



Sholing Football Club,
Portsmouth Rd,
Southampton,
SO19 9PW
Ecology Assessment

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1.0 Summary

The proposal is to construct a padel sports facility and associated infrastructure.

The site comprises an existing sports and recreational facility, dominated by modified grassland associated with football pitches, informal parking areas, hardstanding and gravel surfaces. Boundary features include hedgerows, lines of trees and a small number of individual trees, including a veteran oak located at the south-western corner of the site. The surrounding landscape consists of additional sports pitches, agricultural land, woodland, residential development and major road infrastructure.

A desk study and field survey were undertaken in line with standard guidance. The desk study identified three Local Nature Reserves within 2 km of the site; however, no statutory designated sites or European sites were identified within the immediate vicinity. Records of protected and notable species were limited and primarily associated with off-site habitats. The site itself is of low to moderate ecological value overall.

The site assessment confirmed that the majority of habitats present are of low ecological value, with the modified grassland and developed land offering limited biodiversity interest. The most ecologically valuable features on site are the boundary hedgerows, lines of trees and individual trees, particularly the veteran oak and associated tree group at the western end of the southern boundary, which represent an important local biodiversity resource and ecological constraint. These features provide habitat for nesting birds and potential commuting and foraging routes for bats and other wildlife.

No evidence of protected species was recorded during the field survey. However, the site supports habitat with potential to be used by common and widespread species, particularly birds and bats for flight corridors and nesting. As such, appropriate precautionary measures are recommended to ensure compliance with wildlife legislation during construction.

The proposed development has been designed to largely avoid impacts to the most sensitive ecological features, with retention and protection of boundary vegetation and trees. With the implementation of standard mitigation measures, including protection of retained habitats, sensitive lighting design and adherence to seasonal working restrictions, the proposals are not anticipated to result in significant adverse ecological impacts.

The development also presents opportunities for biodiversity enhancement. The proposals include the enhancement of existing hedgerows through native planting and improved management, the creation of areas of mixed native scrub, establishment of a traditional orchard, and the installation of bat and bird boxes. These measures will improve habitat diversity, strengthen ecological connectivity and deliver measurable biodiversity net gain in line with national and local planning policy.

2.0 Introduction

Background

- 2.1 Peach Ecology was commissioned in December 2025 to carry out an Ecological Assessment of the proposed development at Sholing Football Club, Portsmouth Road, Southampton, SO19 9PW, central Grid Reference: SU 4655 1055 (Appendix A), laid out as shown in Appendix B. This report will be submitted to Eastleigh Borough Council for permission to construct a padel sports facility and associated infrastructure as shown in Appendix C.
- 2.2 This report describes the existing ecology on-site based on the findings of an initial site visit, protected species and habitats data searches, and a review of local and national policies. The potential impacts of the development on ecological features are assessed and recommendations provided for any further surveys, mitigation, or enhancement measures necessary to comply with planning policy and wildlife legislation.

Description of site and surrounding area

- 2.3 The site is currently composed of modified grassland associated with a football club and recreational sports use, with key features including areas of regularly mown grass, informal grass parking, gravel parking, hedgerows, lines of trees, and areas of mixed scrub. The grassland is species-poor and subject to frequent mowing and trampling associated with sports use and vehicle parking.
- 2.4 The surrounding area is characterised by sports and recreational land uses, including football and cricket pitches, with residential properties to the west beyond Portsmouth Road. An additional sport field borders a strip of broadleaf woodland and brook to the north with more residential housing beyond. To the east the site is bounded by agricultural fields and the A3025 Portsmouth Road forms the southern boundary of the site and represents a physical barrier to ecological connectivity in this direction.

Brief

- 2.5 The main objectives of the PEA are:
- To identify and describe the habitats present on-site.
 - To assess the potential for protected and notable species.
 - To evaluate any ecological constraints associated with the proposed development.
 - To provide recommendations for mitigation and enhancement measures.

3.0 Methodology

Desk Study

- 3.1 This involved gathering ecological data relating to statutory nature conservation sites, habitats and species from within 2km as shown in Appendix D. Multi-Agency Geographic Information for the Countryside (MAGIC) a DEFRA run website was used along with Ordnance Survey maps and aerial images to check for relevant data on notable habitats and species nearby, including European Protected Species license data and wildlife corridors where the site connects into the surrounding area. Planning applications for nearby sites were also reviewed to look at the impacts of other proposals and schemes nearby.

Site Assessment

- 3.2 The initial site survey was undertaken on the 10th December 2025 by Angus Layton and Davog McCloskey. The survey employed techniques based on standard Phase I Habitat Survey methodology (CIEEM, 2016). Habitat types on and adjacent to the site were identified according to standard habitat definitions (UKHabs). The collection of botanical information focused on the dominant and key indicator species for each habitat type. The site survey included an assessment of the habitats immediately adjacent to the site, where possible, to look at its value within the local landscape. Indicative methodologies for the most likely protected and notable species that could occur on site or adjacent to the site and be impacted by the proposals are set out below.

Bats

- 3.3 A preliminary bat roost assessment was undertaken following BCT Bat Surveys for Professional Ecologists (2023). The assessment included an external and internal inspection of buildings for potential roosting features, such as gaps in roofing materials, lifted lead flashing, and cracks in brickwork. Trees within the site were also assessed from ground level for features such as rot holes, lifted bark, and ivy cover. The assessment followed standard methodologies to determine the site's suitability for bat roosting and to identify any requirements for further survey work.

Badgers & Hedgehogs

- 3.4 During the field survey, the site and a surrounding buffer (typically 100m), where possible, was systematically walked to identify badger & hedgehog signs, including setts (main, annex, subsidiary, and outlier), latrines, foraging evidence (snuffle holes, digging), well-trodden paths, scratching posts, and footprints as well as droppings and deep piles of leaves. Surveys are best conducted in spring or autumn when vegetation is less dense, and badgers are actively marking their territory. Findings are mapped and evaluated to determine any requirements for further survey methods such as camera traps or sand traps used where necessary to confirm presence.

