

F/24/97518 Netley Cliff – installation of replacement sheet piling

Ecology comments 23/7/24

Please find our comments below. Please note an HRA will need to be carried out.

Construction impacts:

Much of the proposed ecological mitigation is based around the timing of the works. The works must take place outside of the overwintering bird season and in the active reptile season. Does the timing of works therefore need to be conditioned or is it adequate that timing commitments are made in the application?

Other mitigation to protect the ecology of the area such as pollution control measures have been specified in the CEMP which are sufficient and must be referenced in the HRA.

Some information from the Ecological Impact Assessment has not been transferred to the Outline CEMP (Section 5). This includes the action required if a reptile is found and unable to move itself to safety and dust management. Dust management may have been subsequently considered and deemed unnecessary given the nature of the works and surrounding environment. Please can the applicant confirm if this is the case.

The EclA does not report the findings of the baseline study for nesting birds (section 3.7) within the scrub, trees or cliff in the zone of influence of the works. From the photos there looks to be the potential for nesting birds and therefore suitable mitigation must be included in the CEMP should a nest be encountered. Ideally an ECoW should first ascertain whether there are any breeding birds present immediately prior to commencement of the works. An undisturbed buffer around any active nest must be provided until the young have fledged.

The EclA states that *routes across the beach will be established to prevent any impacts to sensitive areas which will be high along the front and away from the areas of mudflats which are exposed at low tide, informed by an ecologist*. The CEMP indicates a route across the beach (within the SPA). Was this informed by the project ecologist?

Operational impacts:

The new piling, which will be placed seaward of the existing sheet piling, is in close proximity to the Solent and Southampton SPA but not within it. However, the site is within the Solent Wader and Brent Goose Network Site E03 (a low use site) which is functionally linked to the SPA and therefore is considered to have the same statutory protection as the SPA. The site is within Netley to Hamble Shore SINC.

There will be a relatively small loss of shingle habitat (approx. 25m²) over a 65m length within Site E03 and the SINC, between the old and new piling. The loss of this habitat within Site E03 must be considered in the HRA. However, because the loss within Site E03 is shingle habitat, rather than the more extensive and ecologically valuable mudflats (priority habitat with greater feeding opportunities) present within Site E03, it is likely to be concluded that this loss will not affect the integrity of the SPA.

Although the application is exempt from statutory 10% BNG (de minimis), it is EBC's policy (in line with the NPPF) to have no net biodiversity loss and to provide (unquantified) biodiversity gain wherever possible. It is however difficult to deliver net gain given the limited and appropriate habitat enhancement/ creation opportunities available at this site. Other consultees may have suggestions how this could be achieved. The backfill behind the new piling which forms part of this application should be allowed to naturally colonise by plants, invertebrates and other species which will be suited to the environmental conditions. This should therefore provide valuable transitional and resilient coastal habitat which will benefit multiple species.

Sarah Boyd

Ecologist