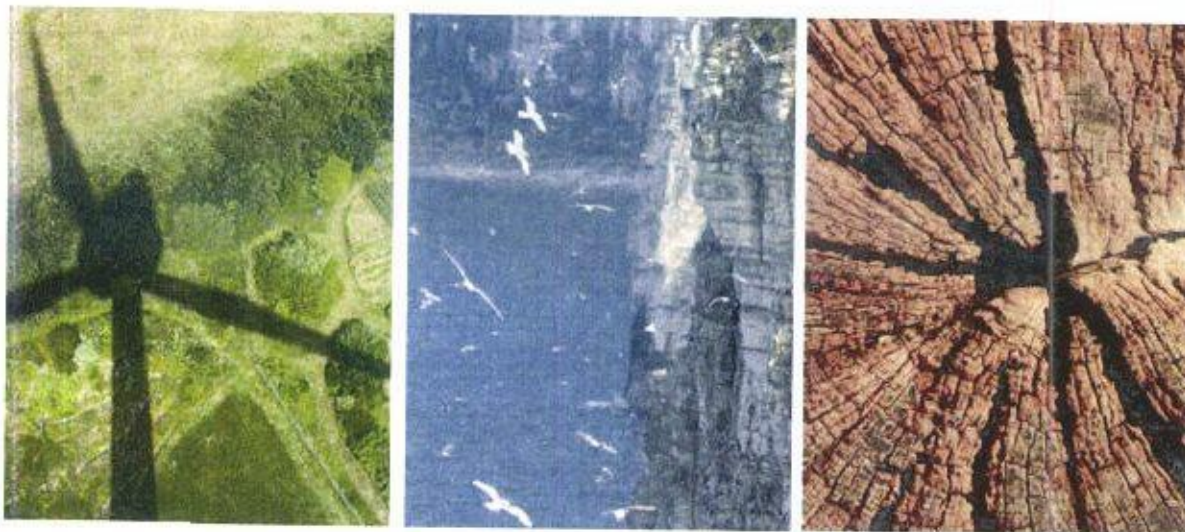




Preliminary Ecological Appraisal
Harts Farm Way, Havant

For

Conroy's Recycling Ltd

Project No.: LNMS101 / 001

December 2014

VALID APPLICATION

- 7 APR 2014

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- Figure 1 Site Location, Study Area and Desk Study Results
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1. Summary and Main Recommendations

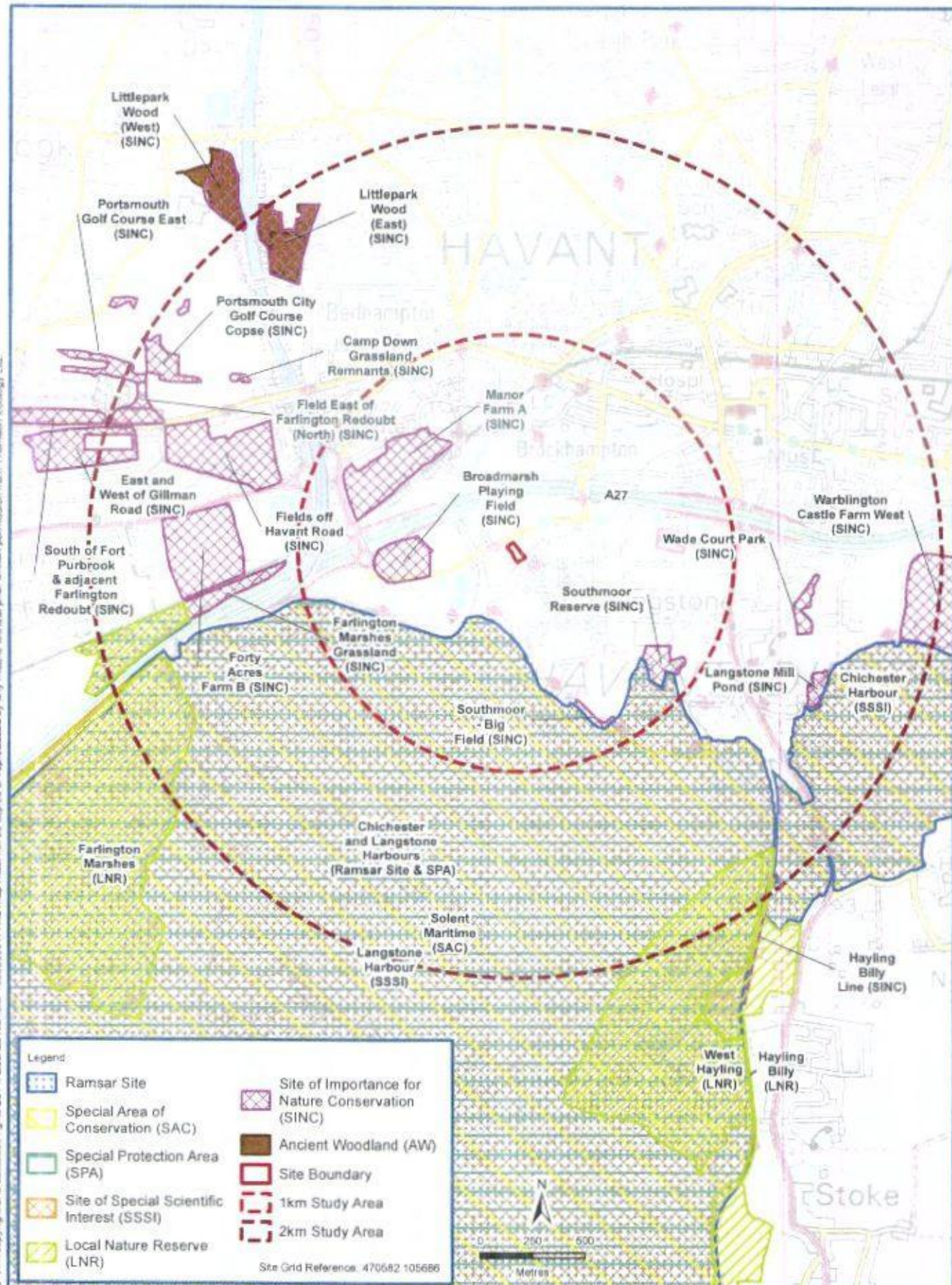
1.1 Summary

- 1.1.1 Conroy's Recycling Ltd is seeking permission from Havant Borough Council to extend the operating life of its material processing facility at Harts Farm Way, Havant. As part of their application proposal, Conroy's Recycling Ltd commissioned Thomson Ecology to gather an ecological baseline for the site to determine ecological constraints to the proposals. To this end, a desk study and an extended Phase 1 habitat survey were carried out.
- 1.1.2 The main findings of the desk study were that the development site is within 0.3km of Chichester and Langstone Harbours SPA/Ramsar/SSSIs and the Solent Maritime SAC. Nineteen non-statutory nature conservation sites, all SINC's, lie outside but within 2km of the site. In addition, the desk study provided records of protected species and species of conservation concern within a 1km radius, including slow worm, water vole, four bat species and a large number of birds. During the field survey, the site was found to comprise hard standing, hard standing with ephemeral short perennial vegetation, artificial spoil, buildings and bare ground with tall ruderal vegetation.
- 1.1.3 The development should not have a significant effect on either the SPA/Ramsar/SSSI or the SAC. There should also be no negative effects on any of the SINC's located nearby. There are no habitats of conservation importance on the site, and only a small amount potential habitat which could be occupied by protected species or species of conservation concern.
- 1.1.4 Conroy's Recycling Ltd have made clear that there is to be no change to their operating procedures on-site or the amount of material processed. Therefore the development should continue to have no significant adverse effects on the local environment.

