

Ecology response to F/24/96858 Land West of Allington Business Centre, Allington Lane, West End, SO50 7DE

Change of use of land for the creation of 10 Gypsy/Traveller pitches comprising the siting of 10 mobile homes, 20 touring caravans, the erection of 10 day rooms, 12 timber outbuildings, boundary treatment and associated development (retrospective)

Summer Sharpe

15/4/24

I raise an ecological objection to this application on the grounds of impact on the River Itchen SAC and SSSI and the considerable ecological damage that has already occurred and continued to occur on site. The applicants have not followed the ecological advice given for the previous application (F/20/88057) other than removing stables from the proposals.

This application is contrary to Local Plan policy DM11 and NPPF 180, as it represents significant biodiversity net loss for this site and contrary to Local Plan policy DM 6 as it does not provide sufficient water quality treatment for surface water drainage.

Ecology

Although this application is for the creation of 10 pitches, the Ecological Impact Assessment (EclA) by Darwin Ecology (November 2023) states: *The assessment was required to support a planning application for the construction of a single static mobile home with associated landscaping.* The proposed block plan, which shows plot 5 and 6 as two separate pitches, in this area, also proposes two day-rooms, two mobile homes, 4 caravans and a wooden outbuilding on this area of the site and not just one static mobile home.

This report is not acceptable. It has not adequately addressed the ecological impact of this development in an ecologically sensitive area which was cleared to bare earth, a stream which has been straightened and which is a tributary of the protected waters of the River Itchen. The red line boundary shown in Figure 1 of the EclA does not match the red line boundary of the site, which appears to extend all the way to the edge of the river. The EclA has not addressed the impact of this development on the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) which is located approximately 55 m to the west of the red line site boundary as measured on the EBC mapping system. Table 1 in the report states that these are 30 m northwest of the site, which would represent an even greater impact on these sites.

The report states that the area to be impact(ed) *comprises only bare earth, hardstanding, neutral grassland, a stream, and scattered trees.* The report also states *that Himalayan balsam was present in the northeastern corner of the bare earth habitat, along the bank of the stream.* In section 5.7 it states that *the site appeared to have been cleared withing the last few months, leaving large piles of bare earth. Some areas of the bare earth had not been spread/removed, creating piles across the site.* In section 5.14 it states that *The northwestern half of the site also contained multiple vehicles and piles of general equipment and materials such as liquid gas, wooden pallets, a lawnmower, bins etc.* In section 5.19 it stated that the stream contained a

couple of large items of litter such as a scooter (not explained further) Fuel leaking out of a motor scooter could further pollute the stream and the River Itchen.

The bare earth habitat was created by unauthorised site clearance activities in advance of this survey. This may have caused the spread of Himalayan balsam, an invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981, which prohibits the spread of this species into the wild. This is an offense under this act and is punishable by law. Further information can be found at <https://www.gov.uk/guidance/invasive-non-native-alient-plant-species-rules-in-england-and-wales#penalties-for-breaking-the-law>. The landowner has a responsibility to eradicate the Himalayan balsam before it spreads further into the wild, as it will shed seeds into the stream and the plant will spread very easily. The mitigation proposed in sections 6.16 and 6.17 are suitable, however since the site clearance has already been done, and machinery has been on and off site this advice may be too late.

Although no impact on protected species was stated in the report, in section 5.44 it states that it is known that otters are present within the wider area and inhabit the River Itchen. It is possible that potential otter habitat was destroyed when the unauthorised clearance and re-alignment work to the stream took place.

In section 5.12 it states that a timber stable building had been constructed on the southwestern aspect of the site (referring to the area shown in Figure 1, the 2 plots closest to the stream).

A series of aerial photos between May 2020 and to sometime after March 2022 provides evidence that this site and the adjacent stream have been unacceptably impacted without planning permission. The aerial photo from Google Earth dated May 2020 shows that the entire site (within the blue line boundary shown in this EclA) was vegetated, with no bare earth or hard standing present. There was an intact hedgerow running along the site boundary with Allington Lane and the watercourse was protected by trees and shrubs.

The aerial photo dated December 2020 shows an access road cut through the hedgerow, four pitches completely paved and two additional areas with most of the vegetation removed. Mobile homes were sited on all 10 pitches, and four were still vegetated.

The aerial photo dated July 2021 shows a widened site access with more of the hedgerow removed, removal of most of the vegetation on three additional plots, four pitches with at least 10 buildings with dark roofs and numerous mobile homes, and three above ground swimming pools. Three of the paved pitches had patches of what looks like amenity grass. Additional mobile homes were sited on the property, including on the sites closest to the watercourse.

