

**MILL RYTHER HOLIDAY VILLAGE,
HAYLING ISLAND, HAMPSHIRE**

ECOLOGICAL MITIGATION STRATEGY

A Report to: Avison Young

Report No: RT-MME-153231-03

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REPORT VERIFICATION AND DECLARATION OF COMPLIANCE

This study has been undertaken in accordance with British Standard 42020:2013 “Biodiversity, Code of practice for planning and development”.

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The information which we have prepared is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management’s Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

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1. INTRODUCTION

1.1 PROJECT BACKGROUND

In August 2020, Avison Young commissioned Middlemarch Environmental Ltd to develop an Ecological Mitigation Strategy (EMS) associated with a proposed development at Mill Rythe Holiday Village in Hayling Island, Hampshire.

Middlemarch Environmental Ltd previously completed the following assessments at the site in 2016 and 2017 to inform a planning application associated with the refurbishment of the wider site:

- Preliminary Ecological Appraisal (Report RT-MME-123420-01);
- Preliminary Roost Assessment (Report RT-MME-123420-02); and,
- Endoscope Bat Survey (Report RT-MME-124714-Rev A).

Due to the proximity of the site to Chichester and Langstone Harbours Ramsar wetland and Special Protection Area (SPA), Solent Maritime Special Area of Conservation (SAC), Solent and Isle of Wight Lagoons SAC, and Portsmouth Harbour Ramsar wetland and SPA, Middlemarch Environmental Ltd also completed a Habitat Regulations Assessment: Stage 1 Screening Report (RT-MME-123420-06-Rev C) in 2017.

Permission for the development was granted by Havant Borough Council in May 2017 (Application Number: APP/16/01237). Middlemarch Environmental Ltd subsequently prepared a Construction Ecological Management Plan (CEcMP, Report RT-MME-125561-01) and a Landscape and Ecological Management Plan (LEMP, Report RT-MME-125561-02 Rev B) in order to discharge two conditions of the planning permission.

It is now understood that a new planning application is to be submitted to seek to vary the development commenced under APP/16/01237, to allow for further redevelopment of the holiday site, including the demolition of redundant chalets, siting of new caravans and creation of a wildlife area within the former pitch and putt golf course located in the eastern part of the site. The proposal relates to three separate red-line areas within the site, although the amendments are submitted under one application and should be viewed as a variation of the existing permission. A suite of updated ecological survey and assessment work is required to support the planning application.

To assess the existing ecological interest of the site an updated ecological desk study was carried out, and a walkover survey was undertaken on 5th August 2020. In addition, Middlemarch Environmental Ltd has completed a Reptile Survey (Report RT-MME-153231-02) and Bat Surveys (Report RT-MME -153320) at the site in 2020.

Middlemarch Environmental Ltd has also been commissioned to prepare an updated Shadow Habitat Regulations Assessment: Stage 1 Screening and Stage 2 Appropriate Assessment (Report RT-MME-153231-04), to be informed by Winter Bird Surveys.

The overall aim of the EMS is to outline potential impacts to ecological receptors that could occur as a result of the proposed development, and to detail control measures and mitigation proposals that will be implemented to ensure that the works proceed without breaching wildlife legislation, and that the favourable conservation status of potential ecological receptors will be maintained. The content of this document is guided by wildlife legislation and relevant planning policy and biodiversity targets.

1.2 SITE DESCRIPTION AND CONTEXT

The site comprises an irregular parcel of land approximately 13 ha in size, located on the eastern coast of Hayling Island, centred at National Grid Reference SU 7292 0061. The site effectively divides into two discrete areas. The western half of the site is dominated by the existing Mill Rythe Holiday Village, encompassing a number of self-catering accommodation units and associated leisure facilities. At the time of the survey, the site included approximately 50 buildings, tennis courts, structured play areas, bowling green, swimming pool, boating lake, car parking, access roads and associated hard and soft landscaping, the latter including extensive areas of formal mown grassland. The eastern half of the site is dominated by a former pitch and putt golf course of just over 2.5 ha in extent which is no longer in use and has developed a ranker

sward with scattered blocks of scrub and tall ruderal vegetation. In the north-east corner of the former pitch and putt course is a large triangular lake.

Bordering the site to the north and east are a range of intertidal habitats separated from the surveyed areas by sea defences frequently occupied by dense scrub. To the south is Tournembury Golf Course and to the west are a series of medium-scale fields occupied by rough grazed pasture and arable crops delineated by well-timbered boundaries.

The site is adjacent to a number of statutory designated sites including Chichester and Langstone Harbours Ramsar wetland, Site of Special Scientific Interest and Special Protection Area and Solent Maritime Special Area of Conservation. These sites form large estuarine systems comprising habitats such as mud and sand flats and salt meadows.

1.3 SUMMARY OF PROPOSALS

The description of proposed development is as follows:

“Application for full planning permission, pursuant to APP/16/01237, for the redevelopment of the holiday site including the demolition of redundant chalets, use of land for the siting of 112 holiday caravans with areas of open recreational space, cease the use of the land for pitch and putt purposes and retain the remaining pitch and putt area as a managed wildlife area including the provision of an ecology bund & ditch, landscaping, the siting of three bird hides with bat roost in their roof spaces and a mown ‘circular wildlife walkway’.”

1.4 DOCUMENTATION PROVIDED

The conclusions and recommendations made in this report are based on information provided by the client regarding the scope of the project. Documentation made available by the client is listed in Table 1.1.

Document Name / Drawing Number	Author
3877-410 Rev R / Proposed Site Plan	A&M Architectural Partnership LLP

Table 1.1: Documentation Provided by Client

1.5 MITIGATION STRATEGY STRUCTURE

Chapters 2 to 8 of this report focus on each of the ecological features that have been identified as potential constraints to the development of the site, as follows:

- Chapter 2: Nature Conservation Sites
- Chapter 3: Habitats
- Chapter 4: Bats
- Chapter 5: Marine mammals
- Chapter 6: Terrestrial mammals (badger and hedgehog)
- Chapter 7: Breeding and wintering birds
- Chapter 8: Herpetofauna (reptiles and amphibians)

Each chapter provides a summary of the potential impacts of the proposed development on the ecological feature in the absence of mitigation, and then outlines avoidance, mitigation, compensation and enhancement proposals that will be implemented to address each of these impacts and ensure no loss of favourable conservation status. Detail regarding post-development safeguarding and monitoring is also provided, where known.

Chapter 9 of this report provides a summary of the mitigation strategy.

1.6 FEATURES SCOPED OUT OF INCLUSION WITHIN THE EMS

1.6.1 Terrestrial Invertebrates

The desk study provided 45 records of stag beetle, a Species of Principal Importance, the closest of which was located 230 m north of the site. The site lacks deadwood habitat favoured by stag beetle and it is therefore considered unlikely that this species will be directly impacted by the proposed development. However, if any deadwood is required to be removed to accommodate the works, the measures outlined in Chapter 8 of this report to ensure that reptiles are protected will also safeguard stag beetle, should they be present.

Although any other terrestrial invertebrates present within the site may be temporarily displaced during the construction phase of the proposed development, no long-term impacts are anticipated. The habitat retention, creation and enhancement measures outlined in Chapter 3 of this strategy will ensure that the site, and particularly the wildlife area, continues to support a range of invertebrate species. As such, a separate chapter for terrestrial invertebrates has not been included within this document.

1.6.2 Otter, Water Vole and White-clawed Crayfish

The two large waterbodies and the ditch on site are deemed unsuitable to support otter, water vole or white-clawed crayfish. These species are not notable considerations with respect to the proposed development.

1.6.3 Other Species / Species Groups

The following species / species groups have been scoped out of further assessment due to a lack of desk study records and/or the absence of suitable habitats within the site and its surroundings: dormouse *Muscardinus avellanarius*, brown hare *Lepus europaeus*, polecat *Mustela putorius*, pine marten *Martes martes* and red squirrel *Sciurus vulgaris*.

2. NATURE CONSERVATION SITES

2.1 BASELINE DATA

2.1.1 Desk Study

The desk study completed as part of the Preliminary Ecological Appraisal (Report RT-MME-153231-01) in 2020 included a search for European statutory nature conservation sites within a 5 km radius of the site (extended to 10 km for any statutory site designated for bats) and a search for UK statutory nature conservation sites and ancient woodland sites within a 2 km radius, using the Multi-Agency Geographic Information for the Countryside website. Desk study data provided by Hampshire Biodiversity Information Centre included records for non-statutory nature conservation sites within a 2 km radius of the site.