Birds

- 3.5 Any habitat features, for example, scrub, trees, hedgerows and buildings which could potentially be used by nesting birds, were surveyed and any nesting activity was noted. Any bird records were also noted down during the survey in relation to the habitats.

Dormice

- 3.6 The site was assessed to ascertain habitat suitability and identify any signs of dormouse presence. Key features such as species-rich hedgerows, woodland edges, scrub, and areas with a diverse shrub layer (including hazel, honeysuckle, and bramble) are noted as potential nesting or foraging sites. The survey includes a search for indirect evidence such as gnawed hazelnuts, which have a characteristic smooth, bevelled edge. Findings are mapped, and the presence of suitable habitat may indicate the need for further presence/absence surveys using nest tubes or nest boxes.

Reptiles

- 3.7 The habitats on site were assessed for their suitability for reptile species. Key features such as rough grassland, hedgerows, woodland edges, scrub, and open ground with refugia (e.g., log piles, stone heaps, and compost heaps) are noted as potential basking, foraging, or hibernation sites. Observers record any direct sightings of reptiles or indirect evidence such as shed skins. Findings are mapped to determine whether further presence/absence surveys are required.

Great Crested Newts

- 3.8 Any ponds on site and within the vicinity of the site were checked for features such as aquatic vegetation, shading, and water quality these were used to assess their potential as breeding sites. Terrestrial habitats, including grassland, scrub, hedgerows, and woodland, are evaluated for their suitability for foraging, sheltering, and hibernation. The survey also involved searching for indirect evidence, such as egg-laying vegetation or aquatic invertebrates indicative of newt presence. Findings are mapped, and the presence of suitable habitats may trigger further targeted surveys, such as eDNA testing or presence/absence surveys.

Stag Beetles

- 3.9 Habitat for stag beetle larvae was searched for including wood piles or rotting tree stumps.

4.0 Results and Analysis

Desk study

Protected Sites

4.1 The following statutory designated sites were identified within 2 km of the site:

- **Westwood Woodland Park** (LNR) – comprises of ancient woodland, streams, ponds, marshes and grasslands, with a history linked to the medieval Netley Abbey estate.
- **Netley Common** (LNR) - is a lowland heath Local Nature Reserve on the outskirts of Southampton. The site features open heathland, grassland, scattered scrub and mixed woodland fringe, supporting heathland flora such as bell heather. Notable fauna include reptiles such as common lizards and adders.
- **Millers Pond** (LNR) - is a Local Nature Reserve in Southampton, owned by Southampton City Council and managed with support from the Sholing Valleys Study Centre. The reserve centres on a pond and associated wetland habitats, with semi-natural woodland and acid grassland. It provides a semi-natural green space valued for both wildlife (including birds, invertebrates and aquatic species) and community recreation.

4.2 These sites are located at distances of approximately 1–2 km from the application site and are separated from it by existing development, roads, sports facilities and agricultural land. No Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites were identified within the search area. Protected sites further afield will not be impacted by the proposals.

4.3 Habitats and species are all susceptible to changes in water quality and levels and there is the potential for impacts from pollution and drainage associated with the proposals. The in-combination effects of different developments can have a significant effect on rivers and waterways and therefore it is important that pollution and drainage are considered early on to minimise or eradicate negative effects of the development.

Site Assessment

Habitats

4.4 The following habitats were recorded on-site during the field survey. Each habitat is described in terms of its structure, ecological value, and potential ecological constraints.

Modified Grassland

4.5 Much of the site comprises modified grassland, used as football pitches and overflow parking (Photo 1). This grassland is subject to regular mowing, trampling and intensive recreational use, resulting in a short, uniform sward with frequent areas of wear (Photo 2).



Photo 1: The existing area of grassland where the Padel Courts are proposed



Photo 2: Bare earth areas in the existing grassland due to wear from parking and footfall

- 4.6 The sward is species-poor and dominated by common amenity grasses, *Poa spp.*, Yorkshire Fog, *Agrostis sp.*, with occasional ruderal and disturbance-tolerant species such as Dandelion, Plantains and White Clover recorded sporadically. Areas of bare ground, compacted soil and patchy grass cover were noted, particularly along access routes, pitch margins and locations subject to vehicle movements or repeated foot traffic.
- 4.7 No botanical indicators of semi-natural grassland or priority habitats were recorded. The grassland lacks structural diversity, varied sward heights or floristic interest and is of low ecological value. The loss of grassland does not represent a significant ecological constraint to the proposed development.

Developed Land Sealed Surface and Hardstanding

- 4.8 Areas of developed land, including sealed surfaces and gravel parking areas (Photo 3), were recorded within the site, particularly around existing buildings, containers and access routes. These areas are regularly disturbed and largely devoid of vegetation.



Photo 3: Gravel parking area to the east of where the Padel Courts are proposed

- 4.9 This habitat is of negligible ecological value and does not provide suitable habitat for protected or notable species. No ecological constraints are associated with developed land.

Hedgerows, Lines of Trees & Individual Trees

Southern Hedge & Individual Trees

- 4.10 The southern boundary of the site (Photo 4) supports a managed hedge dominated by non-native Privet. The hedge runs broadly east–west along the southern extent of the application site, forming a boundary between the sports pitches and adjacent road.



Photo 4: Gravel parking area to the east of where the Padel Courts are proposed

- 4.11 The hedge is closely clipped, resulting in a dense, uniform structure with limited vertical or structural diversity. Species composition is low, with Privet clearly dominant and no notable inclusion of native woody species observed during the site visit. The hedge is approximately 2–3 m in height and is relatively narrow, with a sparse ground flora at its base, likely due to shading, frequent management, and the disturbance along the adjacent ground. The hedge itself offers limited intrinsic ecological value when considered in isolation due to its non-native species composition and intensive management regime, however it is connected into other hedgerows and forms part of a wildlife corridor locally.
- 4.12 At the western end of the southern boundary hedge is a small group of individual broadleaved trees, including a veteran oak (Photo 5), other oaks, birch and cherry. The veteran oak is a key ecological feature supporting a wide range of biodiversity. The remaining trees within the group are mature to semi-mature broadleaved specimens that collectively contribute to a structurally diverse treeline.
- 4.13 Sections of hedgerow currently dominated by non-native privet will be progressively improved through selective removal and replacement with native species, increasing species diversity and ecological resilience.



