



Environmental Statement

9 Harbourside, Langstone

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Report	Environmental Statement (Ecology)
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1.0 INTRODUCTION

1.1 Brief

Ecosupport Ltd was instructed by Robert Carrell to undertake an Environmental Statement (ES) to support the proposed flood defence at 9 Harbourside (hereafter referred to as 'the site').

The proposed flood defence is a small section of the proposed wider-scale flood defence at Langstone by Coastal Partners. The coastline was divided into seven frontages (1A, 1B, 2, 3, 4, 5 and 6). Frontages 1B and 6 are currently excluded from their proposals (submitted a pre-application under reference APP/25/00162) as funding has not been secured for these aspects. The proposed flood defence at 9 Harbourside falls under a small section of Frontage 1B which is excluded from the Coastal Partners scheme above.

Coastal Partners have kindly provided survey information and reports relating to the wider scheme. With permission from Coastal Partners, survey data has been included within this report where relevant to aid in the preparation of this Environmental Statement.

1.2 Scoping

A formal scoping request has not been sent to Havant Borough Council. However, through discussion with the council, it has been considered that based on the small scale of works a full Environmental Impact Assessment (EIA) is not required as the majority of aspects can be scoped out since impact and scale will be minimal for this proposed development. The following aspects have been considered and scoped out:

- Transportation and Highways – no impact on roads;
- Landscape and visual – Development only impacts the landowners with no visual impacts to the wider area and from the sea impacts will be temporary during construction only;
- Drainage & Water Quality – A Construction Environmental Management Plan (CEMP) has been produced and will be implemented to address potential contamination (impacts on ecology have been considered however) and there will be no impacts to drainage;
- Archaeology & Historic Environment – Site is limited scale and has no potential impacts on archaeology;
- Air Quality – Limited scale of proposed works will not impact on air quality in the wider area (impacts on ecology have been considered however); and
- Socio-economic – There will be no effects outside the site.

It should be noted that the above list is non-exhaustive but it has been considered that it is unlikely that additional aspects would be scoped in due to the limited scale of this development.

This Environmental Statement is focused on Ecology and considers all relevant ecological information. This report has been produced by Project Ecologist Darrelle Moffat BES (Hons) PGCert ACIEEM, with 10 years' experience in ecology.

1.3 Objectives

The Objectives of this ES report are:

- To describe the proposals;
- To identify the potential impacts of the proposed scheme during the construction and operational phases;
- To assess the likely significant impacts of the scheme on features of the environment;
- To describe the mitigation measures to reduce the potential impacts of the proposed scheme on the environment;
- To assess any residual impacts following implementation of mitigation measures;
- To identify other schemes that may result in cumulative impacts; and
- To conclude whether the proposed development will result in any significant impacts.

1.4 Site Description & Location

The site is located at 9 Harbourside, Langstone, Havant, PO9 1TJ (centred on OS grid reference SU 71539 04789) (**Fig 1**). The site is bound by neighbouring residential properties to the north, east and northwest and by marine environments to the south and southwest. In the wider environment, the site lies within the southwest corner of Langstone village on the edge of Langstone Harbour.

Figure 1. Location of the site (Google, 2025)



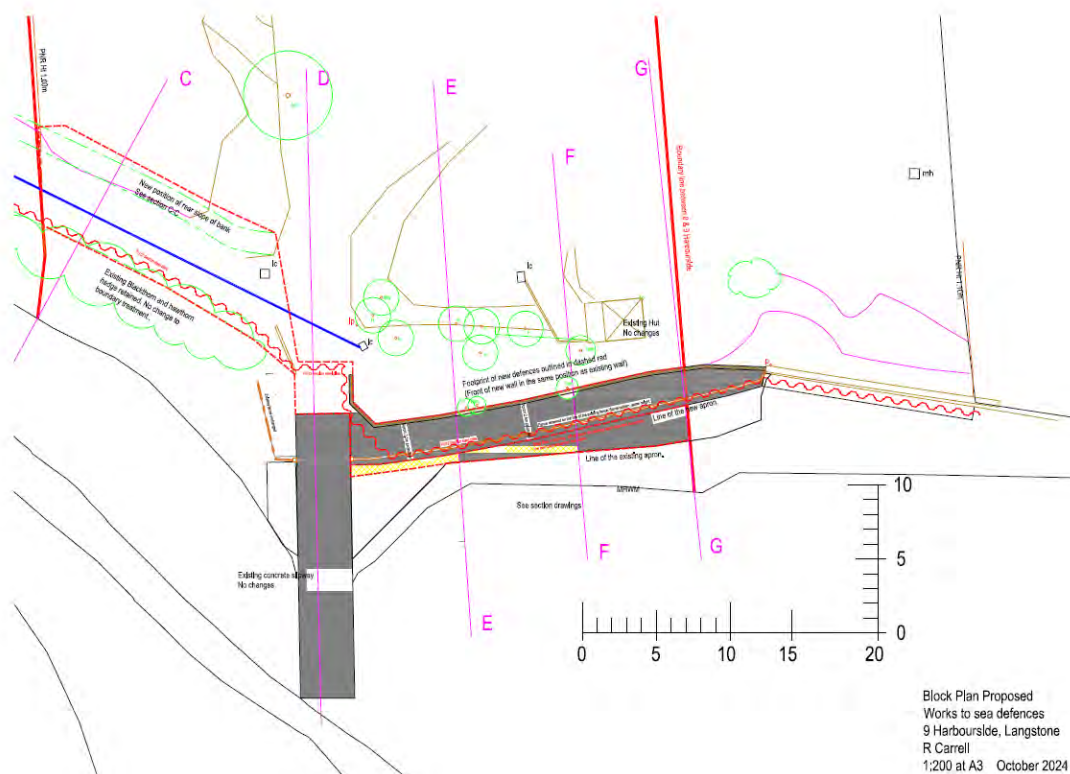
1.5 Proposed Development

The proposals entail the construction of a replacement sea defence wall along the rear boundary of 9 Harbourside (**Fig 2**). This will remove the existing defunct sea defences and replace them.

A sheet piled and reinforced concrete sea wall was proposed as the recommended type of wall as the best solution at this specific location. The wall is to be formed by installing sheet

piles at the foot of the proposed concrete apron / reinforced concrete sea defence / retaining wall. The sea wall will be raised by approximately 5-10cm.

Figure 2. Proposed plan of works at 9 Harbourside (provided by Robert Carrell, October 2024).



1.5.1 Description of wider scheme

The site is a small section of the proposed wider-scale flood defence at Langstone that was prepared by Coastal Partners. The coastline was divided into seven frontages (1A, 1B, 2, 3, 4, 5 and 6). The current proposed site is currently seeking pre-application advice (Ref APP/25/00162) and covers Frontages 1A, 2, 3, 4 & 5, seen in **Fig 3**. Frontages 1B and 6 are currently excluded from their proposals as funding has not been secured for these aspects. The information for Frontage 1B was provided by Coastal Partners to the local landowners. This site is proposed by one of the landowners to construct their portion of the project. Frontage 1B is located to the west of the wider project and connects further east into Frontages 1A & 2.

The 9 Harbourside site covers a small portion of Frontage 1B (**Fig 4**), which extends further northwest and east from this site. It is understood a parcel of land to the west and 8 Harbourside are planning to be submitted as separate proposals as part of Frontage 1B; however at this time there are no further proposals by landowners although it may be taken forward in future.

Figure 3. Location of frontages for proposed Langstone FCERM Scheme submitted by Coastal Partners (2025) compared to the site (Project reference: LDW42220 Rev 01. Coastal Partners, 2023).

