

Broadway Farm, Botley

Preliminary Ecological Appraisal (PEA) Report

Final

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NON-TECHNICAL SUMMARY

Purpose of the Report	To provide the results of a Preliminary Ecological Appraisal (PEA) and initial Biodiversity Net Gain (BNG) assessment conducted at Broadway Farm, Botley, to inform the requirement for further ecological surveys and to identify the need for avoidance, mitigation, compensation and/or enhancement measures.
Surveys Undertaken	An extended UKHab survey was conducted of all areas within the red line planning boundary at the Site to provide a habitat baseline on 5 September 2024.
Summary of Results	The hedgerows on-Site could support nesting birds. There is moderate habitat suitability for foraging and commuting bats. Field margins provide basking opportunities for reptiles. Bund vegetation, woodland edge and field margins provide suitable great crested newt, reptile, hedgehog and common toad habitat. A non-statutory designated site and ancient woodland: Woodhouse Gully Wood Site of Importance for Nature Conservation (SINC) is located adjacent to the north eastern corner of the Site.
Conclusions	The Site is of moderate value to foraging and commuting bats. The grassland is of low distinctiveness.
Further Surveys Required	Should there be changes to the proposed plans (more than 12 months) or delays to the works, updated surveys may be required.
Avoidance	Avoid removal of the non-native ornamental hedgerow during bird nesting season (March to August inclusive) or a suitably qualified ecologist to inspect for nesting birds first. Should nesting birds be present, works will need to be halted in proximity to the nest whilst it remains active. A two-phase cut of vegetation will be implemented to avoid harm to any potential protected species that could use the longer grassland on field margins and areas on the bunds (G6) including great crested newt, reptile, hedgehog and common toad.
Mitigation	Open trenches and holes should be covered overnight during construction to prevent fauna including badger and hedgehog falling in or planks left in overnight to allow them to escape.
Compensation	To compensate for the loss of the sparsely vegetated urban land (grasscrete) that was present on 30 January 2020 (the date included in the Environment Act Schedule 14 to measure habitat degradation from) for the hardstanding HGV parking area (G7), grassland areas (G4 and G5) will be enhanced to other neutral grassland in good condition. A 20 m buffer will be created around Woodhouse Gully Wood SINC by removing the existing hardstanding and planting other neutral grassland which will be fenced off to allow the woodland edge to develop into this area.
Enhancement	Areas G1 and G7 will be enhanced from modified grassland to other neutral grassland in good condition. The cherry laurel hedgerow and line of conifers will be replaced with a species-rich native hedgerow in moderate condition. A 20 m mixed scrub buffer will be provided along the edge of the woodland SINC. A line of trees and mixed native scrub will be planted along the northern boundary of the western field (G1) to create a habitat link between the woodland SINC and a Network Opportunity Area located adjacent to the western boundary of the wider Site. A SUDs pond will be created to the north west of the Site. The proposed post-development UKHab plan provides a 1.25 unit (23.64%) BNG in habitats and a 0.82 unit (418.49%) BNG in hedgerows.
Data Valid Until	September 2025

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1 INTRODUCTION

1.1 BACKGROUND

CCW Services commissioned Johns Associates Ltd to undertake a Preliminary Ecological Appraisal (PEA) of the existing site at Broadway Farm, Botley, to support a planning application. The site is located at postcode SO30 2EU (central Ordnance Survey (OS) grid reference SU 50427 13300). The site consists of modified grassland, sparsely vegetated land and ornamental hedgerows.

1.2 SUMMARY OF PROPOSALS

Following Eastleigh Borough Council's refusal of a Certificate of Lawful Use for an area of commercial HGV parking currently in use (and steps to challenge this further), an alternative area within the Site is being considered to use for parking. The existing parking area would be converted to other neutral grassland with a 20 m scrub buffer provided along the edge of the ancient woodland.

1.3 PURPOSE OF THIS REPORT

The purpose of this report is to identify key ecological constraints to the proposed development and inform master-planning to allow significant ecological effects to be avoided or minimised wherever possible. The information in this report enables any further ecological surveys needed to be identified and appropriately designed. The purpose of the report is to:

- Provide an ecological baseline.
- Identify key ecological constraints to the proposed development.
- Inform master-planning to allow significant ecological effects to be avoided or minimised wherever possible.
- Provide the requirements for further surveys.
- Provide an indication (where possible) of the likely mitigation or compensation measures that will be required as part of the development proposals.

1.4 PERSONNEL

The production of this report, the UKHab survey and condition assessments were conducted by Tessa Pepler BSc (Hons) MSc MCIEEM, a Principal Ecologist at Johns Associates who has worked as an ecological consultant since 2005. Tessa has a BSc (Hons) in Environmental Studies and an MSc in Ecology and Management of the Natural Environment. Tessa is a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) and holds a Natural England Class 1 survey licence for bats (2019-40584-CLS-CLS-1), great crested newt (2015-18828-CLS-CLS), and dormice (2016-20745-CLS-CLS). Tessa is proficient in botanical identification and is certified FISC Level 3.

1.5 SITE DESCRIPTION AND LOCATION

Broadway Farm, which hereafter is referred to as the 'Site', comprises modified grassland, sparsely vegetated land and non-native ornamental hedgerows and is located to the west of Botley in Hampshire. The area of the Site is approximately 1.57 ha. The Site is bordered to the east and northeast by woodland, to the south by Broad Oak Road (A334) and to the west and northwest by fields.

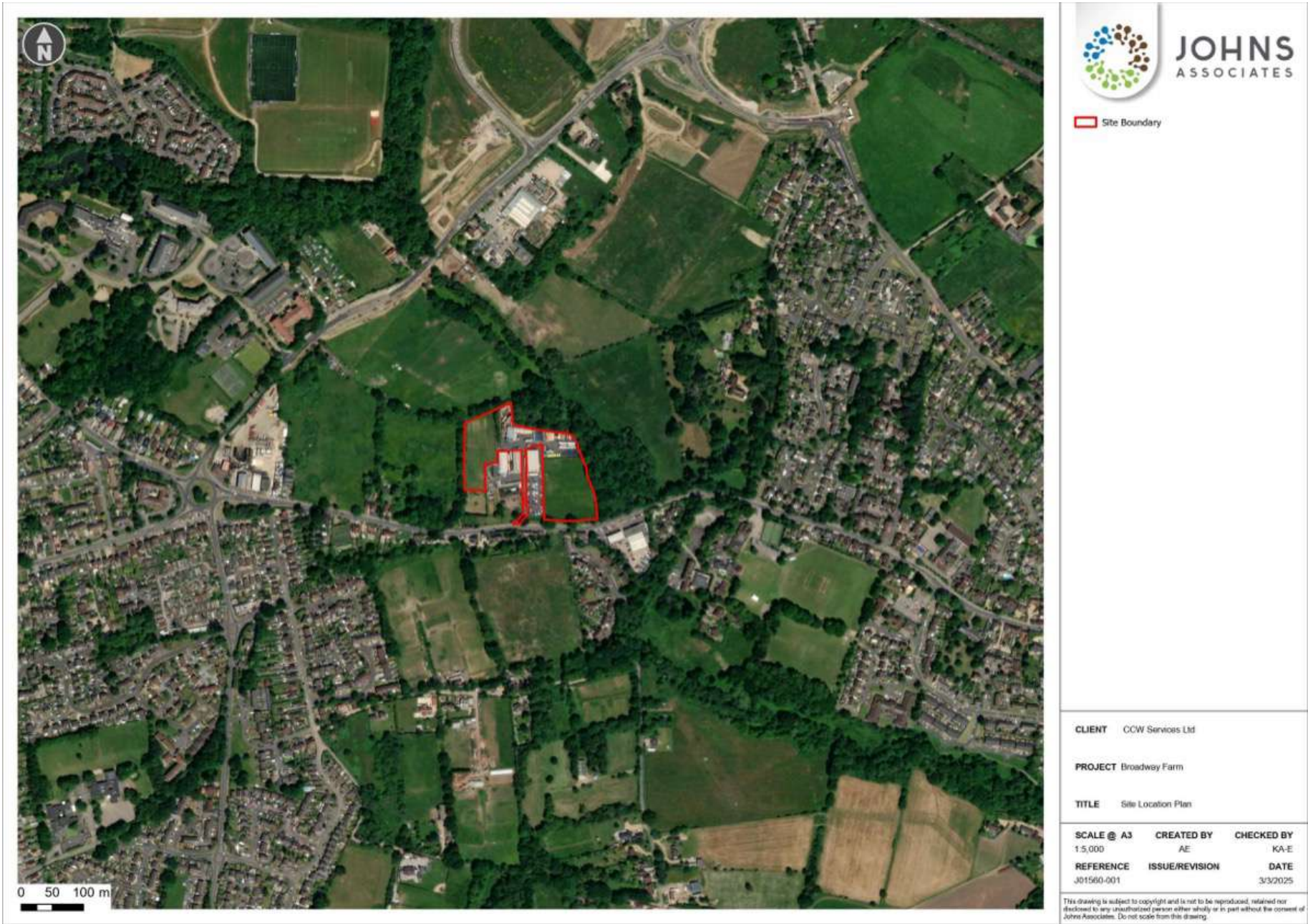
At the landscape level, the Site is situated on the eastern edge of Southampton with agricultural fields dominating to the east. Areas of nearby ancient and semi-natural woodland include Bottom Copse to the northwest and Gould Copse to the south.

