

**SOUTHMERE FIELD, LANGSTONE ROAD,
LANGSTONE, HAVANT, HAMPSHIRE**

**BIODIVERSITY MITIGATION AND ENHANCEMENT
PLAN**

Final Document

July 2021

Preliminary Ecological Appraisals • Protected Species Surveys and Licensing • NVC • EclA • HRA • Management Plans
Habitats • Badger • Bats • Hazel Dormouse • Birds • Reptiles • Amphibians • Invertebrates • Riparian and Aquatic Species

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Ecological Survey & Assessment Limited is a Trinity Consultants Company



ECOSA Quality Assurance Record

This report has been produced with reference to the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Report Writing 2017 (CIEEM, 2017).

Description:	Biodiversity Mitigation and Enhancement Plan
Produced For:	Persimmon Homes South Coast
Issue:	Final
Report Reference:	20.0210.0015.F0
Date of Issue:	7 th July 2021
Date of Survey Works:	Various dates between January 2020 and October 2020
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**SOUTHMERE FIELD, LANGSTONE ROAD,
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BIODIVERSITY MITIGATION AND ENHANCEMENT PLAN

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1.0 INTRODUCTION

1.1 Background

Ecological Survey & Assessment Limited (ECOSA) have been appointed by Persimmon Homes South Coast to produce a Biodiversity Mitigation and Enhancement Plan in order to mitigate for identified effects on ecological features as a result of the proposed development of Southmere Field, Langstone Road, Langstone, Havant, Hampshire, PO9 1RB (hereafter referred to as the site).

ECOSA have undertaken ecological surveys of the site in 2020 culminating in an Ecological Impact Assessment to support the planning application (ECOSA, 2021), and have also been appointed to undertake a Habitats Regulations Assessment of the site. Previous survey work was undertaken at the site between 2016 and 2018 by WYG (WYG, 2017) (WYG, 2018a) (WYG, 2018b).

1.2 The Site

The site is located in Langstone, Havant, Hampshire, centred on National Grid Reference (NGR) SU 7154 0516 (**Map 1**).

The site comprises a parcel of an agricultural field of approximately 2.6 hectares and is bounded by residential development to the north, the remainder of the field to the south, Langstone Road A3023 to the east, and a woodland belt and a wet ditch to the west. An unnamed river lies beyond the woodland belt which drains into Langstone Harbour.

The wider landscape is dominated by residential development of Langstone and Havant to the north, green space to the east and west, and the coastal environment of Bridge Lake and Hayling Island to the south.

1.3 Aims and Scope of Biodiversity Mitigation and Enhancement Plan

The aims of this document is to provide a summary of the ecological baseline of the site and detail suitable mitigation, compensation and enhancement measures, in response to previously identified potential ecological impacts (ECOSA, 2021) on site as a result of the proposals.

1.4 Site Proposals

The proposals for the site comprise the construction of 65 new residential dwellings in the northern-most two-thirds of the site, with access roads and associated parking. Access will be created to the north of the site from The Mallards. The southern third of the site will comprise green space. The planning application is due to be in outline with all matters reserved except for access.

The Ecological Impact Assessment is based on the Layout Structure Plan produced by Persimmon Homes dated 2nd June 2021 (Drawing No. A-02-111-SD No Revision) (**Appendix 1**).

Current construction timescales are not currently known, however outline planning permission will be sought during early 2021.

2.0 SUMMARY OF ECOLOGICAL SURVEY RESULTS AND ASSESSMENT

2.1 Introduction

This section summarises the ecological baseline of the site drawn from the results of surveys carried out by ECOSA between January and October 2020 (ECOSA, 2021), in order to provide context to the mitigation, compensation and enhancement proposals.

2.2 Habitats

The habitats present include broad-leaved plantation woodland located immediately west of the site and forming the western boundary, semi-improved neutral grassland forming the majority of the site, and tall ruderal in the west of the site. A wet ditch is located off-site within the woodland to the west. Other habitats on site include a shed and area where farm equipment is kept in the north-west of the site, and a wall and fence at the boundaries of the site.