1.2 Main Recommendations

- 1.2.1 On the basis of this PEA, the following measures are recommended to avoid and reduce the likelihood of significant negative effects on features of nature conservation importance:
- The development should continue to abide by the surface-water control methods previously agreed with Havant Borough Council, as part of the existing application, and follow the Environment Agency's pollution prevention guidelines for *"works and maintenance in or near water"* (PPG5) and *"working at construction and demolition sites"* (PPG6);
 - The removal of the onsite log piles should be conducted under ecological supervision; and
 - The removal of the small area of bramble should be undertaken outside of the breeding bird season or if not then under ecological supervision.
- 1.2.2 There is limited potential for ecological enhancement on the site but two to three bird and bat boxes could be attached to the south wall of building B5 to encourage the presence of these species in the area.

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Client	Conroy's Recycling Ltd		Drawing Ref	LNMS101/17712/1	
Figure Number	1		Scale at A4	1:25,000	
Figure Title	Site Location, Study Area and Desk Study Results		Drawn	AC	Checked NS
			Date	09/12/2014	Date 09/12/2014
			 www.thomsonecology.com enquiries@thomsonecology.com		

Legend

Photograph Location and:

Direction

--- Fence

Wall

Soil Heap Spoil (S)

Building

Transformer Box

— Bare Ground

Hard Standing

Site Boundary

See and Reference: 470 502 105 006

Table 1. *Continued*

Some of the papers in this book, by Dr Scott Cummings and others, are concerned with the use of the Internet for research and for patient care. The Internet is becoming an increasingly important tool for researchers and for patients. It is also becoming an important tool for patient care. The Internet is becoming an increasingly important tool for researchers and for patients. It is also becoming an important tool for patient care.

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Drawing Plot

LNM5101/17712/1

books at 12

Case 1

Drawings

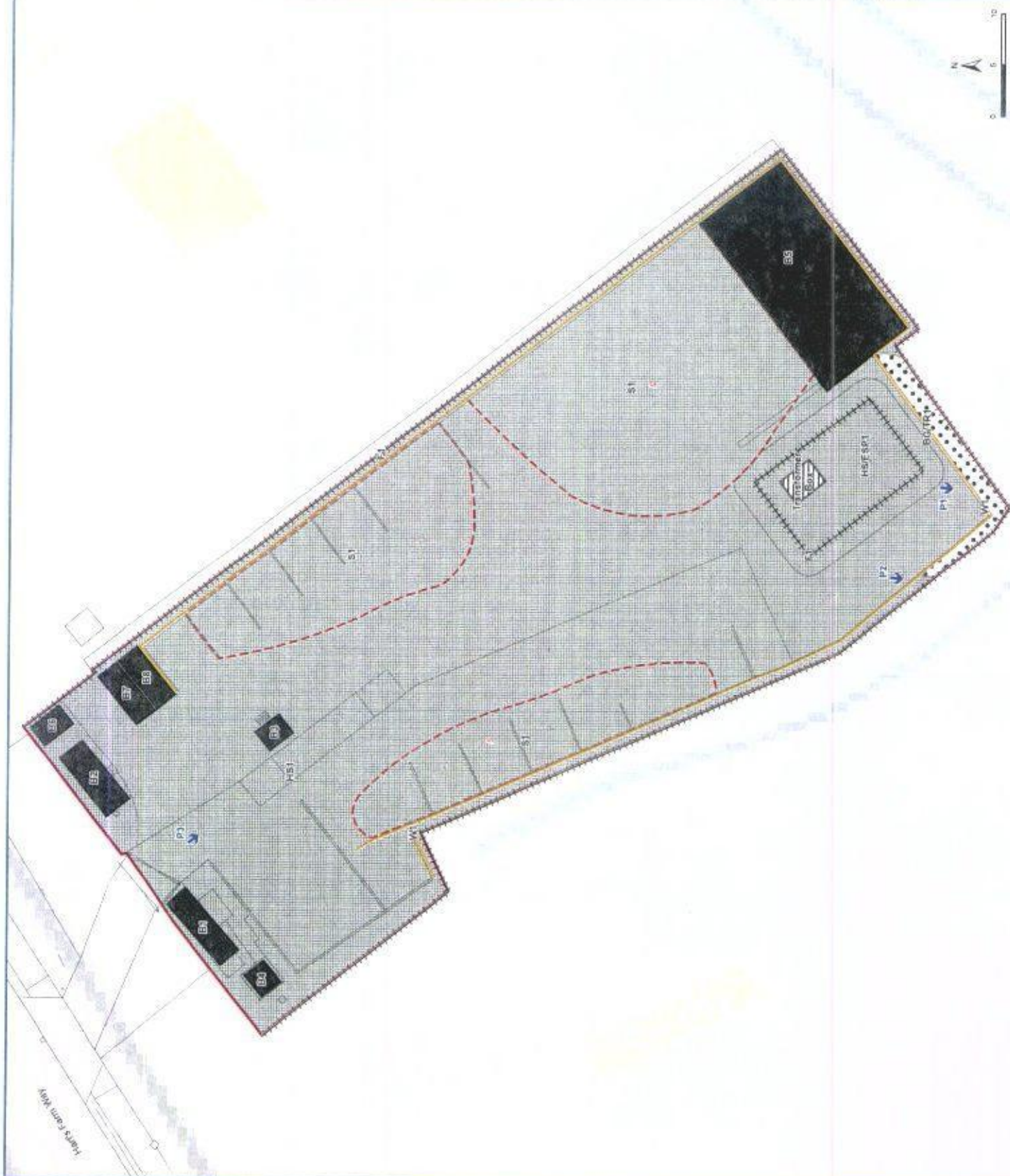
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Conroy's Recycling Ltd

Comments: No answer

2000

Extended Phase 1
Habitat Survey Results



Photograph 1:
Log sleeper pile in BG/TR1



Photograph 2:
Log sleeper pile in BG/TR1



Photograph 3:
Site weigh station (B3) and aggregate mound

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Client	Conroy's Recycling Ltd		Drawing Ref	LNMS101/17714/1	
Figure Number	3		Scale at A4	Not applicable	
Figure Title	Photographs of Site		Drawn	NS	Checked
			Date	08/12/2014	KM
			Date	08/12/2014	

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2. Introduction

2.1 Development Background

- 2.1.1 Conroy's Recycling Ltd currently has a temporary permission to use Harts Farm Way, Havant for material-recovery works. Harts Farm Way was originally chosen to minimise the distance that material would have to be hauled on the local road system. Conroy's Recycling Ltd was given permission to construct a temporary storage facility for unprocessed material as well as setting up of a 'portakabin' for use by the staff. The current permit allows for three vehicles to visit the site daily with one being stored onsite overnight.
- 2.1.2 Conroy's Recycling Ltd is now in the process of applying to Havant Borough Council to obtain permission to extend the operating life of its material-recovery works at Harts Farm Way. The application proposal would allow the site to continue to be used for the cleaning, sorting and binding of arisings taken from the trenches that are being dug in the Havant area as part of the Southern Gas mains replacement program. The processed material would then be used in the reinstatement of the trench openings once complete. Harts Farm Way would continue to receive inert materials only in the form of soil and mineral aggregates and no hazardous waste would be processed or handled.
- 2.1.3 The proposals described above are hereafter collectively referred to as "the development".
- 2.1.4 The development is located on a 0.3ha area of industrial land (grid reference SU70570569), adjacent to the A27 road on the southern edge of Havant, see Figure 1. The area affected by the material recovery works is hereafter referred to as "the site."
- 2.1.5 The site lies within the designated "*Broadmarsh Industrial Area*" as laid out in the Havant Borough District Wide Local Plan.