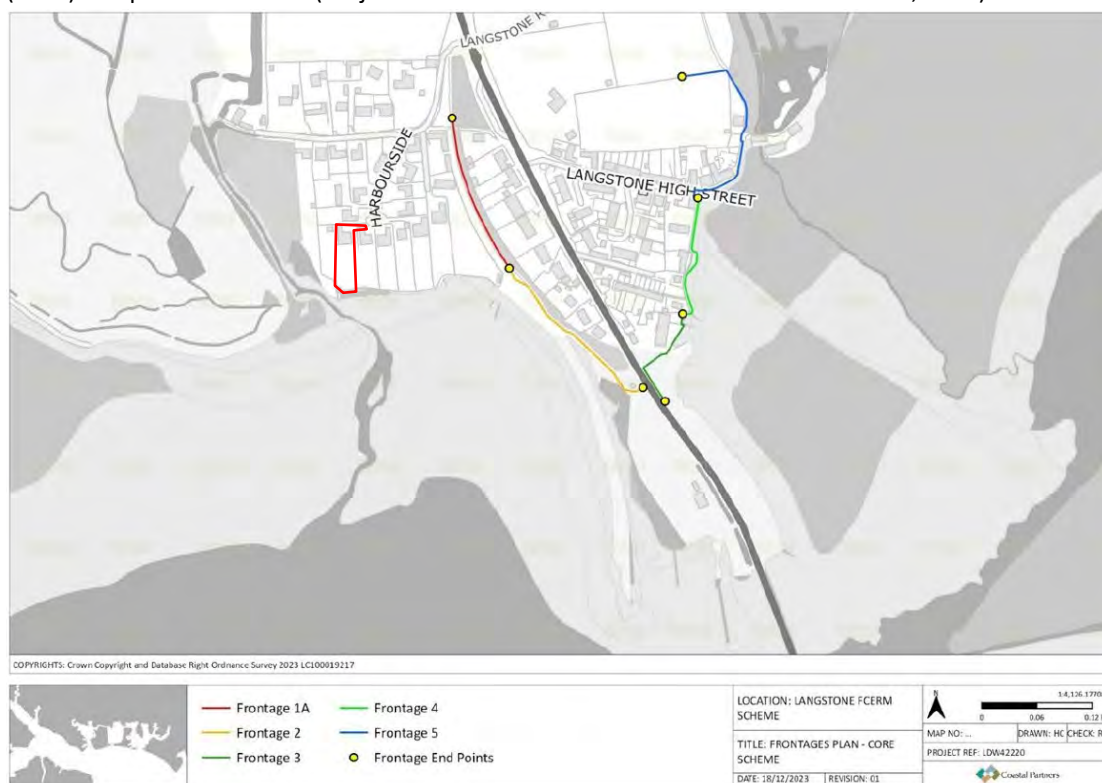
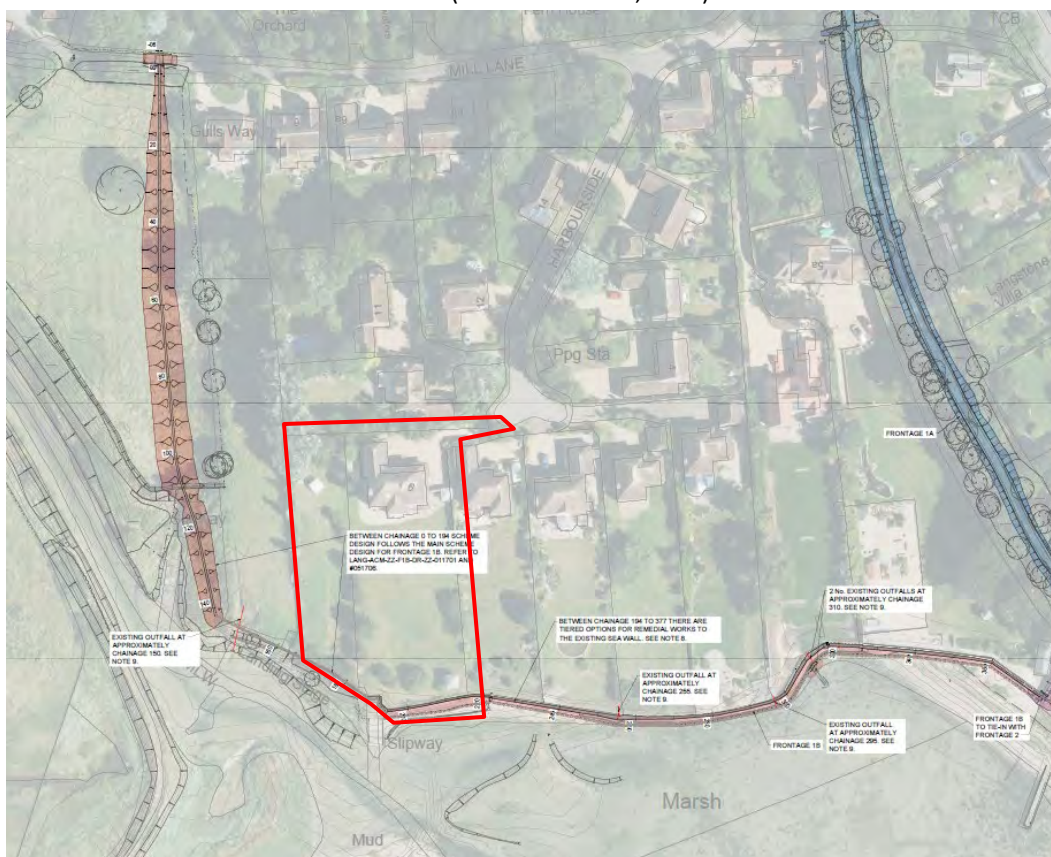


Figure 4. Location of site within wider Frontage 1B proposed scheme, which has been provided by Coastal Partners to the local landowners (Coastal Partners, 2023).



1.6 Environmental Impact Assessment Process

The purpose of the Environmental Impact Assessment (EIA) Process is to ensure the decision maker is able to make a decision in the knowledge of any likely **significant effects** on the environment. Typically, appropriate impact assessment criteria are provided by specialist consultants on a number of topics identified throughout the EIA process. In this case, it is considered that all topics except Ecology have been scoped out and therefore methodologies are based on CIEEM's *Guidelines for Ecological Assessment in the UK* (CIEEM, 2024).

The ES makes predictions of environmental impacts upon receptors identified. The baseline environmental conditions are considered, with value of receptors assessed and the baseline conditions are compared with the predicted conditions from the proposed development. To evaluate and interpret likely significant effects of the project, the EIA process uses an evidence-based approach based on standard guidance.

To determine significant impacts, the following aspects are considered:

- Nature of the impact (e.g. direct/indirect, short/long-term, permanent/temporary, etc.)
- Extent and magnitude of the impact
- Probability of the impact
- Value/sensitivity of the receptors
- Duration and frequency of the impact
- Reversibility of the impact
- Mitigation measures that may be used to avoid, mitigate or offset significant adverse impacts.

1.7 Report Structure

The ES report is outlined as follows:

- **Methodology** – Details how the baseline condition data was determined and assessment methodology.
- **Baseline Conditions** – The baseline habitats, species, and designated sites relevant to the site are outlined. Results of survey work and previous survey data are included.
- **Potential Impacts** – Details the impacts the proposed scheme could have on the above baseline aspects.
- **Mitigation & Residual Impacts** – What mitigation is being proposed to minimise identified impacts and what the remaining impacts are.
- **Cumulative Impacts** – Consideration of other proposals in the wider area that could have a cumulative impact.
- **Conclusion** – Confirms whether the full works are considered to be acceptable.

1.8 Relevant Ecological Legislation & Policies

The relevant ecological legislation and policies are included in **Appendix 1**.

2.0 METHODOLOGY

2.1 Previous Baseline Information

The proposed scheme is a development that has been reduced from a wider scheme initially developed by Coastal Partners. This site is part of Frontage 1B, which was removed from the wider scheme due to costs. However, a lot of the information gathered as part of the wider project which included the site area for parts can be considered useful in examining this site. Therefore, survey information submitted as part of the wider scheme has been used as part of this assessment with permission from Coastal Partners.

2.2 Ecological Desk Study

2.2.1 Data Request

A search for designated sites, priority habitats and protected species data within 1km of the site was undertaken using freely available online resources.

2.3 Ecological Field Survey

2.3.1 Habitats

The field survey work which forms the basis of the findings of this report was carried out by Project Ecologist with Ecosupport Ltd Darla Brown BSc (Hons) on the 10th March 2025.

Habitats on site pre-development were identified in accordance with the categories specified for a UK Habitats survey, using Habitat Definitions Version 2.0 (UKHab Ltd., 2023). This was chosen as an appropriate habitat categorisation system as it fits within the Statutory Biodiversity Metric calculation. Where appropriate primary habitat codes were used although for some habitat types, the use of secondary habitat codes was necessary as well.

2.4 Methodology of Assessment

2.4.1 Introduction

The methodology for the assessment of the likely ecological effects of the proposed development is based on CIEEM's *Guidelines for Ecological Assessment in the UK* (CIEEM 2024).

The assessment of ecological impacts as part of the Environmental Statement is outlined as follows:

- **Baseline Conditions** – The baseline habitats, species, and designated sites relevant to the site are outlined. Results of survey work and previous survey data are included.
- **Potential Impacts** – Details the impacts the proposed scheme could have on the above baseline aspects.
- **Mitigation & Residual Impacts** – What mitigation is being proposed to minimise identified impacts and what the remaining impacts are.
- **Cumulative Impacts** – Consideration of other proposals in the wider area that could have a cumulative impact.
- **Conclusion** – Confirms whether the full works are considered to be acceptable.

The EIA measures significant effects based on criteria of value of the environment, the magnitude of the impacts and the significance is based on a balance of these. These measures are outlined below.

2.4.2 Value

Value is considered to be the importance of a site and provides an indication of the resilience of an environment and its adaptability to impacts. Ecological value is based on a geographical context. The scale of value is shown in **Table 1**.

Table 1. Scale of value of resources

Scale of Value	Description	Example of Receptors
International	Very high importance and rarity at the international scale	Special Area of Conservation, Special Protection Area, Ramsar sites, or supporting populations of internationally important species
National	High importance and rarity at the national scale	Site of Special Scientific Interest, National Nature Reserves, sites supporting breeding populations of Red Data Book species.
Regional	Medium to high level of importance and rarity at the regional scale	Site of Importance for Nature Conservation, Ancient woodland or veteran trees, major watercourses, sites supporting breeding populations of Nationally Scarce species or critical habitats
Local	Low to medium importance and rarity at the local scale.	Priority habitats, sites supporting breeding populations of key BAP or rare species, Local Nature Reserves, high quality habitats within the neighbour such as species-rich hedgerow or trees
Negligible	Very low importance and rarity, widespread habitats	Habitats of negligible or site value (e.g. modified grassland, developed area)

2.4.3 Magnitude

Magnitude is used to measure the expected scale of change that impacts may have on the baseline conditions. The scale of magnitude considered is shown in **Table 2**.

Table 2. Scale of magnitude.

