

Ecological Impact Assessment

53a Station Road, Hayling Island, Hampshire PO11 0EB

Client	Zionstone
Agent	Atlas Planning Group
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Supporting Documents

Document Title	Document Category	Document Type	Document Number & Revision	Date Received by Eclipse Ecology
H.M. Land Registry	Plan	PDF	HP398569 OS Plan Ref SZ7199	21 July 2022

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Abbreviations

BCT	Bat Conservation Trust
CHSR	The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
CIEEM	Chartered Institute of Ecology & Environmental Management
CWS	County Wildlife Site
CRoW Act	Countryside and Rights of Way Act 2000
EclA	Ecological Impact Assessment
ECOW	Ecological Clerk of Works
EPS	European Protected Species – protected by the CHSR
ILP	Institute of Lighting Professionals
JNCC	Joint Nature Conservation Committee
LBAP	Local Biodiversity Action Plan
LERC	Local Environmental Records Centre
LNR	Local Nature Reserve
LPA	Local Planning Authority
LWS	Local Wildlife Site
MAGIC	Multi-Agency Geographical Information for the Countryside
MCIEEM	Member of Chartered Institute of Ecology & Environmental Management
National Sites Network	A network of SACs and SPAs in the UK designated for nature conservation
NERC Act	Natural Environmental Communities Act, 2006
NPPF	National Planning Policy Framework 2021
NERC Act	Natural Environment and Rural Communities Act 2006
NNR	National Nature Reserve
OS	Ordnance Survey
PEA	Preliminary Ecological Appraisal
PIR	Passive Infrared
PRA	Preliminary Roost Assessment
PRF	Potential Roost Feature
PS	Protected Species
PSML	Protected Species Mitigation Licence
SAC	Special Area of Conservation
SAP	Species Action Plan
SINC	Site of Importance for Nature Conservation
SNCI	Site of Nature Conservation Interest
SNCO	Statutory Nature Conservation Organisation
SPA	Special Protection Area
SPI	Species of Principal Importance
SQE	Suitably Qualified Ecologist
SSSI	Site of Special Scientific Interest
TAN	Technical Advice Note
WCA	Wildlife & Countryside Act 1981 (as amended)

1. Summary

Site	53a Station Road, Hayling Island, Hampshire PO11 0EB
OS Grid Reference	SZ 71251 99590
Development Proposal	An upwards extension to create a new flat.
Survey Date	26 August 2022
Results	Designated Sites: the application site is located in the Solent Nutrient Impact Area. Bats: the site is considered to be of negligible suitability for roosting bats. Other Protected/Notable Species: the site is considered to be of negligible suitability for other protected/notable species.
Further Surveys & Assessments	No further surveys or assessments are required.
Avoidance, Precautionary Measures & Mitigation	Solent Water Environment: refer to Atlas Planning Group document(s) for any required mitigation. Bats: the advice of an SQE must be sought in the unlikely event that any bats are discovered during the works. A Mitigation Licence from Natural England would be required prior to directly affecting any bat roosts. Birds: the advice of an SQE must be sought in the unlikely event that any nesting birds are discovered during the works. Any active nests must be retained in situ with a suitable buffer until the chicks have fledged and the nest is no longer active.
Enhancements	N/A

2. Introduction

2.1 Background

Eclipse Ecology Ltd were commissioned to undertake an Ecological Impact Assessment for a proposed extension at 53a Station Road, Hayling Island, Hampshire PO11 0EB – herein referred to as the 'site'. This report details the results of the desk study and field survey, which have been assessed in light of the development proposals for the site. Further surveys/assessments, mitigation and enhancements have been advised where required.

2.2 Site Location & Description

The site is situated in an urban location at OS Grid Reference SZ 71251 99590. The site comprises a commercial premises and hard-standing. Urban infrastructure – including a busy road and commercial/residential buildings surround the site. The nearest woodland is c. 365m southwest and the nearest watercourse is c. 740m northwest.

2.3 Development Proposal

The applicant proposes to extend the building upwards to create a new flat.

2.4 Legislation & Policy

Wildlife legislation and policy relevant to this project are given in **Appendix 1**.

2.5 Objectives

The objectives of this survey were to:

- identify any designated sites and Section 41 Priority Habitats¹ within the proposed development's zone of influence;
- assess the suitability of the building on-site for roosting bats;
- assess any impacts that may occur on roosting bats and other protected/notable species (where applicable) as a result of the proposed works;
- assess whether further surveys/assessments are required to support the planning application; and
- advise any avoidance, mitigation and enhancement measures, where required.

¹ Listed under the NERC Act.

3. Methodology

3.1 Surveyor

The survey was conducted by Principal Ecologist Cassie Todd BSc (Hons) MCIEEM of Eclipse Ecology Ltd (a CIEEM Registered Practice). Cassie holds a WML-CL18-Level 2 bat licence (# 2015-15941-CLS-CLS). She has 12 years' ecological experience and is the named ecologist on 13 bat mitigation licences for common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared *Plecotus auritus*, serotine *Eptesicus serotinus* and whiskered bats *Myotis mystacinus*. Cassie also holds badger *Meles meles* mitigation licences and is licensed by Natural England to survey for barn owl *Tyto alba*, great crested newts *Triturus cristatus*, hazel dormice *Muscardinus avellanarius*, smooth snake *Coronella austriaca*, sand lizard *Lacerta agilis* and white-clawed crayfish *Austropotamobius pallipes*².

3.2 Desk Study

Natural England's MAGIC³ website was used to check whether the site occurs within a 'SSSI Impact Risk Zone' – this tool highlights the types of planning applications that could lead to adverse impacts on Ramsars⁴, SPAs⁵, SACs⁶ and SSSIs⁷. Records of Natural England bat mitigation licences within 0.5km of the site were also searched for.

3.3 Field Survey

3.3.1 Bats

The building was subject to a daytime bat roost assessment on 26 August 2022 in accordance with the BCT's *Bat Surveys for Professional Ecologists: Best Practice Guidelines* (Collins, 2016). Binoculars (Pentax Papilo II 6.5 x 21), a ladder, a high-power torch and an endoscope (Ridgid CA-350X) were used where appropriate to inspect the building for bats and their evidence such as droppings, staining, scratch marks, feeding remains and audible squeaking. A level of bat roosting suitability was then assigned to the building in accordance with **Table 3.1**. The weather during the survey was 22°C, Beaufort 0, 0% cloud cover and dry.

Table 3.1 Categorisation of the bat roosting suitability of buildings (adapted from Collins, 2016)

Roost Suitability	Description of Roosting Habitats
Negligible	Negligible habitat features on-site likely to be used by roosting bats.
Low	One or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).
Moderate	One or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.
High	One or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

² Licence no's 2015-15441-CLS-CLS, 2016-20629-CLS-CLS, 2015-18630-CLSCLS, 2021-51716-SCI-SCI, 2016-19729-CLS-CLS & 2016-25162-SCI-SCI.

³ <http://magic.gov.uk/MagicMap.aspx>

⁴ Ramsar sites are wetlands of international importance that support wildfowl and other important species. Ramsar sites are protected by the Ramsar Convention, CHSR (by policy), WCA and CRoW Act.

⁵ SPAs are sites that support rare, vulnerable or large numbers of regularly occurring migratory bird species. SPAs are part of the National Sites Network. SPAs are protected by the CHSR, WCA and the CRoW Act.

⁶ SACs are high quality conservation sites which significantly contribute to conserving habitats and species threatened in Europe as a whole.

SACs are part of the National Sites Network. SACs are protected by the CHSR, WCA and CRoW Act.

⁷ SSSIs are representative samples of British habitats forming a national series aimed at maintaining the present diversity of wild plants and animals in Great Britain. SSSIs are protected by the WCA and the CRoW Act.

Confirmed roost	Direct evidence of bat occupation found e.g. fresh bat droppings, live bats and dead specimens. Note that a confirmed roost can still be categorised as low, moderate or high roosting suitability depending on the amount/type of bat evidence found and features of the building.
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3.3.2 Other Protected/Notable Species

Evidence/potential for other protected/notable species was also incidentally assessed during the survey. This includes species listed under the CHSR, the WCA and those given extra protection under the NERC Act, CRoW Act and the Protection of Badgers Act 1992.

3.4 Evaluation & Impact Assessment

The evaluation and impact assessment are made with reference to the *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine* (CIEEM, 2018). These guidelines aim to give consistency in evaluating ecological features, which help inform any effects or impacts a scheme will have upon them.

3.5 Limitations & Assumptions

Access was available to the entire site and its immediate surroundings. No significant limitations were experienced. The survey results are therefore considered to represent a valid assessment of the site's ecology. This survey will remain valid for 1.5 years i.e. until February 2024 and should be updated if works have not commenced within this timeframe, or if the site conditions significantly change since this survey⁸.

4. Results & Evaluation

The results of the desk study and field survey are set out below, together with an evaluation of ecological features (potentially) associated with the site.

