



Retrospective Preliminary Ecological Appraisal and Preliminary Roost Assessment

Mr Andy Hewitt

15 Lower New Road, West End, Southampton, Hampshire, SO30 3FJ

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

Executive Summary

Arbtech Consulting Limited was instructed by Mr Andy Hewitt to undertake a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) at 15 Lower New Road, West End, Southampton, Hampshire, SO30 3FJ (hereafter referred to as “the site”). The survey was required to inform a planning application for the erection of a single-storey rear kitchen/diner extension to the main dwelling B1, to include the demolition of an outbuilding B2 (hereafter referred to as “the proposed development”).

This survey has been conducted retrospectively following works carried out by the council and client following a Section 215 notice. Council clearance of the land, including tree felling has already been conducted. Remedial work to the main building has already commenced including an internal strip and roof works.

The following is work you will need to commission to obtain planning permission and to comply with legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 7 of this report.

Feature	Foreseen impacts	Recommendations <i>Measures required to adhere to guidance, legislation and planning policies.</i>
Habitats and flora	The proposed development will result in the loss of the outbuilding B2 and area of hardstanding in the passage between the two buildings. The proposed excavation of the JKW on site is likely to encroach onto the land within the development boundary to remove the felled tree stumps at the rear of the main building. The extent of the excavation is not yet known and is pending a review from the JKW removal company. The removal of broadleaf trees and scrub habitat from within the development area has resulted in a loss in biodiversity at the site. The excavation of land within the development boundary will result in a loss of wildlife habitat.	To compensate for the proposed habitat losses at the site, the following habitat creation measures should be incorporated: • The remaining trees on site will be retained during soft landscaping of the site. • New native tree planting will be incorporated into landscape designs to replace lost trees. These could be located around the site boundary to provide screening. • The proposed gardens for the two residences should include native shrub planting. • Wood from tree felling should be retained and piled in a quiet area of the site to provide wildlife hibernacula. Controlled removal of the JKW is required and certification provided by the approved company.
Amphibians and reptiles	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. This is not anticipated to impact amphibian and reptile habitat however, site excavations to remove JKW may result in the removal of habitat from within the development boundary. It is not anticipated GCN are present within the site due to a lack of known populations within 500m and the urban surroundings of the site.	A precautionary working method will be adopted during the JKW excavation. This will include ecological supervision prior and during excavation of the soil. Full details are provided in Table 7.
Roosting bats B1	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on bats in this location as a result of the proposed development.	The retrospective survey did not conclude that bats have used the building for roosting. As such the following measures are recommended.

		- All destructive works will continue during the bat hibernation season (November -March) and be completed by the end of March. This includes the repair to the roof tiles and the replacement of the windows. - Should a bat or evidence of bats be discovered all work must stop and a suitably licenced ecologist contacted.
Roosting bats B2	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on bats in this location as a result of the proposed demolition of this building.	Due to the lack of suitable roost habitat within B2 the following has been recommended. - All destructive works will continue during the bat hibernation season (November -March) and be completed by the end of March. - The roof tiles will be removed carefully by hand prior to any mechanical demolition. - Should a bat or evidence of bats be discovered all work must stop and a suitably licenced ecologist contacted.
Terrestrial mammals	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. Site excavations to remove JKW may result in the removal of habitat from within the development boundary that could be used by hedgehogs. This could result in the disturbance, injury or death to animals present.	A precautionary working method will be implemented during the removal of the JKW within the site and development boundary. Full details are provided in Table 7.
Nesting birds	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. This will result in the loss of nesting habitat for small birds. The proposed development could result in the disturbance of nesting birds and lead to nest abandonment.	Works should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the building/tree/vegetation should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.
invertebrates	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. This will not result in the loss any habitat used by invertebrates, however, site excavations to remove JKW may result in the removal of habitat from within the development boundary that could be used by invertebrates.	To compensate for the loss of ground layer soil and flora during site clearance, the following measures will be implemented. - Areas not affected by JKW will be retained, thereby preserving some of the soil bed and micro-fauna within the site. - Habitat piles will be created using the dead wood and felled tree sections still present onsite. - Flowering trees and shrubs will be incorporated into soft landscaping designs for the garden areas. - Scrub habitat will be encouraged in appropriate areas within the site to replace the lost bramble.

		Insect boxes will be installed around the site to provide additional habitat for insects and invertebrates.
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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Mr Andy Hewitt to undertake a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) at 15 Lower New Road, West End, Southampton, Hampshire, SO30 3FJ (hereafter referred to as “the site”). The survey was required to inform a planning application for the erection of a single-storey rear kitchen/diner extension to the main dwelling B1, to include the demolition of an outbuilding B2 (hereafter referred to as “the proposed development”).

A plan showing the proposed development is provided in Appendix 1.

The aim of the PEA was to obtain data on existing ecological conditions, and to conduct a preliminary assessment of the likely significance of ecological impacts on the proposed development. The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting.

No previous ecology reports have been produced for this site by Arbtech Consulting Ltd or, to the author’s knowledge, by any other consultancy.

1.2 Site Context

The site lies to the northeast of Southampton located at National Grid Reference SU46811458 and has an area of approximately 0.1ha comprising a main dwelling serving two individual residences, an outbuilding and associated garden areas. It is surrounded by dense residential development extending to the north, south and east. To the west is an area of woodland and open green space, Hatch Grange. In the wider landscape is a large expanse of mixed woodland to the south. A tributary of Southampton Waters is located 3km west of the site.

A site location plan is provided in Appendix 2.

1.3 Scope of the Report

The PEA element of this report describes the baseline ecological conditions at the site, evaluates habitats within the survey area in the context of the wider environment and describes the suitability of those habitats for notable or protected species. It identifies possible ecological constraints as a result of the proposed development and summarises the requirements for further surveys and mitigation measures to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

The PRA element of this report provides a description of all features suitable for roosting, foraging and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- A desk study has been carried out.

- A field survey has been undertaken to record baseline information on the site and surrounding area including habitat types and their suitability for notable or protected species, including roosting bats.
- Invasive plant and animal species (such as those listed on Schedule 9 of the Wildlife & Countryside Act) have been identified.
- Potential impacts on features of value, as a result of the proposed development, have been identified.
- Recommendations for further surveys and mitigation have been made.
- Opportunities for the enhancement of the site for biodiversity have been set out.

2.0 Methodology

2.1 Desk Study

The desk study included a review of the magic.gov.uk database for statutory designated sites within a 2km radius of the site. Landscape value and the presence of notable habitats as well as granted European Protected Species Licence (EPSL) and notable species records held on magic.gov.uk database has also been considered where these are within influencing distance of the site.

2.2 Field Survey

The survey was undertaken by Merry Anderson (Natural England Bat Licence Number: 2022-10316-CL18-BAT, GCN license number: 2022-10738-CL08-GCN) on 16/11/2022.