Nature conservation sites located in proximity to the site are summarised in Table 2.1.

Site Name	Designation	Proximity to Site	Description
European Statutory Sites			
Solent Maritime	SAC	Adjacent	This SAC encompasses a major estuarine system on the south coast of England with four coastal plain estuaries and four bar-built estuaries; it is the only site for smooth cord-grass <i>Spartina alterniflora</i> in the UK and contains the second largest aggregation of Atlantic salt meadows in the south and south-west England.
Chichester and Langstone Harbours	Ramsar and SPA	Adjacent	This Ramsar and SPA covers two large, estuarine basins containing extensive intertidal mudflats and sandflats with areas of seagrass beds, saltmarsh, shallow coastal waters, coastal lagoons, coastal grazing marsh and shingle ridges and islands. These habitats support internationally and nationally important numbers of overwintering and breeding bird species.
Solent and Dorset Coast	SPA	2.23 km south	The SPA regularly supports more than 1% of the Great Britain populations of three breeding tern species comprising sandwich tern <i>Sterna sandvicensis</i> , little tern <i>Sternula albifrons</i> and common tern <i>Sterna hirundo</i> .
UK Statutory Sites			
Chichester Harbour	SSSI	Adjacent	Chichester Harbour SSSI forms a component part of the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar and SPA. The SSSI comprises a large estuarine basin in which at low water extensive mud and sandflats are exposed, drained by channels which unite to make a common exit to the sea. The site is of significance for wintering wildfowl and waders and also breeding. There are a wide range of habitats supporting important plant communities and notable invertebrates.
Gutner Point	LNR	225 m north	Gutner Point LNR falls within the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar and SPA. The site comprises grassland, salt march and inter-tidal mud land extending into Chichester Harbour.
Hayling Billy	LNR	1.56 km west	This LNR falls within the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar and SPA. It consists of an abandoned route of the Hayling Billy Train, home to a number of rare plants.

Table 2.1: Summary of Nature Conservation Sites (continues)

Site Name	Designation	Proximity to Site	Description
UK Statutory Sites			
Langstone Harbour	SSSI	1.58 km west	Langstone Harbour SSSI forms a component part of the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar and SPA. The SSSI comprises a tidal basin which at high water resembles an almost landlocked lake. At low water extensive mud flats are exposed. The harbour includes one of the largest areas of mixed saltmarsh on the south coast, and extensive cord-grass <i>Spartina anglica</i> marsh in an advanced state of degeneration. The harbour is of international importance as a rich intertidal system supporting high densities of intertidal invertebrates and large populations of migrant and overwintering waders and wildfowl, dependent upon them and upon the extensive beds of eelgrass <i>Zostera</i> species. The <i>Zostera angustifolia</i> and <i>Z. noltii</i> beds are among the largest in Britain.
Non-statutory Sites			
Mill Rythe Holiday Village	SINC and SW&BGS	Overlaps with site	The site is designated for its semi-natural coastal or estuarine habitats and for supporting more than one notable species; including spiny retharrow <i>Ononis spinosa</i> . Secondary support area for Brent geese.
Mill Rythe Lane Saltmarsh	SINC and SW&BGS	220 m north-west	The site is designated for its semi-natural coastal or estuarine habitats. Core area for Brent geese.
Fields & Saltmarsh South of Copse Lane	SINC and SW&BGS	860 m north	The site is designated for its semi-natural coastal or estuarine habitats. Primary support area for Brent geese.
Gutner Lane Meadow	SINC and SW&BGS	910 m north	The site is designated for its semi-natural coastal or estuarine habitats and for supporting more than one notable species; including parsley water-dropwort <i>Oenanthe lachenalii</i> , Golden samphire <i>Inula crithmoides</i> , divided sedge, slender hare's-ear <i>Bupleurum tenuissimum</i> and sea wormwood. Comprises both core areas and low use areas for Brent geese.
North Copse, Havant	SINC	1.17 km north	Designated for its ancient semi-natural woodland habitat.
Mengham Salterns	SINC	1.36 km south	The site is designated for its semi-natural coastal or estuarine habitats and for supporting more than one notable species; including spiny retharrow and fennel leaved-pondweed <i>Potamogeton pectinatus</i>
Chichester Road Meadow	SINC and SW&BGS	1.52 km north	The site is designated for its agriculturally unimproved grasslands, semi-natural coastal or estuarine habitats and the notable species they support, which includes divided sedge and seaside brookweed <i>Samolus valerandi</i> . Primary support area for Brent geese.
Long Marsh	SINC and SW&BGS	1.62 km north-west	The site is designated for its semi-natural coastal or estuarine habitats and for supporting more than one notable species; including divided sedge <i>Carex divisa</i> , common glasswort <i>Salicornia europaea</i> and sea wormwood <i>Seriphidium maritimum</i> . Secondary support area for Brent geese.
Pill Box Field	SINC and SW&BGS	1.63 km north-west	Designated for its unimproved grassland community and for supporting more than one notable species including divided sedge. Primary support area for Brent geese.
Plot 6114 South of Knott's Marsh	SINC and SW&BGS	1.73 km north-west	Designated for its agriculturally unimproved grassland habitat. Primary support area for Brent geese.
Hayling Billy Line	SINC	1.79 km north-west	The site supports multiple notable species including divided sedge.
West Lane Field A	SINC and SW&BGS	1.8 km north-west	The site is designated for its semi-improved grassland which retain a significant element of unimproved grassland. Primary support area for Brent geese.
Selsmore Boating Lake	SINC	1.85 km south	The site is designated for its semi-natural coastal or estuarine habitats.

Table 2.1 (continued): Summary of Nature Conservation Sites (continues)

Site Name	Designation	Proximity to Site	Description
Non-statutory Sites			
Beachlands East	SINC	1.98 m south	The site is designated for its semi-natural coastal or estuarine habitats and for supporting more than one notable species; including sand couch <i>Elytrigia juncea</i> , bur clover <i>Medicago polymorpha</i> , bulbous blue grass <i>Poa bulbosa</i> , suffocated clover <i>Trifolium suffocatum</i> and bur chervil <i>Anthriscus caucalis</i>
Plot 5835 South of Knott's Marsh	SINC and SW&BGS	1.98 km north-west	The site is designated for its agriculturally unimproved grasslands, semi-natural coastal or estuarine habitats and the notable species they support. Primary support area for Brent geese.
Key: SAC: Special Area of Conservation SPA: Special Protection Area SSSI: Site of Special Scientific Interest Ramsar: Site listed on The Convention on Wetlands of International Importance (Ramsar Convention) SINC: Site of Importance for Nature Conservation SW&BGS: Solent Wader and Brent Goose Strategy Site			

Table 2.1 (continued): Summary of Nature Conservation Sites

In addition to the designated sites listed in Table 2.1, there are over 50 further Solent Wader and Brent Goose Strategy sites within a 2 km radius of the site, including one 'Core Area' (H50C) adjacent to the site. The survey area falls within SSSI Impact Risk Zones for Chichester Harbour SSSI and Langstone Harbour SSSI, sites which underpin the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar and SPA (see Table 2.1).

2.2 IMPACT ASSESSMENT

2.2.1 Pre- and Mid-Development / Construction Phase Impacts

European Sites

The site is located adjacent to the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar wetland and SPA and as such, a Shadow Habitat Regulations Assessment: Stage 1 Screening and Stage 2 Appropriate Assessment (Report RT-MME-153231-04) has been undertaken. This assessment has identified two impact pathways through which the construction phase of the proposed development could result in the conservation objectives for these European sites not being met:

- Disturbance to qualifying features; and,
- Pollution of qualifying habitats and habitats on which qualifying features are reliant.

UK Statutory Sites

Chichester Harbour SSSI (located adjacent to the site) and Langstone Harbour SSSI (located 1.58 km west of the site) underpin the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar wetland and SPA designations. Gutner Point LNR (which falls within Solent Maritime SAC) lies 225 m north of the site.

The implementation of mitigation measures to avoid impacts on the European statutory nature conservation sites in proximity to the proposed development site during the construction phase of the proposed development will also ensure that impacts on these UK statutory sites (such as disturbance or pollution) are avoided.