Magnitude of Impact	Description
High	Large-scale or major change on baseline quality with severe undesirable / desirable consequences that will result in a significant change to the integrity of the feature.
Medium	Effect resulting in a discernible change in baseline conditions with undesirable / desirable consequences that can be tolerated, with a change or partial loss/damage to key aspects but that do not lose the integrity of the feature.
Low	Effect resulting in a discernible change in baseline conditions with undesirable / desirable consequences that can be tolerated, such as a measurable change in quality of the feature but that does not affect its integrity.
Very low / Negligible	No likely discernible change in baseline environmental conditions or such a small scale that the impact may not be measurable

2.4.4 Characterising Ecological Impacts

Additional ecological impacts may also consider other characteristics as required. This includes:

- Positive or negative impacts
- Extent (the spatial extent of potential changes/impacts)
- Duration (short-term vs long-term impacts in the context of ecological timeframe)
- Frequency and timing (how often activities will occur)
- Reversibility (Can it be counteracted by mitigation and in what timeframe)

These can help give context to significance where a range may be present and can also potentially influence the magnitude of impacts above.

2.4.5 Significance

The overall significance of each effect is determined by assessing its magnitude against the value of the environmental receptors (**Table 3**).

Table 3. Matrix of significance assessment.

Value of feature	Magnitude			
	High	Medium	Low	Very low / Negligible
International	Critical	Critical	Major	Moderate-Negligible
National	Major	Major	Major-Moderate	Minor-Negligible
Regional	Major-Moderate	Major-Moderate	Moderate-Minor	Minor-Negligible
Local	Moderate-Minor	Moderate-Minor	Minor	Negligible
Negligible	Minor-Negligible	Negligible	Negligible	Negligible

Where significant adverse impacts have been identified, potential mitigation measures are included to avoid or minimise impacts. Following this, residual impacts are determined and the scale of significance following mitigation is applied.

2.5 Limitations

2.5.1 Habitats

Although the survey was taken outside the optimum timing for the identification of botanical interest species, it was considered that the majority of species present within the area of impact could be suitably identified. In addition, botanical survey data of the site/adjacent the site has been provided by Coastal Partners (2021) which has also been examined to inform the assessment. This survey does not constitute a full site assessment for invasive species, such as Japanese Knotweed (*Reynoutria japonica*).

3.0 BASELINE CONDITIONS

3.1 Designated Sites

3.1.1 Statutory Designated Sites

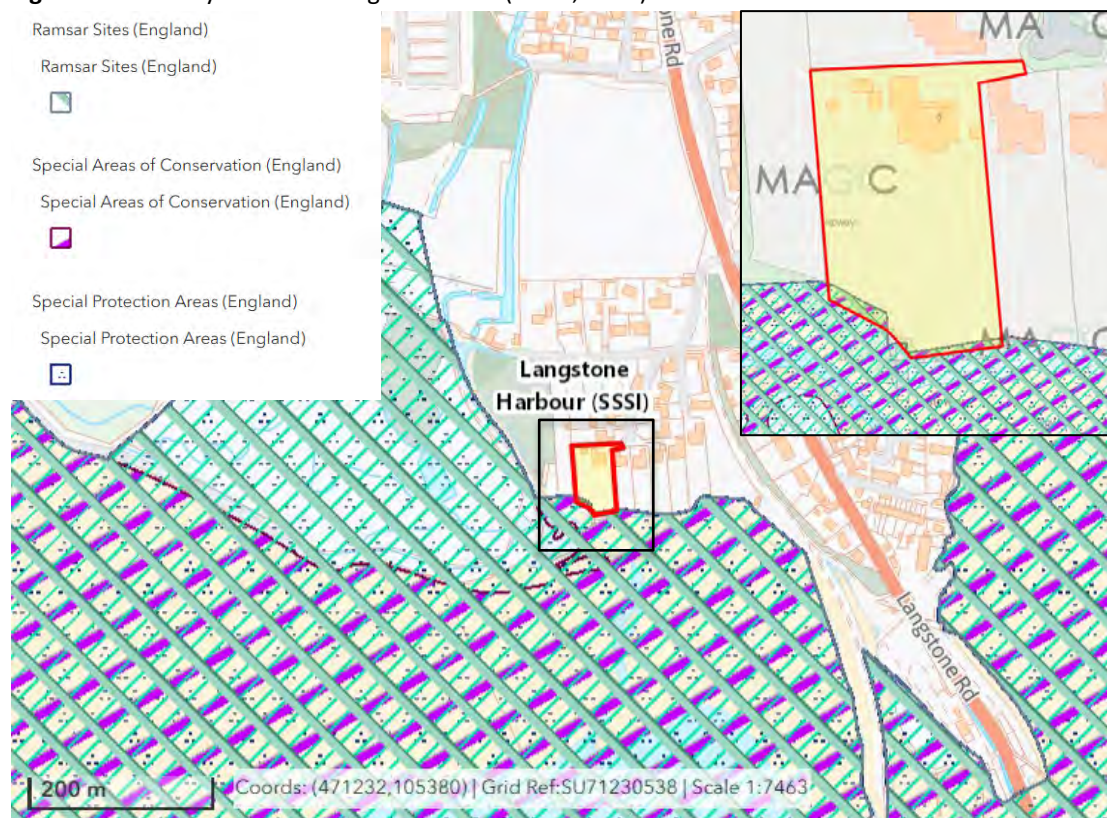
The following statutory designated sites were identified within 1km of the site (**Table 4, Fig 5**).

Table 4. Statutory designated sites within 1km of the site

Designated Site	Distance	Qualifying Features / Designated for:
Solent Maritime Special Area of Conservation (SAC)	Within /adjacent boundary	<p>Annex I habitats (primary reason for selection): 1130 Estuaries, 1320 <i>Spartina</i> swards (<i>Spartinion maritimae</i>), 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>Annex I habitats (not a primary reason for selection): 1110 Sandbanks which are slightly covered by sea water all the time, 1140 Mudflats and sandflats not covered by seawater at low tide, 1150 coastal lagoons, 1210 annual vegetation of drift lines, 1220 perennial vegetation of stony banks, 1310 <i>Salicornia</i> and other annuals colonizing mud and sand, 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i></p> <p>Annex II species (not a primary reason for selection): 1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>)</p>
Chichester and Langstone Harbours Special Protection Area (SPA)	Within / adjacent boundary	<p>Breeding populations of Sandwich Tern (<i>Sterna sandvicensis</i>), Common Tern (<i>Sterna hirundo</i>) and Little Tern (<i>Sterna albifrons</i>)</p> <p>Non-breeding populations of Dark-bellied Brent Goose (<i>Branta bernicla bernicla</i>), Common Shelduck (<i>Tadorna tadorna</i>), Eurasian wigeon (<i>Anas Penelope</i>), Eurasian Teal (<i>Anas crecca</i>), Northern Pintail (<i>Anas acuta</i>), Northern shoveler (<i>Anas clypeata</i>), Red-breasted Merganser (<i>Mergus serrator</i>), Ringed Plover (<i>Charadrius hiaticula</i>), Grey Plover (<i>Pluvialis squatarola</i>), Sanderling (<i>Calidris alba</i>), Dunlin (<i>Calidris alpina alpina</i>), Bar-tailed Godwit (<i>Limosa lapponica</i>), Eurasian Curlew (<i>Numenius arquata</i>), Common Redshank (<i>Tringa tetanus</i>) and Ruddy Turnstone (<i>Arenaria interpres</i>).</p> <p>Waterbird assemblage.</p>
Chichester and Langstone Harbours Ramsar	Within / adjacent boundary	<p>Breeding populations of Sandwich Tern (<i>Sterna sandvicensis</i>), Common Tern (<i>Sterna hirundo</i>) and Little Tern (<i>Sterna albifrons</i>)</p> <p>Non-breeding populations of Dark-bellied Brent Goose (<i>Branta bernicla bernicla</i>), Common Shelduck (<i>Tadorna tadorna</i>), Eurasian wigeon (<i>Anas Penelope</i>), Eurasian Teal (<i>Anas crecca</i>), Northern Pintail (<i>Anas acuta</i>), Northern shoveler (<i>Anas clypeata</i>), Red-breasted Merganser (<i>Mergus serrator</i>), Ringed Plover (<i>Charadrius hiaticula</i>), Grey Plover (<i>Pluvialis squatarola</i>), Sanderling (<i>Calidris alba</i>), Dunlin (<i>Calidris alpina alpina</i>), Bar-tailed Godwit (<i>Limosa lapponica</i>), Eurasian Curlew (<i>Numenius arquata</i>), Common Redshank (<i>Tringa tetanus</i>) and Turnstone (<i>Arenaria interpres</i>).</p> <p>Waterbird assemblage.</p>
Langstone Harbour Site of Special	Within / adjacent boundary	Aggregations of breeding birds: Common Tern, Little Tern, Sandwich Tern

Scientific Interest (SSSI)			<p>Aggregations of non-breeding birds: Bar-tailed Godwit, Dark-bellied Brent Goose, Curlew, Dunlin, Grey Plover, Pintail, Red-breasted Merganser, Redshank, Ringed Plover, Sanderling, Shelduck, Shoveler, Teal, Turnstone and Eurasian Wigeon.</p> <p>Invertebrate assemblage M311 saltmarsh and transitional brackish marsh</p> <p>Habitats: Lowland neutral grassland (MG5), Saline coastal lagoons, SM4-28 Saltmarsh</p> <p>Vascular plant assemblage</p>
Chichester Harbour SSSI	0.3km SE		<p>Aggregations of breeding birds: Common Tern, Little Tern, Sandwich Tern and mixed.</p> <p>Aggregations of non-breeding birds: Bar-tailed Godwit, Black-tailed Godwit, Dark-bellied Brent Goose, Curlew, Dunlin, Greenshank, Grey Plover, Redshank, Ringed Plover, Sanderling, Shelduck, and Teal.</p> <p>Habitats: Coastal vegetated shingle (SD1-3), littoral sediment, lowland fens, lowland mixed deciduous woodland, lowland neutral grassland (MG5), sand dunes (SD1-6) and SM4-28 saltmarsh.</p> <p>IA Coastal Geomorphology</p>

Figure 5. Proximity of site to designated sites (Defra, 2025).