A stream flows north and east past the Site (25m from the Site at its closest point) into the River Hamble to the south. The A334 is situated immediately adjacent to the southern boundary. The Site is located in a semi-rural setting; connectivity to the wider landscape is optimal for mobile species along linear features such as hedgerows and streams and the Site is adjacent to a non-statutory designated woodland; Woodhouse Gully Wood Site of Importance for Nature Conservation (SINC).

1.6 LEGISLATION AND POLICY

The legislation and national and local planning policies which are relevant to this assessment are provided in Appendix A to this report.

Figure 1: Site Location Red Line Boundary Plan and Context of Site



2 METHODOLOGY

2.1 DESK STUDY

A desk study was undertaken to collate all relevant existing information relating to the Site and its surrounding area. The data was used to inform the scope of the Site survey and to enable a full assessment of the likely effects of any development at the Site on any sites, habitats, or species of conservation interest to be carried out. The Multi Agency Geographic Information for the Countryside (MAGIC) website was used to conduct the following desk study searches on 02 October 2024:

- Records and citations to a 2 km radius for national statutory designated wildlife sites including Sites of Special Scientific Interest (SSSI), Local Nature Reserves (LNR) and National Nature Reserves (NNRs).
- Records and citations to a 5 km radius for international statutory designated wildlife sites including Special Areas of Conservation (SACs) which are designated for habitats and species, and Special Protection Areas (SPAs) and Ramsar Sites which are designated for supporting bird species and assemblages of bird species.
- Records and citations to a 10 km radius of SACs designated for supporting species of bat.
- Records of European Protected Species (EPS) Licenses to a 2 km for bats, dormouse *Muscardinus avellanarius* and great crested newt (GCN) *Triturus cristatus*.
- Records to a 1 km radius of pond surveys conducted by Natural England from 2017 to 2019 for GCN.
- Records of potential waterbodies within a 500 m radius of the Site.
- Records within a 250 m radius of Priority Habitats listed under Section 41 of the Natural Environment and Rural Communities Act (NERC) Act 2006

Google Maps aerial images were used to assess habitats at a landscape level (www.maps.google.com) in proximity to the Site.

2.1.1 Data Search

A data search was conducted with the Hampshire Biodiversity Information Centre (HBIC) on 04 October 2024 to identify the presence of legally protected and/or notable species and non-statutory designated wildlife sites within 2 km of the proposed Site.

2.2 FIELD SURVEY

An extended UKHab survey of the Site and BNG habitat condition assessments were undertaken on 5 September 2024 by Tessa Pepler BSc (Hons) MSc MCIEEM, Principal Ecologist and Kate Arsac England BSc (Hons) MSc, Assistant Ecologist, both from Johns Associates Ltd. The weather was overcast, 18 °C. 8/8 cloud, wind 2 (Beaufort scale). This survey was completed in accordance with Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity - Code of practice for planning and development (British Standards Institute, 2013).

2.3 UKHAB SURVEY

The on-Site and off-Site (where accessible) habitats were classified following the UK Habitat Classification (UKHab) Version 2.0 (2023) guidelines, which provides a more detailed interpretation of baseline habitat survey data than previous habitat classifications systems, such as Phase 1 Habitat Assessments. The professional edition of UKHab "UK Habitat Classification – Professional Edition 1" (UKHab-P) was used which includes Priority Habitat Types, all Annex 1 Habitats and the habitats listed in EUNIS.

The classification of primary habitats is hierarchical with five levels with a list of Secondary Codes, the latter is sub-divided into Essential codes and Additional codes. It is mandatory that each recorded habitat parcel is allocated single primary Habitat Code and to record the presence of all Essential Secondary Code features associated with that habitat parcel. Additional Secondary Codes can also be associated with habitat parcels, where it is relevant to the whole parcel. Up to six Secondary Codes can be allocated to a single habitat.

UKHab v2.0 has a total of 268 Secondary Codes, sub-divided into 15 major groupings. Secondary codes are added to habitat parcels to:

- Confirm the identity of habitat mosaic and complexes.
- Add information about habitat origin and modifications.
- Add information on environmental context, management and land use in a consistent manner.

Essential Secondary Codes are identified as 2-digit numbers (10 – 90). Additional Secondary Codes (100 – 853) are 3-digit numbers and cover features including land management, land use (incorporating green infrastructure), environmental qualifiers, species features and hydrological regime descriptors. The UK Habitat Classification v2.0 Secondary Code Groupings are provided in Table 1.

Table 1: The UK Habitat Classification v2.0 Secondary Code Groupings

UKHab v2.0 Secondary Code Grouping	Description	UKHab v2.0 Codes
Secondary Essentials – Grasslands and Heathland	Habitat mosaic types and complexes that occur in the grassland, heathlands, hedgerows and scrub habitat	10 – 19
Secondary Essentials – Woodlands and Trees	Habitat complexes, origins and mosaic types that principally occur in woods associated with trees	25 – 34
Secondary Essentials – Freshwater	Habitat complexes and origins that principally occur in freshwater habitats	40 – 51
Secondary Essentials – Wetlands	Habitat complexes and environmental qualifiers that principally occur in wetlands	55 – 57
Secondary Essentials – All habitats	Habitat descriptors that can occur on any habitat	60 – 63
Secondary Essentials – Coast	Habitat complexes that principally occur on the coast	70 – 77
Secondary Essentials – Built environment	Habitat complexes, mosaics, land uses and green infrastructure principally associated with the built environment	80 – 90
Additional Secondary Codes – Grasslands and Heathlands	Habitat management, land use, environmental qualifier and species features principally associated with grassland, heathlands, hedgerows and scrub habitat	100 – 131
Additional Secondary Codes – Woodlands and Trees	Habitat management, land use, environmental qualifiers and species features principally associated with woods and trees	200 – 217
Additional Secondary Codes – Freshwater	Habitat management, land use, environmental qualifiers and species features principally associated with freshwater habitats	300 – 323
Additional Secondary Codes – Wetlands	Hydrological regime, habitat management and species features principally associated with wetlands	400 – 425
Additional Secondary Codes – All habitats	Additional habitat descriptors that can occur on any habitat	500 – 532
Additional Secondary Codes – Farming	Habitat management and land uses principally	600 – 618

UKHab v2.0 Secondary Code Grouping	Description	UKHab v2.0 Codes
	associated with farmlands	
Additional Secondary Codes – Coast	Land use and environmental qualifiers principally associated with coastal areas	700 – 703
Additional Secondary Codes – Built environment	Land use and green infrastructure descriptors principally associated with the built environment	800 – 853

Where appropriate, maps were supplemented with target notes which provided specific information on habitats present that were too limited in extent to map at the scale at which data is presented, or the presence of species and habitats of ecological interest.

