

Tournerbury Wedding & Events Venue, Tournerbury Woods Estate, Tournerbury Lane, Hayling Island, Hampshire, PO11 9DL

Updated Ecological Impact Assessment Report

December 2020

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Updated Ecological Impact Assessment Report
Tournerbury Wedding & Events Venue, Tournerbury Woods Estate, Tournerbury Lane,
Hayling Island, Hampshire, PO11 9DL
for the
Tournerbury Woods Estate

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This report represents sound industry practice; reports and recommends correctly, truthfully and objectively; is appropriate given the local site conditions; scope of works proposed and resources allocated to us by the client; and avoids invalid, biased, and exaggerated statements.

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EXECUTIVE SUMMARY

1. This report presents the results of an Ecological Impact Assessment (EcIA) carried out by Hampshire Ecological Services Ltd for the Tournembury Woods Estate in connection with an application of retrospective planning permission for a wedding & events venue at Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL (approximate Ordnance Survey Grid Reference SZ731996). The site location is shown in *Figures 1* and *2* in *Section 7*. This report has been updated from the previous version submitted for planning to include the results of bat surveys carried out in 2020 and the Visitor Management Strategy.
2. A Phase 1 Habitat Survey was carried out by John Wenman Ecological Consultancy LLP in 2013, followed by a National Vegetation Classification (NVC) survey in 2014. An update to the Phase 1 Habitat survey was carried out in May 2018 by the same company.
3. Hampshire Ecological Services Ltd has been engaged to undertake a number of surveys and reports on the Tournembury Woods Estate, including a Breeding Bird survey in 2014; Heronry surveys in 2015 & 2019; a shadow Habitat Regulations Assessment report in 2020 and bat surveys in 2020.
4. The following reports contain the survey information that is summarised in this report:
 - *Tournembury Woods Estate, Hayling Island, Hampshire. National Vegetation Classification Survey* (John Wenman Ecological consultancy LLP, 2014).
 - *Tournembury Woods, The Tournembury Woods Estate, Tournembury Lane, Hampshire, PO11 9DL. Breeding Birds Survey Report* (Hampshire Ecological Services Ltd, 2015).
 - *Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL. Updated Phase 1 Habitat Survey* (John Wenman Ecological Consultancy LLP, 2018).
 - *Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL. Heronry Survey Report* (Hampshire Ecological Services Ltd, 2019).
 - *Wedding & Event Venue, Tournembury Woods, Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire PO11 9DL. Shadow Habitat Regulations Assessment Report* (Hampshire Ecological Services Ltd, 2020).
 - *Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL. Bat Survey Report* (Hampshire Ecological Services Ltd, 2020).
 - *Wedding Guest Visitor Management Strategy* (Tournembury Woods Estate, 2020).
 - *Tournembury Wedding Venue. Shadow Appropriate Assessment* (Holbury Consultancy Services Ltd, 2020).
5. According to the Multi-Agency Geographic Information for the Countryside website (www.magic.gov.uk), the site lies within Chichester and Langstone Harbours SPA and Ramsar Site. Tournembury is designated as a unit of the Chichester Harbour SSSI. In addition, the eastern part of the site lies adjacent to the Solent Maritime SAC. There are five further statutory designated sites within 2km of the site. These are listed in *Table 4.1.1.1*. There are six

- locally designated sites - Sites of Importance for Nature Conservation (SINCs) - within 1km of the site. These are listed in *Table 4.1.1.2*. No impacts are anticipated on Solent Maritime SAC or Chichester and Langstone Harbours SPA and Ramsar Site.
6. As the site is within the boundary of the Chichester and Langstone Harbours SPA and Ramsar Site, a shadow HRA has been produced. This is a separate document – see *Wedding & Event Venue, Tournerbury Woods, Tournerbury Woods Estate, Tournerbury Lane, Hayling Island, Hampshire PO11 9DL. Shadow Habitat Regulations Assessment Report* (Hampshire Ecological Services Ltd, 2020). This concluded that there would be no impact on the SPA.
 7. No habitat is due to be removed and therefore there will be no impact on the habitats for which Chichester Harbour SSSI has been designated. In addition, condition assessments have been regularly carried out by Natural England on the Chichester Harbour SSSI. The SSSI is divided into 45 units. The Tournerbury Woods Estate unit has been assessed as being in 'Favourable Condition' since 1997. The northern area of the Tournerbury Woods Estate, adjacent to the access track, is the only part of the estate with habitat for which the SSSI was designated for: W10 *Quercus robur*–*Pteridium aquilinum*–*Rubus fruticosus* woodland. This is outside of the footprint of the development (the wedding & events venue area). Therefore, there will be no direct impact on the vegetation of the SSSI.
 8. No impacts are anticipated on the other nearby SSSIs, Sinah Common SSSI and Langstone Harbour SSSI; or the LNRs within 2km and SINCs within 1km (see *Section 4.1.1*).
 9. Of the notable species recorded within 1km of the site, five are amphibians; two are reptiles; 149 are birds; 97 are vascular plants; three are non-vascular plants (liverworts, hornworts & mosses); 121 are invertebrates; nine are terrestrial mammals (including eight species of bat); and two are marine mammals. A full list of notable species with details of their respective protection and/or designations is provided in *Appendix B*.
 10. Tournerbury Wood is a mixture of semi-natural broad-leaved woodland within Saxon earthworks (subsequently referred to as The Bury) with adjoining broad-leaved plantation woodland and secondary woodland (Tournerbury plantation) established on former open ground in the late 19th Century. There is a small area of improved grassland within the woodland. In the south eastern corner of the site the woodland habitats open out into amenity grassland around Woods Cottage. There is a patch of species-poor semi-improved grassland to the west of the cottage that has been heavily grazed by rabbits. Further to the south-west, the woodland opens out into a small area of saltmarsh. Scattered scrub has established along the south eastern edge of the site. The following habitats are present on site:
 - semi-natural broad-leaved woodland;
 - broad-leaved plantation woodland;
 - conifer plantation;
 - amenity grassland;
 - improved grassland;
 - species-poor semi-improved grassland;

- scrub; and
 - saltmarsh.
11. A Phase 1 Habitat Map showing the location of the various habitats is given in *Figure 3* in *Section 7*). Plant species recorded from the site (along with relative abundance) are tabulated in the Phase 1 Habitat Survey report with further species lists in the NVC report (John Wenman Ecological consultancy LLP, 2014 & 2018).
 12. A *Rhododendron* species (*Rhododendron*) was originally planted on the western edge of the plantation and along the southern access road to woods cottage. It has expanded its range in that area slightly and is being actively managed by the landowner. No other plant species listed on *Schedules 8 or 9* of the *Wildlife and Countryside Act 1981* were recorded on the site.
 13. The majority of the habitats and plant species observed are widespread and common. The habitats are of no particular nature conservation value from a botanical perspective. The exception is the woodland of The Bury, which would be impossible to recreate once felled. In addition, deciduous woodland is classified as a UK Priority Habitat – a habitat of conservation importance under the *NERC Act 2006*. Some of the habitats have value from the perspective of the species they support *e.g.* the saltmarsh that contributes to the wider habitat of Chichester harbour that is used by overwintering birds.
 14. As all the habitat on site will be retained under the proposals, there is no impact on the habitat or the plant species that they contain. As such there is no need for mitigation or compensation measures.
 15. There is suitable habitat for roosting, commuting and foraging bats (woodland, scrub and grassland). The woodland, ponds and Chichester Harbour all provide good habitat, and there are good connections into the wider landscape. In addition, there are records for the following bats within 1km of the site: common pipistrelle, soprano pipistrelle, brown long-eared bat, serotine, noctule, Leisler's bat, Daubenton's bat, whiskered/ Brandt's bat and *Myotis* species.
 16. Bat surveys carried out during 2020 confirmed the presence of a non-breeding day roost for low numbers of common pipistrelles and soprano pipistrelles in Woods Cottage. No works are planned to Woods Cottage and it remains unaffected by the proposals.
 17. Bat activity transects were carried out in 2020. Edge or transitional habitats around the site are the location for the majority of the bat foraging and commuting activity including the edges of woodland, shoreline, openings in the canopy, rides/ tracks and grassland. During the activity transects, these areas generally experienced very low levels of disturbance from the wedding venue (area to the north of Woods Cottage in the south-east corner of the site) in regards to light pollution. However, lighting will have been present on site throughout its use as a venue and holiday cottage for the last 20+ years, particularly near Woods Cottage.

18. Lighting, especially increased lighting, can affect commuting, foraging and roosting bats. However, lighting will have been present on site throughout its use, particularly as a residential dwelling. Lighting has increased slightly during the sites' use as a wedding and events location, although this has been minimised as much as possible.
19. Any new external lighting should avoid spillage of greater than 1 lux onto the trees and woodland. The use of non-UV LED lighting (preferably using warm spectrum wavelengths) is strongly recommended to avoid the most deleterious impacts of lighting on biodiversity and bats in particular. Where lighting is necessary, downlighting/ hoods or similar devices should be used to allow the light to be directed onto where it is needed and avoid any light spill into the adjacent woodland. Alternatively, low-level lighting could be used instead.
20. The site will be enhanced for bats through the provision of bat boxes, especially in the plantation woodland where the younger trees mean that there are likely to be fewer trees with bat roost suitability.
21. The woodland provides suitable habitat for nesting, foraging and hibernating dormice. The woodland and scrub contain a mixture of plants producing flowers and berries, and plants producing nuts. This mixture of different species provides food sources throughout the year and as such provides good foraging habitat. However, there are no records of dormice within 1km of the site and the suitable habitat will be unaffected by the proposals. Therefore, there should be no impact on dormice should they be present.
22. There are several small woodland ponds within the South Wood as well as a large pond at the centre of the site (the duck pond). The smaller ponds were mostly dried out at the time of the Phase 1 Habitat Survey (John Wenman Ecological Consultancy LLP, 2018) and the duck pond was heavily used and disturbed by large numbers of waterfowl.
23. The footprint of the development is sub-optimal terrestrial habitat for great crested newts due to its close mown amenity grassland providing no cover and hence a risk of predation. As the ponds are all to be retained and no terrestrial habitat is to be removed, there should be no impact on great crested newts, should they prove to be present.
24. There are no streams or rivers on the site. Although water voles can be found in brackish habitats they are uncommon in estuarine or saltmarsh habitats except where there are relatively stable reed-fringed lagoons. There are no records for water vole within 1km of the site. In addition, there is no suitable water vole habitat within the development footprint. Therefore, it is unlikely that water voles are present on site.
25. The proximity of the site to Mengham Rythe and Chichester Harbour, where otters are known to be present, makes it likely that otters will either cross the site or move along its boundaries. Therefore, it cannot be ruled out that otters would cross the site. However, they would be unlikely to cross the area of the development footprint, especially during an event. There is no

- impediment to otters crossing any part the site at any time. As such there should be negligible impact on otters.
26. During the Phase 1 Habitat Survey (John Wenman Ecological Consultancy LLP, 2018), a pathway through the wood and 3-4 mammal burrow entrances were found within the earthworks of the former hill fort (The Bury). This is outside of the development footprint and as such will not be affected.
27. It is possible that badgers may forage on the amenity grassland within the development footprint. However, there are alternative foraging areas close by that the badgers could use if an event is taking place *e.g.* the improved grassland within the plantation woodland, and the horse-grazed paddocks adjacent to the site. In addition, there are no badger records from the estate so the status is unknown. Therefore, there should be negligible impact on badgers.
28. All the woodland, scrub, shrubs and trees on the site have the potential to support nesting birds during the breeding season.
29. The breeding bird survey (Hampshire Ecological Services Ltd, 2015) identified the value of the site to birds as relatively low with only small numbers of the more common woodland birds being recorded. The majority of the species assemblage is typical of lowland woodland, but with a low number (in both species count and number of birds) of wetland species (*e.g.* grey heron, little egret and moorhen) recorded. With the exception of moorhen, this is almost certainly due to the presence of trees suitable for nesting and roosting combined with the coastal location of the woodland, rather than the site offering large areas of suitable wetland foraging habitat.
30. The habitat at the site is fairly uniform in value for birds with no notable difference in species composition or assemblage across the site. The species recorded on site are typical of the main habitats available, which is characterised by species of woodland, but with a few wetland/coastal species also recorded.
31. Due to the presence of seven amber list species and two red list species recorded occurring at the site in locally sustainable populations the site is classed as having 'Local Nature Conservation Value' for birds. However, it should be noted that no significant numbers or flocks of notable species were recorded during the surveys and all species occurring on site are either common or fairly common within Hampshire and the surrounding area.
32. No vegetation is to be removed and as such there should be minimal impact on nesting birds. The only potential impact would be that birds that may chose to nest near to or in the trees and bushes in the development footprint. Many species easily become habituated to the presence of humans and readily nest in close proximity, as such is it not anticipated that there will be a significant impact on nesting birds. However, the site will be enhanced through the provision of bird boxes. The proposed bird boxes are summarised in *Table 5.8.1*.