2.3 Bats

The on-site shed is assessed as having negligible suitability to support roosting bats. The boundary woodland as a whole offers suitability for roosting bats and provides foraging and commuting habitat for bats. Bat activity surveys recorded at least nine species: soprano pipistrelle *Pipistrellus pygmaeus*, common pipistrelle *Pipistrellus pipistrellus*, noctule *Nyctalus noctula*, *Myotis*¹ bat species, serotine *Eptesicus serotinus*, Nathusius' pipistrelle *Pipistrellus nathusii*, Leisler's bat *Nyctalus leisleri*, long-eared bat *Plecotus* species² and greater horseshoe *Rhinolophus ferrumequinum*. Just a single registration of the species of greater conservation concern greater horseshoe was recorded on site, in the western boundary woodland.

2.4 Hazel Dormouse

The site itself offers no suitable habitat for hazel dormouse, however the off-site the western boundary woodland offers suitable habitat for the species. Hazel dormouse may be present within the boundary woodland.

2.5 Birds

The western boundary woodland offers suitable nesting habitat for ground nesting breeding birds. The on-site grassland offers suitable habitat for ground-nesting birds.

¹ There are seven species of *Myotis* bats in Britain. *Myotis* bats are very difficult to identify specifically, this can generally only be done by examination of physical features and Phylogenetic Analysis Identification of bat droppings. Many of these bats are common and will utilise buildings for roosting often occupying small and inaccessible voids. For the purpose of this report all species shall be referred to as *Myotis* bat species unless a specific identification has been possible.

² There are two species of long-eared bat, the brown long-eared bat *Plecotus auritus* and the grey long-eared bat *Plecotus austriacus*. These species can only be separated by examination of physical characteristics and Phylogenetic Analysis Identification of bat droppings. Unless confirmation of identification has been made by visual identification the two species shall be referred to in this report as long-eared bat. The brown long-eared bat is the commonest of the two species typically being found roosting within large roof voids although small voids and trees are also utilised. The grey long-eared bat is rare and confined to southern England and like the brown long-eared typically roosts in roof voids.

A barn owl *Tyto alba*, which is a Schedule 1 listed species (see **Appendix 2**), was recorded within a barn owl nest box located on the western boundary (**Figure 1, Map 2**). The on-site grassland provides suitable habitat for wintering birds. The site forms part of a Secondary Support Area of the Solent Waders and Brent Goose Strategy (SWBGS) (Solent Wader and Brent Goose Strategy, 2020).



Figure 1: Barn owl box on western boundary

The Solent Wader and Brent Goose Strategy identified records of curlew *Numenius arquata*, oystercatcher *Haematopus ostralegus*, lapwing *Vanellus vanellus* and Brent goose at the site between 2008 and 2018.

2.6 Reptiles

The on-site grassland and tall ruderal provide suitable habitat for reptiles (**Map 2**). Reptile surveys recorded a low population of slow-worm *Anguis fragilis* with a peak count of one individual on site. No other reptile species were recorded on site.

2.7 European Hedgehog

Whilst European hedgehog *Erinaceus europaeus* has not specifically been recorded in the site, suitable habitat is present including the grassland, tall ruderal and western boundary woodland.

3.0 MITIGATION COMPENSATION, AND ENHANCEMENT MEASURES

3.1 Introduction

This section provides the outline of the measures required to be implemented on site to mitigate for the previously identified potential impacts on ecological features at the site. Details of the potential impacts are provided in the Ecological Impact Assessment (ECOSA, 2021). Ecological constraints (**Map 2**) and mitigation, compensation and enhancement measures (**Map 3** and **Map 4**) have been mapped. The planning application for the site is to be submitted in outline and, therefore, details within this section will require updating once final layout and landscaping are known.

3.2 Habitats

Detailed landscaping proposals were not available at the time of writing of this report with detailed measures to be secured as part of any future reserved matters application. Once detailed landscaping plans come forward, these will be designed in consultation with a suitably qualified ecologist.

A buffer of a minimum of five metres from the western-boundary woodland (**Map 2**) will be maintained both during and post construction, with no built form (including gardens, houses, and infrastructure) located within this buffer. This buffer will be maintained as a landscaped buffer in the long-term.

Retained boundary trees to be retained will be protected with Root Protection Zones established in accordance with BS 5837:2012 (British Standards, 2012).

In order to avoid any potential pollution events or degradation to retained habitat both on-site and adjacent to the site, a Construction Environmental Management Plan (CEMP) will be implemented during the construction phase of the development.

