

ESSO VALVE 3A Compound - New Access, Satchell Lane, Hamble Preliminary Ecological Appraisal

Produced
For James Browne
of Fisher German LLP.

By

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Summary

This appraisal focuses on the minimal impact of this minor-works project, not dissimilar to the construction of similar existing access points up and down Satchell's Lane.

The brevity and cursory nature of this report is mitigated by the proposed pre-works ecologist Survey and Site Ecological briefing of Work Staff. This is the identical course of action to that of multiple projects carried out by Fisher German (on behalf of ESSO), on Sites of Special Sites of Interest. This process has been endorsed by bodies including, Natural England, Forestry England and The New Forest Verderers.

This survey and report have been compiled to ensure that groundworks and selective vegetation management can be carried out within the law with regard to protected habitats and wildlife.

The Legal Position Regarding Protected Animals

Under Part I, Section 9 of **The Wildlife and Countryside Act 1981** it states:-

9. – (1) Subject to the provisions of this Part, if any person intentionally kills, injures or takes any wild animal included in Schedule 5, (See Appendix A), he shall be guilty of an offence.
- (4) Subject to the provisions of this Part, if any person intentionally*-
 - (a) damages or destroys, or obstructs access to, any structure or place which any wild animal included in schedule 5, uses for shelter or protection ;or
 - (a) disturbs any animal while it is occupying a structure or place which it uses for that purpose

*Under Schedule 12 , 1. of the **Countryside and Rights of Way Act 2000**:-
in subsection (4) after “intentionally”* there is inserted “or recklessly”

Similarly it is an offence to intentionally or recklessly disturb any wild animal included in Schedule 5 (See Appendix A)

Badgers

Badgers are afforded special protection under the Badgers Act 1973, amended by the Wildlife and Countryside Act 1981 and 1985, and the Badgers Act 1992. Although it is not a rare or threatened species, both the animals and their sett receive ‘complete’ protection.

Heavy machinery and power tools should not be used within 20 metres of a sett.

Birds

Under current UK legislation it is illegal to disturb **all** birds nests and **all** nesting birds without exception. This responsibility lies with the individual carrying out the work; it is however mitigated by the paragraph in the Act which states ‘.....a person shall not be guilty of an offence.....if he shows that the act was the incidental result of a lawful operation and **could not reasonably have been avoided.**’

Other Animals and Plants

These are addressed in **Appendix A** and under **Rare Species** in the Ecological Survey Report which follows.

Risk Assessment

To help prevent an illegal act the following have been risk assessed;

1. Vegetation type.
2. Protected animals or structure or place used for shelter or protection, actually recorded.
3. Animals and birds which might be expected to be associated with the habitat.
4. Management activity.
5. Timing

In addition, recommended good practice and precautionary action, Appendices B and C, will be issued and staff will be briefed on site, prior to work commencing.

1. Vegetation type

The section of hedgerow requiring removal to accommodate the gate access, approximately 8 metres wide, see Figure 2, is a single line of hawthorn.

To provide a visibility splay the removal of a hazel stool and an ash tree(Category U, See Tree Survey) on the road verge require removal. Hampshire Highways are to be consulted.

2. Protected Species Recorded

No protected animal species, were recorded on the site during this relatively short visit.

3. Protected Species Associated with Specific Habitats

Amphibians and reptiles which might be expected on this site, would be common frog, common toad, slowworm, viviparous lizard, and grass snake in the damp areas. No suitable nesting or egg-laying sites were present, such as composting vegetation, banks of sand or open ground, away from heavily-used paths.

Other protected species such as Badger, Hazel Dormouse and Hedgehog are covered

under the section on **Rare Species**, following.

4. Vegetation Management and Groundworks

Disturbance to the site taking the form of Arboricultural work, excavation and Construction will be kept to a minimum.

Access

The access route to the site is directly off the road, Satchell Lane.

5. Timing

Late Summer and Early Autumn is the optimum time to carry out such work.