NB: While several of the designated sites are within the site boundary, it is not considered that the habitats within the site boundary are likely to form part of the qualifying features of the designated sites, discussed further in the habitat section. The client has been informed the

designated sites are meant to be at the Mean High Water Springs line and it is possible an error was made in digitising the boundaries, however no proposals are being made to change the boundaries and therefore the designated sites are currently within the boundaries.

3.1.2 Non-statutory Designated Sites

A search for Sites of Importance for Nature Conservation (SINCs) was carried out using the Havant Policy Map. There are no SINCs within the immediate vicinity of the site. The closest SINC is Southmoor Reserve (HV0058) located 0.32km northwest with other nearby sites including Southmoor-Big Field (south edge) (HV0054) and Langstone Mill Pond (HV0084), located 0.46km west and east, respectively.

3.2 Habitats

3.2.1 Desktop survey

A search for priority habitats was carried out using freely available resources. This identified the western portion of the gardens of the property is priority coastal and floodplain grazing marsh (**Fig 6**). In addition, just offsite (within the designated sites) there is priority saltmarsh habitat to the southwest and priority mudflat to the south and southwest of the site.

Figure 6. Priority habitats within the vicinity of the site (Defra, 2025).



3.2.2 Field Survey Results

The vegetation within the site has been described below using the UK Habs Habitat Definitions Version 2.0 (UKHab Ltd., 2023). The below species noted should not be considered an exhaustive list and instead refer to dominant, characteristic and other noteworthy species associated with each community within the survey area. A habitats map is appended to this ES in **Appendix 2**. The habitat types on site comprise:

- u1 – Built up areas and gardens with secondary code 828 vegetated gardens
- u1b – Developed land; sealed surface
- h3a – Blackthorn scrub
- t2 – Littoral sediment

3.2.2.1 u1 Built-up areas and gardens with secondary code 828 vegetated gardens

The majority of the site boundary is part of the developed area associated with the property at 9 Harbourside. This includes the existing dwelling, drive and vegetated gardens (secondary code 828). This entire area has not been discussed in detail as the majority of works will be within the far south of this area. The south area garden consists of a managed lawn with scattered scrubs and trees (**Fig 7**). Species in the lawn were grass-dominant with other species including Creeping Buttercup (*Ranunculus repens*), Cutleaf Geranium (*Geranium dissectum*) and Daffodils. Shrubs were ornamental planting and Apple (*Malus* spp.) trees were present. A couple of the ornamental shrubs were noted to be overhanging the retaining wall.

The section of garden at the west of site identified as coastal and floodplain grazing marsh is not considered to meet the criteria of this priority habitat. It comprises garden area that is very rarely flooded and not grazed and maintained short and therefore not considered to be priority habitat.

Figure 7. Vegetated garden at the south boundary of the property adjacent retaining wall (taken March, 2025).



3.2.2.2 u1b Developed land; sealed surface

To the immediate south of the garden there is a retaining wall and an existing concrete skirt with a wooden fence, which is used as a walkway (**Fig 8**). There is some minimal colonising vegetation within cracks of the concrete and overhanging ornamental shrubs from the garden. To the south of the wooden fence, the concrete skirt extends further but is in poor condition with concrete slabs appearing to be piled underneath the surface and evidence of cracks (**Fig 9**). Lichens are more prevalent in this section of surface.

Figure 8. Retaining wall and concrete skirt in main works area with wooden fence bounding walkway (taken March, 2025).



Figure 9. View of concrete skirt showing edge south of wooden fence in poorer condition (taken March, 2025).



3.2.2.3 h3a Blackthorn scrub

A section of Blackthorn scrub is present at the southwest of the site, between the coastal saltmarsh offsite and the vegetated garden (**Fig 10**).

Figure 10. View of Blackthorn scrub at the south adjacent offsite coastal saltmarsh (taken March, 2025).



3.2.2.4 t2 Littoral sediment

Within the site there are only very small sections of this habitat at the boundaries and they are forming a transitional area between the concrete and more natural habitat (**Figs 11-12**). These areas extend into further habitat identified off-site to the south and southwest of the site, that would be considered more clearly associated with t2a Coastal Saltmarsh followed by mudflats, which is consistent with the desktop survey and botanical survey data.

Within the site boundaries, this habitat has been assessed as the broader t2 habitat type as it is not considered the habitat meets the criteria of priority habitat saltmarsh on its own due to its poor condition with concrete rubble present, lack of transitional zonation and clear influence of the adjacent slipway and developed areas. However, at least 4 botanical species associated with saltmarsh habitats (as listed in Appendix 2 of JNCC, 2004) were identified to the south of the site including Sea Purslane (*Atriplex portulacoides*), Sea Couch (*Elytrigia atherica*), Golden Samphire (*Inula crithmoides*) and sedge species, which were not identified to species level. In addition, Sea Mayweed (*Tripleurospermum maritimum*), Hemlock Water Dropwort (*Oenanthe crocata*) and Sea Beet (*Beta vulgaris maritima*) were also identified.

While there was no clear transition identified between zones due to the presence of developed hardstanding land within and adjacent the site, the area to the south of the existing concrete skirt is indicative of a low-mid zone of coastal saltmarsh (**Fig 11**) and the area of grass and sedge is more indicative of the upper zone (**Fig 12**). However, influence from the garden such as Daffodils did appear to be present here as well.

Figure 11. Litoral sediment habitat indicative of low-mid saltmarsh to the south of the concrete skirt (taken March, 2025).



Figure 12. Habitat indicative of upper zone saltmarsh between the garden and slipway (taken March, 2025).



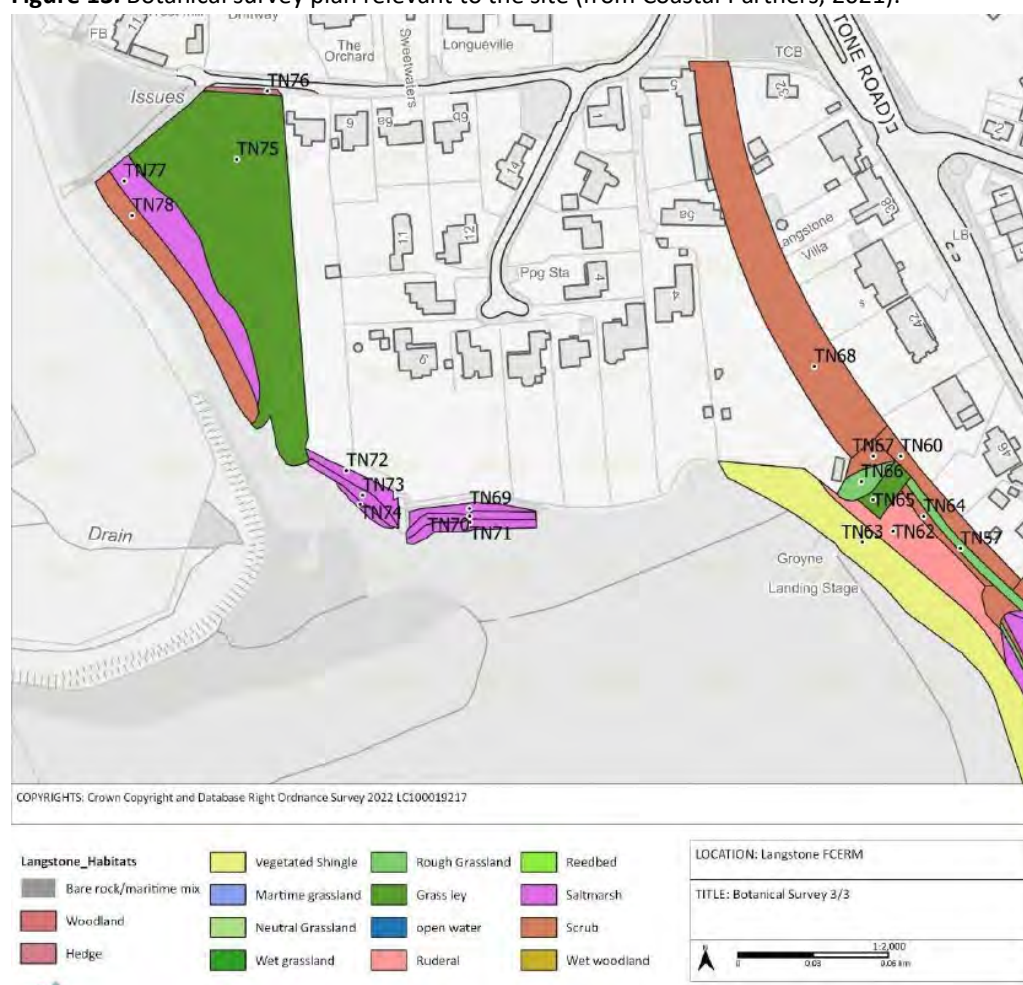
3.2.3 Botanical survey data

Botanical survey data provided by Coastal Partners (2021) has been examined. Surveys were carried out in June-July 2021 to identify NVC communities. Coastal Saltmarsh habitat was identified to the immediate south of the site (**Fig 13**). The target notes relevant to the site are TN72 and TN69, with TN70-71 and TN73-74 also to the south of the site (**Table 5**).

