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Ecological Impact Assessment

Seacourt Tennis Club Ltd
20 Victoria Avenue, Hayling Island, PO11 9AJ

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1. Executive Summary

Site Details
Seacourt Tennis Club Ltd, 20 Victoria Avenue, Hayling Island, PO11 9AJ (OS Grid Reference: SZ 71728 98949)
Scope of Works
Imprint Ecology was commissioned to undertake an Ecological Impact Assessment at Seacourt Tennis Club which is required to inform a planning proposal for the installation of fencing and lights to form two padel tennis courts.
Key Ecological Constraints
Legal protection is afforded to designated sites, habitats and species. The legislation, and the habitats and species listed, vary between the different jurisdictions.
Results
- The site has suitability to support occasional foraging and commuting bats, low numbers of common reptile, foraging, commuting and sheltering hedgehogs, and common garden birds. - No other protected species surveys have been recommended.
Mitigation
- Due to the nature of the site and the proposals, no further surveys are required, and precautionary mitigation measures will suffice. - The effects of Artificial Lighting At Night (ALAN) have been considered and mitigation measures for the proposed lighting scheme have been recommended which will keep light spill to a minimum. - The combined loss of modified grassland and ornamental shrub habitat will result in a minor net loss in biodiversity value. Compensation measures have subsequently been recommended to enhance the site.
Recommendations for Biodiversity Net Gain
- Enhancements for bats on site with bat boxes. - Enhancements for birds on site with bird boxes. - Planting suggestions to encourage local wildlife including reptiles, hedgehogs, nesting birds, and invertebrates.

2. Introduction

2.1 Background and Proposed Development

Imprint Ecology was commissioned by Seacourt Tennis Club Ltd to undertake an Ecological Impact Assessment at Seacourt, 20 Victoria Avenue, Hayling Island, PO11 9AJ (OS Grid Reference: SZ 71728 98949), hereafter referred to as 'the site'. The proposals comprise the installation of fencing and lights to form two padel tennis courts.

2.2 Experience of Ecologists

Emily Sabin BSc (Hons) (Wildlife Conservation) AMRSB, Accredited Agent under Natural England WML-CL18 Level 2 Bat Licence 2018-34434. She is an ecologist with four years' experience in ecological consultancy and a background in conservation research. She is experienced in carrying out a range of protected species surveys, is a Sussex Bat Group bat carer, and is also the Water Vole Officer at the People's Trust for Endangered Species.

2.3 Purpose of the Report

This report contains the findings of an ecological assessment of the building and surrounding habitat. It seeks to identify potential ecological constraints that the proposals may have upon bats or other protected species and provides recommendations for further survey, impact avoidance, mitigation and enhancements where required.

This report is valid for a maximum of 12 months from the date of issue. Should the proposals or site alter in any way, an ecologist should be consulted to re-inspect the site and confirm that this report is still accurate.

2.4 Site Description

The site is located in South Hayling. The impact zone proposed with new lighting, fencing and two padel tennis courts is located in the western zone of Seacourt Tennis Club. Habitats on site comprise modified grassland, sealed and unsealed surfaces, scattered small trees and ornamental shrubs. The surrounding environ is typified by semi-rural residential houses and gardens. See Figure 1 for the site location and Figure 2 for an aerial view of the site.

Figure 1 - Site location - ©OpenStreetMap contributors 2023.