An annotated habitat map together with descriptions of the recorded habitat types was produced, which was subsequently digitised using a geographical information system (ArcGIS). The survey also included identification of any non-native invasive plant species. Flora taxonomy follows the nomenclature detailed in New Flora of the British Isles (4th Edition) (Stace C., 2019). Flora, where appropriate, are given a descriptive score of abundance using the DAFOR scale, as follows:

- D – Dominant
- A – Abundant
- F – Frequent
- O – Occasional
- R – Rare
- L – Locally (to be used as a prefix for any of the above)
- V – Very (to be used as a prefix for any of the above)

2.3.1 ArcGIS Symbolology

At the time of production, a complete symbolology for all habitats in the UK Habitat Classification Professional Edition (UKHab-P) was not available. The UK Habitat Classification Basic Edition (UKHab-B) symbolology has therefore been used, and where necessary to add in habitats not included in UKHab-B we have designed our own hatching system within the Level 2 colours for those habitats – following the guidance provided in the UK Habitat Classification Basic Edition: Suggested Symbolology for Maps document (UKHab, 2020).

2.3.2 Minimum Mapping Units

UKHab guidance indicated that UKHab has 3 Minimal Mapping Units (MMU's):

- 25 m² and 5 m length for urban and small-scale development projects, fine scale mapping of designated sites
- 400 m² and 20 m length for landscape scale surveys
- 2500 m² for larger unenclosed upland habitats.

Large scale, simple habitats or feasibility surveys should use a larger MMU. For this project, given the size of the site and the scale of the map the 25 m² and 5 m length MMU has been applied. This will allow all habitats to be clearly visible on the map whilst enabling enough fine detail to remain to clearly show all habitats present.

2.4 SPECIES

The survey was ‘extended’ to assess the suitability of the Site and immediately adjacent habitats to support legally protected and/or notable species, including (but not limited to) plants, badger *Meles meles*, bats, dormouse, amphibians, reptiles and breeding birds. This included recording visible signs of species presence and/or features that may indicate likely presence. Hedgerows/corridors were assessed for likely value for dormice, trees on Site were assessed for their suitability for roosting bats and waterbodies/ watercourses assessed for suitability for great crested newt, otter and water vole. A search for Invasive Non-Native Species e.g. Japanese knotweed *Reynoutria japonica* was also conducted within the Site and immediately adjacent areas.

2.4.1 Potential Roost Assessment

A survey of the built structures adjacent to the Site was carried out on 5 September 2024 by Tessa Pepler (class licence registration number: 2019-40584-CLS-CLS-1 replacing 2016-25380-CLS-CLS). The inspection followed the professional survey guidance as detailed in Bat Survey Guidelines for Professional Ecologists: Good Practice Guidelines (Bat Conservation Trust, 2023).

The survey entailed a direct search for evidence of bats on both internal and external features of the buildings. The external building inspections were carried out from the ground. Other supporting equipment included close focusing binoculars and a high-powered torch, as required. The buildings were examined externally for features that could support roosting bats and features that could lead to internal potential roost features (PRFs). The buildings were also subject to an internal inspection.

The presence of roosting bats can be observed through signs such as accumulations of moth or butterfly wings or bat droppings and staining and/or scratch marks around potential entrance and exit points. However, the absence of droppings/evidence cannot be treated as conclusive proof that bats are not present, and therefore an assessment was also made of the potential of the building to support bats based on the criteria detailed by the Bat Conservation Trust (2023) and provided in Table 2 below.

2.4.2 Foraging and Community Habitat for Bats

The overall suitability of the Site and adjacent habitats for foraging and commuting bats was also assessed to determine its importance within the wider local context, particularly with reference to the location of known roosts obtained through the Desk Study. The assessment was conducted using the criteria described in Table 2.

Table 2: Guidelines for assessing the potential suitability of proposed development sites for bats, based on presence of habitat features within the landscape, to be applied using professional judgement (Bat Conservation Trust, 2023)

	Description Roosting Habitats	Commuting and Foraging Habitats
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/protection for flight-lines or generate/shelter insect populations available to foraging bats).
Negligible ^a	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flightpaths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions ^b and/or suitable surrounding	Habitat that could be used by small numbers of bats as flightpaths such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat.

	Description Roosting Habitats	Commuting and Foraging Habitats
	habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats ^a).	Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions ^b and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for flightpaths such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland, or water.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions ^b and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flightpaths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses, and grazed parkland. Site is close to and connected to known roosts.
a. Negligible is defined as ‘so small or unimportant as to be not worth considering, insignificant’. This category may be used where there are places that a bat could roost or forage (due to one attribute) but it is unlikely that they actually would (due to another attribute). b. For example, in terms of temperature, humidity, height above ground level, light levels or levels of disturbance. c. Evidence from the Netherlands shows mass swarming events of common pipistrelle bats in the autumn followed by mass hibernation in a diverse range of building types in urban environments (Korsten et al., 2016 and Jansen et al., 2022). Common pipistrelle swarming has been observed in the UK (Bell, 2022 and Tomlison, 2020) and winter hibernation of numbers of this species has been detected at Seaton Delaval Hall in Northumberland (National Trust, 2018). This phenomenon requires some research in the UK, but ecologists should be aware of the potential for larger numbers of this species to be present during the autumn and winter in prominent buildings in the landscape, urban or otherwise.		

2.4.3 Limitations Constraints and Assumptions

The findings of this report are considered valid at the time of survey (5 September 2024). Should there be delays to the project timetable and/or implementation of the proposed development, updated desk study and/or survey work may be required. In this instance, advice should be sought to ensure the data, recommendations and conclusions set out in this report remain valid.

It has been assumed that the development proposals are as described in this document and that all proposed mitigation and enhancement measures will be implemented in full.

3 RESULTS

3.1 DESK STUDY

3.1.1 Statutory Designated Sites

One statutory Site of Special Scientific Interest (SSSI) was present within 2 km of the Site. Three international designated sites were identified within 5 km of the Site. Two statutory Local Nature Reserves were also identified. No Special Areas of Conservation (SACs) for bats were highlighted within 10 km of the Site. A summary is provided in Table 3.