Non-Statutory Sites

The Preliminary Ecological Appraisal (Report RT-MME-153231-01) acknowledges that the proposed development could impact upon the following non-statutory sites during the construction phase:

- Mill Rythe Holiday Village SINC and Solent Wader and Brent Goose Strategy Site H43 (Secondary Support Area), which fall within the eastern part of the application site (largely occupied by the former pitch and putt golf course);
- Solent Wader and Brent Goose Strategy Sites H50C (Core Area), H40A (Secondary Support Area) and H40C (overlapping with SPA), which are located adjacent to the application site; and,
- Mill Rythe Lane Saltmarsh SINC and Solent Wader and Brent Goose Strategy Site H50B (Core Area), located 220 m north-west.

Impacts include a direct loss of habitat (from Mill Rythe Holiday Village SINC and Solent Wader and Brent Goose Strategy Site H43) to allow for the installation of new accommodation units, as well as disturbance and pollution.

With the exception of a small number of additional Solent Wader and Brent Goose Strategy Sites, the remaining non-statutory sites identified in the desk study are located over 800 m from the site. Due to the nature of the development and the distance between the non-statutory conservation sites and the application site, it is unlikely that these sites will be directly or indirectly impacted by the proposed development.

2.2.2 Long-Term / Operational Phase Impacts

European Sites

The Shadow Habitat Regulations Assessment: Stage 1 Screening and Stage 2 Appropriate Assessment (Report RT-MME-153231-04) has identified two impact pathways through which the operational phase of the proposed development could result in the conservation objectives for the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar wetland and SPA not being met:

- Disturbance to qualifying features; and,
- Pollution of qualifying habitats and habitats on which qualifying features are reliant.

UK Statutory Sites

Chichester Harbour SSSI (located adjacent to the site) and Langstone Harbour SSSI (located 1.58 km west of the site) underpin the Solent Maritime SAC and Chichester and Langstone Harbours Ramsar wetland and SPA designations. Gutner Point LNR (which falls within Solent Maritime SAC) lies 225 m north of the site. The implementation of mitigation measures to avoid impacts on the European statutory nature conservation sites in proximity to the proposed development site during the operational phase of the proposed development will also ensure that impacts on Chichester Harbour SSSI, Langstone Harbour SSSI and Gutner Point LNR (such as disturbance or pollution) are avoided.

Non-Statutory Sites

The Preliminary Ecological Appraisal (Report RT-MME-153231-01) acknowledges that the proposed development could impact upon the following non-statutory sites during the operational phase:

- Retained section of Mill Rythe Holiday Village SINC and Solent Wader and Brent Goose Strategy Site H43 (Secondary Support Area), which fall within the eastern part of the application site (largely occupied by the former pitch and putt golf course);
- Solent Wader and Brent Goose Strategy Sites H50C (Core Area), H40A (Secondary Support Area) and H40C (overlapping with SPA), which are located adjacent to the application site; and,
- Mill Rythe Lane Saltmarsh SINC and Solent Wader and Brent Goose Strategy Site H50B (Core Area), located 220 m north-west.

Potential impacts include recreational disturbance and pollution.

2.3 AVOIDANCE AND MITIGATION MEASURES

2.3.1 Construction Phase Measures

Construction Ecological Management Plan (CEcMP)

To avoid and mitigate for construction impacts on nature conservation sites, the following measures are proposed:

- Use of protective fencing to demarcate the works area and hoarding to minimise disturbance to bird species outside of works area;
- Implementation of standard best practice pollution prevention measures;
- Implementation of general best practice measures with respect to maintenance of construction vehicles and provision of suitable access routes to the works area;
- Appropriate timing of works and sensitive vegetation clearance to avoid impacts on protected and notable species; and,
- Control of lighting, noise and vibration in accordance with best practice guidance.

These measures can be implemented through the use of a CEcMP, which can be secured by condition. This document should be reviewed and approved by Havant Borough Council prior to the commencement of development works at the site.

2.3.2 Operational Phase Measures

Landscape and Ecological Management Plan (LEMP)

To avoid and mitigate for construction impacts on nature conservation sites, the following measures are proposed:

- Management of habitats within the retained section of Mill Rythe Holiday Village SINC and Solent Wader and Brent Goose Strategy Site H43 (the former pitch and put golf course) to provide a wildlife area;
- Restricted access to the managed wildlife area and to the sea wall during sensitive periods for wintering birds; and,
- Provision of interpretation boards and information packs detailing the importance of the site and surroundings for wildlife.

These measures will be delivered through the use of a LEMP, which can be secured by condition. This document should be reviewed and approved by Havant Borough Council prior to the commencement of development works at the site.

The LEMP should also include proposals for monitoring, to allow the success of management to be assessed and to inform requirements for any changes in management practices.

Financial Contributions for Recreational Disturbance and Water Quality Impacts

Havant Borough Council's 'Updated European Site avoidance and mitigation checklist' will be provided in support of the planning application, along with a nutrient budget which will be incorporated into the Shadow Habitat Regulations Assessment: Stage 1 Screening and Stage 2 Appropriate Assessment (Report RT-MME-153231-04). This will confirm the applicant's commitment to providing a financial contribution to mitigate for recreational disturbance and water quality impacts (increased nutrient deposition leading to eutrophication) associated with an increase in overnight accommodation as a result of the proposed development.

2.4 COMPENSATION AND ENHANCEMENT MEASURES

Implementation of the management measures detailed in the proposed LEMP would ensure that habitats falling within the retained section of Mill Rythe Holiday Village SINC and Solent Wader and Brent Goose Strategy Site H43 would be enhanced in the long-term.

2.5 POST-DEVELOPMENT MANAGEMENT AND MONITORING

The proposed LEMP will outline how habitats within the retained section of Mill Rythe Holiday Village SINC and Solent Wader and Brent Goose Strategy Site H43 will be managed and monitored in the long-term.

3. HABITATS

3.1 BASELINE DATA

3.1.1 Field Survey

As part of the updated Preliminary Ecological Appraisal (Report RT-MME-153231-01), an Extended Phase 1 Habitat Survey of the site was undertaken in August 2020. Table 3.1 provides a list of the habitats recorded during this survey and their conservation status.

Habitat	Description	Habitat of Principal Importance?
Boundaries (hedgerows)	One hedgerow, dominated by hawthorn and located along the southern boundary of the site, meets the criteria ¹ to be classed as a Habitat of Principal Importance. Further short sections of hedgerow within the site do not meet the criteria to be classed as Habitats of Principal Importance, but do contribute to the structural and species diversity and overall 'biodiversity value' of the site.	✓
Scattered trees	Semi-mature and mature trees are present throughout the site. These trees have intrinsic ecological value and cannot be replaced in the short to medium-term.	-
Standing water	Two large waterbodies are present within the site: one boating lake located towards the western side of the main holiday complex and one lake in the north-eastern part of the former pitch and putt golf course. Both waterbodies are lacking aquatic vegetation and support populations of fish and wildfowl, which significantly reduces their suitability for use by amphibians.	- ²
Amenity grassland, ditch, introduced shrub, scrub and tall ruderal	Although not national or local priority habitats, the amenity grassland, ditch, introduced shrub, scrub and tall ruderal contribute to the structural and species diversity within the site.	-
Built environment and boundaries (other)	These habitats have negligible intrinsic ecological value.	-
¹ Consisting predominantly (i.e. 80% or more cover) of at least one woody UK native species.		
² Initial survey does not allow for full assessment of the potential for the waterbodies to qualify as Habitats of Principal Importance in England.		

Table 3.1: Summary of Habitats within Site

3.2 IMPACT ASSESSMENT

3.2.1 Pre- and Mid-Development / Construction Phase Impacts

The proposals include the extension of the area used for siting of caravans eastwards into the western part of the former pitch and putt golf course. This will result in the loss of some amenity grassland, scrub and tall ruderal habitats. A small number of scattered trees will be removed to accommodate the works. The majority of the existing chalets will be demolished.

The majority of hedgerows and scattered trees and the two large waterbodies will be retained, and, along with the eastern part of the former pitch and putt golf course, will be enhanced to benefit wildlife.

During construction, there is the potential for retained hedgerow and scattered tree habitats to be subject to root compaction and damage from construction vehicles and machinery.

Retained waterbodies could be adversely impacted during construction works from pollution due to run-off and dust deposition. These impacts could lead to a decline in the habitat's quality, function or ability to support wildlife.

3.2.2 Long-Term / Operational Phase Impacts

There is the potential for retained and created habitats to be subject to disturbance and degradation due to residents accessing the site. Limited or inappropriate management of retained and created habitats could also lead to a decline in their conservation status in the long-term. For example, inappropriate management of retained and created grassland areas could result in a loss of botanical diversity and succession to coarser vegetation types, and a reduction in its value to protected and notable species.