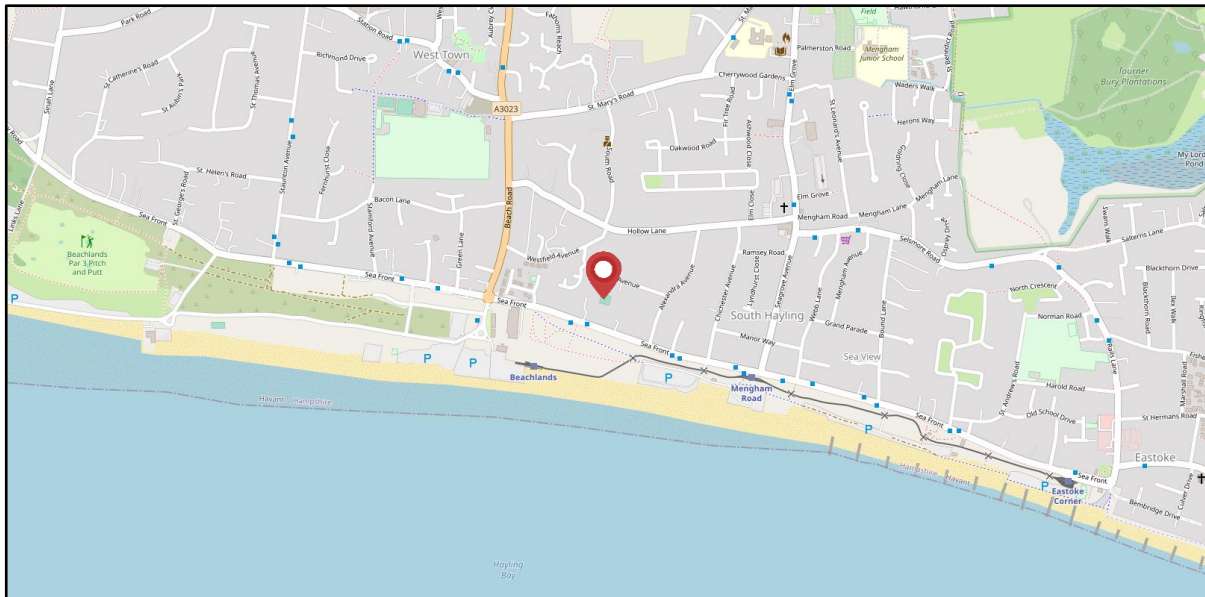


Figure 2 - Aerial image showing the tennis club and the proposal area indicated in red. Source: Google Earth (2023)



3. Methods

3.1 Desk Study

A desk study was undertaken to obtain ecological information about the site in context within the surrounding area. The Multi-Agency Geographic Information for the Countryside (MAGIC) website was accessed on 13th September 2023 to identify local statutory designated sites, priority habitats and European Protected Species Licences (EPSLs). The Havant Borough Council interactive map was used to find non-statutory designated sites.

Satellite imagery from Google Earth, MAGIC and Ordnance Survey maps were used to understand the site's connections to surrounding countryside.

3.2 Site Assessment

The site assessment walkover survey was carried out on 13th September 2023. The weather conditions were as follows: dry; 18oC; wind speed 0 (Beaufort scale); 10% cloud cover.

The survey was carried out during the optimal time of year. Due to the field survey consisting of only one site visit, certain species, particularly flowering plants, may not have been visible or may have been inconspicuous at the time of the survey and hence overlooked. These constraints are accepted when associated with the standard survey methodology.

The survey followed the UK Habitat Classification (UKHab) system. This classification system integrates with the Phase 1 habitat survey classification which has been the prominent mapping system for ecologists until recently. UKHab also integrates NVC, European Nature Information System (EUNIS) and Farm Environment Plan (FEP). The UKHab is also the classification system for in Natural England's Biodiversity Metric 3.0 and thus, is used to determine biodiversity net loss/gain resulting from a development. The Site is mapped using the fine-scale minimum mapping unit (MMU) 25m², 5m length, as detailed survey effort is deemed necessary for the planning application.

3.3 Ecological Impact Assessment

The methodology for Ecological Impact Assessment (EcIA) follows best practice guidelines set by the Chartered Institute of Ecology & Environmental Management (CIEEM): 'Guidelines for Ecological Impact Assessment' (CIEEM, 2018). This includes identifying the baseline conditions on the site and rating the potential impacts of the development based on the

sensitivity and importance of the ecological resource affected, combined with the magnitude, duration and scale of the impact (or change). This is assessed initially without mitigation measures, and then assessed again after allowing for the proposed mitigation measures, providing the residual impacts. The assessment is separated into construction effects and longer-term effects. Each ecological feature within the site has been considered within a defined geographic context such as:

- International and European
- National
- Regional
- County
- District
- Local
- Site Level
- Negligible

The ecological impacts resulting from the proposals were then outlined according to a defined set of characteristics as defined within 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (CIEEM, 2018). This assessment considers the residual impacts after mitigation measures have been accounted for, highlighting any significant effects. A significant effect is *“an effect which either supports or undermines biodiversity conservation objectives for ‘important ecological features’ or for biodiversity in general”*.

4. Baseline Ecological Results

4.1 Desk Study

4.1.1 Statutory/non-statutory designated sites and protected/priority habitats

The site lies within the Impact Risk Zones for a number of Sites of Special Scientific Interest (SSSI). However, the number of units is not being increased, the proposals do not require consultation with Natural England nor contribution to the Bird Aware Scheme and do not need to demonstrate nutrient neutrality. More details of designated sites are presented in Table 3.

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

Site	Designations	Proximity to site	Reasons for designations
Sinah Common	SSSI	75m S	Sinah Common SSSI comprises a complex of maritime habitats which extend for over 2km eastwards from the south-western extremity of Hayling Island, Hampshire. Gunner Point at the western end contains the most extensive sand dunes and vegetated shingle beach in Hampshire. This part of the site supports shingle beach vegetation and grassland, dune heath, dune grassland, saltmarsh and open water communities. The site is also notified for the chiding pink <i>Petrorhagia nauteuillii</i> an endangered* plant which occurs at just two sites in Britain.
Solent Maritime	Special Area of Conservation (SAC)	326m S	A large, sheltered estuarine habitat with extensive mudflats, saltmarshes, sand dunes, shingle and sea grass, and grazing marsh supporting an assemblage of internationally-important migratory breeding bird species. The only site for smooth cord-grass <i>Spartina alterniflora</i> in the UK.
Chichester and Langstone Harbours and Chichester Harbour	Special Protection Area (SPA); Ramsar; SSSI; AONB	1.2km E	Chichester Harbour holds various national and international designations associated with the conservation of coastal habitats and wildlife, including a rich assemblage of wintering birds. The site falls within the 5.6 km zone of influence for Chichester and Langstone Harbours Special Protection Area (SPA). It is therefore subject to the provisions of the Conservation of Habitats