Photo 5: Large mature Oak along the southern boundary

- 4.14 The veteran oak has high bat roost potential based on its age, size and structural features. As such, the trees represent a significant ecological constraint, and their retention and protection have been prioritised within the proposed development layout.

Hedgerow – Western Boundary

- 4.15 The western boundary of the site supports a native hedgerow with associated scrub and trees (Photo 6), forming a linear feature separating the managed sports pitches from neighbouring land. The hedge is comparatively less intensively managed than the southern boundary hedge and comprises a mix of native woody species, including hawthorn and blackthorn (*Prunus spinosa*), bramble, with scattered young and semi-mature trees present along its length.



Photo 6: Western boundary hedgerow

- 4.16 The hedge varies in height, generally ranging between 0-2m, with large gaps, encroachment of rank vegetation and limited management consistency. The adjacent grassland edge shows evidence of disturbance, but due to the young mature trees this does not significantly detract from the overall habitat function of the hedge.
- 4.17 Ecologically, the western hedge is of moderate value within the site context. It provides nesting and foraging opportunities for birds, shelter for small mammals, and a commuting and foraging corridor for bats, particularly given its connectivity to off-site woodland, tree groups and the veteran tree assemblage at the south-western corner of the site.
- 4.18 The western hedge therefore represents an important ecological feature and constraint. Any removal, fragmentation or degradation could result in adverse impacts to wildlife and a reduction in connectivity. Retention and protection of this hedgerow have been prioritised within the proposed development layout. This can be enhanced through the introduction of native woody species of local provenance.

Hedgerow and Individual Trees – Northern Boundary

- 4.19 The northern boundary of the site supports a managed hawthorn hedgerow with associated individual oak trees (Photo 7), forming a linear boundary between the site and adjacent cricket pitch. The hedgerow is relatively short and uniform in structure and appears to be subject to regular trimming, resulting in a dense but narrow profile with limited vertical diversity.
- 4.20 The hedge is species-poor, made up of only hawthorn. Ground flora at the base of the hedge is sparse, reflecting shading, disturbance from adjacent grass management, and ongoing hedge maintenance.
- 4.21 Set within and immediately adjacent to the hedgerow are several individual young oak trees. These trees stand as important standard trees, increasing the structural complexity of the boundary and providing vertical habitat continuity within an otherwise open and intensively managed landscape.



Photo 7: Northern boundary hedgerow

- 4.22 Ecologically, the hedgerow itself is of low to moderate value, primarily providing limited nesting habitat for common bird species and some shelter for invertebrates. Similarly, the individual oak trees are of low ecological value, due to their age and limited connectivity to higher value habitats.

Line of Trees – West of entrance track

- 4.23 Along the western side of the site entrance road is a line of mature trees (Photo 8), composed predominantly of mature cherry, with birch also present. Several of the cherry trees are in poor physiological condition, with evidence of bacterial canker infection and associated canopy dieback. Despite this, the trees remain standing and collectively form a continuous linear feature.



Photo 8: Line of Cherry to west of entrance track

- 4.24 Ecologically, this line of trees is of moderate value. The trees are isolated from any higher value habitat but may provide foraging and nesting opportunities for birds, support invertebrate assemblages associated with mature trees, and offer limited linear connectivity for bats and other wildlife moving through the landscape. One of the trees will be removed. The remaining tree will need to be protected during construction.

Line of Trees – East of entrance track

- 4.25 The eastern side of the site supports a line of young to semi-mature trees (Photo 9), located adjacent to areas of hardstanding and car parking. These trees appear to have been recently planted, likely as part of landscaping associated with the existing sports facilities and parking areas.
- 4.26 The trees are predominantly birch (*Betula sp.*), forming a relatively open and evenly spaced line with limited understorey vegetation. Due to their age and regular management of the surrounding ground, structural diversity is low and there is minimal associated scrub or ground flora.



Photo 9: Trees to west of entrance track

- 4.27 Ecologically, this line of trees is of low to moderate value. While the trees provide some limited foraging opportunities for birds and invertebrates, and a degree of visual screening, their contribution to habitat connectivity is limited when compared to more established boundary vegetation elsewhere on the site. The trees will need to be protected during construction.

Species

Bats

- 4.28 The site contains boundary hedgerows, lines of trees and individual mature trees which will provide potential for use by bats for commuting and foraging. One veteran oak and several mature trees are present on site however these and any trees with roosting potential will not be impacted by the proposals. No buildings within the development footprint are suitable for bat roosting.
- 4.29 The proposals have been designed to retain all boundary vegetation and trees, including the veteran oak, and no tree felling or works to structures with bat roost potential are proposed. Lighting associated with the development will be designed to avoid light spill onto retained hedgerows and tree lines, ensuring that bat commuting routes are maintained. As such, the proposals will not result in disturbance, damage or destruction of bat roosts or significant impacts to bat foraging or commuting habitat.
- 4.30 On this basis, bats are not considered to be adversely affected by the proposals, and no further bat survey or mitigation licensing is required. New features for roosting bats will be included in boxes attached to trees.

Great Crested Newt

- 4.31 No ponds are present within the site boundary or within over 250m from the site. The site is in an Amber Zone on the NatureSpace Impact Zone Maps, this is classed as suitable habitat – Great Crested Newts (GCN) are likely to be present. The surrounding landscape is dominated by developed land, roads, managed sports pitches, car

parking, streams and arable farmland, which provide limited suitability and connectivity for great crested newts. There are no records of GCN within the immediate vicinity of the site and the terrestrial habitats present are sub-optimal for this species.

- 4.32 Given the absence of aquatic habitat, the nature of the surrounding landscape and the limited suitability of on-site habitats GCN are not considered to be present or affected by the proposals. No further survey or mitigation is required.

