

Application to partially discharge conditions 3, 10, 15 & 16 of Planning Permission applications CS/21/91199 & 21/02012/HCS

Supporting Statement

1.1 Introduction

1.1.1 The Botley Bypass Scheme is currently under construction. When completed it will provide an alternative route to the A334 for traffic passing between Hedge End and the A334/A3051 junction, therefore allowing traffic to bypass Botley High Street, reducing the numbers of vehicles and traffic queues in the centre of Botley village.

1.1.2 Planning consent was granted by Hampshire County Council (HCC) in 2022 for applications CS/21/91199 & 21/02012/HCS to vary conditions of the original permission (granted 2017) CS/17/81226 & 17/02023/HCS due to amendments to the scheme design.

1.1.3 The Scheme is being delivered in three phases and to discharge the conditions it was agreed with HCC Planning that these conditions could be partially discharged prior to each phase of construction.

1.1.4 The construction phases are as follows:

- Phase 1: Uplands Development Infrastructure – Woodhouse Lane North (constructed)
- Phase 2: Woodhouse Lane South (partially constructed, some works to be completed at Western Gateway)
- Phase 3: New Bypass and bridge over the River Hamble (construction due to commence Spring 2025).

1.1.5 The Phase 3 works are shown in figures CJ008882-ECH-HGN-44301694-DR-HE-0001 - 0007 and include the following:

- A new 1.8km 40mph single carriageway bypass including shared footway/cycleway from the roundabout on Woodhouse Lane to a new roundabout on the A334/A3051 at Pinkmead Farm.
- Construction of a new bridge crossing the River Hamble and adjacent floodplain, incorporating an open span structure.
- Improvements to the junction of the A334/A3051 including construction of a four-armed roundabout to the west of the existing priority junction.

1.1.6 Construction of Phase 3 is due to begin in Spring 2025. To allow advanced works comprising of vegetation clearance to take place prior to the commencement of bird nesting season (March – September) it is necessary to apply for partial discharge to a number of conditions.

1.1.7 The conditions pertaining to advanced works are:

Condition 3: Construction Environmental management Plan (CEMP)

Prior to the commencement of development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the outline CEMP (Environment Statement Volume 3 Appendix L dated July 2017) and shall have regard to the protection of existing surface water drains from Botley Rail Depot during construction. The development shall be subsequently implemented in accordance with the approved details.

Condition 10: Ecology

Prior to the commencement of development, detailed reptile, badger, and otter mitigation strategy, informed by updating survey work as necessary, shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

Condition 15: Arboriculture

The development shall be carried out in accordance with the Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan & Arboricultural Method Statement in accordance with BS5837:2012: Rev:15, (dated July 2021) as submitted with the application, unless otherwise approved in writing by the Local Planning Authority.

Condition 16: Landscape

Prior to the commencement of development a Landscape Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Plan shall specify the phasing and timescales for carrying out of landscaping works, and provision for future maintenance. Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved.

1.2 Advanced Works Approach

- 1.2.1 To enable the main works to begin in Spring 2025 it is necessary to remove vegetation outside the bird nesting season. In previous discussions with HCC Planning and Planning Ecologists from both Eastleigh Borough Council and Winchester City Council, it was agreed that an Advanced Works proposal could be submitted to permit the partial discharge of conditions related to the vegetation removal only.
- 1.2.2 The advanced works consist of removing all trees, shrubs and hedgerows which will be affected by permanent and construction works within the Scheme footprint, to ground level. This will take place during February 2025, prior to the main bird nesting season.
- 1.2.3 Some trees have been identified as potentially supporting roosting bats and will be removed following the granting of a European Protected Species mitigation license. The detailed methodology is discussed further in the Construction Environmental

Management Plan and Ecological Appraisal within this application and summarised in section 2.

- 1.2.4 A Flood Risk Activity Permit (FRAP) is required for the advanced works given the proximity to the River Hamble. The permit has been granted by the Environment Agency: Permit Number EPR/BB3299JA. Should the Environment Agency determine that an updated FRAP is required, this will be applied for prior to commencement of the works.