33. A heronry is present within the woodland to the north of the site (outside the development footprint). It has been suggested that the heronry was a qualifying feature for the inclusion of the wider Tournembury Woods Estate in the Chichester Harbour SSSI. However, the heronry is not listed among the 30 notified features of the SSSI.
34. Hampshire Ecological Services were commissioned by the Tournembury Woods Estate to monitor the heronry within the estate during 2015 and 2019 (Hampshire Ecological Services Ltd, 2015 & 2019). While the majority of the nests observed were occupied by grey heron (a Green List species) one nest was occupied by little egret (Amber List species). Whilst it appears the number of grey heron nests has halved since 2015, this heronry is believed to have originated from a larger colony formerly present on the nearby Thorney Island (Eyre, 2015). As a small secondary colony, it is likely to be subject to natural fluctuations in population size. In addition, the presence of a rookery in the woodland to the south-east of the heronry may discourage the heronry from becoming bigger. The number of little egret nests has remained the same since 2015. Little egret are recent colonisers to Britain, which lies at the northern limit of their European breeding range.
35. Herons and little egrets have continued breeding in the heronry despite the wedding and events traffic on the entrance track during their breeding season (April to June). Therefore, there is no impact on these species. However, following discussions with Natural England under their Discretionary Advice Service, a Visitor Management Strategy has been written. During the heron nesting season wedding guest access to the heronry area will be limited to access along the access track. Signs will be placed at either end of the heronry area of the track requesting that vehicles continue travelling along the track and do not stop due to nesting birds.
36. There is suitable foraging and hibernation habitat for widespread species of reptile (such as slow-worms) on the site. However, the majority of the development footprint is short mown amenity grassland and as such is unsuitable for reptiles due to the lack of cover and risk of predation. In addition no vegetation will be removed. Therefore, although reptiles may be present at the edges of the development footprint, they will be unaffected by the proposals.
37. Rabbits are known to be present on site and therefore it is likely their predators such as foxes are also present on or near the site. Given the habitats present it is likely that there are other small mammals present such as voles and shrews, as well as larger mammals such as deer. No vegetation is to be removed, therefore any present will be unaffected by the proposals.
38. The nature conservation importance assigned to each valued ecological receptor is listed in *Table 4.4.1.* and includes the protected species, species of nature conservation concern together with valuable habitats. The impact on each ecological receptor without mitigation is given in *Table 4.4.2.*
39. The ecological receptors that may still be impacted if present are a small number of widespread birds nesting within the development footprint. The residual impacts for habitats and species groups are summarised in *Table 6.1.*

2.1 Purpose of this report

This report presents the results of an Update Ecological Impact Assessment (EcIA) carried out by Hampshire Ecological Services Ltd for the Tournembury Woods Estate in connection with an application of retrospective planning permission for a wedding & events venue at Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL (approximate Ordnance Survey Grid Reference SZ731996). The site location is shown in *Figures 1 and 2* in *Section 7*. This report has been updated from the previous version submitted for planning to include the results of bat surveys carried out in 2020 and the Visitor Management Strategy.

Baseline information derives from a desk-top study, field surveys to identify areas and species of nature conservation interest. Their importance is evaluated and impacts are assessed.

Baseline data are presented in associated reports. The remainder of this report therefore addresses the following topics:

- assessment methodology with reference to ecology;
- an overview of the ecological baseline;
- an account of impacts on specific habitat types and species groups together with discussion of appropriate mitigation; and
- a summary of residual impacts in tabular form.

The following reports contain the survey and other relevant information that is summarised in this report:

- *Tournembury Woods Estate, Hayling Island, Hampshire. National Vegetation Classification Survey* (John Wenman Ecological consultancy LLP, 2014).
- *Tournembury Woods, The Tournembury Woods Estate, Tournembury Lane, Hampshire, PO11 9DL. Breeding Birds Survey Report* (Hampshire Ecological Services Ltd, 2015).
- *Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL. Updated Phase 1 Habitat Survey* (John Wenman Ecological Consultancy LLP, 2018).
- *Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL. Heronry Survey Report* (Hampshire Ecological Services Ltd, 2019).
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- *Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL. Bat Survey Report* (Hampshire Ecological Services Ltd, 2020).
- *Wedding Guest Visitor Management Strategy* (Tournembury Woods Estate, 2020).
- *Tournembury Wedding Venue. Shadow Appropriate Assessment* (Holbury Consultancy Services Ltd, 2020).

2.2 *Background to the project*

A Phase 1 Habitat Survey was carried out by John Wenman Ecological Consultancy LLP in 2013, followed by a National Vegetation Classification (NVC) survey in 2014. An update to the Phase 1 Habitat survey was carried out in May 2018 by the same company.

Hampshire Ecological Services Ltd has been engaged to undertake a number of surveys and reports on the Tournembury Woods Estate, including a Breeding Bird survey in 2014; Heronry surveys in 2015 & 2019; a shadow Habitat Regulations Assessment reports in 2020 and bat surveys during 2020.

The site is situated on the eastern side of Hayling Island on the northern side of the Mengham Rythe estuary. The woodland skirts the northern edge of the Mengham Rythe estuary and extends northwards with Tournembury Farm and Golf Course to the north; a small field to the east used for cattle grazing; and agricultural fields to the west that have been given over to horse paddock use. The woodland at Tournembury is woodland and forms 19% of the total wooded habitat on Hayling Island.

The remainder of Hayling Island is predominantly agricultural/ horse paddocks with a medium size urban cluster formed along the southern coast and extending north along the main road. The majority of the coastland is either pebbled/sandy beaches or floodplain/marsh. The Chichester Harbour SSSI covers 3695 hectares and Tournembury forms 0.4% of its total area.

2.3 *Proposed activities*

The surveys were carried out in connection with an application for retrospective planning permission for a wedding & events venue at Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire, PO11 9DL.

2.4 *Current planning status*

Retrospective planning permission is being applied for.

2.5 *Structure of this report*

This report is structured as follows:

- *Section 1* contains the executive summary;
- *Section 2* contains an introduction;
- *Section 3* describes the assessment methodology and uncertainty;
- *Section 4* gives a baseline overview;
- *Section 5* provides an assessment of impacts and mitigation;
- *Section 6* summarises the residual impacts and significance;
- *Section 7* contains the figures including:
 - *Figure 1* shows the site location;
 - *Figure 2* gives an Ordnance Survey map showing the location of the site; and

- *Figure 3* gives a Phase 1 Habitat Survey map for the site.
- *Section 8* gives photographs of the site;
- *Section 9* lists the references; and
- *Appendix A* lists key legislation and regulations;
- *Appendix B* gives the results of the Hampshire Biodiversity Information Centre (HBIC) data search for protected and notable species records; and
- *Appendix C* provides the Visitor Management Strategy.

3.1 *Outline of Methodology*

The Ecological Impact Assessment (EcIA) involved the following stages:

- scoping, involving desk study to define the scope of the assessment and following accepted survey practises;
- identifying the zone of influence arising from the whole lifespan of the project;
- identifying and evaluating the ecological resources and features likely to be affected;
- identifying the biophysical changes likely to affect valued ecological resources (VERs);
- assessing whether these changes will have a significant impact upon the integrity of a defined site or ecosystem, and/or the conservation status of habitats or species within a given geographical area, including cumulative impacts;
- incorporating ecological enhancement measures and mitigation measures to avoid or reduce negative impacts, and compensation measures for any residual significant negative impacts; and
- assessing the significance of residual ecological impacts of the proposed project.

3.2 *Establishment of Baseline*

3.2.1 *Desk Based Assessment*

Information relating to nature conservation within and outside of the site was collated from statutory and non-statutory bodies. Information relates to statutory and non-statutory wildlife sites, habitats, features and corridors, and notable and protected species.

3.2.2 *Sources of Information*

A search was made of all available reference materials relating to the ecology of the site. Information on statutory (those that are internationally and nationally important sites for ecology) and non-statutory designated sites (those that are important in a local context); notable species, and any other additional details that may be relevant to the project, were requested from the local biological records centre (Hampshire Biodiversity Information Centre) for a search area of 1km of from the site. Additional sources on the internet, such as the *Multi-Agency Geographic Information for the Countryside* website (www.magic.gov.uk) were also consulted. The search area for this was 2km for LNRs, NNRs and SSSIs and 5km for SACs, SPAs and Ramsar sites, as specified in Hampshire's *Biodiversity Checklist*.

Species included in the search parameters are:

- species that are protected by international law;
- species listed in European directives and legislation;
- nationally protected species under *Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981*, the *Protection of Badgers Act 1992* (as amended) and the *Deer Act 1991*;

- species listed as Critically Endangered, Endangered or Vulnerable on the *IUCN Red List*;
- all species listed on the RSPB *Birds of Conservation Concern 2015* as Red or Amber; and
- Nationally Rare or Nationally Scarce species.

HBIC has its own extensive database of habitat and higher plant data for the county. In addition, it holds copies of datasets belonging to partner organisations. Through data exchange agreements with these organisations HBIC is provided with regular database updates and can supply species information on their behalf. HBIC currently holds copies of the following datasets:

- Botanical Society of the British Isles' (BSBI) vascular plant database for Hampshire;
- British Bryological Society (Mosses, Liverworts, Hornworts);
- Butterfly Conservation's butterfly and moth database for Hampshire;
- Hampshire Ornithological Society (HOS) bird records;
- Hampshire Bat Group (HBG) Records of bat roost visits and sightings;
- Survey data administered by the Hampshire and Isle of Wight Wildlife Trust (HIWWT):
 - Monitoring Survey for the Nail Fungus (*Poronia punctata*); and
 - Alien and Native Crayfish.
- Data administered by the Hampshire and Isle of Wight Wildlife Trust (HIWWT) on behalf of the species recording groups below:
 - Hampshire Amphibian and Reptile Recording Network (HARRN); and
 - Hampshire Mammal Group (HMG) (excluding records for bats and badgers).
- Hampshire records from The Bees, Wasps and Ants Recording Society (BWARS);
- Hampshire records from National Stag Beetle Surveys and 'Great Stag Hunts' run by the Peoples Trust for Endangered Species (PTES);
- Hampshire Odonata records from The Dragonfly Recording Network, maintained by the British Dragonfly Society (BDS);
- Spider and Fungi records gleaned from collections housed and curated by the Hampshire Cultural Trust (HCT);
- Independent Hampshire Entomologist's records; and
- Earthworm Society of Britain's records

The data includes protected and notable species records from the above datasets within the search area recorded in the last 15 years. For plants this has been extended to 30 years, for bats there is no time restriction.

3.2.3 Ecological Surveys

A Phase 1 Habitat Survey was carried out by John Wenman Ecological Consultancy LLP in October 2013. Following this a National Vegetation Classification (NVC) survey was carried out in the woodland survey on the 24th April 2014 and the grassland survey was carried out on the 12th June 2014. An update to the Phase 1 Habitat Survey was carried out by John Wenman Ecological Consultancy LLP on the 22nd May 2018.