Dormouse

- 4.33 Dormice are typically associated with species-rich, well-connected hedgerows and woodland with a diverse shrub layer. While hedgerows and scrub are present along site boundaries, these are relatively managed, fragmented and dominated in places by non-native species such as privet. The site is isolated from larger blocks of suitable woodland habitat by roads, developed land and open sports pitches.
- 4.34 The proposed development will retain and enhance boundary hedgerows, and no removal of suitable dormouse habitat is proposed. As such, dormice are not considered to be present or affected, and no further survey is required.

Otter

- 4.35 Otters are associated with watercourses, wetlands and riparian corridors. No watercourses or suitable riparian habitats are present within or immediately adjacent to the site. The proposals will not affect aquatic habitats or waterbodies.
- 4.36 Otters are therefore not considered to be present or impacted by the development.

Reptiles

- 4.37 Common reptile species such as slow worm, common lizard and grass snake are known to occur locally and may utilise a range of semi-natural habitats. Within the site, habitats are dominated by intensively managed modified grassland, hardstanding and formal sports pitches, which provide limited suitability for reptiles. While boundary hedgerows, scrub and areas of unmanaged grassland offer some low-quality refugia and foraging potential, these habitats are largely linear, fragmented and subject to regular disturbance associated with site use.
- 4.38 The proposed development will retain and enhance boundary vegetation, including hedgerows and lines of trees, and incorporates the creation of additional mixed scrub and grassland habitats as part of the biodiversity net gain strategy. No loss of suitable reptile habitat is proposed, and works will largely affect areas of low ecological value. Given the limited suitability of on-site habitats and the retention and enhancement of boundary features, reptiles are not considered likely to be present at significant levels or adversely affected by the proposals.
- 4.39 On this basis, further reptile surveys or mitigation measures are not considered necessary, provided that standard good practice measures are followed during construction.

5.0 Requirements and Recommendations

- 5.1 This will be read alongside the Biodiversity Net Gain assessment. A detailed Habitat Management and Monitoring Plan will be produced as a condition of planning.
- 5.2 An annotated Mitigation and Enhancement Plan is included in Appendix E.

Mitigation

- 5.3 The proposed development is located within an existing sports and recreational site and is largely confined to areas of modified grassland, hardstanding and previously disturbed ground. As such, the potential for significant ecological impacts is limited. Nevertheless, the following mitigation measures are recommended to ensure compliance with wildlife legislation and to minimise impacts on retained habitats and species.
- 5.4 Protection of Retained Habitats:
 - All retained hedgerows, lines of trees and individual trees, particularly along the southern, western and northern boundaries, should be protected during construction through the installation of appropriate protective fencing in accordance with the Arboricultural Impact Assessment.
 - Root Protection Areas (RPAs) of retained trees should be respected at all times, with no storage of materials, machinery access or ground disturbance within these zones.
- 5.5 Lighting:
 - External lighting associated with the proposed development should be designed to minimise light spill onto adjacent hedgerows, trees and boundary vegetation. Lighting onto hedges will be below 1lux.
 - Lighting should be directional, low-level where possible, and designed to avoid illumination of key linear features that may be used by commuting or foraging bats.
- 5.6 Nesting Birds
 - Vegetation clearance or removal of hedgerows, trees or scrub should be undertaken outside the bird nesting season (March to August inclusive).
 - Where works are required during this period, a pre-works nesting bird check should be undertaken by a suitably qualified ecologist, and appropriate buffers implemented if active nests are found.

Enhancement

- 5.7 Although the site is of generally low to moderate ecological value, the proposals present opportunities to deliver measurable biodiversity enhancements, in line with the National Planning Policy Framework and the Environment Act (2021) as seen in Appendix E.
- 5.8 Hedgerow Enhancement and Creation

- Existing hedgerows to the north and west along the site boundaries will be retained and enhanced through the introduction of native woody species of local provenance, including hawthorn, blackthorn, hazel, field maple and dog rose.
- Sections of hedgerow currently dominated by non-native privet to the south will be progressively improved through selective removal and replacement with native species, increasing species diversity and ecological resilience.
- Enhanced hedgerow management will aim to promote a dense, structurally varied form, benefiting nesting birds, foraging bats and invertebrates.

5.9 Mixed Scrub Creation

- Areas identified on the BNG plan will be planted with mixed native scrub, comprising species such as hawthorn, blackthorn, elder, dogwood and guelder rose.
- This habitat will provide shelter, nesting and foraging opportunities for a wide range of fauna and will strengthen habitat connectivity between retained tree lines, hedgerows and grassland areas.
- Scrub areas will be managed on a rotational basis to maintain varied age structure and maximise biodiversity value.