			and Species Regulations 2017 (as amended), along with relevant provisions within Policy 50 of Chichester District Council Adopted Chichester Local Plan: Key Policies 2014-2029.
Hayling Billy	LNR	1.2km NW	Hayling Billy is a 42-hectare (100-acre) Local Nature Reserve on Hayling Island supporting rare plants and migratory birds.
Langstone Harbour	SSSI	1.5km NW	This is among the twenty most important intertidal areas in Britain as a summer and autumn assembly ground for waders during the moult (when they require abundant high protein food) and as a post-moult wintering ground. Dunlin <i>Calidris alpina</i> often exceed 30,000 individuals, or 6% of the British winter population, or 3% of the European and North African wintering population. The marshes embrace a variety of habitats – brackish marsh, fresh marsh, a large lagoon with associated reed <i>Phragmites</i> beds, <i>Agrostis stolonifera</i> grassland and scrub.
The Kench	LNR	2.6km W	A small area of inter-tidal mud and saltmarsh within Langstone Harbour. A shallow tidal inlet used by many birds as a feeding area while the tide is out and when it is high the shingle ridge between the inlet and the main harbour is used as a roost by waders.
Gutner Point	LNR	2.8km N	This site has inter-tidal muds, grassland and saltmarsh. Flora includes sea-lavender. Many birds feed on invertebrates in the mud at low tide and rest on foreshore at high tide.
Sandy Point	Local Nature Reserve (LNR)	3.0km E	A sensitive area of rare maritime heathland, sand dunes and grassland grazed in summer by cattle. Some plants found here occur nowhere else in Hampshire and much of the ground is covered in fragile lichens. The site is also important for migrant birds with a rough hedgerow acting as a migration corridor.

SSSI – Site of Special Scientific Interest; AONB – Area of Outstanding Natural Beauty; SPA – Special Protection Area; RAMSAR – The Convention on Wetlands of International Importance; SAC – Special Areas of Conservation.

4.1.2 Non-statutory designated sites

Two non-statutory designated Sites of Nature Conservation Importance SNCI lie within 2km of the site. They are recognised by the National Planning Policy Framework (2021) and as such are material considerations when considering planning applications. Non-statutory designations that lie within a potential zone of influence are displayed in Table 4.

Table 2 - Non-statutory designated sites within 2km.

Site	Proximity to site
Beachlands East	300m S
Selsmore Boating	1.5km E
Mengham Salterns	1.9km NE
Sinah Warren Village Marsh	2.0km W
Gun Site Car Park & Open Space	2.0km W

4.2 Habitats

The proposal site is approximately 700m² and contains frequently mown modified grassland dominated by perennial rye-grass *Lolium perenne*, red fescue *Festuca rubra* and white clover *Trifolium repens* with broadleaf plantain *Plantago major* and common daisy *Bellis perennis*, this habitat is assessed to be of very low ecological value.

The shrubs along the west boundary of the site appeared to be regularly managed and kept at a low height (as seen during the walkover in September 2023). The planting along the northern boundary was dominated by cherry laurel *Prunus laurocerasus* with some dogwood, and semi-mature silver birch trees. Vegetation along the southern boundary was predominantly cherry laurel. A semi-mature cherry tree was present in the south-west corner.

Small patches of tall ruderal are present dominated by stinging nettle *Urtica dioica* as well as ornamental shrubs including lavender *Lavandula angustifolia*, roses *rosa sp.*, rosemary *Rosemarinus officinalis* and fuchsia *Onagraceae*. Individual semi-mature silver birch *Betula pendula* trees were present. These habitats are of low ecological value.

A compost heap was present in the north-west corner of the site mostly containing garden waste and grass cuttings.

Sealed and unsealed surfaces in the form of patio for a seating area and an unsealed surface in the form of a pétanque court is also present. These habitats are of negligible ecological value.

4.3 Species

4.3.1 Amphibians

The grassland, sealed and unsealed surfaces are of negligible value to amphibians. The site is currently absent of suitable aquatic habitat for breeding great crested newts (GCN) and other amphibians.

There were no ponds detected within 500m of the site. It is unlikely that GCN would be present on site. Other amphibians such as common toad *Bufo bufo* may be present in the bordering shrubs. Given the small area of suitable vegetation on site to support amphibians and its isolation from other suitable habitat, the site is not considered of more than site value for amphibians and they are not considered further in this report.

4.3.2 Bats

Two European Protected Species Licences have been granted by Natural England within 1km of the site, allowing the purposeful destruction or disturbance of bat roosts or resting places. These are summarised in Table 5 below.

Table 3: Details of EPSLs within 2km. Source: MAGIC.

