



**Barratt Homes**

**Land at Havant Road, Emsworth**

**Wintering Bird Survey Report**

**July 2016**

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## Executive Summary

| Contents                                          | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Site location</b>                              | <ul style="list-style-type: none"> <li>Land at Havant Road, Emsworth (OS grid reference SU 73396 06193).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Previous reports/surveys</b>                   | <ul style="list-style-type: none"> <li>An extended Phase 1 habitat survey was undertaken of the site by WYG in July-August 2014, which recommended that wintering bird surveys be undertaken for the site.</li> <li>Aluco Ecology 2013.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>WYG Survey</b>                                 | <ul style="list-style-type: none"> <li>Existing data for the site was reviewed.</li> <li>WYG completed a Winter Bird survey using the Solent Water Brent Goose Strategy methodology. In agreement with Natural England, two high tide surveys were completed each month between October 2013 and March 2014, and hence a total of 12 visits were made to the site.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Results</b>                                    | <ul style="list-style-type: none"> <li>A total of 34 species were recorded using the site; eleven of these species are birds of conservation concern (BoCC) of which four are Red Listed and seven are Amber Listed. Two species are also listed on Schedule 1 of the Wildlife and Countryside Act 1981 Firecrest (<i>Regulus ignicapillus</i>) and Redwing (<i>Turdus illiacus</i>).</li> <li>No SPA / Ramsar qualifying species were recorded on site during the surveys; either foraging or roosting at high tide times.</li> <li>The site does not contain suitable habitats for waders or Brent geese due to the enclosed nature of the site.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Mitigation and Enhancement Recommendations</b> | <ul style="list-style-type: none"> <li>Provision of green space, areas of scrub, hedgerows and woodland and residential gardens to provide a habitat for species recorded during the surveys. A financial contribution of £176 per dwelling will need to be made to the Local Authority in order prevent recreational disturbance.</li> </ul> <p><u>Breeding Birds</u></p> <ul style="list-style-type: none"> <li>If any hedgerows, trees or vegetation require removal to facilitate the proposed development, it is recommended that this is completed outside of the nesting bird season (i.e. undertaken from October to March inclusive). If this is not possible, a search for nesting birds immediately prior to vegetation clearance is required, to be undertaken by an ecologist. If any nests are found, a watching brief and appropriate buffer zone may be required.</li> <li>Areas of scrub and hedgerows and adjacent woodland will be retained and enhanced in order to safeguard the bird assemblage onsite.</li> </ul> |



## 1.0 Introduction

### 1.1 Background

WYG was commissioned by Barratt Homes in October 2014 to undertake winter bird surveys at of Land at Havant Road, Emsworth (referred to as the "site"), following on from recommendations made during an extended Phase 1 habitat survey (WYG, 2014) with the aim of assessing the site's importance has a habitat for wintering birds. The habitats recorded included improved to semi-improved grassland with a reduced herb content, hedgerows, patches of bramble and scrub.

The site lies within 1.1 km of Chichester and Langstone Harbour Special Protection Area (SPA) and Ramsar Site and the Solent Maritime Special Area of Conservation (SAC), designated for overwintering populations of the following species: Brent geese, dunlin (*Calidris alpina*), black-tailed godwit (*Limosa limosa*), common shelduck (*Tadorna tadorna*), Eurasian widgeon (*Anas penelope*), Eurasian teal (*Anas crecca*), northern pintail (*Anas acuta*), common redshank (*Tringa totanus*) and red-breasted merganser (*Mergus serrator*). The harbour is a wetland of international importance for over wintering wildfowl which regularly supports 93,000 individual waterfowl.

Winter bird surveys of the site were undertaken by Aluco Ecology in between 10th January 2013 and 28th March 2013 and classified for its usage by wintering brent geese and waders by the Solent Waders & Brent Goose Strategy 2010. They recorded the use of fields to the south of Havant Road (off site) by a low number of waders (curlew and lapwing); however, no waders or waterfowl were recorded on the site itself.

### 1.2 Site Location and Description

The site covers approximately 6.23 hectares, located to the east of Havant in Hampshire, centred on Ordnance Survey grid reference SU734062. The site is bordered to the North West by the A27, residential development to the east and to the south by the A259. The site comprises very short, cattle grazed improved grassland, areas of bare ground, scattered scrub and trees, bramble and defunct hedgerows. Along the north western boundary adjacent to the A27 is young tree belt plantation mainly comprising field maple and hawthorn. The eastern boundary comprises back garden fencing with planted shrubs with scrub and tall ruderal becoming established. To the south of the site is a hedgerow adjacent to the footway of the A259 comprising mainly sycamore. Scrub dominates the north eastern extent of the site and two defunct hedgerows run north to south separating the fields from one another.



### 1.3 Development Description

It is proposed to develop the site for approximately 192 residential properties, with associated parking, access, landscaping, and surface water drainage, pumping station and sub station. An area of open space will be retained within the north east of the site which will be managed as tall grassland with scattered trees, there will also be public open space within the south east corner of the site.

### 1.4 Survey Scope

This report provides the results from the wintering bird surveys undertaken between October 2014 and March 2015 in accordance with the Solent and Waders Brent Goose Strategy (SWBGS Steering Group, 2010).

The scope of work comprised:

- A desk study to obtain existing information regarding surveys undertaken on previous occasions.
- Two high tide visits were completed every month through the October 2014 – March 2015 period to assess the numbers and species making use of the site and adjacent habitats.
- An assessment of the potential ecological constraints to and impacts from the proposed development along with recommendations for further survey(s), avoidance, mitigation and enhancement where appropriate.

### 1.5 Relevant Legislation

All wild birds in the UK are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy the nest (whilst being built or in use) or its eggs. Bird species listed in Schedule 1 of the 1981 Act (as amended) receive further protection which makes it an offence to intentionally or recklessly disturb these species while building a nest or in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird (HMSO 1981 & 2000).

In addition, Annex 1 of the EU 'Birds' Directive (1979) lists 194 species that are subject to special conservation measures concerning their habitat in order to ensure their survival and reproduction. Member States are required to designate Special Protection Areas (SPAs) for the Annex 1 and all migratory species.



SPAs are scientifically identified areas critical to the survival of the targeted species. The SPAs form part of the Natura 2000 EU network of protected nature sites. The designation of an area as an SPA gives it a high level of protection from potentially damaging developments (European Commission (EC) 1979).

Brent geese are afforded protection under Section 4.2 of the Wild Birds Directive 79/409/EEC. Section 4.2 of the Directive states that all Member States are required to:

"...take similar measures for regularly occurring migratory species not listed in Annex I, bearing in mind their need for protection in the geographical sea and land area where this Directive applies, as regards their breeding, moulting and wintering areas and staging posts along their migration routes. To this end, Member States shall pay particular attention to the protection of wetlands and particularly to wetlands of international importance."

Measures taken by the UK Government in fulfilment of this duty include designating wildlife sites where the species occur. Brent geese are a principle feature of Langstone Harbour Special Protection Area (SPA) and a feature of the Chichester and Langstone Harbour Ramsar Site and Langstone Harbour Site of Special Scientific Interest (SSSI). About 16% of the UK migratory/wintering population of Brent geese are present within this SPA. The SPA is also designated for significant numbers of black-tailed godwit, dunlin, grey plover (*Pluvialis squatarola*), redshank and ringed plover (*Charadrius hiaticula*), with the area classed as a Wetland of International Importance regularly supporting a population of 93,000 individual wintering waterfowl (JNCC, 1996).

Birds of Conservation Concern (BoCC) were also recorded and mapped. Red List species have undergone declines of over 50% in either breeding or non-breeding populations / range over the last 25 years. Species listed by Birdlife International as being globally threatened or having undergone an historical decline (between 1800 and 1995) without substantial recent recovery also qualify as a Red List species.

Amber List species have undergone declines of between 25% and 49% in either breeding or non-breeding populations / range over the last 25 years. Species of European Conservation Concern and those recovering from a long-term historical decline are also Amber Listed. Non-breeding species which have at least 50% of their UK wintering sites at fewer than ten localities and those where at least 20% of the European non-breeding populations are found within the UK are Amber Listed too.

All species regularly occurring in the UK which do not qualify for either Red List or Amber List status are placed on the Green List. This includes those species listed as recovering from historical declines which have continued to recover and do not qualify under European or International criteria (Eaton *et al* 2009).