Hampshire Ecological Services Ltd has undertaken a number of surveys on the Tournbury Woods Estate, including a breeding bird survey in 2014, heronry surveys in 2015 and 2019 and bat surveys in 2020.

The breeding bird surveys were carried out on five days between 16th May and 13th June 2014.

The 2015 heron surveys were carried out on three days between 27th March and 17th April 2015.

The 2019 heronry surveys were carried out on three days between 29th March and 23rd April 2019.

Three bat emergence surveys were carried out on Woods Cottage between 14th July and 18th August 2020. Seven bat transect surveys were carried out between 24th June and 13th October 2020.

Details of the methodologies used in the various surveys are given in the relevant reports.

3.3 Identification and Assessment of Impacts and Mitigation Measures

3.3.1 General

Important ecological receptors were identified through desk study and field surveys using professional judgment and best practice guidance. Potential impacts were identified from consideration of receptor sensitivity in relation to proposals and constraints. Mitigation measures were formulated using best practice techniques and guidance, with due consideration to Hampshire Ecological Services Ltd in-house experience of the success of techniques used in the past.

3.3.2 Assessment of Significance of Residual Impacts

This assessment has been carried out with reference to the 2018 *Guidelines for Ecological Impact Assessment in the UK and Ireland* issued by the Chartered Institute of Ecology and Environmental Management (formerly Institute of Ecology and Environmental Management) with updates in 2019.

Habitats and species that may be affected by the proposed development (referred to as Valued Ecological Receptors - VERs) are given a value which is defined by geographical context, using the following categories:

- international (*i.e.* Europe);
- UK;
- national (*i.e.* England);
- regional (*i.e.* southern England);
- county (*i.e.* Hampshire);
- district (*i.e.* Havant Borough);
- local or parish; and
- site (*i.e.* Tournbury Woods Estate).

Impacts were evaluated on the basis of the following criteria: the level of confidence associated with the predictions, their extent and complexity, magnitude, duration, reversibility, timing and frequency, and the potential for cumulative effects.

Confidence in predictions (levels of uncertainty)

Consideration is given to the likelihood that an impact will occur as predicted. This describes whether the impact is:

- certain or near certain (probability estimated at 95% or higher);
- probable (probability estimated above 50% but below 95%);
- unlikely (probability estimated above 5% but below 50%); or
- extremely unlikely (probability below 5%).

Magnitude and Extent

Magnitude refers to the size or amount of an impact and is determined on a quantitative basis where possible.

Extent refers to the physical area affected or the geographical pattern of the effect.

When the receptor being considered is the habitat itself, magnitude and extent may be synonymous.

Complexity

Complexity refers to whether the impact is direct or indirect.

Duration

The scale of the impact will also depend upon duration. This is the length of time before which mitigation measures are expected to reverse or instigate recovery of the VER, defined in terms of ecological characteristics (*i.e.* lifecycle of a species) rather than in a human context.

Reversibility of Impact

An irreversible (permanent) impact is one for which recovery is not possible within a reasonable timescale, or for which there is no reasonable chance of action being taken to reverse it.

A reversible (temporary) impact is one for which recovery is possible through natural regeneration, by spontaneous recovery or through the application of mitigation measures.

Timing and Frequency

Timing considers whether the impact will coincide with a critical life cycle stage for a species e.g. breeding season for birds, which may be avoided by scheduling works to commence outside this period.

Frequency considers whether the impact will be occasional or continuous.

Cumulative Effects

The potential for cumulative effects on the VERs takes into account other current proposals, completed projects and, where possible, natural trends.

Geographic Frame of Reference

The value or potential value of a VER is determined within a defined geographical context, for which examples are provided in *Table 3.3.2.1*.

Table 3.3.2.1. Geographic Frame of Reference

Receptor Value	Examples
International	An internationally designated site or candidate site (SPA, SAC, Ramsar site, Biogenetic Reserve) or an area which Natural England has determined meets the published selection criteria for such designation, irrespective of whether or not it has yet been notified. A viable area of a habitat type listed in Annex I of the Habitats Directive, or smaller areas of such habitat which are essential to maintain the viability of a larger whole. A European protected species listed in the <i>Conservation Habitats & Species (Amendment) Regulations 2012</i>.
National	A nationally designated site (SSSI, ASSI, NNR, Marine Nature Reserve) or a discrete area, which Natural England has determined meets the published selection criteria for national designation (<i>e.g.</i> SSSI selection guidelines) irrespective of whether or not it has yet been notified. A viable area of a priority habitat, or of smaller areas of such habitat which are essential to maintain the viability of a larger whole; this could include a network of ancient species-rich hedgerows or even small groups of ancient trees. Any regularly occurring population of an internationally important species, which is threatened or rare in the UK. <i>i.e.</i> it is a UK Red Data Book species or listed as occurring in 15 or fewer 10km squares in the UK or of uncertain conservation status or of global conservation concern. A regularly occurring, nationally significant population/number of any internationally important species.
Regional	Viable areas of key habitat identified as being of Regional value in the appropriate Natural Area profile. Any regularly occurring, locally significant population of a species listed as being nationally scarce which occurs in 16-100 10km squares in the UK or relevant Natural Area on account of its regional rarity or localisation. A regularly occurring, locally significant number of a species identified as

Receptor Value	Examples
	important on a regional basis. Any regularly occurring population of a nationally important species (for example, a species of principal importance for biodiversity under Section 74 of the CROW Act (2000)) which is threatened or rare in the region.
County	County Council/Unitary Authority designated sites and other sites which the designating authority has determined meet the published ecological selection criteria for designation, including Local Nature Reserves selected on defined ecological criteria and Wildlife Trust sites. A regularly occurring, locally significant number of a species identified as important on a county/metropolitan basis. Semi-natural woodland greater than 0.5 ha which is considered to be in 'good condition'.
District	Semi-natural woodland greater than 0.25 ha which is considered to be in 'good condition' or greater than 0.5ha in unfavourable condition. Network of inter-connected hedgerows including some species-rich hedgerows. Individual Important hedgerows or other ancient-countryside linear features. Any regularly occurring population of a nationally important species (Section 74) which is not threatened or rare in the region or county. Sites/features that are scarce within the District/Borough or which appreciably enrich the District/Borough habitat resource. Other features identified as wildlife corridors or migration routes.
Local	Semi-natural woodland smaller than 0.25 ha. Diverse and/or ecologically valuable hedgerows. Diverse and/or ecologically valuable grassland. Habitat included in an agri-environment scheme but not otherwise containing species or habitats listed above. Common species legally protected primarily for reasons of animal welfare (badger, reptiles). Established semi-natural or artificial habitats of limited ecological value when assessed in isolation but which offer a range of opportunities for widespread and commonly occurring species within the wider landscape.
Site	Features of value to the immediate area only.

Assessment of Significance

Impacts are defined as being positive, neutral or negative. Whether or not an impact is significant, is independent of the value of the receptor. A significant impact is defined as an impact on the

integrity of a defined ecosystem and/or the conservation status of habitats or species within a given geographical area.

Significance of the impact is determined at the geographical level at which the resource has been valued. If an impact is determined as being not significant at this level then it is considered at progressively lower levels.

3.4 *Legislation and policy context*

3.4.1 *Key legislation and regulations*

Table 3.4.1.1 sets out key wildlife legislation underpinning the conservation of habitats and species. More detail of the legislation relating to species and groups of species is provided in Appendix A.

Table 3.4.1.1. *Key Legislation and Regulations.*

Act/Regulation	Key Relevant Provisions
The Berne Convention on Conservation of European Wildlife and Natural Habitats, 1979	Aims to conserve wild flora and fauna and their natural habitats, particularly endangered and vulnerable species. It applies at EC level by <i>EC Directive Conservation of Natural Habitats and of Wild Fauna and Flora, 1992</i> . In the UK it has effect through the <i>Countryside Act, 1968</i> and the <i>Wildlife and Countryside Act, 1981</i> . Among likely species, great crested newt, otter and all bats (except pipistrelle) are included in <i>Appendix 2</i> , while pipistrelle bat and badger are included in <i>Appendix 3</i> .
The Bonn Convention on Conservation of Migratory Species of Wild Animals, 1979	Aims for management of migratory species across national or jurisdictional boundaries. This Convention is implemented in UK law by the <i>Environmental Protection Act, 1990</i> . All bats are included in <i>Appendix 2</i> .
The EC Directive on Conservation of Wild Birds, 1979 (The 'Birds Directive')	Requires Member States to take measures for the conservation of wild birds by the designation of Special Protection Areas (SPAs). Implementation was primarily through the <i>Wildlife and Countryside Act, 1981</i> (as amended), but has since been amended by the Habitats Directive (below) and is now fully implemented in the UK through the <i>Conservation Habitats & Species Regulations 2017</i> (as amended) (below).
The Wildlife and Countryside Act, 1981 (the WaCA)	Strengthened protection for SSSIs, provided additional safeguards for particular types of area, and restricted the killing, taking from the wild and disturbance of various species. All UK wild bird species are protected under this

Act/Regulation	Key Relevant Provisions
	Act, which makes it an offence to damage or destroy the birds themselves, their eggs or their nests whilst they are in use. Extra protection is given to birds on <i>Schedule 1</i> . Other species (including all bats and otter) are protected under <i>Schedules 5</i> and <i>6</i> while great crested newt only has protection under <i>Schedule 5</i> , and badger under <i>Schedule 6</i> . Water voles and their habitats are protected under <i>Schedule 5</i> in one of several amendments.
The Convention on Biological Diversity, 1992	Objectives are the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits of the utilisation of genetic resources. The UK's non-statutory strategy for achieving these commitments was published in 1994, <i>Biodiversity – The UK Action Plan</i> . Priority Species in the Action Plan include all bats, water vole, brown hare, otter and great crested newt, amongst others. The <i>Countryside and Rights of Way Act, 2000</i> now creates a legal requirement for Government Departments and Ministers to have regard to the purpose of conserving and enhancing biodiversity.
The EC Directive on Conservation of Natural Habitats and of Wild Fauna and Flora, 1992 (The 'Habitats Directive')	Contributes to the conservation of biodiversity by requiring Member States to take measures to maintain or restore natural habitats and wild species at favourable conservation status by the designation of Special Areas of Conservation (SACs). It gives greater protection for various species. Great crested newt, otter and some bat species are listed in <i>Annexes 2</i> and <i>4</i> , while bat species are listed in <i>Annex 4</i> only. It modifies the Birds Directive.
Conservation Habitats & Species Regulations 2017 (as amended) (The 'Habitats Regulations', or 'Conservation Regulations')	Gives UK implementation to the <i>Conservation Habitats & Species Regulations 2017</i> (as amended). They amend planning legislation to implement the Habitats Directive by affecting applications for planning permission and all other consents and orders by which permission is given to develop land. They introduce a review procedure for plans and projects likely to significantly affect a European site, and licensing requirements for developments that may affect European species for example all bats, otter and great crested newt.
National Parks and Access to the Countryside Act, 1949	Introduced the concept of National Nature Reserves and SSSIs, important for their flora and fauna, geological or physiographical features, and conferred powers on local authorities to create nature reserves. <i>The Countryside Act</i> ,

Act/Regulation	Key Relevant Provisions
	<i>1968</i> strengthened many powers under the 1949 Act and imposed on every minister, government department and public body a duty to have regard to the desirability of conserving the natural beauty and amenity of the countryside in the exercise of their functions relating to land.
The Environmental Protection Act, 1990	Established 3 country conservation councils (English Nature - now Natural England), Countryside Council for Wales (now Natural Resources Wales) and Scottish Natural Heritage) and the Joint Nature Conservation Committee to succeed the Nature Conservancy Council; and provided further protection for SSSIs.
Protection of Badgers Act, 1992	Badgers are protected under the <i>Protection of Badgers Act, 1992</i> (as amended), which makes it unlawful for either an animal or its sett to be damaged or disturbed.
The Hedgerow Regulations, 1997	Made under <i>Section 97</i> of the <i>Environment Act, 1995</i> they require prior consent for the removal of either the whole or parts of a hedgerow if it is in or runs alongside agricultural land, common land including town or village greens, land used for forestry or for the breeding or keeping of horses etc., a local nature reserve or SSSI. The criteria upon which a hedgerow may be classed as Important relate to wildlife and landscape or archaeology and history.
The Countryside and Rights of Way Act, 2000 (The CRow Act)	The Act covers the right of access to open land, updates to the public rights of way system, the legislation of the Biodiversity Action Plan, more stringent management, protection and consenting measures for SSSIs, greater penalties for wildlife crime, and new duties within Areas of Outstanding Natural Beauty. In addition, the Act lists species and habitats of principal importance for biodiversity (<i>Section 74</i> species and habitats)
The Natural Environment and Rural Communities Act, 2006 (The NERC Act)	As well as creating Natural England, <i>Section 40</i> of this act imposes a new duty on all public authorities to have regard for conserving biodiversity within the commission of their duties, this includes a duty to restore and enhance as well as maintain biodiversity. The act also strengthens protection for SSSI and makes authorities liable for allowing damage to such sites or their features.