For nesting birds February, March, April, May and June are high risk months and for woodlark, nesting continues until the end of August. I do however think that this site is unsuitable for woodlark, having too heavy a canopy and having too much human disturbance.

As the site is fairly open any nesting birds will be easier to detect and there are no issues with dormant species such as bats. Other species such as reptiles and amphibians are more mobile and likely to move with any disturbance.

Egg-laying reptiles and their preferred habitats were separately assessed. No suitable nesting or egg-laying sites were present, such as composting vegetation, banks of sand or open ground, away from heavily-used paths.

Timing

It is hoped to carry out the work in late Summer/Early Autumn. Timing will be confirmed once permissions have been approved; the work is relatively flexible, however needs to be completed by December 2024. The duration of the work should be no longer than two weeks, but may involve two phases, arboricultural work and groundworks,

Survey Method

The Site was visited on Monday 8th April 2024, between the hours of 8:00 am and 10am with a view to catching some of the early morning activity of some of the species that may be affected by the proposed works.

The weather conditions were sunny, with a light breeze and occasional light cloud with temperatures of approx. 15° C.

One note of CAUTION is that the surveys carried were undertaken at a sub-optimal time of the year for flowering plants and birds in particular. In addition, for a more comprehensive survey, visits at dawn or dusk would be necessary.

Site Location

The location of the site is on the Western side of Satchell Lane at Grid Ref SU 478 082. A photograph of the location, taken from the Lane, is attached

The area of the survey includes the specific site of the gateway access construction, together with the access route to the site, from the road, Satchell Lane.

Site Description

The habitat here is of a mainly Hawthorn hedge, part of an historic hedgerow dominated by Pedunculate Oak, English Elm with an understorey of Field Maple and Hazel. Climbers include honeysuckle and Black Bryony.

The Shrub layer has abundant clumps of the Ancient woodland indicator, Butcher's Broom and bramble.

The Field layer has a number of woodland species including a healthy population of Bluebells,

The hedges running down either side of Satchell Lane would probably have originated as a 'Green Lane' possibly as a result of the surrounding land being hewn or assarted from the original forest.

The age of the row of Hawthorn forming the hedge at this location is consistent with the date of the original installation of the pipeline at this point. It can be concluded that this a section of replacement hedge, planted on completion of the initial works.

The hedge is raised up on a bank with a ditch at the base separating it from the sunken lane. This is an open ditch, draining groundwater and surface water from the road.

The hedge has signs of being maintained as a boundary to the old airfield, to the West, which was in use up until the 1970's

Species List of the Worksite

Species List of the specific work site

<i>Acer campestre</i> -	Field Maple
<i>Anthriscus sylvestris</i>	Cow Parsley
<i>Arum maculatum</i>	Cuckoo Pint
<i>Carex pendula</i>	Pendulous Sedge
<i>Cirsium arvensis</i>	Creeping Thistle
<i>Corylus avellana</i>	Hazel
<i>Crataegus monogyna</i>	Hawthorn
<i>Geum urbanum</i>	Herb Bennet
<i>Galium aparine</i>	Goosegrass
<i>G. verum</i>	Lady's Bedstraw
<i>Hyacinthoides non-scriptus</i>	Bluebell
<i>Lonicera periclymenum</i>	Honeysuckle
<i>Ilex aquifolium</i>	Holly
<i>Prunus spinosa</i>	Blackthorn
<i>Pteridium aquilinum</i>	Bracken
<i>Quercus robur</i>	Pedunculate Oak
<i>Rubus agg.</i>	Bramble
<i>Ruscus aculeatus</i>	Butcher's Broom
<i>Rumex acetosa</i>	Common Sorrel
<i>Stellaria holostea</i>	Great Stitchwort
<i>Tamus communis</i>	Black Briony
<i>Ulmus procera</i>	English Elm
<i>Vicia sepium</i>	Bush Vetch

Weasel

Chiff Chaff

Red Kite

The site was surveyed for legally protected species and the results are as follows:-

Rare Species

Potentially expected Hedgerow Plants in Hampshire

Althaea hirsute
Campanula rapunculus
Gladiolus illyricus
Himantoglossum hircinum
Pulicaria vulgaris
Rorippa austriaca
Teucrium botrys
Valerianella rimosa.