Species	Licence number	Proximity to site	Licence start date	Licence end date
Common pipistrelle; Soprano pipistrelle	2017-30243-EPS-MIT	1.4km E	21/07/2017	30/06/2018
Brown long-eared; Common pipistrelle; Soprano pipistrelle	2018-33706-EPS-MIT	1.8km N	13/04/2018	31/03/2019

No potential roost features (PRFs) were found in any of the small trees on the site. There were no artificial bat roosting opportunities e.g. bat boxes on site. The boundary trees and shrubs on site, together with the surrounding suburban gardens, may provide occasional foraging and commuting habitat for bats. The site is isolated from high-quality bat habitat such as ancient woodland, pasture fields and ponds.

Given the small size of the site, the site is considered of no more than of site value for bats.

4.3.3 Reptiles

The modified grassland is frequently mown and has negligible potential to support reptiles. The ornamental shrubs and the compost heap do offer some shelter, commuting foraging opportunities for occasional reptiles, but are not expected to support a viable reptile population. Given the small area of suitable vegetation and isolation from other suitable habitat, the site is not considered to be of more than site value for reptiles.

4.3.4 Hedgehogs

Hedgehogs mainly feed on invertebrates such as earthworms, earwigs and beetles and earthworms. They thrive in a mosaic habitat of grassland, deadwood and hedges/trees. The frequently mown grassland has negligible suitability to support hedgehogs. The ornamental shrub and tall ruderal habitats may support occasional foraging and commuting hedgehogs. The site is considered to be of no more than site value for hedgehogs.

4.3.5 Nesting birds

The grassland has negligible potential to support ground nesting birds due to its size and regular maintenance. The ornamental shrubs and small trees have low suitability for nesting birds. It is not considered that the habitats on site can support a large assemblage of birds. The habitats suitable to support birds on site make up a very small percentage of suitable nesting habitat within the local landscape, therefore the site is considered to be of site value for nesting birds.

4.3.6 Invertebrates

The site offers a nectar resource for invertebrates. However, due to the site's manicured nature and small size, it is highly unlikely that notable species and assemblages rely on it. Overall, the site is assessed to be of site value for invertebrates.

4.3.7 Hazel dormice

Hazel dormice have been recorded in this area but there are no suitable hedge or woodland habitats on site. The shrubs on site are too isolated to support hazel dormice, either foraging, nesting or commuting. Hazel dormice are not considered further in this report.

4.3.8 Badger

The site is not well-connected to suitable woodland habitat and is of negligible value for foraging and commuting badger due to its manicured nature. Badgers are not considered further in this report.

5. Impact Assessment, Mitigation and Enhancements

The proposed development has an opportunity to enhance habitats for bats, birds and insects. Such enhancement measures are in line with the National Planning Policy Framework (NPPF) (2021) and the Havant Local Plan (2011).

Paragraph 179 of the NPPF states that *“To protect and enhance biodiversity and geodiversity, plans should: /... promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

5.1 Designated Sites

Potential Impacts

Potential impacts to designated sites are deemed highly unlikely. There may be short term impacts including minimal levels of dust, fumes and emissions from machinery and higher pollution levels due to construction traffic. The increase in pollution would be minimal if strict mitigation measures are followed. The proposed development will not result in an increase in accommodation or the local population.

Mitigation and Compensation

All construction will be undertaken in accordance with best practice advice with regards to control of dust, noise and emissions. Specific avoidance measures below will be put into place to ensure that the proposals make no impacts beyond site level, to avoid affecting nearby designated sites and protected/priority habitats.

Residual Impacts

The overall impact of this proposal on designated sites will be negligible.

5.2 Habitats

Potential Impacts

In the absence of mitigation, the proposals would increase the dust, noise and light pollution of adjacent garden habitats. These impacts would be no greater than site level.

Mitigation

- All construction will be undertaken in accordance with best practice advice with regards to control of dust, noise and emissions. Any chemicals or fuel will be stored appropriately, fully sealed and kept on existing hard surfaces especially to avoid pollution of the boundary ditch.
- Any ornamental planting lost or damaged during works will be replaced post-construction with species from the RHS [‘Plants for Pollinators’ lists](#).
- Cherry laurel is not restricted to the site and is also present within the wider surroundings not located within the client’s ownership. However, the removal and control of the invasive cherry laurel within the site could provide an enhancement to the wider area allowing native plants to grow. If this is undertaken the cherry laurel roots must be removed too and may need to be chemically treated to be eradicated. Herbicides must be used sparingly during winter dormancy stage to avoid harming other plants. Cherry laurel branches must not be left on site as these can take root.

Enhancement

- Use peat-free compost and harvest rainwater to maintain new planting.
- If new trees are to be planted on site these should be native to England, and selected carefully based on their high value for wildlife. For example:
 - Crab apple *Malus sylvestris*
 - Dog rose *Rosa canina*
 - Dogwood *Cornus sanguinea*
 - Elder *Sambucus nigra*
 - Field maple *Acer campestre*
 - Hawthorn *Crataegus monogyna*
 - Hazel *Corylus avellana*
 - Rowan *Sorbus aucuparia*

- Silver birch *Betula pendula*
- Wild cherry *Prunus avium*

Residual Impact

Once mitigation and enhancements have been taken into account, the resulting impacts of this proposal on habitats will be **positive**.