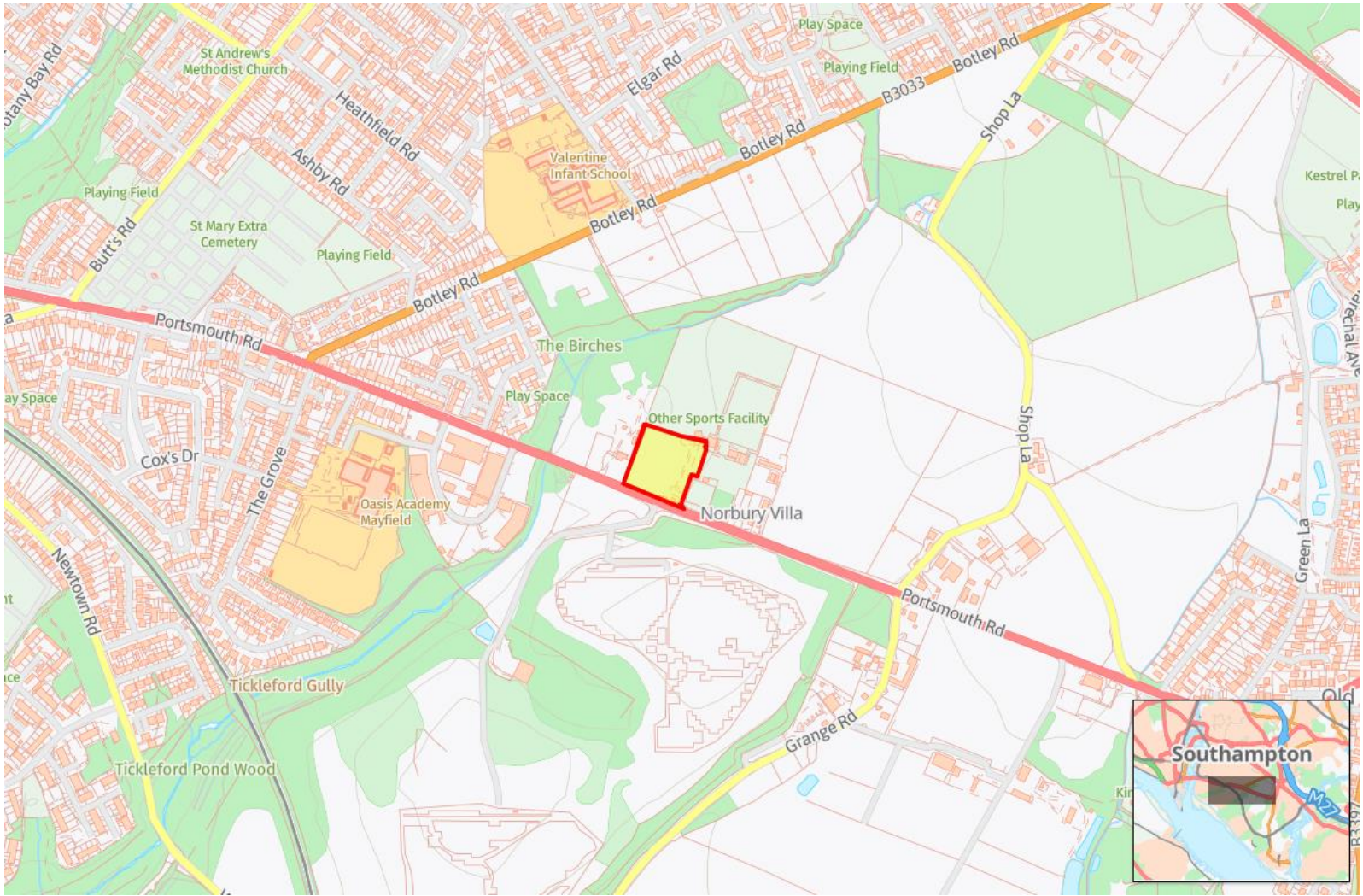
5.10 Traditional Orchard Habitat

- The proposals include the creation of a traditional orchard, planted with a mix of locally appropriate fruit tree species.
- Orchard trees will be spaced to allow development of a grassland understorey, with management designed to promote flowering plants and invertebrate diversity.
- Over time, the orchard will provide a valuable habitat for birds, invertebrates and fungi, as well as contributing to the site's landscape character and long-term biodiversity value.

5.11 Faunal enhancements

- The installation of bird nesting boxes suitable for common and edge-of-settlement species is recommended on retained trees.
- Bat boxes will be installed on retained mature trees away from artificial lighting to enhance roosting opportunities within the local landscape.
- Deadwood arising from site works will be retained on site where practicable, forming a stumpery/log piles within scrub or woodland-edge habitats to benefit invertebrates and other fauna. This will be undertaken under ecological supervision.

Appendix A: Site location



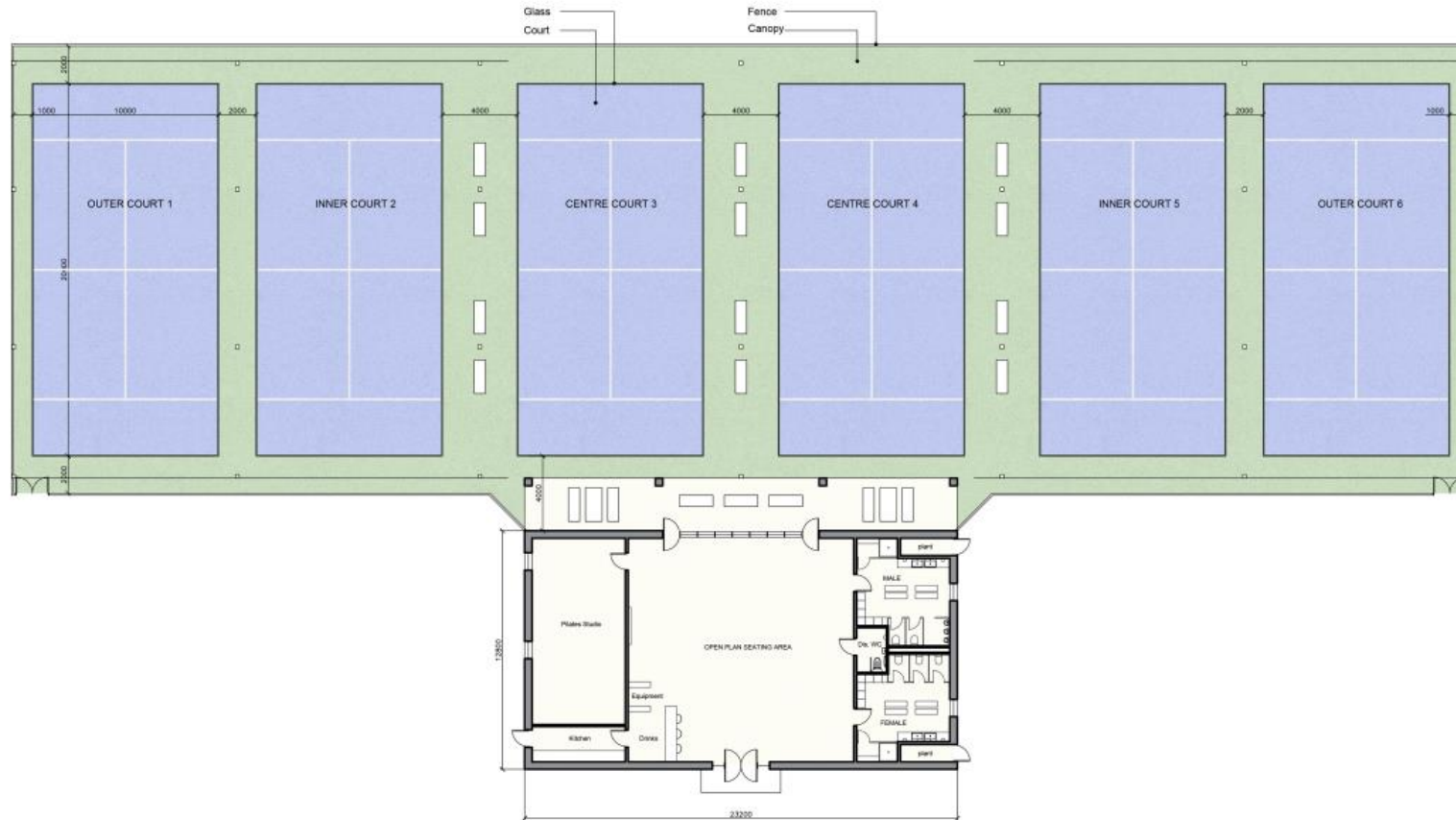
Appendix B: Existing site plan and UKHabs