## 2.0 Methods

### 2.1 Data Search & Previous survey information

Data on the use of the surrounding areas by important bird populations were obtained through direct consultation with Hampshire Biological Information Centre (HBIC) as part of the previous extended Phase 1 habitat survey (Appendix C).

### 2.2 Survey Methodology

The Solent Water Brent Goose Strategy methodology was followed (SWBGS Steering Group, 2010) with the aim of assessing the potential impact of the proposed development on important bird species and specifically Brent geese and waders associated with Chichester and Langstone Harbour SPA whilst identifying potential ecological constraints to the development and informing ecological mitigation if required.

Usually three years worth of winter bird survey data is required in accordance with the SWBGS; however, following consultation with Natural England (S. Thompson [Natural England] – V. Coulthard [WYG] 15<sup>th</sup> Dec 2015)-it was agreed that one year's worth of data would be sufficient as the habitats on site are sub-optimal for wintering waders and Brent Geese.

At the site, 12 counts were undertaken between October 2014 and March 2015. SWBGS (2010) and Gilbert *et al.* (2008) recommend that monthly surveys are undertaken between September and March for high tide counts and between November and February for low tide counts. Each survey occasion took place over four hours, two hours before high tide and two hours after high tide. During the four hours, counts of all species were undertaken every half hour. Vantage point surveys were completed for the first two hours recording bird usage from two fixed positions as it was not possible to adequately see the whole site from one location on site. If any SPA qualifying species were noted, these were plotted on maps; otherwise all birds seen at 15 minute intervals were recorded. The two hours after high tide were spent completing a walkover survey of the site, counting and plotting the locations of all birds seen or heard and their activities. Equipment used by the surveyor included binoculars and a telescope.



## 2.3 Survey Limitations

At the site, twelve counts were undertaken between the 13<sup>th</sup> October 2014 and the 28<sup>th</sup> of March 2015. SWBGS (2010) and Gilbert *et al.* (2008) recommend that monthly surveys are undertaken between September and March for high tide counts and between November and February for low tide counts.

Due to restricted daylight hours, it was agreed with Natural England that the survey carried out on the 19<sup>th</sup> December could be undertaken from one and a quarter hours before high tide to three hours after high tide (rather than the standard 2 hours before high tide) – this is not considered to have an impact on the data collected as all the other surveys were carried out within the prescribed time frame.

Normally three years wintering bird data is required for winter birds surveys, however due to the unsuitability of the site for waders and Brent geese coupled with the fact that data is available from previous survey work, it is considered that one year's data is sufficient to provide an assessment of the site for wintering birds but this should be confirmed with Natural England.



## 3.0 Survey Results

### 3.1 Data Search Results

#### 3.1.1 Hampshire Biodiversity Information Centre

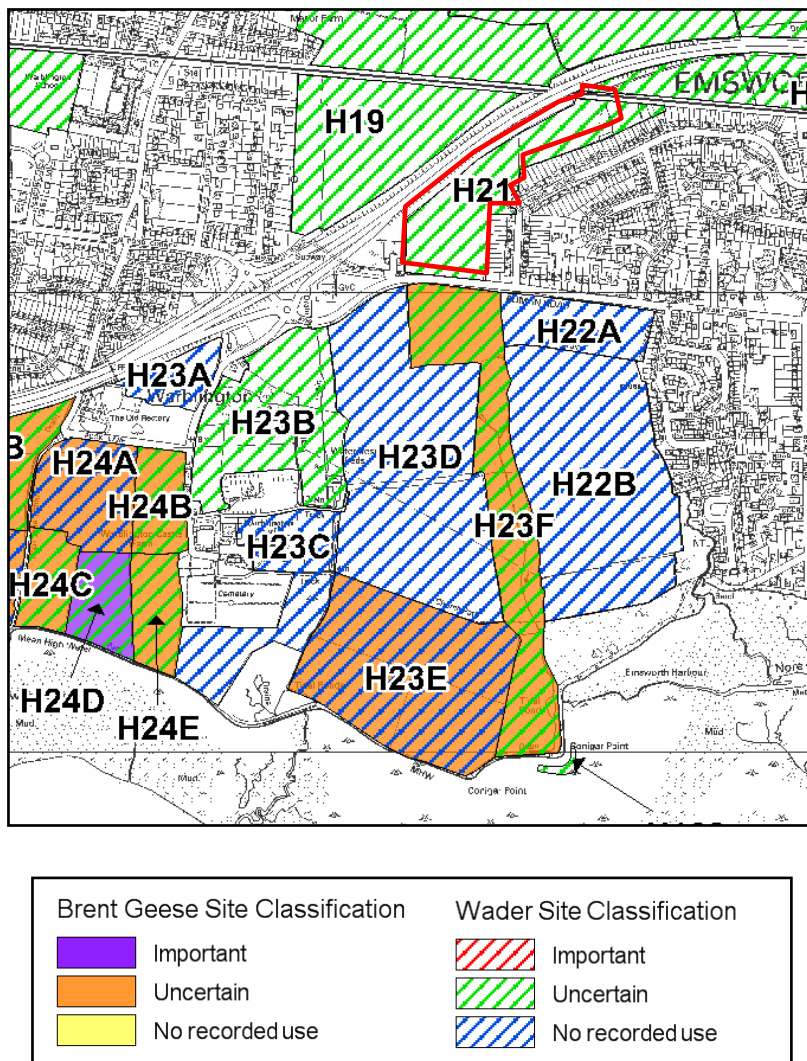
A summary is provided below of the data that has been provided by Hampshire Biodiversity Information Centre including the (SWBGS) (2010) information.

- Brent geese are a principle feature of Langstone Harbour Special Protection Area (SPA) and a feature of the Chichester and Langstone Harbour Ramsar Site and Langstone Harbour Site of Special Scientific Interest (SSSI). About 16% of the UK migratory/wintering population of Brent geese are present within this SPA. The SPA is also designated for significant numbers of black-tailed godwit, dunlin and red breasted merganser, with the area classed as a Wetland of International Importance regularly supporting a population of 93,000 individual wintering waterfowl (JNCC, 1996).
- HBIC provided records from the SWBGS (2010) (Figure 1). The site was not assessed for Brent Geese and was classified as needing further survey work to inform its assessment for waders, therefore the site is 'uncertain' for waders (Figure 1 below). Field H23D to the south of the site had positive records for Brent geese in 2002 but had no recorded use for waders in 2010 additionally no Brent geese were recorded in 2010.

#### 3.1.2 Aluco Ecology

Aluco Ecology carried out a winter bird survey of land to the south of the development area in 2013 which showed that some of the fields to the south of the site are occasionally used by wintering waders. Field H23D (Waders and Brent Goose Strategy Group) to the south of the development site was shown to provide a foraging area for curlew and black-headed gulls/Mediterranean gulls. 54 Brent geese were feeding on HS3D approximately 450 m south of the development site on the 10<sup>th</sup> January 2013. Records of waders and Brent geese were mainly concentrated on fields closer to the foreshore, especially to the west of Warblington. Similarly fields to the east of the cemetery in Warblington (H23C) have habitats more suitable for waders and wildfowl which were reflected in the data collected.