4.1 Desk Study

No statutory nature conservation sites of at least national importance or records of any bat mitigation licences were identified within 0.5km of the application site. The application site is, however, located in the Solent Nutrient Impact Area from which waste water discharges into the Solent Maritime SAC, Chichester & Langstone Harbours SPA, Portsmouth Harbour SPA, and Solent and Southampton Water SPA. These sites, collectively known as the Solent Water Environment, are designated for their wetlands, invertebrates and bird populations, and are of **international** importance.

4.2 Field Survey

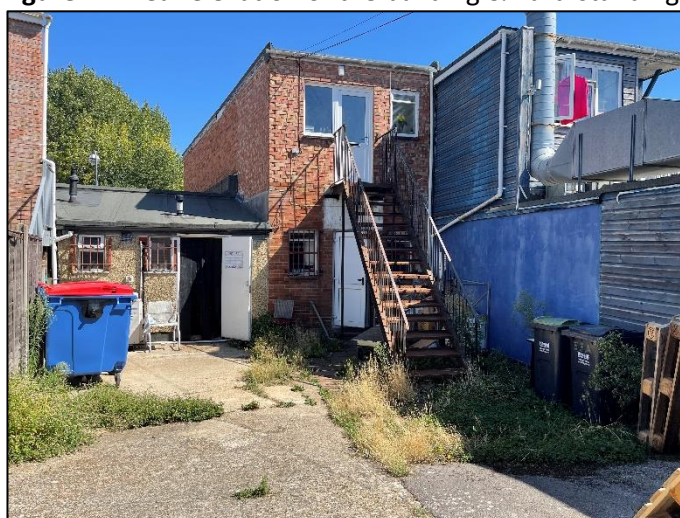
4.2.1 Roosting Bats

A description of the building and associated photographs are given in **Table 4.1** and **Figures 4.1 - 4.2** below. To summarise, the building is considered to be of **negligible** suitability for roosting bats.

⁸ In accordance with *Advice Note on the Lifespan of Ecological Reports and Surveys* (CIEEM, 2019).

Table 4.1 Building description

Building feature	Description
Type/age/shape	A modern rectangular commercial building.
Roof structure & orientation	A flat roof building with a northeast-southwest orientation.
Roof material(s)	Bitumen felt
Wall construction & material	Brick
External building features	uPVC window frames.
External lighting	A high degree of artificial light is present around the building at night – from street lights, traffic lights, vehicles and other buildings.
Voids/lofts/cellars	Absent
Internal conditions	N/A
Suitability of surrounding habitat for roosting/foraging/commuting bats	Negligible suitability – urban and artificially lit at night.
Potential bat access points & roosting opportunities	None observed – the urban/artificially lit environment makes this building highly unsuitable for roosting bats.
Evidence of bats	None observed
Overall bat roosting suitability	Negligible

Figure 4.1 Front elevation of the building**Figure 4.2** Rear elevation of the building & hard-standing

4.2.2 Other Protected/Notable Species

The site is considered to be of **negligible** importance for other protected/notable species such as nesting birds, great crested newts, reptiles, hazel dormice and badgers due to no visible evidence of these species, unsuitable habitat and lack of connectivity.

5. Impact Assessment

Potential impacts of the proposed development in the absence of mitigation have been considered below:

Solent Water Environment: refer to the nutrient budget calculation produced by Atlas Planning Group for expected nitrate output into the Solent.

Protected/notable species: no significant adverse impact on protected/notable species are expected.

6. Further Surveys

The site is considered to hold negligible suitability for roosting bats and other protected/notable species. No further surveys are required.

7. Avoidance, Precautionary Measures & Mitigation

The measures below shall be implemented to avoid/reduce any anticipated adverse impacts on ecological features and ensure compliance with wildlife legislation and policy (see **Appendix 1**).

Solent Water Environment: refer to Atlas Planning Group document(s) for any required mitigation for additional nitrates entering the Solent from the proposed development.

Bats: the advice of an SQE must be sought in the unlikely event that any bats are discovered during the works. A Mitigation Licence from Natural England would be required prior to directly affecting any bat roosts.

Birds: the advice of an SQE must be sought in the unlikely event that any nesting birds are discovered during the works. Any active nests must be retained in situ with a suitable buffer until the chicks have fledged and the nest is no longer active.

8. Enhancements

Ecological enhancements are usually required by the National Planning Policy Framework (2021). However, enhancement is not considered necessary or practical for this scheme due to the type of works, low ecological impact and the site's urban location.