None of these rare species were noted on this site nor were recorded in the Hedgerow Regulations Survey 14.11.23 for the entire length of hedgerow surveyed.

Potentially expected Animals associated with Hedgerows in Hampshire

Barn owl
Cetti's Warbler
Dartford Warbler
Grey Partridge
Quail
Red-backed Shrike
Woodlark

Adder
Bats (all species)
Great crested newt
Mole cricket

None of the above were noted nor recorded on the entire length of hedgerow surveyed. With the explosion in numbers and range, especially inland, the Cetti's Warbler has become more ubiquitous but still a useful indicator of dense wetland carr vegetation as is the nightingale (also not recorded here).

Birds

Schedule I birds that were recorded included Fieldfare, a winter migrant, not nesting here; also Red Kite, a single male overflying the site. When nesting this bird has a preference for large, mainly evergreen, trees including Pine, Giant Redwood and Holly Oak.

Badger

The disturbed nature of this site with dogs exercised off the lead, joggers and walkers make this an unlikely location for badger activity. Being crepuscular the site offers foraging potential for these animals; I once encountered a badger grazing blackberries during the daytime on Greenham Common, so engrossed that it was oblivious of my presence. No setts were discovered within 20 metres of this site, not even a smaller, transient Summer sett.

Hedgehog

There was no evidence of hedgehog activity on or immediately around this site. At this time of year, the hogs are very active around dawn and dusk hunting out new territories and mating partners. Their distinctive droppings, very dark brown, and often some 60mm long, are obvious if they are present

Hazel Dormouse

The hedgerows bordering Satchell Lane provide suitable arboreal habitat for dormice together with mixed-aged dense scrub undergoing seral succession, as it invades the adjacent field. This together with Hazel, hawthorn and bramble provide a rich food source of fruits, nuts catkins and insects such as bush crickets. Bracken is present, the dry fronds of which are often used to line their nests either aerially for Sunner use, or at the base of a hedge for hibernation. The lane provides an opportunity for the migration with the arboreal habit of this species connecting with further suitable habitat for dormice to the north-east, north and north-west, including areas of broad-leaved woodland, scrub

and adjoining hedgerows. This also connects to the wildlife corridor running along the railway cutting some kilometre to the North.

No records of dormice or any European protected species mitigation (EPSM) licences were identified within two kilometres of the site according to the Codex Ecological appraisal (2021) for the Hamble Airfield Development desk study. However, they are known to be present within the wider locality and there is a cluster of granted EPSM licences for the species located between 3.9 and 6.3 kilometres to the east of the site. It was therefore considered possible.

Invasive Species

Despite Satchell's Lane being a classic opportunity for fly tipping, including soil as a vector, the most common examples of invasive species, Giant Hogweed, Himalayan Balsam and Japanese Knotweed, were **Not** recorded

Recommendations

By briefing staff on Recommended Good Practice and issuing them with the list of Precautionary Actions (Appendix B), the contractor should more than fulfil his obligations under the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000.

The Impact of the Proposed Works

I can see minimal impact of the proposed, essentially, minor works even during the Construction Phase on the local habitat and local wildlife.

The removal of this short section of hawthorn hedge, some 8 metres, will not severely hinder the movement of wildlife along this wooded corridor in my opinion.

An ash tree on the roadside suffering from stage 1 ash dieback (*Chalara*) and a hazel stool (See separate Tree Report) will have to be removed to create the Visibility Splay required. Hampshire Highways should be consulted to determine ownership of the trees and to obtain permissions where required

Arboricultural and construction works will have to access from Satchell Lane due to the close proximity of the chain-link compound fencing.

Impact on Adjacent designated sites of Importance which include the following:

Sites of Special Scientific Interest (SSSI)

Local Nature Reserve (LNR)

and Ramsar Site

Mercury Marshes LNR - approximately 380 metres to the South-east of this Site.

