

Ecology response for F/26/101731 FAIRPORT HOUSE, LANDS END ROAD, BURSLEDON, SOUTHAMPTON, SO31 8DN

Installation of new jetty and pontoon

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Summary

Ecology objects in principle to this proposal.

1. The impact of the proposals on SAC and SPA habitat will have an adverse effect on the integrity of the SAC and SPA. The proposal will fail the HRA carried out by EBC (the responsible body) and therefore cannot be permitted. There are already five other access points to the water from this property, and another one cannot be justified.
2. The proposal relies on the sea wall, an unconsented structure.
3. Issues with the ecological information that has been submitted. The ecology risks identified by Mycelia software must also be addressed.
4. All of the documents required at validation by Eastleigh Borough Council have not been submitted. The list is available at [Ecology and Biodiversity Net Gain for Planning Applications](#), in the EBC Biodiversity Planning Guidance Note and the EBC Biodiversity Net Gain Strategy Form both available on that web page.

Discussion

I have reviewed the Supporting Statement, WaFD and WFD Assessments for Construction Works by Lymington Technical Services (July 2026), the Preliminary Ecological Appraisal Report (PEA), the Biodiversity Net Gain Report and the Shadow HRA for proposed construction works (June 2026) all by Fathom Ecology (June 2026).

The site is within the Solent and Southampton Water SPA and Ramsar and Solent Maritime SAC. It is also within the Solent Wader and Brent Goose Network site E10.

This site is within the Lincegrove and Hackett's Marshes SSSI, not the Upper Hamble Estuary and Woods SSSI). Figure 3.1 is correct, but Table 3.1 on p 5 in the PEA states that the Lincegrove and Hackett's Marshes SSSI is approximately 350 m south-west of the site, and that it lies within the Upper Hamble Estuary and Woods SSSI, so this needs to be corrected. Figure 3.2 is correct, but Table 3.2 Non-statutory designated sites has a similar error. Bursledon Meadow SINC is to the west of this site and Lower Hamble Estuary SINC is not one of the SINC's nearby.

These tables may have been copied from a report on a different site, but they need to be amended to be accurate for this site.

The proposal is within an area consented for slipways, jetties and boardwalks by Natural England (renewed 31/3/26), however there are already five other access points to the water (slipways, jetties and boardwalks) on this property.

The cumulative effects of these structures must be considered, rather than considering each one individually. The need for an additional jetty and pontoon has not been established. The application for a replacement boathouse (F/20/87923) did not include a slipway, but an unconsented permanent concrete/cobble slipway structure replacing the previous wooden slipway can be seen in aerial photos from 2024 onwards. The ecological impact of an additional new slipway is not minimal, and it would fail the Habitats Regulations Assessment.

Ecology

There are Habitats of Principal Importance on site: Atlantic Salt Meadow (good condition, narrow strip near the seawall) and Intertidal Mudflats and Sandflats (moderate condition, majority of the site). The HBIC Priority Habitats layer shows HIS Habitat LS33: Atlantic Salt Meadows over all of the site, including the area shown as modified grassland on the UK Hab map in Appendix A. Earlier aerial photographs show that this area has been modified without consent reducing the areas of salt meadow and mudflats that existed previously. Saltmarshes and saline reedbeds should be considered irreplaceable habitat.

The grassland is described in this report as associated with the residential curtilage of Fairport House, however it appears to be outside the boundary wall around the house, so would be considered outside the residential curtilage.

Inconsistent site boundaries

In the PEA, the orange boundary listed as area surveyed does not include all of the area included in the boundary of the site in Figure 1 of the Biodiversity Net Gain Report. The boundary on the UK Hab map in Appendix A of the PEA shows the site boundary extending to the slipway closest to Lands End Road and only up to the northern edge of the boat house. The site boundary in Figure 1 of the Biodiversity Net Gain Report only extends as far west as halfway across the slipway from the boathouse but extends southward up to the southern edge of the boat house. The site boundary must be the same across all documents and must be the same boundary that is used in the Statutory Metric and UK Hab maps.

Unconsented structures

The latest aerial photo available on Google maps (imagery 2026) shows that the area inside the sea wall has been heavily modified. This area is designated for the storage of boats on the NE plan.

The seawall was evidently built without planning permission in 2023-2024 and the level of the ground within the seawall has been raised substantially since 2017 with importation of spoil. It is not clear where this spoil has come from or how much priority habitat was affected due to the construction and existence of the seawall. The ground level has been raised higher and levelled since it was enclosed by the seawall. To my understanding, the changes in this area, including the construction of the seawall have not been permitted through the planning system, have not been assessed for ecological impact, and have not been subject to

an HRA. This proposal would rest on the raised area created by the sea wall which has not been approved.

Atlantic Salt Meadow and Intertidal Mudflats and Sandflats are dynamic habitats with cycles of erosion and sedimentation. **The jetty, pilings and floating pontoon cannot be assumed to have a negligible effect on these habitats and processes.** They will cause shading on the habitat below and the area covered by the jetty will be less available for foraging birds. The UK Hab plan appears to show the proposed access ramp for the pontoon covering more than 1% of the Atlantic salt meadows priority habitat.