5.3 Species

5.3.1 Bats

Potential Impacts

It is likely that the boundary vegetation around the site may be used occasionally by low numbers of light-tolerant commuting bats, due to its small size, light spillage from the existing adjacent tennis court floodlights, and isolation from high-quality bat habitat. The addition of new floodlights around the proposed padel courts could have a minor impact on bat flightlines.

The Lighting Technical Report's light spill diagram in Appendix 1 (DFL, August 2023) outlines the maximum adverse scenario, with all the tennis court lighting turned on at the same time as the new padel courts resulting in spillage of up to 10 lux onto the boundary and adjacent suburban garden habitats.

Bats emerge from their roosts and start foraging at dusk. This can be anytime between 30 minutes before sunset, to 2 hours after sunset. Bats are active April to October inclusive. During November to March the floodlighting is expected to have a negligible impact on bats because this is their inactive/hibernation period.

The new lighting from the padel courts should not negatively affect the area for bats following the mitigation measures below.

Mitigation for Bats

- It is recommended that where possible, between the months of May-September, the least amount of court lighting is used at any one time to keep dusk and nighttime Artificial Light At Night (ALAN) and light spill to a minimum. Lighting would not be left on overnight while the courts are not in use.
- As recommended in the Lighting Technical Report (DFL, August 2023) the lighting for each individual padel court should enable users to light single courts as opposed to both courts at the same time if only one court is in use, reducing light spill.
- Artificial Light At Night (ALAN) adversely affects bats, invertebrates and other nocturnal animals (Bat Conservation Trust and the Institute of Lighting Professionals, 2023). ALAN creates a barrier for bats and disturbs their natural foraging and commuting

patterns, and the new padel tennis courts will have a sensitive lighting scheme adopted and the following measures will be taken:

- No exterior lighting, including during construction, will be directed at vegetation, hedgerows or trees.
- Install lighting at the lowest possible height.
- Luminaires will face downwards and mounted horizontally, with no light output above 90° and no upward tilt.
- Security lighting will be set on motion sensors and set to a short timer. For residential purposes, a 1 or 2 minute timer is appropriate.
- All luminaires will lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.
- LED luminaires will be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.

Bollard or low-level downward-directional luminaires will not be installed on site. This is due to a considerable range of issues, such as unacceptable glare, poor illumination efficiency, unacceptable upward light output, increased upward light scatter from surfaces and poor facial recognition which makes them unsuitable for most sites.

- The vegetation around the edge of the padel courts should be enhanced through the planting of a new native hedgerow or large shrubs as a form of natural screening. This would reduce the light intensity around the site while providing opportunities for other wildlife.
- A switch off time of 22:00 allows for a full night of darkness to continue until dawn, when bats travel back from foraging areas to re-enter their roosts. Overnight lighting must be avoided.

Enhancement for Bats

- External bat boxes may be incorporated on site away from disturbance and ALAN areas to improve opportunities for roosting bats. Bat boxes can be installed onto a building or tree, facing south or south-west, 3-5m above ground and receiving sunlight for several hours a day. No artificial lighting will shine on these new bat roosting opportunities. See figures 4-5 for suitable bat box examples.

Figure 4 – ‘Chillon’ Woodstone Bat Box



Figure 5 - ‘Vivara’ Pro Woodstone Bat Box



- Plants with night-time fragrance will attract nocturnal-flying insects such as moths can be planted in the rear garden, including honeysuckle *Lonicera periclymenum*, evening primrose *Oenothera biennis*, cherry pie *Heliotropium arborescens*; sweet rocket *Hesperis matronalis*; and currant bushes *Ribes sp.*.

Residual Impacts

- Once mitigation and enhancements have been taken into account, the residual impacts for bats will be **positive**.

5.3.2 Hedgehogs

Potential impacts

- The construction phase has the potential to disturb or harm hedgehogs.

Mitigation for Hedgehogs

- All holes/excavations left open overnight will be covered or provided with an appropriate safe escape route for small animals to escape from, such as a gently sloping, solid wooden ramp with a rough surface.
- Open pipework must be checked they are empty and then closed off at the end of each working day.

Enhancement for Hedgehogs

- A solid wooden hedgehog house can be installed on site in a quiet corner, within the shrub boundaries outside of the new padel tennis courts (See Figure 6).
- The small patches of scrub around the edges of the new padel tennis courts will be maintained to provide more sheltered and foraging areas for hedgehogs.

Figure 6 - Solid wooden hedgehog house



5.3.3 Invertebrates

Potential Impacts

- The loss of grassland and ornamental shrubs will result in a non-significant reduction of a nectar resource.

