

**Hampshire County Council
Director of Economy, Transport & Environment**

Applicant: Hampshire & IOW Wildlife Trust Ltd

Reprofiling of two areas of waterlogged ground to provide a series of ephemeral ponds as wildlife habitat, and construction of a nesting platform for osprey at The Eastern Shore of Ibsley Water to the North of Ellingham Drove, Ringwood (No. 12/99079)

(Received: 31 July 2012)

General

Planning permission is sought for the reprofiling of two areas of waterlogged ground to provide a series of ephemeral ponds as wildlife habitat, and construction of a nesting platform for Osprey at the eastern shore of Ibsley Water to the North of Ellingham Drove, Ringwood.

The site of the application is located at Ibsley Airfield Quarry which is predominantly all (bar some areas near the site access and old Conbloc Site) now restored to water and nature conservation having been worked in the past for mineral. The Osprey site actually lies within the Avon Valley Site of Special Scientific Interest (SSSI), Special protection Area (SPA) and Ramsar along with much of the lakes, wetlands and grassland restored post mineral extraction.. The applicant, the Hampshire and IOW Wildlife Trust, states there will be no significant impacts to any of these designated sites. The nearest houses run along the southern edge of Mockbegar lane to the north of the old quarry and some of the rear windows and gardens will look out across the site of the proposed Osprey platform

The applicant states it manages the site and the existing lakes as a nature reserve and the site in general , also provides an educational and informal leisure resource for visitors.

The application comprises two parts:

- i) The provision of an Osprey nesting platform on the north-east shore of Ibsley water near to existing hides, which would support a breeding pair of Osprey and their offspring and become an important nest site for the migratory Osprey species.. The applicant states the platform will be therefore ideal for educational purposes as well as a much needed nest site for Osprey. The applicant adds that It needs to be sited in an open landscape close to open water and comprise a six metre high pole with a 1.2 m square wooden platform secured to it.. The platform will take less than half a day to construct undertaken at times when the work will be least likely to have any impact on bird species using the lakes. The works will be carried out at the end of the summer or early autumn to ensure it is constructed ahead of the Osprey migration in the UK.

- ii) Minor reprofiling of an area of rough grassland and rush vegetation, to allow the development of larger ephemeral wet zones than presently exist. This is south west of the Osprey platform on land outside of the areas designated for nature conservation but will provide suitable habitat for species for which the area has been designated. The applicant states that what is proposed is not substantial in scale and the works will just require the movement of soil around the reprofiled area to create land of a slightly lower profile than the current surface levels. It is not intended to landscape the area as this would not be appropriate. It is intended that natural regeneration will occur. The works will be carried out by hand and with a 360 degree excavator, in early Autumn to minimise disturbance to birds and damage to vegetation. Access will be along the route of a former haul road so on compacted ground. The reprofiling will encourage the spread of existing ecologically valuable native species.

A permissive path is located close to the reprofiling area.

Development Plan

Hampshire Minerals and Waste Core Strategy DPD 2007- DC2 (Sites with International and National Designations), DC3 (Impact on Landscape and Townscape) , DC6 (Highways) , DC7 (Biodiversity), DC8 (Pollution, health, quality of life and amenity)

Consultations

Ellingham Harbridge & Ibsley Parish Council- raise no objection but state that it is concerned about the verges being destroyed by car parking because, should the nesting perch be inhabited by Osprey, the number of visitors would increase dramatically to the Lakes without the appropriate car parking facilities. A robust traffic management scheme needs to be put in place to deal with the car parking issue.

Environmental Health New Forest - no objection but request that an advice note be added to any permission granted as the site has historic potentially contaminating uses relating to works and a previous use as a military airfield.

New Forest District Council- no objection

Natural England- raises no objection to the application so long as it is implemented in accordance with the submitted details.

Rights of Way- raise no objection but would wish to see a condition protecting the footpaths added to any permission issued similar to that on the existing minerals permission.

Civil Aviation-Bournemouth- no response received

Highway Authority- no objection

County Councillor Heron- has been informed of the proposal

Representations

Concern has been raised by a local resident of Mockbeggar lane that bird watchers park on Ellingham Drove from early morning through to evening. The road has a speed limit of 60mph and the parked cars are a danger to walkers and those using mobility scooters. Dragons teeth should be constructed to prevent parking here and the speed limit should be reduced to 30mph. Conditions should be attached to any permission to this effect . Another path should also be secured through the block making site linking existing paths. People must be encouraged to visit the lakes using public transport, paths or cycle ways as per the Blashford lakes strategic management Plan 2005.

Commentary

It is considered that the proposal is in accordance with policy in enhancing the nature conservation and associated educational value of the existing designated sites. The County Council notes the Osprey platform will be seen at distance from some of the rear elevations and gardens of properties south of Mockbeggar Lane , but considers on balance, that any adverse visual impact is minor and outweighed by the enhancement to nature conservation and environmental education.

The concerns raised by a local resident regarding the hazards of bird watchers parking on Ellingham Drove, are noted. However this is not a matter for this application and it would not be appropriate to impose any conditions relating to this issue through this current permission. Nevertheless a copy of the representation has been sent to the Area Surveyors office, within the Highway Authority, for their information, and to highlight the issue raised.

It is considered taking all matters into account that the application will enhance the nature conservation status of this site.

Recommendation

That permission be granted subject to following reason for approval and condition/requirements:

Reasons for Approval

1. It is considered that the proposal would be in accordance with the development plan (summary attached) would enhance the nature conservation value of the site (DC2, DC7) , and would not materially harm the character of the area (DC3) or the amenity of local residents and footpath users (DC8) and would be acceptable in terms of highway safety and convenience (DC6).