2.2 The Brief and Objectives

- 2.2.1 NeameSutton, on behalf of Conroy's Recycling Ltd, commissioned Thomson Ecology on the 24th November 2014 to undertake a preliminary ecological assessment of the development site. The brief was to:
- Carry out a desk study to identify designated sites within 2km of the site and records of protected species or species of conservation concern within 1km of the site;
 - Undertake an extended Phase 1 habitat survey of the site;
 - Provide a combined report giving the methods and results of the survey, discussion of any relevant legal and/or planning policy issues and our recommendations as to how these may be overcome; and
 - Provide appropriate digitised mapping.

2.3 Limitations

- 2.3.1 The species data collated during the desk study is mainly derived from records submitted by members of the public and ad hoc surveys undertaken by volunteers. Therefore, it should not be

taken as a definitive list of the protected species and other species of conservation concern that occur in the local area.

2.3.2 The field assessment which forms the basis of this report was undertaken in December which is considered to be a sub-optimal survey period for botanical based surveys. However, the site is dominated by hard standing and buildings so this limitation is not considered to be significant.

2.3.3 This report is based on the development boundary and layout shown on drawing: DTS210511-0M5 as provided to Thomson Ecology by NeameSutton on behalf of Conroy's Recycling Ltd. Subsequent changes to either may result in a requirement to reassess the potential impacts of the development and the requirements for avoidance, mitigation and enhancement.

2.4 Surveyors

2.4.1 The survey was carried out by Chris Savage BSc. MSc. GradCIEEM; a graduate ecologist at Thomson Ecology. Chris has worked in the environmental sector for over 2 and half years and has been with Thomson Ecology since March 2013. He is a graduate member of the Chartered Institute of Environmental Management.

3. Methodology

3.1 Desk Study

- 3.1.1 A study area was defined that encompasses the site and all land within 2km of the perimeter of the site, see Figure 1.
- 3.1.2 Hampshire Biodiversity Information Centre was approached to provide up-to-date information on sites designated for their nature conservation value, local nature reserves, records of protected species and other species of conservation concern and any other information that they considered relevant. Records of designated sites were sought for the full study area, whereas records for species were sought for part of the study area encompassing the site and within 1km of the perimeter of the site.
- 3.1.3 Requests for information were sent on 1st December 2014 with responses requested by the 8th December 2014.
- 3.1.4 In addition, published data was consulted including the following:
- The Multi-Agency Geographical Information for the Countryside (MAGIC);
 - National Biodiversity Network (NBN) Gateway; and
 - Havant Borough Council's Local Plan (Core Strategy).

3.2 Field Survey

- 3.2.1 A survey area was defined that encompassed the site boundary, as is shown on Figure 2.
- 3.2.2 A Phase 1 habitat survey (JNCC, 2010; IEA, 1995) was conducted throughout the survey area. Phase 1 habitat survey is a standard technique for rapidly obtaining baseline ecological information over a large area of land. It is primarily a mapping technique and uses a standard set of habitat definitions for classifying areas of land on the basis of the vegetation present. For this survey, the technique was modified (or extended) to provide more detail over a smaller area, and give further consideration to fauna. The standard habitat definitions were used with an additional category of coarse grassland for unmanaged, secondary grasslands that are species poor.
- 3.2.3 The dominant and readily identified species of higher plants from each habitat type within the survey area were recorded and their abundance was assessed on the DAFOR scale:
- | | |
|---|------------|
| D | Dominant |
| A | Abundant |
| F | Frequent |
| O | Occasional |
| R | Rare |
- 3.2.4 These scores represent the abundance within the defined area only and do not reflect national or regional abundances. Plant species nomenclature follows Stace (2010).

- 3.2.5 Target notes were made for any features which were too small to map or that were of particular *ecological interest*.
- 3.2.6 Incidental records of fauna were also made during the survey and the habitats identified were evaluated for their potential to support protected species and other species of conservation concern, including priority species. However, no specific faunal surveys were undertaken.
- 3.2.7 The survey was conducted on 1st December 2014.

4. Results

4.1 Background

- 4.1.1 The contents of the results section are the factual results of the desk study and extended phase 1 habitat survey. Excluded from this section is the assessment of the site to support species of conservation concern not recorded during the survey. Instead, potential further ecological issues are discussed in Section 6.

4.2 Desk Study

- 4.2.1 A response from Hampshire Biodiversity Information Centre was received on the 3rd December 2014. The results are summarised below and the locations of designated sites and parcels of ancient woodland are shown on Figure 1.

Designated Sites

- 4.2.2 No statutory or non-statutory designated sites are located within the site itself, but the site was found to be within 0.3km of Chichester and Langstone Harbours Special Protection Area (SPA)/RAMSAR site and the Solent Maritime Special Area of Conservation (SAC). Contained within the SPA are two Sites of Special Scientific Interest (SSSIs): Chichester Harbour SSSI and Langstone Harbour SSSI. There are also three nationally designated Local Nature Reserves (LNRs) and 19 Sites of Importance for Nature Conservation (SINC's) within 2km of the site. Details of these sites are given in Table 1 below and their locations are shown on Figure 1.

Table 1: Designated Sites within 2km of the Site

Site Designation	Grid Reference	Area (ha)	Distance to site (km)	Description
International Sites (SPA, SAC and Ramsar)				
Chichester and Langstone Harbours SPA/Ramsar/SSSI	SU740019	5,810	0.3	Large, sheltered estuarine basins comprising extensive sand- and mud-flats exposed at low tide. Supports numerous Annex I species such as little tern (<i>Sternula albifrons</i>), sandwich tern (<i>Thalasseus sandvicensis</i>), little egret (<i>Egretta garzetta</i>) and dark-bellied brent goose (<i>Branta bernicla</i>). The SPA/RAMSAR also overlaps with Chichester Harbour and Langstone Harbour SSSI.
Solent Maritime SAC	SZ712977	11,243	0.3	Large area of estuaries, tidal rivers, mudflats and lagoons. Contains examples of Annex I habitats including estuaries, spartina swards and Atlantic salt meadows.
County and Local Sites (SINCs, LNRs, etc)				
Farlington Marshes LNR	SU685043	120	1.5	A flower-rich grazing marsh that supports internationally important bird populations. Overlaps with Chichester and Langstone Harbours SPA/RAMSAR/SSSI and Solent Maritime SAC.
West Hayling LNR	SU713034	76	1.7	Area of intertidal mudflats that supports thousands of sea birds species, both permanent and migratory and a substantial assemblage of marine invertebrate life. Overlaps with Chichester and Langstone Harbours. SPA/RAMSAR/SSSI and Solent Maritime SAC.

Site Designation	Grid Reference	Area (ha)	Distance to site (km)	Description
Hayling Billy LNR	SU716025	42	1.8	Located along the old route of the Hayling Billy train line and currently provides one of the most unspoilt sections of Langstone Harbour and is of particular importance for its rare floral species. Overlaps with Chichester and Langstone Harbours SPA/RAMSAR/SSSI and Solent Maritime SAC.
Broadmarsh Playing Field SINC	SU70020563	5	0.3	Supports populations of dark-bellied brent goose.
Manor Farm A SINC	SU70000610	5.2	0.5	Supports populations of dark-bellied brent goose.
Southmoor Big Field SINC	SU70980487	0.5	0.7	An area of coarse grassland with attached scrub and a small amount of deciduous woodland.
Southmoor Reserve SINC	SU71200520	2.2	0.7	Designated for its floristic components including divided sedge (<i>Carex divisa</i>); a nationally rare species.
Farlington Marshes Grassland SINC	SU69200550	2.7	1.1	Area of marshy grassland surround by deciduous woodland.
Fields off Havant Road SINC	SU69180613	12.3	1.2	Designated for its populations of dark-bellied brent geese and the presence of dwarf spurge (<i>Euphorbia exigua</i>).
Forty Acres Farm B SINC	SU69080568	12.6	1.3	Supports populations of dark-bellied brent goose.
Wade Court Park SINC	SU71980531	1.1	1.3	Supports a colony of little egret.
Camp Down Grassland Remnants SINC	SU69000651	0.7	1.4	Small area of unmanaged coarse grassland with scattered broad-leaved woodland.
Langstone Mill Pond SINC	SU72050500	0.9	1.5	Area contains large-leaved lime (<i>Tilia platyphyllos</i>), a nationally scarce species.
Littlepark Wood	SU69470718	6.2	1.6	An area of ancient woodland

