

Land at Northney Farm, Hayling Island: Wetland Bird Mitigation Ecological Statement

1. INTRODUCTION

Context

- 1.1 Ecological Planning & Research Ltd (EPR) has been commissioned by Dandara Southern Ltd, to provide ecological advice and support in relation to their proposals to bring forward a residential-led scheme at a site known as Campdown in Havant Borough Council (HBC), which was a draft allocation in the emerging Havant Borough Council Local Plan, and is currently the subject of a separate planning application (HBC planning application number APP/23/00488).
- 1.2 In order to enable the delivery of the residential scheme at Campdown, it was necessary to address the loss of high tide foraging and roosting habitat being used by overwintering birds associated with the nearby Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar Site, in particular Curlew *Numenius arquata* and Dark-bellied Brent Goose *Branta bernicla*. An early attempt to provide compensatory high tide habitat for these species at a different location on Northney Farm by constructing sea defences to prevent the loss of land to future sea level rise was developed by Tetratex Ltd and was the subject of a planning application (HBC planning application number APP/23/00507). This application however drew concerns from Natural England (NE), the Chichester Harbour Conservancy and Havant Borough Council's Ecologist, due to a consequential loss of future intertidal habitat that is also important for SPA/Ramsar birds, in order to increase the future availability of high tide habitat.
- 1.3 Consequently, EPR was commissioned to develop an alternative strategy for the provision of high tide roosting and foraging habitat for Curlew and Brent Goose, located on a different part of Northney Farm, to the west of the originally proposed mitigation site. This location was arrived at following a search of potentially suitable alternative sites.
- 1.4 The location and details of the proposed alternative mitigation strategy are set out in full in the document entitled *Northney, Hayling Island: Wetland Bird Mitigation Habitat Management and Monitoring Plan – Final* (EPR, 2025) (the 'Wetland Bird Mitigation Strategy') that accompanies this Ecological Statement and should be read in conjunction with it. In summary however, the alternative mitigation strategy is comprised of:
 - The immediate conversion of approximately 28ha of arable land in fields known as Gauntlett's Main and Part used for cereal growing into Other Neutral Grassland (ONG) through seeding, subject thereafter to a low intensity grazing regime to bring about a sward structure and earthworm-rich soil fauna that collectively provide optional conditions for Curlew and Brent Goose foraging.
 - The conversion of a further c12ha of Modified Grassland in a field known as Plantation Field into ONG after 2 years have passed.

Ecological Planning & Research Ltd, The Barn, Micheldever Station, Winchester, Hampshire, SO21 3AR