**Figure 1. Solent waders & Brent geese survey map showing area H21 (which includes the proposed development site) taken from King (2010).**



### 3.2 Survey Dates and Weather Conditions

All surveys have been conducted in suitable weather conditions (Table 1); there have been a few occasions where there has been a brief duration of poorer weather conditions which had little impact on visibility and overall the conditions have been good.



| Date          | Portsmouth high tide time | Start time | End time | Cloud cover (Oktas) | Wind speed (Beaufort scale) | Precipitation      |
|---------------|---------------------------|------------|----------|---------------------|-----------------------------|--------------------|
| 13th Oct 2014 | 15:42                     | 13:40      | 17:40    | 8                   | 1                           | Moderate rain      |
| 23rd Oct 2014 | 12:06                     | 10:05      | 14:05    | 7                   | 2                           | Occasional drizzle |
| 9th Nov 2014  | 12:30                     | 10:30      | 14:30    | 0-4                 | 1-2                         | None               |
| 26th Nov 2014 | 13:58                     | 11:30      | 15:30    | 8                   | 1                           | None               |
| 4th Dec 2014  | 09:44                     | 07:45      | 11:45    | 8                   | 1-2                         | None               |
| 18th Dec 2014 | 08:23                     | 07:40      | 11:40    | 8                   | 4-5                         | None               |
| 6th Jan 2015  | 12:15                     | 10:15      | 14:15    | 4                   | 2-3                         | Rain showers       |
| 22nd Jan 2015 | 12:44                     | 10:45      | 14:45    | 0                   | 1-2                         | None               |
| 5th Feb 2015  | 12:31                     | 10:30      | 14:30    | 8                   | 1-2                         | Light snow shower  |
| 17th Feb 2015 | 10:09                     | 08:15      | 12:15    | 0                   | 1-2                         | None               |
| 3rd Mar 2015  | 10:24                     | 08:25      | 12:25    | 4                   | 2-3                         | None               |
| 18th Mar 2015 | 09:49                     | 07:45      | 11:45    | 2                   | 1-2                         | None               |

**Table 1: Dates and weather condition**

### 3.3 Wintering Bird Data

In summary, the survey results show the following (species recorded can be found in Appendix D):

- A total of fifty species was recorded during the surveys of which 34 were regarded as utilising the site rather than flying over it.
- No Brent geese were recorded utilising the site and were not recorded flying over during the surveys.
- No waders were recorded utilising the site during the surveys with observations of golden plover *Pluvialis apricorum*, green sandpiper *Tringa ochropus* and curlew *Numenius arquata* being of birds flying over the site. These are not SPA qualifying species.
- Two protected Schedule 1 bird species was recorded utilising the site - redwing *Turdus iliacus* and firecrest *Regulus ignicapillus*. The legal status of this species relates only to breeding birds; redwings do not breed within Hampshire whilst the site does not contain suitable habitats for breeding firecrest.



- A total of four BoCC Red Listed species were recorded during the survey comprising house sparrow *Passer domesticus*, redwing, song thrush *Turdus philomelos* and starling *Sturnus vulgaris*. (Appendix F). Additionally a fieldfare *Turdus pilaris* was recorded flying over the site on one occasion.
- A total of sixteen BoCC Amber Listed species were recorded during the surveys although some of these were recorded flying over the site rather than actively using it. Such species included black-headed gull *Larus ridibundus*, common gull *Larus canus*, curlew *Numenius arquata*, golden plover *Pluvialis apricaria*, green sandpiper *Tringa ochropus*, lesser black-backed gull *Larus fuscus*, little egret *Egretta garzetta* and Mediterranean gull *Larus melanocephalus*.
- Amber List species recorded utilising the habitats on the site comprised of the following seven species: bullfinch *Pyrrhula pyrrhula*, dunnock, firecrest, grey wagtail *Motacilla cinerea*, kestrel *Falco tinnunculus*, meadow pipit *Anthus pratensis* and stock dove *Columba oenas*.

The notable bird species recorded from the site are listed in Table 2 below (See Appendix E - Plan 1 (BoCC red list species) and Plan 2 (BoCC amber list species) for their locations). The standard BTO codes are shown in brackets after the Common name.

**Table 2: Notable bird species recorded wintering (BoCC Red and Amber list) within the survey area.**

| Common Name<br>(BTO code) | Scientific Name             | Comments         | Status                           |
|---------------------------|-----------------------------|------------------|----------------------------------|
| Bullfinch (BF)            | <i>Pyrrhula pyrrhula</i>    |                  | BOCC Amber                       |
| Dunnock (D)               | <i>Prunella modularis</i>   |                  | BOCC Amber                       |
| Firecrest (FC)            | <i>Regulus ignicapillus</i> | Unlikely breeder | BOCC Amber (Schedule 1 WCA 1981) |
| Grey Wagtail (GL)         | <i>Motacilla cinerea</i>    |                  | BOCC Amber                       |
| House Sparrow (HS)        | <i>Passer domesticus</i>    |                  | BOCC Red                         |
| Kestrel (K)               | <i>Falco tinnunculus</i>    |                  | BOCC Amber                       |
| Meadow Pipit (MP)         | <i>Anthus pratensis</i>     |                  | BOCC Amber                       |
| Redwing (RE)              | <i>Turdus iliacus</i>       |                  | BOCC Red (Schedule 1 WCA 1981)   |
| Song Thrush (ST)          | <i>Turdus philomelos</i>    |                  | BOCC Red                         |
| Starling (SG)             | <i>Sturnus vulgaris</i>     |                  | BOCC Red                         |
| Stock Dove (SD)           | <i>Columba oenas</i>        |                  | BOCC Amber                       |

A range of common and widespread bird species (BoCC Green List) were also recorded during the surveys that are typical of species found within the habitats found on site. These were nearly all song birds, the exceptions being common buzzard *Buteo buteo* and sparrowhawk *Accipiter nisus* (Table 3). The full list of species recorded during the surveys is provided in Appendix E.

**Table 3: Common (BoCC Green List) bird species recorded wintering within the survey area.**

| Common Name (BTO code)   | Scientific Name                |
|--------------------------|--------------------------------|
| Blackbird                | <i>Turdus merula</i>           |
| Blackcap                 | <i>Sylvia atricapilla</i>      |
| Blue Tit                 | <i>Cyanistes caeruleus</i>     |
| Carrion Crow             | <i>Corvus corone</i>           |
| Chaffinch                | <i>Fringilla coelebs</i>       |
| Coal Tit                 | <i>Periparus ater</i>          |
| Collard Dove             | <i>Streptotelia decaocto</i>   |
| Common Buzzard           | <i>Buteo buteo</i>             |
| Goldcrest                | <i>Regulus regulus</i>         |
| Goldfinch                | <i>Carduelis carduelis</i>     |
| Great Tit                | <i>Parus major</i>             |
| Great Spotted Woodpecker | <i>Dendrocopos major</i>       |
| Greenfinch               | <i>Carduelis chloris</i>       |
| Jackdaw                  | <i>Corvus monedula</i>         |
| Jay                      | <i>Garrulus glandarius</i>     |
| Long-tailed Tit          | <i>Aegithalos caudatus</i>     |
| Magpie                   | <i>Pica pica</i>               |
| Pheasant                 | <i>Phasianus colchicus</i>     |
| Pied Wagtail             | <i>Motacilla alba</i>          |
| Robin                    | <i>Erithacus rebecula</i>      |
| Rook                     | <i>Corvus frugilegus</i>       |
| Sparrowhawk              | <i>Accipiter nisus</i>         |
| Woodpigeon               | <i>Columba palumbus</i>        |
| Wren                     | <i>Troglodytes troglodytes</i> |

- No species of bird which are listed as a qualifying feature of the Chichester and Langstone Harbours SPA were recorded using the site.
- Of the fifty birds recorded during the surveys sixteen were recorded only in flight whilst thirty four were record actively using the site. The birds species recorded only flying over the site are considered very unlikely to use the habitats present on site. The species recorded flying over but not utilising the site included golden plover, black-headed gulls, lesser black-backed gulls and green sandpiper.
- The proposed development site itself is used by a number of other species; of interest were single firecrests (Schedule 1 of the Wildlife and Countryside Act 1981, BoCC Amber listed species), recorded on two occasions, and kestrels which were seen on four separate surveys (BoCC Amber Listed species).



### 3.3.1 Common and Widespread Species

A range of common and widespread bird species (BoCC Green List) were also recorded during the surveys that are typical of species found within the habitats found on site. These were nearly all song birds, the exceptions being common buzzard *Buteo buteo* and sparrowhawk *Accipiter nisus* (Table 3). The full list of species recorded during the surveys is provided in Appendix E.