In order to offset the loss of the semi-improved grassland as a result of the development, the new area of Public Open Space situated in the south of the site will be sown with a diverse seed mix such as Emorsgate EM3 (or similar approved mix). This will then be subject to appropriate management in order to increase the diversity over the baseline situation. Permanent mown paths will be created and maintained in this area to encourage residents to keep to the paths, reducing impacts to the remainder of the area.

New native tree planting of approximately 30 trees will be undertaken in the new Public Open Space (**Map 3**). This will include pedunculate oak *Quercus robur*, beech *Fagus sylvatica*, field maple *Acer campestre*, hazel *Corylus avellana*, and yew *Taxus baccata* (or similar approved mix).

The buffer along the western boundary between the woodland and built form will be planted with a new native species scrub/thicket mix. This will include hazel, field maple, blackthorn *Prunus spinosa*, hawthorn *Crataegus monogyna*, holly *Ilex aquifolium*, spindle *Euonymus europaeus* and guelder rose *Viburnum opulus* (or similar approved mix).

New hedgerow planting will be undertaken along the northern and eastern boundaries of the site to provide new green corridors around the boundaries. This will include blackthorn, hawthorn, hazel, field maple, elder *Sambucus nigra* and wild privet *Ligustrum vulgare* (or similar approved mix).

3.3 Bats

The western boundary woodland will remain unaffected by the proposals in order to retain the key foraging and commuting corridor within the site.

A detailed lighting scheme was not available at the time of preparation of this report which will be secured as part of reserved matters. As part of the lighting strategy it is recommended that no external lighting will be introduced to the periphery of the site as part of the proposals. If this cannot be avoided, a sensitive lighting scheme will require implementation at the site including maintaining dark corridors (less than 0.5 lux) across the western boundary woodland (**Map 3**). Guidance on task related lighting levels and mitigation options as described within the Bats and Artificial Lighting in the UK report will be followed (Institution of Lighting Professionals, Bat Conservation Trust, 2018).

Integrated bat roost units will be installed into at least 10% of the newly constructed buildings (**Map 3**). Seven WoodStone Build-In Bat Box (**Figure 2**) (or similar) will be positioned at least two metres above ground level and located away from artificial light sources. The exact location of these units will be determined following a finalised layout as part of the reserved matters application.



Figure 2: WoodStone Build-In Bat Box (NHBS, 2020)

The native species planting as detailed in Paragraph 3.2 will result in an enhancement on site for foraging and commuting bats.

3.4 Hazel Dormouse

The buffer along the western boundary will avoid impacts on hazel dormouse both during and post construction, should they be present in the off-site boundary woodland. The implementation of a suitable sensitive lighting scheme on site (Paragraph 3.3) will ensure no disturbance impacts occur on hazel dormouse as a result of the proposals.

The new native species thicket planting to be undertaken in the buffer along the western boundary will provide an increase in suitable hazel dormouse habitat on site.

3.5 Birds

No removal of woody vegetation will be undertaken on site. Should works on site be undertaken during the nesting bird season (March to August inclusive) then a suitably qualified ecologist will undertake a check for nesting barn owl within the barn owl box (**Map 2**). Should barn owl be present, a suitable buffer from works will be established around the barn owl box in order to avoid disturbance to the species.

The site will be subject to a reptile translocation exercise and supervised clearance works (see Paragraph 3.6). During the translocation and supervised clearance any identified active nests of ground nesting birds will be left undisturbed *in situ* with a suitable buffer until the nest is no longer in use, or the chicks have fledged.

The delivery of the new Public Open Space, as detailed in Paragraph 3.2, will provide new ground nesting bird habitat. New native species planting, as detailed in Paragraph 3.2, will provide new habitat on site for tree-nesting birds.

Integrated bird nest units will be installed into at least 10% of the newly constructed dwellings (**Map 3**). The units will be a combination of Vivara Pro House Sparrow Nest Box (**Figure 3**), WoodStone Build-In Swift Nest Box B (**Figure 4**) and WoodStone Build-In Open Nest Box (**Figure 5**) (or similar units). Three Vivara Pro House Sparrow Nest Boxes and Three WoodStone Build-In Open Nest Box units will be installed at eave level. The four WoodStone Build-In Swift Nest Box B will be installed in pairs at least five metres high, with a clear flight path allowing access, and will not be south facing.