t. 01962 794720 e. info@epr.uk.com w. www.epr.uk.com

Company registration number: 8592380

- The careful selective thinning of understorey and scrub in wooded areas of Plantation Field to provide clear views for overwintering birds and remove predator refuges.
 - The creation of 5 shallow scrapes in Gauntlett's Field (Main) and 1 shallow scrape in Gauntlett's Field (Part) to provide water retaining features for use by foraging Curlew. These will be created with an excavator with topsoil arisings spread over the surrounding field, with any ground damage made good by smoothing out and re-seeding as may be necessary.
 - The provision of recreation management infrastructure including a gate, dog-proof fencing, instant hedgerow planting and whip hedgerow planting to provide screening and visual separation between the mitigation area used by SPA birds and Public Rights of Way (PRoW) and an interpretation board associated with the PRoW in Gauntlett's Field (Main and Part) to mitigate disturbance of overwintering birds associated with existing footpath use.
 - Ongoing management and monitoring of the mitigation area in accordance with a strategy that has been discussed and agreed with Natural England (NE).
- 1.5 The layout of the various key proposed interventions are shown on **Maps 5 and 6** of the Wetland Bird Mitigation Strategy (EPR, 2025), and also summarised on **Plan 1 – Layout of Proposed Mitigation Interventions** that has been submitted separately with the planning application.
- 1.6 It should be noted that whilst planning permission is now sought to implement the measures set out in the Wetland Bird Mitigation Strategy, it is envisaged that the actual delivery of these measures will be secured through a Section 106 Agreement associated with the proposed residential development at Campdown (HBC Application number APP/23/00488), and delivery and maintenance of them will be dependent upon that development being consented.
- 1.7 This is because the Wetland Bird Mitigation Strategy only needs to be implemented in the event that the proposals at Campdown are consented and implemented, leading to the loss of the existing overwintering bird foraging habitat at that site. With the above in mind, the efficacy of the Wetland Bird Mitigation Strategy in providing alternative high tide roosting and foraging habitat for overwintering SPA birds to replace that lost at Campdown is a matter for consideration only as part of the determination of the Campdown planning application (i.e. the Northney Farm proposals themselves do not have any negative implications for SPA bird habitat and if implemented in the absence of the development at Campdown, would only be positive in nature).
- 1.8 This Ecological Statement has therefore been prepared to accompany the planning application for the interventions set out in the Wetland Bird Mitigation Strategy, to summarise the likely significant ecological effects of the mitigation proposals themselves, to inform HBC and enable the determination of the application. This Ecological Statement has been prepared with reference to the *Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland: Terrestrial, Freshwater, Coastal and Marine* (CIEEM, Version 1.3 September 2018, Updated in September 2024) but applies this on a proportionate basis, given that the purpose of this planning application is to enable the implementation of measures that are intended to deliver positive benefits to the natural environment in terms of replacement habitat for Internationally important overwintering bird populations associated with the Chichester and Langstone Harbour SPA.

Consultation

- 1.9 The draft proposals have been discussed with HBC's Ecologist via a MS Teams meeting held on 31 January 2024, and received a positive response. This was also confirmed via a separate meeting held with HBC planners on 1 February 2024.
- 1.10 A discussion was held via MS Teams between NE, EPR and Dandara Southern Ltd on Monday 18 March 2024. Natural England provided further feedback and advice in the form of a letter dated 28 March 2024.
- 1.11 A further discussion following submission to NE of the Final Draft of this Management Plan was held via MS Teams between NE, EPR and Dandara Southern Ltd on Tuesday 2 July 2024. NE provided their final written response on 7 August 2024, which describes the Wetland Bird Mitigation Strategy as "... a high quality detailed management plan, which if implemented and secured correctly, should provide a replacement for the functional loss of [the overwintering bird habitat at Campdown]".
- 1.12 The key letters from NE are included in Appendix 1 of the Wetland Bird Mitigation Strategy.

Methodology

- 1.13 As indicated above, the assessment methodology used to guide the content of this Ecological Statement is based on CIEEM (2018, Updated in 2024).
- 1.14 An extensive desktop study has informed both the approach to the proposals and their assessment, and this is set out more detail in Section 2 of the Wetland Bird Mitigation Strategy.
- 1.15 EPR have carried out field visits to the site of the proposals on three occasions (7 December 2023, 4 January 2024 and 31 January 2024), with the information about the site and its environs captured during these visits recorded in the Wetland Bird Mitigation Strategy, including details of the existing and proposed habitat types according to the UK Habitat Classification System ('UK Hab') Version 2.01.

Zone of Influence

- 1.16 Due to the limited and conservation-oriented nature of the proposals, the Zone of Influence associated with the mitigation interventions is considered likely to be confined to within the site itself and immediately adjacent land, including populations or assemblages of species centred off-site but making use of habitats within the site. This includes the internationally important assemblages of overwintering birds associated with the Chichester and Langstone Harbours SPA.

2. ECOLOGICAL IMPACT ASSESSMENT

Habitats and Vegetation

- 2.1 The majority of the site, c28ha comprising Gauntlett's Field (Main and Part), shown on **Map 4** of the Wetland Bird Mitigation Strategy, is currently comprised of fairly intensively managed arable land (cereal crops), which will be converted into ONG (a medium diversity grassland

type) comprised of native grasses and forbs, that will be grazed by beef cattle at a low intensity without artificial agrochemical inputs.