Table 5. Habitat types and codes relevant to the site associated with **Fig 13**, reproduced from Coastal Partners, 2021.

Target Note	NVC habitat	IHS code	UKHab code	Annex 1 Habitat / BAP habitat
69	SM14	LS333	t2a7	Annex I 1330 - Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) Saltmarsh Priority Habitat (Littoral Sediment BH)
70	SM9 <i>Suaeda maritima</i>	LS312	t2a5	Annex I 1310 - <i>Salicornia</i> and other annuals colonising mud and sand. Saltmarsh Priority Habitat (Littoral sediment BH)
71	SM6 <i>Spartina anglica</i> salt-marsh community	LS32	t2a6	Annex I 1320 - <i>Spartina</i> swards (<i>Spartinion maritimae</i>). Saltmarsh Priority Habitat (Littoral Sediment BH)
72	SM24	LS37	t2a7	Annex I 1330 - Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) Saltmarsh Priority Habitat (Littoral Sediment BH)
73	SM14	LS333	t2a7	Annex I 1330 - Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) Saltmarsh Priority Habitat (Littoral Sediment BH)
74	SM8	LS311	t2a6	Annex I 1310 - <i>Salicornia</i> and other annuals colonising mud and sand. Saltmarsh Priority Habitat (Littoral sediment BH)

Figure 13. Botanical survey plan relevant to the site (from Coastal Partners, 2021).



The majority of the site's habitats are not described in detail in the botanical report, but at TN69 (**Fig 14**) the report states:

In the western corner of the Survey Area at TN69 the SM14 community has frequent common sea-lavender, annual sea-blite and occasional greater sea-spurrey noted amongst the sea-purslane. Spartina species is noted amongst this vegetation infrequently. The SM14 continues west into the inlet at TN73.

Figure 14. Photograph 3 SM14 at TN69, western corner from Coastal Partners, 2021.



3.2.4 Coastal saltmarsh zonation

To assess the potential zones of the saltmarsh habitat, Environment Agency saltmarsh layers were mapped in comparison to the site (**Fig 15**). This shows the extent of saltmarsh habitat as outside of the site but does match with estimated zones of low-mid marsh zone below the existing concrete skirt and upper marsh zone to the southwest of site.

Figure 15. Map showing site boundary compared to saltmarsh extent and zonation areas provided by Environment Agency (2025).



3.3 Bats

There are no potential roosting features within the area of impact of the site and the dwelling on site has not been further assessed as it is far outside the area of impact.

The scattered trees/shrubs within the garden, Blackthorn scrub and nearby saltmarsh / mudflat habitat can provide suitable habitats for foraging bats. However, the site is located in a highly open area likely subject to prevailing winds. As such, it is considered the site is of **low potential** for foraging and commuting bats.

3.4 Badgers & Other Terrestrial Mammals

No evidence of Badgers was noted on site. Given the site's coastal location, it is not considered highly suitable to support setts. However, gardens can provide suitable foraging and commuting habitat for badgers and other terrestrial mammals such as Hedgehogs. Therefore, it is considered there is **low potential** for foraging and commuting badgers and other terrestrial mammals.

3.5 Reptiles

The habitats within the site are considered relatively unsuitable for reptiles. The garden area is well-maintained as a short-cut lawn with no structure. The only grassland with suitability is within the small patch of habitat seen in **Fig 12** that is indicative of upper saltmarsh habitat, which is connected to saltmarsh habitat offsite but these are not likely to be used by reptiles as the areas below the retaining wall are likely to be flooded on occasion. Therefore, it is considered there is **negligible potential** for reptiles within the site.

3.6 Great Crested Newts

Using freely available online resources, the only nearby waterbody within 250m is a small garden pond located at 7 Harbourside just east of site. However, it appears to be a small ornamental pond surrounded by brick edging and unlikely suitable for GCN. As no other ponds were identified and the site is highly coastal in the area of impact with no suitable terrestrial habitats, it is considered there is **negligible potential** for GCN on site.

3.7 Hazel Dormouse

The Blackthorn scrub on site is the only suitable habitat for dormice but is sub-optimal and isolated from the wider habitat. As such, it is considered there is **negligible potential** for dormice.

3.8 Birds

3.8.1 Breeding birds

The scattered trees in the garden and the Blackthorn scrub could provide some limited habitat for breeding garden birds, although it is likely subject to strong winds at times and therefore sub-optimal.

The habitats within the site are considered unsuitable for breeding coastal birds. The majority of habitats on site are relatively developed and the littoral sediment are very limited in nature

and not considered suitable for nesting. All areas not likely to be flooded are behind the existing retaining wall as part of the private gardens.

Breeding bird surveys were previously carried out by Coastal Partners in 2021 of the wider site, which included coverage of the site. Surveys identified the site falls within a House Sparrow (*Passer domesticus*) territory and a Starling (*Sturnus vulgaris*) territory was present around the houses (Fig 16).

Figure 16. Deduced home ranges of species of conservation concern identified during 2021 breeding bird surveys (Coastal Partners, 2022).



Therefore, there is **low potential** for breeding birds in the scattered trees and scrub.

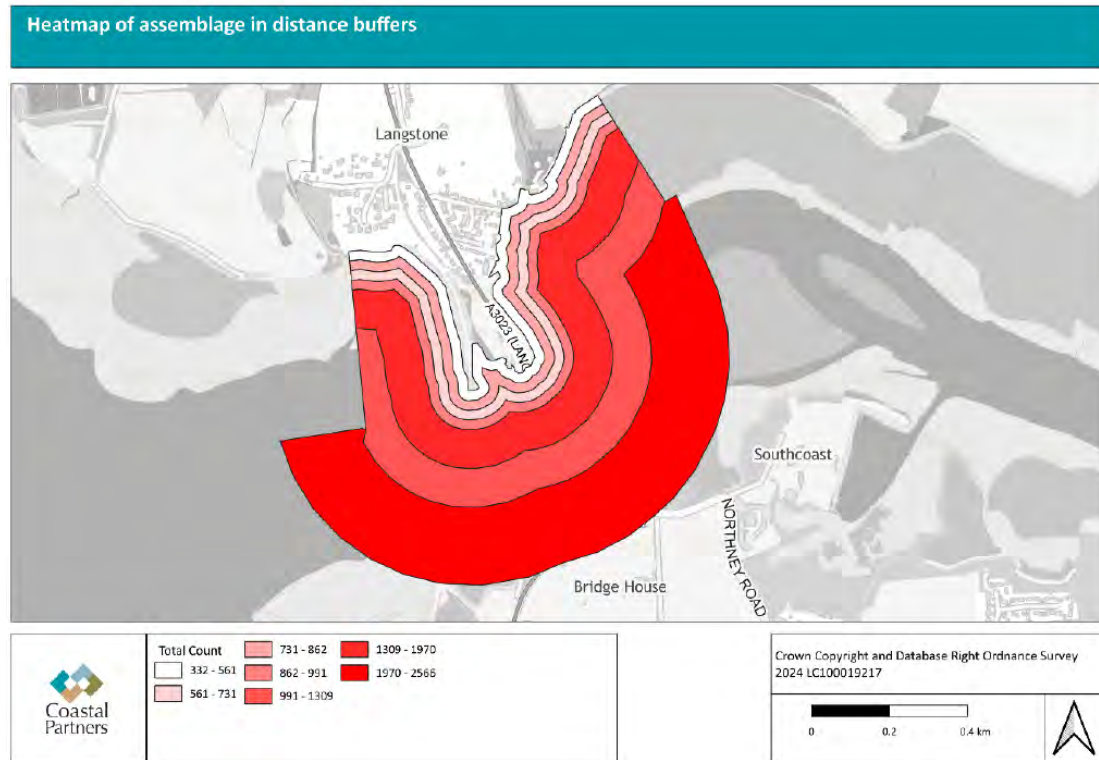
3.8.2 Overwintering birds

The site is adjacent internationally and nationally designated sites that are designated for assemblages of overwintering birds. There are important habitats for these birds such as large areas of mudflat and saltmarsh nearby that can support foraging opportunities for waders. There are a number of sites identified in the Solent Waders & Brent Goose Strategy in the wider area, although none are closer than the SPA.

Overwintering bird surveys were carried out by Coastal Partners (2025) in 2020-21 and 2021-22 including both daytime and night-time surveys and at high and low tides. A total of 41 species were recorded in the study site including 13 wildfowl, 13 waders and 6 gulls. The most records were of feeding birds, with the majority recorded at high tide. Fig 17 shows the heat map produced of where SPA assemblage birds were identified along the survey area. The highest numbers of birds and waders were further from Langstone towards Hayling Island but

smaller numbers were still noted within the vicinity of the site. It is worth noting that the area to the southwest and west of the site was not surveyed although it is also considered suitable for these species.

