

Abbas Ecology

Report to discharge Condition 17 of planning permission at:

Hayling Billy Pub, 117 Elm Grove, Hayling Island, PO11
9ED

For: McCarthy & Stone Retirement Lifestyles Ltd.

**Report
prepared by:** Richard Bates, GradCIEEM, BSc(Hons).

January 2017

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01 OF 02

01: McCarthy & Stone Retirement Lifestyles Ltd.
02: Abbas Ecology

*This report is the responsibility of Abbas Ecology Ltd.
It should be noted, that whilst every effort is made to meet the client's brief,
no site investigation can ensure complete assessment
or prediction of the natural environment*

	Name	Date	Signature
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Reference Number: AE/3420

Executive Summary

Planning permission was granted under ref: APP/16/00568 in December 2016 for the construction of a 33 bedroom retirement home at the site of Hayling Billy Pub, 117 Elm Grove, Hayling Island. This permission was granted, subject to conditions, following the submission of a detailed planning application that included the results of a Phase 1 habitat survey. The results of this survey are available in the document 3420 – *Extended Phase 1 report, Hayling Billy Pub, 117 Elm Grove*.

Condition 17 of the above planning permission requires the submission of a report detailing ecological enhancements for the site. Those details are covered in this report.

I. Scope

Site

The site consists of a commercial pub comprising a two storey building with a large, flat roof, single storey extension. The building also has a wooden lean-to structure used as a smoking shelter and a wooden framed open structure used as a car port. A large area of hard standing used as a car park, areas of amenity grassland, ornamental plantings, a line of trees and a small patch of scrub are also present. The site is located in Gable Head, Hayling Island and is surrounded by residential and commercial properties. In the wider landscape, the settlements of Eastoke, South Hayling and West Town form a continuous urban development to the east, south and west of the site. The landscape north of the site is a mixture of localized urban developments, agricultural land and golf courses. The site is located close to the centre of Hayling Island. The waters of the English Channel surround the island, approximately 800m from the site at the closest point.

Plan

The proposals for this site include the construction of a 33 bedroom retirement home.



2. Condition 17

The following condition was included in the planning permission for this site:

No aboveground construction works shall take place until a scheme of enhanced ecological mitigation measures for the site has been submitted to and approved by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological protection and enhancement in accordance with the Natural Environment & Rural Communities (NERC) Act 2006 and Policy CS11 of the Havant Borough Core Strategy March 2011

3. Ecological enhancements

Bats

The proposed development will include one Schwegler IFR bat tube installed into the southern aspect of the building. This location is well situated to provide the maximum warmth from the sun and is close to nearby linear features on the southern boundary. It is also adjacent to the potential foraging areas of amenity grassland. These factors should increase the likelihood of the tube being discovered and adopted by foraging bats, providing suitable roosting opportunities on a site that otherwise has negligible potential.