**Table 3: Common (BoCC Green List) bird species recorded wintering within the survey area.**

| Common Name (BTO code)   | Scientific Name                |
|--------------------------|--------------------------------|
| Blackbird                | <i>Turdus merula</i>           |
| Blackcap                 | <i>Sylvia atricapilla</i>      |
| Blue Tit                 | <i>Cyanistes caeruleus</i>     |
| Carrion Crow             | <i>Corvus corone</i>           |
| Chaffinch                | <i>Fringilla coelebs</i>       |
| Coal Tit                 | <i>Periparus ater</i>          |
| Collard Dove             | <i>Streptotelia decaocto</i>   |
| Common Buzzard           | <i>Buteo buteo</i>             |
| Goldcrest                | <i>Regulus regulus</i>         |
| Goldfinch                | <i>Carduelis carduelis</i>     |
| Great Tit                | <i>Parus major</i>             |
| Great Spotted Woodpecker | <i>Dendrocopos major</i>       |
| Greenfinch               | <i>Carduelis chloris</i>       |
| Jackdaw                  | <i>Corvus monedula</i>         |
| Jay                      | <i>Garrulus glandarius</i>     |
| Long-tailed Tit          | <i>Aegithalos caudatus</i>     |
| Magpie                   | <i>Pica pica</i>               |
| Pheasant                 | <i>Phasianus colchicus</i>     |
| Pied Wagtail             | <i>Motacilla alba</i>          |
| Robin                    | <i>Erithacus rebecula</i>      |
| Rook                     | <i>Corvus frugilegus</i>       |
| Sparrowhawk              | <i>Accipiter nisus</i>         |
| Woodpigeon               | <i>Columba palumbus</i>        |
| Wren                     | <i>Troglodytes troglodytes</i> |

### 3.3.2 Disturbance

During the bird counts, records were made of the frequency of potential disturbance events to the birds occupying and feeding on the site. No notable instances of disturbance were recorded during the surveys.



## 4.0 Discussion

### 4.1 Summary of survey results

Key results of the 12 surveys are as follows:

- No Brent geese were recorded using the site by WYG.

None of the other species for which Langstone Harbour SPA is designated (i.e. black-tailed godwit, dunlin, grey plover, redshank and ringed plover) were recorded using the site by WYG.

During the WYG surveys, the site was noted to have mixed use by birds; the field provided a food resource to a range of bird species with the hedgerows and scrub and offering shelter, perches, foraging areas and potential breeding opportunities. The habitat at the site, which comprised of relatively small, enclosed fields, surrounded by woodland, hedgerows and residential areas and internally divided by further hedgerows and scattered scrub, is not attractive to the intertidal species associated the SPA.

Four Red Listed (BoCC) species (common starling, house sparrow, song thrush, and redwing) and seven amber list species (dunnock, kestrel, grey wagtail, meadow pipit, stock dove and firecrest (also Schedule 1 of the WCA 1981) were recorded.

The area surveyed consists of habitats that are of unexceptional quality for birds that are widespread and frequent within lowland farmland and suburban environments. Most of the species are BoCC Green Listed and are likely to continue to thrive on site providing that areas of green space (including gardens), scrub and hedgerows are kept as part of any proposals.

### 4.2 Potential Impacts

#### 4.2.1 Habitat Loss

The areas of habitat which will be impacted by the proposed development include improved grassland, scattered scrub and dense areas of scrub (see Appendix B). The field is considered to have minimal potential to support Brent geese or other SPA qualifying species given its proximity to houses, fragmented hedgerows and surrounding trees; however, it is good habitat for common starling, dunnock and house sparrows which all feed in the hedgerows and scrub within the field. Some areas of scrub and grassland are to be lost as a result of the proposals, however sensitive provision of areas of green space and garden planting will mitigate for this loss. Any removal of vegetation should not be carried out during the nesting



season (March-August inclusive) unless inspected by a suitably qualified ecologist no more than 48 hours prior to works commencing. Construction activities and associated noise may disturb breeding birds around periphery of the site, if these are carried out within the breeding season. As the site is located close to the M27 Motorway birds in the area may however be partially habituated to noise disturbance.

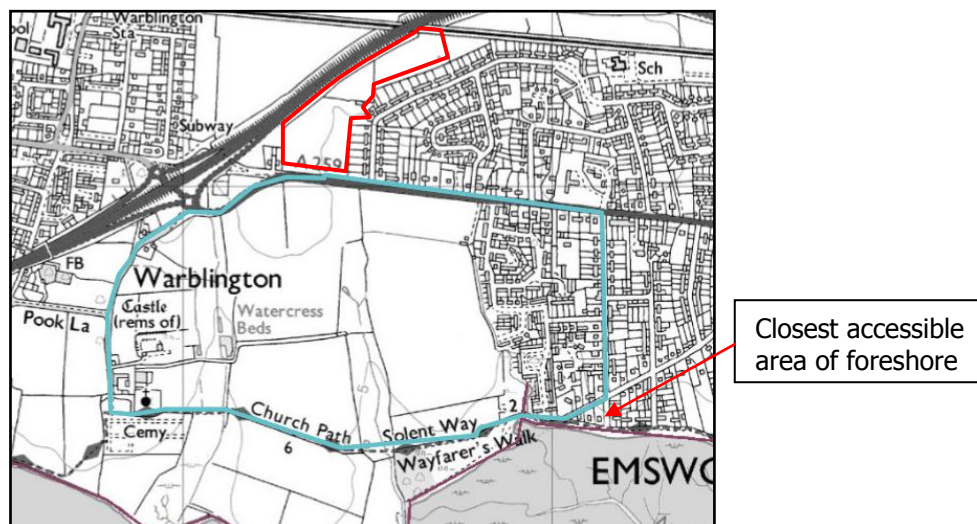
#### **4.2.2 Disturbance to wintering waders and Brent geese**

It is known that noise associated with construction activities can disturb wintering waders and wildfowl (IECS 2009). However, fields immediately to the south of the potential development site either have no records of waders or Brent geese or they are classified as being 'uncertain' in respect to their use by Brent geese or waders. Hedgerows between these fields and bordering the road to the south of the site are likely to reduce the impacts of noise disturbance to any species present. The nearest site known to be important for Brent geese is approximately 1000 m to the south west away from the site, (H24D, WBGSG) and construction sounds are unlikely to cause disturbance at such distances, especially as they likely to be masked by the constant noise originating from traffic using the A27 to the north of the site. It would however be prudent to take measures to that will reduce construction noise in order to prevent possible disturbance to Bent geese and waders such 'damping' pile drivers and placing generators or other noisy equipment in acoustic enclosures.

Increased recreational pressure on the footpath network along the north shore of Chichester Harbour is likely from the creation of 140 homes at the site. The presence of increased walkers and dogs along the footpath (Solent Way-Church Path) 700 m to the south of the site likely to be the primary source of any potential indirect disturbance to wintering Brent geese or waders. The local footpath network provides a circular walk of approximate 4 km in length that is likely to be used by dog walkers. The provision of suitable fencing along Church Path to restrict the ability of dogs that are off the lead to run onto open fields may reduce levels of possible disturbance to any Brent geese and waders that may be present. Increased signage may reduce disturbance to birds by encouraging sensible management of dogs and highlighting steps to reduce general disturbance as well as providing educational information.

Indirect disturbance to areas of foreshore is possible to the south of Emsworth approximately 1.4 km from the likely site access point (Figure 2). Given that a large residential area is present to the north of this, the increased number of visitors to the site from the proposed new development is considered to have a limited impact on wildfowl and waders as they may already be habituated to human presence.

**Figure 2: Walking routes from the Site to foreshore**



The development proposals include areas of open/green space to the north, south and centre of the development area, and a network of footpaths enabling residents to walk dogs on site and thus reducing potential pressures on the SPA (see Planning Layout-18-2059-001).

All applications within 5.6 km of the Solent SPAs need to provide means of mitigating potential cumulative impacts on the SPAs - this will require a payment of £176 per dwelling before planning permission is granted or by entering into S.106 agreement. The development, therefore, has the potential of creating an additional £33,792 payment to reduce impacts of development within the SPA.

#### 4.2.3 Other Birds

The inclusion of areas of scrub, grassland and hedgerows within the development proposals will offer potential nesting habitat for a variety of bird species (see section 4.3.2). Some of the benefits in creating additional habitat for typical garden birds may be partially offset by an increase in predation from cats associated with the residential development.

### 4.3 Mitigation & Enhancement

#### 4.3.1 General Habitat Mitigation

The loss of any grassland, mixed scrub and fragmented hedgerows used by common starling, dunnock and house sparrows will be mitigated for by the creation of a habitat mosaic of hedgerows, trees and interconnected grassland within the site layout; this will offer foraging, roosting and nesting areas to these



and other species. Garden habitats will also be utilised by these species. The provision of nest boxes could benefit a range of species: this could include 2 boxes for swifts and 3 'sparrow terraces'.