Figure 3: Vivara Pro House Sparrow Nest Box (NHBS, 2020)



Figure 4: WoodStone Build-In Swift Nest Box B (NHBS, 2020)



Figure 5: WoodStone Build-In Open Nest Box (NHBS, 2020)

Specific mitigation and compensation measures in respect of wintering birds and the associated SWBGS site will be provided within the Habitats Regulations Assessment to be submitted as part of the application and is not discussed within this document.

3.6 Reptiles

Given the presence of a low population of slow-worm within the site it will be necessary to ensure that these animals are not harmed during the ground clearance works prior to development and that the animals are not present within the development area during construction works. Therefore, a translocation exercise will be undertaken to remove the population from the construction area.

A receptor area has been identified will form the receptor site during the translocation works (**Map 4**). This area contains identical habitat to that which is going to be lost and

totals approximately 0.77 hectares which is considered to be have more than adequate capacity to support the very low numbers of slow-worm recorded as part of the survey work.

Prior to any translocation works being undertaken the habitat will be re-inspected by the ecologist leading the translocation in order to confirm continued suitability of the habitat for receiving the population. This area will then remain unmanaged for the duration of the construction phase in order to ensure continued suitability of the receptor area for reptiles.

Prior to the commencement of the translocation exercise reptile proof fencing will be erected around the boundary of the suitable reptile habitat to be lost to the proposals (**Map 4**) during the active reptile season (April to October, weather dependent). The reptile fencing will be located outside of protective fencing depicting the construction area (e.g. Heras fencing), to ensure the fencing is protected during construction works. Fencing will consist of 1000-gauge polythene or geotextile fence buried into the ground by 100 millimetres with an external return to prevent reptiles burrowing beneath it. Posts will be erected at approximately one to two metre intervals to support the fence. The fence is to be 750 millimetres to one metre in height.

Following the installation of the reptile fencing, reptile capture and removal will be undertaken by a suitably qualified ecologist during the active season of April to October, when reptiles are not in hibernation. A high density of refugia will be distributed throughout areas of suitable habitat (approximately 100 refugia per hectare) and inspected on a daily basis until five 'clear' visits have been achieved or sufficient effort has been deemed to be expended by the ecologist leading the translocation. The translocation exercise will likely take a minimum of 30 days. All captured animals will be placed in a secure container and transported to the receptor area at the end of each capture visit.

Following an appropriate number of clear days, a destructive search will be undertaken of the on-site habitat under supervision of a suitably qualified ecologist. This will entail the methodical removal of any suitable habitat within the site. Any additional reptiles encountered as part of the destructive search will be captured by the ecologist and relocated to the receptor area. Once the destructive search has been completed, and all suitable reptile habitat has been removed from the site, the development work will be able to proceed.

The reptile fencing will remain *in situ* until which time it requires removal as the development proceeds. The reptile fencing will need to be monitored by on-site contractors with any necessary repairs made in order to remove the risk of reptile re-colonising at the site. During the construction period the construction zone will also be

maintained clear of vegetation in order to minimise the likelihood of any reptiles re-colonising the site.

Following the completion of the development the reptile fencing will be removed under the supervision of a suitably qualified ecologist. This will be undertaken either upon completion of the entire development or on a phased work basis as the development is completed. Fencing can only be removed during the active reptile search of April to October.

The newly created Public Open Space, as detailed in Paragraph 3.2, will include an area of approximately one hectare of new reptile habitat in total. This will be actively managed in the long-term to provide enhanced habitat for reptiles over that which is currently present within the site. This area will be able to be re-colonised from the receptor site by the translocated population upon completion of the development and removal of the protective reptile fencing. Following the establishment of the replacement habitat in the site itself the receptor area will be able to return to its baseline management.

In order to provide new hibernation opportunities within the site four new reptile hibernacula will be created in the south of the site (**Map 3**). This will entail the construction of log piles and rubble buried into the ground and covered by earth measuring approximately one metre by one metre and half a metre above ground. Once established these hibernacula will be retained at the site in the long-term.