Lee-on-the-Solent to Itchen Estuary SSSI - approximately 380 metres to the
South-east of this Site

Solent and Southampton Water Ramsar Site - approximately 380 metres to the
South-east of this Site

Hook with Warsash LNR - approximately 850 metres to the South-east of this Site

Lincegrove and Hackett's Marshes SSSI approximately 450 metres to the North.

Hackett's Marsh- approximately 1 Km to the North-east of this Site.

Holly Hill Woodland Park LNR – approximately 1.6 Km to the East of this Site.

These works will not impact any of these adjacent designated sites of Importance, neither during the Construction Phase, nor once this access becomes operational. Traffic movements will be restricted to a schedule of monthly checks, occasional planned works and will expediting reaction to Emergency situations.

The Site also lies within the Impact Risk Zone (IRZ) for Lee-on-the-Solent and similarly the works will carry no significant impact.

Replacement Planting

There is the offer of replacement planting of a native species mixed hedge.

This would run along the Southern edge of the compound adjacent to the footpath for some 8 metres as a replacement for the proposed loss of 8 metres of hedgerow.

Bare root hedging, approx. 80-100mm protected by rabbit guards comprising a matrix of Blackthorn and Hawthorn with Spindle, Hazel, Alder Buckthorn and Gorse/Broom.

This will be planted in two offset rows with 500mm centres using a generous helping of Pro-Gro compost.

Figure 1 – Site Location



ESSOWOLVALVE3A_
Satchell Lane Hedge

Figure 2 – Photograph of Proposed Work Site

APPENDIX A

Adder (in respect of section 9(5) only)*	<i>Vipera berus</i>
Bats, Horseshoe (all species)	Rhinolophidae
Bats, Typical (all species)	Vespertilionidae
Beetle, Rainbow Leaf	<i>Chrysolina cerealis</i>
Burbot	<i>Lota lota</i>
Butterfly, Chequered Skipper	<i>Carterocephalus palaemon</i>
Butterfly, Heath Fritillary	<i>Mellicta athalia</i> (Syn. <i>Melitaea athalia</i>)
Butterfly, Large Blue	<i>Maculinea arion</i>
Butterfly, Swallowtail	<i>Papilio machaon</i>
Cricket, Field	<i>Gryllus campestris</i>
Cricket, Mole	<i>Gryllotalpa gryllotalpa</i>
Dolphin, Bottle-nosed	<i>Tursiops truncatus</i> (Syn. <i>Tursiops tursio</i>)
Dolphin, Common	<i>Delphinus delphis</i>
Dragonfly, Norfolk Aeshna	<i>Aeshna isosceles</i>
Frog, Common (in respect of section 9(5) only)	<i>Rana temporaria</i>
Grasshopper, Wart-biter	<i>Decticus verrucivorus</i>
Lizard, Sand	<i>Lacerta agilis</i>
Lizard, Viviparous (in respect of section 9(5) only)	<i>Lacerta vivipara</i>
Moth, Barberry Carpet	<i>Pareulype berberata</i>
Moth, Black-veined	<i>Siona lineata</i> (Syn. <i>Idaea lineata</i>)
Moth, Essex Emerald	<i>Thetidia smaragdaria</i>
Moth, New Forest Burnet	<i>Zygaena viciae</i>
Moth, Reddish Buff	<i>Acosmetia caliginosa</i>
Newt, Great Crested (otherwise known as Warty newt)	<i>Triturus cristatus</i>
Newt, Palmate (in respect of section 9(5) only)	<i>Triturus helveticus</i>
Newt, Smooth (in respect of section 9(5) only)	<i>Triturus vulgaris</i>
Otter, Common	<i>Lutra lutra</i>
Porpoise, Harbour (otherwise known as Common porpoise)	<i>Phocaena phocaena</i>
Slow-worm (in respect of section 9(5) only)	<i>Anguis fragilis</i>
Snail, Carthusian	<i>Monacha cartusiana</i>
Snail, Glutinous	<i>Myxas glutinosa</i>
Snail, Sandbowl	<i>Catinella arenaria</i>
Snake, Grass (in respect of section 9(5) only)	<i>Natrix helvetica</i>
Snake, Smooth	<i>Coronella austriaca</i>
Spider, Fen Raft	<i>Dolomedes plantarius</i>
Spider, Ladybird	<i>Eresus niger</i>
Squirrel, Red	<i>Sciurus vulgaris</i>
Toad, Common (in respect of section 9(5) only)	<i>Bufo bufo</i>
Toad Natterjack	<i>Bufo calamita</i>

