

ecological support, management &
solutions



Phase I & II Surveys

Market Place, Havant

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For

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1.0 INTRODUCTION

1.1 Brief

Ecosupport Ltd was commissioned by Hampshire & Regional Property Group to carry out an Extended Phase I Habitat Survey of a building of mixed residential and commercial units off North Street, Havant, Hampshire (Ordnance Survey grid reference SU 71793 06534). The objectives of the survey were as follows:

- Identify current land use and distribution of broad habitat types including plant communities of ecological importance;
- Identify and classify any priority habitats;
- Identify signs and/or habitat features of protected species;
- Make recommendations for any necessary Phase II surveys to support the Planning Application.

This survey takes no account of seasonal variation and fluctuations in the presence of any species noted that might take up residence following this report. Lack of signs of particular species does not confirm its absence, merely that there was no indication of its presence at the time of survey. This survey does not constitute a full site assessment for invasive plant species such as Japanese Knotweed.

1.2 Site Description

The site lies adjacent to Havant Train Station, off North Street, Havant, Hampshire (**Figure 1**). It comprises a multi-level building of mixed residential and commercial usage, an area of hard standing car park, with an additional, fenced off area of hard standing in a state of disrepair and the former footprint of a now demolished public house.

Figure 1. Location of the site, with boundary illustrated in red. Blue area illustrates the now demolished public house.



The site is located within a largely urbanised setting, with Havant Train Station to the north, a residential area to the east, commercial properties to the south, and a hard standing public open space and commercial units to the west, with a playing field beyond (**Figure 2**). The total area of the site is approximately 0.23 hectares.

Figure 2. The site in the wider locality of Havant.



1.3 Proposed Development

It is understood that the proposed works on site involve the construction of a block of flats, incorporating commercial units across the ground floor.

2.0 RELEVANT LEGISLATION AND POLICY

2.1 Legislation

2.1.1 *The Conservation of Habitats and Species Regulations (2010)*

These set of regulations transpose the EU Habitats Directive (Council Directive 92/43/EEC) into UK domestic law. It provides protection for sites and species deemed to be of conservation importance across Europe. It is an offence to deliberately capture, kill or injure species listed in Schedule 2 or to damage or destroy their breeding sites or shelter. It is also illegal to deliberately disturb these species in such a way that is likely to significantly impact on the local distribution or abundance or affect their ability to survive, breed and rear or nurture their young.

In order for activities that would be likely to result in a breach of species protection under the regulations to legally take place, a European Protected Species (EPS) licence must first be obtained from Natural England.

2.1.2 *The Wildlife and Countryside Act (1981) (as amended)*

This is the primary piece of legislation by which biodiversity is protected within the UK. Protected fauna and flora are listed under Schedules 1, 5 and 8 of the Act. They include all species of bats, making it an offence to intentionally or recklessly disturb any bat whilst it is occupying a roost or to intentionally or recklessly obstruct access to a bat roost. Similarly this Act makes it an offence to kill or injure any species of British reptiles and also makes it an offence to intentionally kill, injure or take any wild bird or to take, damage or destroy their eggs and nests (whilst in use or being built). Further, the Act requires the identification and subsequent protection of Sites of Special Scientific Interest (SSSIs).

The Wildlife & Countryside Act (1981) states that it is an offence to 'plant or otherwise cause to grow in the wild' any plant listed in Schedule 9 art II of the Act. This lists over 30 plants including Japanese Knotweed (*Fallopia japonica*), Giant Hogweed (*Heracleum mantegazzianum*) and Parrots Feather (*Myriophyllum aquaticum*).

2.1.3 *The Countryside and Rights of Way Act (2000)*

This Act strengthens the Wildlife & Countryside Act by the addition of "reckless" offences in certain circumstances, such as where there is the likelihood of protected species being present. The Act places a duty on Government Ministers and Departments to conserve biological diversity and provides police with stronger powers relating to wildlife crimes.

2.1.4 *Natural Environment and Rural Communities Act (2006)*

This places a duty on Local Authorities to consider the conservation of biodiversity in their policy and decision making procedures and 'in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

2.2 Policy

2.2.1 *Introduction*

The development seeks to comply with relevant Planning Policy both at a national and local level.