The aerial photo dated January 2022 shows additional fencing but the vegetation next to the watercourse is still visible. The aerial photo dated March 2022 shows vehicle tracks and disturbance in the area to the west of the site, up to the SAC boundary. This area appears to be more impacted than previously, with signs that vegetation next to the watercourse has been removed, piles of building materials, possible remnants of a fire next to the river, and

either sheds or other buildings extending up to the SAC boundary. Vehicle tracks are located quite close to the watercourse in several areas.

A more recent aerial photo can be seen on UK Grid Reference Finder (mapping service name and exact date not provided). This shows all vegetation cleared right to the watercourse (and on both sides of the stream) with bare earth right to the edge of the watercourse and vehicles using this area. The map shows that the stream had meanders but the latest photo shows that the stream has been straightened. The field to the east of the site has 8 or 9 circular areas where the vegetation has been worn away, and additional vehicle tracks leading on and off the site, and to the river. Image 7 in the EclA report shows that all vegetation has been removed from both sides of the stream. The map in the EclA report shows bare earth extending to a stream with meanders, although it is clear that they are no longer present.

The impact which must be assessed is that of 10 pitches with associated residential activities. This application refers to timber outbuildings, and the previous application included horse stables. There is a letter from Phil Wiseman of Enforcement (November 2023) stating that horses will not be kept on site, however there was a horse on site on the day of his visit. The fencing shown in image 6 of the EclA report contains wire mesh against post and rail fencing, which appears suitable for horses. If horses are visiting the site, even occasionally, arrangements for the disposal of horse manure and soiled bedding will have to be made, so that there is no opportunity for these substances to enter the watercourse.

If this application is permitted a 50 m fenced and vegetated buffer to protect the SAC will be required, free from all development and activities.

A suitable vegetated and fenced buffer to protect the watercourse will also be required. The vegetation will be designed to filter any sediment and pollutants from being washed into the watercourse. Aquatic life in the River Itchen is extremely vulnerable to sediment, pollutants and excess nutrients negatively affecting water quality. Section 6.4 of the EclA report states that a 24 m deep ecological buffer will be created to divide the proposed site and the watercourse with fencing on the southern aspect, however the proposed site plan, which shows plot 5 and 6 as two separate pitches, does not specifically show this.

If this application is permitted, information must be provided on how the ecological value of the site will be restored and enhanced, with a pre-development baseline to be agreed with the Local Planning Authority. Nutrient neutrality and biodiversity net gain will need to be addressed. The mitigation and enhancement recommendations can be reviewed at that time, if relevant, but I will not address them now.

Surface water drainage

Surface water drainage must comply with Local Plan Policy DM6 which states:

*a. On sites of 1 hectare or more, or **within 100m of the River Itchen SAC** or Solent Maritime SAC, SuDS schemes should include at least three forms of naturalised filtration. On **sites within 100m of headwaters and tributaries draining into a SAC**, SuDS schemes should include at least three forms of naturalised filtration unless hydrological studies and project-*

level Habitats Regulations Assessment demonstrate this to be unnecessary to protect the integrity of the SAC and its qualifying features;

I have reviewed the Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning by UNDA (February 2024). This document refers to a different number of caravans, dayrooms and stable-type storage buildings (comprising the siting of 10no. Mobile Homes, 14no. Touring Caravans, the erection of 10no. dayrooms, and 4no. stable type storage buildings) when this application proposes 10 mobile homes, 20 touring caravans, the erection of 10 day rooms, 12 timber outbuildings, boundary treatment and associated development (retrospective)

Section 3.2 state that the SuDS sizing was based on all roof areas excluding tourers. This is a smaller number of buildings than currently proposed. The motor vehicle use (which would include touring caravans) should be estimated properly to ensure adequate pollution mitigation.

This majority of this site is within Flood Zone 3 and removal of the vegetation surrounding the stream will have increased its vulnerability to flooding. It is possible that due to heavy rain sediment and pollutants may have already washed into this stream and entered the River Itchen. In addition, the parking of mobile homes, cars, and other motor vehicles on site will introduce pollutants into the surface water drainage. This has not been addressed and no mitigation has been proposed.

To comply with local plan policy DM6, the simple index approach to pollution mitigation as discussed in the Ciria SuDS manual (pages 568 and 569, part E, tables 26.2 and 26.3) must be used to demonstrate that all pollution hazards would be mitigated.

Although this document states that all ground surfaces will either be of permeable construction or discharge to permeable areas, there is no information provided about the permeability of the surfacing used. Cellular storage soakaways have been proposed, however there is no evidence that these have been installed in the areas which have already been paved and built upon. There is no evidence that the flood prevention measures recommended in section 6.5 have been implemented in the buildings which have already been completed.

Lisa Malter

Ecologist