*Section 9(5) states:-

9. – (5) Subject to the provisions of this Part, if any person-

- (a) sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead wild animal included in Schedule 5, or any part of, or anything derived from, such an animal; or
- (b) publishes or causes to be published any advertisement likely to be understood as conveying that he buys, or intends to buy or sell, any of those things,

APPENDIX B

Guidance Sheets on Protected Wildlife for Contractor's Staff Working on Site

Recommended Good Practice

Good practice rules with regard to the potential presence of protected species are as follows;

1. Create as little disturbance as possible particularly to adjacent vegetation and when working close to holes.
2. No fires are to be lit and there is a no smoking policy on-site.
3. Do not unnecessarily disturb stacks of wood or piles of vegetation unless it is necessary for safety.
4. When cleaning ponds, dredged material where possible should be spread locally to allow any animals to crawl back into the water.
5. Handling of most animals to remove them from the immediate site is acceptable to prevent them from being harmed by the operations. Handling permits are required to handle bats, great crested newts and dormice. Common sense will tell you to take special care with badgers, adders and foxes; seek help if unsure.
6. When working in large trees avoid disturbance to holes or hollow areas and do not fell a hollow tree until it has been surveyed for bats and nest sites.
7. Be aware of species on adjacent land which may be alarmed by the activity and keep disturbance at the periphery of the site to a minimum.

If there is any doubt regarding the disturbance of nests or shelter sites, or any unidentified animal or nest, then establish a 5-metre exclusion zone and seek further advice.

Precautionary Action

Pro-active precautionary action to be taken by **all** personnel carrying out or supervising the work;

1. Visually check for nests or sheltering habitats such as stacks of wood, piles of composting vegetation, grass or even woodchips. This may include corrugated iron sheets or other rubbish under which animals may hide.
2. Take notice of young animals, eggs or the discovery of nests. Take notice of protective adults, mobbing or producing alarm calls.
3. As soon as any nest or shelter is identified the area needs to be taped off for a Five-metre exclusion zone and advice sought.
4. If there is any doubt, establish a five-metre exclusion zone.

A nominated ecologist will be present on site to carry out a nest and refuge survey and will verbally deliver an ecological brief to all staff, prior to work commencing.

The Nominated Ecologist is Paul Knipe on 07941 756 2259

APPENDIX C

Other Animals

It cannot be expected that contractors will necessarily be able to identify the birds and animals that they encounter; if there is any doubt, the area can be avoided and advice sought.

As there is little chance of identifying all the protected animals on site, I have listed the groups protected; if in doubt leave it alone!

The following animals and their structure or place used for shelter or protection are protected from intentional or reckless acts:-

All species of **Bat**
Large **Crickets** and **Grasshoppers**
Some **Butterflies**
Some **Dragonflies**
Some **Moths**
Otter
Some **snails**
Some **spiders**

Also protected except under certain circumstances and by certain methods are:-

Badgers
Dormice
Hedgehog
Water Vole
Pine Martin
Polecats but not mink

Birds

Under current UK legislation it is illegal to disturb **all** birds nests and **all** nesting birds without exception. This responsibility lies with the individual carrying out the work; it is however mitigated by the paragraph in the Act which states '.....a person shall not be guilty of an offence.....if he shows that the act was the incidental result of a lawful operation and could not reasonably have been avoided.'

PGK 18th April 2024