- 2.2 Plantation Field (c12ha) is currently mostly Modified Grassland grazed under a dairy farming regime and will remain as such (albeit without additional agrochemical input) for up to 2 years, before also then being converted into ONG under a low intensity beef grazing regime.
- 2.3 The above changes will convert low biodiversity and low distinctiveness habitats into a moderate biodiversity habitat of medium distinctiveness that will be associated with an uplift in botanical/floral diversity, with further consequential benefits for a range of species making use of the habitats within the site that are described further below.
- 2.4 There are three areas of Other Woodland: Broadleaved in Plantation Field, and similar habitat along the western and southern boundaries of the site. These will remain intact but will be managed to reduce the understorey and scrub layer in order to provide clear lines of sight for overwintering birds and remove refuges for their predators. These habitats will then subsequently be managed to enhance their condition and diversify the woodland composition.
- 2.5 Overall, the habitats on site are currently evaluated as being of importance within the Zone of Influence only in themselves, and will be subject to a permanent positive effect that is significant at the Local level following the implementation of the proposed Wetland Bird Mitigation Strategy and its management *in perpetuity*.

Biodiversity Net Gain (BNG)

- 2.6 Whilst the overall size of the site is large (c40ha+), Government Guidance (see: <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) states that a development is exempt from having to provide mandatory Biodiversity Net Gain (BNG), where it is:

“A development that does not impact a priority habitat and impacts less than:

- *25 square metres (5m by 5m) of on-site habitat*
- *5 metres of on-site linear habitats such as hedgerows*

A development ‘impacts’ a habitat if it decreases the biodiversity value”

[Our emphasis]

- 2.7 There are no Priority Habitats (habitats listed under Section 41 of the Natural Environment and Rural Communities Act 2006) impacted by the proposals and as outlined above, the proposals are expected to significantly increase the biodiversity value of habitats across the site when measured using the statutory version of the Defra Biodiversity Metric. Even where woodland areas within Plantation Field will be subject to the clearance of bramble scrub which will negatively affect criterion J of the Defra Condition Assessment guidance for woodland, this is proposed to be offset by positive enhancements to criteria D and M of the Defra Condition Assessment Guidance for woodland (tree species diversity and disturbance including nutrient pollution damage), such that it is expected that the condition category and by extension biodiversity value of even these woodland areas is not expected to decline.

- 2.8 In summary therefore, as the proposals are not expected to decrease the biodiversity value of any habitats on site and will certainly significantly increase the biodiversity value of the majority of the habitats on site, it is considered that the proposals fall to be considered as being 'exempt' from mandatory BNG under the Environment Act 2021 and its suite of implementing Biodiversity Net Gain Regulations (2024).
- 2.9 As stated on page 9 of the Wetland Bird Mitigation Strategy, the intention of the landowner is to quantify the BNG uplift of the application site to make the resultant biodiversity units generated by the proposals available for sale to third party developers needing to demonstrate BNG. This will be achieved through the registration of the site on the Public Register of Biodiversity Net Gain sites administered by Natural England, which will itself require the production and submission of a Habitat Management and Monitoring Plan (HMMP) based on the wetland bird mitigation strategy, but with the anticipated BNG uplifts quantified and secured.