#### **4.3.2 Mitigation and enhancement for Brent geese and waders**

Brent geese and waders have not been recorded on the site. The relatively enclosed nature of the land, its relatively small size and proximity to adjacent houses render it unsuitable for these species. No mitigation for these species is, therefore, required on site. The provision of a path network onsite will reduce likely impacts of disturbance to Brent geese and waders in more sensitive areas offsite.

It is likely, however, that additional recreation pressure may be put onto areas of the SPA that have the potential to hold wintering waders and Brent geese. The financial contribution provided to the SPA in accordance with the Solent Disturbance and Mitigation Project in the event of the development proceeding will be a significant contribution to aid the management of the SPA and is likely to offset and negative impacts.

#### **4.3.3 Mitigation for Breeding Birds**

To avoid destroying or disturbing active bird nests, it is recommended that vegetation clearance is undertaken outside the bird nesting season. This runs from March to September inclusive in any given year. It is considered likely that, if the site is successfully granted planning permission, site clearance will fall within the summer months and hence within the breeding bird season. Therefore, it is recommended that where scrub and/or hedgerows are to be removed, these areas are to be inspected by a suitably qualified ecologist no more than 48 hours prior to works commencing. Should any active nests be found, they must be left *in situ* and not disturbed until all the young have fledged and cease to return to the nest. A buffer of approximately 5 metres should be enacted around each active nest (although the ecologist will confirm this with regards to various species) and every effort must be made not to enter or disturb this area. If, once started, construction works cease for more than five days, it is recommended that an update check is undertaken before any clearance activities are resumed to confirm whether any nesting birds have taken up residence in the intervening period.



## 5.0 References

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WYG Phase 1 Habitat report, Land at Havant Road, Emsworth, July 2016



## **Appendix A – Report Conditions**



## Land at Havant Road, Emsworth: Wintering Birds Survey Report

### Report Conditions

#### Land at Havant Road, Emsworth – Wintering Bird Report

This report is produced solely for the benefit of Barratt Homes, and no liability is accepted for any reliance placed on it by any other party unless specifically agreed in writing otherwise.

This report is prepared for the proposed uses stated in the report and should not be used in a different context without reference to WYG. In time improved practices, fresh information or amended legislation may necessitate a re-assessment. Opinions and information provided in this report are on the basis of WYG using due skill and care in the preparation of the report.

This report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times.

This report is limited to those aspects reported on, within the scope and limits agreed with the client under our appointment. It is necessarily restricted and no liability is accepted for any other aspect. It is based on the information sources indicated in the report. Some of the opinions are based on unconfirmed data and information and are presented as the best obtained within the scope for this report.

Reliance has been placed on the documents and information supplied to WYG by others but no independent verification of these has been made and no warranty is given on them. No liability is accepted or warranty given in relation to the performance, reliability, standing etc of any products, services, organisations or companies referred to in this report.

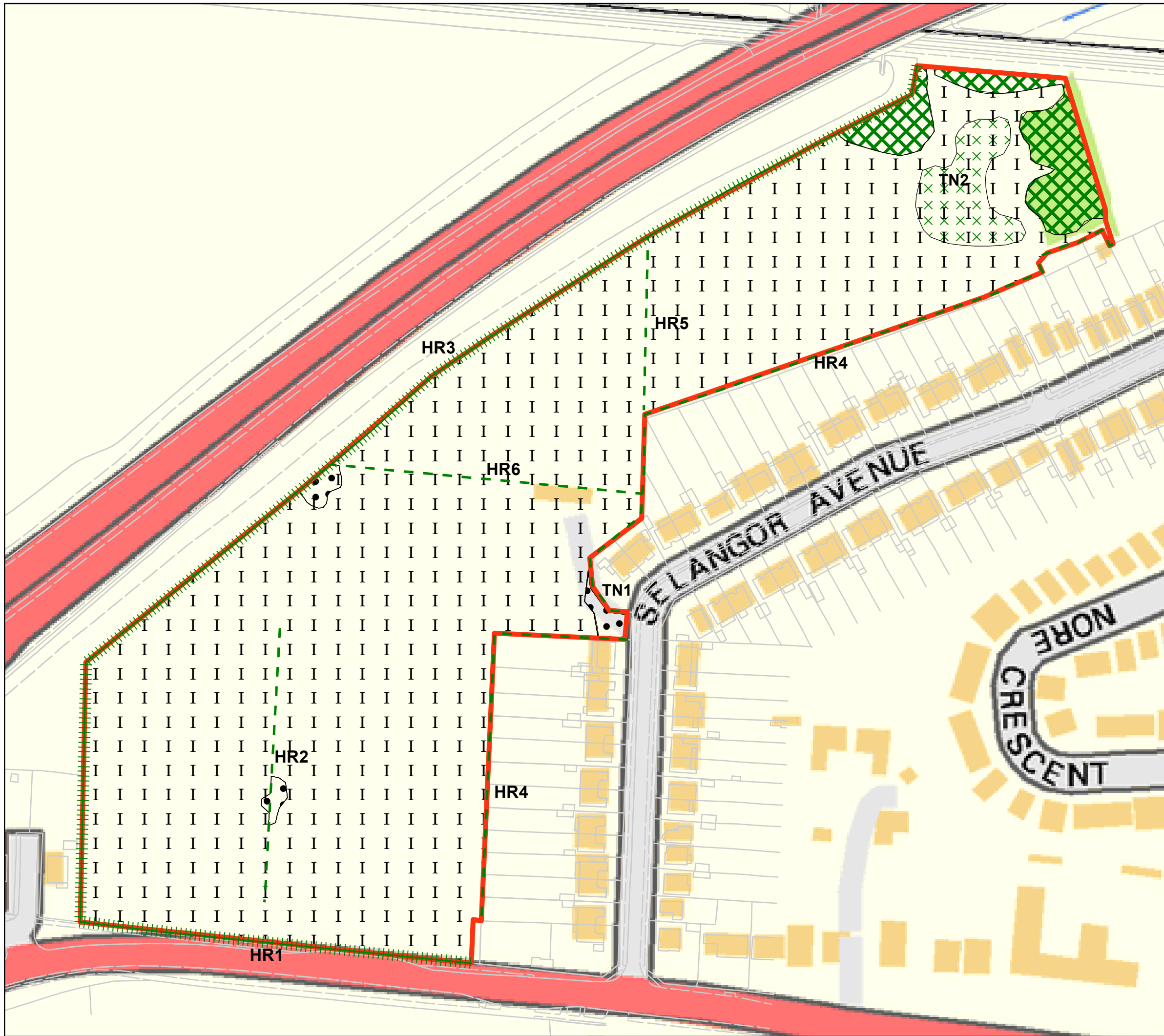
Whilst skill and care have been used, no investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather related conditions.

Although care is taken to select monitoring and survey periods that are typical of the environmental conditions being measured, within the overall reporting programme constraints, measured conditions may not be fully representative of the actual conditions. Any predictive or modelling work, undertaken as part of the commission will be subject to limitations including the representativeness of data used by the model and the assumptions inherent within the approach used. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions.

The potential influence of our assessment and report on other aspects of any development or future planning requires evaluation by other involved parties. The performance of environmental protection measures, e.g. of buildings and other structures in relation to acoustics, vibration, noise mitigation, and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. WYG accept no liability for issues with performance arising from such factors.