Figure 17. Heatmap of SPA bird assemblage with distance buffers (Coastal Partners, 2025).



During the recent walkover survey in March 2025 by Ecosupport Ltd., Dark-bellied Brent Geese and Curlew were noted fairly close to the site foraging at low tide. A possible Redshank was also noted further from the site.

The habitats within the site are not considered very suitable to support overwintering birds but it is considered there is **high potential** for overwintering waders including qualifying features of the designated sites to be present in the nearby vicinity.

3.9 Otter & Water Vole

As identified by Coastal Partners (2020), no records of Otter (*Lutra lutra*) were identified within the vicinity of the proposals. The site is considered to be unsuitable for Water Voles (*Arvicola amphibius*) and there are no natural banks that can be used due to the retaining wall. There are also no suitable resting opportunities for Otter within the site. Therefore, it is considered there is **negligible potential** for these species.

3.10 Invertebrates

The habitats within the site itself are unlikely to support rare or notable species as they are largely urban and the littoral sediment habitats are very limited. However, the nearby priority habitats within the designated sites may support more notable invertebrates such as those associated with mudflats and coastal saltmarsh.

3.11 Marine Species

3.11.1 Fish & aquatic species

The site is above the MHWS and therefore considered to be **negligible potential** for fish and other highly aquatic species. However, there may be fish and other aquatic species nearby the site within the aquatic habitat.

3.11.2 Other species

As above, the site is above the MHWS and most shellfish that inhabit aquatic and intertidal habitats are unlikely to be present within the site. However, as seen in **Figs 9 & 11**, there are gaps and crevices present at the bottom of the existing concrete skirt, as well as within other concrete in the littoral sediment to the south of the site. These could provide potential habitat to species that inhabit rocky shores and transitional habitats, in particular molluscs and other species such as crabs. However, as described by Coastal Partners (2025), no crabs were recorded within the proposed study area during marine ecology surveys. Therefore, there is **very low potential** for molluscs to make use of these areas, but they are expected to be retained within the site.

4.0 POTENTIAL ECOLOGICAL IMPACTS IN ABSENCE OF MITIGATION

4.1 Introduction

The potential impacts of the proposals should be considered in absence of mitigation. In order for a significant adverse effect to occur, the feature being affected must be at least of local value. However, in some cases, features of less than local value may be protected by legislation and/or policy and these are also considered within the assessment. Although significant effects may be identified at this stage of the assessment, it is often possible to provide appropriate mitigation.

4.2 Identification of Effect Pathways

4.2.1 Summary of proposed works

The proposed development will involve excavation of part of the existing concrete apron, provision of geotextile, installation of 4m sheet piles with an excavator and Movax side grip hammer and subsequent reinstatement of the concrete apron and a new fence. All works will be from the garden-side of the wall with no works to be carried out on the foreshore.

The seawall is also expected to be raised slightly and on the western portion of site some of the land will be regraded within the garden to reposition the bank.

4.2.2 Summary of impact pathways

A summary of the potential impact pathways are shown in **Table 6**. Those that have been scoped in are described in further detail in the sections below.

Table 6. Potential impact pathways and justification

Potential impact pathway	Scoping Decision	Justification
Damage to habitats	Scoped in	Priority habitats are identified immediately adjacent the site and may be subject to impacts from pollution
Damage or disturbance to designated sites	Scoped in	Designated sites are identified within and immediately adjacent the site and may be subject to impacts from pollution and disturbance created during construction
Disturbance to roosting bats	Scoped out	No potential for roosting bats within area of impact
Disturbance to foraging and commuting bats	Scoped out	The works will result in minimal loss of habitat with no likely disturbance to nocturnal species
Disturbance to reptiles or loss of reptile habitat	Scoped out	No potential for reptiles within the area of impact
Disturbance to badgers	Scoped out	While foraging and commuting badgers could be present, works will be during the day and will involve minimal groundworks with no deep excavations
Disturbance to Great Crested Newts	Scoped out	No potential for GCN on site
Disturbance to terrestrial invertebrates	Scoped out	No likely notable or rare terrestrial invertebrates within the site
Disturbance to breeding birds	Scoped in	Some limited suitable nesting habitat may be impacted in scrub
Disturbance to non-breeding birds	Scoped in	Aggregations of non-breeding birds are confirmed to be present in the vicinity that could be impacted by noise and visual disturbance during works

4.3 Impacts During Site Preparation and Construction

4.3.1 Impacts to Habitats

4.3.1.1 Direct impacts

The proposals will likely involve temporary impacts to the vegetated garden due to an excavator being used there for the works. However, it is understood none of the trees in the garden will be impacted as a result of the works. In addition, re-grading the banks of the western portion of the slope will likely also result in a temporary impact but it is expected the existing habitats will re-establish here quickly upon completion of works.

The proposals will also involve removal of part of the existing concrete skirt (to the fence line). The rest of the concrete skirt on the edge outside the site will be retained but it is also considered it's possible some of the remaining concrete there could become loose / break off from the works. The concrete skirt will be reinstated following works so is expected to be in similar condition to current after the works.

It is considered the direct impacts are to habitats of **negligible** value with a **medium** magnitude of impact, resulting in a **negligible significance**. The extent of impacts will be limited within the site boundary and will be temporary/low frequency during construction only.

4.3.1.2 Indirect impacts

The littoral sediment and nearby saltmarsh/mudflat priority habitats are expected to be retained with no direct impacts. However they are in very close proximity to the site and connected via aquatic habitat and therefore there are pathways for pollution from the works on site. The habitats adjacent to the site have been identified as Annex I habitats that are qualifying features of the SAC and therefore of the highest sensitivity. These habitats may be subject to air pollution from machinery (albeit only an excavator is expected to be used), water pollution and any other waste created during construction. The rest of the concrete skirt on the edge outside the site will be retained but it is also considered it's possible some of the remaining concrete there could become loose / break off from the works. If any retained concrete breaks off and becomes loose there is also risk of it going into the adjacent habitats (as evidenced by previous concrete in the adjacent habitats that has broken off naturally).

It is considered the indirect impacts from construction are to habitats of **international** value with a **low** magnitude of impact. The extent of impacts will be limited based on the scale of works to relatively close to the site and will be temporary/low frequency during construction only. Therefore indirect impacts to habitat will have a potential **major** significance in the absence of mitigation.

4.3.2 Impacts to Designated Sites

While the designated sites are shown within the site boundary, it is not considered any of the habitats / features support or form part of the designated sites as they are nearly all built habitats. However, immediately adjacent the site and area of impact there is habitat that are

qualifying features of the SAC. Qualifying feature bird species of the SPA / Ramsar / SSSI have also been identified within close proximity of the site. The construction works could result in noise and visual disturbance of non-breeding SPA waders and the habitats could be subject to pollution created during construction. Works are of a relatively limited scale and expected to be temporary conducted in a short time period.

It is considered the designated sites are of **international value** with a **low** magnitude, resulting in a **major** significance.

4.3.3 Impacts to Breeding Birds

As part of regrading the slope in the garden, it is possible this will require a limited area of Blackthorn scrub to be cut back during works, which is considered suboptimal nesting habitat. At least one bird territory was also identified within this area in previous breeding bird surveys. While the adjacent SPA / Ramsar / SSSI include qualifying features of breeding birds, this is restricted to three species of terns. It is not considered there is any suitable nesting habitat in the vicinity for these species and they were not identified during breeding bird surveys and are considered likely absent.

Based on the scale of works and habitats/species present, it is considered the site is of up to **local** value for breeding birds with a likely **low** magnitude. The extent of impacts will be limited to suitable habitat within the site boundary and will be temporary/low frequency during construction only, resulting in a **minor significance**.

4.3.4 Impacts to Non-breeding birds

The adjacent SPA / Ramsar / SSSI is designated for aggregations of non-breeding birds. Further survey work identified aggregations within the vicinity of the site (although larger numbers were found to be further away) and a small number of qualifying feature birds were identified within the vicinity of the site during the recent survey in winter. These birds are highly sensitive to disturbance.

The Waterbird Disturbance Mitigation Toolkit (Cutts, Hemingway & Spencer, 2013) has been used to inform potential disturbance. Continuous / repetitive noises over 72dB (at the bird) such as from Movax vibro-piling are considered to be a high-level disturbance stimuli. Brent Geese, one of the more sensitive qualifying features of the site and identified in proximity of the site, are very sensitive to noise and visual stimuli and require consideration within 400m of works. Other qualifying feature species have similar or lower sensitivity disturbance potential. Therefore, it is considered there is **international** value for non-breeding birds with a likely **medium** magnitude, although it will be relatively temporary due to the limited scale of works, resulting in a **critical significance**.

4.4 Site Operation

4.4.1 Impacts to Habitats

It is expected that following completion of works there will be no further direct or indirect impacts as the habitats will be reinstated with the same habitats. Coastal Partners have confirmed that the tidal flooding comes from all directions at this location and therefore

completing only part of the 1B frontage flood defence will not have any impacts on habitats in neighbouring properties either.

However, consideration is given to a 'Hold the Line' approach on the habitats present within and adjacent the site due to coastal squeeze. The reinstatement of the flood defence, which will also be raised slightly, will prevent natural coastal habitats from colonising further inland. Therefore, as impacts such as climate change occur in future the habitats will have limited area to adapt. Given that a retaining wall and flood defence is already in place and the proposed works are to only slightly increase the defence, it is considered the magnitude of this is **negligible** compared to doing nothing and therefore of **negligible significance**.

