

DC/23/94478 Land North West of Winchester Road, Boorley Green, Hampshire, SO32 2BX,

Ecology response for DC/23/94478 condition 22 Boorley Gardens phases 3B and 3D

Discharge of conditions application following permission O/15/75953 as amended by X/19/84943 for conditions 16 (Noise Assessment) & 22 (Ecological Protection & Mitigation Plan) for Boorley Gardens Phases 3B & 3D.

Liz Harrison

9/2/23

I have reviewed the Biodiversity Mitigation and Enhancement Plan by Ecosupport (June 2022). The report states that it was produced to discharge condition 2 (in at least 2 places), but it is meant to discharge condition 22.

A walkover to update the site condition was done in May 2021. The report implies that there was little change in habitat condition other than less intensive management and longer sward on the improved grassland, recent management of hedgerow H1, appeared to be recently flailed and in apparently poor condition. The extent and condition of scrub is unchanged but has been managed to maintain this. Scattered trees were still present as described in the earlier ecological assessment report. Arable land was no longer used for growing crops and was succeeding to grassland.

The protected species information summarised in this report is not specific and most likely from earlier records. This includes a dormouse hibernation nest that was discovered during works on RM2 (phase 2, reserved matters 2?) with no additional details of where or when. The report states that all future works will be completed under a Natural England ESP license, however if hedgerows are being heavily managed and flailed, as reported in section 1.3.1, then this is current work that would be potentially harmful to dormice and must not be allowed. Scrub management could also harm dormice if done without following an accepted precautionary procedure. More specific details are required to determine whether the interim management of this site is being done with full regard to the potential presence of protected species. **Flailing a hedgerow and managing scrub that could potentially shelter dormice would be a wildlife crime under the Wildlife and Countryside Act 1981 as amended.**

In section 5, under table 4 it states that *If trees, shrub or hedgerow habitats need to be clipped during bird nesting season or the Dormouse breeding season, this will need to be preceded by a check by an ecologist, and supervised by a licenced Ecologist. If an active bird or Dormouse nest is found, a 5 metre or 15 metre (respectively) buffer needs to be kept free from disturbance.* Due to the potential for these species to be on site now, this must be started immediately, not only once all construction has been completed.

A mammal burrow with freshly dug earth (which would indicate activity) was found within the boundary of the railway line. It was monitored for 28 days with a trail camera and determined not to be currently used. As badgers use a variety of subsidiary setts at different times it may be used in future. The toolbox talks given to the construction team must include information on signs of

badgers and what to do if they see anything. Badgers are known to tear holes in reptile fences, so there must be a system in place to monitor these fences daily and the construction team and site manager must be informed that any breaches are an urgent issue, to be reported and fixed immediately.

Bat foraging activity was discussed, but there was no indication of when this was done or how often. Four trees were assessed for bat roost potential in July 2019 and again in May 2022 and no potential bat roost features were recorded. Section 2.8 should be updated to provide the most recent lighting guidance for bats. The 2018 guidance superseded the 2009 guidance and should be used instead of the older guidance cited. It is available at: <https://cieem.net/resource/bats-and-artificial-lighting-in-the-uk/>.

Breeding birds, otter and water vole records, and confirmed presence of an otter are in the vicinity, but it is not clear from this report where these are located with respect to this phase of development.

Reptiles were recorded in several areas of grassland along field margins, but no records/dates and times were included in this report. Reptile mitigation and habitat management for reptiles are satisfactory as described. A monitoring survey of the receptor site will be done once all phases of the development have been completed. Ongoing management and monitoring for five years has been mentioned but no specific requirements for monitoring were given within this time period. "As required" is not sufficient. Subsequent reptile monitoring visits should be completed in years 1, 3 and 5, with results submitted to the local planning authority and Hampshire Biological Information Centre.

The precautionary methods to avoid impacts to bats, nesting birds, badgers, water voles, and otters are satisfactory.

The dormouse mitigation, management and monitoring outlined in this report and specified in the license must be shown on a plan in this report. Figure 5 shows where the dormouse habitat is proposed to be removed, but the locations of dormouse nest boxes need to be added to the ecological enhancements plan (Plan 1) at the end of the report.

Lisa Malter

Ecologist