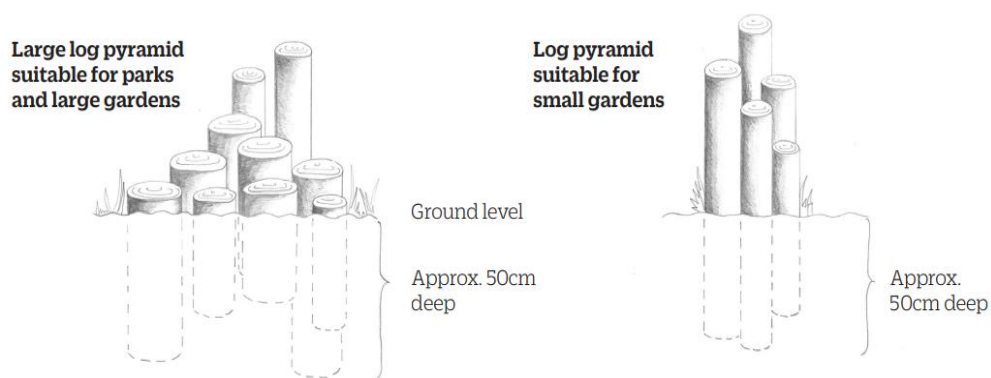
Mitigation for Invertebrates

- Plants that are toxic to insects must be avoided and avoidance of pesticides will be considered across the site.
- Log piles and dead wood will be left in situ on site where possible to support stag beetle larvae.

Enhancements for Invertebrates

- New log piles could be created in a quiet corner with the first layer partially buried to attract a variety of invertebrates. This will attract slow worms, frogs, and toads, who will hibernate beneath the logs. It will also provide important hibernacula for stag beetle larvae. See Figure 7 for a log pile construction idea.

Figure 7 - Log pile/pyramid creation Source: People's Trust for Endangered Species



- New tree and wildflower planting described in Section 5.2 will also benefit invertebrates.

5.3.4 Nesting birds

Potential impacts

- The removal of small shrubs would result in the negligible loss of potential bird nesting habitat.

Mitigation for Birds

- Any clearance of vegetation will be carried out outside of the nesting bird season (1st March - 31st August). If vegetation clearance is proposed within the nesting bird season, the shrubs must be first checked for presence of bird nests immediately prior to works starting. If a nest is found, it will be left alone and a 5m buffer will be in place until the young have fledged.

Enhancement for Birds

- Bird boxes may be installed on site facing north/north-east, avoiding direct sunlight and prevailing winds. An 'open' front box suitable for robins and wrens could be installed within sheltering vegetation or a hedgerow on site. See Figures 8-9 for suitable examples.

Figure 8: Vivara Pro Woodstone Bird Box



Figure 9: Vivara Pro Woodstone Open Fronted Bird Box



5.3.5 Reptiles

Potential impacts

Clearance of vegetation during the construction phase has potential to harm or kill reptiles.

Mitigation for reptiles

- The areas of modified grassland will continue to be kept short and maintained at 10cm high (or less) prior to works, to discourage any reptiles from these areas.
- Cuts of shrub areas should be carried out in two phases to carefully avoid wildlife which may be sheltering in the long grass. On the first day, grass should be cut to a minimum of 30cm between November and March when any protected species, e.g., reptiles, would be in hibernation or below ground. 24- 48 hours later, the final cut can take place. This staggered cut avoids killing and injuring small animals such as hedgehogs, and gives them a chance to escape.
- Vegetation should be cut directionally in the above method from the centre towards the edges of the site allowing reptiles and other small animals to move away safely.
- Removal of the compost heap if it is required will be carried out carefully by hand to avoid harming any reptiles that may be basking, sheltering or hibernating within it.

Enhancement for Reptiles

- Reptile hibernaculum (such as log or brash piles – see Section 9 (p.45) of the [Reptile Habitat Management Handbook](#)) could be created in scrub or in a wild corner to create forage, shelter and hibernation opportunities for reptiles.

6. Conclusion

Overall, the proposals are considered to have a negligible impact upon ecology and no further surveys are recommended.

Precautionary mitigation measures have been set for wildlife on site to ensure they are protected during the construction phase and conserved long term. When mitigation measures have been taken into account, it is highly unlikely that the proposals will have an impact on any designated sites or protected/priority habitats.

When ecological enhancements are implemented, the proposals would result in a positive biodiversity net gain providing new habitat opportunities for bats, reptiles, nesting birds, hedgehogs and invertebrates. The proposals therefore accord with relevant legislation and local and national planning policies.

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Appendix 1: Site Photographs

Photo 1 – Existing pétanque court. View looking west.



Photo 2 – Stands of cherry laurel on southern boundary.



Photo 3 – View looking east along the southern boundary.



Photo 4 – View looking west away from the construction impact zone.