Site Designation	Grid Reference	Area (ha)	Distance to site (km)	Description
(West) SINC				that supports a population of dormouse (<i>Muscardinus avellanarius</i>).
Portsmouth City Golf Course Copse SINC	SU68900660	1.9	1.7	Contains nationally scarce species fly orchid (<i>Ophrys insectifera</i>).
South of Fort Purbrook & Adjacent Farlington Redoubt SINC	SU67840633	8.5	1.7	Designated for populations of small blue (<i>Cupido minimus</i>) and autumn lady's-tresses (<i>Spiranthes spiralis</i>).
Field East of Farlington Redoubt (North) SINC	SU68790639	0.8	1.8	Area of semi-natural grassland with broad leaved hedgerows.
East and West of Gillman Road SINC	SU68300618	11.2	1.8	Designated for its floral species including corn parsley (<i>Petroselinum segetum</i>) and flattened meadow grass (<i>Poa compressa</i>).
Warblington Castle Farm West SINC	SU72670544	14.6	1.8	Supports populations of dark-bellied brent goose.
Portsmouth Golf Course East SINC	SU68500662	1.9	1.9	Area of rough grassland and scattered broad leaved wood within a golf course.
Hayling Billy Line SINC	SU71690325	2.7	1.9	Designated for its floral species including divided sedge.
Littlepark Wood (East) SINC	SU69185074 19	4.3	1.9	An area of ancient woodland.

Impact Risk Zones (IRZs)

- 4.2.3 The site falls within 2km of two SSSIs: Langstone Harbour SSSI and Chichester Harbour SSSI. Natural England has recently published a SSSI Impact Risk Zone resource which highlights the sensitivity of SSSIs to certain forms of development.
- 4.2.4 The site is located within a SSSI Impact Risk Zone that states that applications relating to waste, including "demolition and excavation waste, other waste management", should assess the likely impacts of the development on the SSSI.

Ancient Woodland

- 4.2.5 No areas of ancient woodland greater than 2ha were found to occur within the site. However, there are two parcels of ancient woodland located within 2km of the site. They are located in, and immediately adjacent to, Littlepark Wood (East) SINC and Littlepark Wood (West) SINC. The closest parcel is 1.6km away from the site.

Habitats of Principle Importance

- 4.2.6 No habitats listed as Habitats of Principal Importance (HPI) for the conservation of biodiversity in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 were found within the site during the desk study.
- 4.2.7 Large parcels of HPIs were recorded within 2km of the site; comprising eight different habitat types, see Table 2.

Table 2: Habitats of Principal Importance within 2km of the Site.

Habitat Type	Grid Reference of Nearest Parcel	Distance from Site of Nearest Parcel (km)	Area of the Nearest Parcel (ha)	Total Number of Parcels
Mudflats	SU104640	0.02	84	32
Deciduous woodland	SU23743	0.03	1.1	35
Good quality semi-improved grassland	SU83010	0.02	7.25	2
Coastal and floodplain grazing marsh	SU15114	0.3	6.7	78
Lowland meadows	SU101950	0.6	0.2	17
Saltmarsh	SU105869	1.4	3.2	1
Reed beds	SU105328	1.5	0.03	4

Habitat Type	Grid Reference of Nearest Parcel	Distance from Site of Nearest Parcel (km)	Area of the Nearest Parcel (ha)	Total Number of Parcels
Lowland calcareous grassland	SU84295	1.7	2.3	2

Protected Species and Other Species of Conservation Concern

- 4.2.8 Records of protected species and species of conservation concern were identified during the desk study. Table 3 below lists the species identified. Only records from within the last ten years were considered. In instances where the same species occurred multiple times, the record which occurred closest to the site was used.
- 4.2.9 Records were provided by Hampshire Biodiversity Information Centre which, in addition to its own datasets, has access to the following data sets:
- Botanical Society of the British Isles' (BSBI) vascular plant database for Hampshire;
 - British Bryological Society (Mosses, Liverworts, Hornworts);
 - Butterfly Conservation's butterfly and moth database for Hampshire;
 - Hampshire Ornithological Society (HOS) bird records;
 - Hampshire Bat Group (HBG) Records of bat roost visits and sightings;
 - Hampshire Amphibian and Reptile Group (HARG);
 - Hampshire Mammal Group (HMG) (excluding records for bats and badgers); and
 - UK Bees, Wasps and Ants Recording Society (BWARS) the full dataset as of January 2012.
- 4.2.10 In cases where a four figure grid reference is given; this represents a grid square of 1km x 1km. This means that the record could have occurred anywhere within that 1km² area and so may have potentially been further than 1km from the site.

Table 3: Records of Protected Species and Other Species of Conservation Concern Derived from the Desk Study

Common Name	Scientific Name	HR Sch 2 or 4	WCA Sch 1, 5 or 8	National Priority Species	Local priority/ BAP species	Red Data Book	EU Bird 1	Grid Ref.	Distance from site (m)	Source
Herptiles										
Slow-worm	<i>Anguis fragilis</i>		✓	✓				SU695055	900	HBIC
Birds										
Reed warbler	<i>Acrocephalus scirpaceus</i>			✓				SU7006	265	HBIC
Sky lark	<i>Alauda arvensis</i>			✓	✓	✓		SU6905	540	HBIC
Common kingfisher	<i>Alcedo atthis</i>		✓				✓	SU7105	375	HBIC
Greater white-fronted goose	<i>Anser albifrons</i>				✓			SU7005	<1000	HBIC
Tree pipit	<i>Anthus trivialis</i>			✓		✓		SU7005	<1000	HBIC
Ruddy turnstone	<i>Arenaria interpres</i>				✓			SU7104	758	HBIC
Short-eared owl	<i>Asio flammeus</i>						✓	SU60X*	540	HBIC
Common pochard	<i>Aythya ferina</i>				✓			SU7005	<1000	HBIC
Ferruginous duck	<i>Aythya nyroca</i>						✓	SU7005	<1000	HBIC
Barnacle goose	<i>Branta leucopsis</i>						✓	SU7005	<1000	HBIC
Red-breasted goose	<i>Branta ruficollis</i>						✓	SU6904	890	HBIC
Eurasian eagle owl	<i>Bubo bubo</i>						✓	SU7106	500	HBIC

Common Name	Scientific Name	HR Sch 2 or 4	WCA Sch 1, 5 or 8	National Priority Species	Local priority/ BAP species	Red Data Book	EU Bird 1	Grid Ref.	Distance from site (m)	Source
Lapland longspur	<i>Calcarius lapponicus</i>		✓					SU6905	540	HBIC
Sanderling	<i>Calidris alba</i>				✓			SU6905	540	HBIC
Dunlin	<i>Calidris alpina</i>				✓	✓		SU6905	540	HBIC
Red knot	<i>Calidris canutus</i>				✓			SU7104	760	HBIC
Lesser redpoll	<i>Carduelis cabaret</i>			✓		✓		SU7005	<1000	HBIC
Common linnet	<i>Carduelis cannabina</i>				✓	✓		SU6905	540	HBIC
Cetti's warbler	<i>Cettia cetti</i>		✓		✓			SU7005	<1000	HBIC
Little plover	<i>Charadrius dubius</i>		✓					SU60X*	540	HBIC
Black tern	<i>Chlidonias niger</i>		✓				✓	SU6905	540	HBIC
White stork	<i>Ciconia ciconia</i>						✓	SU7106	500	HBIC
Eurasian marsh harrier	<i>Circus aeruginosus</i>		✓				✓	SU7005	<1000	HBIC
Hen harrier	<i>Circus cyaneus</i>		✓	✓	✓	✓	✓	SU70C*	<1000	HBIC
Long-tailed duck	<i>Caligula hyemalis</i>		✓					SU7005	<1000	HBIC
Common cuckoo	<i>Cumulus canorus</i>		✓			✓		SU6904	870	HBIC
Little egret	<i>Egretta garzetta</i>				✓		✓	SU7105	375	HBIC