3.4.2 National planning context

Surveys should be completed in line with Natural England's *Standing Advice for Local Authorities* (<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>). It should be noted:

- Natural England will not comment on applications that are submitted without the relevant protected species surveys (see flowchart) if there are no other issues (*i.e.* in relation to SSSIs or landscape).
- Natural England will not comment on scoping surveys that recommend further surveys where these have not been undertaken and submitted with the scoping reports.

In addition to the above, *Section 40* of the *Natural Environment and Rural Communities Act* (2006) imposes a new duty on all public authorities to have regard for biodiversity.

3.4.3 National Planning Policy Framework (NPPF)

From the 19th February 2019, the Government published the revised National Planning Policy Framework. The document sets out the government's planning policies for England and how these are expected to be applied. This replaces a previous version which was published in March 2012. It states: "at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)."

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective;
- a social objective; and
- an environmental objective.

The environmental objective is to "contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy".

Planning policies and decisions should contribute to and enhance the natural and local environment by "protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)" and "minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

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. Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.

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. It states that *"development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity"*.

It should be noted that *"presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site"*.

The NPPF also encourages *"minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"* and aims to *"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"*. This applies to non-statutory designated sites including Sites of Importance for Nature Conservation (SINCs) and equivalent county wildlife sites. Early engagement with all necessary stakeholders, including expert bodies, is encouraged by the NPPF.

3.4.4 Natural Environment and Rural Communities (NERC) Act

The Natural Environment and Rural Communities (NERC) Act came into force on 1st October 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England.

Fifty-six habitats of principal importance are included on the S41 list. These are all the habitats in England that were identified as requiring action in the UK Biodiversity Action Plan (UK BAP) and continue to be regarded as conservation priorities in the subsequent UK Post-2010 Biodiversity Framework.

There are 943 species of principal importance included on the S41 list. These are the species found in England which were identified as requiring action under the UK BAP and which continue to be regarded as conservation priorities under the UK Post-2010 Biodiversity Framework.

The S41 list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the Natural Environment and Rural Communities Act 2006 "to have regard" to the conservation of biodiversity in England, when carrying out their normal functions. In particular:

- Local Planning Authorities will use it to identify the species and habitats that should be afforded priority when applying the requirements of planning policy to maintain, restore and enhance species and habitats.

- Local Planning Authorities will use it to identify the species and habitats that require specific consideration in dealing with planning and development control, recognising the aim of planning decisions should be to avoid harm to all biodiversity.
- All Public Bodies will use it to identify species or habitats that should be given priority when implementing the NERC Section 40 duty.

3.4.5 *Core Strategy – Havant Borough Local Plan Review 2011*

In the adopted Local Plan the site is identified as being a non-built up area, a site of international/national nature conservation and an Area of Outstanding Natural Beauty (AONB). The site is also part of the Chichester & Langstone Harbour, which is designated as a Site of Special Scientific Interest (SSSI) and as a Special Area of Conservation (SAC) protected under European legislation.

3.4.6 *Ecological Impact Assessment guidelines*

This Ecological Impact Assessment (EcIA) takes account of the Chartered Institute of Ecology and Environmental Management (previously Institute of Ecology and Environmental Management) *Guidelines for Ecological Impact Assessment in the UK and Ireland* (2018).

3.5 *Scoping Criteria*

The habitat on the site was initially assessed to determine whether or not it is suitable for those protected vertebrates that occur in the region.

An assessment was made of the likelihood of protected vertebrates using the site. Taking into consideration the geographical region and habitat type, species and groups that might be encountered are:

- bats;
- dormice;
- great crested newts;
- otter;
- water vole;
- badger;
- breeding birds (including amber and red list Birds of Conservation Concern); and
- reptiles.

3.6 *Limitations to the assessment*

3.6.1 *Uncertainty and technical difficulties encountered*

The CIEEM *Guidelines for Ecological Impact Assessment in the UK & Ireland* (CIEEM, 2018) were issued in 2018 with updates in 2019. It is possible that others may interpret and apply the guidelines in a slightly different way.

Not all plant and animal species are visible throughout the year and therefore the survey reports represent snapshots of the site at the time of the survey only. The plant species recorded should not be considered a comprehensive list of species present.

The names, qualifications and experience of the surveyor(s) were not cited in the John Wenman Ecological Consultancy LLP reports other than *“a full member of the Chartered Institute of Ecology and Environmental Management”*. Protected species were not assessed in these reports.

3.6.2 Further surveys

No further surveys are considered necessary.

4.1 Desk study**4.1.1 Designated sites**

According to the Multi-Agency Geographic Information for the Countryside website (www.magic.gov.uk), the site lies within Chichester and Langstone Harbours SPA and Ramsar Site and Chichester Harbour SSSI. In addition, the eastern part of the site lies adjacent to the Solent Maritime SAC. There are five further statutory designated sites within 2km of the site. These are listed in *Table 4.1.1.1*.

Table 4.1.1.1. Statutory designated sites within the 5km and 2km search areas of the marquee area.

Level of designation	Designation	Name	Distance & direction from site
International	SPA	Chichester & Langstone Harbours	Within designation
	Ramsar	Chichester & Langstone Harbours	Within designation
	SAC	Solent Maritime	Adjacent to the east & south
National	SSSI	Chichester Harbour	Within designation
		Sinah Common	c.4,031m south-west
		Langstone Harbour	c.2,425m west
	NNR	-	-
County	LNR	Gutner Point	c.2,034m north
		Sandy Point	c.1,843m south-east
		Hayling Billy	c.2,367m west

Tournerbury is designated as a unit of the Chichester Harbour SSSI. It is noted within the SSSI designation as follows:

Semi-natural broadleaved woodland associated with the harbour is important for breeding birds and supports two heronries. Oak is the major tree species, usually with hazel coppice, as at Old Park Wood, although Tournerbury Wood has well-spaced oaks with the occasional beech, holly and yew with a fairly dense ground flora of bramble and bracken.

There are two locally designated sites - Sites of Importance for Nature Conservation (SINCs) - within 1km of the marquee. These are listed in *Table 4.1.1.2*. No impacts are anticipated on any SINCs.

Table 4.1.1.2. Locally designated sites within the 1km search area of the site.

Sites of Importance for Nature Conservation Name	Central Grid Ref.	Species supported that meet Section 6 of SINC Selection Criteria
Selsmore Boating Lake	SZ73709880	
Mengham Salterns	SZ73709920	Ononis spinosa (Spiny Restharrow) [CS] Potamogeton pectinatus (Fennel Pondweed) [CS]
s8 = Schedule 8 species; RDB = Red Data Book species; NS = Nationally scarce species; CR = County rare species; CS = County scarce species.		

4.1.2 Notable species records

Of the notable species recorded within 1km of the site, five are amphibians; two are reptiles; 149 are birds; 97 are vascular plants; three are non-vascular plants (liverworts, hornworts & mosses); 121 are invertebrates; nine are terrestrial mammals (including eight species of bat); and two are marine mammals.

A full list of notable species with details of their respective protection and/or designations is provided in *Appendix B*.

4.2 Habitats and plant species

4.2.1 Overview

Tournerbury Wood is a mixture of semi-natural broad-leaved woodland within Saxon earthworks (subsequently referred to as The Bury) with adjoining broad-leaved plantation woodland and secondary woodland (Tournerbury plantation) established on former open ground in the late 19th Century. There is a small area of improved grassland within the woodland.

In the south eastern corner of the site the woodland habitats open out into amenity grassland around Woods Cottage. There is a patch of species-poor semi-improved grassland to the west of the cottage that has been heavily grazed by rabbits. Further to the south-west, the woodland opens out into a small area of saltmarsh. Scattered scrub has established along the south eastern edge of the site.

The following habitats are present on site:

- semi-natural broad-leaved woodland;
- broad-leaved plantation woodland;
- conifer plantation;
- amenity grassland;
- improved grassland;
- species-poor semi-improved grassland;
- scrub; and
- saltmarsh.

A Phase 1 Habitat Map showing the location of the various habitats is given in *Figure 3* in *Section 7*).

A *Rhododendron* species (*Rhododendron*) was originally planted on the western edge of the plantation and along the southern access road to woods cottage. It has expanded its range slightly in that area and is being actively managed by the landowner. No other plant species listed on *Schedules 8 or 9* of the *Wildlife and Countryside Act 1981* were recorded on the site.

Plant species recorded from the site (along with relative abundance) are tabulated in the Phase 1 Habitat Survey report with further species lists in the NVC report (John Wenman Ecological consultancy LLP, 2014 & 2018).

4.2.2 *Semi-natural broad-leaved woodland*

The Bury (at the northern end of the site) is broad-leaved semi-natural woodland dominated by *Quercus robur* (Pedunculate Oak) with occasional *Corylus avellana* (Hazel), *Fagus sylvatica* (Beech), *Ilex aquifolium* (Holly) and *Taxus baccata* (Yew) within and on the embankments of a Saxon settlement. The centre is dominated by *Betula pendula* (Silver Birch) where it colonised after tree fall during the storm of 1987. The field-layer is dominated by *Pteridium aquilinum* (Bracken) with occasional *Galium aparine* (Cleavers) and *Rubus fruticosus* (Bramble). The remains of *Hyacinthoides non-scripta* (Bluebell) flowering stems were visible throughout at the time of the Phase 1 Habitat Survey (John Wenman Ecological Consultancy LLP, 2018).

On the open paths/rides through the woodland the vegetation is grass-dominated with species including the grasses *Agrostis capillaris* (Common Bent), *Agrostis stolonifera* (Creeping Bent), *Holcus lanatus* (Yorkshire-fog) and *Poa trivialis* (Rough Meadow-grass) together with a mixture of common forbs such as *Ranunculus repens* (Creeping Buttercup) and *Stellaria media* (Common Chickweed) and shade-tolerant herbs including *Digitalis purpurea* (Foxglove), *Geranium robertianum* (Herb-Robert), *Geum urbanum* (Wood Avens).

Areas of earlier plantation and secondary woodland in Field Wood and South Wood flank the more recent plantation woodland of North and South Plantations.

South Wood, which skirts the saltmarsh and mudflats, is dominated by *Fraxinus excelsior* (Ash) to the east with frequent *Populus tremula* (Aspen) and occasional *Acer pseudoplatanus* (Sycamore), *Crataegus monogyna* (Hawthorn), *Quercus robur* (Pedunculate Oak) and locally frequent *Salix caprea* (Goat Willow). There were an abundance of *Acer pseudoplatanus* (Sycamore) saplings in the western part of the wood (at the time of survey). The field-layer contained *Brachypodium sylvaticum* (False Brome), *Carex pendula* (Pendulous Sedge), *Carex remota* (Remote Sedge), *Geum urbanum* (Wood Avens), *Juncus effusus* (Soft-rush), *Lonicera periclymenum* (Honeysuckle) and *Rubus fruticosus* agg. (Bramble). This area of woodland has a number of small ponds creating small open areas amongst the otherwise relatively dense understorey.