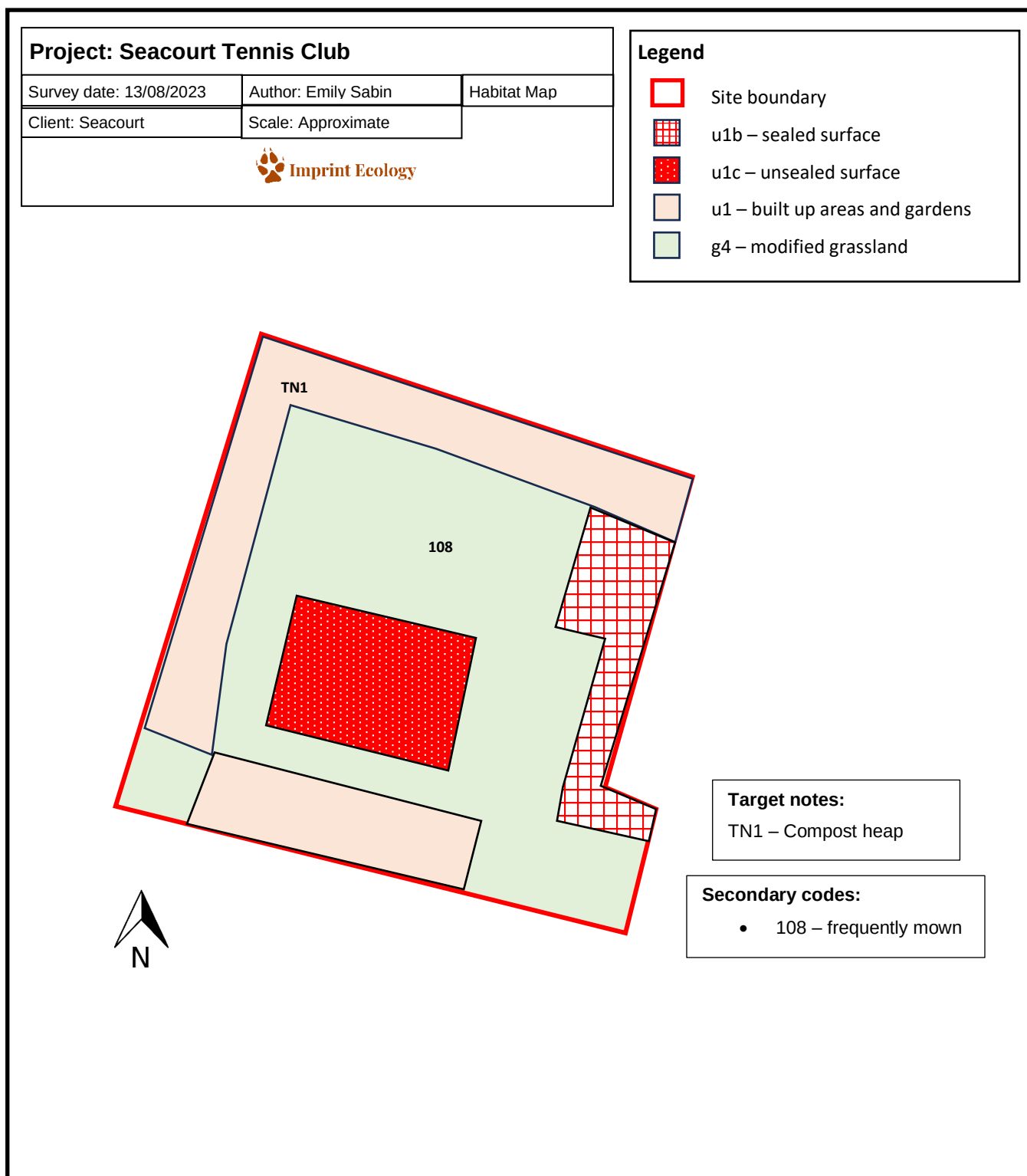
Photo 5 – North boundary.



Photo 6 – Modified grassland looking towards northern boundary.



Appendix 2: Existing Site Habitat Map



Appendix 3: Plant Species List

Species recorded on site during the preliminary ecological survey.

Flowering plants

Scientific name	Common name
<i>Achillea millefolium</i>	Yarrow
<i>Anthriscus sylvestris</i>	Cow parsley
<i>Bellis perennis</i>	Daisy
<i>Centaurea nigra</i>	Common knapweed
<i>Cirsium vulgare</i>	Spear thistle
<i>Holcus lanatus</i>	Yorkshire fog
<i>Lolium perenne</i>	Perennial rye-grass
<i>Plantago lanceolata</i>	Ribwort plantain
<i>Ranunculus acris</i>	Meadow buttercup
<i>Rubus fruticosus</i> agg.	Bramble
<i>Rumex obtusifolius</i>	Broadleaved dock
<i>Taraxacum officinale</i>	Dandelion
<i>Rosemarinus officinalis</i>	Rosemary
<i>Rosa</i> sp.	Rose
<i>Onagraceae</i>	Fushica
<i>Lavandula angustifolia</i>	Lavendar
<i>Urtica dioica</i>	Stinging nettle

Trees and shrubs

Scientific name	Common name
<i>Betula pendula</i>	Silver birch
<i>Cornus sanguinea</i>	Dog wood
<i>Buddleia davidii</i>	Buddleia
<i>Quercus robur</i>	Pedunculate oak
<i>Prunus laurocerasus</i>	Cherry laurel
<i>Prunus spinosa</i>	Blackthorn
<i>Sambucus nigra</i>	Elder

Appendix 4: Planning Policy

The latest National Planning Policy Framework (NPPF) (Defra, 2022) was published in July 2021. The National Planning Policy Framework (2021) outlines the government's responsibility to minimise adverse impacts on biodiversity and bestow biodiversity net gains where possible.