Preliminary Ecological Appraisal

An extended habitat survey was undertaken, following the methodology set out in UK Habitat Classification User Manual (UK Habitat Classification Working Group, 2018). All land parcels are described and mapped and, where appropriate, target notes provide supplementary information on habitat conditions, features too small to map to scale, species composition, structure and management. Botanical species lists were compiled with reference to the DAFOR scale (D = Dominant; A = Abundant, F = Frequent, O = Occasional, R = Rare).

During the survey, habitats were assessed for their suitability to support protected species, and field signs indicating their presence recorded. The assessment takes into consideration the findings of the desk study, the habitat conditions on site and in the context of the surrounding landscape, and the ecology of the protected species.

Preliminary Roost Assessment

The PRA focussed on 2 built structures which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging and commuting habitat.

For any surveyed buildings:

A non-intrusive visual appraisal was undertaken from the ground, using binoculars to inspect the external features of the buildings for features which bats could use for roosting, including access or egress points and for signs of bat use including droppings, scratch marks, insect remains and urine smear marks. An internal inspection of the buildings was also made, including the living areas and any accessible roof spaces, using a torch and ladders. The surveyor paid particular attention to the floor and flat surfaces, window shutters and frames, lintels above doors and windows, and carried out a detailed search of numerous features within the roof space. An endoscope was used to complete a close-up inspection of any accessible features, where appropriate.

Suitability Assessment

Built structures were categorised according to the likelihood of bats being present and the types of roost that the identified features could support. This is summarised in Table 1 for buildings below. Roost suitability is classified as high, moderate, low and negligible and dictates any further surveys required before works can proceed.

Table 1: Features of a building that are correlated with use by bats

Classification	Feature of building and its context
Moderate to high	Buildings or structures with features of particular significance for larger numbers of roosting bats e.g. mines, caves, tunnels, icehouses and cellars. Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. Site is connected with the wider landscape by strong linear features that would be used by commuting bats e.g. river and or stream valleys and hedgerows. Site is proximate to known or likely roosts (based on historical data). Buildings with high suitability could support roosts of high conservation value such as maternity or hibernation roosts.
Low	A small number of possible roost sites or features, used sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators. Habitat suitable for foraging in close proximity, but isolated in the landscape. Or an isolated site not connected by prominent linear features. Few features suitable for roosting, minor foraging or commuting.
Negligible	Unsuitable for use by bats.

2.3 Limitations

It should be noted that whilst every effort has been made to describe the baseline conditions within the survey area, and evaluate these features, this report does not provide a complete characterisation of the site. This assessment provides a preliminary view of the likelihood of protected species being present. This is based on suitability of the habitats on the site and in the wider landscape, the ecology and biology of species as currently understood, and the known distribution of species as recovered during the searches of historical biological records.

A biological records data search has not been undertaken. However, given the location of the site, the nature of the habitats present, and the assessed suitability of the site for protected or notable species, it is not anticipated that the purchase of biological records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

The internal stripping of the main house has already commenced, including floorboards and new loft hatches in the roof. This has been done following the section 215 notice from the council.

The land surrounding the buildings has been cleared of trees and ground cover scrub. As a consequence, there is no habitat of any value remaining.

The presence of scaffold around the building obscures close inspection of the roof elevations and as such, the roof could only be viewed at a distance.

A line of sight onto the cross-gable elevations could not be established and as such it was not possible to survey this elevation.

This survey has been conducted retrospective of extensive works carried out within the internal building and loft spaces to replace ceilings and remove the chimney.

These limitations have been taken into account during the evaluation of the site and requirement for further surveys and mitigation.

3.0 Results and Evaluation

3.1 Designated Sites

Details of any statutory designated sites within a 2km radius of the site, including their reasons for notification, are provided in Table 2 below.

Table 2: Statutory designated sites within 2km radius of the site

Designated site name	Distance from site (approx.)	Reasons for notification from Natural England
Moorgreen Meadows Site of Special Scientific Interest (SSSI)	1.1km west	The meadows lie on alluvium and clay with thin deposits of peat. The sward comprises at least 17 codominant herbs and grasses and is of exceptional scientific importance for its populations of marsh orchids. In particular the site includes a geographically isolated population of the Northern Marsh Orchid, the nearest other localities being in Wales, Staffordshire and Yorkshire. The plants grow in close juxtaposition to four other species of the genus – early marsh orchid, common spotted orchid, heath spotted orchid, subspecies and southern marsh orchid. Hybrids between the five species occur in every combination and the site can thus be regarded as a 'hot bed' of micro-evolution.
River Itchen SSSI and Special Area of Conservation (SAC)	1.7km northwest	This site is notified for classic chalk stream and river, fen meadow, flood pasture and swamp habitats, particularly formations of in-channel vegetation dominated by water crowfoot, riparian vegetation communities (including wet woodlands) and side channels, runnels and ditches associated with the main river and former water meadows. The site is also notified for significant populations of the nationally rare southern damselfly and assemblages of nationally rare and scarce freshwater and riparian invertebrates, including the white-clawed crayfish. This site is notified for otter, water vole, freshwater fishes including bullhead, brook lamprey and Atlantic salmon, and the assemblage of breeding birds including tufted duck, pochard and shoveler, the waders lapwing, redshank and snipe, and wetland passerines including sedge warbler, reed warbler and Cetti's warbler.

3.2 Field Survey Results

The results of the field survey are illustrated in Appendix 3. The weather conditions recorded at the time of the survey are shown in Table 3.

Table 3: Weather conditions during the survey

Date: 15/11/2022	
Temperature	14°C
Humidity	97%
Cloud Cover	100%
Wind	6mph
Rain	Heavy

Habitats and Flora

The following habitats are present within and adjacent to the site:

- w1h 11 other woodland, mixed, scattered trees
- h2b 48 other hedgerow, non-native
- c1f 1160 48 horticulture, introduced shrub, non-native

- w1h 11 53 other woodland, mixed, scattered trees, felled
- g4 330 modified grassland, scrub
- u1b other developed land

A description and photographs of each habitat are provided in Table 5.

Japanese knotweed (a non-native invasive plant species) was recorded in area on the site.

Table 4: Description and photographs of habitats within and adjacent to the site

Habitat Type	Habitat description	Photograph
• w1h 11 53 other woodland, mixed, scattered trees, felled • g4 330 modified grassland, scrub	<i>Site looking northeast.</i> Picture opposite is the site after clearance by the council following a Section 215 notice. The above photograph shows the area to the northeast of the main dwelling which has been cleared of all trees and ground scrub. An inspection of the remaining cuttings found there to be a dominance of bramble and carex sedge with occasional broadleaf dock and teasel. Japanese knotweed is also abundant. Bamboo retained along the fence line. Piles of woodchip from tree felling are present around the site. This area will not be impacted by the proposed development however there is a proposal going forward for the excavation of the site to remove the JKW. It is not yet known the full extent of the excavation; however, it will require the removal of all affected the soil to a maximum depth of 1.5m. Consequently, this will result in the destruction of the existing habitats onsite. <i>Site looking west.</i> This photograph below shows the area to the rear of the main dwelling which will make up the garden for the proposed development. This has also been cleared with five trees retained comprising predominantly sycamore with one hawthorn in the corner of the site. Some shrub vegetation has also been retained along the boundary fence line including dogwood, variegated ivy and euonymus. The stumps have been left in-situ to be excavated with a digger. The ruderal vegetation and scrub have been strimmed to ground level and subsequently covered in leaf litter. An inspection found it to comprise predominantly of bramble and common ivy.	