4.4.2 Impacts to Designated Sites

As above, following the completion of works there will be no further direct or indirect impacts on the designated sites. The increased flood defence will be of negligible magnitude compared to the baseline and there will be no change in disturbance to habitats or species within the designated sites and therefore impacts to designated sites are of **negligible significance** during site operation.

4.4.3 Impacts to Breeding and Non-breeding birds

As above, following completion of the works there will be no change in use and therefore no further disturbance or change in habitat that will affect birds in the area. Therefore, the proposed development is considered to be of **negligible magnitude and significance** during site operation.

4.5 Summary of Impacts

A summary of expected ecological impacts in the absence of mitigation is shown in **Table 7**.

Table 7. Summary of expected ecological impacts in the absence of mitigation.

Feature	Significant Impacts during Construction	Significant Impacts during Operation
Habitats	Major (from indirect impacts)	Negligible
Designated Sites	Major	Negligible
Breeding Birds	Minor	Negligible
Non-breeding Birds	Critical	Negligible

5.0 MITIGATION & RESIDUAL IMPACTS

5.1 Introduction

The below sections outline recommendations, proposed mitigation and compensation appropriate and proportionate. In addition to this, measures are outlined to protect the existing features of value and provide enhancements post development.

5.2 Construction Environmental Management Plan (CEMP)

A CEMP has already been prepared by Cowan Consultancy (2025) for the development. It also includes measures for adjacent flood defence proposals as part of frontage 1B at the parcel to the west of site within the same ownership and at 8 Harbourside to the immediate east of site (which will both be under separate applications). The CEMP identifies the sensitivity of the adjacent designated sites and habitats and includes sensitive measures to protect them. This includes:

- The site compound and store will be off Mill Land approximately 150m from the rear garden (as far as possible from the works);
- Measures taken to avoid pollution incidents during construction including provision of spill kits and appropriate storage of materials and machinery away from the water course with no storage of materials allowed adjacent to designated sites;
 - o Fuel for machinery will be stored in a bunded area within the works compound with all refuelling in this area;
 - o Machinery will be parked in the compound outside working hours to reduce risk of leakage;
 - o Use of plant nappies and methods to prevent contaminants included where suitable;
- All works will be on the garden side of the wall with no machinery to operate on the foreshore;
- A fibre matting barrier will be used along the seaward edge of works prior to prevent pollution from dust, surface run off or contaminants;
- All works will be undertaken between April to September to avoid impacts on wintering or migratory wildfowl and waders;
- Works will be restricted to daylight hours; and
- All vegetation will be removed using hand tools and will be checked for presence of nesting birds or other wildlife prior to removal.

5.3 Avoidance of Impacts to Birds

Due to the sensitivity of the nearby habitats for non-breeding birds, it may not be possible to entirely avoid the nesting bird season. Therefore, as stated above in the CEMP, where works are within the bird nesting season (typically March – August, dependent on weather), any suitable habitats (i.e. scrub), the habitat will be thoroughly checked by an ecologist immediately prior to works. If any active nests are found, they should be left undisturbed with a suitable buffer within which works cannot take place (ca. 5m) until nestlings have fledged.

Also as noted in the CEMP, works will be undertaken between April and September. This avoids the most sensitive periods of the year for many types of birds. Monthly sensitivities for wildfowl and waders based on functional group and habitat can be seen below (**Fig 18**).

Carrying out the works from April to September is considered acceptable to avoid the most sensitive months. However the noisiest works on the waterfront (i.e. Piling) are recommended to be carried out in May to August if possible which avoids the sub-optimal months as well for most waterbird groups.

Figure 18. Monthly sensitivity for waterbird groups and wetland habitats for birds (taken from Cutts et al, 2013).

Broad monthly sensitivity of waterbird groups in relation to construction works												
Broad Functional Group	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Feeding Wildfowl	H	H	H	M	M	L	L	L	M	M	H	H
Roosting Wildfowl	H	M	M	M	L	L	L	M	H	M	H	H
Small Feeding Waders	H	M	H	H	M	0	0	M	M	H	H	H
Large Feeding Waders	H	M	H	M	L	0	0	M	H	H	H	H
Roosting Waders	H	M	L	L	L	0	0	M	H	H	H	H
General Sensitivity	H	H	H	H	M	L	L	M	H	H	H	H

Broad monthly sensitivity of wetland habitats (for birds) in relation to disturbance and damage/loss												
Broad Habitat	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mudflat	H	H	H	H	M	L	L	M	H	H	H	H
Saltmarsh	H	H	L	M	M	M	M	L	M	H	H	H
Reedbed	M	L	M	H	H	H	H	M	M	L	M	M
Open Water	H	M	M	H	H	H	L	L	L	M	H	H
Wet Grassland	M	L	M	H	H	M	L	L	M	M	M	M
Scrub	L	L	M	H	H	M	L	L	L	L	M	M

5.4 Removal of Loose Concrete

The concrete skirt adjacent the littoral sediment habitats will not be impacted by the works, however it was considered the excavation works to the concrete skirt within the fenceline could knock some concrete free from the retained aspect. The concrete should be retained in place where suitable as the crevices can provide opportunities for marine wildlife such as molluscs or textured surface for marine flora to establish. However, to prevent any concrete entering into the sensitive adjacent habitats, any loose concrete will be either secured in place or removed from site by hand to prevent concrete going into the nearby saltmarsh / mudflats to prevent any degradation.

5.5 Residual Impacts

All impacts considered in **Section 5.4** above are now examined with mitigation applied.

It is considered that the CEMP will prevent any discernible amount of pollution from entering into the sensitive adjacent habitats and designated sites. This will reduce the magnitude of impacts on habitats from low to very low/negligible, resulting in a **minor residual impact**.

It is considered the measures for breeding birds including nesting bird check of any suitable habitat will reduce the magnitude to negligible, resulting in a **negligible residual impact**.

It is considered the restricted timing of works for non-breeding birds will reduce the magnitude to very low/negligible, resulting in a **minor residual impact**.

The above aspects including pollution prevention and sensitive timing of works will reduce the magnitude of impacts on the designated sites to very low/negligible, resulting in a **minor residual impact**. This is further confirmed in the detailed shadow Habitat Regulations Assessment (sHRA) produced by Ecosupport (2025) which confirms in the Appropriate Assessment that there will be no significant impacts to the designated sites.

A summary of expected ecological impacts in the absence of mitigation is shown in **Table 7**. All residual impacts will be minor or negligible.

Table 7. Summary of expected ecological impacts in the absence of mitigation.

Feature	Significant Impacts during Construction without mitigation	Significant residual impacts during Construction (with mitigation)	Significant Impacts during Operation
Habitats	Major (from indirect impacts)	Minor	Negligible
Designated Sites	Major	Minor	Negligible
Breeding Birds	Minor	Negligible	Negligible
Non-breeding Birds	Critical	Minor	Negligible

5.6 Enhancements

It is considered based on the type of works/habitats that opportunities for enhancements within the site are relatively limited. However, it is recommended that one bird box, such as the Vivara Pro Seville bird box, is installed on a scattered tree within the garden. This should be installed away from prevailing winds at a height of approximately 1.5-3m.

6.0 CUMULATIVE IMPACTS

Potential cumulative impacts must also be considered as part of the EIA process. A search has been carried out of nearby proposed developments that may have cumulative impacts.

The following proposed developments have been considered:

- APP/25/00162 – The proposed wider Langstone Flood and Coastal Erosion Risk Management (FCERM) scheme by Coastal Partners which entails 5 frontages (1A, 2, 3, 4 & 5)
- APP/24/00890 – The proposed flood defence bund at the far western parcel of frontage 1B
- Portchester to Emsworth FCERM Strategy – A wider-scale FCERM scheme by Coastal Partners which includes the above development sites.

In addition, while there are no further detailed proposals at this time to examine, it is understood that there is intention to submit a subsequent proposal at 8 Harbourside for the same Coastal Partners frontage 1B scheme, which will extend from this scheme, and there is potential for further landowners to continue the scheme beyond this along each of their property edges. While detailed information is unavailable at this time, it can be assumed the proposals of the frontage 1B scheme proposed by Coastal Partners will be used.

None of the above proposals have yet been approved. APP25/00162 is currently at the pre-application stage and a full application has not yet been submitted. Frontages 1A & 2 (see **Fig 3**) are the closest to the site and approximately 180m to the east. There would be potential for cumulative noise or visual impacts at this distance, but mitigation has also been proposed with this scheme to avoid construction during the overwintering bird period October to March. In addition, a CEMP is proposed to minimise pollution impacts on the nearby sensitive habitats and designated sites. As such, based on the distance and proposed mitigation it is unlikely cumulative impacts would be at a level deemed significant with this development.

APP/24/00890 is nearby the site to the west and within the same ownership as this site and is also already covered by the CEMP. Construction may occur concurrently should it be granted permission upon submission of further information. However, it is considered both sites are relatively limited in nature and include the same sensitive measures in the CEMP to protect the adjacent designated sites, habitats and wildlife species. If constructed together, they will be by the same firm/machinery with a shared compound. Therefore, with shared mitigation and resources, it is not expected there will be any significant cumulative impacts. Similarly, if a future application for 8 Harbourside is submitted for intended works (which are nearly identical to this application) the CEMP also covers that site and would include the same mitigation to avoid significant cumulative impacts.