## **Appendix B – Phase 1 Survey Plan**



## Legend

- Species poor, defunct hedgerow
- ||||| Species poor hedge/trees
- Site boundary
- <all other values>
- Bare ground
- ▨ Dense/continuous scrub
- ××× Scattered scrub
- Improved grassland



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## Land at Havant Road Warblington

### Phase 1 habitat survey map

|              |                 |                   |                    |
|--------------|-----------------|-------------------|--------------------|
| Scale at A3: | Drawn by: Date: | Checked By: Date: | Approved By: Date: |
|              | EA 03/12/14     | EH 03/12/14       | CM 03/12/14        |
| Project No:  | Office          | Type              | Drawing No.        |
| A088368      | 45              | 94                | Figure 1           |
|              |                 |                   | Revision           |

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## **Appendix C – Peak Counts (WYG)**

# Land at Havant Road, Emsworth: Wintering Birds Survey Report



|                          | 13th<br>Oct<br>2014 | 23rd<br>Oct<br>2014 | 9th<br>Nov<br>2014 | 26th<br>Nov<br>2014 | 3rd<br>Dec<br>2014 | 18th<br>Dec<br>2014 | 6th<br>Jan<br>2015 | 22nd<br>Jan<br>2015 | 5th<br>Feb<br>2015 | 17th<br>Feb<br>2015 | 3rd<br>Mar<br>2015 | 18th<br>Mar<br>2105 |
|--------------------------|---------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|
| Blackbird                | 17                  | 37                  | 25                 | 22                  | 26                 | 13                  | 14                 | 14                  | 18                 | 18                  | 19                 | 24                  |
| Blackcap                 |                     | 1                   |                    |                     |                    |                     |                    |                     |                    |                     |                    |                     |
| <b>Black-headed gull</b> | <b>(40)</b>         | <b>(10)</b>         | <b>(23)</b>        | <b>(208)</b>        | <b>(25)</b>        | <b>(171)</b>        | <b>(25)</b>        | <b>(27)</b>         | <b>(17)</b>        | <b>(9)</b>          | <b>(22)</b>        | <b>(62)</b>         |
| Blue tit                 | 6                   | 12                  | 7                  | 11                  | 10                 | 16                  | 12                 | 12                  | 14                 | 14                  | 6                  | 15                  |
| <b>Bullfinch</b>         |                     |                     |                    |                     | <b>1</b>           |                     |                    | <b>6</b>            | <b>3 (1)</b>       |                     |                    |                     |
| Canada goose             |                     |                     |                    |                     |                    |                     |                    |                     |                    |                     | (1)                |                     |
| Carrion Crow             | 3 (2)               | 2 (10)              | 2 (6)              | 3 (5)               | 2 (1)              | 4(1)                | 7                  | 5 (2)               | 4                  | 4 (2)               | 7 (13)             | 6 (1)               |
| Chaffinch                | 1                   | 1(3)                | 3                  | 1                   | 2 (3)              |                     | 2                  | 4                   | 1                  | 4                   | 6                  | 6                   |
| Chiffchaff               |                     | 2                   |                    | 1                   | 1                  |                     |                    |                     |                    | 1                   |                    | 5                   |
| Coal tit                 |                     |                     |                    |                     |                    |                     |                    |                     |                    |                     | 1                  |                     |
| Collared Dove            |                     | (7)                 | (1)                | 1                   | (4)                | (2)                 | 2 (2)              | (1)                 | (1)                |                     | 1 (2)              | 3                   |
| Com. buzzard             |                     |                     | (1)                |                     |                    |                     | 1 (1)              | 1                   | 1                  | 2                   | 1                  | (1)                 |
| <b>Common gull</b>       |                     |                     | <b>(3)</b>         | <b>(6)</b>          |                    |                     | <b>(1)</b>         |                     |                    | <b>(1)</b>          |                    |                     |
| <b>Curlew</b>            |                     |                     |                    |                     | <b>(5)</b>         | <b>(7)</b>          |                    |                     | <b>(2)</b>         |                     |                    |                     |

Land at Havant Road, Emsworth: Wintering Birds Survey Report



|                        | 13th<br>Oct<br>2014 | 23rd<br>Oct<br>2014 | 9th<br>Nov<br>2014 | 26th<br>Nov<br>2014 | 3rd<br>Dec<br>2014 | 18th<br>Dec<br>2014 | 6th<br>Jan<br>2015 | 22nd<br>Jan<br>2015 | 5th<br>Feb<br>2015 | 17th<br>Feb<br>2015 | 3rd<br>Mar<br>2015 | 18th<br>Mar<br>2015 |
|------------------------|---------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|
| <b>Dunnoek</b>         | <b>7</b>            | <b>12</b>           | <b>14</b>          | <b>14</b>           | <b>14</b>          | <b>11</b>           | <b>9</b>           | <b>17</b>           | <b>19</b>          | <b>23</b>           | <b>15</b>          | <b>14</b>           |
| <b>Fieldfare</b>       |                     |                     |                    |                     | <b>(1)</b>         |                     |                    |                     |                    |                     |                    |                     |
| <b>Firecrest</b>       |                     |                     |                    |                     |                    |                     |                    |                     |                    | <b>1</b>            | <b>1</b>           |                     |
| Goldcrest              | 5                   | 2                   | 3                  | 5                   | 5                  | 3                   |                    |                     | 5                  | 4                   | 3                  | 2                   |
| <b>Golden plover</b>   |                     |                     |                    |                     |                    | <b>(7)</b>          |                    |                     |                    |                     |                    |                     |
| Goldfinch              | (2)                 | 9 (2)               | 1 (4)              | (1)                 | 2                  | (2)                 | (1)                | (1)                 | (2)                | 3 (2)               | (5)                | 1 (2)               |
| Great tit              | 7                   | 8                   | 10                 | 9                   | 13                 | 9                   | 9                  | 12                  | 11                 | 8                   | 14                 | 8                   |
| Great spt woodpecker   |                     |                     |                    | 1                   |                    |                     | 1                  |                     |                    |                     |                    |                     |
| Greenfinch             |                     |                     | (1)                | 2 (2)               | 3 (3)              | 1 (1)               |                    | 3 (3)               | 5 (1)              | 4 (4)               | 5 (8)              | 2 (4)               |
| <b>Green sandpiper</b> |                     |                     |                    |                     |                    |                     |                    | <b>(1)</b>          |                    |                     |                    |                     |
| Grey heron             |                     |                     |                    |                     |                    |                     |                    |                     |                    |                     | (1)                |                     |
| <b>Grey wagtail</b>    |                     | <b>(1)</b>          |                    | <b>(1)</b>          | <b>(1)</b>         |                     | <b>1</b>           | <b>1 (1)</b>        | <b>(1)</b>         | <b>(1)</b>          | <b>(1)</b>         |                     |
| <b>Herring gull</b>    | <b>(2)</b>          | <b>(7)</b>          | <b>(10)</b>        | <b>(32)</b>         | <b>(5)</b>         | <b>(13)</b>         | <b>(25)</b>        | <b>(7)</b>          | <b>(11)</b>        | <b>(11)</b>         | <b>(20)</b>        | <b>(17)</b>         |
| <b>House sparrow</b>   |                     | <b>5</b>            | <b>8 (1)</b>       | <b>16</b>           | <b>13</b>          | <b>8</b>            | <b>10</b>          | <b>16</b>           | <b>16</b>          | <b>10</b>           | <b>13</b>          | <b>5</b>            |
| Jackdaw                | (5)                 | (19)                | (11)               | (9)                 | 4 (2)              | (83)                | (8)                | (20)                | (7)                | (57)                | (4)                | (7)                 |