Common Name	Scientific Name	HR Sch 2 or 4	WCA Sch1, 5 or 8	National Priority Species	Local priority/ BAP species	Red Data Book	EU Bird1	Grid Ref.	Distance from site (m)	Source
Yellowhammer	<i>Emporia citreola</i>			✓		✓		SU7005	<1000	HBIC
Reed bunting	<i>Emporia schoeniclus</i>			✓	✓			SU6905	540	HBIC
Merlin	<i>Falco columbarius</i>		✓		✓		✓	SU7106	500	HBIC
Peregrine falcon	<i>Falco peregrinus</i>		✓				✓	SU70*	<1000	HBIC
Eurasian hobby	<i>Falco subbuteo</i>		✓		✓			SU70D*	265	HBIC
Brambling	<i>Fringilla montifringilla</i>		✓					SU7105	375	HBIC
Common snipe	<i>Gallinago gallinago</i>				✓			SU7106	500	HBIC
Black-throated diver	<i>Gavia arctica</i>		✓				✓	SU7104	760	HBIC
Great northern diver	<i>Gavia immer</i>		✓				✓	SU6905	540	HBIC
Red-throated diver	<i>Gavia stellata</i>		✓				✓	SU7005	<1000	HBIC
Little gull	<i>Hydrocoloeus minutus</i>		✓				✓	SU7004	640	HBIC
Eurasian wryneck	<i>Jynx torquilla</i>		✓			✓		SU7104	760	HBIC
Herring gull	<i>Larus argentatus</i>					✓		SU7106	500	HBIC
Mediterranean gull	<i>Larus melanocephalus</i>		✓		✓		✓	SU70C*	<1000	HBIC
Bar-tailed godwit	<i>Limosa lapponica</i>				✓		✓	SU7004	640	HBIC

Common Name	Scientific Name	HR Sch 2 or 4	WCA Sch 1, 5 or 8	National Priority Species	Local priority/ BAP species	Red Data Book	EU Bird1	Grid Ref.	Distance from site (m)	Source
Black-tailed godwit	<i>Limosa limosa</i>			✓	✓	✓		SU7005	<1000	HBIC
Common grasshopper warbler	<i>Locustella naevia</i>			✓	✓	✓		SU7005	<1000	HBIC
Common crossbill	<i>Loxia curvirostra</i>		✓					SU7005	<1000	HBIC
Wood lark	<i>Lullula arborea</i>		✓	✓	✓		✓	SU70C*	<1000	HBIC
Common nightingale	<i>Luscinia megarhynchos</i>				✓			SU7005	<1000	HBIC
Velvet scoter	<i>Melanitta fusca</i>		✓					SU6904	870	HBIC
Common scoter	<i>Melanitta nigra</i>		✓	✓	✓	✓		SU7004	640	HBIC
Sniew	<i>Mergellus albellus</i>						✓	SU7004	640	HBIC
Goosander	<i>Mergus merganser</i>				✓	□		SU7005	<1000	HBIC
Red-breasted merganser	<i>Mergus serrator</i>				✓			SU7005	<1000	HBIC
Red kite	<i>Milvus milvus</i>		✓		✓		✓	SU70C*	<1000	HBIC
Yellow wagtail	<i>Motacilla flava</i>				✓	✓		SU7005	<1000	HBIC
Spotted flycatcher	<i>Muscicapa striata</i>			✓	✓	✓		SU7005	<1000	HBIC
Eurasian curlew	<i>Numenius arquata</i>			✓				SU7005	<1000	HBIC
Whimbrel	<i>Numenius phaeopus</i>		✓			✓		SU7005	<1000	HBIC

Common Name	Scientific Name	HR Sch 2 or 4	WCA Sch 1, 5 or 8	National Priority Species	Local priority/ BAP species	Red Data Book	EU Bird 1	Grid Ref.	Distance from site (m)	Source
Osprey	<i>Pandion haliaetus</i>		✓				✓	SU7005	<1000	HBIC
Bearded tit	<i>Parus biarmicus</i>		✓			✓		SU6904	870	HBIC
House sparrow	<i>Passer domesticus</i>			✓		✓		SU7004	640	HBIC
European honey-buzzard	<i>Pernis apivorus</i>		✓		✓		✓	SU70*	<1000	HBIC
Black redstart	<i>Phoenicurus ochruros</i>		✓					SU70C*	<1000	HBIC
Eurasian spoonbill	<i>Platalea leucorodia</i>		✓				✓	SU6905	540	HBIC
European golden plover	<i>Pluvialis apricaria</i>				✓		✓	SU7005	<1000	HBIC
Spotted crane	<i>Porzana porzana</i>		✓				✓	SU6905	540	HBIC
Pied avocet	<i>Recurvirostra avosetta</i>		✓				✓	SU6905	540	HBIC
Firecrest	<i>Regulus ignicapilla</i>		✓		✓			SU70C*	<1000	HBIC
European serin	<i>Serinus serinus</i>		✓					SU7005	<1000	HBIC
Common tern	<i>Sterna hirundo</i>						✓	SU7005	<1000	HBIC
Arctic tern	<i>Sterna paradisaea</i>						✓	SU6904	870	HBIC
Sandwich tern	<i>Sterna sandvicensis</i>						✓	SU7005	<1000	HBIC
Little tern	<i>Sternula albifrons</i>		✓		✓		✓	SU6905	540	HBIC

Common Name	Scientific Name	HR Sch 2 or 4	WCA Sch1, 5 or 8	National Priority Species	Local priority/ BAP species	Red Data Book	EU Bird1	Grid Ref.	Distance from site (m)	Source
Common starling	<i>Sturnus vulgaris</i>					✓		SU6905	540	HBIC
Ruddy shelduck	<i>Tadorna ferruginea</i>						✓	SU6905	540	HBIC
Redwing	<i>Turdus iliacus</i>		✓			✓		SU7005	<1000	HBIC
Song thrush	<i>Turdus philomelos</i>				✓	✓		SU7005	<1000	HBIC
Fieldfare	<i>Turdus pilaris</i>		✓			✓		SU7005	<1000	HBIC
Ring ouzel	<i>Turdus torquatus</i>			✓		✓		SU7005	<1000	HBIC
Northern lapwing	<i>Vanellus vanellus</i>			✓	✓	✓		SU7005	<1000	HBIC
Higher Plants										
Slender hare's-ear	<i>Bupleurum tenuissimum</i>			✓	✓	✓		SU7104	760	HBIC
Divided sedge	<i>Carex divisa</i>			✓	✓	✓		SU710050	670	HBIC
Cornflower	<i>Centaurea cyanus</i>			✓	✓			SU708054	240	HBIC
Corn marigold	<i>Glebionis segetum</i>					✓		SU708054	240	HBIC
Golden-samphire	<i>Inula crithmoides</i>				✓			SU6905	540	HBIC
Summer snowflake	<i>Leucojum aestivum</i>				✓			SU7104	760	HBIC
Weasel's-snout	<i>Misopates orontium</i>					✓		SU698056	640	HBIC