2.2.2 National Policy

The National Planning Policy and Framework (2012) (NPPF) sets out the Government's vision for biodiversity in England. It states that the planning system should maintain, enhance, restore or add to biodiversity and geological conservation interests. Key principles of the framework include the creation, protection, enhancement and management of networks of biodiversity, the preservation, restoration and recreation of priority habitats and ecological networks and the recovery of priority species populations, including sections on legally protected species.

2.2.3 Local Planning Policy

The site falls under the jurisdiction of Havant Borough Council, who set out their commitment to biodiversity in their Core Strategy (Havant Borough Council, 2011). Part of the 'Vision for Havant Borough in 2026' is to protect and enhance biodiversity within the Borough. Similarly policy 'CS11: Protecting and Enhancing the Special Environment and Heritage of Havant Borough' states that planning permission will only be granted when development protects habitats and features of biological interest and prevents the fragmentation of existing habitats.

3.0 METHODS

3.1 Extended Phase I Habitat Survey

The initial Phase I survey was carried out by Sophie Hughes BSc (Hons) MSc and Tristanna Cornwell BSc (Hons) gradCIEEM, experienced Ecologists of Ecosupport Ltd. on the 2nd April 2015. This incorporated a visual assessment of the site and the surrounding landscape, loosely following the methodology outlined within the Joint Nature Conservation Committees (JNCC) *Phase I Habitat Survey Handbook* (2003). The habitats present were described, paying particular attention to their potential to support protected species. A general search for evidence of protected species was also undertaken.

3.1.1 Daytime bat roost assessment

Particular attention was paid to the potential for the buildings to support roosting bats. Following guidelines published by the Bat Conservation Trust (BCT, 2012) the exterior of the building was examined using 8 x 42 Avian Trekker binoculars and a high powered torch searching for any gaps or other suitable features which bats may use to enter internal voids or a roost, as well as for signs of bats (such as droppings) and bats themselves.

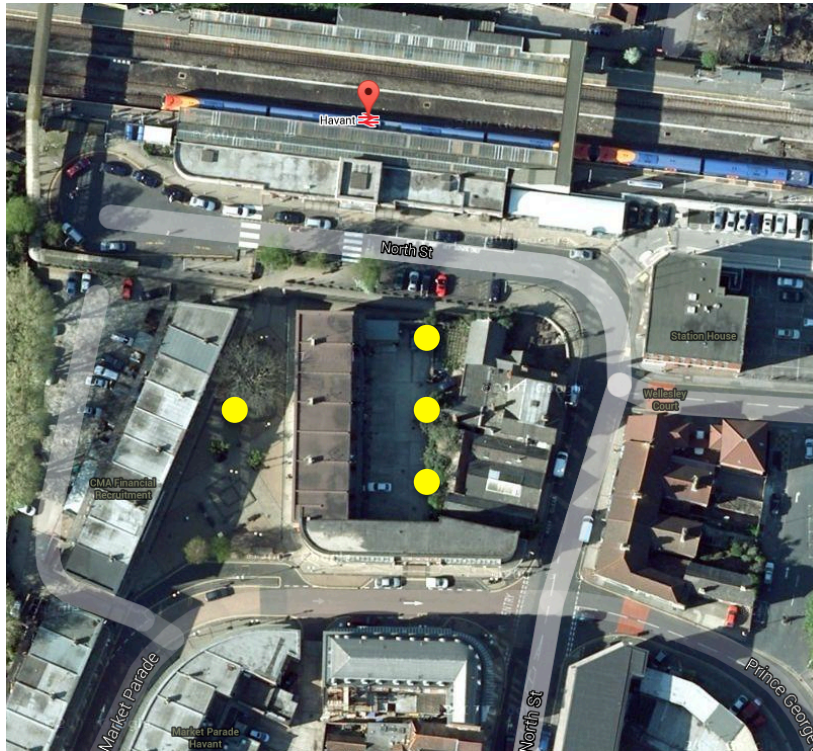
3.2 Desktop Survey

In addition to the walkover survey, available online resources and Ordnance Survey maps were utilised to assess the site's proximity to nearby sites designated for their nature conservation value. Further, these resources were used to determine whether any waterbodies suitable to support Great Crested Newt (GCN) *Triturus cristatus* were present within 250 metres of the site. Although GCN have been known to travel up to 1.3 km from breeding sites, the Natural England GCN Mitigation Guidelines (2001) suggest that GCN more commonly move 'between ponds that are within around 250m'. Consequently, given the relatively isolated nature of the site due to its urban setting and the number of physical barriers to dispersal present (major roads and commercial areas in this case), this distance (from the site boundary) was considered adequate in accounting for any ponds that may be used by the species.