Table 3: Statutory Designated Sites

Statutory designated site name	Reason for designation	Location from the Site
Solent & Southampton Water Ramsar	The site is comprised of estuaries and adjacent coastal habitats including intertidal flats, saline lagoons, shingle beaches, reefs, saltmarsh, and reedbeds, damp woodland, and grazing marsh. The site exhibits an "unusual strong double tidal flow" and has long periods of slack water at high and low tide. It supports internationally important numbers of wintering waterfowl (51,361 over the winter) including <i>Charadrius hiaticula</i> , <i>Anas crecca</i> and <i>Branta bernicla bernicla</i> , important breeding gull and tern populations, and an impressive assemblage of rare invertebrates and plants.	1.1 km southeast
Solent Maritime SAC	The Solent encompasses a major estuarine system on the south coast of England with four coastal plain estuaries and four bar-built estuaries. The site is primarily designated for its Annex I habitats of estuaries, spartina swards <i>Spartinion maritimae</i> and Atlantic salt meadows <i>Glauco-Puccinellietalia maritimae</i> .	1.1 km southeast
Solent & Southampton Water SPA	The site comprises a series of estuaries and harbours with extensive mudflats and saltmarshes together with adjacent coastal habitats including saline lagoons, shingle beaches, reedbeds, damp woodland and grazing marsh. The mudflats have a rich invertebrate fauna that forms the food resource for the estuarine birds. In summer, the site is of importance for breeding seabirds, including gulls and four species of terns. In winter, the SPA holds a large and diverse assemblage of waterbirds. The area regularly supports at least 20,000 waterfowl.	1.1 km southeast
Upper Hamble Estuary and Woods SSSI	The SSSI comprises the uppermost section of the estuary of the River Hamble and its flanking zones of saltmarsh, reedswamp and ancient semi-natural woodland. Twelve types of ancient broad-leaved woodland occur in the SSSI and collectively comprise one of the most ecologically diverse woodland areas in central southern England. The diversity of woodland types has given rise to an exceptionally species-rich ground flora. 186 species have been recorded in Catland, Dock, Fosters, Hoe Moor, Vantage and Bottom Copses. They support at least 62 species indicative of a long continuity of woodland cover making this woodland complex one of the richest sites for ancient woodland vascular plants in Hampshire.	1.1 km southeast
Manor Farm LNR	Woodland and farmland backing onto the River Hamble with rich diversity in wildflowers, invertebrates, reptiles, and birds.	1.0 km south
Wildern LNR	10-hectare wetland habitat featuring a mosaic of ponds, two flooded meadows, woodland and a valley mire all linked by the streams which flow through the site.	1.2 km west

3.1.2 Non-Statutory Designated Sites

A total of four non-statutory Sites of Importance for Nature Conservation (SINCs) were identified within 2 km of the Site. These are described in Table 4.

Table 4: Non-Statutory Designated SINCs within 2 km

SINC Name	Reason for designation	Area (Ha)	Location from the Site
Woodhouse Gully Wood	Ancient Semi-natural Woodlands. Wet Woodlands such as Alder or Willow Woods and Birch Bog Woods which Support a Good Diversity of Woodland and/or Marsh/Swamp/Mire Species	1.62	0 m NE
Bottom Copse/Bushy Copse		6.73	257 m NW
Gould Copse	Ancient Semi-natural Woodlands. Other woodland where there is a significant element of ancient semi-natural woodland surviving or supporting some characteristics of ancient woodland	3.15	846 m S
Pudbrook Lake	Other woodland where there is a significant element of ancient semi-natural woodland surviving or supporting some characteristics of ancient woodland	3.5	540 m SE

3.1.3 Protected and Notable Species Records

Hampshire Biodiversity Information Centre (HBIC) provided records of protected and notable species within 1 km of the Site and a summary of species that could be supported by the habitats within and adjacent to the proposed Site or that could be affected by the proposed development is provided in Table 5.

Table 5: Summary of HBIC Protected and Notable Species Data

Species/Groups	Details
Plants	Bitter vetch <i>Lathyrus linifolius</i> was recorded on-Site in 2015 which is a nationally scarce plant recorded on the VC55 Rare Plant Register. Other plants recorded near the Site include tormentil <i>Potentilla erecta</i> and wood-sorrel <i>Oxalis acetosella</i> . Invasive non-native species reported on-Site include <i>Buddleja davidii</i> and bluebell hybrid <i>Hyacinthoides hispanica</i> x <i>non-scripta</i> , both records are from 2015.
Herptiles	There are no records of amphibians or reptiles within 1 km of the Site within the last 10 years.
Badger	There were 2 records of badger <i>Meles meles</i> within the last 10 years with the nearest record 300m from Site.
Bats	There were 172 records of bats within 1 km of the site in the last 10 years, including three records of barbastelle <i>Barbastella barbastellus</i> , 19 records of <i>Myotis</i> spp., 16 records of <i>Plecotus</i> spp., 29 records of <i>Nyctalus</i> spp., 22 records of serotine <i>Eptesicus serotinus</i> and 83 records of <i>Pipistrellus</i> spp.
Birds	Schedule 41 species recorded within 2 km include lesser redpoll <i>Acanthis cabaret</i> , house sparrow <i>Passer domesticus</i> and skylark <i>Alauda arvensis</i> . One record of barn owl <i>Tyto alba</i> 300m from Site was returned in 2019.
Other mammals	There were 10 records of hedgehog <i>Erinaceus europaeus</i> , and one record of otter <i>Lutra lutra</i> within the last 10 years.
Invertebrates	The following invertebrate species records could be supported by habitat within or adjacent to the Site: knot grass moth <i>Acronicta rumicis</i> , necklace ground beetle <i>Carabus monilis</i> , mottled rustic <i>Caradrina Morpheus</i> and dot moth <i>Melanchra persicariae</i> .

3.1.4 Granted Protected Species Licenses

Eight European Protected Species (EPS) licenses issued by Natural England were identified within 2 km of the Site. Two licences were for hazel dormouse *Muscardinus avellanarius* at the same location 1.6 km northeast of the Site and covered the period 2015-2021. The licences permitted the destruction of a resting place.

The remaining six licences were for bats, the closest site being 670 m southeast of the Site. The EPSLs covered the years 2012 – 2021 and were for multiple bat species: Natterer's *Myotis nattereri*, brown long-eared *Plecotus auritus*,

common pipistrelle *Pipistrellus pipistrellus*, and soprano pipistrelle *P. pygmaeus*. All licences were for the destruction of a resting place.

3.1.5 Great Crested Newt Pond Surveys 2017 – 2019

Three ponds were surveyed for great crested newt between 2017 and 2019. The ponds were located 1.3 km southeast, 1.6 km southeast and 1.6 km west of the Site: all returned negative results for GCN.

3.1.6 Great Crested Newt Class Survey Licence Returns

No GCN class survey licences returns were identified for the area within 2 km of the Site.

3.1.7 Priority Habitats

The following Priority Habitats are located within 250 m of the Site: Wet Woodland immediately adjacent to the east and northeast of the Site within Woodhouse Gully Wood; a small parcel of Lowland Mixed Deciduous Woodland 50 m southeast of the Site, another 210 m south; and Coastal and Floodplain Grazing Marsh 90 m north.

3.2 FIELD SURVEY RESULTS – HABITATS

The Existing UKHab Plan (Figure 2) should be referred to throughout this section. No Schedule 9 non-native invasive species were encountered during the survey. The abundance of species recorded in a 1 m² quadrat were categorised using the DAFOR scale (see section 2.3 for more details).

G1 – g4 Modified Grassland – Good Condition

G1 covered the northern half of the field where the new commercial parking area is proposed (Plate 1). The sward was slightly longer and more varied than in the southern area of the Site. The sward was species poor with common and ubiquitous species recorded.

Species in 1m²: Perennial rye-grass *Lolium perenne* (A), dandelion *Taraxacum* sp. (O), white clover *Trifolium repens* (O), fescue *Festuca* sp. (O) and an unidentified grass species (R).

Plate 1: Modified Grassland Parcel G1



G2 – g4 Modified Grassland – Moderate Condition

G2 covered the southern half of the field within which the commercial parking area is proposed. The grassland had been recently mown and was species poor with common and ubiquitous species. Mechanical damage was evident in much of this area (Plate 2).

Species in 1m²: Creeping buttercup *Ranunculus repens* (F), fescue *Festuca* sp. (F), white clover (F), cat's-ear *Hypochaeris radicata* (O), Yorkshire fog *Holcus lanatus* (O), oxeye daisy *Leucanthemum vulgare* (R) and perennial ryegrass (R).