Land at Havant Road, Emsworth: Wintering Birds Survey Report



|                                 | 13th<br>Oct<br>2014 | 23rd<br>Oct<br>2014 | 9th<br>Nov<br>2014 | 26th<br>Nov<br>2014 | 3rd<br>Dec<br>2014 | 18th<br>Dec<br>2014 | 6th<br>Jan<br>2015 | 22nd<br>Jan<br>2015 | 5th<br>Feb<br>2015 | 17th<br>Feb<br>2015 | 3rd<br>Mar<br>2015 | 18th<br>Mar<br>2015 |
|---------------------------------|---------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|
| Jay                             |                     | 1 (1)               |                    |                     |                    |                     |                    |                     |                    |                     |                    | 1                   |
| <b>Kestrel</b>                  |                     |                     |                    | <b>1</b>            |                    |                     |                    | <b>1</b>            |                    | <b>1</b>            | <b>2</b>           | <b>1</b>            |
| <b>Lesser black-backed gull</b> | <b>(2)</b>          |                     |                    |                     |                    |                     |                    |                     |                    | <b>(1)</b>          | <b>(6)</b>         |                     |
| <b>Linnet</b>                   |                     | <b>(1)</b>          |                    |                     | <b>(1)</b>         |                     |                    |                     |                    |                     |                    |                     |
| <b>Little Egret</b>             |                     |                     | <b>(1)</b>         | <b>(1)</b>          | <b>(1)</b>         |                     |                    |                     | <b>(1)</b>         |                     |                    | <b>(1)</b>          |
| Long-tailed tit                 | 3                   | 12                  | 7                  | 10                  | 19                 | 6                   | 6                  | 2 (2)               | 4                  | 5                   | 4                  | 2                   |
| Magpie                          | 7                   | 6                   | 7 (1)              | 9 (1)               | 6                  | 7 (2)               | 27                 | 9                   | 6                  |                     | 8 (1)              | 5                   |
| <b>Meadow pipit</b>             | <b>(3)</b>          | <b>(3)</b>          | <b>(2)</b>         | <b>(1)</b>          |                    | <b>(1)</b>          |                    | <b>(5)</b>          | <b>(3)</b>         |                     | <b>(1)</b>         | <b>2 (2)</b>        |
| <b>Mediterranean gull</b>       |                     |                     |                    |                     |                    |                     |                    |                     |                    |                     | <b>(4)</b>         | <b>(8)</b>          |
| Pheasant                        | 3                   |                     |                    |                     |                    |                     |                    |                     |                    |                     |                    |                     |
| Pied wagtail                    | (1)                 | (3)                 | (2)                | (4)                 | (2)                | (2)                 | (1)                |                     | (1)                |                     |                    |                     |
| <b>Redwing</b>                  |                     |                     |                    |                     | <b>1 (4)</b>       | <b>(3)</b>          |                    |                     | <b>72</b>          |                     |                    | <b>1</b>            |
| Robin                           | 17                  | 20                  | 21                 | 16                  | 19                 | 11                  | 13                 | 15                  | 10                 | 20                  | 15                 | 18                  |
| Rook                            |                     | (61)                | (40)               | (46)                | (51)               | (29)                | (83)               | (33)                | (24)               | (34)                | (11)               | (4)                 |
| <b>Skylark</b>                  |                     | <b>(1)</b>          | <b>(5)</b>         |                     |                    |                     |                    | <b>(5)</b>          |                    |                     |                    | <b>(2)</b>          |

# Land at Havant Road, Emsworth: Wintering Birds Survey Report



|                    | 13th<br>Oct<br>2014 | 23rd<br>Oct<br>2014 | 9th<br>Nov<br>2014 | 26th<br>Nov<br>2014 | 3rd<br>Dec<br>2014 | 18th<br>Dec<br>2014 | 6th<br>Jan<br>2015 | 22nd<br>Jan<br>2015 | 5th<br>Feb<br>2015 | 17th<br>Feb<br>2015 | 3rd<br>Mar<br>2015 | 18th<br>Mar<br>2015 |
|--------------------|---------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|--------------------|---------------------|
| <b>Song thrush</b> | <b>2</b>            | <b>8 (1)</b>        | <b>5</b>           | <b>4</b>            | <b>6 (1)</b>       | <b>5</b>            | <b>2</b>           | <b>5</b>            | <b>6</b>           | <b>2</b>            | <b>4</b>           | <b>2</b>            |
| Sparrowhawk        | 1                   |                     | 1 (1)              | 1                   |                    | 1                   | (1)                |                     |                    |                     | 1                  |                     |
| <b>Starling</b>    | <b>(180)</b>        | <b>(13)</b>         | <b>(24)</b>        | <b>(2)</b>          | <b>(3)</b>         | <b>(5)</b>          | <b>(1)</b>         |                     | <b>(3)</b>         |                     | <b>1 (14)</b>      | <b>(5)</b>          |
| <b>Stock dove</b>  |                     |                     | <b>(2)</b>         | <b>(5)</b>          | <b>(1)</b>         | <b>(4)</b>          | <b>(3)</b>         | <b>(3)</b>          | <b>(1)</b>         | <b>(7)</b>          | <b>1 (2)</b>       |                     |
| Woodpigeon         | 19 (3)              | 23 (51)             | 14 (5)             | 5 (25)              | 59 (199)           | 36 (91)             | 104<br>(101)       | 27(350)             | 380<br>(188)       | 45 (42)             | 51 (20)            | 38 (57)             |
| Wren               | 2                   | 12                  | 19                 | 10                  | 14                 | 9                   | 6                  | 8                   | 7                  | 13                  |                    |                     |

Figures are the maximum count of birds which were using the site during the Walkover survey or VP survey on each date

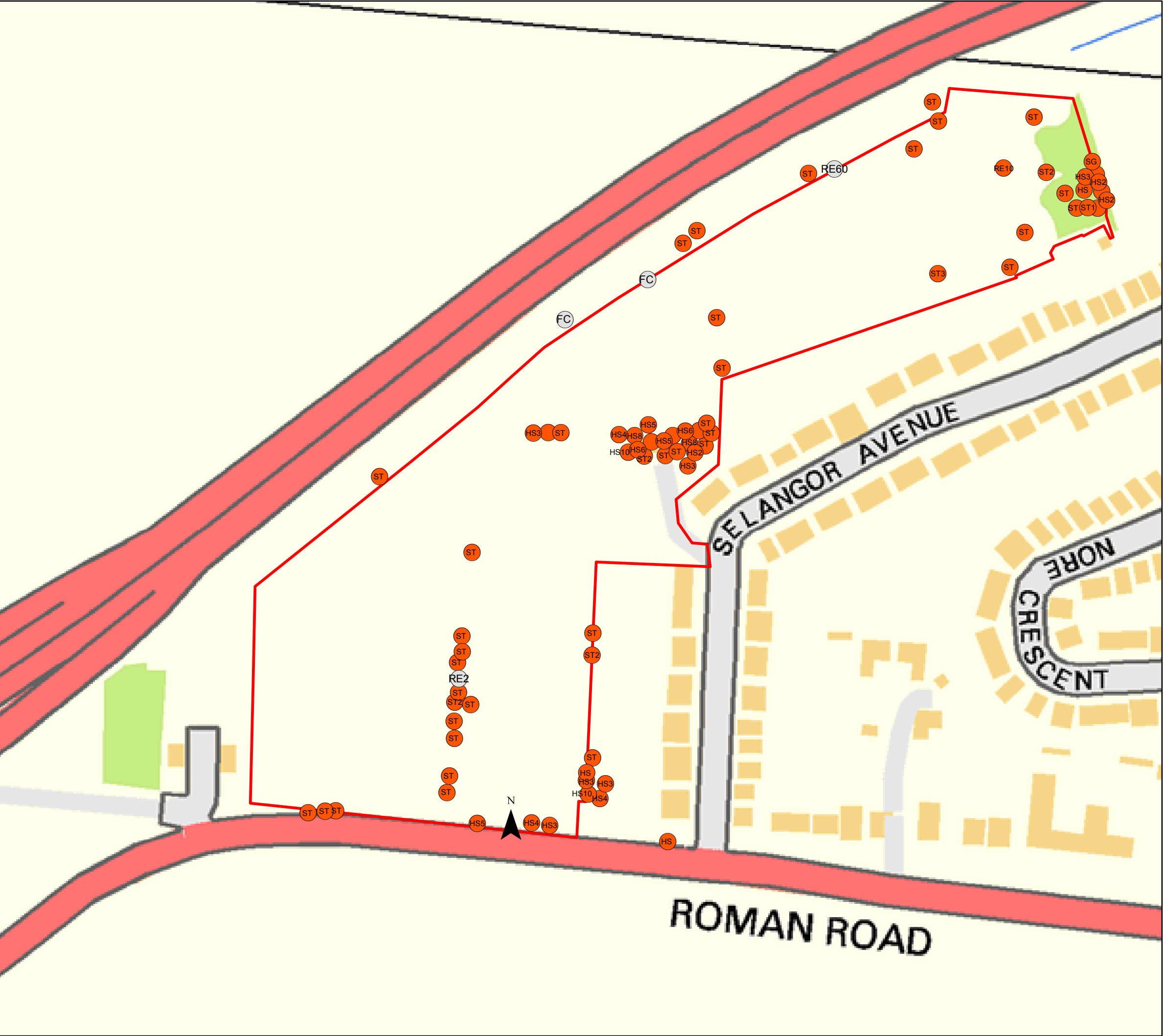
**Bold type** – Species of Conservation Concern (see also Table 2).