Appendix C: Proposals



PADEL COURT - 1:200



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DWG | Padel - Floor Plans
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PADEL COURT - 1:200



North West Elevation facing Padel Courts



North East Elevation facing Football Club



South West Elevation facing Portsmouth Road



North West Elevation facing Grass Parking



South East Elevation facing Parking

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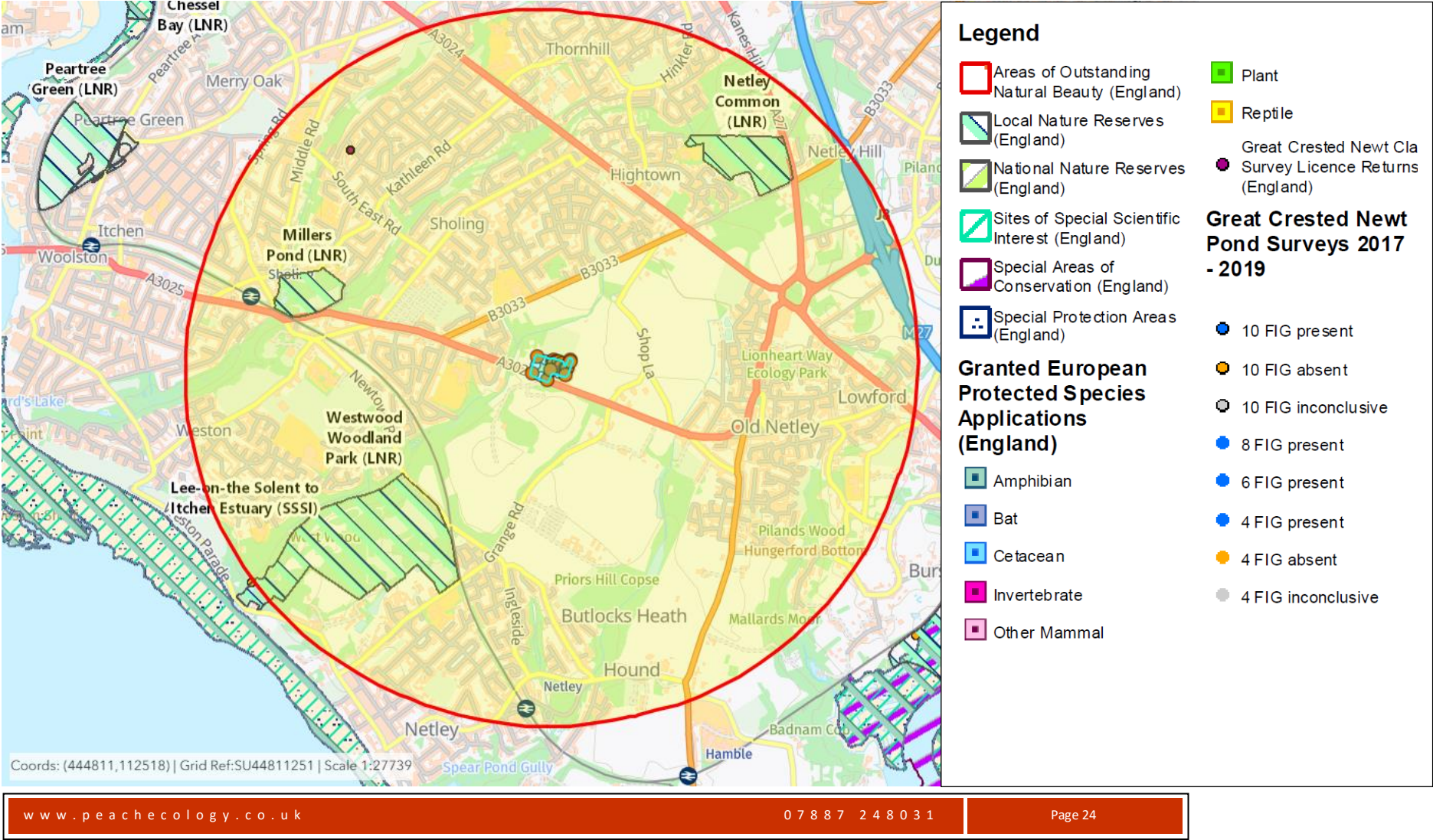
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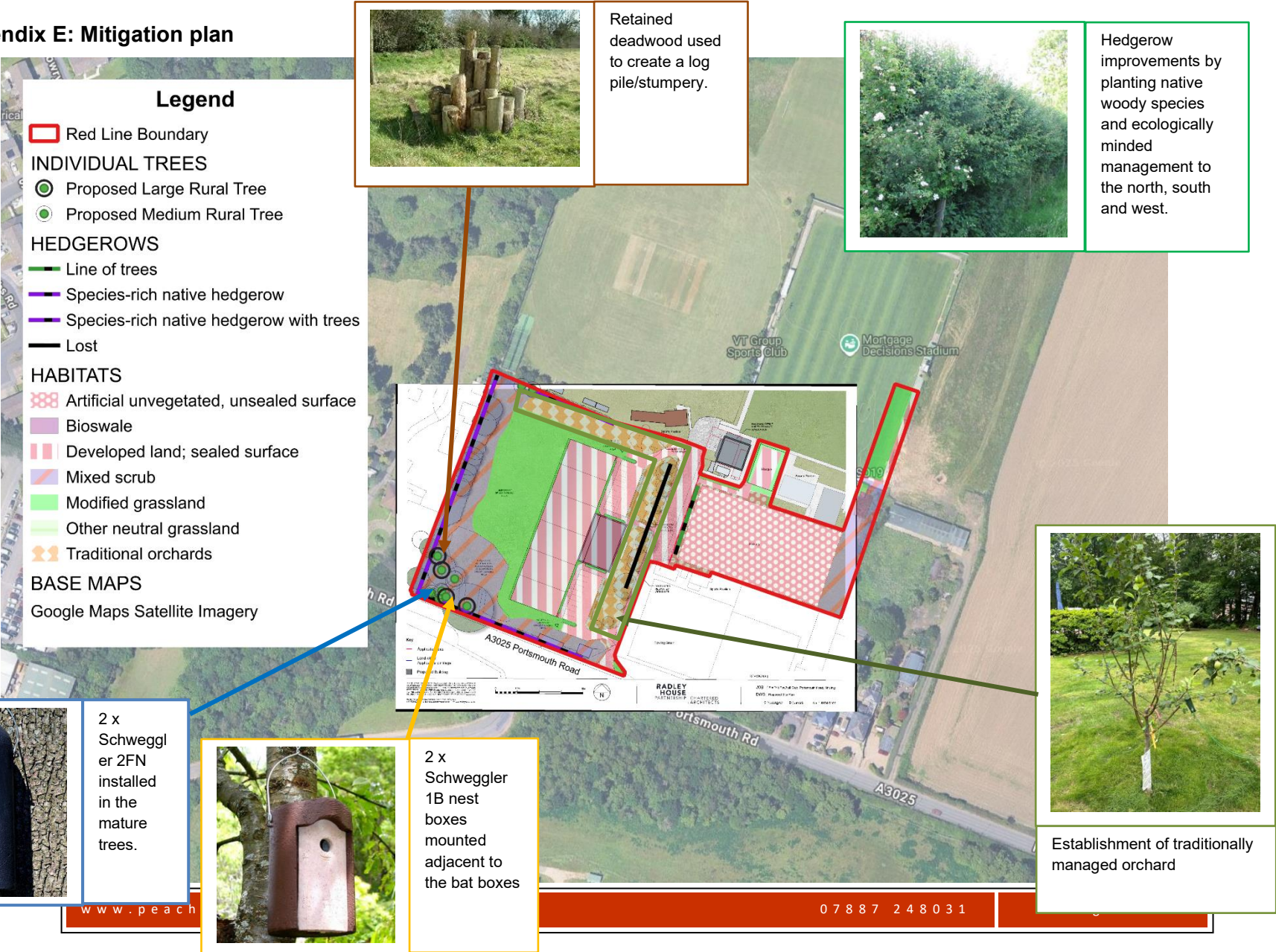
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DWG | Padel - Elevations
S | 1:200@A3 D | Dec 25 No | #374 D202