3.3 AVOIDANCE AND MITIGATION MEASURES

3.3.1 Habitat Retention (Avoidance of Impacts)

As detailed in Section 3.2.1, the development has been designed to retain the majority of hedgerows and scattered trees and the two large waterbodies, along with the habitats within the eastern part of the former pitch and putt golf course.

3.3.2 Construction Phase Measures

The implementation of the measures outlined in Section 2.3.1 to protect nature conservation sites will also ensure that retained habitats are protected throughout construction works. In addition, retained trees and hedgerows will be protected in accordance with British Standard 5837:2012 "Trees in relation to design, demolition and construction – recommendations".

These measures can be implemented through the use of a CECMP.

3.3.3 Operational Phase Measures

The proposed LEMP (see Section 2.3.2) would provide an overview of habitat management techniques for all retained and created habitats within the site, which, if implemented, would ensure that declines in the conservation status of habitats are avoided. Specific compensation and enhancement measures are detailed in Section 3.4 below; the LEMP provides a mechanism through which these measures can be delivered.

The LEMP would also include proposals for monitoring of habitat types to allow the success of management to be determined and the requirement for any changes in management practices to be determined.

3.4 COMPENSATION AND ENHANCEMENT MEASURES

Opportunities exist within the landscaping scheme for the enhancement of retained habitats.

It is proposed that the following habitat creation and enhancement measures are implemented:

- Enhancement of existing hedgerows, to consist of planting native species where gaps have formed, introducing rotational cutting to improve structural diversity and letting a buffer of rough grassland develop adjacent to hedgerows, to enhance these valuable wildlife corridors;
- Planting of native trees, including fruiting varieties, across the site;
- Management of encroaching scrub (to include rotational thinning/cutting to provide a diverse age structure) within grassland areas at the eastern extent of the site (within the former pitch and putt golf course) to provide a habitat mosaic and maximise the ecological value of this area;
- Creation of a bund and ditch feature to provide valuable habitat for a range of wildlife, including reptiles, amphibians and invertebrates;
- Provision of deadwood habitat, which will be particularly valuable for invertebrates; and,
- Enhancement of waterbodies, to include planting of native aquatic and emergent plant species, to provide suitable habitat for amphibians and aquatic invertebrates.

These measures can be incorporated into the proposed LEMP.

3.5 POST-DEVELOPMENT MANAGEMENT AND MONITORING

The proposed detailed LEMP will outline the ongoing management measures required for the retained and created habitats. If the measures within this document are implemented, it is considered that valuable habitats within the site will fulfil their biodiversity potential and continue to support a range of species.

4. BATS

4.1 BASELINE DATA

4.1.1 Desk Study

The 2020 desk study revealed records of at least 12 species of bat (common pipistrelle, soprano pipistrelle, Nathusius' pipistrelle, noctule, Leisler's bat, brown long-eared bat, Daubenton's bat, Natterer's bat, Brandt's bat, serotine, barbastelle and Bechstein's bat) within a 2 km radius of the site, in addition to records of unidentified pipistrelle, *Myotis*, and long-eared bat species. The most recent records dated from 2019 and the nearest records were attributable to common and soprano pipistrelles, located potentially on site.

4.1.2 Field Surveys

2016 Surveys

A Preliminary Roost Assessment (Report RT-MME-123420-02) was undertaken at the site in September 2016. This revealed that a number of the buildings had low potential to support roosting bats, although the majority were considered to have negligible potential. An Endoscope Survey (Report RT-MME-124714 Rev A) was subsequently undertaken, utilising ladders and a mobile elevated working platform to provide safe access to potential roost features at height which had not been possible to fully assess during the Preliminary Roost Assessment. No evidence of bat presence was identified within any of the buildings surveyed. However, the soffits on one building (Building 5) and the wooden cladding and lead flashing on another building (Building 10) were considered to offer potential summer roost locations for individual bats.

2020 Bat Surveys

An updated Preliminary Bat Roost Assessment was undertaken at the site in August 2020. A range of buildings were found to possess potential features suitable for use by roosting bats. Potential roost features recorded included lifted boarding and lead flashing, gaps in brickwork and loose metal fascias present around the multi-faceted complex of linked buildings/structures occupying a central area of the main holiday complex and damaged and missing sections of wooden paneling on the Boathouse building (public house/restaurant). These buildings, along with four boiler houses present on site, were classed as having 'high' potential to support roosting bats.

Several of the chalets and accommodation blocks in the southern part of the site were deemed to have moderate potential to support roosting bats, although the majority were deemed to have low or negligible potential.

A suite of dusk emergence and dawn re-entry surveys were subsequently undertaken during August and September 2020. The following roosts were identified:

- A soprano pipistrelle maternity roost in Chalet I 'Seaton' (Building 28);
- A soprano pipistrelle day roost in Chalet K 'Tenby' (Building 27); and,
- A common pipistrelle day roost in Chalet L 'Harrow' (Building 36).

The trees across the site were found to be in overall good condition and well managed, with no obvious features that could be used by roosting bats.

4.2 IMPACT ASSESSMENT

4.2.1 Pre- and Mid-Development / Construction Phase Impacts

The survey work undertaken in 2020 confirmed that bat roosts are present within three buildings on site. As such, the proposed demolition and refurbishment works could result in the killing or injury of bats and the loss, disturbance or modification of roosts. Loss or disturbance of a bat roost would be in breach of the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

A small number of trees are proposed to be removed to accommodate the works, however, these are generally younger specimens with limited or no bat roost potential. As such, no impact on roosting bats as a result of tree removal works is anticipated.

Vegetation clearance and construction works could disturb foraging bats and damage suitable terrestrial foraging and commuting habitat, although given that the majority of trees across the site and suitable connected habitats around the site peripheries will be retained, this effect is not considered to be significant.

However, construction phase lighting has the potential to cause fragmentation of dark corridors which may be utilised by foraging and commuting bats, and significant increase in noise or vibration may alter how bats utilise the site during the construction phase. Without mitigation this could have a negative impact on the populations of foraging and commuting bats using the site.

4.2.2 Long-Term / Operational Phase Impacts

Disturbance and fragmentation arising from operational phase lighting could have a negative impact on the favourable conservation status of bats utilising habitats within the site for roosting, foraging and commuting purposes.

4.3 AVOIDANCE AND MITIGATION MEASURES

The avoidance and mitigation measures proposed will:

- Prevent killing or injury of bats, or destruction or disturbance of bat roosts;
- Ensure the favourable conservation status of bat populations at the site is maintained; and
- Minimise disturbance to bat foraging and commuting habitat.

4.3.1 Natural England Bat Licence Application

Confirmed Bat Roosts in Buildings

The 2020 survey work has confirmed that three buildings (Buildings 27, 28 and 36) contain a bat roost. As such, no unlicensed work to these buildings can be undertaken which will contravene the legislation outlined in Appendix 1.

Prior to any works being undertaken which are likely to result in a breach of the legislation, a development licence must be obtained from Natural England. The licence application process will include the submission of a method statement detailing the current status of bats on site and how the favourable conservation status of the bat population will be maintained. Prior to a licence being issued, planning permission must be granted and relevant conditions relating to protected species and habitat issues must be discharged.

4.3.2 General Construction Phase Measures

To minimise construction impacts on bats, the following measures are proposed:

- Appropriate timing of works – no night working will be carried out, thus minimising any temporary noise, vibration or light disturbance effects on foraging bats or bats using roosts within trees which surround the proposed development area; and,
- Protection of retained habitat – woodland, scrub and scattered trees which are to be retained will be protected in line with the measure in Section 3.3.2 with respect to root protection areas. The installation of protective fencing will ensure that construction works are not carried out immediately beneath retained trees which may have moderate to high bat roost potential.

These measures can be implemented through the use of a CEcMP.

4.3.3 Operational Lighting Strategy

Bats are particularly vulnerable to increases or changes in illumination. Operational lighting proposals should into account ecological best practice, to minimise impacts on ecological features and ensure that dark corridors are maintained and created. The lighting designs should incorporate the following best practice principles, as outlined in the Bat Conservation Trust's publication 'Landscape and Urban Design for Bats and Biodiversity' (Gunnell *et al.*, 2012) and the Institution of Lighting Professionals and the Bat Conservation Trust's publication '*Bats and artificial lighting in the UK*' (Miles *et al.*, 2018):

- Do not provide excessive lighting. Use only the minimum amount of light needed for safety.
- Minimise light spill. Eliminate any bare bulbs and any upward pointing light. The spread of light should be kept near to or below the horizontal. Flat cut-off lanterns are best.
- Use narrow spectrum bulbs to lower the range of species affected by lighting. Use light sources that emit minimal ultraviolet light and avoid the white and blue wavelengths of the light spectrum to avoid attracting lots of insects. Lighting regimes that attract lots of insects result in a reduction of insects in other areas like parks and gardens that bats maybe using for foraging.
- Lights should peak higher than 550nm and use glass lantern covers to filter UV lights. White LED lights do not emit UV but have still been shown to disturb slow flying bat species.
- Reduce the height of lighting columns. Light at a lower level reduces impact. However, higher a mounting heights allow lower main beam angles, which can assist in reducing glare.

- For pedestrian lighting, use low-level lighting that is as directional as possible and below 3lux at ground level but preferably below 1lux.
- Increase the spacing of lanterns.
- Limit the times that lights are on to provide some dark periods.
- Avoid using reflective surfaces under lights.
- Use temporary close-boarded fencing until vegetation matures to shield sensitive areas from lighting.

An ecological review of the lighting designs will be undertaken.

4.4 COMPENSATION AND ENHANCEMENT MEASURES

The compensation and enhancement measures proposed will:

- Replace bat roosting features lost to development;
- Provide additional roosting features for bats;
- Replace foraging bat habitat lost to development; and
- Improve retained habitat features to benefit foraging bats.

4.4.1 Bat Roosting Boxes

Replacement roosting features will be provided to compensate for roosts lost as a result of the development. The replacement features will be designed to ensure that they are suitable for the species for which roosts will be lost and provide an adequate level of mitigation for the roost type lost. This will ensure that there is no loss of favourable conservation status of local bat populations. Details of replacement roost features will be provided in the method statements submitted to Natural England as part of the Development Licence application.

Three single storey, timber clad bird hides will be installed within the proposed wildlife area in the eastern part of the site. These bird hides will have roof spaces designed to support roosting bats. In addition, one Schwegler 2F bat box and two Schwegler 2FDFP (or similar specification) bat boxes are to be installed on each of five retained mature trees across the site. The bat boxes will be situated higher than 3 m from the ground to prevent any interference. The exact locations will be determined by a suitably qualified ecologist when the features are installed. These bat boxes will provide suitable roosting opportunities for a range of bat species.

4.4.2 Habitat Creation and Enhancement

The enhancement of retained areas of grassland and open water habitats (see Section 3.4) would continue to provide suitable foraging and commuting opportunities for a range of bat species.

4.5 POST-DEVELOPMENT MANAGEMENT AND MONITORING

Monitoring of replacement bat roosts, if required, will be carried out in accordance with the Natural England licence. General maintenance checks of bat boxes will be completed annually by a suitably qualified ecologist, to ensure these roosting features remain fit for purpose. The long-term management of retained and created habitats will be carried out in accordance with the proposed LEMP.

5. MARINE MAMMALS

5.1 BASELINE DATA

5.1.1 Desk Study

The desk study provided 12 records of common seal, seven records of grey seal and one record of bottle-nosed dolphin within a 2 km radius of the site.

5.2 IMPACT ASSESSMENT

5.2.1 Pre- and Mid-Development / Construction Phase Impacts

The proposed works footprint is separated from the sea/coast by a ditch and raised bank features, a habitat buffer approximately 20 m in width. As such, no direct adverse effects (i.e disturbance, harm, removal of habitat) are anticipated on marine mammals during the construction phase of the proposed development. However, there is the potential for pollutants (e.g. oil, fuel, dust) to enter the adjacent coastal habitats, leading to a temporary and reversible decline in water quality and reducing their suitability to support marine wildlife.

5.2.2 Long-Term / Operational Phase Impacts

Operational pollution as a result of poor surface and/or foul water drainage controls could result in adverse effects on nearby coastal habitats, reducing their suitability for marine wildlife.

5.3 AVOIDANCE AND MITIGATION MEASURES

The avoidance and mitigation measures proposed will:

- Reduce the risk of pollution of nearby coastal habitats, which are likely to support marine mammals, during the construction and operational phases of the proposed development.

5.3.1 General Construction Phase Measures

General best practice measures will be adopted during construction works, to avoid impacts on nearby coastal habitats, and any species which may be supported by these habitats. This includes pollution and dust prevention, as outlined in section 2.3.1. These measures can be implemented through the use of a CEcMP.

5.3.2 Operational Drainage Strategy

The existing surface and foul water drainage systems already in place, and approved under the previous permission APP/16/01237), are deemed to have capacity for the uplift in 18 units that will occur as a result of the development. Ongoing management of these systems will ensure that they remain functional during the operational phase of the proposed development.

Measures to mitigate for water quality impacts on designated sites are discussed further in Chapter 2. The implementation of these measures will also ensure that impacts on marine mammals present within these areas are avoided.

5.4 POST-DEVELOPMENT MANAGEMENT AND MONITORING

Given the minimal impact of the proposed development on marine mammals, no post-development monitoring is considered necessary.

6. TERRESTRIAL MAMMALS (BADGER AND HEDGEHOG)

6.1 BASELINE DATA

6.1.1 Desk Study

Nine records of hedgehog within a 2 km radius of the site were identified in the desk study. The most recent record dated from 2019 and the nearest record was located 880 m north-west. No records of badger were provided in the desk study.

6.1.2 Field Survey

The mosaic of grassland and scrub, particularly in the eastern part of the site, provides suitable foraging, refuge and hibernation opportunities for hedgehog.

The habitats in the eastern portion of the site provide potential sett building, foraging and commuting habitat for badger. However, no signs of badger activity, such as setts, latrines or prints, were observed within the proposed works area or in the vicinity during the Phase 1 Habitat Survey.

6.2 IMPACT ASSESSMENT

6.2.1 Pre- and Mid-Development / Construction Phase Impacts

During the construction phase of the proposed development, there is the potential for individual foraging terrestrial mammals to become trapped and harmed in open excavations, leading to a reduction in foraging success. In addition, vegetation clearance could disturb or damage habitats which may be used by terrestrial mammals. Without mitigation this could have a minor adverse effect on any populations within the local area.

6.2.2 Long-Term / Operational Phase Impacts

Suitable habitats for terrestrial mammals will be retained, particularly within the eastern part of the site, and will remain connected to suitable habitats in the wider landscape. No long-term effects on populations of terrestrial mammals due to habitat loss or fragmentation are anticipated.

6.3 AVOIDANCE AND MITIGATION MEASURES

The avoidance and mitigation measures proposed will:

- Ensure no killing or injury of terrestrial mammals as a result of construction works.

6.3.1 Construction Phase Measures

To minimise construction impacts on terrestrial mammals, the following measures are proposed:

- Cover excavations and pipework: any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering / becoming trapped.
- Sensitive vegetation clearance: clearance of vegetation should be undertaken in a sensitive manner, to ensure any terrestrial mammals that may be present can disperse into suitable habitats off site. Vegetation clearance works will need to be completed in accordance with the measures outlined in Chapters 7 (Birds) and 8 (Herpetofauna).

These measures can be implemented through the use of a CEcMP.

6.4 POST-DEVELOPMENT MANAGEMENT AND MONITORING

Given the minimal impact of the proposed development on terrestrial mammals, no post-development monitoring is considered necessary.

7. BIRDS

7.1 BASELINE DATA

7.1.1 Desk Study

The desk study revealed records of numerous bird species protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). The nearest records were attributable to hen harrier and Mediterranean gull, located potentially on site.

A large proportion of the bird records emanated from the adjacent Chichester and Langstone Harbour Ramsar wetland and SPA. Qualifying bird species of this European site for which records were provided in the desk study include little tern (protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended)), ringed plover (a Red List species), brent goose (a Species of Principal Importance and Amber List species), sandwich tern and bar-tailed godwit (Amber List species).

Numerous other notable Red and Amber listed bird species, and Species of Principal Importance, were identified within the desk study, for which suitable habitat is present within the site.

Solent Wader and Brent Goose Strategy Site H43 (Secondary Support Area), which falls within the eastern part of the application site (occupied by the former pitch and putt golf course), is discussed in Chapter 2.

7.1.2 Field Surveys

2017 Winter Bird Survey

Two winter bird survey visits were completed by Middlemarch Environmental Ltd in February 2017, to inform the Habitat Regulations Assessment: Stage 1 Screening Report (RT-MME-123420-03-Rev C), which was submitted in support of the previous planning application.

During the first survey visit, a small number of brent geese were observed using the pitch-and-putt grassland in the eastern part of the site at high tide. At the same time a large concentration of brent geese (c. 250 birds) was observed feeding on a raised ridge within a parcel of coastal grazing marsh located c. 170 m to the south of the site. Ambient levels of human activity within the holiday village at this time did not appear to cause any disturbance to these birds, indicating that existing visual screening provided by a raised earth bund and band of dense scrub was effective. At low tide, c. 50 brent geese were observed to be broadly spread both on the water and on areas of emergent eelgrass and mud all around Hayling Island. No wading birds were observed using any habitats within the red line boundary of the site during the first survey visit and the foreshore directly adjacent to the proposed development site was not observed to provide a high tide roost site for wading birds. During the intertidal period a large number of wading birds were observed to fly into the expanse of raised saltmarsh and mudflats that became visible between 80 m and 300 m from the sea wall. From the early intertidal period to low tide this large expanse of habitat was used by several hundred dunlin, in addition to low to moderate numbers of curlew, oystercatcher, lapwing, grey plover and redshank.

During the second survey visit, although no brent geese were observed using the pitch and putt grassland on site, the area of adjacent grazing marsh continued to be well-used at high tide, with up to 200 brent geese recorded. During the intertidal period and at low tide, large numbers of brent geese were observed using exposed saltmarsh and eelgrass beds, with the greatest concentration of birds (c. 200+) observed using emergent eelgrass at Dip Rythe, c. 600 m to the south-east of the holiday village. Again, no wading birds were observed using any habitats within the red line boundary of the site and no evidence of the adjacent foreshore providing an important high tide roost site for any species was noted. Wading bird activity peaked during the intertidal period, when large numbers of dunlin and small groups of a broad range of other waders descended on emerging saltmarsh vegetation. The greatest number of birds were recorded on a very large area of emergent vegetation at Dip Rythe, c. 600 m to the southeast.

2020 Phase 1 Habitat Survey

During the Phase 1 Habitat Survey completed in August 2020, the former pitch and putt course was observed to have developed a longer sward since the 2017 surveys had been completed. The course was also beginning to colonise in places with patches of scrub. This area is now considered to be largely unsuitable for brent geese, as the changes in vegetation have led to poorer visibility when watching for predators and the bushes and trees now provide predator look out perches.

2020-21 Winter Bird Survey

Updated winter bird survey visits at the site commenced in October 2020 and will be undertaken monthly until March 2021. The results will inform the updated Shadow Habitat Regulations Assessment: Stage 1 Screening and Stage 2 Appropriate Assessment (Report RT-MME-153231-04).

7.2 IMPACT ASSESSMENT

7.2.1 Pre- and Mid-Development / Construction Phase Impacts

Some of the habitat within the western part of the former pitch and putt golf course will be lost to accommodate the proposed development. Although this habitat falls within Solent Wader and Brent Goose Strategy Site H43 (Secondary Support Area), it is considered highly unlikely to support waders or brent geese, although this will be confirmed by the updated Winter Bird Survey (see Section 7.1.2). Potential construction phase impacts on qualifying bird species of nearby European sites are considered further in Section 2.2.1.

Vegetation clearance and building demolition works across the site, combined with the associated noise and visual disturbance, will result in the displacement of more common and generalist bird species using these habitats into the surrounding area, where suitable habitats are present.

Works directly affecting vegetation on site could result in injury or death of nesting birds and any dependent young, which would be in breach of the Wildlife and Countryside Act 1981 (as amended).

7.2.2 Long-Term / Operational Phase Impacts

Potential operational phase impacts on qualifying bird species of nearby European sites are considered further in Section 2.2.1.

Inappropriate management of retained and created habitats could limit the availability of nesting and food sources within the site. Management activities timed to occur within the nesting bird season could lead to the injury or death of birds which would be in breach of the Wildlife and Countryside Act 1981 (as amended). An increased presence of humans within the site could result in an increased risk of disturbance to breeding and wintering birds following completion of the proposed development. Overall, these impacts could negatively affect breeding success and species distributions and thus could have a long-term impact on bird populations within the area.

7.3 AVOIDANCE AND MITIGATION MEASURES

The avoidance and mitigation measures proposed will:

- Minimise disturbance of breeding and wintering birds during construction works;
- Prevent pollution of habitats supporting breeding and wintering birds; and,
- Prevent the killing or injury of nesting birds.

7.3.1 Construction Phase Measures

To minimise construction impacts on breeding and wintering birds, the following measures are proposed:

- Use of protective fencing and hoarding as outlined in Section 2.3.1, which will minimise disturbance to bird species outside of works area;
- Implementation of pollution prevention measures as outlined in Section 2.3.1; and,
- Appropriate timing of works: building demolition and vegetation clearance should be undertaken outside the bird nesting season. The bird nesting season is weather dependent but generally extends between March and September inclusive (peak period March-August). If this is not possible (for example to ensure vegetation is cleared during the active season for herpetofauna), then any vegetation to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally, for example via the implementation of an appropriate buffer zone (species dependent) around the nest in which no disturbance is permitted until the nest is no longer in use.
NB. Any vegetation clearance and building demolition works should only commence once the protective fencing and hoarding has been installed.

These measures can be implemented through the use of a CECMP.

7.3.2 Operational Phase Measures

The measures outlined in Section 2.3.2 to minimise impacts on nature conservation sites will also reduce the effect of operational phase impacts on breeding and wintering birds. These measures will be delivered through the use of a LEMP. Details regarding the appropriate timing of vegetation management to avoid the nesting bird season will also be provided in the LEMP.

7.4 COMPENSATION AND ENHANCEMENT MEASURES

The compensation and enhancement measures proposed aim to:

- Replace foraging and nesting habitat lost to development;
- Ensure the favourable conservation status of bird populations at the site is maintained; and
- Provide additional habitat for nesting and foraging birds.

7.4.1 Replacement Nest Boxes

The following nest boxes are proposed to be installed on retained mature trees to provide additional nesting opportunities for birds:

- Six Schwegler 1B boxes, with 32 mm hole, suitable for use by small bird species such as great, blue and coal tits and house sparrow;
- Six Schwegler 1N boxes, suitable for species such as robin, wren and pied wagtail;
- Six Schwegler 3S Starling Boxes; and,
- Two Schwegler Owl Box No. 4, suitable for use by stock dove (woodpeckers will sometimes spend the night in this box too).

The bird boxes should be installed at a height of at least 3 m to prevent any interference. The best time to install bird boxes is in late winter and early spring, to allow birds time to adjust to them prior to the nesting season. Exact locations will be agreed by a suitably qualified ecologist when the features are installed.

7.4.2 Habitat Creation and Enhancement

The habitats which are to be created and enhanced as part of the proposed development, particularly those within the wildlife area (within the eastern part of the former pitch and putt golf course) will include those of value to nesting and wintering birds. Further details are provided in Section 3.4.

7.5 POST-DEVELOPMENT MANAGEMENT AND MONITORING

A maintenance check of bird boxes should be completed annually by a suitably experienced ecologist, to ensure these nesting features remain fit for purpose. Further information regarding the long-term management of retained and created habitats should be provided in the proposed LEMP.

8. HERPETOFAUNA (REPTILES AND AMPHIBIANS)

8.1 BASELINE DATA

8.1.1 Desk Study

The desk study revealed records of four reptile species within a 2 km radius of the site, comprising slow worm, grass snake, common lizard and adder. The nearest records were attributable to slow worm and grass snake, located 410 m south. The most recent records were also attributable to these species, dating from 2015.

8.1.2 Field Survey

Reptiles

During the 2020 Reptile Survey (Report RT-MME-153231-02), low populations of common lizard (peak count of two adults) and slow worm (peak count of one adult) were identified within the eastern portion of the site (the former pitch and putt golf course). The site does not meet the criteria to be classed as a Key Reptile Site.

Amphibians

The two waterbodies within the site are lacking in aquatic vegetation and support populations of fish and wildfowl, which significantly reduces their suitability for use by amphibians, particularly great crested newts. These waterbodies will be retained as part of the proposals. The former pitch and putt golf course which occupies the eastern portion of the site comprises a mosaic of grassland, scrub and tall ruderal vegetation, providing potentially suitable terrestrial habitat for amphibians.

8.2 IMPACT ASSESSMENT

8.2.1 Pre- and Mid-Development / Construction Phase Impacts

Although habitats suitable for reptiles in the eastern part of the former pitch and putt golf course are to be retained and managed for wildlife, existing habitats within the western part will be lost to accommodate the proposed development. This will result in a reduction in the extent of suitable reptile habitat within the site. In addition, during vegetation clearance works, there is the potential for the killing, injury or disturbance to individual slow worms or common lizards. Without mitigation, the works would likely cause a breach of wildlife legislation: these species are protected under the Wildlife and Countryside Act 1981 (as amended) from intentional killing or injuring.

Retained habitats around the site peripheries will remain connected, preventing fragmentation and assisting reptile movement throughout the site and into the wider landscape.

Whilst the risk of harm to common amphibians during construction is deemed to be low, some suitable terrestrial habitat will be cleared. However, the implementation of avoidance and mitigation measures to ensure that reptiles are protected throughout the works will also safeguard common amphibians, should they be present within suitable terrestrial habitats within the site.

8.2.2 Long-Term / Operational Phase Impacts

Insensitive management, such as regular, close mowing of the retained grassland habitats within the site and harsh management of the scrub habitats, are likely to have negative implications on the suitability of habitats for reptiles in the long term.

8.3 AVOIDANCE AND MITIGATION MEASURES

English Nature (2004) identifies two aims that need to be achieved where reptiles are present on proposed development sites:

- (1) To protect reptiles from any harm that might arise during the development work; and
- (2) To ensure that sufficient quality, quantity and connectivity of habitat is provided to accommodate the reptile population, either on-site or at an alternative site, with no net loss of local reptile conservation status.

As such, the avoidance and mitigation measures proposed will:

- Ensure no killing or injury of reptiles (or common amphibians) during construction works.

- Ensure that the favourable conservation status of reptile populations within the site is maintained.

8.3.1 Herpetofauna Mitigation Strategy

Reptile mitigation proposals for the site have been designed based on the best practice outlined in the Herpetofauna Workers Manual (Gent and Gibson, 2003).

Some suitable reptile habitat will need to be removed from the western part of the former pitch and putt golf course to accommodate the works. As such, to ensure that no harm to individual reptiles occurs during site clearance works, it is proposed that a programme of habitat manipulation and destructive searches will be implemented. The clearance of terrestrial habitats will be undertaken in a sensitive manner in order to control any potential risk to reptiles (and common amphibians).

Site Clearance Protocol: Initial Habitat Manipulation

Between November and February, prior to the active season for herpetofauna and the nesting season for birds:

- Initial management of woody vegetation (trees, scrub) and longer grass, consisting of cutting to a height of 0.1 m – 0.2 m, with no impact on the ground or roots, can be completed under supervision of the Ecological Clerk of Works. Grass should be cut in a directional manner, towards retained habitats in the eastern part of the former pitch and putt golf course. *NB. This work will need to be completed in accordance with mitigation measures for birds (see Section 7.3.1), with vegetation clearance only commencing once the protective fencing and hoarding has been installed. Fencing/hoarding should be installed with a small gap at the bottom, to allow reptiles (and amphibians) to disperse into suitable, retained habitats outside of the fencing.*
- If vegetation suitable for nesting birds cannot be cleared prior to the bird nesting season, vegetation should be checked by a suitably qualified and experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally.

Once the active period for herpetofauna has commenced:

- The site should be subject to a walkover by the Ecological Clerk of Works to determine any sensitive features and their locations with respect to proposed site activities (the survey will focus on the location of any potential refuges for herpetofauna e.g. piles of rubble / rubbish / logs / mammal holes etc). These will be checked and where possible removed from the area.

The active period for herpetofauna is weather dependent but is generally accepted to extend between March and October inclusive.

Once the refugia clearance works have taken place and all arisings removed from the site, the site should be left for a period of one week to allow any reptiles or amphibians present to disperse into the retained habitat.

Site Clearance Protocol: Direct Search and Supervised Topsoil Strip

The proposed construction area will be searched by hand to ensure that no reptiles (or amphibians) are present. Suitably experienced ecologists will undertake all direct search works and all reptiles and common amphibians found will be moved to the receptor site (see below).

Following the direct search, a topsoil strip will be undertaken under direct supervision of the Ecological Clerk of Works. The removal of roots of hedges/trees will be undertaken with care by an excavator to allow the careful inspection of the root areas, with vegetation removed from the site so as not to create new refuges.

Receptor Site

Any reptiles (or common amphibians) which are found during the mitigation works will be translocated by suitably experienced ecologists using suitable personal protective equipment to the retained habitats in the eastern part of the former pitch and putt golf course, outside of the works footprint.

Management of Construction Footprint

Following the supervised vegetation clearance and soil strip works, the construction footprint will be subject to regular management, consisting of the removal of colonising vegetation, at least once every two weeks between April and October, to reduce the suitability of this area for reptiles.

All contractors should be made aware of the potential presence of reptiles on site during the initial site induction and regular toolbox talks. In the unlikely event that a reptile is discovered within the development footprint during construction works, a suitably qualified ecologist should be contacted for advice on how to proceed.

8.3.2 General Construction Phase Measures

To minimise construction impacts on herpetofauna, the following measures are proposed:

- Avoiding the creation of potential refuges such as stacked materials and topsoil;
- Cover excavations and pipework: any excavations that need to be left overnight should be covered or fitted with ramps to allow fauna to easily escape.

These measures can be implemented through the use of a CEcMP.

8.4 COMPENSATION AND ENHANCEMENT MEASURES

The measures outlined in Section 3.4, including the enhancement of grassland and scrub habitats, will ensure that the site continues to be of value to common reptile and amphibian species.

In addition, it is proposed that two hibernacula are created within the wildlife area at the eastern extent of the site, in order to provide additional hibernation and refuge habitat for herpetofauna. These hibernacula should be created using suitable logs from vegetation clearance works. Figure 8.1 provides a schematic design for a hibernaculum. The exact locations of hibernacula should be determined by a suitably experienced ecologist when the features are installed.

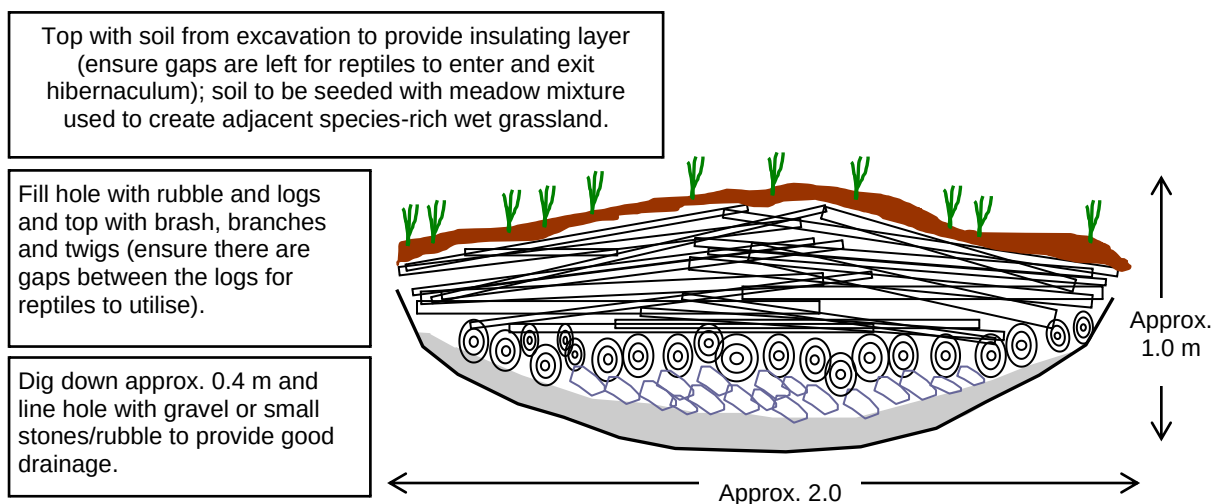


Figure 8.1: Design of Proposed Herpetofauna Hibernacula

8.5 POST-DEVELOPMENT MANAGEMENT AND MONITORING

To ensure that the favourable conservation status of reptile populations is maintained at the site, a scheme of monitoring will be instigated. It is proposed that reptile monitoring surveys of suitable habitats are undertaken in Years 1 and 3 following the completion of works. Subject to the ongoing management of the retained and created habitats within the site in accordance with the proposed LEMP, it is considered that habitats within the site will remain suitable for reptiles (and common amphibians) in the long-term.

9. SUMMARY

This document details avoidance, mitigation, compensation and enhancement proposals that will be implemented to ensure that the favourable conservation status of key ecological features will be maintained at the site prior to, during, and after development. Much of the mitigation has been designed to ensure the long-term retention of existing key habitats and to create linking wildlife corridors through and around the site, allowing species movement into the wider landscape.

The document has identified mitigation proposals to ensure the long-term protection of protected and notable species or species groups which have either been recorded at or near to the site, or for which suitable habitats are present within the site. These species and species groups comprise bats, terrestrial and marine mammals, breeding and wintering birds and reptiles.

It is recognised that there will be interactions between mitigation proposals required for each of the key ecological features. Where possible, the work schedules for each of the species groups have taken into account the influence of other ecological constraints, however it is anticipated that there may be some minor amendment to proposed timescales in order to ensure a logical phasing and to minimise ecological impact.

It is proposed that the implementation of ecological mitigation will be overseen by a suitably qualified Ecological Clerk of Works who will provide advice to construction and landscaping contractors and manage the interaction between mitigation requirements for each species throughout the development process.

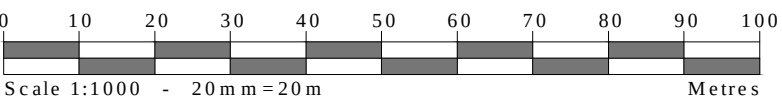
It is recommended that a Construction Ecological Management Plan (CEcMP) is produced and implemented, in order to control adverse construction impacts. A Landscape and Ecological Management Plan (LEMP), should also be prepared, to ensure that the biodiversity values of habitats are maintained in the long-term.

10. DRAWINGS

A&M Architectural Partnership LLP Drawing 3877-410R - MLR – Proposed Site Plan

MILL RYTHER HOLIDAY VILLAGE

PROPOSED MASTERPLAN - PROPOSED SITE PLAN

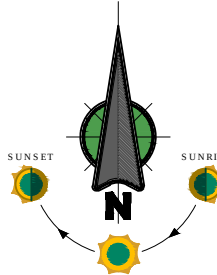


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LEGEND:

- Site Ownership Boundary
Site Area - **131,400m² (13.14ha)**
- Planning Application Area a - **57,288m² (5.7ha)**
- Building
- Managed Wildlife Area - **19,522m² (1.95ha)**
- Existing Landscaping
- Proposed Landscaping
- Open Recreational Space (Grassed and Surfaced) - **18,023.4m² (1.8ha)**
- Pathways
- 22No. Caravans approved as part of Planning Application Ref: APP/11/01080
- 175 No. Caravans approved as part of Planning Application Ref: APP/16/01237
- 112 No. Caravans proposed in substitution of 86 No. approved chalets
- Total Holiday Accommodation Units
- 22 No. Units
- 175 No. Units
- 112 No. Units
- 309 No. Units



R	Amendments for consultants comments	RW	28.10.20
Q	Amendments for consultants comments	RW	27.10.20
P	Minor Amendments	RW	19.10.20
O	Minor Amendments	RW	23.09.20
N	Site Areas Amended	RW	23.09.20
M	Showing 2 Additional areas	RW	28.07.20
L	Showing 1 Additional areas	RW	27.07.20
K	ADDITIONAL PATH INDICATED	SJM	05.04.17
J	REC AREA AMENDED AS GVA COMMENTS	SJM	03.04.17
H	SITE AREA FIGURES INDICATED	SJM	31.03.17
G	MINOR AMENDS TO LEGEND & REC AREAS	SJM	09.03.17
F	MINOR AMENDS TO PATHWAYS & COLOURS	SJM	08.03.17
E	AMEND FOLLOWING PLANN OFFICER MEET	SJM	01.03.17
D	LANDSCAPING & MINOR AMENDMENTS	SJM	08.11.16
C	AMENDED FOLLOWING TREE REPORT	SJM	03.11.16
B	AMENDED FOLLOWING TREE REPORT	SJM	01.11.16
A	REVISED TO REFLECT 16/17 DEVE PROPS	SJM	25.10.16
Rev.	Details	Name	Date



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Project: Proposed Masterplan

Drawing Title: Proposed Site Plan

Date: Oct 2016 Scale: 1:1000@A1 Drawn: SJM

Computer File Name: 3877-410R - Proposed Site Plan.dwg Checked By: -

Status: Planning

Drawing Number: 3877-410 Revision: R

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Wildlife and Countryside Act 1981 (as amended).

APPENDICES

APPENDIX 1 Species Legislation

APPENDIX 1

SPECIES LEGISLATION

Bats

Bats and the places they use for shelter or protection (i.e. roosts) receive European protection under The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). They receive further legal protection under the Wildlife and Countryside Act (WCA) 1981, as amended. This protection means that bats, and the places they use for shelter or protection, are capable of being a material consideration in the planning process.

Regulation 41 of the Habitats Regulations 2017, states that a person commits an offence if they:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats; or
- damage or destroy a bat roost (breeding site or resting place).

Disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.

It is an offence under the Habitats Regulations 2017 for any person to have in his possession or control, to transport, to sell or exchange or to offer for sale, any live or dead bats, part of a bat or anything derived from bats, which has been unlawfully taken from the wild.

Whilst broadly similar to the above legislation, the WCA 1981 (as amended) differs in the following ways:

- Section 9(1) of the WCA makes it an offence to *intentionally* kill, injure or take any protected species.
- Section 9(4)(a) of the WCA makes it an offence to *intentionally or recklessly** damage or destroy, or *obstruct access to*, any structure or place which a protected species uses for shelter or protection.
- Section 9(4)(b) of the WCA makes it an offence to *intentionally or recklessly** disturb any protected species *while it is occupying a structure or place which it uses for shelter or protection*.

*Reckless offences were added by the Countryside and Rights of Way (CROW) Act 2000.

As bats re-use the same roosts (breeding site or resting place) after periods of vacancy, legal opinion is that roosts are protected whether or not bats are present.

The following bat species are Species of Principal Importance for Nature Conservation in England: barbastelle bat *Barbastella barbastellus*, Bechstein's bat *Myotis bechsteinii*, noctule *Nyctalus noctula*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared bat *Plecotus auritus*, greater horseshoe bat *Rhinolophus ferrumequinum* and lesser horseshoe bat *Rhinolophus hipposideros*.

The reader should refer to the original legislation for the definitive interpretation.

Nesting Birds

Nesting and nest building birds are protected under the Wildlife and Countryside Act WCA 1981 (as amended). Some species (listed in Schedule 1 of the WCA) are protected by special penalties.

Subject to the provisions of the act, if any person intentionally: kills, injures or takes any wild bird; takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or takes or destroys an egg of any wild bird, he shall be guilty of an offence.

'Reckless' offences with regard to the disturbance of nesting wild birds included in Schedule 1 of the Wildlife and Countryside Act were added by the Countryside and Rights of Way Act 2000.

The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on Government Departments to have regard for the conservation of biodiversity and maintains lists of species and habitats which are of principal importance for the purposes of conserving biodiversity in England and Wales. These lists include a number of bird species.

Reptiles

All of the UK's native reptiles are protected by law. The two rarest species – sand lizard *Lacerta agilis* and smooth snake *Coronella austriaca* – benefit from the greatest protection.

Common lizard *Zootoca vivipara*, slow-worm *Anguis fragilis*, adder *Vipera berus* and grass snake *Natrix natrix* are protected under the Wildlife and Countryside Act 1981 (as amended) from intentional killing or injuring.

Sand lizard and smooth snake are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended) which together make it illegal to kill, injure, capture, handle or disturb these animals. Places they use for breeding, resting, shelter and protection are protected from being damaged or destroyed. It is also illegal to obstruct these animals from using such areas.

All native reptile species are listed as Species of Principal Importance on the UK Post-2010 Biodiversity Framework (2012), and as such are material considerations in the planning process.

This is a simplified description of the legislation. In particular, the offences mentioned here may be absolute, intentional, deliberate or reckless. Note that where it is predictable that reptiles are likely to be killed or injured by activities such as site clearance, this could legally constitute intentional killing or injuring.

The reader should refer to the original legislation for the definitive interpretation.