Reptile Mitigation

- 1.2.5 To mitigate impacts to reptiles, trees are to be cleared in winter and cut to ground level with no stump. The Ecological Clerk of Works (ECoW) will specify access and haul routes to minimize disturbance to reptile habitats. A 5 metre-wide buffer around the field margin and hedgerows is to be retained where not within the construction footprint to protect reptile habitat.
- 1.2.6 For the area west of the River Hamble, non-woody vegetation is to be cleared in phases between Spring and Autumn 2025 working towards retained habitat with ECoW supervision.
- 1.2.7 For the area east of the River Hamble, reptile fencing will be installed in March 2025 outside of retained areas to enclose work areas, followed by minimum 30 days visit trap out (until there are 5 clear days with no reptiles). Areas where the reptiles will be moved to will be enhanced (with hibernacula, log piles and vegetation management). Reptiles to be relocated to retained habitats outside of the construction area and to the wider corridor along the River Hamble.

2 Planning Conditions

- 2.1.1 The submissions for partial discharge will relate only to advanced works (tree removal). The following documents are being submitted for partial discharge:

- Condition 3: Botley Bypass – Advanced Works Construction Environmental Management Plan, October 2024 Rev 3, Milestone Infrastructure
- Condition 10: Ecological Appraisal of advanced vegetation clearance Botley Bypass Phase 3, Rev 1, October 2024– HCC Ecology team
- Condition 15: MJC Tree Services – Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan & Arboricultural Method Statement Botley Bypass Phase 3, Rev 7, October 2024
- Condition 16: Landscape – Drawing no: CJ008882-WPE-ELS-41301694-DR-LS-0008 Outline Landscape Plan for LEMP.

2.2 CEMP

- 2.2.1 Condition 3 relates to the Construction Environmental Management Plan (CEMP) and details vegetation removal only.

- 2.2.2 The CEMP has identified the following as key environmental risks on the project:

- Potential pollution from fuels and Control of Substances Hazardous to Health (COSHH) materials;

- Waste and materials management;
- Management of Ecology and Invasive Species;
- Management of water / discharge;
- Protection of remaining trees.

2.2.3 Section 10 of the CEMP sets out standard requirements for environmental controls. Site specific controls and mitigation are also included in Section 10 of the CEMP. These include but are not limited to:

Advanced Works compound

- Proposed location shown in Site Layout Plan provided in CEMP Appendix A.

Community liaison

- Milestone will engage with the client to provide the necessary information to key stakeholders.

Air quality and dust

- Separate Dust Management Plan included as part of main works.

Cultural heritage

- No site-specific requirements since no significant archaeological features were found during investigations. However, in case of new findings standard controls and best practice to be implemented.

Ecology and biodiversity

- Protected species
 - An ECoW will be present during the works and undertake regular inspections.
 - Bats: Trees which cannot be felled during the advanced works clearance during winter 2024/2025 are due to be felled in the Spring 2025.
 - Nesting birds: Vegetation clearance will be carried out during winter 2024/2025 and outside the bird nesting season. With the exception of the trees which cannot safely be inspected for bat roosts. ECoW supervision will be used for any works extending into March 2025.
 - Reptiles: ECoW will agree specific access/haul routes that avoid/minimise disturbance to habitats suitable for reptiles. Four log piles will be created from vegetation clearance arisings to provide additional refuges for reptiles.
- Invasive Non-Native Species
 - During recent surveys in 2024, Himalayan Balsam was frequent to locally abundant within the wet woodland to the west of the Hamble and appears to be becoming more widespread within this area. The spread of Invasive Non-Native Species (INNS) will be prevented through the implementation of the Check-Clean-Dry protocol.
 - The Botley Bypass Biosecurity Plan is to be followed with regards to Himalayan Balsam.
- Tree protection
 - Tree protection barriers will be erected at the positions illustrated in the plans forming Appendix 5 of the Arboricultural Report Rep BS5837 TS AIA TPP AMS MJC-22-0165 Rev7 Botley Bypass and will conform to the specification in

Appendix 6 of the Arboricultural Report Rep BS5837 TS AIA TPP AMS MJC-22-0165 Rev7 Botley Bypass.