h2b 48 other hedgerow, non-native	<i>Site looking south</i> Extending from the western boundary panel fence is a privet hedgerow. This has been retained in the clearance and still serves as a boundary to the adjacent garden area.	
w1h 11 other woodland, mixed, scattered trees	<i>Site looking northwest</i> This photograph shows the remaining trees to the rear of the property.	

c1f 1160 48 horticulture, introduced shrub, non-native	<i>Northeast side of the building</i> This photograph shows new shoots of Japanese knotweed (JKW) growing near to the main dwelling. This is a schedule 9 non-native and invasive species as listed in the Wildlife and Countryside Act 1981 (as amended). JKW is also present throughout the cleared area. This is due for excavation by the district council and Japanese Knotweed Ltd.	
u1b other developed land	<i>Northeast side of the building</i> This photograph shows the remnants of what was a small extension off the side of the building.	

Fauna

Bats

4 European Protected Species Licences (EPSLs) for bat roosts have been returned within 2km of the site.

2019-42509-EPS-MIT -The nearest is a licence for damage to a resting place for common pipistrelle and serotine bats, located 550m northeast of the site.

2016-22944-EPS-MIT – This licence is for the destruction of a brown long-eared and common pipistrelle resting place, located 700m east of the site.

2016-22386-EPS-MIT – This licence is for damage to a resting place for brown long-eared, common and soprano pipistrelle bats, located 1.5km northeast of the site.

2019-43199-EPS-MIT – this licence is for damage to a resting place for common pipistrelle bats located 1.7km west of the site.

Foraging and commuting habitat.

The site is located on the northwest fringe of a large housing estate with an expanse of woodland and green open space to the rear extending to the west. This will be used by foraging and commuting bats that will feed on insects congregating around the tree canopies and long grass margins. The site itself had a small copse of broadleaf trees which have now been felled but is likely to have provided some forage for bats navigating through the area to more extensive feeding grounds.

The results of the PRA are provided in Table 5. No evidence of roosting bats was identified during the survey.

Table 5: Assessment of the suitability of the site for bats

Feature Ref	Description	Photographs
B1 (exterior) B1 southeast elevation	B1 is a two-storey brick build detached building serving two individual residences. The roof is clad in clay tiles and ridge. The building is in a derelict state and has been served with a Section 215 notice. This has led to remedial works being conducted to make the building safe. There is currently scaffolding on all sides and work to renew the box soffit around the extent of the roof has been completed. The windows are boarded however gaps are present on the second-floor elevation that could be used by bats to access the building. A ground level inspection was conducted using binoculars to assess the roof for bat roost value. The roof appears in moderate condition with no areas of slipped, missing or damaged tiles. The ridge is complete and has been recently repaired on the corner. Two vented tiles are installed on this elevation which are intact and well fitted within the roof.	

B1 south and west elevation	Due to the presence of scaffolding a line of sight onto the west elevation could only be established from a distance. This has been noted in the survey limitations. The roof on this elevation appears in moderate condition however, there are areas of lifted tiles which could be used by crevice dwelling bats as a day roost.	
B1 east elevation	The east elevation is partially obscured by a scaffold platform and is only visible from a distance. The roof on this elevation appears in moderate condition. The planks leaning on the roof suggest some repair work has already been completed. An internal inspection from within the loft discovered a chimney has been removed from this elevation.	

B1 northwest elevation	A line of sight onto the cross-gable elevations could not be established and as such it was not possible to survey this elevation. This has been noted in the survey limitations. The gable end has been fitted with a new box soffit.	
B1 southwest elevation	This photograph details the small gaps present under two tiles on the western elevation. These have been circled in red for clarity.	

B1 internal no.15	These photographs show the internal works that have been conducted within the property. The top photograph shows the gap present under the window board that could be used by bats to access the building. Internally the rooms have been stripped of all fixtures and fittings and have no crevices or dark corners. As such, the internal space offers negligible roost habitat for bats. An inspection was conducted using a torch to check for any evidence of bat occupation. Particular attention was paid to the edges of the floor and wall and along the windowsill. No droppings or feeding signs were recovered from any of the rooms. During the survey, works continued which caused a high level of noise, vibration, and disturbance. This would make the internal space less suitable for roosting bats.	 West End Nov 15, 2022 10:16:06 am West End Nov 15, 2022 10:16:22 am arbtech
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B1 loft 1 Looking northwest	The internal roof has two loft spaces, separated by an internal wall. Pictured opposite is the loft space serving no.15 on the west side of the building. The loft is constructed from modern timbers and lined in bitumen felt. A new loft hatch has been installed at the time of the survey. On entering the loft, the cold draught was immediately notable. This would make the space less favourable for roosting bats and unsuitable for maternity roosts.	

B1 loft 1 Looking south	A thorough internal inspection was conducted to look for any evidence of bat occupation including roosting bats, droppings, feeding signs or urine marks. Stored items were lifted, and the floor of the loft examined for concealed bat evidence. Particular attention was paid to the ridge lines and purlins where bats are usually found roosting. No evidence of bat occupation was recovered. Rat droppings were seen in small numbers.	 West End Nov 15, 2022 10:10:39 am arbtech
B1 loft 1 looking southeast	This photograph shows an area of the loft with shredded loft insulation. This was the only area where the floor was concealed. This was checked for bat droppings, insofar as was possible, but no evidence was found.	 West End Nov 15, 2022 10:26:29 am arbtech

B1 loft 1 Looking northwest	This photograph shows new plaster ceiling boards that have been installed into the room below. The space between the floor joists was examined for bat droppings however none were found.	 West End Nov 15, 2022 10:22:37 am arbtech
B1 loft 1	This photograph shows the original loft floor which has been cleared to install new electrical cables. The loft floor is covered in brick dust and rubble. No bat droppings or feeding signs were found in the area.	 50°55'44"N 1°20'7"W Nov 15, 2022 10:32:25 am arbtech