Paragraphs of relevance within the NPPF include: Paragraph 174 of the NPPF states that *“Planning policies and decisions should contribute to and enhance the natural and local environment by:/... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”*

Paragraph 179 of the NPPF states that *“To protect and enhance biodiversity and geodiversity, plans should:/... promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

Paragraph 180 of the NPPF states that “When determining planning applications, local planning authorities should apply the following principles:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons¹ and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure*

measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

The NPPF is also complemented by the Circular 06/2005: Biodiversity and Geographical Conservation – Statutory Obligations and Their Impacts Within The Planning System (Office of the Deputy Prime Minister, 2005). 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, otherwise all relevant material considerations may not have been addressed in making the decision.*”

Appendix 5: Legislation of Relevant Species/Habitats

The following legislation is relevant to survey findings and is only a summary.

Statutory Designated Sites

Designation	Relevant legislation
SSSI (Site of Special Scientific Interest)	Wildlife and Countryside Act 1981 (as amended)
SPA (Special Protection Area)	Conservation of Habitats and Species Regulations 2017 (as amended)
SAC (Special Areas for Conservation)	Conservation of Habitats and Species Regulations 2017 (as amended)
Ancient Woodland	National Planning Policy Framework (2021)
Habitats of Principal Importance	Section 41 of the NERC Act 2006 and National Planning Policy Framework (2021)

Protected/Priority Species and Habitats of Principal Importance

Bats

All UK bats are European Protected Species. All British bat species are defined in UK law as 'Protected Species' under Schedule 2 of the Conservation of Habitats and Species Regulations, 2017 (as amended). All bat species in England are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), which confers additional protection under Section 9 of the act, and through the Countryside and Rights of Way (CROW) Act, 2000.

All UK bats are listed in Appendix II and III of the Bern Convention. Bats and their habitats are listed in Appendix II of the Bonn Convention. Seven bat species are listed under Section 41 of the NERC Act 2006.

This combined legislation means that it is a criminal offence to:

- Deliberately kill, injure or capture bats
- Deliberately disturb bats, including in particular any disturbance which is likely to impair their ability to survive, to reproduce or to rear or nurture their young, or their ability to

hibernate or migrate, or which is likely to affect significantly their local distribution or abundance

- Damage or destroy a breeding site or resting place of a bat
- Damage or destroy, or obstruct access to, any structure or place which any bat uses for shelter or protection
- Disturb bats while occupying a structure or place used for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts a license may need to be obtained from Natural England which would be subject to appropriate measures to safeguard bats. With suitable approved mitigation, exemptions can be granted from the protection afforded to bats under regulation 39 by means of a European Protected Species Licence (EPSL).

Natural England, for the Secretary of State for the Department for Environment, Food and Rural Affairs (DEFRA) is the appropriate authority for determining license applications for works associated with developments affecting bats. In cases where licenses are required, certain conditions should be met under the Habitats Regulations 2017 (as amended) to satisfy Natural England. These are:

1. Regulation 55(2)(e) states that licenses may be granted to ‘preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
2. Regulation 55(9)(a) states that a license may not be granted unless Natural England is satisfied ‘that there is no satisfactory alternative’.
3. Regulation 55(9)(b) states that a license cannot be issued unless Natural England is satisfied that the action proposed ‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Natural England expects the planning position to be fully resolved as this is necessary to satisfy tests 1 and 2. Full planning permission, if applicable, will need to have been granted and any conditions relating to bats fully discharged. For test 3, Natural England should be satisfied that sufficient survey effort has been carried out and that the impact assessment and proposed mitigation measures (submitted with the license application) are adequate to maintain the species concerned at a favourable conservation status.

Nesting birds

All wild bird species, nests and eggs, are protected under the Wildlife and Countryside Act 1981 (as amended). It is illegal to intentionally kill, injure or take wild birds, damage or destroy their nest while in use or being built, possess, control or transport live/dead wild birds, parts or eggs, or sell or offer them for sale. 79 birds are fully-protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to disturb them and their dependent young while nesting or building nests. Some birds including kingfisher and house sparrow are listed under Section 41 of the NERC Act 2006.

Reptiles

Common reptiles (adder, grass snake, common or viviparous lizard and slow worm) are protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally kill or injure a reptile. Smooth snakes, sand lizards and pool frogs also receive this protection and are designated and protected as European protected species (EPS). EPS are protected under The Conservation of Habitats and Species Regulations 2017. All native reptiles are listed as rare and most threatened species under Section 41 of the Natural Environment and Rural Communities Act (2006). You must have regard for the conservation of Section 41 species as part of your planning decision.

Hedgehogs

Hedgehogs are protected by law under Schedule 6 of the Wildlife and Countryside Act 1981, making it illegal to kill or capture them using certain methods. They are also protected in Britain under the Wild Mammals Protection Act (1996), prohibiting cruelty and mistreatment. They're listed as a Species of Principle Importance in England under the Natural Environment and Rural Communities (NERC) Act 2006 Section 41. These laws make hedgehogs a material consideration for Local Planning Authorities (LPAs) during the planning process.