Plate 2: Modified Grassland Parcel G2



G3 – g4 Modified Grassland – Good Condition

G3 comprised a vegetated bund along the eastern boundary of the western field where the new commercial parking area is proposed. The bund was situated between the hardstanding area of the yard U1 and the G1/G2 field. The bund comprised tall, coarse vegetation, tending to ruderal.

Species in 1m²: False oat grass *Arrhenatherum elatius* (F), ribwort plantain *Plantago lanceolata* (F), creeping bent *Agrostis stolonifera* (F), Yorkshire fog (O), creeping thistle *Cirsium arvense* (O), dandelion (O), white clover (O), bristly oxtongue *Helminthotheca echioides* (R).

G4 – g4 Modified Grassland – Poor Condition

G4 (Plate 3) was an area of overflow parking laid with grasscrete (a plastic mesh). The grassland had grown through the grasscrete to such an extent that very little mesh was visible, and it was therefore classified as g4 modified grassland.

Species in 1m²: Bent *Agrostis* sp. (D), dandelion (O), and one unidentified species (R).

Plate 3: Modified Grassland Parcel G4 with G6 Bund in Background



G5 – g4 Modified Grassland – Poor Condition

The southern half of the eastern field, to the south of the existing commercial parking area comprised species-poor g4 modified grassland (Plate 4) with common and ubiquitous species recorded.

Species in 1m²: Bent sp. (A), white clover (F), Yorkshire fog (O), and oxeye daisy (R).

Other species recorded in the wider field included cat's-ear, broad-leaved dock *Rumex obtusifolius*, mouse ear *Cerastium fontanum*, dandelion, spear thistle *Cirsium vulgare*, ribwort plantain, and creeping buttercup.

Plate 4: Modified Grassland Parcel G5



G6 – g4 Modified Grassland – Poor Condition

G6 comprised a bund around the unit parking area (Plate 3). The bund comprised ruderal vegetation which was tall and unmanaged.

Species in 1m²: *Brassica* sp. (A), creeping bent (F), creeping thistle (O), broadleaved dock (O), creeping buttercup (O).

Other species recorded in the bund included spear thistle, common nettle *Urtica dioica*, oxeye daisy, and bristly oxtongue.

G7 – u1f – Sparsely Vegetated Urban Land

The existing commercial parking area comprised tarmac (Plate 5). Between 2006 and 2021 the area comprised grasscrete which is unlikely to have been in good condition due to the daily use by lorries and trailers. Therefore, the baseline within this area on 30 January 2020 (the date specified in the Environment Act Schedule 14 to measure habitat degradation from) was grasscrete and this habitat has been used in the BNG assessment.

Plate 5: Parcel G7 hardstanding (grasscrete prior to 2021)



The rest of the wider site outside of the redline boundary comprised hardstanding with industrial storage buildings.

H1 - h2b Non-Native and Ornamental Hedgerow

A line of conifers bordered the northern section of the eastern boundary of the western field (Plate 6).

Plate 6: Conifer Treeline H1 bordering G1



A small bund spanned the western boundary of the eastern field and comprised a non-native laurel hedgerow (Plate 7). This will be removed and replanted with a native species rich hedgerow.

Plate 7: Northern section of cherry hedgerow H2



U1b – Developed Land, Sealed Surface

An area of hardstanding will be retained through the centre of the Site in an east/west and north/south direction and will form the access track to the proposed parking area.

Figure 2: Existing Baseline UKHab Habitat Plan & Target Notes



3.3 FIELD SURVEY RESULTS – SPECIES

Great Crested Newt (GCN)

The pond surveys conducted between 2017 and 2019 returned negative results for GCN. The desk study provided no records of GCN within 1 km of the Site. The majority of the grassland on Site had no suitability for GCN. The rough grassland/ruderal bunds, edge habitats to the grassland and woodland edge habitat were suitable to support terrestrial GCN.

The following potential waterbodies were identified using MAGIC Map: Waterbody located 415 m to the north west of the Site, located in the south eastern corner of Berrywood Fields football pitches (man-made SUDs appearance on aerial photo); waterbody located 497 m to the north east of the Site (dry area of a field on aerial photo); a pond located 212 m to the east of the Site.

Dormouse

Two dormouse licenses issued by NE were for a site located 1.6 km northeast of the Site. The hedgerow habitats within the Site are not suitable to support dormouse; they lack the species diversity and physical structure required by this species. The woodland adjacent to the Site is fairly isolated from other areas in the landscape with a lack of continuous thick hedgerows connected to it; several roads sever hedgerow lines to the Site; however, it cannot be ruled out that dormouse could be present within Woodhouse Gully Wood SINC.

Bats

The Site is adjacent to Wet Woodland Priority Habitat and a SINC, however the on-Site habitats consist of short, modified grassland and non-native hedgerows and therefore are not considered to be high-quality bat foraging or commuting habitat. Following the Bat Survey Guidelines provided in Table 2, the Site is considered to provide habitat of moderate suitability for foraging and commuting bats with continuous grassland and hedgerow habitat connected to the wider landscape.

Potential Roost Assessment (PRA)

There are no structures or trees within the Site boundary suitable for roosting bats. The industrial storage units located between the two parcels of the Site, along the northern ownership boundary of the Site were assessed for the presence of Potential Roost Features (PRFs).

The eastern building was of corrugated metal construction, with a concrete breeze block wall approximately 2 m from the ground on the south face. The roof was pitched and comprised corrugated overlapping fibre cement sheets. There were a few gaps between the sheets recorded on the south face and along the ridge. Mature woodland habitat was present to the north of the building and therefore the Potential Roost Features (PRFs) recorded on the roof on the south face had a low suitability to be used by roosting bats. The north face was obscured by the woodland and could not be inspected. The walls of the structure had negligible suitability for roosting bats and no access points were present for bats to enter the building.

The western building along the northern ownership boundary was of the same construction, however the base of the walls was constructed from concrete breeze blocks 1 m in height. No gaps were observed on the roof of this building, however full view of the roof was not possible.

Reptiles

The rough grassland/ruderal bunds, edge habitats to the grassland and woodland edge habitat were suitable to support common species of reptiles.

Breeding Birds

The cherry laurel and conifer hedges could support nesting birds. The grassland is not suitable for ground nesting birds due to it being regularly mown.

Badger

No evidence of badgers e.g. setts, latrines/ dung pits, signs of foraging (snuffle holes), pathways, guard hairs, fence push-ups or footprints were present within the Site.

Priority Species

The rough grassland/ruderal bunds, edge habitats to the grassland and woodland edge habitat were suitable for common toad *Bufo bufo* and hedgehog *Erinaceus europaeus*.

4 ECOLOGICAL ASSESSMENT, CONSTRAINTS & OPPORTUNITIES

4.1 STATUTORY AND NON-STATUTORY DESIGNATED SITES

The Site is not covered by any statutory or non-statutory designations; however the north eastern corner of the Site is located adjacent to Woodhouse Gully Wood SINC and wet woodland Priority Habitat. The current HGV parking area comprising hardstanding will be removed and a 20 m mixed scrub buffer will be created around the north and eastern edge of the Site adjacent to the woodland within areas G4, G5, G6 and G7. A 20 buffer wooden post and rail fenceline will be installed along the buffer boundary. This will provide an enhanced woodland edge habitat for a range of species and will protect the SINC and Priority Habitat from on-Site activities.

There were no SACs designated for bats present within 10 km of the Site. Considering the small scale and localised nature of the works, the statutory or non-statutory designated sites identified by the data search including Solent and Southampton Water Ramsar and SPA, and Solent Maritime SAC and will not be affected by the proposed development. There are no source-receptor pathways to the designated sites (other than to the adjacent SINC, which is addressed above), and the habitats within the proposed Site are not suitable to support the wading bird species that the European sites are designated for.