Figure 3: Proposed location of Schwegler IFR bat tube

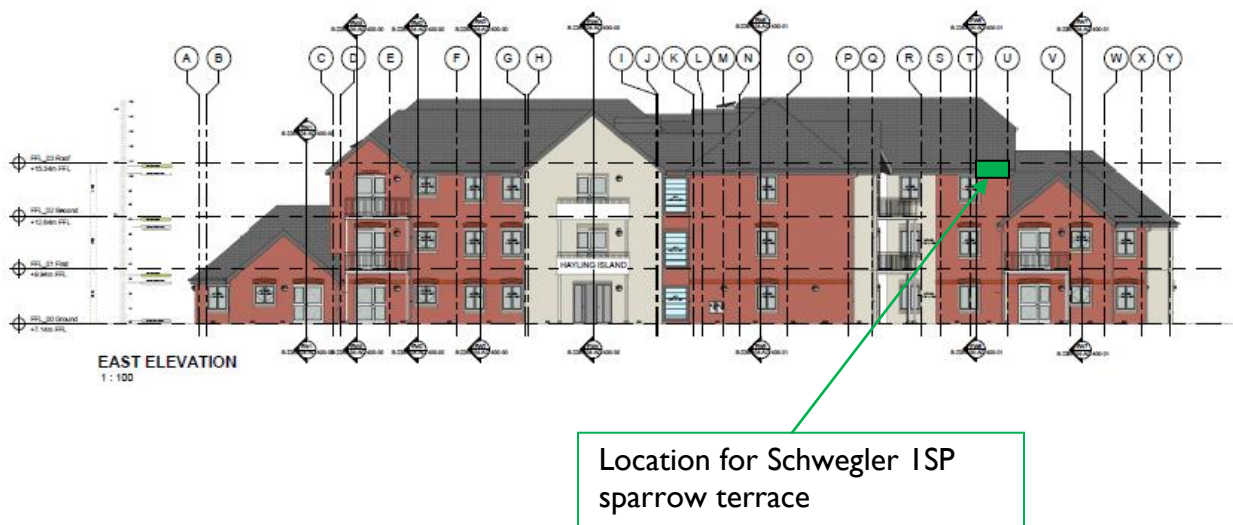


Birds

The site will be enhanced with the addition of a Schwegler IB nest box on one of the scattered trees to be retained in the amenity grassland area on the eastern boundary. This bird box will provide will provide good nesting opportunities and nearby foraging opportunities for a number of common garden species such as Great, Blue, Marsh, Coal and Crested Tit, Nuthatch and House Sparrows.



One Schwegler ISP sparrow terrace will also be installed beneath the eaves on the eastern aspect of the building. This terrace is well positioned to provide a nesting site for this UK Biodiversity Action Plan species.



Appendix I: Legislation (summary)

Wildlife Protection legislation

Mammals:

Otters, dormice, water voles, and all bat species are fully protected under section 9 (5) of the Wildlife and Countryside Act 1981 (as amended). According to this act it is an offence to:

- Intentionally capture, kill or injure one of these animals
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used by one of these animals for shelter or protection
- Intentionally or recklessly disturb an animal whilst it is using this place
- sell, offer for sale or advertise for one of these animals live or dead

Designated as European Protected Species' **otters, dormice, and all bat species** receive additional protection from the Conservation of Habitats and Species Regulations 2010, under Schedule 2 which implements the EC Directive 92/43/EEC in the United Kingdom. In accordance with this act, it is an offence to:

- Deliberately capture or kill a European Protected Species
- Deliberately disturb a European Protected Species
- Damage or destroy the breeding site or resting place of a European Protected Species

The **greater and lesser horseshoe bats, barbastelle and bechstein's bats**, are also listed under Schedule 2 of the Conservation of Habitats and Species Regulations. Areas which support populations of these species can therefore be considered for designation as a Special Areas of Conservation (**SACs**).

Birds:

Please Note: All breeding birds and their nests are protected under the general protection of Section 1 of the Wildlife and Countryside Act, 1981 as amended. This makes it an offence to disturb breeding birds.

Reptiles and Amphibians:

Slow worms, adders, grass snake, viviparous lizard, are protected against intentional killing, injuring or sale under section 9 (1) of the Wildlife and Countryside Act 1981 (as amended).

Great crested newt, natterjack toad, sand lizard and smooth snake are fully protected under section 9 (5) of the Wildlife and Countryside Act 1981 (as amended). These species also receive additional protection as **European Protected Species** under schedule 2 of the Conservation of Habitats and Species Regulations 2010, which implements the EC Directive 92/43/EEC in the United Kingdom.

Badgers receive protection from the Protection of Badgers Act 1992. According to this act, it is an offence to:

- to willfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or

- to intentionally or recklessly interfere with a sett.

Biodiversity and Geological Conservation - statutory obligations and their impact within the planning system, Part IV Conservation of Species Protected by Law, (Circular 06/05).

The National Planning Framework (NPPF, 2012) recognizes the above as an active document. With regard to the Natural Environment, NPPF states:

“development proposals where the primary objective is to conserve or enhance biodiversity should be permitted” and “opportunities to incorporate biodiversity in and around developments should be encouraged” (Para 118).

Also, the “presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined” (Para 119).

It encourages planning policies to “minimise impacts on biodiversity and geodiversity by identify[ing] and map[ing] 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” (Para 117).