3.7 European Hedgehog

The reptile mitigation set out in Paragraph 3.6 will result in the clearance of the on-site habitat under ecological supervision. Any hedgehogs encountered as part of this operation will be relocated outside of the construction area.

Gaps will be created in any new fencing will be created to allow European hedgehog to access the landscaping. This will be achieved either through cutting a square hole of approximately 13 centimetres x 13 centimetres into the bottom of the fence or leaving out a small section of board with at least 13 centimetres clearance. These holes will be marked with 'Hedgehog Highway' signs (**Figure 6**), to inform residents upon occupancy of their purpose and to discourage blocking of the holes.



Figure 6: Hedgehog Highway sign (British Hedgehog Preservation Society, 2020)

4.0 SUMMARY AND TIMINGS

A summary of the works and associated timings relating included in the Biodiversity Mitigation and Enhancement Plan for the site, are provided in **Table 1**. These timings should be treated as provisional and will be subject to updated as works progress and have been assumed based on a January commencement.. Construction works would be able to commence following the completion of Task 6.

Table 1: Summary Tasks and Timings

Task	Ecological Feature	Timings Restrictions	Paragraph Reference	Construction Year 1												Year 2	Year 3
				J	F	M	A	M	J	J	A	S	O	N	D		
1. Writing and Implementation of CEMP	Habitats	Prior to commencement	3.2														
2. Detailed lighting strategy including dark corridor across western boundary woodland	Bats, hazel dormouse, breeding birds	Prior to commencement	3.3, 3.4, 3.5														
3. Reptile fence installation	Reptiles	March to October, prior to construction works commencing	3.6														
4. Reptile translocation (approx. 30 days)	Reptiles	April to October, prior to construction works commencing	3.6														
5. Reptile destructive search	Reptiles, ground nesting birds, European hedgehog	April to October, following completion of task 4	3.5, 3.6, 3.7														
6. Establishment and retention of five metre woodland buffer	Habitats, bats, hazel dormouse	Prior to construction works commencing following completion of task 5	3.2, 3.3, 3.4														

Task	Ecological Feature	Timings Restrictions	Paragraph Reference	Construction Year 1												Year 2	Year 3
				J	F	M	A	M	J	J	A	S	O	N	D		
7. Retained boundary trees protected with Root Protection Zones	Habitats	Duration of development, following task 5	3.2														
8. Check for nesting barn owl	Breeding birds (barn owl)	Between March and August inclusive, if required	3.5														
9. Installation of integrated bat roost units into 10% of newly constructed buildings	Bats	During construction of new buildings	3.3														
10. Installation of integrated bird nest units into 10% of newly constructed buildings	Breeding birds	During construction of new buildings	3.5														
11. Establishment of wildflower meadow in open space	Habitats, ground nesting birds, reptiles	During development	3.2, 3.5, 3.6														
12. Native tree planting in new Public Open Space	Habitats, bats, breeding birds	During development	3.2, 3.3, 3.5														
13. Woodland buffer subject to native species scrub/thicket mix	Habitats, bats, hazel dormouse	During development	3.2, 3.3, 3.4														
14. New hedgerow planting along northern and eastern boundaries	Habitats, breeding birds	During development	3.2, 3.5														
15. Installation of holes into new on-site fencing of 13cm x 13cm and marking with Hedgehog Highway signs	European hedgehog	During installation of new fencing	3.7														

Task	Ecological Feature	Timings Restrictions	Paragraph Reference	Construction Year 1												Year 2	Year 3
				J	F	M	A	M	J	J	A	S	O	N	D		
16. Reptile fencing removal	Reptiles	April to October on completion of development	3.6														
17. Management of suitable reptile habitat	Reptiles	In the long-term	3.6														