4.2 HABITATS

The Site does not contain any UK BAP Priority Habitats or Habitats of Principal Importance listed under S41 of the Natural Environment and Rural Communities (NERC) Act (UK Government, 2006).

There were no Schedule 9 invasive non-native species (INNS) observed within the Site at the time of survey.

Figure 3 provides the Post Development UKHab plan. A BNG Assessment using the Statutory Metric has been conducted and is reported separately (BNG Report, Johns Associates, March 2025). An area of hardstanding close to the woodland edge currently used for HGV parking will be removed to provide a 20 m mixed scrub buffer to the woodland thereby reducing any effects from use of the Site upon the woodland. The remaining area of removed hardstanding will be replanted with other neutral grassland.

To compensate for the loss of habitat in the G1 and G2 grassland for the new HGV parking area, the remaining G1 modified grassland will be enhanced to other neutral grassland through the implementation of a traditional hay cut mowing regime in late July/early August after the species have flowered. Arisings will be left for 1 to 7 days to allow the grasses to set seed before being removed to prevent nutrification of the soil. Perennial weeds such as docks and thistles will be removed by hand. Grass will be mown to 5 cm in late autumn/winter and once in early spring if necessary. Grassland could also be scarified and seeded to increase the species diversity. Seed should be sown in spring or autumn.

The SUDs area in the north eastern corner of G1 will also be planted with other neutral grassland with a species mix that is tolerant to periodic flooding.

The soil will be tested prior to sowing, the seed mix should have a minimum of 20% wildflower composition and have several non-agricultural grasses within it. Emorsgate seeds EM3 Special General Purpose Meadow Mixture is a good example of a suitable seed mix.

Two areas of native mixed scrub will be planted along the northern boundary of G1 and along the western boundary of the new HGV parking area to the west of the Site.

A species rich hedgerow with a minimum of five native woody species will be planted alongside the existing laurel hedgerow (H2). Once the new hedgerow has become established the laurel hedgerow will be removed. Hedgerow species could include hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa*, spindle *Euonymus europaeus*, hazel *Corylus avellana*, beech *Fagus sylvatica*, dogwood *Cornus sanguinea*, hornbeam *Carpinus betulus* and holly *Ilex aquifolium*.

There will be 10No. native individual trees planted throughout the enhanced areas of grassland to the west of the Site.

The 20 m buffer area alongside the woodland in grassland areas G4, G5 and G6, will be planted with mixed scrub. When the tarmac is removed, an arboricultural specialist will be present to oversee the work to ensure that nearby tree roots and woodland habitat is not damaged.

A 1.25 unit (23.64%) BNG in habitats will be achieved as a result of the proposals. The removal of the conifer hedgerow (H1) and the cherry laurel hedgerow H2 and planting of a species-rich native hedgerow in moderate condition will achieve a 0.82 unit (418.49%) BNG in hedgerow habitat.



-  Site Boundary
 h2a5 - species-rich native hedgerow
 g3c - other neutral grassland
 g4 - modified grassland
 h3h - mixed scrub
 u1b - developed land, sealed surface
 u1b5 - buildings

CLIENT CCW Services Ltd.

PROJECT Broadway Farm

TITLE	UKHabs Post Development Classification Plan
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SCALE @ A3	CREATED BY	CHECKED BY
1:750	AE	TP

REFERENCE	ISSUE/REVISION	DATE
J01560a-003		7/5/2025

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4.3 SPECIES

On the basis of the habitats present and the results of the desk study, the Site is considered to offer limited habitat for legally protected/notable species, as described in the following sections. The enhancement of the areas of grassland, creation of native mixed scrub, replacement of the non-native ornamental hedgerow with a native species rich hedgerow, planting of 10 No. individual trees and the establishment of the 20 m woodland edge buffer will enhance the available on-Site habitats for a range of species.

4.3.1 Bats

The Site was assessed as having moderate suitability for commuting and foraging bats according to the Bat Conservation Trust guidelines. The buildings located along the northern boundary of the Site and between the two parcels of land within the red line boundary had PRFs within the roof that had a low suitability for roosting bats. The buildings will be retained and will not be affected by the proposed development and as a result no further bat surveys are required.

Bat Mitigation Measures

The commercial parking area will continue to have low level lighting. The lighting will need to be on passive infrared (PIR) timers. These will only activate while vehicles are parking and will stay on for 5 minutes. An ecologically sensitive lighting scheme to be informed by a lux lighting assessment will be required for the Site as a planning condition to ensure that the current lighting is not inappropriate and does not fragment habitats and prevent continued foraging and commuting activity by nocturnal species (including bats).

Lighting needs to be in line with the recommendations stated in the BCT and ILP Guidance Note GN08/23 on Bats and Artificial Lighting at Night. In particular, lighting must be at the minimum level required for the shortest amount of time required, and should be directed downwards and away from vegetation, particularly around woodland edges and hedgerows which are likely to provide commuting corridors for bats.

Overarching principles to be observed within the ecologically sensitive lighting strategy should include the following:

Overarching principles to be observed within the ecologically sensitive lighting strategy includes the following:

- Bat roosting areas and other bat sensitive areas (e.g. key commuting and foraging habitats), must be either retained at their existing Lux level or not exceed 0.5 Lux at all heights;
- Column height will be carefully considered to ensure minimal light spill is achieved, with fittings preferably <0.5 m in height;
- All lamps will be fitted with UV filters or lack UV elements when manufactured;
- A warm white spectrum (<2700 Kelvin) will be adopted as this will reduce impacts of blue light upon wildlife;
- LED lamps will be used where possible;
- The use of bollard or low-level downward-directional luminaires is strongly discouraged. They can be considered for specific cases where the lighting professional and project manager are able to resolve the issues of unacceptable glare, poor illumination efficiency, unacceptable upward light output, increased light scatter from surfaces and poor facial recognition;
- Luminaires with an Upward Light Ratio above zero will be used;
- Any lights installed should incorporate PIR/motion sensors if possible, which are set on a short interval once triggered (<5 minutes);

- If/ where outside security lighting is required these will be specified with ecologist and lighting engineer input to avoid later unchecked installation by the householders. These should be set on a motion-sensors and timers to decrease the light pollution impacts. These lights will also be directed away from vegetation (and hooded/cowled where necessary) and be of the lowest intensity/brightness necessary for their purpose;
- Where required, accessories such as baffles, hoods or louvres will be used on the lamps to reduce light spill;
- The potential for glare to act upon dark corridors must be considered and managed where possible; and
- The orientation of fences, walls, the open space of gardens and other permanent features can be used to achieve the lighting strategy parameters.

Lux contour plans should be produced by a qualified lighting engineer. The following requirements are recommended:

- All modelling should include the combined effect of internal and external light spill;
- Four horizontal calculation planes used; one at ground level, one at 1 m in height, one at 3 m in height and one at roof height. Both inverted and non-inverted planes should be included for each height;
- Vertical calculation planes should be used where appropriate to show the illumination directly upon the edges of the habitat features used by foraging and commuting bats;
- Each plot should be accompanied by their minimum, average and maximum Lux values;
- Where dimming, PIR or variable illuminance states are to be used, a plot should accompany each of these states;
- The contours for 0.1, 0.2, 0.5, 1, 2 and 3 Lux (and up to 10 Lux in 1 Lux intervals) must be clearly shown as well as contours for values above these in either 5 or 10 Lux intervals;
- Modelled plots should not include any light attenuation factor from new or existing planting due to the lag time between planting and establishment and the risk of damage, removal or failure of vegetation which may result in difficulties in enforcing the screening effect or when undertaking post-construction compliance surveys;
- Only a maintenance factor of 1 may be used in order to best replicate the brightness of luminaires to be expected at 'Day 1' of operation; and
- The lux contour plots should be accompanied by an explanatory note from the lighting engineer to list where, in their opinion, sources of glare (essentially the experience of high contrast between a light source and the surrounding darkness) acting upon the dark corridors may occur and what has been done/can be done to reduce their impacts (hoods, screening, orientation, reconfiguration etc).