Common Name	Scientific Name	HR Sch 2 or 4	WCA Sch 1, 5 or 8	National Priority Species	Local priority/ BAP species	Red Data Book	EU Bird1	Grid Ref.	Distance from site (m)	Source
Curved hard-grass	<i>Parapholis incurva</i>					✓		SU710050	670	HBIC
Annual beard-grass	<i>Polypogon monspeliensis</i>				✓			SU698056	640	HBIC
Stiff saltmarsh-grass	<i>Puccinellia rupestris</i>				✓			SU708049	670	HBIC
Corn spurrey	<i>Spergula arvensis</i>					✓		SU7005	<1000	HBIC
Field woundwort	<i>Stachys arvensis</i>					✓		SU698056	640	HBIC
Dwarf eelgrass	<i>Zostera noltei</i>				✓	✓		SU6905	540	HBIC
Invertebrates										
Lackey	<i>Malacosoma neustria</i>			✓				SU700054	490	HBIC
Cinnabar	<i>Tyria jacobaeae</i>			✓				SU711049	760	HBIC
Mammals										
European water vole	<i>Anicola amphibius</i>		✓	✓	✓			SU715059	900	HBIC
Serotine	<i>Eptesicus serotinus</i>	✓	✓		✓			SU7006	270	HBIC
Noctule	<i>Nyctalus noctula</i>	✓	✓	✓				SU7006	270	HBIC
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	✓	✓	✓	✓			SU707060	300	HBIC
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	✓	✓		✓			SU701058	350	HBIC

HR = Conservation of Habitats and Species Regulations 2010, as amended

EUBird1 = Annex 1 of Council Directive 2009/147/EC: The Directive for the Conservation of Wild Birds

WCA = Wildlife and Countryside Act 1981, as amended

National Priority Species = Species designated as Species of Principal Importance under the Natural Environment and Rural Communities (NERC) Act 2006

Local Priority BAP Species: Species designated at the local level and targeted for protection under Biodiversity Action Plans

Red Data Book = Species listed as threatened under International Union for the Conservation of Nature legislation

HBIC = Hampshire Biological Information Centre

* = Grid reference is partly hidden to conceal the precise locations of sensitive species records

4.3 Field Survey

Habitats and Flora

4.3.1 The following Phase 1 habitat types were identified:

- Hard standing;
- Hard standing with ephemeral short perennial;
- Artificial spoil;
- Fence;
- Wall;
- Buildings; and
- Bare ground with tall ruderal.

4.3.2 These habitats are described below and their distribution is given on Figure 2. The full species list and abundance is located in Appendix 1. Photographs from the site are in Figure 3.

Hard standing (HS1)

4.3.3 The site is dominated (approximately 95%) by hard standing. The ground is concrete and is subject to constant heavy-vehicle use and is also used for the storage of aggregate and other excavated materials.

Hard standing with ephemeral short perennial (HS/ESP1)

4.3.4 A small area (approximately 150m²) that is fenced-off in and around a transformer box. The hard standing has occasional occurrences of thistle sp. (*Cirsium sp.*) and dandelion (*Taraxacum sp.*), with annual beard grass (*Polypogon monspeliensis*), willowherb (*Epilobium sp.*) and ragwort (*Senecio sp.*).

Artificial spoil (S1)

4.3.5 The unprocessed aggregate material to be processed onsite is stored in a large mound approximately 40m x 20m which is piled at the south-eastern and eastern areas of the site (see Photograph 3 on Figure 3) and in a large shed (B5 on Figure 2) to the south. Once processed it is stored in the silos along the western boundary walls before being transported off-site. The material has no vegetative cover.

Fence (F1)

4.3.6 A large metal fence (see Figure 2) encloses the site and forms the site boundary. It is approximately 2.5m tall and the railings have large gaps between them where vegetation frequently intrudes through to the site from outside.

Wall (W1)

- 4.3.7 In order to contain the aggregate material brought on site, large concrete-sleeper walls have been constructed along the majority of the east and west boundaries. It is also there to act as a potential flood barrier should water from the ditch to the west or the stream to the south overflow into the site.

Buildings (B1 to B8)

- 4.3.8 There are two temporary cabins on the site (B1 and B2) located towards the northern end of the site which are being used as facilities by staff and site visitors. A smaller cabin (B3) is employed as the site weigh-station. There is a small storage shed (B4) to the north-west of the site which has had its front door removed and a large shed (B5) at the very south-east of the site which is open on its north facing side and is used to store excavated material before it is processed. In addition, there are three shipping containers in the north east corner of the site (B6, B7 and B8) which are being used for storage. The locations of all buildings are shown on Figure 2.

Bare ground with tall ruderal (BG/TR1)

- 4.3.9 A small area (approximately 20m x 1m) of bare ground with tall ruderal vegetation located at the very southern edge of the site. This is the only area on the entire site that has any semblance of a vegetative community though it is chiefly dominated by bare-ground. There is a single grey willow tree (*Salix cinerea*) and butterfly bush (*Buddleja davidii*) which have both colonised the site through the gaps in the fence. There is a small amount of bramble (*Rubus fruticosus* agg) while the ground flora species include abundant dandelion with occasional common nettle (*Urtica dioica*). Creeping cinquefoil (*Potentilla reptans*) is frequent as is willowherb and thistle. There are two piles of wooden sleepers in this area (see Photographs 1 and 2 on Figure 3) which could potentially be used by reptiles for refugia and/or hibernacula.

Fauna

- 4.3.10 No incidental fauna or signs of such were observed on site during the survey.

5. Legislation and Planning Policy Issues

5.1 Background

- 5.1.1 The content of the legislation and planning policy section is the legislation and planning policy issues that we know are relevant based on this desk study and extended Phase 1 habitat survey. A detailed description of the method for this section is given in Appendix 2.

5.2 Designated Sites

- 5.2.1 Chichester and Langstone Harbours SPA/Ramsar is located 0.3km to the south of the site. This is an internationally designated site which supports over 90,000 waterfowl including little tern, ringed plover and dark-bellied brent goose. *This site has been designated as an SPA in accordance with EU Habitats Directive (Council Directive 79/409/EEC) and Ramsar sites (wetlands of international importance) designated under the Ramsar Convention. SPA's and Ramsar sites in England are protected as European sites (as set out in the Conservation of Habitats and Species Regulations 2010). Solent Maritime SAC overlaps largely with Chichester and Langstone Harbours SPA/Ramsar and is designated primarily for it's examples of the following Annex I habitat types: estuaries, spartina swards and Atlantic salt meadows. The site is classified as a SAC under the EU's Habitats Directive (Council Directive 92/43/EEC).*
- 5.2.2 Under Regulation 61 of the Habitats Regulations there is a requirement for all competent authorities, when making decisions on plans and projects that may affect European designated sites, to consider the impacts of a development on those designated sites. The local planning authority should consult Natural England and take into consideration its advice in making this assessment. Furthermore, in undertaking this assessment the local planning authority is entitled to ask the applicant applying for planning permission, for any further information needed to determine that assessment. If the local planning authority concludes that there is the likelihood of significant effects, then it is required to undertake a full appropriate assessment in accordance with Regulation 61. The local planning authority is not able to grant planning permission until it has ensured that the proposals would not have an adverse affect on the integrity of the European sites.
- 5.2.3 The National Planning Policy Framework (NPPF), 2012, states that: *"The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined."*
- 5.2.4 Chichester and Langstone Harbours are also designated as SSSIs in accordance with the Wildlife and Countryside Act (WCA) 1981, as amended. Under the WCA, the planning authority must consider whether a planning application will affect an SSSI or its features of interest, with section 28G stating that *"Public bodies must take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of SSSIs"*.
- 5.2.5 The National Planning Policy Framework (NPPF) 2012 states that *"the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on biodiversity and providing net gains in biodiversity"* and that proposed developments *"likely to have an adverse effect on a Site of Special Scientific Interest...should not normally be permitted"*.