Field Wood (surrounding the field at the northern edge of the plantation), has a mixture of large mature *Quercus robur* (Pedunculate Oak) trees amongst stands of younger trees and shrubs including *Acer pseudoplatanus* (Sycamore), *Betula pendula* (Silver Birch), *Crataegus monogyna* (Hawthorn), *Fraxinus excelsior* (Ash) and *Populus tremula* (Aspen). The field-layer is dominated by *Hedera helix* (Ivy) with patches of *Pteridium aquilinum* (Bracken), *Rubus fruticosus* agg. (Bramble) and *Urtica dioica* (Common Nettle).

4.2.3 Broad-leaved plantation woodland

The broad-leaved plantation woodland is divided into South Plantation and North Plantation.

South Plantation is a young plantation with species including *Betula pendula* (Silver Birch), *Fagus sylvatica* (Beech), *Fraxinus excelsior* (Ash), *Populus* species (Poplar), *Prunus* species (Cherry) and *Quercus robur* (Pedunculate Oak). A small amount of *Rhododendron* species (Rhododendron) planted on the western edge has expanded into the plantation. There are also a number of mature *Pinus nigra* ssp. *laricio* (Corsican Pine) trees that flank the western entrance to Tournerbury and continue along the southern side of South Plantation, along the access road to Woods Cottage.

North Plantation is similar in composition to South Plantation, but is dominated by *Populus tremula* (Aspen). There is a large patch of *Betula pendula* (Silver Birch) trees at the eastern end of the plantation. The field-layer is dominated by dense *Rubus fruticosus* agg. (Bramble).

4.2.4 Scrub

Scattered scrub with occasional trees has established along the edge of the mudflats at the south eastern edge of the site. This is dominated by *Crataegus monogyna* (Hawthorn), *Ligustrum vulgare* (Wild Privet), *Prunus spinosa* (Blackthorn), *Rosa canina* (Dog-rose) and *Salix* species (Willow) together with *Betula pendula* (Silver Birch) and *Quercus robur* (Pedunculate Oak). The field-layer contains *Brachypodium sylvaticum* (False Brome), *Dipsacus fullonum* (Teasel), *Carex otrubae* (False Fox-sedge), *Dipsacus fullonum* (Teasel), *Iris foetidissima* (Stinking Iris), *Rubus fruticosus* (Bramble), *Senecio jacobaea* (Common Ragwort) and *Urtica dioica* (Common Nettle).

4.2.5 Improved Grassland

A small area of improved grassland in the centre of the plantation has a sward dominated by *Lolium perenne* (Perennial Rye-grass) with occasional patches of *Alopecurus pratensis* (Meadow Foxtail), *Holcus lanatus* (Yorkshire-fog) and *Poa pratensis* (Smooth Meadow-grass). Occasional broad-leaved herbs have established where the ground had been disturbed with species including *Anagallis arvensis* (Scarlet Pimpernel), *Cerastium fontanum* (Common Mouse-ear), *Filago vulgaris* (Common Cudweed), *Lotus corniculatus* (Common Bird's-foot-trefoil), *Ranunculus repens* (Creeping Buttercup), *Stellaria media* (Common Chickweed), *Trifolium repens* (White Clover) and *Veronica serpyllifolia* (Thyme-leaved Speedwell).

4.2.6 Amenity Grassland

The regularly mown grassland in the far south east corner of the site has a sward dominated by *Lolium perenne* (Perennial Rye-grass) interspersed with occasional *Holcus lanatus* (Yorkshire-fog). Other species present include *Chenopodium album* (Fat-hen), *Geranium molle* (Dove's-foot Crane's-bill), *Symphytum* species (Comfrey) and *Trifolium repens* (White Clover). There are scattered trees in the grassland with species including *Betula pendula* (Silver Birch), *Quercus robur* (Pedunculate Oak), *Salix* species (Willow) and *Taxus baccata* (Yew).

The grassland is sparse amongst the scattered trees to the north of the cottage, which is used for parking and as part of the access road on to the site. There are planted trees here comprising a mature *Larix decidua* (European Larch) and a mature *Pinus nigra* ssp. *laricio* (Corsican Pine).

The grassland to the west of the cottage was grazed less frequently by rabbits since the survey in 2013 (John Wenman Ecological Consultancy LLP, 2018) and had a greater diversity of grass species than the other area of amenity grassland including *Agrostis capillaris* (Common Bent), *Festuca rubra* (Red Fescue), *Holcus lanatus* (Yorkshire-fog) and *Poa pratensis* (Smooth Meadow-grass) and broad-leaved herbs including *Cerastium fontanum* (Common Mouse-ear), *Geranium molle* (Dove's-foot Crane's-bill), *Matricaria discoidea* (Pineappleweed), *Picris echioides* (Bristly Oxtongue), *Prunella vulgaris* (Self-heal) and *Senecio jacobaea* (Common Ragwort).

4.2.7 Saltmarsh

The saltmarsh fringe had species typical of mudflats that are able to survive during frequent submergence by saltwater. Species include *Atriplex prostrata* (Spear-leaved Orache), *Elymus athericus* (Sea Couch), *Limonium vulgare* (Common Sea-lavender), *Salicornia europaea* (Common Glasswort), *Bolboschoenus maritimus* (Sea Club-rush) and *Spergularia media* (Greater Sea-spurrey). A brackish waterbody is present in the south east corner of the site. It is connected to a drain on the site.

4.2.8 Waterbodies

In addition to the small woodland ponds scattered through South Wood, a large duck pond is present in the centre of the site. The pond has been heavily disturbed by waterfowl and had no submerged or emergent vegetation. The surrounding ground was damp with species typical of damp soils such as *Juncus effusus* (Soft Rush) and *Salix* species (Willow species).

4.2.9 Built Structures

Woods Cottage is a detached house in the south eastern corner of the site. There is a nearby marquee, and an area of decking with a canopy.

4.3 *Protected vertebrates*

4.3.1 *Bats*

Bat surveys carried out during 2020 confirmed the presence of a non-breeding day roost for low numbers of common pipistrelles and soprano pipistrelles in Woods Cottage.

In addition, bat activity transects carried out in 2020 showed that edge or transitional habitats around the site are the location for the majority of the bat foraging and commuting activity including the edges of woodland, shoreline, openings in the canopy, rides/ tracks and grassland. The lighting from the wedding and events venue generated very low levels of disturbance during the activity transects.

The low levels of disturbance are likely a result of the habituation/ adaption of the bats to the lighting associated with the venue.

The full details of the bat surveys are provided in the bat survey report (Hampshire Ecological Services Ltd, 2020).

The woodland, ponds and Chichester Harbour all provide good habitat, and there are good connections into the wider landscape.

Bats follow linear landscape features such as lines of trees, hedges, buildings and waterways in order to commute from their roost sites to their feeding grounds. Likewise they use these features to navigate between feeding areas and alternative roosts.

4.3.2 *Dormice*

The woodland provides suitable habitat for nesting, foraging and hibernating dormice. The woodland and scrub contain a mixture of plants producing flowers and berries such as *Crataegus monogyna* (Hawthorn) and *Rubus fruticosus* agg. (Bramble); and plants producing nuts such as *Corylus avellana* (Hazel). This mixture of different species provides food sources throughout the year and as such provides good foraging habitat.

Whilst it cannot be ruled out that there isn't a remnant population present without surveys, Tournerbury Wood is an isolated woodland surrounded by arable land and marine habitats, with no connectivity to further areas of woodland. TWE is also on an island (Hayling Island), further reducing the likelihood of colonisation by dormice. Dormice live at low densities (c.2 adults per ha of woodland). Given the small size of the woodland and lack of connectivity with other areas of suitable habitat, it is unlikely to support a viable population of dormice. There are no records of dormice within 1km of the site in the HBIC data search.

4.3.3 *Great crested newt*

There are several small woodland ponds within the South Wood as well as a large pond at the centre of the site (the duck pond).

The smaller ponds were mostly dried out at the time of the Phase 1 Habitat Survey (John Wenman Ecological Consultancy LLP, 2018) and the duck pond was heavily used and disturbed by large numbers of waterfowl (e.g. Mallard).

4.3.4 *Otter and water vole*

There are no streams or rivers on the site. Although water voles can be found in brackish habitats they are not as common in estuarine habitat or salt marsh except where there are relatively stable, reed-fringed lagoons. Therefore, it is unlikely that water voles are present on site. In addition, there is no suitable water vole habitat within the development footprint.

The proximity of the site to Mengham Rythe and Chichester Harbour, where otters are known to be present, makes it likely that otters will either cross the site or move along its boundaries. If fish or other prey sources (including wildfowl) are present within the ponds, then they may also hunt on site.

4.3.5 *Badger*

During the Phase 1 Habitat Survey (John Wenman Ecological Consultancy LLP, 2018) a pathway through the wood and 3-4 mammal burrow entrances were found within the earthworks of the former hill fort (The Bury). No further information provided as to the species of mammal.

4.3.6 *Birds*

General

All the woodland, scrub, shrubs and trees on the site have the potential to support nesting birds during the breeding season.

There are many bird species classified as species of principal importance under *Section 41* of the *NERC Act 2006* (or in the *RSPB Birds of Conservation Concern*) that could be using this area of the site for nesting and foraging.

The breeding bird surveys carried out in 2014 (Hampshire Ecological Services Ltd, 2015) found that a total of 27 bird species were using the site. Seven of these are on the Amber List of Birds of Conservation Concern, whilst two species (song thrush and starling) are on the Red List of Birds of Conservation Concern. Of the 27 species recorded, seven were confirmed as breeding on site and this included two Amber List species (little egret and stock dove) and one Red List species (starling).

Heronry

A heronry is present within the woodland to the north of the site. It has been counted as part of the British Trust for Ornithology (BTO) heronry census since 1966. It has been suggested that the heronry was a qualifying feature for the inclusion of the wider Tournembury Woods Estate in the

Chichester Harbour SSSI. However, the heronry is not listed among the 30 notified features of the SSSI.

Two other heronries are present in the wider landscape. One is located within Old Park Wood, on the eastern side of Chichester Harbour. The second is located within Fort Elson Wood on the western side of Portsmouth Harbour. The heron (active nest) count data for the Tournurbury Wood Estate, Old Park Wood and Fort Elson are shown in *Table 4.3.6.1*. The table shows the raw data as supplied by the British Trust for Ornithology (BTO), Heronries Census. Please note that -6 denotes occupied nests but no count, and blank data boxes are where no data has been supplied.

Table 4.3.6.1. BTO Heronry census count data 1966 to 2019 (source: BTO).

Year	Tournurbury Wood	Old Park Wood	Fort Elson
1966	14	21	-
1967	18	25	-
1968	18	22	-
1969	21	25	-
1970	16	27	-
1971	15	25	-
1972	16	31	-
1973	21	27	-
1974	17	33	-
1975	17	40	-
1976	19	37	8
1977	21	33	8
1978	18	30	12
1979	15	26	8
1980	10	28	9
1981	14	22	9
1982	12	18	-6
1983	19	15	29
1984	14	19	52
1985	13	17	75
1986	-	15	49
1987	9	16	41
1988	10	-6	-6
1989	-6	-6	-6
1990	17	-	11
1991	9	-	-
1992	15	17	25
1993	12	19	19
1994	13	15	25
1995	11	10	80

1996	9	19	80
1997	11	12	80
1998	11	13	110
1999	12	12	65
2000	10	12	73
2001	-	10	59
2002	-	14	65
2003	15	13	82
2004	18	13	85
2005	6	10	50
2006	12	13	52
2007	8	13	45
2008	4	10	44
2009	10	10	52
2010	-	8	70
2011	-	5	44
2012	-	5	52
2013	14	5	24
2014	11	0	7
2015	7	4	18
2016	6	2	14
2017	2	4	-6
2018	-	7	-
2019	4	4	-

Hampshire Ecological Services were commissioned by the Tournurbury Woods Estate to monitor the heronry within the estate during 2015 and 2019 (Hampshire Ecological Services Ltd, 2015 & 2019). While the majority of the nests observed were occupied by grey heron (a Green List species) one nest was occupied by little egret (Amber List species). The total number of little egret nests was expected to increase later in the breeding season as more birds begin to nest.