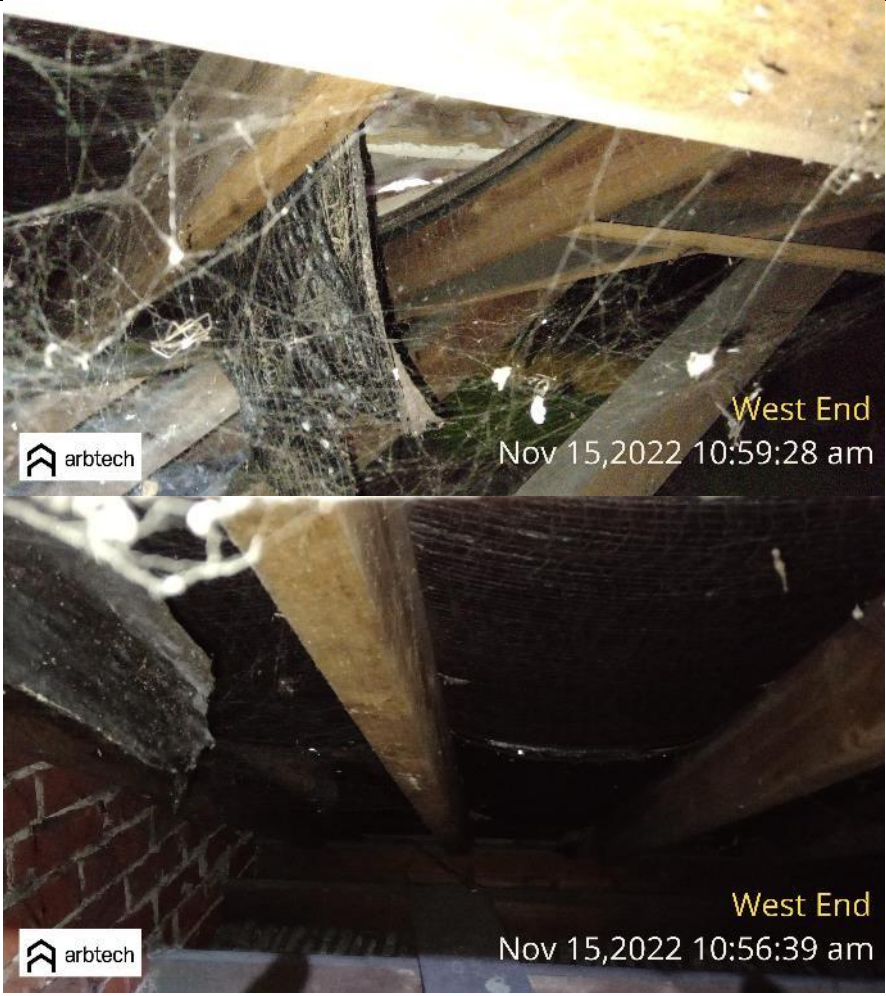
B1 internal no.17	These photographs show the internal works conducted in the other side of the building. The rooms have been completely stripped and the windows boarded. An inspection was conducted inside each room to check for evidence of roosting bats however no droppings, feeding signs or urine stains were recovered. The middle image shows the condition of the property and the unsafe condition of the building. Rotten floors and ceilings present a health and safety risk.	 West End Nov 15, 2022 10:43:07 am arbtech  West End Nov 15, 2022 10:43:27 am arbtech
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B1 loft 2 no.17 Looking north	This photograph shows the second loft space to the east of the building. Situated at the gable end is a cavity wall however this does not extend to the apex of the roof. This was examined for evidence of roosting bats in between the walls and along the top of the walls however no evidence was recovered. A pile of rugs containing mirrors and various cushions were present around the loft hatch. These were examined for bat evidence however only rat droppings were found.	

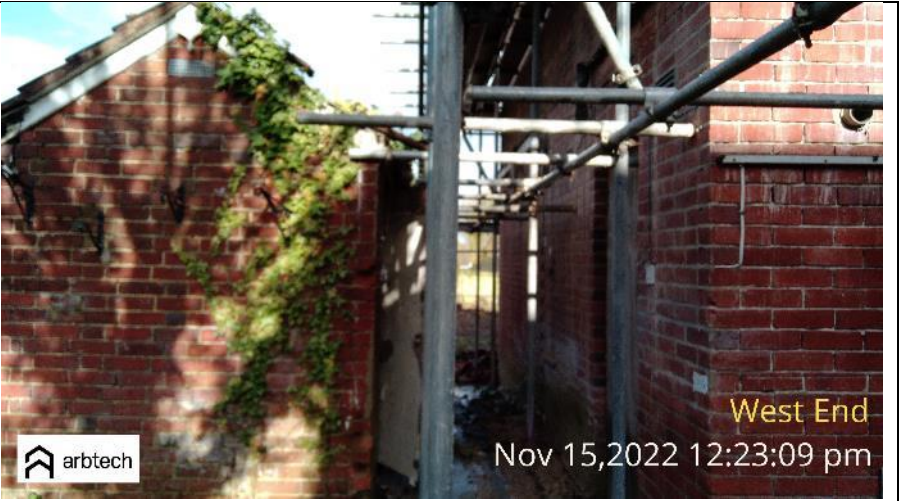
B1 loft 2
Looking east

This photograph shows the chimney that has been removed from the east elevation. New tiles and breathable roof membrane has been installed over the hole in the roof. The remaining brick surround was thoroughly examined for bat droppings however none were recovered.



B1 loft 2	These photographs show areas of the roof where daylight ingress can be seen through rips and sags in the roof lining. There was a notable draught through these holes. The condition of the roof lining in this loft is poor with several areas of damage allowing air to pass into the loft space. Close examination of these gaps in the tiles found most to be too small to be suitable for a bat to access however some large gaps were identified that would bats into the roof space through rips in the roof lining.	
Building B1	B1 Evidence of bats B1 Evidence of breeding birds	No evidence of previous bat occupation was recovered from an external or internal survey of the building. No roosting bats were observed during the survey. No evidence of breeding birds was observed during the survey.

B2 Exterior North and west elevations	B2 is a small single-storey brick outbuilding. The roof is clad in clay tiles and ridge with extensive damage to one side. There are 4 windows present on this elevation, two of which are broken. Bats and small birds are able to access the internal building through these windows or the missing section of tiles. The gable end is covered in ivy. This was inspected and found to contain a birds nest.	 West End Nov 15, 2022 11:52:11 am
B2 northwest elevation	This photograph details the damage to the roof.	 West End Nov 15, 2022 12:18:00 pm

B2 northeast elevation	This photograph shows the west gable end and walkthrough between the outbuilding and main house. This was a covered area with metal roofing which has been removed.	
B2 interior room 1	The outbuilding is separated into 3 rooms, one of which is an outdoor toilet. The room is well lit with no dark crevices for bats to roost. The floor is wet from water ingress through the hole in the roof. The missing roof tiles makes the inside space exposed and draughty. This room is assessed as unsuitable for roosting bats. No evidence of bats was recovered from an inspection of the floor and walls.	

B2 interior room 2	The second room is a storage area which was empty at the time of the survey. The walls are painted white. There is a wooden box seat located on the back wall. The roof is intact and lined in bitumen felt. An inspection was conducted on flat surface and along the wall top to check of bat evidence however none was found. The window allows light spill into the room making it less suitable for roosting bats.	 West End Nov 15,2022 11:29:57 am
B2 interior room 3	The third room is also an outdoor toilet and is the darkest room in the building. The roof is intact. An inspection using a torch found no evidence of roosting bats.	 West End Nov 15,2022 11:30:57 am
Building B2	B1 Evidence of bats B1 Evidence of breeding birds	No evidence of previous bat occupation was recovered from an external or internal survey of the building. No roosting bats were observed during the survey. Evidence of breeding birds was observed during the survey. A nest was discovered in ivy on the gable end of the building.

Other Species

An assessment of the suitability of the site for protected or notable species is provided in Table 6.

