into the Solent of 153 kilograms of total nitrogen a year which is well beyond the nitrate neutrality which the scheme is required to deliver. Therefore, it can be concluded that the proposals will provide a betterment over the current situation and contribute to an overall reduction in nitrogen output into the Solent.
- 4.7 Both the delivery of such substantial biodiversity net gain and reduction in nitrogen output are relatively unique ecological benefits to this scheme which should be assigned weight in considering the outcome of this appeal.

- 4.8 In conclusion, there are no grounds for refusal of the application in respect of ecology with the Section 106 agreement to secure the mitigation to be prepared prior to inquiry. The scheme accords with both local and national planning policy and legislation in respect of ecology and, therefore, the appeal should be allowed in respect of ecology.



## 5.0 REFERENCES

CIEEM, 2017. *Guidelines for Ecological Report Writing*. 2nd ed. Winchester: Chartered Institute of Ecology and Environmental Management.

ECOSA, 2015. Oakcroft Lane, Stubbington - Extended Phase 1 Ecological Assessment and Wintering Bird Surveys FINAL, North Baddesley: s.n.

ECOSA, 2015. Oakcroft Lane, Stubbington - Phase 2 Ecological Assessment FINAL, North Baddesley: s.n.

ECOSA, 2015. Oakcroft Lane, Stubbington - Wintering Bird Surveys 2014-2015 FINAL, North Baddesley: s.n.

ECOSA, 2016. Oakcroft Lane, Stubbington - Wintering Bird Surveys 2015-2016 FINAL, North Baddesley: s.n.

ECOSA, 2018. Oakcroft Lane, Stubbington - Updating Preliminary Ecological Appraisal FINAL, North Baddesley: s.n.

ECOSA, 2020. Oakcroft Lane - Biodiversity Impact Calculator FINAL Rev.1, s.l.: s.n.

ECOSA, 2020. Oakcroft Lane, Stubbington - Ecological Impact Assessment FINAL Rev. 1, s.l.: s.n.

ECOSA, 2020. Oakcroft Lane, Stubbington - Ecological Management Plan FINAL Rev.1, s.l.: s.n.

ECOSA, 2020. Oakcroft Lane, Stubbington - Shadow Habitats Regulation Assessment FINAL Rev.1, s.l.: s.n.

Whitfield, D., 2017. Solent Waders and Brent Goose Strategy Interim Project Report: Year One, s.l.: Hampshire and Isle of Wight Wildlife Trust.