- Tree removal
 - A responsible person will be appointed for implementation of the Arboricultural Method Statement (AMS).
 - The ECoW will oversee all works carried out at the advanced works stage.
 - A number of trees due to be felled cannot be removed until further surveys are carried out to confirm bat roost absence. Inspection via mobile elevated work platform may be carried out if site conditions allow, or emergence surveys will take place in the spring.

Noise and nuisance

- Localised noise reduction panels around noisy activities (over 90dB at source) will be installed.
- Standard working hours will be 08.00 – 18.00..Out-of-hours working if required will be agreed in advance with the Local Authority;
- Affected residents will be communicated with as far as possible in advance.

Water management and pollution prevention

- An Environmental Incident Control Procedure (EICP) has been developed to manage potential pollution incidents.
- FRAP EPR/BB3299JA condition requires areas within 8 metres of the River Hamble and side carrier watercourse to be cut by hand with machines used to prevent material entering the watercourses and adherence to approved method of working ref: Method Statement October 2024.
- No fuels or oils to be stored within 20m of any surface water or drainage features.

Waste and materials

- A site-specific Waste Management Plan has been produced for the Scheme and will be made available on site and digitally. The plan includes procedures, controls and opportunities for management of waste and materials.
- Copies of Waste Duty of Care information (waste classification, carriers licenses, waste facility permits) will be obtained and approved before waste is removed from site.

2.3 Ecology

2.3.1 Condition 10 relates to protected species surveys. The Advanced Works refer to vegetation removal and therefore the ecological assessment that accompanies this application for partial discharge of condition 10 applies to vegetation clearance only. The key habitat to be cleared is part of Botley Mill Woodland Site of Importance for Nature Conservation (SINC). Other habitats include riparian trees and boundary hedgerows to the east of the Hamble within/adjacent to Sherecroft Farm Meadow SINC, typical field boundary hedgerows, dense scrub, and individual trees.

2.3.2 The assessment identified the following potential impacts as a result of the advanced works:

- Net loss of habitat within Botley Mill Woodland SINC, a locally-designated area of Alder-dominated riparian woodland on the western bank of the River Hamble.
- Impacts to habitat within Sherecroft Farm Meadow SINC (riparian trees, boundary hedgerows to the east of the River Hamble).
- Net loss of bird nesting habitat – approximately 0.25ha woodland loss in the River Hamble corridor, approximately 0.2ha scrub at Pinkmead junction and approximately 470m hedgerow habitat across the entire bypass scheme area.
- Net loss of bat roosting (0.25ha woodland habitat), and bat foraging and commuting habitat (approximately 0.25ha wet woodland, approximately 0.2ha scrub and approximately 470m hedgerow of foraging/commuting habitat).
- Mobilisation of sediments into River Hamble.
- Waterborne pollution.
- Spread of INNS.