Non bold type – Green listed species or introduced species (pheasant)

( ) maximum number of birds recorded in flight during either the walkover survey or VP survey



## **Appendix D: Survey Plan**



○ Schedule 1 WCA Species

● Red List

— Site Boundary

- Firecrest - FC
- Redwing - RE
- House Sparrow - HS
- Song Thrush - ST
- Starling - SG

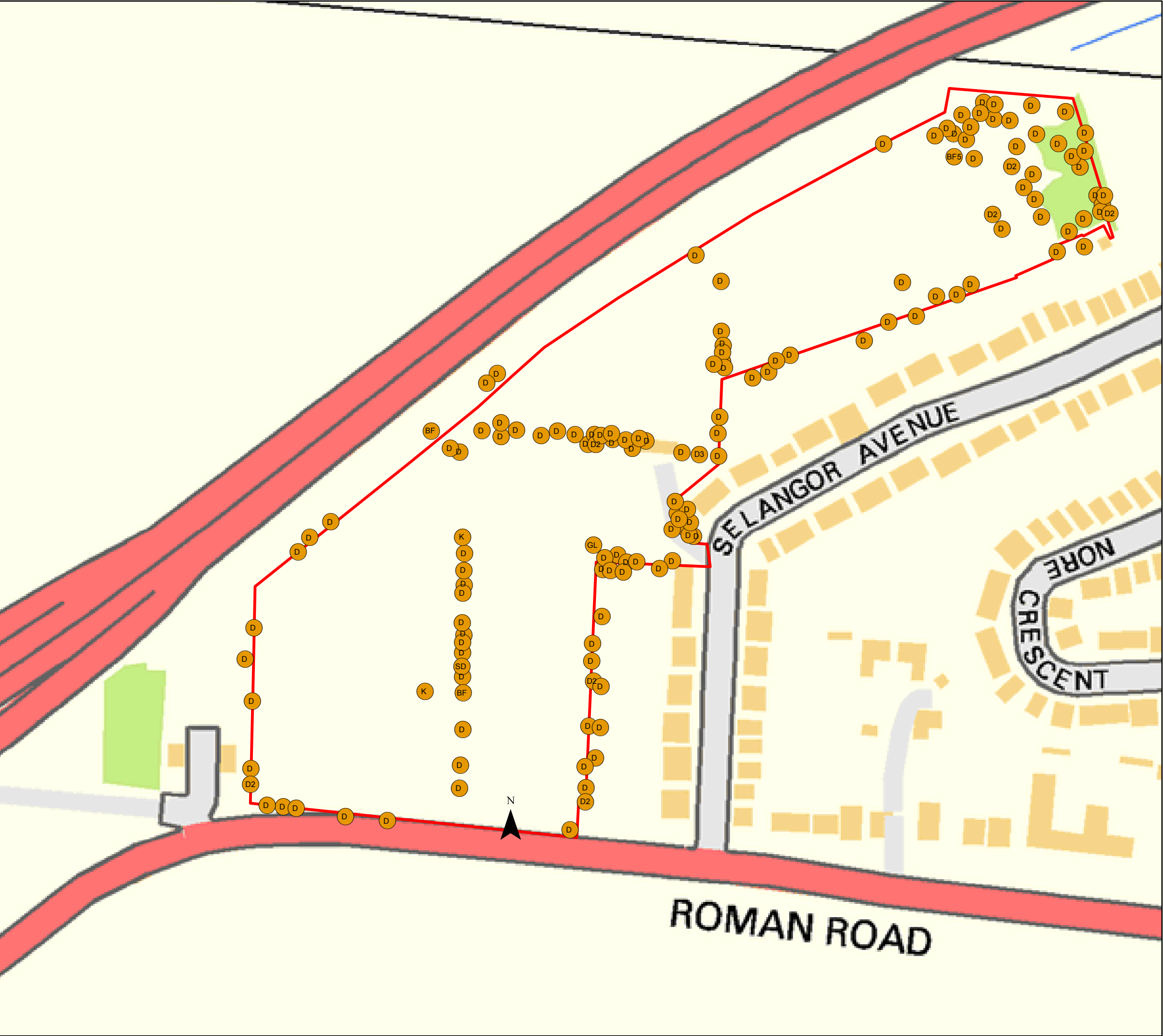
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Project name Land at Warblington

Drawing title Red Listed Species  
Species Included in  
Schedule 1 of WCA 1981

|                     |              |                |                    |                |                 |                  |
|---------------------|--------------|----------------|--------------------|----------------|-----------------|------------------|
| Scale at A3:        | Drawn by: JS | Date: 30/07/15 | Checked By: DG     | Date: 30/07/15 | Approved By: CM | Date: 09/07/2015 |
| Project No: A088368 | Office: 45   | Type: 94       | Drawing No: Plan 2 | Revision       |                 |                  |

Base map provided by



— Site Boundary

- Bullfinch - BF
- Dunnock - D
- Grey Wagtail - GL
- Kestrel - K
- Meadow Pipit - MP
- Stock Dove - SD

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Project name Land at Warblington

Drawing title Amber Listed Species

|                     |              |                |                    |                |                 |                  |
|---------------------|--------------|----------------|--------------------|----------------|-----------------|------------------|
| Scale at A3:        | Drawn by: JS | Date: 30/07/15 | Checked By: DG     | Date: 30/07/15 | Approved By: CM | Date: 09/07/2015 |
| Project No: A088368 | Office: 45   | Type: 94       | Drawing No. Plan 2 | Revision       |                 |                  |

Base map provided by



## **Appendix E: Natural England Consultation**

Date: 29 February 2016  
Our ref: DAS/10420/178896



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## BY EMAIL ONLY

Dear John

**Discretionary Advice Service (Charged Advice):** DAS2034

**Development proposal and location:** DAS Pre-Application for residential development for 154 dwellings at land north of Havant Road, Emsworth, Havant, Hampshire.

Thank you for your consultation on the above dated 16 February 2016..

This advice is being provided as part of Natural England's Discretionary Advice Service. WYG has asked Natural England to:

- Review the Wintering Bird Survey Report and provide advice on offsite mitigation for SPA qualifying features

This advice is provided in accordance with the Quotation and Agreement dated 23 February 2016.

The following advice is based upon the information within

- Barratt David Wilson: Land North of Havant Road, Warblington. Wintering Bird Survey Report, dated August 2015

The proposed residential development site lies in close proximity of Chichester Harbour Site of Special Scientific Interest (SSSI), which forms part of Chichester and Langstone Harbour Special Protection Area (SPA) and Ramsar Site. Advice is provided below based on the impacts of the development on these statutory designated sites only.

## Background

The residential development lies within a site, "H21", identified in the Solent Brent Geese and Waders Strategy (SBGWS) as uncertain for waders.

## ***Natural England has no concerns***

Natural England is satisfied that, on the basis of the objective information provided, it can be excluded that the proposed plan or project will have a significant effect on the Chichester and Langstone Harbours SPA, either individually or in combination with other plans or projects.

Furthermore, Natural England is satisfied that the proposed operations are not likely to damage any

of the interest features of the Chichester Harbour SSSI.

For clarification of any points in this letter, please contact Francesca Barker on 0300 060 0873. This letter concludes Natural England's Advice within the Quotation and Agreement dated 23 February 2016.

[commercialservices@naturalengland.org.uk](mailto:commercialservices@naturalengland.org.uk)

As the Discretionary Advice Service is a new service, we would appreciate your feedback to help shape this service. We have attached a feedback form to this letter and would welcome any comments you might have about our service.

☒ The advice provided in this letter has been through Natural England's Quality Assurance process

The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

Yours sincerely,

Francesca Barker – Lead Adviser  
Dorset, Hampshire and Isle of Wight Area Team

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## Annex 1

### European Protected Species

A licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided (e.g. by timing the works appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development. Further information can be found in Natural England's ['How to get a licence'](#) publication.

If the application requires planning permission, it is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice Natural England provides at formal consultation on the likely impacts on favourable conservation status and Natural England's [guidance](#) on how the three tests (no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) are applied when considering licence applications.

Natural England's pre-submission Screening Service can screen application drafts prior to formal submission, whether or not the relevant planning permission is already in place. Screening will help applicants by making an assessment of whether the draft application is likely to meet licensing requirements, and, if necessary, provide specific guidance on how to address any shortfalls. The advice should help developers and ecological consultants to better manage the risks or costs they may face in having to wait until the formal submission stage after planning permission is secured, or in responding to requests for further information following an initial formal application.

The service will be available for new applications, resubmissions or modifications – depending on customer requirements. More information can be found on [Natural England's website](#).