Breeding Birds

- 2.10 The arable land within the site is likely suitable for ground-nesting farmland birds such as Skylark *Alauda arvensis* and potentially also Lapwing *Vanellus vanellus*, although the fairly intensive arable and dairy regimes are unlikely to mean that the populations of either species are present in significant numbers (as, for example, winter-sown cereals do not enable Skylark to raise 3 broods per year, which is necessary for their populations to sustain themselves). Additionally however, both species will also nest on short grazed grassland with a low stocking density (as per the proposals), and will benefit from the increased biomass of invertebrates that will be associated with a change to short grazed ONG (Skylark feed their chicks soft-bodied insects and spiders, and Lapwing nesting on arable land will often walk their chicks onto grazed pasture to find earthworms, leatherjackets and other invertebrates/insects. It is also likely that any Skylark or Lapwing holding territories and nesting in off-site retained arable land (e.g. to the south) will also benefit from a more abundant food supply.
- 2.11 Species of woodland or hedgerow nesting birds will remain largely unaffected by the proposals, except again insofar as there will be a greater abundance of insect prey for those species that feed on invertebrates, as well as the creation of around 690m of new native hedgerow, albeit that its proximity the PRoW will limit its usefulness to nesting birds.
- 2.12 In summary therefore, whilst ecological importance of the breeding bird assemblage cannot be accurately evaluated given that no dedicated breeding bird survey has been carried out, the proposals are benign insofar as they will not cause any significant negative impact on the breeding bird assemblage and are likely to benefit a variety of species.
- 2.13 In terms of ensuring compliance with the protection afforded to nesting birds under the Wildlife & Countryside Act 1981 (as amended), any clearance of vegetation (e.g. bramble scrub in Plantation Field) would either be carried out outside of the nesting bird season (typically February to August inclusive) or carried out under ecological supervision.

Overwintering Birds

- 2.14 As outlined above, the primary purpose of the application proposals is to provide habitat for the Internationally important overwintering bird populations of Chichester and Langstone Harbour SPA, with a particular focus on Curlew and Brent Goose, to replace the area anticipated to be lost in future at Campdown. If the proposals at Northney Farm were therefore progressed in the

absence of the development at Campdown, there would be an overall positive effect on the overwintering bird assemblage of the SPA.

- 2.15 Gauntletts Field (Main) is identified in the Solent Wader and Brent Goose Strategy as a 'core' area of supporting habitat due in the main to its past use by Brent Geese (feeding on the new shoots of winter-sown cereal). However, this value has been shown to be unreliable, with waterlogging causing the crop to fail in some years, meaning that forage for Brent Geese is not available every winter. The replacement of the arable use with short-grazed grassland is therefore intended to provide Brent Geese with much more reliable winter grazing, as well as a reduction in disturbance through the screening and fencing of the adjacent PRoW. The other parts of the site (Gauntlett's Field (part) and Plantation) are identified as 'candidate' sites for wintering waders.
- 2.16 Insofar as Curlew are concerned, the formation of short-grazed grassland and scrapes will provide greatly enhanced foraging due to increases in earthworm density and other soil fauna, combined with improved ease of access to these resources, and reduced disturbance from the use of the adjacent PRoWs by people and dogs.
- 2.17 The commitment to *in perpetuity* management and monitoring (with resultant iterative feedback and adjustment of the approach) will help to provide confidence that the above benefits can be delivered.
- 2.18 It is expected therefore that the proposals will result in permanent positive impacts on the overwintering wetland bird assemblage that is sufficient to offset the anticipated negative impact associated with the development at Campdown. The positive impact is likely to be of at least District significance on an assemblage that is of International importance for nature conservation. Natural England have been consulted on the likely efficacy of the Wetland Bird Mitigation Strategy, and as stated above have indicated that it will be sufficient to offset the anticipated loss of habitat at Campdown, should that development proceed.
- 2.19 In terms of other (non-SPA) species of overwintering birds – the only species likely to be making use of the habitats present in any significant numbers given the location, habitats and context would be flocks of overwintering thrushes such as Redwing *Turdus iliacus* and Fieldfare *Turdus pilaris*. These would mainly be making use of the surrounding woodland and hedgerow habitats and are unlikely to be affected by the proposals, with the exception that they would also benefit from the increased abundance of invertebrate prey associated with the conversion of arable land into lightly grazed ONG.

Reptiles and Amphibians

- 2.20 The proposals do not have any likely significant negative effects on reptile and amphibian populations, although the newly proposed hedgerow and areas of tussocky grassland may be used by amphibians and common reptiles such as Slow Worm *Anguis fragilis* if present locally. The newly proposed wetland scrapes are likely to retain water into the Spring and if so would provide spawning sites for amphibians such as Common Frog *Rana temporaria*, and by extension benefit their predators such as Grass Snake *Matrix helvetica*.
- 2.21 Any positive impacts are likely to be of significance at the Zone of Influence or Local level only, albeit permanent in nature.