- 5.2.6 These national planning policy requirements are reflected in local planning policy.
- 5.2.7 Havant Borough's Local Plan (Core Strategy) Policy DM9 states that: *"Planning permission will only be granted for developments in the coastal zone which...has no harmful effects on nature conservation within the Chichester and Langstone Harbours SSSIs and SPA, Solent Maritime SAC and Ramsar Site, or any SINC's and Local Nature Reserves"*. As the site is located within 0.3km of the SPA it is likely to be within its Zone Of Influence (ZOI).
- 5.2.8 Natural England's SPA Avoidance Strategy 2009-2014 makes clear that provisions must be made for certain forms of developments which fall within a ZOI. However, the proposed development is unlikely to have a negative effect on the SPA, SAC or the SSSIs or their important attributes because:
- The development would not result in increased levels of production at the material recovery facility on site;
 - The designated sites are separated from the site by 0.3km comprising roads, arable land and residential developments. The development will be confined to the site boundaries and will not directly impact any of these;
 - The development is not residential in nature and will therefore not result in increased recreational impacts on these designated sites;
 - The development seeks no earthworks or new construction of permanent or temporary structures;
 - Very little water is used in the processing of on-site material except in mid-summer when the moisture content of aggregate material to be processed needs to be raised. This is done with a sprinkler system which minimises potential surface water run-off; and
 - All rain water which falls on site is collected using a hydraulic brush system ensuring it does not run off into the adjacent drain or stream which flows into the SPA, SAC and SSSIs.
- 5.2.9 The development proposals should therefore be compliant with the relevant legislation and policy with respect to statutory designated sites.
- 5.2.10 There are 19 non-statutory SINC's located within 2km of the site. The development should have no significant effect on the health and integrity of these sites for the reasons as listed in 5.2.8. The development proposals should therefore be compliant with the relevant legislation and policy with respect to non- statutory designated sites.
- 5.3 **Habitats of Principle Importance**
- 5.3.1 Local authorities have a duty under Section 40 of the NERC Act 2006 to conserve biodiversity including HPis. Havant Borough Local Plan (Core Strategy) Policy CS11 states that *"Planning permission will be granted for development that...Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological...interest"*. The development should have no negative effects on these HPis for the reasons set out in 5.2.8.
- 5.3.2 The development proposals should therefore be compliant with the relevant national and local legislation and policy with respect to priority habitats

5.4 Ancient Woodland

- 5.4.1 Two parcels of ancient woodland listed as a HPI under Section 41 of the NERC Act 2006 and protected under the NPPF, were found to be present in the desk study search within 2km of the site. The ancient woodland is located within the Littlepark Wood (West) and Littlepark Wood (East) SINCs. The nearest parcel is 1.6km away from the site and is separated by the A27 as well as several large housing developments. The development should therefore be compliant with the NERC Act and NPPF policy with regard to ancient woodlands.

5.5 Protected Species

- 5.5.1 There is a small stand of bramble found to the south of the site in area bare ground/tall ruderal (see BG/TR1 on Figure 2) which could potentially support nesting birds, including a number of species recorded within the desk study. All birds, eggs and active nests are protected from *damage and destruction under the Wildlife and Countryside Act 1981, as amended*.
- 5.5.2 There is potential suitable habitat for reptiles in the bare ground/tall ruderal area (see BG/TR1 on Figure 2). This is addressed in section 6.2.1.
- 5.5.3 Recommendations are made in Section 7 for mitigation which, if followed, should ensure that the development is compliant with legislation with regard to these protected species.

5.6 Ecological Enhancement

- 5.6.1 Central and local government policy and Section 40 of the NERC Act now advocates ecological enhancement of development sites, national planning policy (NPPF 2012) states that *"plan policies should promote opportunities for the incorporation of beneficial biodiversity and geological features within the design of development"*.
- 5.6.2 There is limited potential for ecological enhancement on the site due to the near absence of habitats and its overall industrial nature, but recommendations for conserving and enhancing *the environment and biodiversity provided within Section 7* should enable the development to be compliant with the policies listed above.

6. Potential Further Ecological Issues

6.1 Background

- 6.1.1 The potential further ecological issues section sets out our assessment of the potential of the site to support protected species and other species of conservation concern which were not detected during the extended Phase 1 habitat survey, either because their presence is seasonal or because specialist survey techniques are required. Further information on the methods of assessment is given in Appendix 1.

6.2 Protected species

Reptiles

- 6.2.1 The large wooden sleeper piles in the bare ground/tall ruderal could provide refugia or hibernacula for reptiles. In addition, records of slow worm exist within 1km of the site, habitat with the potential to support reptiles is located outside but adjacent to the east and west of the site and the site boundary fence contains large gaps which make access to the site possible for reptiles. However, the potential on-site areas that reptiles could reach are limited by the wall which sits inside the site's metal boundary fence (see Figure 2). This would largely limit reptiles to the bare ground/tall ruderal habitat where there is a significant gap between the fence and the wall which contains vegetation. All reptiles are protected from killing and injury under the Wildlife and Countryside Act 1981, as amended. Recommendations are made in Section 7 for mitigation which, if followed, should ensure that the development is compliant with legislation with regard to reptiles.

Plants

- 6.2.2 Plant species listed as Local BAP species and others protected under the NERC Act were found within 1km of the site in the desk study (see Table 3), however none were recorded on site and there is extremely limited habitat on site within which any protected plant species could become established. There should be no potential further ecological issues with regard to plants.

Invertebrates

- 6.2.3 Two invertebrate Species of Principle Importance (SPI) as listed on Section 41 of the NERC Act were recorded within 1km of the site in the desk study but are unlikely to be present on the site due to the lack of suitable habitat. There should be no potential further ecological issues with regard to invertebrates.

Bats

- 6.2.4 Four species of bat protected under European legislation, two of which are also SPI listed under Section 41 of the NERC Act, were recorded in the desk study between 400m and 600m away from the site. There are areas of deciduous woodland outside but adjacent to the site which could offer potential foraging opportunities for bats. However, there is no suitable habitat for

bats, in terms of either potential roosts or foraging potential. Therefore, there should be no potential further ecological issues with regard to bats.

Water vole

- 6.2.5 Water voles have been recorded within 1km of the site. However, there is neither habitat to support water vole on site nor any indication that any on-site activity would negatively influence nearby water vole populations due to the reasons expressed in section 5.2.8. Therefore, there should be no further potential ecological issues with regard to water voles.

7. Recommendations

7.1 Mitigation

- 7.1.1 The recommendations for mitigation (including avoidance, mitigation and compensation) measures given in this section are based on the findings of the desk study and extended Phase 1 habitat survey.

Designated sites

- 7.1.2 Only habitats within the site boundary will be directly affected and Conroy's Recycling Ltd, who will continue to comply with conditions originally set by Havant Borough Council as part of the original application, including:

- Handling inert materials only and not accepting hazardous substances on site;
- Limiting on-site lorry visits to three a day;
- Following Environmental Agency policies concerning air quality; and
- Constructing only temporary buildings which are fitted to handle potential flooding.

- 7.1.3 To prevent indirect effects, including dust and surface water runoff, affecting adjacent habitats, including the stream to the southwest which flows into Chichester and Langstone Harbour the development will follow the Environment Agency's pollution prevention guidelines for "*works and maintenance in or near water*" (PPG5) and "*working at construction and demolition sites*" (PPG6). This will mean continuing to abide by the surface-water control methods as mentioned in 5.2.8.

Impact Risk Zone

- 7.1.4 The site is located within a SSSI Impact Risk Zone that states that applications relating to waste, including "*demolition and excavation waste, other waste management*", should assess the likely impacts of the development on the SSSI. The site lies within the designated "*Broadmarsh Industrial Area*" as laid out in the Havant Borough District Wide Local Plan and so is within the existing urban area and will not cause an increase in the carbon footprint. The development is unlikely to have any negative impacts on the SSSIs nearby providing the *recommendations for mitigation in Section 7.1.2 are followed*.