2.3.3 The report concluded that these impacts can be avoided/minimised by:

- Employment of an ECoW during works. The ECoW will:
 - Undertake regular inspections of the works area and will advise if evidence of badger activity is noted including whether any new setts have been identified within or adjacent to the works areas;
 - Agree specific access/haul routes that avoid/minimise disturbance to habitats suitable for reptiles;
 - Undertake a pre-clearance inspection of the working areas prior to commencement of clearance work with regards to otter lying-up sites.
 - Supervise works should clearance extend into March 2025, with regards to nesting birds.
- Implementation of a CEMP (Milestone, October 2024) to ensure impacts are avoided/minimised.
- Phased removal of trees.
- Sectional/soft felling of trees with low bat roosting potential in February 2024.
- Pre-felling bat inspections of trees with roost potential or confirmed roosts immediately prior to felling for all trees which can be safely and fully inspected (either through climbed inspection or mobile elevated work platform access).
- Trees with confirmed roosts or potential roost features which cannot be safely or fully inspected during the winter will be felled in Spring 2025 during the active season when pre-felling emergence/re-entry surveys can be undertaken to ensure no bats are present at the time of felling. These trees have been confirmed to be:
 - West of the Hamble trees T142, T153, T155, T166 and T174.
 - Dead oak tree East of the Hamble.
- Avoidance of vegetation removal within bird nesting season where possible (with exception of trees with bat roost potential which cannot be safely inspected during winter).
- Compensatory habitat for nesting birds will be in the form of extensive native plantings in the Bypass verge and noise bund areas, to be delivered upon completion of construction.
- Compensatory bird nest boxes will be installed in the retained woodland habitat within the River Hamble corridor. A selection of bark replica boxes will be used and will provide nesting opportunities for some bird species.

- Implementation of Biosecurity Plan to avoid spread of INNS.

2.3.4 Provided these measures are followed, it is concluded that the proposed vegetation clearance is unlikely to result in significant impacts to ecological receptors.

2.3.5 Compensation and enhancement measures will be delivered following the completion of main construction works. This will entail extensive planting of native trees and shrubs, as well as appropriate wildflower seeding, within the new verge estate along the entire Bypass route. Planting plans are included as part of this application.

2.4 Arboriculture

2.4.1 Condition 15 states that the development should be in accordance with the Tree Survey, Arboricultural Impact Assessment (AIA), Tree Protection plan (TPP) and Arboricultural Method Statement (AMS).

2.4.2 An Arboriculture update survey and impact assessment were carried out in 2022 to assess impacts to trees from both the permanent Scheme and its construction. As part of the Advanced Works an updated Tree Survey, AIA, TPP and AMS are to be submitted for discharge of condition 15.

2.4.3 The scheme requires the building of two temporary bridges and a haul road to facilitate the main bridge construction. This will result in the removal of additional trees which were not detailed in the original Planning Permission. Section 5 Table 1 of the Arboricultural Report highlights the additional tree loss from the proposed construction methodology.

2.4.4 The total and additional tree, hedge, group and scrub/thicket area removals required by the Scheme are summarised below:

- 90 individual trees, 2 entire groups, 1 part of a group, 3 sections of hedges and 1 large area of scrub/thicket, 1 moribund Alder next to T85 and 1 dead Oak near T84 to be felled and grubbed out.
- 21 individual trees and 1 large area of scrub/thicket to be coppiced.
- This includes 31 individual trees to be removed or coppiced in excess of those already approved within the Planning Permission for the Scheme.

2.4.5 These additional tree losses are made up of:

- 1 'A' grade tree
- 7 'B' grade trees
- 17 'C' grade trees and
- 6 'U' grade trees.

2.4.6 The AIA report states the additional removals are *“not considered significant in arboricultural planning terms given the overall scale of the project and the already approved tree removals”*. It is concluded that the 'U' and 'C' grade trees cannot be considered to be of high public amenity value and should not form a legitimate arboricultural planning reason for the Local Planning Authority (LPA) to object to the currently proposed Phase 3 layout, however the C grade trees are likely to require some specific mitigation planting to compensate for their loss.

2.4.7 The report states that the required removal of 'B' grade trees and 1 additional 'A' grade tree should not form a substantive aboricultural planning reason for the LPA to object to the currently proposed Phase 3 layout as the additional 'B' and 'A' grade trees to be removed are in the vicinity of the River Hamble crossing and are *"not readily visible from any public vantage points, so their removal would not have a significant detrimental impact on the public amenities of the locality"*. However, they are very likely to require specific mitigation planting of new trees to compensate for their loss.

2.5 Landscape

2.5.1 The full detailed proposed landscaping mitigation, enhancement and management strategy for the Scheme will be submitted prior to the commencement of the works. For the purpose of the advanced works, it has been agreed with HCC Planning Authority that an overview drawing will be submitted outlining the landscape proposals for the scheme.