Conditions

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(as amended) of the Town and Country Planning Act 1990.

Hours of Construction Working

2. Unless otherwise agreed in writing by the Mineral Planning Authority, no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0800-1800 Monday to Friday and 0800-1400 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

Plans and particulars

3. The development shall be carried out fully in accordance with the approved plans and particulars notably:

- Hampshire and Isle of Wight Wildlife Trust Supporting Statements received 31 July 2012
- Drawing 1 ' Location and layout' No. RAC/1/2012
- Drawing 2 ' LAYOUT OF EPHEMERAL Ponds RAC/2/2012
- Drawing 3 ' Ephemeral Ponds – Typical profile' RAC/3/2012
- Drawing 4 ' osprey Platform layout' RAC/4/2012
- Drawing 5 ' Osprey Platform' RAC/5/2012

Reason: In the interests of local amenities and to ensure no significant impacts occur that impact adversely on the Special Protection Area (SPA) and SSSI and Ramsar.

Pollution Control and Protection of groundwater

4. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Reason: To prevent pollution of the water environment including the Special protection Area (SPA) and SSSI and Ramsar.

5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is

multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: To prevent pollution of the water environment including the Special Protection Area (SPA) and SSSI and Ramsar .

Rights of Way

6. The adjacent rights of way shall be kept clear of works and debris at all times and be safely kept open throughout the implementation of the development.

Reason: In the interests of local amenities.

Protection of SSSI, SPA, Ramsar

7. No tree or shrub clearance should be carried out in the bird nesting season (March to August).

Reason: In the interests of nature conservation and to protect the SPA, SSSI and Ramsar.

8. If heavy percussive piling or works with heavy machinery is necessary it shall not take place within the waterfowl over-wintering period unless prior written approval is given by the Mineral Planning Authority.

Reason : To avoid disturbance to birds within the Special Protection Area (SPA).

9. Any equipment, materials or machinery related to the construction of the development being stored within the SSSI/SPA during the construction period shall be removed within 14 days of the works being completed.

Reason: To minimise risk of pollution to the water environment including the SPA, SSSI and Ramsar and in the interests of amenity and public safety.

10. Should by accident any damage during construction of the development occurs to the SSSI/SPA the Mineral Planning Authority shall be notified immediately and a scheme to restore the land back to its former condition shall be agreed with the Mineral Planning Authority and thereafter implemented as approved.

Reason: To protect the character and purpose of the SSSI/SPA and Ramsar. .

11. The applicant should implement the development in a manner as to minimise adverse impacts as far as is practical to the SSSI, SPA and Ramsar. This includes restricting vehicle movements within the designated areas to a minimum.

Reason: To protect the character and purpose of the SSSI/SPA and Ramsar.

12. All works near Ibsley Water should be carried out in accordance with Environment Agency best practice guidance (to avoid pollutants entering the lakes).

Reason: To protect the character and purpose of the SSSI/SPA and Ramsar

Advice Note to the applicant:

1. New Forest District Council Environmental Health states: please be informed that there are a number of sites near to or at this location which have had past potentially contaminative uses relating to quarrying, historic works and the use of the site as a military airfield. It is possible that some contamination may have migrated through the ground and groundwater. Whilst the Authority has no evidence to suggest that this is the case, any observed [presence of contamination during any ground invasive works must be reported to the Environmental health officer and works halted whilst the matter is considered. It is advisable to obtain specialist advice concerning the potential for contamination and its recognition.

Case Officer
Julia Davey

Date...03/10/2012.....

Authorised on behalf of the Director of the Economy, Transport & Environment

.....P Chadwick.....

Date.....03/10/2012.....

Annexe to Reasons for Conditions
(as required by Article 31 of the Town and Country Planning
(Development Management Procedure) (England) Order 2010)

Hampshire Minerals and Waste Core Strategy DPD 2007

DC2 - Sites with International and National Designations

Minerals and waste development, which is likely to prejudice the purpose of the following designated sites and their settings, will not be permitted unless the reasons for development outweigh the likely adverse impact, taking into account the requirements of relevant legislation and guidance.

Internationally Designated Sites:

European Sites (Special Protection Areas, proposed Special Protection Areas, Special Areas of Conservation, proposed Special Areas of Conservation) and Ramsar sites (Wetlands of International Importance);

Nationally Designated Sites:

The New Forest National Park, the proposed South Downs National Park and Areas of Outstanding Natural Beauty;

National Nature Reserves, Sites of Special Scientific Interest;

Scheduled Ancient Monuments;

Listed Buildings, and sites on the National Register of Parks and Gardens of Special Historic Interest;

Registered Battlefields.

In all cases, applications will be subject to the most rigorous examination.

DC3 - Impact on Landscape and Townscape

Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

DC6 – Highways

Major mineral extractions, landfills and 'strategic' recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram. In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site

Annexe to Reasons for Conditions (as required by Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010) and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

DC7 – Biodiversity

Minerals and waste developments will only be permitted if due regard is given to the likely effects of the proposed development on biodiversity and, where possible, proposals should conserve and enhance biodiversity. Development likely to adversely impact upon ‘regionally or locally designated sites or protected species’ – designated in adopted Local Plans or Local Development Frameworks – (including Sites of Importance for Nature Conservation (SINCs), Species of Principal Importance for Biodiversity, Regionally Important Geological Sites and Local Nature Reserves) shall only be permitted if the merits of development outweigh the likely impact.

DC8 - Pollution, health, quality of life and amenity

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation.