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Mr Kevin Hall
By Email: kevinmichaelhall33@gmail.com

15 June 2018

Dear Mr Hall,

Re: Land to the rear of Cranbrook Villa – Extended Phase 1 Habitat Survey

Thank you for commissioning CC Ecology to undertake an ecological Phase 1 survey of a Site proposed for development at the rear of Cranbrook Villa, Copse Lane, Hayling Island, Hampshire. I have completed a site visit and undertaken a desktop study including a search for protected species records and wildlife sites within 2 km of the site. I am now writing to you to inform you of the results of the Phase 1 survey, any ecological constraints to the proposals for the site and any recommendations for further ecological work and enhancements for biodiversity.

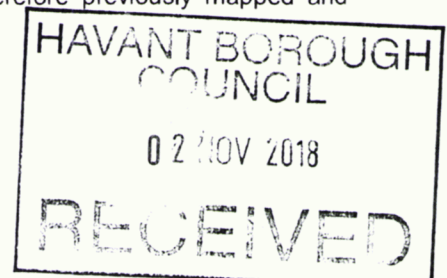
The approach taken within the Phase 1 is in line with guidance in The Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for the Ecological Impact Assessment in the United Kingdom (2016). In undertaking this survey due regard has been paid to relevant Government Planning Policy (in particular the National Planning Policy Framework), conservation policy under the local planning system, legislation providing protection for sites and species of nature conservation priorities under UK and Hampshire Biodiversity Action Plans. Details of relevant legislation and policy are included within the attached **Annex 1**.

Outline of the Scheme

I understand that you have submitted a planning application for the construction of two bungalows on the Site, which will be accessed via a driveway to the west of Cranbrook Villa, and fronted by a parking and turning area. The Local Planning Authority has flagged up the requirement for an ecological survey to be carried and a report submitted to support the application.

Background Information

The Land to the Rear of Cranbrook Villa was part of a previous planning application for the extension and renovation of Cranbrook Villa. Habitats and features were therefore previously mapped and



described within past ecological reports and in addition further ecological surveys have been carried out on the land. This includes:

- an assessment of the suitability of ponds within 500m to support great crested newts;
- a presence absence survey for reptiles within the Site boundary; and
- bat surveys of the house.

Previous survey reports include:

- Cranbrook Villa: Phase 1 Habitats Survey Letter dated 20 August 2015 (CC Ecology, 2015)
- Cranbrook Villa Ecological Assessment (CC Ecology, 2016)
- Cranbrook Villa Report on the Supervised Roof Strip (CC Ecology, 2016a)

A small daytime roost for Natterers was recorded within the existing house and therefore a European Protected Species Licence in respect of the works was granted.

The current Application Site was included within some of the ecological enhancements for Cranbrook Villa, whilst boundary habitats have been retained, and within these part of the mitigation for the damage/destruction of the roost in the house (bat boxes), much of the existing habitats have since been removed, including the small orchard area.

Site Context and Zone of Influence

The land to the rear of Cranbrook Villa is located in the village of Tye, on Hayling Island, Hampshire. The area immediately surrounding the site is comprised of low density housing with large gardens, arable fields bordered by hedgerows, and areas of broadleaved woodland.

Statutory designated wildlife sites are present within the surrounding area with Chichester Harbour located just 411m to the east of the Site. Chichester and Langstone Harbours is a designated Special Protection Area (SPA) and RAMSAR site and contains the Chichester Harbour Site of Special Scientific Interest (SSSI), the Langstone Harbour SSSI, the Chichester Harbour Area of Outstanding Natural Beauty (AONB) as well as being part of the Solent Maritime Special Area of Conservation (SAC). The Chichester and Langstone Harbours SPA borders Hayling Island to the north, east and west. The Site lies within the SSSI Impact Risk Zone which requires planning applications to be assessed for likely impacts on the SSSI. The Site also falls within the 5.6km zone of influence of Langstone and Chichester harbours, indicated by the Havant Draft Local Plan 2036 (January, 2018).

In order to highlight the potential ecological effects of the proposed development, it is necessary to identify the area, known as the "Zone of Influence" (ZOI), within which activities associated with the sites proposals are likely to affect valued ecological features. The proposed construction of two new dwellings will require the stripping of vegetation from the Site to make way for the new buildings, access driveway and gardens. During the construction phase there is likely to be additional noise, light and dust. Given the small scale of the development the ZOI is only likely to extend to the site boundary and immediately adjacent land and buildings. Habitats on site that will be impacted upon may support protected species whose home ranges could extend further than the site boundary although none that would be associated with the protected sites as described above.

Whilst the zone of influence is unlikely to extend beyond the Site boundary for most ecological issues, the development, will create a net increase of residents within the local area, which may increase the recreational pressure on statutory protected wildlife sites and it is noted that it is advised that the Local Planning Authority consults with Natural England on all planning applications (except householder applications) within this zone.

Habitats and Features

I visited the Land to the Rear of Cranbrook Villa on 16th May 2018 in order to carry out an Ecological Appraisal of the site. This survey is essentially an Extended Phase 1 Habitat Survey and involves the mapping of habitats within the site boundary and assessing habitats within the zone of influence of the development for their potential to support protected species. The Phase 1 Habitat survey also assessed the potential for any proposed development to impact on valued habitats or species within the zone of influence of any proposals. A description of the methodology involved is included in **Annex 2**.

Map 1 illustrates the habitats and features within the Site boundary. The Site is relatively small and comprised of only a few habitat types. The largest habitat type is rank, coarse grassland interspersed with ruderals, which covers the majority of the site and also runs along the western edge of the access drive. Near the centre of the site, within the grassland, there are two fire pits containing building refuse. The access drive is covered by bare ground and runs along the western edge of Cranbrook Villa. The area directly behind the garden of Cranbrook Villa is being used to store building materials and grass cuttings. At the southern end of the site there is an earth bank thickly covered with nettles.

Ditches enclose the site to the east, south and west. The southern ditch is damp and probably holds water in wet conditions whilst the eastern and southern ditches were dry on the day of inspection. The eastern ditch was densely covered with ivy and contained ferns. The western boundary is fenced. A thick bramble hedgerow containing an ivy-covered ash tree lies beyond the eastern ditch. Beyond the southern boundary is a patch of thick bramble scrub and trees. The boundary with Cranbrook Villa is marked by a high wooden fence.

No habitats of any real intrinsic nature conservation value were noted within the site boundary during the survey, although some habitats may have limited potential to support protected species. The western part of the site coincides with a Biodiversity Action Plan (BAP) Priority Habitat. With reference to Natural England's *Nature on the Map/MAG/C* the western section of the site is classed as Traditional Orchards. This habitat is not present, although previous surveys of the Site (refer to Cranbrook Villa Planning Application Ecological Reports, CC Ecology 2015 and 2016) recorded a small area of orchard at the southern end of the Site, this is no longer present.

Photos of the site and a more detailed description of the habitats are included in **Annex 3**.

As there are no habitats within the Site boundary with any intrinsic nature conservation value I don't anticipate any impact on valuable habitats. I do however recommend the re-planting of fruit trees within an area in order to compensate for the removal of this habitat.

Bats

An interrogation of the National Biodiversity Network Database returned records of Common Pipistrelle *Pipistrellus pipistrellus*, within 2km of the Site boundary.

Local bat records including those of Richardson (2000) occurring within a 100 km area show Greater Horseshoe bat *Rhinolophus ferrumequinum*, Lesser Horseshoe bat *R. Hipposideros*, Whiskered bat *Myotis mystacinus*, Brandt's bat *Myotis brandtii*, Natterer's bat *M. nattereri*, Bechstein's bat *M. bechsteinii*, Daubenton's bat *M. daubentonii*, Common Pipistrelle *Pipistrellus pipistrellus*, Soprano Pipistrelle *P. pygmaeus*, Brown Long-eared bat *Plecotus auritus*, Grey long-eared bat *P. austriacus*, Serotine bat *Eptesicus serotinus*, Noctule bat *Nyctalus noctula*, Leisler's bat *N. leisleri* and Barbastelle bat *Barbastella barbastellus*. Of these species, only the two Pipistrelle species and Brown long-eared bats can be considered as being at all common. The other species range from local to rare.

No trees within and on the Site boundary were found to have bat roost potential. The hedgerows and trees bordering the site are likely to be used for foraging and commuting by bats. Previous bat surveys carried out on Cranbrook Villa in 2015 and 2016 recorded common and soprano pipistrelles,

Myotis sp. and Long-eared species using boundary habitats for commuting and foraging. The surveys recorded mainly low to moderate activity levels.

Impacts on bats will be limited to the increase of lighting on the Site. Some species of bat particularly Long-eared sp. are sensitive to increased light levels and therefore I recommend that no unnecessary external lighting is installed. Any lighting that is deemed necessary should be low level, directional and of a low lux level.

Reptiles

Records of reptile species are present within 2km of the Site, the nearest records for Slow-worm, Common Lizard and Grass snake are approximately 1km, 1.8km and 4.5km respectively.

The habitats within the Site boundary are considered to have high potential to support the more common and widespread species of reptile. The tussock grassland and scrub edge habitats provide ideal basking and foraging habitats for these species, in addition log piles and tussock bases provide natural refuges for reptiles in addition to hibernation opportunities. However, further phase 2 surveys for reptiles were carried out on the Site in 2015 with no reptiles found. The suitability of the habitat for reptiles has not changed since the previous surveys. During the Phase 1 survey a visual search for reptiles was carried out and none were seen. It is considered likely that reptiles are still absent from the Site.

Amphibians

There are records of common toad within 2km of the Site boundary. In addition previous surveys for the presence or likely absence of reptiles recorded common frog and smooth newt within the Site boundary. There are no records for great crested newts.

Habitats within the Site boundary are considered to be suitable for terrestrial amphibians and during the previous ecological surveys on Cranbrook Villa it was noted that there are seven ponds within 500m of the Site boundary. The three ponds that are closest for the Site we assessed for their suitability to support great crested newts and these were found to score poor and below average on the Habitat Suitability Index (HSI).

Whilst the habitats within the Site boundary are suitable for great crested newts the surrounding landscape does not provide the more optimal patchwork of habitats that this species tends to be found within. Notwithstanding this the previous ecological work carried out in relation to works at Cranbrook Villa included a rapid risk assessment using the tool within the Natural England mitigation licence template (wmla142_tcm6-4103), which gave the result "GREEN – OFFENCE HIGHLY UNLIKELY" (CC Ecology Ltd, 2016). It is considered unlikely that great crested newts are present within the area and therefore no impacts on this species are anticipated.

Badgers

No evidence was found of badgers using the site, however there was an animal track leading across the ditch into the bramble scrub to the south of the site. Investigation of this scrub was hampered by its density, however no positive evidence of badgers was found.

Nesting Birds

The hedgerows, trees and scrub surrounding the site are suitable for use by nesting birds.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and therefore I recommend the clearance of any vegetation over 50cm in height is undertaken outside the

nesting bird season (September-February inclusive), if this is not possible an ecologist should be present to search through vegetation prior to removal.

Ideally the hedgerows surrounding the site should be retained. However, if potential nesting bird habitat is removed as part of the scheme I would recommend the replacement of nesting opportunities, either through the planting of native shrubs or the installation of bird boxes on the buildings and trees.

Impacts on Statutory Protected Sites

The Development Site is located approximately 411m away from the boundary of the Chichester and Langstone Harbours Special Protection Area (SPA) at its closest point. The SPA is also classified as a RAMSAR Site and is underpinned by the Chichester Site of Special Scientific Interest (SSSI) to the east of Hayling Island and the Langstone Harbour SSSI to the west of Hayling Island. The Havant Borough Local Plan Core Strategy (<https://www.havant.gov.uk/sites/default/files/documents/ADOPTED%20CORE%20STRATEGY%20.pdf>, accessed 24/05/2018), adopted by Havant Borough Council in 2011, includes a number of core strategies (CS) relating to the planning environment around Havant Borough. CS11 'Protecting and Enhancing the Special Environment and Heritage of Havant Borough' is a policy framework in part to ensure that new development complies with the Habitat Regulations (the Conservation of Habitats and Species Regulations 2010, as amended). In addition, the draft Havant Borough Local Plan 2036 (which is currently in consultation and will supersede the existing Core Strategy and Adopted Allocations Plan) includes policy E16: Solent Special Protection Area which states "*Planning permission will be granted for residential development resulting in a net increase in population that mitigates a likely significant effect on Solent SPAs*". Havant Borough Council is working with other LPA's along the Solent coast as part of the Solent Recreation and Mitigation Partnership.

Due to the distance and the existing residential areas located between the development site and the SPA/Ramsar Site, it is not likely that there would be any likely significant effects on the designated sites as a result of disturbance or pollution during construction. However, new residential developments result in an increase in the local human population, which could affect the designated sites through an increase in recreational disturbance. Mitigation of this population increase can be carried out by Havant Borough Council through a contribution of £181 per dwelling to the Strategic Access Management and Monitoring plan (April 2017-April 2018).

Summary and Recommendations

Having completed an Extended Phase 1 Habitat Survey of the site at Land to the Rear of Cranbrook Villa, none of the habitats within the Site boundary are considered to have any intrinsic nature conservation value. Although it is recommended that any enhancements include the re-planting of fruit trees within an area to compensate for the previous clearance of this habitat.

No further protected species surveys are considered necessary as the habitats and surrounding landscape has not changed significantly since previous surveys in 2015 and 2016 where no protected species were recorded and others were scoped out.

Hedgerows and woody habitats within the Site have the potential to support nesting birds, these are mostly located on the boundaries and it is recommended that these are retained. If any vegetation with the potential to support nesting birds needs to be removed this should be undertaken outside of the nesting bird season.

Due to the proximity of the Site to Chichester and Langstone Harbour SPA it is likely that the increase in dwellings within this area will have a negative impact on the integrity of the SPA alone and in combination with other plans or projects. If approved, it will be necessary to make a contribution to the Habitats Regulations Mitigation Package to offset the impacts that increased recreational pressures will have on the SPA.

The *National Planning Policy Framework (NPPF)* states that Plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests'. For Land to the Rear of Cranbrook Villa I recommend undertaking the following enhancements where possible:

- Re-planting an area with fruit trees to compensate for the loss of a previous habitat;
- Seeding areas with a wildflower seed mix; and
- Installing bird boxes on buildings and trees.

I trust the advice within this letter is clear and helpful, but should you wish to discuss any of the issues raised in this letter further please do not hesitate to contact me.

Yours sincerely

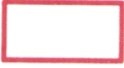
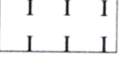
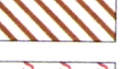
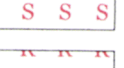
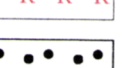


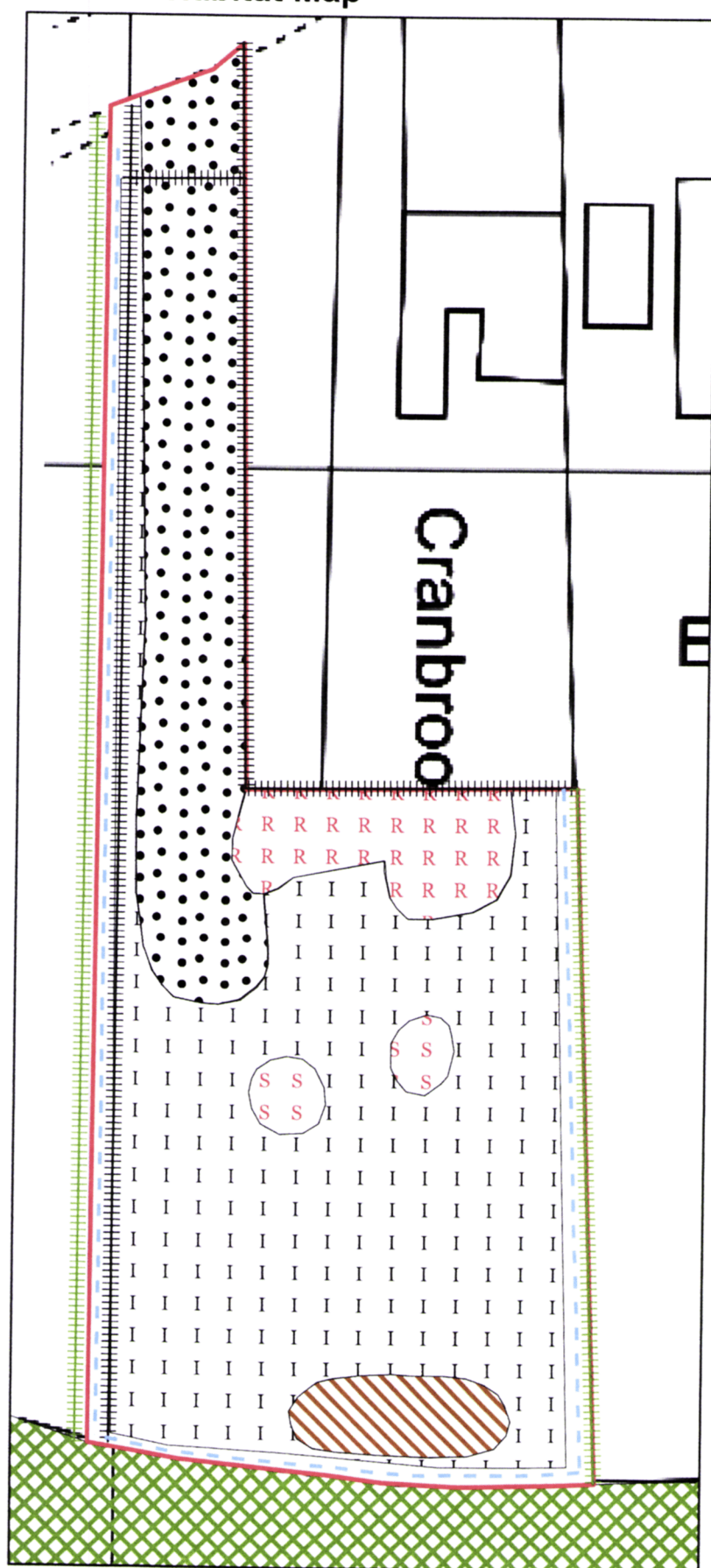
Claire Clarke BSc (Hons) ACIEEM
Director and Principal Ecologist

Land to the Rear of Cranbrook Villa

Phase 1 Habitat Map

Legend

-  Site Boundary
-  J2.3.2 Species-poor hedge and trees
-  J2.4 Fence
-  J2.6 Dry ditch
-  A2.1 Dense/Continuous Scrub
-  B4 Improved Grassland
-  C3.1 Tall Ruderals
-  I2.2 Spoil
-  I2.4 Refuse Tip
-  J4 Bare Ground



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LEGISLATION**CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010**

The Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations) transpose Habitats Directive into UK legislation. The Habitats Regulations provide for the designation and protection of European Sites and European Protected Species. European Sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), which form part of the Natura 2000 network of protected areas across Europe.

European Protected Species (EPS) are those listed under Schedule 2 of the Habitats Regulations and include dormouse, great crested newt, otter and all species of bat. The regulations prohibit the deliberate capture, killing or disturbance of any EPS; it is also an offence to damage or destroy a breeding site or resting place of any of these species. In order to carry out a lawful operation (e.g. development work which has full planning permission) that may result in an offence under the Habitats Regulations, it is necessary to obtain a licence from Natural England. EPS Licences will only be granted after Natural England has been satisfied that there are no satisfactory alternative and that there will not be any adverse impacts on the favourable conservation status of the species.

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside Act 1981 is the principle piece of legislative protection of wildlife in Great Britain. Various amendments have occurred since the original enactment. The Wildlife and Countryside Act contains both habitat and species protection. Certain bird, animal and plant species are afforded protection under Schedules 1, 5 and 8 of the Act. Measures for the protection of the countryside, National Parks, Sites of Special Scientific Interest (SSSIs) are also included within the Act.

COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

The Countryside and Rights of Way (CROW) Act 2000 adds to the protection afforded in the WCA to SSSI's and other important sites for nature conservation. In addition, under the Act it became a criminal offence to "recklessly disturb" Schedule 1 nesting birds and species protected under Schedule 5 of the Wildlife and Countryside Act. It also enabled heavier penalties on the conviction of wildlife offences.

THE NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

The Natural Environment and Rural Communities (NERC) Act 2006 improved wildlife protection by amending the WCA. The main function of the NERC Act was to raise the profile of biodiversity amongst public authorities. Section 40 (S40) of the Act places a 'Biodiversity Duty' on all public bodies to have regard to the conservation of biodiversity when carrying out their normal functions.

PLANNING POLICY

NATIONAL LEVEL - THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. Section 11 of the NPPF provides guidance on conserving and enhancing the natural environment through the planning system. This guidance replaces *Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation*. Section 11 of the NPPF specifies that the planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

To minimize impacts on biodiversity, planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries;
- identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; and
- where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm 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;

- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- development proposals where the primary objective is to conserve and enhance biodiversity should be permitted
- opportunities to incorporate biodiversity in and around developments should be encouraged
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
 - potential Special Protection Areas and possible Special Areas of Conservation;
 - Listed or proposed Ramsar sites; and
 - Sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

GOVERNMENT CIRCULAR 06/05: BIODIVERSITY AND GEOLOGICAL CONSERVATION

The Government Circular 06/05 provide guidance on the application of the law relating to planning and nature conservation. It was originally produced to accompany PPS9, and although some of the information contained within it is now out of date, paragraphs 98 and 99 of the document remain relevant.

Paragraph 98 states that *"the presence of protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitats"*

Paragraph 99 states that *"it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted"*

REGIONAL PLANNING POLICY

The Regional Spatial Strategy (RSS) for the south east (known as the South East Plan) sets out the long term spatial planning strategy for the region. The South East Plan was however revoked in

March 2013 and as such guidance in the NPPF provides the strategic framework for land use planning in Surrey, together with local plans.

PHASE 1 SURVEY METHODOLOGY

An ecological appraisal is essentially a Phase 1 survey which aims to:

- Highlight any features of particular ecological value;
- Identify potential impacts to ecology as a result of the proposals;
- Identify any issues that may have legal or planning policy implications, such as the presence of protected or notable species;
- Identify any features that have the potential to significantly constrain future development proposals;
- Make recommendations for any further ecological work (such as targeted protected species surveys) that might be required to fully assess the value of the site and the likely impacts; and
- To recommend measures that could be undertaken to enhance biodiversity or to mitigate adverse impacts.

Desk Study

Prior to undertaking the walk over survey a desk study was carried out in order to gather information on the existing biodiversity of the site and the surrounding area. Internet sources such as the Multi-agency Geographic Information for the Countryside (MAGIC) and the National Biodiversity Network (NBN) were consulted for contextual information on wildlife sites and records of protected species within vicinity to the site.

FIELDWORK METHODOLOGY

Within the site boundary the main land use, habitat types and specific features were mapped and described. Vegetation communities and plant species were recorded. Consideration was given for the presence of protected species though a combination of searching for evidence and noting the potential for protected species to be using various habitats within the site boundary and the zone of influence.

Badgers

The habitat within and immediately adjacent to the site boundary was considered for its potential to support badgers both for foraging and the presence of setts. The site was also searched for evidence of badgers such as holes, dung piles, snuffle holes, mammal tracks and hairs.

Bats

During the survey features such as buildings and trees were assessed for their potential to support roosting bats. Where possible an inspection of potential roost features was undertaken. Buildings are inspected internally and externally for evidence that bats may be using or have previously used the building for roosting. Such evidence may include:

- The presence of bats;
- Bat droppings on surfaces inside and on the external fabric of the building; or
- Staining or scratch marks.

Potential roosting opportunities are also noted and an assessment made on the building's potential to support bats.

A survey of the trees noted any potential roost opportunities such as woodpecker holes, peeling bark, splits and cracks.

Inspection of potential roosting opportunities on both the building and trees was undertaken using close focusing binoculars and a bright torch to search cavities.

An assessment of the surrounding habitats was made of potential bat foraging habitat.

Reptiles

The habitats were assessed for their suitability to support species of reptile. Habitats with the potential to support reptiles such as rough grassland, log piles, compost heaps, scrub, banks, burrows, water bodies etc were noted and mapped.

A visual search for reptiles was undertaken by walking over the site and watching potential reptile basking spots, natural refugia such as logs and any garden refuge were also turned over.

Amphibians

Consideration was given to the presence of habitats with the potential to support species of amphibians. Habitats with the potential to support amphibians include ponds, ditches, woodland, scrub etc.

Birds

The suitability of the habitats was assessed for their potential to support nesting birds. Any birds seen whilst carrying out the survey were recorded.

Dormouse

The suitability of habitats within the site boundary and the zone of influence for supporting dormice was recorded during the survey. Woodland and hedgerows were assessed, in particular the presence of hazel, oak and fruit bearing species was noted. In addition aerial maps were consulted to assess the connectivity of the habitats present.

Invertebrates

Habitats and features likely to support notable species of invertebrate were recorded for example woodland, dead wood, herb rich grasslands etc.



Access road



Southern end of Site



Southern boundary ditch



Ruderal and rank grassland habitat
looking back towards Cranbrook Villa