Table 6: Assessment of the suitability of the site for protected or notable species (retrospective of site clearance)

Species	Assessment of suitability
Amphibians	1 pond is present located 400m northwest of the site which has not been tested for the presence of great crested newt (GCN). There are no recorded populations of GCN within 500m of the site. GCN typically travel up to 500m between breeding ponds in good connecting habitat. The site is located on the fringe of a residential development with ecological barriers such as roads and footpaths presenting a obstacle to the migration of amphibians into the site. It is therefore not anticipated GCN are present within the site. A review of the Magic database did not find any ponds testing positive for GCN within 500m of the site. No licence returns are recorded for GCN within 500m of the site. The habitats onsite consist of bramble scrub and leaf litter which could be used by common amphibians such as frogs and toads. Piles of bricks, spoil and soil are also present which maybe used as hibernacula. The site is adjacent to an area of green space and woodland. Frogs and toads are highly mobile and have been known to negotiate roads to commute between habitats. As such, their presence within the site cannot be discounted.
Reptiles	No EPSL records for fully protected reptiles have been returned within 2km of the site. The site is heavily shaded by tree canopy making it unsuitable for most reptiles which required exposed sunny areas for basking, however slow worms may be present within the spoil piles and ground layer vegetation. Site clearance is likely to have resulted in some displacement of slow worms during works however their continued presence within the site cannot be discounted as they will recolonise known habitat. The layer of bramble brush and leaf litter may be used by sheltering slow worms.
Badgers	The site is not suitable for badgers to colonise due to the small size and urban location.
Hazel Dormouse	The site contains no habitat to support dormice and is severed from the wider landscape by a lack of arboreal corridors. I EPSL for dormouse was returned from a review of the Magic database located 4.5km southeast of the site.
Hedgehog	Hedgehogs are highly mobile and well adapted to urban environments so will commute through gardens to forage. The woodland and scrub habitat within the site will provide abundant food and may provide shelter within the leaf litter.
Otter and Water vole	The site has not suitable habitat to support otter of water vole due to a lack of watercourses on or adjacent to the site.
Birds	The trees, scrub and hedgerow habitat onsite is likely to support assemblages of common garden and woodland bird species such as wrens, tits and finches. Tree dwelling species such as nut hatch and tree creeper may be use holes and crevices in damaged trees. A small nest was discovered during the survey, tucked into the ivy on the outbuilding gable end. Bramble scrub will provide abundant food resources and shelter for small nesting birds.
Invertebrates	The woodland ground layer provides high value habitat for assemblages of saproxylic invertebrates and ground beetles that require the dead wood and leaf litter to complete their lifecycles. Bramble scrub is known to support a high diversity of insect species. Flowering tree species will provide a foraging resource for pollinating insects.

4.0 Conclusions, Impacts and Recommendations

4.1 Informative Guidelines

A summary of the relevant legislation and planning policies is provided in Appendix 4.

Likelihood of the Presence of Protected Species

Where physical evidence of the presence of protected species is indeterminate during the survey, the habitats on site are evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat.

Where this report supports a planning application, the ecological interest of the study area (i.e. the area covered by the desk study and field survey) and the proposed development has also been evaluated in terms of the planning policies relating to biodiversity.

4.2 Evaluation

Taking the desk study and field survey results into account, Table 7 presents an evaluation of the ecological value of the site and also details any ecological constraints identified in relation to the proposed development which will comprise the development of a single-storey extension to the rear of the main dwelling B1 and the demolition of the outbuilding B2.

Table 8: Evaluation of the site and any ecological constraints

Ref	Summary of Survey Findings	Foreseen Impacts	Recommendations <i>Measures required to adhere to guidance, legislation and planning policies.</i>	Biodiversity Enhancements <i>The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021) East Hampshire District Local Plan: Joint Core Strategy.</i>
Designated sites	The site is not subject to any statutory designation. There are 2 statutory sites within 2km of the site, the closest being Moorgreen Meadows SSSI located 1.1km west of the site. The site is not within the impact zone for this designation. The presence of non-statutory designated sites within 2km of the	No impacts to designated sites are anticipated due to the small scale and distance of the proposed development from such sites (where known) as well as the urban location of the site with surrounding physical barriers.	None	None.

	site cannot be established without data from Hampshire Biodiversity Information Centre.			
Habitats and flora	Three mature broadleaf trees, non-native hedgerow and shrub vegetation are remaining within the development boundary following clearance work onsite. Deciduous broadleaf woodland, coastal and floodplain grazing marsh and good quality semi-improved grassland habitats are present in the wider landscape within 2km of the site. JKW was identified within the development boundary which has spread and is now present within a meter of the main building B1. This is likely due to increased light level as a result of the tree felling. JKW is listed as an invasive, non-native species under Schedule 9 of the Wildlife and Countryside Act 1981.	The proposed development will result in the loss of the outbuilding B2 and area of hardstanding in the passage between the two buildings. The proposed excavation of the JKW on site is likely to encroach onto the land within the development boundary to remove the felled tree stumps at the rear of the main building. The extent of the excavation is not yet known and is pending a review from the JKW removal company. The removal of broadleaf trees and scrub habitat from within the development area has resulted in a loss in biodiversity at the site. The excavation of land within the development boundary will result in a loss of wildlife habitat.	To compensate for the proposed habitat losses at the site, the following habitat creation measures should be incorporated: - The remaining trees on site will be retained during soft landscaping of the site. - New native tree planting will be incorporated into landscape designs to replace lost trees. These could be located around the site boundary to provide screening. - The proposed gardens for the two residences should include native shrub planting. - Wood from tree felling should be retained and piled in a quiet area of the site to provide wildlife hibernacula. Controlled removal of the JKW is required and certification provided by the approved company.	The following habitat creation and enhancement opportunities could be incorporated into the proposed development: - Native tree, hedgerow and shrub planting. - Creation of wildflower areas in new gardens. Species-specific enhancement opportunities are detailed later in this table.
Amphibians	The site contains rubble and spoil piles that may be used by sheltering amphibians. Highly mobile species may have recolonised the area following site clearance and could be present within the bramble brash, log piles and leaf litter.	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. This is not anticipated to impact amphibian habitat however, site excavations to remove JKW may result in the removal of amphibian habitat from within the development boundary. It is not anticipated GCN are present within the site due to a lack of known populations within 500m and the urban surroundings of the site.	A precautionary working method will be implemented for common amphibians during the JKW excavation, including the following measures: - Site clearance will be undertaken outside of the amphibian hibernation season (November to February) insofar as is possible. - A pre-commencement inspection of the site will be undertaken for amphibians. This should be conducted by a suitably qualified ecologist. - A toolbox talk will be given to contractors regarding the possible presence of amphibians at the site.	The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for amphibians: - Creation of amphibian refugia and hibernacula using debris and brash from site clearance. - Planting of native scrub and grassland to