Protected Species

- 7.1.5 The clearance of the small area of bramble found in habitat BG/TR1 should be undertaken outside of the breeding bird season (i.e. clearance work should be undertaken between September and February inclusive). If clearance needs to take place within the breeding bird season, the vegetation should be checked carefully for the presence of breeding birds immediately prior to works commencing by a suitably qualified individual. If an active nest is discovered, then work in that area should cease until such a time that the young have fledged or the nest is no longer active.

- 7.1.6 There is the potential for reptiles to use the two piles of wooden sleepers in the BG/TR1 habitat for refuge or hibernation. To avoid the potential killing and injury of reptiles it is recommended that, if required, the wooden sleepers are moved under ecological supervision. Any reptiles that found could then be moved to areas of suitable habitat outside of the site.

7.2 Ecological Enhancements

- 7.2.1 The site is immediately adjacent to riparian, scrub and woodland and the desk study identified numerous bird and bat species as occurring within 1km (see Table 3). It is therefore recommended that two to three bird and bat boxes be attached to the south wall of building B5 to encourage the presence of these species in the area.

7.3 Further Survey

- 7.3.1 No further surveys are recommended for the proposed development.

8. Conclusion

- 8.1.1 The site at Harts Farm Way was found to be within 0.3km of Chichester and Langstone Harbours SPA/Ramsar/SSSIs and Solent Maritime SAC and within 2km of 19 SINCs. The development will be confined to the site and providing recommendations for mitigations are followed it should have no effect on any of these protected sites. No priority habitats are found on the site and the development is unlikely to have any impacts on the ecological health of the priority habitats nearby.
- 8.1.2 A high number of protected species and species of conservation concern were identified in the desk study as being outside but within 1km of the site. No protected species were recorded on site and *habitat suitable to support breeding birds and reptiles was restricted to a small area of bramble and wooden log sleepers on the south boundary*. Providing recommendations for mitigation followed are followed during the clearance of the area of bramble and/or the wooden log sleepers, the development should comply with legislation protecting reptiles and breeding birds.

9. References

- 9.1.1 CIEEM Chartered Institute of Ecology and Environmental Management (2013) *Guidelines for Preliminary Ecological Appraisal*. Chartered Institute of Ecology and Environmental Management, Winchester.
- 9.1.2 Havant Borough Council (2011) *Havant Borough Core Strategy Local Development Framework*.
- 9.1.3 Institute of Environmental Assessment (1995) *Guidelines for Baseline Ecological Assessment*. E & FN Spon, London.
- 9.1.4 JNCC (2010) *Handbook for Phase 1 habitat survey: A technique for environmental audit*. Joint Nature Conservancy Committee, Peterborough.
- 9.1.5 Stace C (2010) *New Flora of the British Isles (third edition)*. Cambridge University Press, Cambridge.

10. Appendix 1: Plant Species and Abundance from Field Survey

Hard standing with ephemeral short perennial (HS/ESP1)

Common Name	Scientific Name	Abundance
Thistle sp.	<i>Cirsium sp.</i>	R
Willow herb sp.	<i>Epilobium sp.</i>	R
Annual beard grass	<i>Polypogon monspeliensis</i>	R
Ragwort sp.	<i>Senecio sp.</i>	R
Dandelion sp.	<i>Taraxacum sp.</i>	R

Bare ground and tall ruderal BG/TR1

Common Name	Scientific Name	Abundance
Bare Ground	<i>Bare Ground</i>	A
Buddleja	<i>Buddleja davidii</i>	R
Thistle sp.	<i>Cirsium sp.</i>	A
Willow herb sp.	<i>Epilobium sp.</i>	A
Creeping cinquefoil	<i>Potentilla reptans</i>	F
Bramble	<i>Rubus fruticosus</i>	O
Grey willow	<i>Salix cinerea</i>	R
Dandelion sp.	<i>Taraxacum sp.</i>	A
Nettle	<i>Urtica dioica</i>	O

11. Appendix 2: Assessment Methodology

11.1 Identification of Legal and Planning Policy Issues in England

Scope of Assessment

- 11.1.1 The first step is to identify any biodiversity features found on the site that are subject to legal or policy controls, as follows:

Designated Sites

- 11.1.2 The location of the site is compared to the distribution of sites with a statutory or non-statutory nature conservation designation using information derived from the desk study. Consideration is given to designated sites that could be affected directly or indirectly by the proposed development.

Habitats outside Designated Sites

- 11.1.3 The habitats known to occur on the site are compared to those which receive some protection, in law or policy, outside of designated sites i.e. hedgerows, uncultivated land and semi-natural areas, habitats listed as priorities in the home nation biodiversity strategies, habitats listed as Habitats of Principal Importance for the Conservation of Biodiversity by the Secretary of State and local priority habitats listed as requiring action (formerly under the Local Biodiversity Action Plans).

Ancient Woodland

- 11.1.4 The ancient woodland inventory is checked to determine whether any known ancient woodland occurs either on the site or nearby.

Protected Species

- 11.1.5 The species known to occur on the site as a result of the desk study and Phase 1 habitat survey are compared with those listed in nature conservation legislation i.e. the Wildlife and Countryside Act 1981, as amended, the Conservation (Habitats &c) Regulations 2010.
- 11.1.6 In addition, the species known to occur on the site as a result of the desk study and Phase 1 habitat survey are compared with those listed in animal welfare legislation, i.e. the Badgers Act 1992 and the Wild Mammals (Protection) Act 1996.

Priority Species

- 11.1.7 The species known to occur on the site are compared with those listed as priority species (i.e. Species of Principal Importance for the Conservation of Biodiversity in the country concerned) or those requiring action on the local priority species lists (Local Biodiversity Action Plans).

Other Species of Conservation Concern

- 11.1.8 The species known to occur on the site are compared with other nature conservation listings, such as red data books.

Invasive Plant Species

- 11.1.9 The species of plant present on the site are compared with those listed by government agencies as invasive non-natives, with particular attention given to those listed in the Wildlife and Countryside Act 1981, as amended.

Review of Legislation and Policy

- 11.1.10 If any of the above are found to occur on or near the site and are likely to be affected by the development in any way, the relevant legislation and planning policy (including national, regional, county and borough policies) are examined to determine whether the proposed development is compliant.

Ecological Enhancement

- 11.1.11 Planning policy generally requires new developments to be enhanced for biodiversity. The existing proposals are considered to determine whether biodiversity enhancements are offered and whether they are adequate to meet the policy requirements. Again, national, regional, county and borough policies are considered.

11.2 Identification of Potential Further Ecological Issues

- 11.2.1 Further ecological issues are those which can not be resolved during the preliminary ecological appraisal for any reason, including the following:
- The development is near a designated site and consultation with the relevant regulator is required in order to determine whether further assessment is required;
 - Suitable habitat is present on or near the site for a protected species/species of conservation concern and specialist survey techniques are required for their detection;
 - Suitable habitat is present on or near the site for a protected species/species of conservation concern and the extended Phase 1 habitat survey was not undertaken at a suitable time of year for their detection;
 - A protected species/species of conservation concern was found on or near the site but further information on population size or distribution is required in order to resolve any legal and planning policy issues (such as obtaining licences).
- 11.2.2 Discussion of issues raised by 3rd parties, e.g. reports of protected species from the site by local people, may also be discussed under this heading.
- 11.2.3 The desk study is used as a guide to the protected species/species of conservation in the local area, however, the list is not taken to be exhaustive and it is borne in mind that some species may no longer occur in the locality.

- 11.2.4 No attempt is made to evaluate the importance of the site for species not yet confirmed to be on or near the site, nor to discuss the implications for the development if the species were to be found on the site