3.3 Phase II Bat Survey

The emergence survey was carried out by Adam Jessop (Natural England Class Level 2 registration number 2014-2379-CLS-CLS) with assistance from Joe Carter, Adam Tollefson and Paul Johnson. Both heterodyne (Bat Box Duet and Elekon Bat Scanner) and frequency division (Anabat SD1) detectors were used during the survey. The survey began approximately 20 minutes prior to sunset and continued until approximately an hour and 30 minutes after sunset. **Fig 3** below indicates the positions of the different surveyors during the survey.

Fig 3. The location of surveyors (indicated by yellow dots) during the single evening emergence survey.



3.4 Impact Assessment

Following the survey, the proposals were considered in order to identify any potential significant impacts (positive or negative) to protected species and habitats and how these relate to the legislation and policy detailed within **Section 2.0**. Any potential significant negative impacts were identified in order to determine whether any Phase II species surveys were necessary, alongside any avoidance, mitigation and compensation measures. Further, the results of the survey were assessed to determine the most suitable site enhancements in terms of increased ecological value to comply with national and local development policy.

3.5 Limitations

Due to the flat roofs covering all areas of the building, this suggests a lack of internal loft spaces and therefore the lack of internal access to the building was not considered to be a limitation with regards to the bat assessment. Due to the height of some areas of the building, it was not possible to fully check underneath all areas of the fascia for the presence of bats/signs of bats. Access was not possible to the single story storage unit within the courtyard area and therefore this could not be assessed internally for evidence of bat usage. Further, the area immediately surrounding the footprint of the former public house on site was not accessible, as it had been cordoned off with wooden construction boarding.

There were not considered to be any limitations on the findings of the emergence survey with the weather condition good and bats noted foraging in the area.

4.0 SURVEY RESULTS

4.1 Extended Phase I Habitat Survey

The following broad habitat types were identified on site:

Building – The majority of the site comprised a multi-level building of brick and concrete construction with sealed PVC windows, utilised across the majority of the ground floor for commercial purposes and above this level for residential (flats). The roof was a felted and flat with no obvious gaps in the felt edges.

Scattered Trees – A number of scattered trees were recorded on site, most likely examples of colonising vegetation rather than ornamental planting. Species included Elder *Sambucus nigra*, Buddleia *Buddleia davidii*, Ivy *Hedera sp.*, Magnolia *Magnoliaceae sp.* and Bay *Laurus nobilis*.

Scattered Early Colonising Plants – A number of early successional flora was recorded on site, particularly along the edges of the courtyard and within the boarded-off former public house footprint. Species included Common Bramble *Rubus fruticosus*, Common Nettle *Urtica dioica*, Bristly Oxtongue *Helminthotheca echinoides*, Common Dandelion *Taraxacum officinale*, Cleaver *Galium aparine*, Rough Chervil *Chaerophyllum temulum*, Broadleaved Dock *Rumex obtusifolius*, Moss *Bryophyte sp.*, Common Mallow *Malva sylvestris*, Herb Robert *Geranium robertianum* and Speedwell *Veronica sp.*

Hardstanding – The site is surrounded by hard standing, with an internal hard standing courtyard also present. Rubbish is piled up in places within the courtyard area.

4.2 Assessment of Building to Support Roosting Bats

Facia and soffits were present in a number of places associated with the main building. The majority of these appeared relatively well sealed. However, in other areas gaps were present underneath, particularly (but not limited to) the facia spanning the courtyard-sides of the building (**Figure 4**). A gap was also present at the soffit on the building's external southern aspect, and within the brickwork of the passage area within the covered walkway into the courtyard (**Figure 5**). Further, a gap spanned the soffit associated with the passageway into the courtyard; a number of bird nests were present within this.

Figure 4. Gaps underneath fascia along the roofline within the courtyard area.



Upon the building's western aspect, a low number of gaps were present between the pebbledash and the bricks. Further, a wooden vent was present at ground floor level within the courtyard, with no obvious wire mesh covering (**Figure 5**).

Figure 5. Wooden, unobstructed vent within courtyard area.



A single-story brick-built, felted flat-roofed attached small storage unit was present in the internal courtyard. Gaps were present underneath areas of the fascia and next to the glass window.

Based on the low number of features present and the highly urbanised nature of the site, it was considered to be of **LOW** roost potential according to the BCT guidelines (2012).

4.3 Desktop Survey

4.3.1 Protected Sites

The site was located within 2km of the following sites designated for their nature conservation value:

Chichester & Langstone Harbours Ramsar & Special Protection Area (SPA) (1.4km south)

This site is designated as a wetland of international importance under Article 4.2 of the Habitats Directive by regularly supporting at least 20,000 waterfowl. The site supports populations of European importance for a number of species listed under Annex 1 of the EU Habitats Directive, such as Little Tern *Sterna albifrons* and Sandwich Tern *Sterna Sandvicensis* during the breeding season, Little Egret *Egretta garzetta* and Ringed Plover *Charadrius hiaticula* on passage, and Bar-tailed Godwit *Limosa lapponica* and Little Egret *Egretta garzetta* over winter.

Langstone Harbour Site of Special Scientific Interest (SSSI) (1.5km south)

A tidal basin with extensive low-water mud flats. One of the largest areas of mixed saltmarsh on the south coast, with an extensive Cord-grass *Spartina anglica* marsh in an advanced state of degeneration and extensive eelgrass beds (*Zostera angustifolia* and *Aostera noltii*). The Harbour is of international importance as a rich intertidal system (in the top 20 in Britain), supporting high intertidal invertebrate densities alongside large populations of migrant and overwintering waders and wildfowl for example Dunlin *Calidris alpina*, whose numbers often exceed 30,000 individuals (6% of the British overwintering population). The total numbers of waders at this site often exceed 40,000; Langstone Harbour, Portsmouth Harbour and Chichester Harbour form a single, coherent ecosystem which is among the 10 most important intertidal areas for waders in Britain.

Warblington Meadow SSSI (1.8km southeast)

An unimproved grazing marsh adjoining Chichester Harbour of particular importance for its distinct graduation from freshwater, base-rich marsh to old reclaimed saltmarsh and for its rich associated flora, with 158 species of flowering plant. A small bed of reed *Phragmites australis* and a clear, unpolluted stream lined with English Oak *Quercus robur*, Alder *Alnus glutinosa* and Willow *Salix sp.* add additional habitat diversity.

Solent Maritime Special Area of Conservation (SAC) (1.4km south)

The Solent Maritime encompasses a number of Annex I habitats, combining to afford it SAC status; estuaries (priority reason for selection), *Spartina* swards (priority), Atlantic salt meadows (priority), sandbanks which are slightly covered by sea water all the time, mudflats and sandflats not covered by sea water at low tide, coastal lagoons, annual vegetation of drift lines, perennial vegetation of stony banks, Salicornia and other annuals colonising mud and sand, and white dunes.

The Solent encompasses a major estuarine system on the south coast of England, with four coastal plain estuaries (Yar, Medina, King's Quay Shore, Hamble) and four bar-built estuaries (Newton Harbour, Beaulieu, Langstone Harbour, Chichester Harbour). The Solent and its inlets are unique in Britain and Europe for their hydrographic regime of four daily tides and the complexity of marine and estuarine habitats present. Sediment habitats include extensive estuarine flats, often with intertidal areas supporting Eelgrass *Zostera sp.* and green algae, sand and shingle spits, and natural shoreline transitions. The mudflats range from low and variable salinity in the upper reaches to very sheltered, almost fully marine muds in Chichester and Langstone Harbours. Unusual features include the presence of very

rare sponges in the Yar estuary and a sandy 'reef' of the polychaete *Sabellaria spinulosa* on the steep eastern side of the entrance to Chichester Harbour. Solent Maritime is the only site for Smooth Cord-grass *Spartina alterniflora* in the UK and is one of only two sites where significant amounts of Small Cord-grass *S. maritima* are found. Townsend's Cord-grass *S. x townsendii* and Common Cord-grass *S. angelica*, all four taxa thus occurring in the Solent in close proximity. The Solent also contains the second largest aggregation of ungrazed Atlantic salt meadows in south and southwest England. As a whole the site is less truncated by man-made features than other parts of the south coast and shows rare and unusual transitions to freshwater reedswamp and alluvial woodland as well as coastal grassland.

4.4 Emergence Survey Results

The results of the single bat emergence survey undertaken are provided in **Table 1** below. The survey started at 20:58 with a temperature of 14°C and 0 wind (on the beaufort scale).

Table 1. Results of the emergence survey.

Survey Date	Recorded Bat Roost	General Bat Activity on Site		
3 rd June 2015	<u>Summary:</u> No bats were seen emerging from any of the buildings during the survey	Species	First Pass	Last Pass
		Common Pipistrelle	21:53	22:11
		Soprano Pipistrelle	21:53	21:54
		<u>Summary:</u> No registrations were noted for the first 50 minutes of the survey when both a Common and Soprano pip were noted foraging around the north eastern area of the courtyard. The foraging lasted for approximately 2 minutes. The last registration was a foraging Common Pipistrelle that was heard but not seen.		

5.0 EVALUATION OF RESULTS

5.1 Habitats

Within the site boundaries no Biodiversity Action Plan (BAP) / protected habitats were identified. However, habitat is present on site with the potential to support protected species, as detailed below.

No water bodies were identified on site or within 250m of the site boundaries. Further, the site itself and the surrounding habitat is highly urbanised and dominated by hard standing. Therefore it is considered highly unlikely that GCN are using the site.

5.2 Flora

All botanical species recorded on site occurred in low densities and comprised species considered to be widespread and common. No mature trees of conservation interest were recorded. Therefore the site in its current state is considered to hold negligible botanical value, and the proposed works are not considered to hold the potential to negatively impact upon local botanical diversity.

5.3 Nesting Birds

The only evidence of protected species on site was in the form of a number of bird nests within the soffit associated with the passageway into the courtyard. It was unclear whether these were active at the time of survey. The encroaching vegetation on site (such as the Buddleia) is considered to hold negligible to low potential to support nesting birds, however as the area surrounding the former public house was not accessible this area was not assessed and therefore its potential could be higher.

Wild birds and their nests are protected under the Wildlife & Countryside Act (1981 as amended), which makes it an offence to kill, harm or take any wild bird or its nest (whilst in use or being built) and to intentionally or recklessly disturb any wild bird listed on Schedule 1 of the Act whilst it is nest building, or at a nest containing eggs or young, or to disturb dependent young of such a bird. In the absence of avoidance/mitigation, the proposed development has the potential to impact upon, and therefore commit an offence associated with, nesting birds.

5.4 Bats

No bat roosts were identified within any of the surveyed buildings based on a reasonable level of survey work in line with the best practice guidelines (BCT 2012).

5.5 Protected Sites

The site does not lie within 1km of any sites designated for their conservation value, and therefore it is considered unlikely that the proposed development will have an impact upon protected sites during its construction phase (please note, SINC's not included within this assessment as detailed in **Section 4.3**).

The site lies within 4km, however, of a number of protected sites, and the increases in residents associated with the proposed development has the potential, in the absence of mitigation, to increase visitor pressure to such sites.

5.6 Site Status Assessment

The site has the low potential to support nesting birds and roosting bats. No potential was considered present to support any other protected species. Further, the site is not situated within, or within 1km of any sites protected for their nature conservation value, and is located within a highly urbanised setting. Therefore, the site is considered to hold **Negligible - Low Conservation Value**.

6.0 RECOMMENDATIONS

6.1 Bats

6.1.1 Enhancement

To enhance the site's ecological value, lighting associated with the proposed scheme should be sensitive to any bats within the local area, for example low level and using downward-facing lighting designs wherever possible (BCT, 2009). In addition, it is recommended that two artificial bat roost features be incorporated into the fabric of the new building during the construction. These will provide suitable roosting sites for a variety of crevice-dwelling bat species and can be subtle enough so that the presence would not be noted by the casual resident or observer. The IBSTOCK bat brick C¹ or similar is recommended. The features must be placed at least 3 – 5 m above ground with a clear 1 – 2 m drop from the entrance and be as close to the eaves as possible. These features are enclosed and do not allow bats into any areas of the dwellings, including loft spaces. The incorporation of these features will mitigate for the loss of the low number of crevice-like features currently presented by the building.

6.2 Birds

Should works be undertaken in relation to the vegetation or building on site within the active bird nesting season, and the necessary Phase II Nesting Bird Survey identifies an active nest or nests, these must be protected by a buffer of no less than three metres until the chicks have fledged and the nest has been deemed inactive by a SQE, as per Natural England guidelines (Natural England, 2015).