			• Heras fencing will be erected around the working area to prevent encroachment into retained habitats where amphibians could be present. • Any spoil, wood or rubble piles will be carefully following a fingertip search and dismantled by hand prior to excavation. • Areas of soil to be removed should be cleared of cover vegetation ie leaf litter and brash to ensure amphibians are not present. • Best practice pollution prevention measures will be implemented to minimise impacts to retained habitats that amphibians could use. • Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations. • If any common amphibians are found in the working area these should be moved by hand to a vegetated area along the site boundaries or in retained habitats away from disturbance. • In the unlikely event that a great crested newt is identified, works must cease and advise must be sought from a suitably qualified ecologist.	increase foraging opportunities.
Reptiles	The site is unsuitable for most reptile species due to excessive shading from the trees and a lack of basking areas, however slow worms may be present within the ground layer vegetation, wood and spoil piles.	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. This is not anticipated to impact reptile habitat however, site excavations to remove JKW may result in the removal of reptile habitat from within the development boundary.	A precautionary working method will be implemented for reptiles during the JKW excavation, including the following measures: • Site clearance will be undertaken outside of the reptile hibernation season (November to February) insofar as is possible. • A pre-commencement inspection of the site will be undertaken for reptiles. This should be conducted by a suitably qualified ecologist. • A toolbox talk will be given to contractors regarding the possible presence of reptiles at the site. • Heras fencing will be erected around the working area to prevent encroachment into	The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for reptiles: • Creation of reptile refugia and hibernacula using debris and brash from site clearance. • Planting of native scrub and grassland to

			retained habitats where reptiles could be present. - Any spoil, wood or rubble piles will be carefully following a fingertip search and dismantled by hand prior to excavation. - Areas of soil to be removed should be cleared of cover vegetation ie leaf litter and brash to ensure reptiles are not present. - Best practice pollution prevention measures will be implemented to minimise impacts to retained habitats that reptiles could use. - Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations. - If any common reptiles are found in the working area these should be moved by hand to a vegetated area along the site boundaries or in retained habitats away from disturbance.	increase foraging opportunities. The creation of basking areas such as rock piles or areas of cleared ground with shelter nearby.
Roosting bats B1	Due to the Section 215 notice, remedial works to B1 have already commenced. A retrospective survey was conducted which found no evidence of previous bat occupation within the loft spaces or internal rooms within the building. Some areas of lifted tiles were observed from within the loft and on the external survey however, modifications to the roof and the level of noise, vibration and disturbance from site works makes the building unsuitable for roosting bats.	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on bats in this location as a result of the proposed development.	The retrospective survey did not conclude that bats have used the building for roosting. As such the following measures are recommended. - All destructive works will continue during the bat hibernation season (November -March) and be completed by the end of March. This includes the repair to the roof tiles and the replacement of the windows. - Should a bat or evidence of bats be discovered all work must stop and a suitably licenced ecologist contacted.	The installation of a minimum of two bat boxes on retained buildings will provide additional roosting habitat for bats e.g. Beaumaris Bat Box (buildings) Vivara Pro Woodstone Bat Box (buildings) Or a similar alternative brand. Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light.
Roosting bats B2	A survey of B2 found the building to be unsuitable for roosting bats due to exposure, water ingress and	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on bats	Due to the lack of suitable roost habitat within B2 the following has been recommended.	

	draught. An internal survey found no evidence of roosting bats.	in this location as a result of the proposed demolition of this building.	- All destructive works will continue during the bat hibernation season (November -March) and be completed by the end of March. - The roof tiles will be removed carefully by hand prior to any mechanical demolition. - Should a bat or evidence of bats be discovered all work must stop and a suitably licenced ecologist contacted.	
Foraging and commuting bats	The site has been cleared of woodland habitat that could have been used by foraging and commuting bats.	No impacts to foraging and commuting bats is anticipated from the proposed development. Given the location of the site within an area of residential housing, it is not anticipated the proposed development will result in additional light spill that would deter foraging or commuting bats from the area.	None.	The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for foraging bats: Planting of native tree, shrub and hedgerows to increase foraging opportunities.
Other terrestrial mammals	The clearance of the site has resulted in the loss of the scrub layer of bramble and the felling of trees. This has removed habitat that could be used by terrestrial mammals for forage and shelter, however the site may still be used by mobile species such as hedgehogs for foraging and the bramble brash and leaf litter left onsite could provide winter hibernacula for hedgehogs and other small mammals. The site has no connectivity to support dormice and is unsuitable for badgers to colonise. There is no nearby watercourse for otter or water to be present onsite.	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. Site excavations to remove JKW may result in the removal of habitat from within the development boundary that could be used by hedgehogs. This could result in the disturbance, injury or death to animals present.	A precautionary working method will be implemented during the removal of the JKW within the site and development boundary, including the following measures: - A toolbox talk will be given to contractors regarding the possible presence of hedgehogs at the site. - A pre-commencement inspection of the site will be undertaken for hedgehogs with the removal of brash and leaf litter from the proposed excavation and surrounding area. - Heras fencing will be erected around the working area to prevent encroachment into retained habitats where hedgehogs could be present. - Any excavations will be covered overnight, or a ramp will be installed to enable any trapped animals to escape. - The use of night-time lighting will be avoided, or sensitive lighting design will be	The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for hedgehogs: - Planting fruit bearing trees and species-rich grassland to increase foraging opportunities. - Creation of brash piles or installation of hedgehog houses in shady areas. - Installation of gaps under boundary fencing to enable hedgehogs to move freely through the site.

			implemented to avoid light spill on to retained habitats which hedgehogs could use. - Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations. - If a hedgehog is discovered, it should be moved using gloved hands to an area outside of the working area.	
Birds	The clearance of the site has removed a number of broadleaf trees and scrub which could have been used by garden and woodland bird species. There are three mature trees remaining within the development area which may still provide some habitat for canopy dwelling birds. A nest was discovered in some ivy on the gable of B2. The non-native hedgerow along the western boundary may provide some forage and nesting opportunity.	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. This will result in the loss of nesting habitat for small birds. The proposed development could result in the disturbance of nesting birds and lead to nest abandonment.	Works should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the building/tree/vegetation should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.	The installation of a minimum of two bird boxes on mature trees around the site boundaries or on retained buildings will provide additional nesting habitat for birds e.g. Schwegler No 17 Swift Nest Box (buildings) Schwegler 1SP Sparrow Terrace (buildings) Schwegler 1B Nest Boxes (trees) Schwegler 2H Robin Boxes (trees) Woodstone Nest Box (buildings or trees) Or a similar alternative brand. Tree boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole. Swift and sparrow boxes should be positioned at the eaves of a building and can be

				incorporated into the fabric of the building during construction.
Invertebrates	The site contains woodland ground layer habitat that has high value for saproxylic species and ground beetles due to deadwood and leaf litter present. Site clearance has removed the remaining habitat for insects and invertebrate species.	The proposed development will result in the loss of an outbuilding B2 and the hardstanding. This will not result in the loss any habitat used by invertebrates, however, site excavations to remove JKW may result in the removal of habitat from within the development boundary that could be used by invertebrates.	To compensate for the loss of ground layer soil and flora during site clearance, the following measures will be implemented. • Areas not affected by JKW will be retained, thereby preserving some of the soil bed and micro-fauna within the site. • Habitat piles will be created using the dead wood and felled tree sections still present onsite. • Flowering trees and shrubs will be incorporated into soft landscaping designs for the garden areas. • Scrub habitat will be encouraged in appropriate areas within the site to replace the lost bramble. • Insect boxes will be installed around the site to provide additional habitat for insects and invertebrates.	The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for invertebrates: • Native tree, hedgerow and shrub planting. • Creation of wildflower grassland. • Retention of deadwood on the site.