Mammals

Badger

- 2.22 No signs of Badger *Meles meles*, a species that receives protection under the Protection of Badgers Act 1992 (as amended) were noted during field visits, although this species may be present in surrounding land. With the exception of bramble scrub clearance (which can be carried out under ecological supervision to avoid disturbance of any active Badgers setts which may become established), there are no negative impacts on Badgers anticipated as a result of the proposals. Furthermore, the conversion of arable land to earthworm-rich grazed pasture should significantly improve the foraging resource available to Badger, as earthworms form a key part of the diet of this species.

Hazel Dormouse

- 2.23 Hazel Dormouse *Muscardinus avellanarius* are a species protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife & Countryside Act 1981 (as amended). Work that may cause impacts to Hazel Dormice (including significant disturbance) in circumstances outlined by this legislation requires a European Protected Species Mitigation (EPSM) licence to be obtained from Natural England in order to proceed lawfully.
- 2.24 Hazel Dormice could potentially be present locally in arboreal habitat associated with field boundaries, but are unlikely to be using the bramble scrub targeted for removal within the small round copses of Plantation Field or the woodland boundary on the western and southern edges, due to the isolation of these small woodland areas within the larger open field and wider area, and the lack of arboreal connectivity to larger habitats complexes within the wider area (even boundary hedgerows of the wider field complex are gappy and poorly connected). The woodlands also provide only sub-optimal quality habitat for Hazel Dormice due to low diversity of tree and shrub species, and their small size. The proposals also involve the planting of a new species-rich native hedgerow, which in time will provide appropriate habitat for this species.
- 2.25 It is unlikely therefore that Hazel Dormice would be making anything other than transient use of the bramble scrub proposed for clearance even if present (which itself is unlikely). Further to this, the clearance of bramble scrub would either take place outside of the main nesting season for birds (see above), for most of which Hazel Dormice would be hibernating at or below ground level and therefore not directly impacted by the removal of above-ground scrub, or would be carried out under ecological supervision - in which case work would be preceded by a thorough check for signs of both nesting birds and Hazel Dormice by an ecologist, which would enable work to be halted if necessary and for an appropriate approach to be developed.
- 2.26 It is considered therefore that impacts on Hazel Dormice during the implementation phase of the proposals are unlikely, and the risk of accidental disturbance can easily be mitigated by carrying out the works under a Non-Licensed Method Statement (NLMS) prepared by a suitably experienced ecologist.
- 2.27 Notwithstanding this, if signs of Hazel Dormice were unexpectedly encountered during scrub clearance, all work would need to be halted until a suitably experienced ecologist registered with Natural England as a Hazel Dormouse surveyor had assessed the situation and provided

advice on how to proceed lawfully (either by adapting the approach to work or obtaining an EPSM licence as may be required).

Bats

- 2.28 There are no negative impacts on bats predicted as a result of the proposals. Significant positive impacts on the local bat assemblage are predicted as a result of increase airborne insect biomass associated with the habitat creation works, but the significance of these positive impacts would depend on the conservation importance of the bat assemblage using the site, which cannot be accurately determined in the absence of survey (and which is not needed given the positive nature of the impacts).

Invertebrates

- 2.29 The intensively managed agricultural habitats of the application site are highly unlikely to support an invertebrate assemblage of any significant conservation interest, although mature trees in the field boundaries (which are not being impacted) may support saproxylic species.
- 2.30 The proposed low-intensity grazed grassland habitats are expected to be associated with a very significant uplift in the abundance and diversity of invertebrates on site, although it is unlikely that this would include species of high conservation importance.
- 2.31 The potential exception to this might be the proposed wetland scrapes, which are likely to provide habitat for aquatic invertebrates such as aquatic coleoptera (beetles) and odonata (dragonflies). Any positive impacts are likely to be significant at the Zone of Influence level only, albeit permanent in nature.