The report mentions incorporation of biodiversity features within the jetty and pontoon design but has not provided any specific information. Any features which provide habitat for oysters would increase the habitat available for the invasive Pacific oyster and could help to increase its population.

Mitigation involving interpretation material highlighting the ecological importance of the River Hamble and Solent estuary is not appropriate as this is on private land, and is not an area used by the public.

Invasive non-native species (INNS)

The invasive non-native seaweed *Gracilaria vermiculophylla* and Pacific Oysters (*Magallana gigas*) were recorded throughout the intertidal area. The proposed oyster settlement areas would be used by these invasive oysters which out compete native species. The Long-term Habitat Management section of the BNG report suggests that implementing biosecurity measures would provide an enhancement to the intertidal habitat. This usually refers to cleaning equipment before and after use in the water. I don't see how this would decrease the populations of invasive non-native species already in the water.

Biodiversity Net Gain

Inconsistent site areas

The boundary of the site (shown in orange in Figure 1 of the Biodiversity Net Gain Report) is not the same as the red line boundary on the Site Plan by Lymington Technical Services, which only includes the jetty, access brow and pontoon. It is also not the same as the area surveyed on the UK Hab Habitat Map in Appendix A of the PEA report. The site area on the application form is given as 46 sq metres (0.0046 hectares), but it is not clear what this includes. The existing use section of the application form states that the current use of the site is Existing grassed area with foreshore. The total site area on the start page of the Statutory Metric is given as 0.21 hectares (2100 sq metres).

The site area must be the same across all documents.

The ecologist has written that the footprint of the piles is de minimis ($0.212 \text{ m}^2 = 0.000021 \text{ ha}$) and has excluded them from the metric. The term de minimis is only used for applications where the impact on the site is below the threshold for 10% BNG and the development does not impact a priority habitat. The ecologist is referring to the minimum

mapping unit, not a de minimis exemption. Even though the piles have been excluded from the metric, they will still have some impact on priority habitat.

The timber sleeper wall must also be included in the metric and condition assessment as a built linear feature regardless of not being proposed to be removed. It is described in the PEA, but it is not clear when it was completed. It is not covered under any of the previous planning applications.

The jetty and the pontoon will have an effect on the habitat below it due to shading and covering the mudflat, rendering it unavailable for waterbirds to use for foraging.

The piles, and attachment of the jetty could potentially change the flow of water and sediment in this area. The seawall and cobbled slipway have also changed the flow of water and sediment in this area.

UK Hab mapping is done in plan view, so all structures and habitats must be included on the maps.

All habitats and structures within the site area must be assessed and included in the metric regardless of whether or not they are proposed to be impacted.

The application form states that there has not been any loss or degradation of any on site habitats resulting from activities carried out before the date the on-site pre-development biodiversity value was calculated. Construction of the seawall, the concrete/cobble slipway and filling and levelling the land inside the seawall are considered loss or degradation of on-site habitats.

The Environment Act 2021 stipulates that, if habitat degradation has taken place not in accordance with a planning application, the pre-development biodiversity value should be taken from on or after 30 January 2020. For developments which were in accordance with a planning permission the date of on or after 25 August 2023 can be used.

Documents required before validation

EBC Biodiversity Net Gain Strategy form

Condition assessments in excel spreadsheet format

UK Hab pre-and post-development plans with a consistent site boundary across all documents

Draft Habitat Management and Monitoring Plan

Mycelia software has identified 5 unresolved ecology risks for this case:

Baseline

(1) Incorrect strategic significance for baselines if an LNRS has been adopted- **the site is within the Areas of Importance for Biodiversity (APIB) in the Hampshire LNRS**. The strategic significance of littoral mud and saltmarshes and saline reedbeds have been

recorded as high. The guidance states that Once a Local Nature Recovery Strategy (LNRS) has been adopted, baseline habitats must be set to low strategic significance.

(2) Potential for unrecorded irreplaceable habitat

- Saltmarshes and saline reedbeds should be considered irreplaceable habitat. The Lincegrove and Hackett's Marshes SSSI citation states: *Structurally the marshes are one of the best examples of mature saltmarsh on the south coast. They are one of only eight extensive saltmarshes on the central south coast between Poole in Dorset and Pagham in West Sussex.*

The HBIC priority habitats layer identifies this as LS33: Atlantic Salt Meadows.

Interventions

(1) On-site habitats targeting good condition

Description: There are on-site habitats aiming for a target condition of good. This is typically very difficult to achieve in an on-site setting. The HMMP should specify how good condition will be achieved and maintained despite the impacts of being on-site.

Applies to: Post-development on-site habitats aiming for good condition

On-site habitats:

- Modified grassland | Area habitat | Enhancement | Size: 0.074 ha | BU: 0.4 | Condition: Good | Distinctiveness: Low | Baseline habitat ref: 1

- Littoral mud | Area habitat | Enhancement | Size: 0.05 ha | BU: 0.89 | Condition: Good | Distinctiveness: High | Baseline habitat ref: 2

(2) Development footprint may be missing: the seawall and the piles have not been included in the metric.

Description: There are no urban habitats post-intervention. It is possible that the development footprint may have been accidentally omitted.

Applies to: Post-development urban habitats

Lisa Malter

Ecologist