During surveys carried out in 2015 (Hampshire Ecological Services Ltd, 2015), a total of nine nests were recorded. This included eight grey heron nests and one little egret nest. The number of grey heron nests had therefore halved between 2015 and 2019. However, the geographical extent of the colony remains similar to that previously recorded. The presence of a rookery in the woodland, to the south-east of the heronry, may discourage the heronry from becoming bigger.

The heronry is believed to have originated from a larger colony formerly present on the nearby Thorney Island (Eyre, 2015). As a small secondary colony, it is likely to be subject to natural fluctuations in population size.

The number of little egret nests has remained the same since 2015. Little egret are recent colonisers to Britain, which lies at the northern limit of their European breeding range. It was estimated that

between 2006 and 2010, there were approximately 660-740 breeding pairs annually in the UK (Musgrove *et al.*, 2013).

4.3.7 *Widespread species of reptiles*

There is suitable foraging and hibernation habitat for widespread species of reptile (such as slow-worms) on the site. However, the majority of the development footprint is short mown amenity grassland and as such is unsuitable for reptiles due to the lack of cover and risk of predation.

4.3.8 *Other mammals*

Rabbits are known to be present on site and therefore it is highly likely their predators such as foxes are also present on or near the site.

Given the habitats present it is likely that there are other small mammals present such as voles and shrews, as well as larger mammals such as roe deer.

4.4 *Summary assessment of nature conservation value*

The nature conservation importance assigned to each valued ecological receptor is listed in *Table 4.4.1.* and includes the protected species, species of nature conservation concern together with valuable habitats. For example, the assessment of importance for species associated with woodland has been included in the assessment of the importance of the relevant woodland features. The exceptions to this are the more widespread species and groups for example badger, which have been identified as separate ecological receptors, as they are less obviously associated with individual habitat types or specific habitat features. The impact on each ecological receptor without mitigation is given in *Table 4.4.2.*

Table 4.4.1. Summary of ecological importance and receptor sensitivity.

Ecological Receptor	Importance	Sensitivity	Comments
Chichester & Langstone Harbours SPA & Ramsar	International	Very High	Statutory designated site including the site within its boundaries. Designated for its overwintering birds.
Solent Maritime SAC	International	Very High	Statutory designated site adjacent (to the east & south) to the site.
Chichester Harbour SSSI	National	High	Statutory designated site with boundary encompassing the site, including the development footprint.
Semi-natural broad-leaved woodland	National	Negligible	Deciduous woodland is classified as a UK Priority Habitat – a habitat of conservation importance under the NERC Act 2006. In addition, it provides habitat for different species <i>e.g.</i> foraging habitat for bats that have a higher importance.
Broad-leaved plantation woodland	Site	Negligible	As a plantation it has negligible importance. However, it forms a complex of open and wooded habitats and extends the woodland of The Bury. In addition, it provides habitat for different species <i>e.g.</i> foraging habitat for bats that have a higher importance.
Scrub	Site	Negligible	Although of negligible importance (given the species are common and typical of this habitat) it provides habitat for different species <i>e.g.</i> foraging habitat for bats that have a higher importance.
Amenity grassland	Site	Negligible	The grassland is subject to regular cutting and disturbance. It supports widespread plant species typical of regularly managed grasslands throughout lowland England.
Improved grassland	Site	Negligible	The grassland is subject to regular cutting and disturbance. It supports widespread plant species typical of regularly managed grasslands throughout lowland England.
Species-poor semi-improved grassland	Site	Negligible	The grassland is subject to regular cutting and disturbance. It supports widespread plant species typical of regularly managed grasslands throughout lowland England.

Ecological Receptor	Importance	Sensitivity	Comments
Bats	National	High	European Protected Species foraging and roosting on site.
Dormice	National	Low	European Protected Species and suitable habitat present on site, but no suitable habitat within the development footprint.
Otters	National	High	European Protected Species and known nearby. Unlikely to use the development footprint, but may travel across it.
Water voles	County	Low	Protected species, but unlikely to be present on site and certainly not within the development footprint.
Badgers	Local	Low	Protected species with suitable habitat setts in the woodland on site. However, although the amenity grassland is suitable foraging habitat it will be unaffected by the proposals. Protection is mainly an animal welfare issue
Birds	County	Medium	Suitable habitat for a variety of woodland species. 27 bird species heard during breeding bird surveys. Seven are on the Amber List of Birds of Conservation Concern, whilst two species (song thrush and starling) are on the Red List of Birds of Conservation Concern. Little egret and stock dove are breeding on site. Both are on the Amber List of Birds of Conservation Concern. Starling is breeding on site and is on the Red List of Birds of Conservation Concern.
Great Crested Newts	National	Low	European Protected Species. If present unlikely to use the development footprint.
Reptiles	Local	Medium	Protected species with suitable habitat around the edges of the development footprint.
Other mammals e.g. water shrews & harvest mice	District	Negligible	May use the site, but unlikely to be present within the development footprint.

Table 4.4.2. Summary of impacts without mitigation - broad habitat types and species groups.

Ecological Receptor	Nature Conservation Importance of Receptor	Residual Impact				Complexity and Magnitude / Extent	Duration	Significance
		Impact	Confidence	+ve / -ve / none				
Chichester & Langstone Harbours SPA & Ramsar	Very High	Small	Probable	-ve	Potential disturbance to overwintering birds when event is held in winter, early spring, or late autumn	During events	Moderately significant	
Solent Maritime SAC	Very High	Negligible	Probable	None	Unlikely to impact	-	Not significant	
Chichester Harbour SSSI	High	Negligible	Certain	None	Unlikely to impact	-	Not significant	
Semi-natural broad-leaved woodland	Negligible	Negligible	Certain	None	Unlikely to impact	-	Not significant	
Broad-leaved plantation woodland	Medium	Negligible	Certain	None	Unlikely to impact	-	Not significant	
Scrub	Negligible	Negligible	Certain	None	Unlikely to impact	-	Not significant	
Amenity grassland	Negligible	Negligible	Certain	None	Unlikely to impact	-	Not significant	
Improved grassland	Negligible	Negligible	Certain	None	Unlikely to impact	-	Not significant	
Species-poor semi-improved grassland	Negligible	Negligible	Certain	None	Unlikely to impact	-	Not significant	

Ecological Receptor	Nature Conservation	Residual Impact					Low significance
		Low	Probable	-ve	Minor disturbance to roosting, foraging and commuting bats immediately around the events area	During events	
Bats	High						
Dormice	Low	Negligible	Probable	None	Unlikely to impact	-	Not significant
Otters	High	Negligible	Probable	None	Unlikely to impact	-	Not significant
Water voles	Low	Negligible	Probable	None	Unlikely to impact	-	Not significant
Badgers	Low	Negligible	Probable	None	Unlikely to impact	-	Not significant
Birds (on site)	Medium	Low	Probable	-ve	Disturbance/ displacement to breeding birds in the trees within the development footprint and in woodland on the edges of the event area footprint.	During events	Moderately significant
Great Crested Newts	Low	Negligible	Probable	None	Unlikely to impact as development footprint is unsuitable due to lack of cover and risk of predation.	-	Not significant
Reptiles	Medium	Negligible	Probable	None	Unlikely to impact as development footprint is unsuitable due to lack of cover and risk of predation.	-	Not significant
Other mammals <i>e.g.</i> shrews & voles	Negligible	Negligible	Probable	None	Unlikely to impact as development footprint is unsuitable due to lack of cover and risk of predation.	-	Not significant

5.1 Desk study

5.1.1 Statutory and non-statutory designations

No impacts are anticipated on Solent Maritime SAC or Chichester and Langstone Harbours SPA and Ramsar Site.

No habitat is due to be removed and therefore there will be no impact on the habitats for which Chichester Harbour SSSI has been designated. In addition, condition assessments have been regularly carried out by Natural England on the Chichester Harbour SSSI. The SSSI is divided into 45 units. The Tournembury Woods Estate is unit '003 Tournembury Plantation', which has been assessed as being in 'Favourable Condition' since 1997. The northern area of the Tournembury Woods Estate, adjacent to the access track, is the only part of the estate with habitat for which the SSSI was designated for: W10 *Quercus robur*-*Pteridium aquilinum*-*Rubus fruticosus* woodland. This is outside of the footprint of the development (the wedding & events venue area). Therefore, there will be no impact on the SSSI.

No impacts are anticipated on the other nearby SSSIs, Sinah Common SSSI and Langstone Harbour SSSI; or the LNRs within 2km and SINC's within 1km (see *Section 4.1.1*).

5.1.2 Appropriate Assessment

As the site is within the boundary of the Chichester and Langstone Harbours SPA and Ramsar Site a shadow Appropriate Assessment has been produced. This is a separate document – see *Tournembury Wedding Venue. Shadow Appropriate Assessment* (Holbury Consultancy Services Ltd, 2020). This concluded that there would be no impact on the SPA.

5.2 Habitats and plants

5.2.1 Habitats

The survey findings show that the majority of the vegetation communities within Tournembury Woods Estate do not satisfactorily match any NVC communities. This is true for the woodland communities within the north and south plantations, north and south pond and north and south field woodlands. The Phase 1 Habitat Survey indicated that these habitats comprised secondary woodland that had established on former agricultural land during the last decade of the 19th Century. The inability to adequately match these habitats to NVC communities is considered to be a reflection of the relatively young age of the secondary woodland habitats and on-going site management practices *e.g.* planting trees, which has resulted in diverse, non-uniform stands frequently dominated by species more typical of disturbed habitats such as *Acer pseudoplatanus* (Sycamore).

The Bury was classified as the NVC W10 *Quercus robur*-*Pteridium aquilinum*-*Rubus fruticosus* woodland community. This woodland community is widely distributed and common throughout

lowland England. It is typically relatively species poor with *Quercus robur* (Pedunculate Oak) the prominent species in the canopy, but with *Betula pendula* (Silver Birch) prominent in places where the *Quercus robur* (Pedunculate Oak) canopy has become more open, and with a field-layer dominated by *Hyacinthoides non-scripta* (Bluebell) in the spring with *Lonicera periclymenum* (Honeysuckle), *Pteridium aquilinum* (Bracken) and *Rubus fruticosus* agg. (Bramble) the dominant species. The density of *Quercus robur* (Pedunculate Oak) within the woodland is relatively low creating fairly open areas and the suggestion of W25 *Pteridium aquilinum*-*Rubus fruticosus* underscrub community. This is largely as a consequence of the loss of several canopy trees during storms in the late 20th Century.

The NVC report (John Wenman Ecological consultancy LLP, 2014) states “*Broad-leaved woodland covers 2241 hectares in the South Coast Plain National Character Area (NCA) – accounting for 4% of the NCA (Natural England 2014); the woodland of Tournembury forms 0.4% of the total area of broadleaved woodland within the NCA. Ancient woodland accounts for 1% of the NCA (780 hectares) and therefore the woodland of the Bury at Tournembury forms 0.47% of this cover. Within this context, however, it should be noted that Hampshire overall is one of the heaviest wooded counties in England and that the above statistics from Natural England do not include any woodland that is smaller than 2 hectares.*”

The grassland communities are associated with those that are largely species-poor such as MG7 *Lolium perenne* leys and related grasslands, MG10 *Holcus lanatus*-*Juncus effusus* rush-pasture and MG11 *Festuca rubra*-*Agrostis stolonifera*-*Potentilla anserina* grassland. They are subject to regular management (mowing, re-seeding etc).