3. CONCLUSIONS

Summary

- 3.1 Given the above information, it is concluded that the application proposals are in accordance with all applicable nature conservation related legislation and planning policy. This includes Section 15 of the National Planning Policy Framework (NPPF) and the Havant Borough Local Plan (Core Strategy and Site Allocations)(adopted 2011 and 2014).
- 3.2 Further, the proposals deliver a number of significant benefits for nature conservation that go beyond the mitigation needed to offset impacts on overwintering wetland birds associated with the linked application for residential development at Campdown.
- 3.3 There are therefore no nature conservation related reasons for refusal of the application for the proposed mitigation works.

Habitats Regulations Assessment (HRA)

- 3.4 Internationally Designated Sites within 5km of the Northney Farm proposals are shown on **Map 1** of the Wetland Bird Mitigation Strategy. These include:
- Chichester and Langstone Harbours Special Protection Area (SPA)

- Chichester and Langstone Harbours Ramsar
 - Solent Maritime Special Area of Conservation (SAC)
 - Solent and Isle of Wight Lagoons SAC.
- 3.5 It is considered that the only two potential mechanisms through which the Northney Farm proposals might conceivably have a likely significant effect on the above-listed nearby Internationally Designated Sites are:
- Through changes in nutrient loss / discharge from the site as a result of the proposed habitat and management changes; and
 - Through changes in suitability of supporting habitat ('functionally linked land') for the qualifying species of Internationally Designated Sites.
- 3.6 In relation to changes in nutrient loss, the information contained within **Section 10** of the Wetland Bird Mitigation Strategy confirms that only reductions will occur in nutrient Nitrogen pollution draining from the site and potentially reaching surrounding Internationally Designated Sites. Any arising from the proposals will therefore be positive in nature.
- 3.7 In relation to changes in suitability of supporting habitat for qualifying species of Internationally Designated Sites, this is only relevant to the bird populations and assemblage that form qualifying features of the Chichester and Langstone Harbours SPA and Ramsar site. In relation to this a detailed assessment, provided in **Sections 2-9** of the Wetland Bird Mitigation Strategy, has confirmed that the proposals at Northney Farm will only have positive implications for these species through enhancements to the quality of high tide foraging and roosting habitat. These effects will in particular benefit the target species of Curlew and Brent Goose, but will also benefit other species such as Lapwing and Golden Plover, and are not expected to have negative implications for these species.
- 3.8 Natural England have reviewed the draft Wetland Bird Mitigation Strategy as mentioned above and have confirmed their support for the approach. It has been established in previous High Court cases that the views of Natural England as the statutory nature conservation advisor should be given great weight, unless a cogent explanation can be provided as to why they are misdirected.
- 3.9 As mentioned above, whilst the intended purpose of the Northney Farm proposals is to provide replacement habitat for overwintering SPA birds for that proposed to be lost to development at Campdown, the Northney Farm proposals themselves are solely positive in nature and do not contribute toward any negative/adverse effect on any Internationally Designated Site. The efficacy of the Northney Farm proposals in fully mitigating the effects of the development at Campdown is therefore a relevant consideration only in relation to the determination of the development at Campdown.
- 3.10 In view of the above, it is considered that Havant Borough Council, as 'competent authority' under the Conservation of Habitats and Species Regulations 2017 (as amended) when undertaking a Habitats Regulations Assessment of the proposals, can confidently conclude that any likely significant effects on Internationally Designated Sites arising from the Northney Farm proposals either alone or in combination with other plans and projects will be solely positive in nature.

- 3.11 As a consequence, for the purposes of carrying out an 'Appropriate Assessment' of the proposals under Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (as amended) and in relation to the requirements of Regulation 63(5), Havant Borough Council as competent authority can confidently conclude that there will be no adverse effect on the integrity of any Internationally Designated Site, and consequently the proposals can be consented.
- 3.12 The information necessary to reach this conclusion is provided in the Wetland Bird Mitigation Strategy and is summarised above in this Ecological Statement.

Document Prepared By: Ben Kite BSc (Hons) MSc CEcol PIEMA MCIEEM

Document Dated: 08 January 2025