2.5.2 The works will consist of:

- Tree and shrub planting, mainly native planting using species typically found in the area;
- New hedgerows with trees;
- Meadow, wetland grass and verge grassland;
- Species rich grass /Wildflower seeded areas; and
- Maintenance of the swales and balancing ponds

2.5.3 Proposed new planting is listed below and illustrated in drawing CJ008882-LAN-ELS—44301694-DR-LS-0008 Outline Landscape Plan for LEMP and CJ008882-WPE-ELS-44301694-DR -M-0007:

- Standard tree planting = 411 no.
- Native tree and shrub planting = 6845 m²
- Native shrub planting = 1855 m²
- New hedgerows = 1023 linear metres.

2.5.4 The landscape plans demonstrate how the additional tree losses outlined above will be mitigated.

3 Main Works

3.1 Main Works

3.1.1 Following the advanced works, submissions will be made for full discharge of conditions 3, 10, 15 and 16 in winter 2024. The documentation will consist of the following:

- **Condition 3:** A main works CEMP detailing environmental protection, construction methodology for the Bypass permanent and temporary works.
- **Condition 10 & 16:** A Landscape and Ecological Management Plan (LEMP) will be submitted to cover conditions 10, 12 and 16. This document will detail the proposed arrangements for managing identified landscape and ecological impacts associated with Phase 3 of the development and is designed to provide sufficient information to

allow the discharge of the planning conditions relating to landscape and ecological mitigation, management and enhancement.

3.2 Scheme changes

- 3.2.1 Following the granting of the Planning Permission in 2017 a number of changes have been made to the Scheme design. Through discussions with HCC planning, it is proposed that a Minor Material Amendment be submitted to assess the overall impact of these changes, supported by an Environmental Statement Addendum.
- 3.2.2 It is not considered that these changes materially affect the vegetation removal, and the additional trees for removal discussed above are as a result of developed construction methodology rather than design changes.
- 3.2.3 This updated design is reflected in the outline landscaping scheme for completeness but does not impact the vegetation clearance.

Appendix

Supporting reports and site location & boundary plans

- Botley Bypass Phase 3 Figure 1 Site boundary plan
- EC_RJ567629-01-102-105_APPLICATION BOUNDARY
- GA Plans
 - CJ008882-ECH-HGN-44301694-DR-HE-0000
 - CJ008882-ECH-HGN-44301694-DR-HE-0001
 - CJ008882-ECH-HGN-44301694-DR-HE-0002
 - CJ008882-ECH-HGN-44301694-DR-HE-0003
 - CJ008882-ECH-HGN-44301694-DR-HE-0004
 - CJ008882-ECH-HGN-44301694-DR-HE-0005
 - CJ008882-ECH-HGN-44301694-DR-HE-0006
 - CJ008882-ECH-HGN-44301694-DR-HE-0007
- Vegetation clearance plans
 - CJ008882-HEH-HSC-44301694-DR-HE-0121
 - CJ008882-HEH-HSC-44301694-DR-HE-0122
 - CJ008882-HEH-HSC-44301694-DR-HE-0123
 - CJ008882-HEH-HSC-44301694-DR-HE-0124
 - CJ008882-HEH-HSC-44301694-DR-HE-0125
 - CJ008882-HEH-HSC-44301694-DR-HE-0126
 - CJ008882-HEH-HSC-44301694-DR-HE-0127
- Botley Phase 3 Advanced Works CEMP, Milestone Infrastructure, October 2024
- Botley Bypass Phase 3 Biosecurity Plan, Milestone Infrastructure, October 2024
- Botley Bypass Phase 3 - Ecological Appraisal, HCC Ecology Team, Rev 1, October 2024.
- MJC-22-0165 Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan & Arboricultural Method Statement in accordance with BS5837, MJC Tree Services Limited, Rev7, October 2024.
- CJ008882-WPE-ELS-41301694-DR-LS-0008 Outline Landscape Plan for LEMP.