The saltmarsh communities and margins of brackish water close to the harbour are not readily assignable to an NVC community. This was considered to be due to naturally occurring very small-scale variation in the communities at Tournembury, which form part of the wilder saltmarsh communities surrounding Chichester harbour. Its size makes it of little significance within the overall area of the Chichester Harbour SSSI.

The majority of the habitats and plant species observed were widespread and common. The habitats are of no particular nature conservation value from a botanical perspective. The exception is the woodland of The Bury, which would be impossible to recreate once felled. In addition, deciduous woodland is classified as a UK Priority Habitat – a habitat of conservation importance under the *NERC Act 2006*.

In addition, some of the habitats have value from the perspective of the species they support e.g. the saltmarsh that contributes to the wider habitat of Chichester harbour that are used by overwintering birds.

No notable plant species were recorded.

As all the habitat on site will be retained under the proposals there is no impact on the habitat or the plant species that they contain. As such there is no need for mitigation or compensation measures.

5.2.2 *Plant species*

A *Rhododendron* species (*Rhododendron*) was originally planted on the western edge of the plantation and along the southern access road to Woods Cottage. It has expanded in that area only slightly and is being actively managed by the landowner. No other plant species listed on Schedules 8 or 9 of the *Wildlife and Countryside Act 1981* were recorded on the site.

5.3 *Bats*

Woods Cottage is a confirmed non-breeding day roost for low numbers of common pipistrelles and soprano pipistrelles. No works are planned to Woods Cottage and it remains unaffected by the proposals.

Common pipistrelles, soprano pipistrelles and serotine bats were recorded commuting and foraging on and around the edges of the site during the bat activity transect surveys. In particular, they were foraging along the woodland edge at the south-east, south-west and north boundaries of the site. Limited bat activity was recorded at the centre of the site, within the plantation woodland.

Edge or transitional habitats around the site are the location for the majority of the bat foraging and commuting activity, such as; the edges of woodland, shoreline, openings in the canopy, rides/tracks and grassland. During the activity transects, these areas generally experienced very low levels of disturbance from the wedding venue (area to the north of Woods Cottage in the south-east corner of the site) in regards to light pollution. Lighting will have been present on site throughout its use for the last 20 years, particularly around the vicinity of Woods Cottage. Lighting has increased slightly during the site's use as a wedding and events location.

There is good foraging habitat for bats on the site including mature trees, woodland, ponds and coastal mudflats. These in turn connect the site to areas of high quality foraging habitat in the wider landscape. Woodland and waterbodies provide high quality foraging habitat for a number of different species of bat. These areas will be unaffected and all links will be maintained. The connectivity around the edges of the site will be retained and as such no impact to commuting and foraging bats (and hence bat populations in the local area) is anticipated.

Lighting, especially increased lighting, can affect commuting, foraging and roosting bats. Therefore, no new artificial lighting will be directed onto the trees and woodland. Security lights should be avoided wherever possible.

Lighting will have been present on site throughout its use, particularly as a residential dwelling. Lighting has increased slightly during the sites use as a wedding and events location, although this has been minimised as much as possible.

Any new external lighting should avoid spillage of greater than 1 lux onto the trees and woodland. The use of non-UV LED lighting (preferably using warm spectrum wavelengths) is strongly

recommended to avoid the most deleterious impacts of lighting on biodiversity and bats in particular.

Where lighting is necessary, downlighting/ hoods or similar devices should be used to allow the light to be directed onto where it is needed and avoid any light spill into the adjacent woodland. Alternatively, low-level lighting could be used instead.

Details of the agreed lighting are provided in the Visitor Management Strategy (Tournurbury Woods Estate, 2020) which can be secured by planning condition.

There are records for the following bats within 1km of the site: common pipistrelle, soprano pipistrelle, brown long-eared bat, serotine, noctule, Leisler's bat, Daubenton's bat, whiskered/ Brandt's bat and *Myotis* species.

The site will be enhanced through the provision of bat boxes, especially in the plantation woodland where the younger trees mean that there are likely to be fewer trees with bat roost suitability.

5.4 *Dormice*

There is suitable habitat for dormice on the site with several broad-leaved woodlands and plantations on the site. However, there are no records of dormice within 1km of the site and the suitable habitat will be unaffected by the proposals. Therefore, there should be no impact on dormice should they turn out to be present.

5.5 *Great crested newt*

There are several small ponds within South Wood as well as the larger duck pond and the woodland provides good terrestrial foraging habitat. However, the footprint of the development is sub-optimal terrestrial habitat due to its close mown amenity grassland providing no cover and hence a risk of predation.

As the ponds are all to be retained and no terrestrial habitat is to be removed, there should be no impact on great crested newts, should they prove to be present.

5.6 *Otter and water vole*

There are no streams or rivers on the site. Although water voles can be found in brackish habitats they are uncommon in estuarine or saltmarsh habitats except where there are relatively stable, reed-fringed lagoons. In addition, there are no records for water vole within 1km of the site. Therefore, it is unlikely that water voles are present on site.

In addition, there is no suitable water vole habitat within the development footprint.

Otters are known to be present in the wider landscape and therefore, it cannot be ruled out that otters would cross the site. However they would be unlikely to cross the area of the development footprint, especially during an event.

There is no impediment to otters crossing any part the site at any time. As such there should be negligible impact on otters.

5.7 *Badger*

The mammal burrows are associated with The Bury. This is outside of the development footprint and as such will not be affected.

It is possible that badgers may forage on the amenity grassland within the development footprint. However, there are alternative foraging areas close by that the badgers could use if an event is taking place e.g. the improved grassland within the plantation woodland, and the horse-grazed paddocks adjacent to the site. Therefore, there should be negligible impact on badgers.

5.8 *Birds*

General

The breeding bird survey (Hampshire Ecological Services Ltd, 2015) identified the value of the site to birds as relatively low with only small numbers of the more common woodland birds being recorded. The majority of the species assemblage is typical of lowland woodland, but with a low number (in both species count and number of birds) of wetland species (e.g. grey heron, little egret and moorhen) recorded. Low numbers of non-breeding tufted duck were also recorded. With the exception of moorhen, this is almost certainly due to the presence of trees suitable for nesting and roosting combined with the coastal location of the woodland, rather than the site offering large areas of suitable wetland foraging habitat.

The habitat at the site is fairly uniform in value for birds with no notable difference in species composition or assemblage across the site. The species recorded on site are typical of the main habitats available on the site, which is characterised by species of woodland, but with a few wetland/coastal species also recorded.

Due to the presence of seven amber list species and two red list species recorded occurring at the site in locally sustainable populations the site is classed as having 'Local Nature Conservation Value' for birds. However, it should be noted that no significant numbers or flocks of notable species were recorded during the surveys and all species occurring on site are either common or fairly common within Hampshire and the surrounding area.

No vegetation is to be removed and as such there should be minimal impact on nesting birds.

The only potential impact would be to birds that may choose to nest near on in the trees and bushes in the development footprint. Many species easily become habituated to the presence of humans and readily nest in close proximity, as such is it not anticipated that there will be a significant

impact on nesting birds. However, the site will be enhanced through the provision of bird boxes. The proposed bird boxes are summarised in *Table 5.8.1*.

Wintering birds

According to the Phase 1 report (Wenman, 2018), there is scattered [deciduous] scrub between the venue and the shoreline. This may provide some screening. If wedding or other events are to occur between autumn and early spring, access to the shoreline will need to be restricted temporarily to minimise disturbance to wintering birds. Access to the foreshore will be restricted between 1st November and 31st March by means of a rope barrier and signage erected across the track to the Harbour Lawn. Occasional use of the temporary jetty will be restricted to use only between 1st April to 31st October to prevent disturbance to feeding waterfowl over the core wintering period. All dogs will be required to be kept on leads to ensure they are kept away from the foreshore. Fireworks have historically been prohibited from site at all times of year and will continue to be so (Tournurbury Woods Estate, Wedding Guest Visitor Management Strategy, 2020). In addition, the existing screening should be further enhanced by additional planting (including evergreen species tolerant of coastal conditions).

Table.5.8.1. Bird boxes to be erected within the site with additional details on positioning to increase chances of occupancy.

Type (example)	Typical species	No.	Height	Additional information
Vivara Pro Seville 32mm Woodstone Nest Box 	Blue tits, great tits	2+	2-4m	- Position on a building or tree, angled north-east (away from prevailing winds) and tilt forward slightly. - Chances of occupation can be increased by positioning boxes near vegetation.
Vivara Pro Barcelona WoodStone Open Nest Box 	Robins, wrens	2+	≤ 2m	- Mount on a tree or large shrub - Conceal amongst foliage to keep well-hidden from predators.
Eco Starling nest box 	Starlings	2+	≤ 2m	Should be fixed onto a sturdy building, not onto fences or garden sheds due to its weight.

Heronry

The heronry and little egret nest are outside the development footprint.

Whilst it appears the number of grey heron nests has halved since 2015, this heronry is believed to have originated from a larger colony formerly present on the nearby Thorney Island (Eyre, 2015). As a small secondary colony, it is likely to be subject to natural fluctuations in population size. In addition, the presence of a rookery in the woodland to the south-east of the heronry may discourage the heronry from becoming bigger.

Little egret were confirmed breeding within the heronry during 2015 and 2019, with 2015 being the first record of little egrets at this location. They have continued breeding in the heronry despite the wedding and events traffic on the entrance track during their breeding season (April to June). Therefore, there is no impact on these species.

During the heron nesting season (1st January to 1st June) wedding guest access to the heronry area will be limited to access along the access track as guests arrive and leave the site. Additionally, signs will be placed at either end of the heronry area of the track requesting that vehicles continue travelling along the track and do not stop due to nesting birds (Tournurbury Woods Estate, Wedding Guest Visitor Management Strategy, 2020). This could be controlled by condition.

5.9 *Widespread species of reptiles*

Although there is suitable foraging and hibernation habitat for widespread species of reptile (such as slow-worms) on the site, the majority of the development footprint is short, mown amenity grassland and as such is unsuitable for reptiles due to the lack of cover and risk of predation.

In addition, no vegetation will be removed. Therefore although reptiles may be present at the edges of the development footprint, they will be unaffected by the proposals.

5.10 *Other mammals*

Rabbits are known to be present on site and it is likely other mammals such as foxes and deer are present, along with small mammals such as voles and shrews. No vegetation is to be removed, therefore any present will be unaffected by the proposals.

SUMMARY OF RESIDUAL IMPACTS AND SIGNIFICANCE

Following mitigation the ecological receptors that may still be impacted if present are a small number of birds nesting within the development footprint.

The residual impacts for habitats and species groups are summarised in *Table 6.1*.

Table 6.1. Summary of residual impacts – broad habitat types and species groups.

Ecological Receptor	Nature Conservation Importance of Receptor	Residual Impact			Complexity and Magnitude / Extent	Duration	Significance
		Impact	Confidence	+ve / -ve / none			
Birds	Medium	Low	Probable	-ve	Disturbance/ displacement to breeding birds in the trees within the development footprint and in woodland on the edges of the event area footprint.	During events	Moderately significant

Figure 1. Aerial photographs showing the location of the site (outlined in red).