Appendix D: Protected sites, habitats and species data from MAGiC database within 2km



Appendix E: Mitigation plan



Appendix F: Protected species legislation

Amphibians

Natterjack toad, pool frog and great crested newt are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). They are also afforded additional protection under the Wildlife and Countryside Act 1981 (as amended).

Natterjack toad, common toad, great crested newt and northern pool frog are also Species of Principal Importance (SPIs).

Reptiles

Smooth snake and sand lizard are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). They are afforded additional protection under the Wildlife and Countryside Act 1981 (as amended).

Adder, grass snake, common lizard and slow-worm are all protected from killing and injury under the Wildlife and Countryside Act 1981 (as amended). All UK reptile species are SPIs.

Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). This includes damage and destruction of their nests whilst in use, or construction. Species listed under Schedule 1 of the Act, such as barn owl, are afforded protection from disturbance during the nesting season.

The following 50 bird species are SPIs: lesser redpoll, aquatic warbler, marsh warbler, skylark, white-fronted goose, tree pipit, scaup, bittern, dark-bellied brent goose, stone-curlew, nightjar, hen harrier, northern harrier, hawfinch, corncrake, cuckoo, Bewick's swan, lesser spotted woodpecker, corn bunting, ciril bunting, yellowhammer, reed bunting, red grouse, herring gull, black-tailed godwit, linnet, twite, Savi's warbler, grasshopper warbler, woodlark, common scoter, yellow wagtail, spotted flycatcher, curlew, house sparrow, tree sparrow, grey partridge, wood warbler, willow tit, marsh tit, dunnoek, Balearic shearwater, bullfinch, roseate tern, turtle dove, starling, black grouse, song thrush, ring ouzel and lapwing.

Birds are also categorised according to their level of conservation concern indicated by their population status and stability. These are known as the Birds of Conservation Concern (BoCC4), Red, Amber and Green lists (Eaton et al, 2015). Where red and amber species are present, their conservation status should be considered in determining the likely impacts of proposed projects and plans.

The conservation status of birds recorded during the survey was assessed against the following criteria:

- EC Birds Directive 2009 Annex 1,
- Wildlife and Countryside Act 1981 (As Amended) Schedule 1, (Table 1, WCA1)
- Natural Environment and rural communities (NERC) Act 2006 – Section 41
- Red and Amber lists of Birds of Conservation Concern in England (BoCC4)

Badger

Badger is protected under the Protection of Badgers Act 1992. Under this legislation it is an offence to kill or injure a badger; to damage, destroy or block access to a badger sett; or to disturb badger in its sett. The Act also states the conditions for the Protection of Badgers licence requirements.