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Appendix 1: Proposed Development Plan



East Elevation



North Elevation



West Elevation



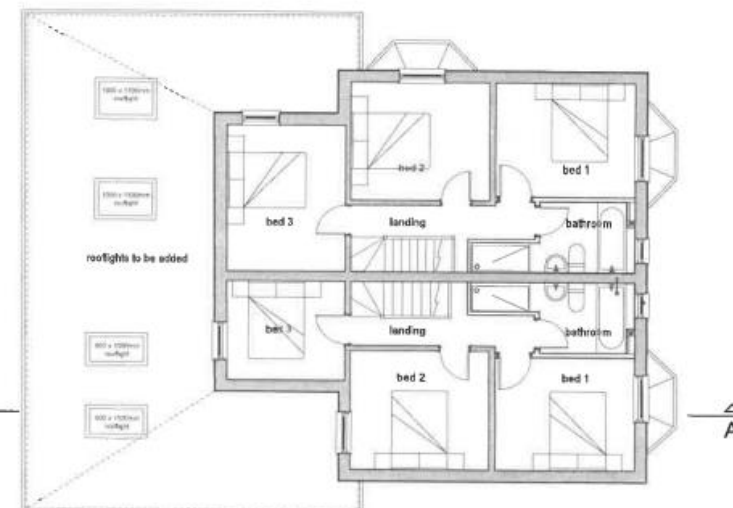
South Elevation

Proposed Elevations



- All drawings are subject to Planning and Building Control consent.
- The details shown are for design intent purposes only and are subject to further design development with suppliers and sub-contractors.
- Drawings subject to new/different and approved from local authority Building Control or an Approved Inspector.
- All building work dimensions should be checked on-site prior to construction and any discrepancies and/or omissions should be reported to the Architect immediately.

comment	
project	2217
proposed extensions	Eng no
15 & 17 Lower New Road	013
Southampton	ext
drawing	
Prepared Elevations	scale 1:100 4/24
	drawn by: gaw
	date 07.11.21
	checked by: msk
	date 07.11.21
eos architecture	
the studio: 17 redhouse road, hampshire, hants SO418BU	
e-mail: eos@eosarch.co.uk tel: 07593 551183	
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First Floor Plan



comment

project no. 2217
 drawing no. 02.11.11
 title. 1:100 site
 drawing title. 02.11.11
 sheet no. 02.11.11
 date. 02.11.11
 area. 02.11.11

Proposed Floorplans

eos architecture

the studio: 17 sowerden road, wokingham, hants RG40 2EQ
 01256 250000
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the studio: 17 sowerden road, wokingham, hants RG40 2EQ
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Appendix 2: Site Location Plan



Appendix 3a: Habitat Survey Plan



Appendix 3b: PRA Survey Plan



Appendix 4: Legislation and Planning Policy

LEGAL PROTECTION

National and European Legislation Afforded to Habitats

International Statutory Designations

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds (the Wild Birds Directive) respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe. Over 1000 animal and plant species, as well as 200 habitat types, listed in the directive's annexes are protected in various ways:

Annex II species (about 900): core areas of their habitat are designated as Sites of Community importance (SCIs) and included in the Natura 2000 network. These sites must be managed in accordance with the ecological needs of the species.

Annex IV species (over 400, including many Annex II species): a strict protection regime must be applied across their entire natural range, both within and outside Natura 2000 sites.

Annex V species (over 90): their exploitation and taking in the wild is compatible with maintaining them in a favourable conservation status.

SPAs are classified under Article 2 of the Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds both for rare bird species (as listed on Annex I) and for important migratory species.

The Conservation of Habitats and Species Regulations 2017 (as amended) form the legal basis for the implementation of the Habitats and Birds Directives in terrestrial areas and territorial waters out to 12 nautical miles in England and Wales (including the inshore marine area) and to a limited extent in Scotland and Northern Ireland.

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “*areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres*”.

However, they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended 01.04.1996) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites.

The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs). Further provisions for the protection and management of SSSIs have been introduced by the Nature Conservation (Scotland) Act 2004.

National Statutory Designations

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally.

Local Statutory Designations

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

Non- Statutory Designations

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

National and European Legislation Afforded to Species***The Conservation of Habitats and Species Regulations 2017 (as amended)***

The Conservation of Habitats and Species Regulations 2017 (as amended) aims to promote the maintenance of biodiversity by requiring the Secretary of State to take measures to maintain or restore wild species listed within the Regulations at a favourable conservation status.

The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

The Wildlife and Countryside Act (WCA) 1981 (as amended)

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1979, implemented 1982) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CROW) Act (2000).

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

Badgers

Badgers *Meles meles* are protected under The Protection of Badgers Act 1992 which makes it an offence to:

- Wilfully kill, injure, take, or attempt to kill, injure or take a badger
- Cruelly ill-treat a badger, including use of tongs and digging
- Possess or control a dead badger or any part thereof
- Intentionally or recklessly damage, destroy or obstruct access to a badger sett or any part thereof
- Intentionally or recklessly disturb a badger when it is occupying a badger sett
- Intentionally or recklessly cause a dog to enter a badger sett
- Sell or offers for sale, possesses or has under his control, a live badger

Effects on development works:

A development licence will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for any development works likely to affect an active badger sett, or to disturb badgers whilst they occupy a sett. Guidance has been issued by the countryside agencies to define what would constitute a licensable activity. It is no possible to obtain a licence to translocate badgers.

Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

- Intentionally (or recklessly in Scotland) kill, injure or take any wild bird
- Intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built
- Intentionally take or destroy an egg of any wild bird
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.
- Intentionally or recklessly obstruct or prevent any wild bird from using its nest (Scotland only)

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and are commonly referred to as “Schedule 1” birds.

This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young
- Intentional or reckless disturbance of dependent young of such a bird
- In Scotland only, intentional or reckless disturbance whilst lekking
- In Scotland only, intentional or reckless harassment

Effects on development works:

Works should be planned to avoid the possibility of killing or injuring any wild bird or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

Amphibians and Reptiles

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:

- To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
- To impair their ability to hibernate or migrate
- To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of reptiles are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to:

- Intentionally or recklessly kill or injure these species.

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

Water Voles

The water vole *Arvicola terrestris* is fully protected under Schedule 5 of the WCA. This makes it an offence to:

- Intentionally kill, injure or take (capture) water voles
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection
- Intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection

Effects on development works:

If development works are likely to affect habitats known to support water voles, the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) must be consulted. It must be shown that means by which the proposal can be re-designed to avoid contravening the legislation have been fully explored e.g. the use of alternative sites, appropriate timing of works to avoid times of the year in which water voles are most vulnerable, and measures to ensure minimal habitat loss. Conservation licences for the capture and

translocation of water voles may be issued by the relevant countryside agency for the purpose of development activities if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will then only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of works.