All of the above schemes are part of the Portchester to Emsworth FCERM Strategy which considers flood defence in a wider area of the coastline. Significant impacts have been assessed on the Solent designated sites due to permanent habitat loss due to coastal squeeze. As part of this strategy, compensation habitat has been proposed. The proposed development

at 9 Harbourside falls within part of this strategy and therefore while there is potential for cumulative impacts in the wider area, permanent impacts are already considered in the wider strategy. No closer proposals than those above have been identified as part of this strategy likely to result in cumulative disturbance / pollution. There are similar coastal strategies in the much wider area but given the scale of works and distance would unlikely have any cumulative significant impacts with this site.

7.0 ASSESSMENT SUMMARY & CONCLUSION

This Environmental Statement has been produced for the proposed flood defence at 9 Harbourside, Langstone, with Ecology the only aspect scoped in and examined further in detail. A summary can be seen in **Table 8**.

Sensitive receptors have been identified and scoped in to the assessment including designated sites (SAC, SPA, Ramsar and SSSI) within/adjacent the site and nearby habitats immediately adjacent the site, as well as breeding and non-breeding aggregations of birds. In the absence of mitigation, the development is expected to result in minor to critical significant impacts due to the high value of the designated sites.

Mitigation includes sensitive working measures in a CEMP, in particular to prevent pollution into the adjacent habitats, nesting surveys and mitigation for breeding birds and restrictive timing for works to avoid impacts on non-breeding birds in the adjacent designated sites.

With provision of proposed mitigation, it is considered **residual significant impacts will be negligible to minor** and this is considered a tolerable level and the **proposed development is acceptable**.

Table 8. Summary of Impacts

Feature/Receptor	Value (Significance) of Receptor	Activity/Impact	Magnitude	Other Characteristics	Significance of Impacts without mitigation	Mitigation	Significance of residual impacts	Significant Impacts during Operation
Habitats	Negligible (on-site)	Loss of habitat / direct harm (on-site)	Medium (on-site)	Extent of impact limited to nearby site	Major adverse	CEMP Removal of loose concrete	Minor adverse	Negligible
	International (off-site)	Degradation / disturbance (off-site)	Low (off-site)	Temporary Low frequency (construction only)				
Designated Sites	International	Degradation / disturbance	Low	Extent of impact limited to nearby site Temporary Low frequency (construction only)	Major adverse	CEMP Removal of loose concrete Construction Apr – Sept only	Minor adverse	Negligible
Breeding Birds	Local	Direct harm / disturbance	Low	Extent of impact on site Temporary and during breeding bird season only Low frequency (construction only)	Minor adverse	CEMP Nesting survey of vegetation Mar - Aug	Negligible	Negligible
Non-breeding Birds	International	Noise / Visual Disturbance	Medium	Extent of impact limited to nearby site Temporary and during overwintering bird season only (Oct-Mar) Low frequency (construction only)	Critical adverse	Construction Apr – Sept only	Minor adverse	Negligible

8.0 REFERENCES

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APPENDIX 1 – RELEVANT ECOLOGICAL LEGISLATION & POLICIES

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations (2019)

This instrument makes changes to the three existing instruments which transpose the Habitats and Wild Birds Directives so that they continue to work (are operable) upon the UK's exit from the European Union (EU). These include The Conservation of Habitats and Species Regulations 2017 and The Conservation of Offshore Marine Habitats and Species Regulations 2017. This instrument also amends section 27 of the Wildlife and Countryside Act 1981 to ensure existing protections continue. The intention is to ensure habitat and species protection and standards as set out under the Nature Directives are implemented in the same way or an equivalent way when the UK exits the EU.

This transposes the EU Habitats Directive (Council Directive 92/43/EEC) into UK domestic law. It provides protection for sites and species deemed to be of conservation importance across Europe. It is an offence to deliberately capture, kill or injure species listed in Schedule 2 or to damage or destroy their breeding sites or shelter. It is also illegal to deliberately disturb these species in such a way that is likely to significantly impact on the local distribution or abundance or affect their ability to survive, breed and rear or nurture their young.

In order for activities that would be likely to result in a breach of species protection under the regulations to legally take place, a European Protected Species (EPS) licence must first be obtained from Natural England.

The Wildlife and Countryside Act (1981) (as amended)

This is the primary piece of legislation by which biodiversity is protected within the UK. Protected fauna and flora are listed under Schedules 1, 5 and 8 of the Act. They include all species of bats, making it an offence to intentionally or recklessly disturb any bat whilst it is occupying a roost or to intentionally or recklessly obstruct access to a bat roost. Similarly, this Act makes it an offence to kill or injure any species of British reptiles and also makes it an offence to intentionally kill, injure or take any wild bird or to take, damage or destroy their eggs and nests (whilst in use or being built).

The Wildlife & Countryside Act (1981) states that it is an offence to 'plant or otherwise cause to grow in the wild' any plant listed in Schedule 9 part II of the Act. This list over 30 plants including Japanese Knotweed (*Fallopia japonica*), Giant Hogweed (*Heracleum mantegazzianum*) and Parrot's Feather (*Myriophyllum aquaticum*).

The Countryside and Rights of Way Act (2000)

This Act strengthens the Wildlife & Countryside Act by the addition of "reckless" offences in certain circumstances, such as where there is the likelihood of protected species being present. The Act places a duty on Government Ministers and Departments to conserve biological diversity and provides police with stronger powers relating to wildlife crimes.

Natural Environment and Rural Communities Act (2006)

The Natural Environment and Rural Communities (NERC) Act 2006 requires that public bodies have due regard to the conservation of biodiversity. This means that Planning authorities must consider biodiversity when planning or undertaking activities. Section 41 of the Act lists species found in England which were identified as requiring action under the UK Biodiversity Action Plan and which continue to be regarded as conservation priorities under the *UK Post – 2010 Biodiversity Framework*.

Protection of Badgers Act

The Protection of Badgers Act (1992) relates to the welfare of Badgers (*Meles meles*) as opposed to nature conservation considerations. The Act prevents:

- The wilful killing, injury, ill treatment or taking of Badgers and / or
- Interference with a Badger sett
- Damaging or destroying all or part of a sett
- Causing a dog to enter a set and
- Disturbing a Badger while it is occupying a sett

Provisions are included within the Act to allow for the lawful licensing of certain activities that would otherwise constitute an offence under the Act.

The Environment Act (2021)

The Environment Act 2021 is the UK's new legislation for environmental protection in the UK, which includes protection of water quality, clean air, and biodiversity among other key protections. This Act provides the government power to set targets to reach long-term aims relating to the environment, which will be periodically reviewed and updated. This legislation also establishes a new environmental watchdog organisation, the Office for Environmental Protection (OEP), which will hold the government accountable on environmental issues.

Part 6 of The Environment Act relates to nature and biodiversity. This section makes provision for biodiversity net gain to be a condition of planning permission in England and a requirement for nationally significant infrastructure projects. Biodiversity net gain will require maintenance for a period of at least 30 years after the completion of enhancement works to be achieved.

The legislation also includes updates to existing environmental legislation, such as the NERC Act 2006, to strengthen biodiversity enhancement rather than just conservation and includes a requirement for local, or relevant, authorities to publish biodiversity reports. Further, The Environment Act places a requirement on responsible authorities to prepare local nature recovery strategies, which will outline nature conservation sites and priorities and opportunities for recovering or enhancing biodiversity within the local area. Within England, the legislation also provides Natural England with the power to publish 'species conservation strategies' and 'protected site strategies' to identify activities that may affect a species or site's status and outline their opinions on measures that would be appropriate to avoid, mitigate or compensate any adverse impacts.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) (2024) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Chapter 15 'Conserving and enhancing the natural environment' states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity, the wider benefits from natural capital and ecosystem services, minimising impacts on and providing net gains for biodiversity.

The NPPF states that plans should distinguish between the hierarchy of international, national and locally designated sites and that 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.

To protect and enhance biodiversity plans should:

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;

and 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 states 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 SSSI, 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 SSSI;
- 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 reasons and a suitable compensation strategy exists;

- 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.

Havant Borough Council Local Plan

Part of the 'Vision for Havant Borough in 2026' is to protect and enhance biodiversity. Policy 'CS11: Protecting and Enhancing the Special Environment and Heritage of Havant Borough' states that planning permission will only be granted when development protects and where possible enhances the borough's statutory and non-statutory designated habitats and features of biological interest. and features of biological interest and prevents the fragmentation of existing habitats.

The strategy states that protection and enhancement will be achieved by appropriate adaptation and mitigation measures. It also has particular regard for nature conservation designations with international designations given the highest regard and supports an ongoing programme of surveys of habitats and species and designations of SINC's.

The proposed Local Plan 2036 was withdrawn after examination and therefore the above Local Plan will remain in place until a new Havant Borough Local Plan is adopted.

APPENDIX 2 – UKHABS MAP



Legend

-  h3 - dense scrub
-  u1 - built-up areas and gardens
-  u1b - developed land. sealed surface
-  t2 - littoral sediment
-  Redline boundary 9 Harbourside



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Map	UK Habs Map
Site	9 Harbourside
Client	Mr. Robert Carrell
Date	09/04/2025

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