9. References

CIEEM, 2019. *Advice Note on the Lifespan of Ecological Reports and Surveys*.

CIEEM, 2018. *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal*. CIEEM, Winchester.

Collins, J., 2016. *Bat Surveys for Professional Ecologists: Best Practice Guidelines* (3rd edition). The BCT, London.

English Nature, 2004. *Bat Mitigation Guidelines*.

Department for Communities & Local Government, 2021. *National Planning Policy Framework*. Downloaded from URL <http://www.communities.gov.uk/publications/planningandbuilding/nppf>.

Natural England MAGIC Map. Designated site and bat mitigation licence data downloaded from URL <http://www.magic.gov.uk.html>. (Accessed 19/09/2022).

Natural England Bats: surveys and mitigation for development projects: <https://www.gov.uk/guidance/bats-surveys-and-mitigation-for-development-projects> (Accessed 19/09/2022).

Appendix 1 Legislation & Policy

SPAs & SACs

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are areas in the UK protected by The Conservation of Habitats & Species (Amendment) (EU Exit) Regulations 2019. Under this legislation, public bodies must help preserve, maintain and re-establish the habitats in these areas for wild flora and fauna.

Birds

Wildlife & Countryside Act 1981 (as amended) is the principal mechanism for the legislative protection of birds in the UK. The Act makes it an offence to (with exception to species listed in Schedule 2) intentionally:

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

Or to intentionally do the following to a wild bird listed in Schedule 1:

- disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturb dependent young of such a bird.

Bats

All 18 British bat species are listed as protected in Schedule 5 of the WCA and Schedule 2 of the CHSR as Protected Species. The CRoW Act (Schedule 12, Paragraph 5) has also amended Section 9 of the WCA thereby strengthening the level of protection to include 'reckless' offences as well as 'intentional'.

Ultimately, the above legislation makes it an offence to, or to attempt to do, any of the following:

- Deliberately capture, injure or kill a bat;
- Deliberately disturb a bat, including in particular any disturbance which is likely to impair a bat's ability to survive; breed or reproduce; or rear or nurture their young;
- In the case of hibernating or migratory species, to impair their ability to hibernate or migrate;
- Affect significantly the local distribution or abundance of the species to which they belong;
- Damage, destroy or obstruct a breeding site or resting place of a bat whether intentionally or recklessly; and/or,
- Possess, control, transport, exchange or sell a bat or parts of a bat, alive or dead.

Further, where development will result in damage to, or obstruct access to, any bat roost (whether occupied or not) or risks harming or significantly disturbing bats an PSML licence is required from Natural England, the regulatory body responsible for protected species in England, to allow the development to proceed.

The legal interpretation of "development" in the context of PS is not restricted to works requiring planning permission from LPAs but includes permitted development and can encompass works that do not require any formal permission.

Bats are also afforded more general protection in England (and Wales) within the NERC Act. This imposes a duty on all public bodies, including local authorities and statutory bodies, in exercising their functions, "to have due regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity" [Section 40 (1)]. It notes that "conserving biodiversity includes restoring or enhancing a population or habitat" [Section 40 (3)]. Consequently, attention should be given to dealing with

the modification or development of an area if aspects of it are deemed important to bats, such as roosts, flight corridors and foraging areas.

The conservation of four UK bat species also require the designation of SACs under certain criteria. These four species are the greater horseshoe bat *Rhinolophus ferrumequinum*, the lesser horseshoe bat *Rhinolophus hipposideros*, Bechstein's bat *Myotis bechsteinii* and the barbastelle *Barbastella barbastellus*.

SPI (formerly the UK BAP) includes the barbastelle, brown long-eared bat *Plecotus auritus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula*, greater horseshoe, lesser horseshoe and Bechstein's bat.

Hedgehogs

The Wild Mammals (Protection) Act 1996 protects all wild species of mammals (such as hedgehogs), irrespective of other legislation, and is focussed on animal welfare, rather than conservation. Unless covered by one of the exceptions, a person is guilty of an offence if he mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering. Its application is typically restricted to preventing deliberate harm to wildlife (in general) during construction works etc.

National Planning Policy

The National Planning Policy Framework (NPPF) sets out current government policy on biodiversity and nature conservation and places a duty on planners to make material consideration to the effect of a development on legally protected species when considering planning applications (DCLG, 2021). The NPPF also promotes sustainable development by ensuring that developments take account of the role and value of biodiversity and that it is conserved and enhanced within a development.

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