The preparation of an ecologically driven external lighting strategy should be made a condition of the planning permission.

4.3.2 Great Crested Newt

There were no desk study records of GCN within 1 km of the Site. The majority of the grassland on Site had no suitability for GCN. The rough grassland/ruderal bunds, edge habitats to the grassland and woodland edge habitat were suitable to support terrestrial GCN if present in the wider local area.

Two potential waterbodies were identified within the typical range of GCN (500 m), being located approximately 415 m and 497 m from the Site. It is possible that should these ponds support GCN, individuals may be present in suitable

habitats on Site, although alternative areas are present closer to these ponds. Should the pond located 212 m to the east of the Site support GCN it is possible that GCN could be present within suitable areas of the woodland located to the north east of the Site.

GCN are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence to:

- Deliberately kill, injure, disturb or capture them
- Deliberately take or destroy their eggs
- Damage their breeding sites and resting places - even if GCN are not present
- Possess, control or transport them (alive or dead)

It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- Disturb GCN while they occupy a structure or place used for shelter or protection
- Obstruct access to a place of shelter or protection

GCN Avoidance Measures

The vegetation on-Site should be kept short for the duration of the works to deter GCN from inhabiting the working area. The long rough grassland/ruderal vegetation on the G6 bunds and any other grassland areas that may comprise long grass at the time of the construction works, should be cleared using a two-phase cut method. First the vegetation should be cut to 15cm allowing time for any individual GCN to leave the area. A second cut to ground level can then be conducted under the supervision of an experienced and licensed Ecological Clerk of Works (ECoW) who will conduct a fingertip search for GCN immediately prior to the clearance works commencing. The vegetation should then be kept short for the duration of the works to deter GCN from re-inhabiting the area.

Alternatively an eDNA survey could be conducted on the pond located within 250 m of the Site from 15 April to 30 June, which may conclude that GCN are absent. In this case, avoidance measures would not be required to be implemented.

4.3.3 Dormouse

Dormouse are present in woodland located 1.6 km to the north east of the Site. There is no continuous habitat linkage between this area of woodland and Woodhouse Gully Wood SINC adjacent to the Site, however the potential presence of dormouse cannot be ruled out. Dormouse are an EPS and as such are protected by the legislation outlined above for GCN.

Dormouse Avoidance Measures

The woodland adjacent to the Site will be protected and retained throughout the construction works with the Root Protection Areas (RPAs) protected by suitable fencing e.g. heras fencing. An arboricultural specialist will be present during the tarmac removal works to ensure that the woodland habitat is not damaged. With this avoidance measure in place no negative effects to dormouse or dormouse habitat are anticipated. The 20 m buffer provision to the woodland would enhance this habitat for dormouse should it be present.

4.3.4 Reptiles

The grassland margins, woodland edge habitat and bunds provide suitable shelter and basking opportunities for common reptile species.

All native UK reptile species are protected by UK legislation including the Wildlife and Countryside Act 1981 (as amended) and the CROW Act 2000, against intentional or reckless harm.

Reptile Avoidance Measures

The GCN avoidance measures described in Section 4.3.2 will also protect any common reptiles present on Site.

4.3.5 Nesting Birds

The ornamental laurel hedgerow on-Site will be removed once the native hedgerow becomes established and was considered suitable to support nesting birds.

It is an offence under UK legislation to willfully destroy or damage the nest of a wild bird while it is being built or is in use in any location (Wildlife and Countryside Act 1981 (as amended) and the CROW Act 2000).

Nesting Bird Avoidance Measures

To avoid disturbance to nesting birds within suitable vegetation on Site, clearance of the hedgerow will be undertaken outside of the breeding season (from 1 March to 31 August inclusive). If works are necessary during the breeding season, the vegetation will be assessed by a suitably qualified ecologist and the appropriate level of avoidance applied prior to any removal works to avoid disturbance of any nesting birds which may be present.

4.3.6 Badger

No evidence of badger was recorded within the Site or within habitats in proximity to the Site that were visible during the survey. Badger could however traverse the Site at night time.

Badger Avoidance/Mitigation Measures

Any trenches/excavations on Site should be covered overnight to prevent accidental access by badgers and other nocturnal mammals (such as hedgehogs). Access ramps (such as a scaffold plank at an angle of no more than 45 degrees) should be provided to enable any mammals a means of escape. All excavations should be checked each morning prior to works commencing to ensure no mammals have become trapped overnight.

4.3.7 Priority Species

Hedgehog and common toad may be present on Site.

Priority Species Avoidance Measures

The GCN and badger avoidance measures will also protect hedgehog and common toad if present in the wider local area.

5 CONCLUSIONS

A CEMP should be produced which sets out avoidance and mitigation measures to be implemented during construction, particularly in relation to protection of the SINC woodland habitat. A HMMP will be required due to the 'significant enhancement' being conducted at the Site, to ensure that the required habitats and habitat conditions are created, maintained and monitored appropriately to ensure that the BNG conditions stated within this report are achieved. Monitoring Site visits will be required in Years 1, 2, 3, 4, 5, 10, 15, 20, 25 and 30 and follow up Site visits will also be required following any remediation measures being implemented to ensure success.

If any significant changes to the proposals shown in Figure 3 occur, a reassessment of the potential impacts may be required.

Provided that the recommendations for creation and management of habitats described in Section 4 of this report are implemented in full, it is predicted that the proposed development will achieve a habitat net gain of 23.64% with a 418.49% hedgerow net gain. The BNG assessment is provided within a separate BNG report (Johns Associates, March 2025). The habitat and hedgerow Trading Rules have been met.

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The UK Habitat Classification Habitat Definitions Version 2.01, July 2023

APPENDIX A – LEGISLATION AND PLANNING POLICY

LEGISLATION

Many species of animal and plant receive some degree of legal protection. For the purposes of this report, legal protection refers to: species included on Annex II of the Habitats Directive 1992 (Council of European Communities, 22/07/1992) , Schedules 2 and 5 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended) , excluding species that are only protected in relation to their sale (see Section 9[5] and 13[2]) reflecting the fact that the proposed development does not include any proposals relating to the sale of species.

Legal offences associated with species listed on Schedule 2 of the Conservation of Habitats and Species Regulations and Schedule 5 of the Wildlife and Countryside Act in England and Wales include inter alia:

- Deliberate capture, injury or killing of animals or taking or destroying their eggs;
- Deliberately disturb animals in a way that would significantly affect their local distribution or abundance, or affect their ability to survive, breed or rear young;
- Intentional or reckless disturbance of an animal in its place of shelter or protection;
- Damaging or destroying a resting place or breeding site;
- Intentionally or recklessly obstructing access to a place of shelter or protection; and
- Possess, control, transport, sell, exchange or offer for sale/exchange any live or dead animal or any part of an animal.

All species of wild bird are protected under the Wildlife and Countryside Act (1981) (as amended) from killing or injury. In addition, it is an offence to take or damage/ destroy their eggs and to damage or destroy a nest whilst it is in use. Species listed on Schedule 1 (such as barn owl) receive additional protection in that it is illegal to disturb birds or their young whilst occupying, or near to, an active nest.

A number of wild plants, habitats and animals (including reptiles, hedgehog and most species of bat) are also included within Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 which lists flora, fauna and habitats considered by the Secretary of State to be of principal importance for conserving biodiversity. The publication of the "England Biodiversity List" satisfies the requirements of Section 41 of the NERC Act 2006 for the conservation of biodiversity. Section 40 of the NERC Act 2006 requires public bodies, including local planning authorities, to have regard for the conservation of biodiversity in England, when carrying out their normal functions.