6.3 Sites of Nature Conservation

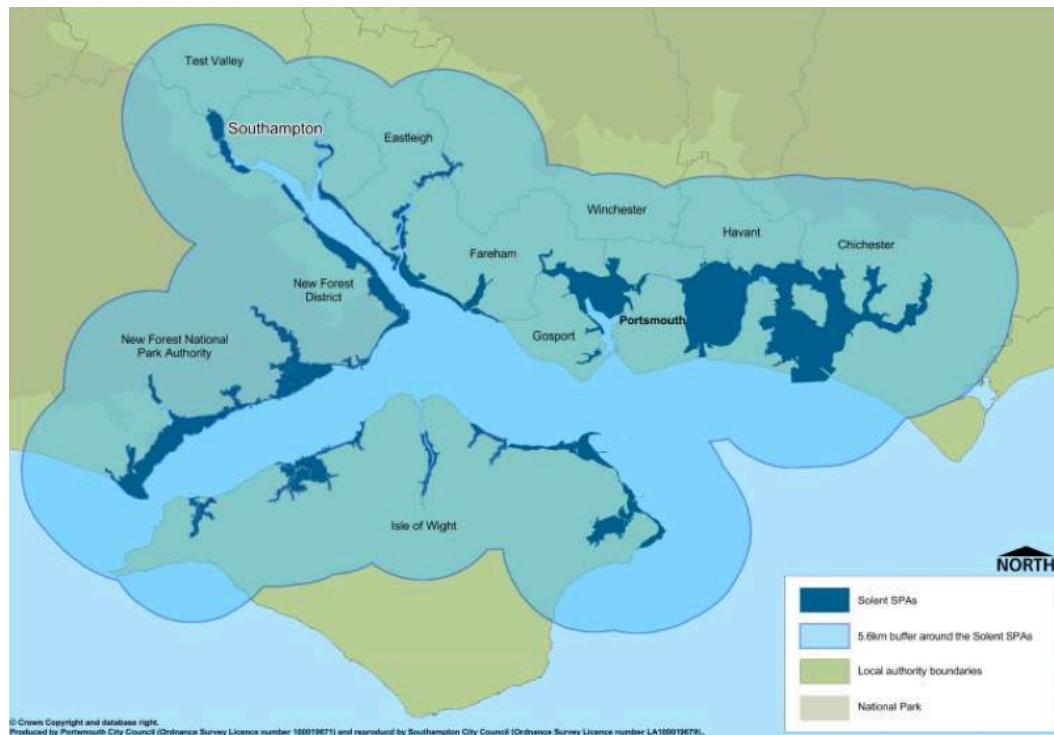
The site is located within the proximity of sites designated for their nature conservation. Due to the proposed development involving an increase in residents to the area, the impact in terms of increased visitor pressure to these sites must be considered and, where possible, mitigated.

The site lies within the vicinity of the Solent Special Protection Area (SPA). In order to mitigate for the likely increases in residential pressure upon this SPA, due to the high densities of wildfowl and waders for which the area is predominantly protected, the Solent Disturbance Mitigation Project (SDMP) has been introduced in collaboration with Natural England, comprising a partnership of all the local councils, including Havant Borough Council. Mitigation towards the SPA must be provided for all new recreational developments within the 5.6km disturbance zone of the SPA. **Figure 6** illustrates the boundaries of this disturbance zone.

¹ <http://www.ibstock.com/sustainability-ecozone.asp>

Whilst applicants for new residential developments may propose alternative measures to mitigate these direct impacts to the Solent SPA, the simplest method is through the SDMP. The SDMP requires that applicants make a financial contribution of £172 per dwelling, either before planning permission is granted or by entering into a S. 106 agreement before planning permission is granted, with an undertaking that the payment of £172 per dwelling be made before the development is implemented.

Figure 6. Map of the Solent Disturbance Mitigation Project Area.



6.4 Landscape Planting

Should the scheme involve any planting, wherever possible this should involve native, nectar-rich botanical species, to enhance the site's biodiversity value, as per national and local policy.

7.0 CONCLUSION

The Extended Phase I Habitat Survey of land off North Street, Havant identified a site of negligible – low ecological value. The existing building on site was classified as holding low potential to support bats, due to the presence of a low number of suitable features and a single emergence survey did not identify any roosts. No other significant ecological constraints were identified on site and it is considered provided the measures outlined in section 6.0 are implemented no residual ecological impacts results from the proposals.

8.0 REFERENCES

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