Bats

All bat species are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), as detailed above. Bats are further protected under the Wildlife and Countryside Act 1981 (as amended), making it an offence to:

- Deliberately or recklessly damage or destroy any structure or place which bat(s) use for shelter or protection.
- Disturb bat(s) while occupying a structure or place which it uses for shelter or protection.
- Obstruct access to any structure or place which they use for shelter or protection.

Furthermore, seven bat species are SPIs, covered under Section 41 of the NERC Act 2006. These include western barbastelle, Bechstein's, noctule, soprano pipistrelle, brown long-eared, lesser horseshoe and greater horseshoe.

Hazel dormouse

Hazel dormouse is protected under the Conservation of Habitats and Species Regulations 2017 (as amended). It is afforded additional protection under the Wildlife and Countryside Act 1981 (as amended), including obstruction to a place of shelter or rest.

Hazel dormouse is also a SPI.

Hedgerow

Under the Hedgerows Regulations 1997 it is against the law to remove or destroy certain hedgerows without permission from the LPA, which are also the enforcement body for offences created by the Regulations. LPA permission is normally required before removing hedges that are at least 20 m in length, more than 30 years old and contain certain plant species. The authority will assess the importance of the hedgerow using criteria set out in the regulations. The regulations do not apply to hedgerows within the curtilage of, or marking a boundary of the curtilage of, a dwelling house.

Hedgerow is a Habitat of Principal Importance (HPI).

Other mammals

West European hedgehog, brown hare, mountain hare, pine marten, harvest mouse, polecat and red squirrel are all SPIs.

The following mammals are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended): wildcat, brown hare (Schedule 5A), mountain hare (Schedule 5A), pine marten and red squirrel.

Non-native invasive plant species

Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) is a list of non-native plant species for which Section 14 of the Act applies. It is an offence to plant, or otherwise cause to grow in the wild species listed under Schedule 9 of the act. These include, but are not limited to:

- Himalayan balsam
- Cotoneaster sp.
- Japanese knotweed
- Giant hogweed

Habitats of Principal Importance

Section 41 of the NERC Act 2006 details 56 HPis, of which the following could be present in south-east England: Lowland calcareous grassland, Lowland dry acid grassland, Lowland meadows, Lowland Heathland, Open Mosaic Habitats on Previously Developed Land, Lowland fens, Lowland raised bog, Reedbeds, Lowland beech and yew woodland, Lowland mixed deciduous woodland and Wet woodland.

Impacts to HPI are of material planning consideration.

Ancient woodland and veteran trees

The NPPF 2021 states that 'Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'. In addition, Natural England's standing advice for ancient woodland indicates that a 15 m buffer is retained between ancient woodland and any works or development. Ancient woodlands, and ancient and veteran trees, may also be protected by Tree Preservation Orders.

National Planning Policy Framework (2024)

Details the Government's planning policies for England and how these should be applied, particularly to contribute to the Government's commitment to halt the decline of biodiversity. When assessing planning applications, LPAs should have regard to conserving and enhancing biodiversity by applying a number of principles, including:

- Avoiding impacts to biodiversity through appropriate site selection.
- Mitigating residual impacts.
- Encouraging the preservation and enhancement of biodiversity.
- Preventing the development of protected sites, such as SSSIs.
- Refusing permission where habitats that cannot be recreated, such as ancient woodland, would be lost.
- Encouraging good design that limits light pollution.
- Relevant paragraphs in the NPPF (2024) are detailed below.

Paragraph Number	Detail
187	Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs; e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
188	Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
189	Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
190	When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
191	Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 189), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.
192	To protect and enhance biodiversity and geodiversity, plans should: a) 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 creation⁶⁹; and b) 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.
193	When determining planning applications, local planning authorities should apply the following principles:

	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.
194	The following should be given the same protection as habitats sites: a) potential Special Protection Areas and possible Special Areas of Conservation; b) listed or proposed Ramsar sites⁷¹; and c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.
195	The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Environment Act (2021)

The Environment Act (2021) achieved Royal Assent in November 2021.

An Act to make provision about targets, plans and policies for improving the natural environment; for statements and reports about environmental protection; for the Office for Environmental Protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards; about water; about nature and biodiversity; for conservation covenants; about the regulation of chemicals; and for connected purposes.

The "10% net gain" requirement in the UK's Environment Act 2021 refers to Biodiversity Net Gain (BNG), which mandates that most new developments must deliver a 10% increase in biodiversity compared to the pre-development state. This is achieved by creating or improving habitats on-site, off-site, or through a combination of both, and the gain must be maintained for at least 30 years. The requirement became mandatory for major developments in February 2024 and for small sites in April 2024.

Countryside and Right of Way Act 2000

Amends and strengthens the Wildlife and Countryside Act 1981 (as amended). It also details habitats and species for which conservation measures should be promoted.

Natural Environment and Rural Communities Act 2006

Section 40 of the Act places a duty on local planning authorities to conserve and enhance biodiversity in England whilst carrying out their normal functions. Section 41 comprises a list of Habitats of Principal Importance (HPIs) and Species of Principal Importance (SPIs) which should be considered.

The LPA will need to have particular regard to any relevant local nature recovery strategies, and any relevant species conservation strategy or protected site strategy prepared by Natural England.

Hedgerows Regulations 1997

Under these regulations it is an offence to intentionally or recklessly remove, or cause or permits another person to remove, a hedgerow. Important hedgerows are defined in Section 4 of the Regulations. This includes hedgerows that have existed for over 30 years or satisfies at least one criteria listed in Part II of Schedule 1.

Wild Mammals (Protection) Act 1996

Under this act wild mammals are protected from the intentional unnecessary suffering by crushing and asphyxiation.

ODPM Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System (2005)

The Government's Office of the Deputy Prime Minister (ODPM) Circular 06/05 (ODPM 2005) presents the legal requirement for planning authorities with regard to statutory designated sites. Planning approval should not be granted where impacts to statutory designated sites that are not connected to the site maintenance for nature conservation, or will have a significant effect on the site's conservation objectives and/or affect the site's integrity. Permission may be granted if the proposed development overrides public interest. The presence of a protected species is a material planning consideration. The Circular clearly outlines that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted. Otherwise, all relevant considerations may not have been addressed in making the decision.