Badgers are protected under the Protection of Badgers Act 1992 (UK Government, 1992) which makes it an offence to willfully kill, injure or take (or attempt to kill, injure or take) a badger; or to disturb badgers whilst occupying their setts.

NATIONAL PLANNING POLICY

NPPE

There are numerous national and local planning policies associated with flora and fauna (also referred to as biodiversity) that need to be addressed as part of the planning process. The Government has issued its National Planning Policy Framework (NPPF) December 2024, which requires impacts to biodiversity to be minimised. Paragraph 194 of the NPPF applies the same protection to Ramsar sites as that conferred by the Habitats Regulations to SACs and SPAs, it also applies the same protection to sites identified or required as compensatory measures for adverse effects on habitat sites.

To protect and enhance biodiversity plans should:

- 192a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation;
- 192b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

The NPPF requires development to apply the following principles (Paragraph 193):

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Planning authorities should follow key principles to ensure that the potential impacts of planning decisions on biodiversity conservation are considered. Circular 06/05: Biodiversity and Geological Conservation provides guidance on the application of the law relating to planning and nature conservation and complements the NPPF.

The Natural Environment Paper

“The Natural Choice: Securing the Value of Nature” outlines the Government’s approach and vision for nature in the UK including protecting and improving our natural environment, growing a green economy and reconnecting people and nature.

Biodiversity 2020

A strategy for England’s wildlife and ecosystem services, are the country level strategies for England and builds on the natural Environment White Paper. It sets out the strategic direction for biodiversity policy for the next decade on land (including rivers and lakes) and at sea. The priorities for action include a more integrated large-scale approach to conservation, putting people at the heart of biodiversity policy, reducing environmental pressure and improving knowledge.

LOCAL PLANNING POLICY

Eastleigh Borough Council

Eastleigh Borough Council’s Local Plan 2016 to 2032 (dated April 2022) contains Policies relating to the natural environment which are reproduced below:

Policy DM11, Nature Conservation

1. The Council will work with statutory and voluntary agencies and developers, and will determine planning applications, to:
 - a. protect, conserve, enhance and facilitate adaption to climate change:
 - i. international, national and local nature conservation designations; and
 - ii. networks of natural habitats and features, including the Local Ecological Network, Priority Biodiversity Areas and Priority Biodiversity Links, watercourses, wetland complexes, woodland trees, and trees and hedgerows important to biodiversity and local character.
 - b. assist in achieving national, county and local biodiversity targets as set out in Biodiversity Action Plans (BAPs);
 - c. seek a net gain of biodiversity on all development sites (including sites for redevelopment) through the protection, enhancement and connection of existing and provision of new habitats and features of nature conservation interest compatible with the native biodiversity characteristics of the Borough, having regard to local geodiversity and soils; and
 - d. contribute to major elements of the PfSH Green Infrastructure Strategy and other strategies for the provision and enhancement of multifunctional green infrastructure including green routes, ecological networks and biodiversity enhancements (see strategic policy S9).
2. Development which is likely (either individually or in combination with other developments) to adversely affect the integrity of an international or European nature conservation site will not be permitted subject only to imperative reasons of overriding public interest and securing any necessary compensatory measures in the absence of alternative solutions. A 'project level' Habitat Regulations Assessment will be required where there are likely significant effects or uncertainty. Any mitigation measures required to ensure no adverse impact must be implemented at the appropriate time.
3. The Council will work with PfSH, Natural England, the Environment Agency and other wildlife organisations to develop and implement with developers a strategic approach to the protection and enhancement of international and European sites from the direct and indirect effects of development. Within Eastleigh Borough this will include:
 - a. implementing:
 - i. the Solent Recreation Mitigation Strategy (requiring contributions from residential developments within 5.6 kilometres of the Solent Special Protection Area to the Strategy); and
 - ii. the interim and any future New Forest Recreation Mitigation Strategy if required;or alternative agreed site specific measures to address recreational disturbance;
 - b. preserving the water quality and flows within the Itchen and Hamble, Southampton Water and Solent;
 - c. protecting the River Itchen SAC, in particular the maintenance and where appropriate restoration of habitats and qualifying species to favourable conservation status (as defined by article 1 of the Habitats Directive); and
 - d. seek contributions towards measures set out in the Southern Damselfly Conservation Strategy (or other strategy) specifically to deliver biodiversity net gain.
4. Development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse effect on a Site of Special Scientific Interest (SSSI), Site of

Importance for Nature Conservation (SINC) or Local Nature Reserve (LNR) as shown on the policies map (or on a more recent plan provided by the Hampshire Biodiversity Information Centre) unless it can be demonstrated that:

- a. there are no alternative solutions;
 - b. the adverse effects are unavoidable;
 - c. measures are taken to mitigate or, as a last resort, compensate for the adverse effects;
 - d. there is an overall biodiversity net gain; and
 - e. if there are any residual adverse effects which cannot be avoided, mitigated or compensated, the benefits of the development must clearly outweigh the adverse effects on the nature conservation value of the site and any broader impacts on national and local designations.
5. Development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse effect on **priority habitats, protected priority species, or on the local ecological network** unless it can be demonstrated that:
- a. there are no alternative solutions;
 - b. the adverse effects are unavoidable;
 - c. measures are taken to mitigate or, as a last resort, compensate for the adverse effects;
 - d. there is an overall biodiversity net gain; and
 - e. if there are any residual adverse effects, the benefits of the development clearly outweigh the adverse effects on priority habitats, priority and protected species, and the local ecological network.
6. Development will not be permitted if it results in the loss or deterioration of **irreplaceable habitats** (such as ancient woodland and ancient or veteran trees), unless there are wholly exceptional reasons and a suitable compensation strategy exists.
7. **Buffers** free from development will be provided to designated sites to avoid/mitigate impacts, including recreational impact and impacts on edge habitats, and to maintain dark skies.
8. Development will not be permitted unless it can be demonstrated that:
- a. there have been thorough habitat and species **surveys**;
 - b. the great crested newt strategic survey and strategy have been considered in all developments within 500m of a great crested newt pond; and
 - c. the strategic bat trapping survey has been considered in all developments within the locality of a woodland or connected habitat networks.

Strategic Policy S9, Green Infrastructure

1. Through new development and other initiatives and the Borough Council will seek to achieve the provision, retention and/or enhancement of the following forms of multi-functional green infrastructure, including provision of:
 - a. landscape scale strategic links across the Borough boundary, to and between the Borough's settlements, the countryside, the coast, and the major areas of open space including the country parks (see strategic policy S12);

- b. interlinked publicly accessible open space through new and existing development including for example formal sports facilities and informal amenity spaces and cemeteries (see policies DM32-DM34, Chapter 5 and detailed proposals in Chapter 6);
- c. green infrastructure incorporated into all new development with multifunctional spaces connected by primary, secondary and tertiary green links;
- d. interconnected urban green infrastructure within the fine grain of existing and new development including green, cycle ways, paths and linkages between community facilities and open spaces to link community facilities;
- e. green stepping stones such as street trees, green roofs and walls, pocket parks and urban copses (see policy DM1, Chapter 5);
- f. connected habitats linking the network of designated sites and existing priority habitats, taking account of the Hampshire ecological network map (see policy DM11, Chapter 5);
- g. incorporation of historic buildings and landscapes, including historic parks and gardens within the wider Green Infrastructure to protect their setting (see policy DM12, Chapter 5); and
- h. opportunities for local food growing including allotments, community orchards and farms (see policies DM32 to DM34, Chapter 5 and detailed proposals in Chapter 6).