Otters

Otters *Lutra lutra* are fully protected under the Conservation Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
- To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
- To impair their ability to hibernate or migrate
- To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Otters are also currently protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored

Bats

All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. All bats)
- Deliberate disturbance of bat species in such a way as:
- To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
- To impair their ability to hibernate or migrate
- To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works are likely to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Hazel Dormice

Hazel dormice *Muscardinus avellanarius* are fully protected under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Dormice are also protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

Works which are liable to affect a dormice habitat or an operation which are likely to result in an illegal level of disturbance to the species will require a European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales (NB: Hazel Dormouse are entirely absent from Scotland)). The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

White Clawed Crayfish

There is a considerable amount of legislation in place in an attempt to protect the White-clawed crayfish *Austropotamobius pallipes*. This species is listed under the European Union's (EU) Habitat and Species Directive and is listed under Schedule 5 of the Wildlife and Countryside Act (1981). This makes it an offence to:

- Protected against intentional or reckless taking

- Protected against selling, offering or advertising for sale, possessing or transporting for the purpose of sale

It is also classified as Endangered in the IUCN Red List of Endangered Species. As a result of this and other relevant crayfish legislation such as the Prohibition of Keeping of Live Fish (Crayfish) Order 1996, a series of licences are needed for working with White-clawed and non-native crayfish. These are:

- A licence to handle crayfish (therefore survey work) in England
- A licence for the keeping of crayfish in England and Wales with an exemption for Signal crayfish (England).
- People in the post-code areas listed with crayfish present prior to 1996 do not need to apply for consent for crayfish already established. It does not, however, allow any new stocking of non-native crayfish into waterbodies. Consent for trapping of non-native crayfish for control or consumption is most likely to be granted in Thames and Anglian regions in the areas with "go area" postcodes.
- Harvesting of crayfish is prohibited in much of England and in any part of Scotland and Wales.

Effects on development works:

The relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will need to be consulted about development which could impact on a watercourse or wetland known to support white clawed crayfish. Conservation licences for the capture and translocation of crayfish can be issued if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of the works.

Wild Mammals (Protection Act) 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

Legislation Afforded to Plants

With certain exceptions, all wild plants are protected under the WCA. This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits any person from:

- Intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only)
- Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof

- In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. These are species of European importance. Regulation 45 makes it an offence to:
- Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species
- Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

Effects on development works:

A European Protected Species Licence (EPSL) will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for works which are likely to affect species of plants listed on Schedule 5 of the Conservation of Habitats and Species Regulations 2010. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Invasive Species

Part II of Schedule 9 of the WCA lists non-native invasive plant species for which it is a criminal offence in England and Wales to plant or cause to grow in the wild due to their impact on native wildlife. Species included (but not limited to):

- Japanese knotweed *Fallopia japonica*
- Giant hogweed *Heracleum mantegazzianum*
- Himalayan balsam *Impatiens glandulifera*

Effects on development works:

It is not an offence for plants listed in Part II of Schedule 9 of the WCA 1981 to be present on the development site, however, it is an offence to cause them to spread. Therefore, if any of the species are present on site and construction activities may result in further spread (e.g. earthworks, vehicle movements) then it will be necessary to design and implement appropriate mitigation prior to construction commencing.

Injurious weeds

Under the Weeds Act 1959 any landowner or occupier may be required prevent the spread of certain 'injurious weeds' including (but not limited to):

- Spear thistle *Cirsium vulgare*
- Creeping thistle *Cirsium arvense*
- Curled dock *Rumex crispus*
- Broad-leaved dock *Rumex obtusifolius*
- Common ragwort *Senecio jacobaea*

Effects on development works:

It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

NATIONAL PLANNING POLICY (ENGLAND)

Environment Act 2021

The Environment Act 2021 (EA 2021) received Royal Assent on 9 November 2021 and is expected to become fully mandated within the next couple of years. The Act principally creates a post Brexit framework to protect and enhance the natural environment. Through amendments to the Town and Country Planning Act 1990, the Act will require all planning permissions in England (subject to exemptions which is likely to include householder applications) to be granted subject to a new general pre-commencement condition that requires approval of a biodiversity net gain plan. This will ensure the delivery of a minimum of 10% measurable biodiversity net gain. The principal tool to calculate this will be the Defra Biodiversity 3.0 Metric. Works to enhance habitats can be carried out either onsite or offsite or through the purchase of 'biodiversity credits' from the Secretary of State. However, this flexibility may be removed (subject to regulations) if the onsite habitat is 'irreplaceable'. Both onsite and offsite enhancements must be maintained for at least 30 years after completion of a development (which period may be amended).

National Planning Policy Framework 2021

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

LOCAL PLANNING POLICY

East Hampshire District Local Plan: Joint Core Strategy (adopted 2014)

The East Hampshire District Local Plan: Joint Core Strategy can be viewed here:

<https://cdn.easthants.gov.uk/public/documents/DP01%20East%20Hampshire%20District%20Local%20Plan%20Joint%20Core%20Strategy%20COMPLETE.pdf>

The following planning policies have implications in relation to biodiversity and the proposed development:

- CP21 Biodiversity –
- Development proposals must maintain, enhance and protect the District's biodiversity and its surrounding environment. New development will be required to:
 - a) maintain, enhance and protect district wide biodiversity, in particular the nature conservation designations i) Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar (International); ii) Sites of Special Scientific Interest (SSSI) and National Nature Reserves (National); iii) Sites of Importance for Nature Conservation (SINC) (Hampshire) and Local Nature Reserves (LNR).
 - b) extend specific protection to, and encourage enhancement of, other sites and features which are of local value for wildlife, for example important trees, rivers, river corridors and hedgerows, but which are not included in designated sites.
 - c) contribute towards maintaining a district-wide network of local wildlife sites, wildlife corridors and stepping stones between designated sites and other areas of biodiversity value or natural green space. This will help to prevent the fragmentation of existing habitats and allow species to respond to the impacts of climate change by making provision for habitat adaptation and species migration. This is supported by Policy CP28 (Green Infrastructure) and the District's Green Infrastructure work.
 - d) ensure wildlife enhancements are incorporated into the design to achieve a net gain in biodiversity by designing in wildlife and by ensuring that any adverse impacts are avoided where possible or, if unavoidable, they are appropriately mitigated for, with compensatory measures only used as a last resort.
 - e) protect and, where appropriate, strengthen populations of protected species;
 - f) protect and enhance open spaces in accordance with the District's 'Open Space, Sports and Built Facilities Study', Policy CP17 (Protection of open space, sport & recreation) and Policy CP28 (Green Infrastructure). The provision of open space should be in advance of the relevant new developments being occupied.

Local BAP Name

HAMPSHIRE BAP volume two -

<http://documents.hants.gov.uk/biodiversity/HampshireBiodiversityActionPlanVolume2.pdf>

EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to ‘local populations’ of EPS and not individuals/site populations.