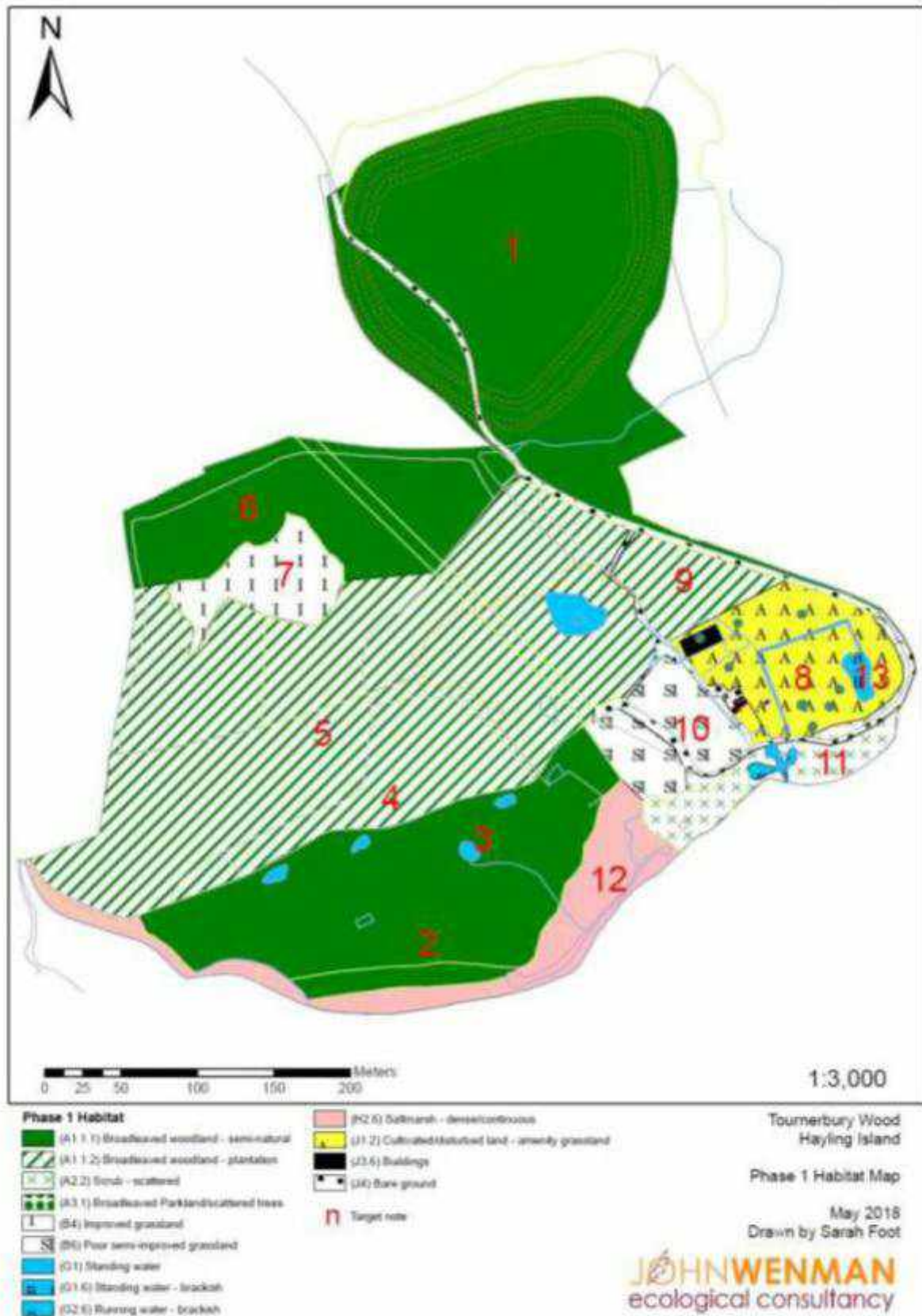


Figure 2. OS map showing the location of the site as indicated by the green arrow with the wider Tournerbury estate outlined in red.



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Figure 3. Phase 1 Habitat Survey map produced by John Wenman Ecological consultancy LLP.



John Wenman Ecological Consultancy
17/09/2018

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APPENDIX A: PROTECTED SPECIES LEGISLATION**9.1 General**

This section briefly describes the legal protection afforded to the protected species identified in this report. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation, but summarises the salient points.

9.2 Bats

All species of British bat are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act). This legislation makes it an offence to:

- intentionally kill, injure or take a bat;
- possess or control a bat;
- intentionally or recklessly damage, destroy or obstruct access to a bat roost; and
- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

Bats are also European protected species listed on *Schedule 2* of the *Conservation of Habitats & Species Regulations 2017* which gives them full protection under *Regulation 43*. This legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb a bat (in such a way as to be likely to significantly affect: (i) the ability of a significant group of bats to survive, breed or rear/nurture their young; or (ii) the local distribution or abundance of the species concerned);
- damage or destroy a breeding site or resting place of a bat; and
- possess, control, transport, sell, exchange a bat, or offer a bat for sale or exchange.

All bat roosting sites receive legal protection even when bats are not present (bats tend to reuse the same roost).

Several species of bat are included as a Priority Species in the UK Biodiversity Action Plan (UKBAP - JNCC (2003)) and also as species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

All species of British bat are also protected under *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended). This protection relates specifically to trapping and direct pursuit of the species.

9.3 Dormice

Dormouse (*Muscardinus avellanarius*) is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receives full protection under *Section 9*. This species is also listed as a

European Protected Species on *Schedule 2* of the *Conservation of Habitats & Species Regulations 2017*, which gives it full protection under *Regulation 43*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act).

Under the above legislation it is an offence to:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;
- intentionally or recklessly damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- intentionally or recklessly disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

9.4 *Great crested newt*

Great crested newt (*Triturus cristatus*) is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receives full protection under *Section 9*. This species is also listed as a European Protected Species on *Schedule 2* of the *Conservation of Habitats & Species Regulations 2017*, which gives it full protection under *Regulation 43*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act).

Under the above legislation it is an offence to:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;
- intentionally or recklessly damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- intentionally or recklessly disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

The great crested newt is included as a Priority Species in the UK Biodiversity Action Plan (UKBAP) and also as a species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

9.5 *Otter*

Otter (*Lutra lutra*) is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receives full protection under *Section 9*. This species is also listed as a European Protected Species on *Schedule 2* of the *Conservation of Habitats & Species Regulations 2017* which gives it full protection under *Regulation 43*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act).

Under the above legislation it is an offence to:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;

- intentionally or recklessly damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- intentionally or recklessly disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

The otter is included as a Priority Species in the UK Biodiversity Action Plan (UKBAP) and also as a species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

The otter is also protected under *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended). This protection relates specifically to trapping and direct pursuit of the species.

The European sub-species is also listed as globally threatened on the IUCN/WCMC RDL.

9.6 *Water vole*

Water vole (*Arvicola amphibius*) is protected under *Section 9 (4)* of *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), which affords protection to its places of shelter. This protection was extended by the CRow Act 2000. Under this legislation, it is an offence to intentionally or recklessly damage, destroy or obstruct access to any structure or place that water voles use for shelter or protection, or to intentionally or recklessly disturb water voles while they are using such a place.

The water vole is included as a Priority Species in the UK Biodiversity Action Plan (UKBAP) and also as a species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

9.7 *Badger*

Badger (*Meles meles*) is protected in Britain under the *Protection of Badgers Act 1992* (as amended) and *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended).

The legislation affords protection to badgers and badger setts, and makes it a criminal offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so;
- interfere with a sett by damaging or destroying it;
- to obstruct access to, or any entrance of, a badger sett; or
- to disturb a badger when it is occupying a sett.

Guidance to what may be classed as disturbance to a badger (when occupying a sett) can be found at: <https://www.gov.uk/guidance/badgers-protection-surveys-and-licences>

9.8 *Birds*

9.8.1 *Birds - general protection*

All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the CRow Act.

The legislation makes it an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

9.8.2 *Birds - specially protected species*

Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The protection was extended by the CRow Act. The legislation confers special penalties where the above mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
- disturb the dependant young of such a bird.

9.9 *Widespread species of reptile*

Common lizard (*Zootoca vivipara*), grass snake (*Natrix natrix*), slow-worm (*Anguis fragilis*), and adder (*Vipera berus*) are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the CRow Act.

Under the above legislation it is an offence to:

- intentionally or deliberately kill or injure any individual of such a species; or
- sell or attempt to sell any part of the species alive or dead.

9.10 *European Protected Species Licences*

Where it is necessary to carry out an action that could result in an offence under the *Conservation of Habitats & Species Regulations 2017* it is possible to apply for a European Protected Species (EPS) licence from Natural England. Licences are only issued where Natural England are satisfied that three derogation tests are met. These are that the activity is for **imperative reasons of overriding public interest**, that there must be **no satisfactory alternative** and that **favourable conservation status of the species must be maintained**.

Consideration of these three derogation tests was previously left to Natural England as part of their deliberations on whether to grant a licence for the development activity after a planning consent has been issued. However, the regulations now require that **all public bodies, i.e. Local Planning Authorities (LPAs)**, have regard to the requirements of the European Habitats Directive when

carrying out their functions. As a result, LPAs **must** address the three derogation tests when considering a planning application that could impact upon any European Protected Species (EPS).

9.11 National planning context

9.11.1 General

Surveys should be completed in line with Natural England's *Standing Advice for Local Authorities* (<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>). It should be noted:

- Natural England will not comment on applications that are submitted without the relevant protected species surveys if there are no other issues (*i.e.* in relation to SSSIs or landscape).
- Natural England will not comment on scoping surveys that recommend further surveys where these have not been undertaken and submitted with the scoping reports.

In addition to the above, *Section 40* of the *Natural Environment and Rural Communities Act* (2006) imposes a new duty on all public authorities to have regard for biodiversity.

9.11.2 National Planning Policy Framework (NPPF)

From the 19th February 2019, the Government published the revised National Planning Policy Framework. The document sets out the government's planning policies for England and how these are expected to be applied. This replaces a previous version which was published in March 2012. It states: "*at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*"

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective;
- a social objective; and
- an environmental objective.

The environmental objective is to "*contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy*".

Planning policies and decisions should contribute to and enhance the natural and local environment by "*protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*" and "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*".

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.

Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.

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.

It states that *"development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity"*.

It should be noted that the *"presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site"*.

The NPPF also encourages *"minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"* and aims to *"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"*. This applies to non-statutory designated sites including Sites of Importance for Nature Conservation (SINCs) and equivalent county wildlife sites.

Early engagement with all necessary stakeholders, including expert bodies, is encouraged by the NPPF.

APPENDIX B: RESULTS OF DATA SEARCH FOR PROTECTED AND NOTABLE SPECIES RECORDS

Search Area: Within 1km of the Tournerbury Woods

Date: 01/11/2019

HBIC Ref: 8720

See this [Legislation Explanatory Document](#) for a document explaining notable species statuses and legislation.

HBIC has its own extensive database of habitat and higher plant data for the County. In addition, HBIC hold copies of datasets belonging to partner organisations. Through data exchange agreements with these organisations HBIC is provided with regular database updates and can supply species information on their behalf. HBIC currently holds copies of the following datasets:

- Botanical Society of Britain and Ireland's (BSBI) vascular plant database for Hampshire
- British Bryological Society (Mosses, Liverworts, Hornworts)
- Butterfly Conservation's butterfly and moth database for Hampshire
- Hampshire Ornithological Society (HOS) bird records
- Hampshire Bat Group (HBG) Records of bat roost visits and sightings
- Survey data administered by the Hampshire and Isle of Wight Wildlife Trust (HIWWT):
 - Monitoring Survey for the Nail Fungus *Poronia punctata*
 - Alien and Native Crayfish
- Data administered by the Hampshire and Isle of Wight Wildlife Trust on behalf of:
 - Hampshire Amphibian and Reptile Recording Network (HARRN)
 - Hampshire Mammal Group (HMG)
- Hampshire records from The Bees, Wasps and Ants Recording Society (BWARS)
- Hampshire records from National Stag Beetle Surveys and 'Great Stag Hunts' run by the Peoples Trust for Endangered Species (PTES)
- Hampshire Odonata records from The Dragonfly Recording Network, maintained by the British Dragonfly Society (BDS)
- Spider and Fungi records gleaned from collections housed and curated by the Hampshire Cultural Trust (HCT)
- Independent Hampshire Entomologist's records
- Earthworm Society of Britain's records