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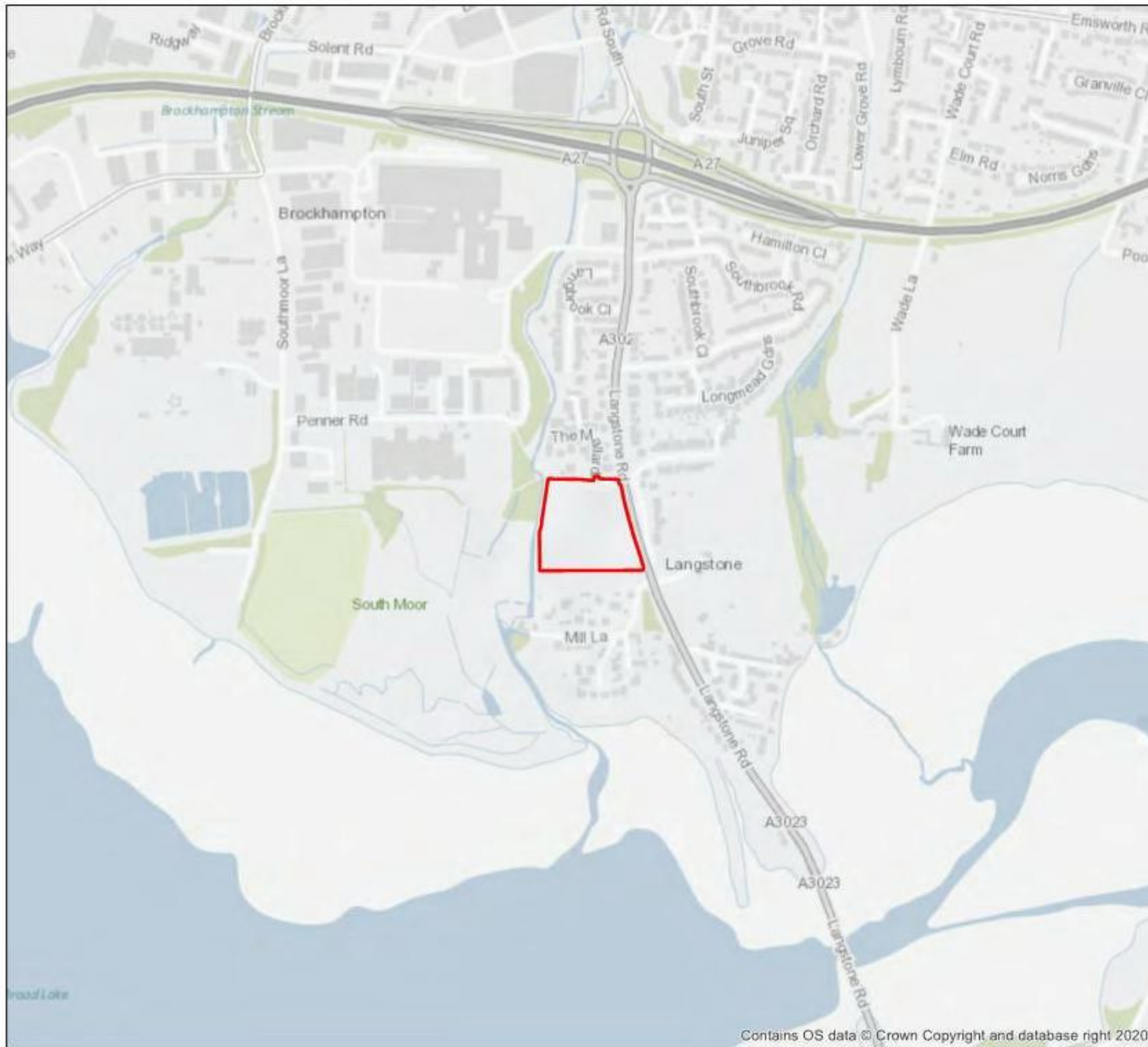
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Map 1 Site Location Plan



SOUTHMERE FIELD, LANGSTONE ROAD, LANGSTONE, HAVANT, HAMPSHIRE

BIODIVERSITY MITIGATION AND ENHANCEMENT PLAN

Map 1 - Site Location Plan

Client:	Persimmon Homes South Coast
Date:	July 2021
Status:	Final (Rev. 1)

KEY

 Site Boundary



Scale at A4: 1:10,000
0 100 200 400 Metres

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Map 2 Ecological Constraints



**SOUTHMERE FIELD, LANGSTONE
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HAMPSHIRE**

**BIODIVERSITY MITIGATION AND
ENHANCEMENT PLAN**

Map 2 - Ecological Constraints

Client:	Persimmon Homes South Coast
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Status:	Final (Rev. 1)

KEY

-  Site Boundary
-  Woodland
-  Five Metre Woodland Buffer
-  Suitable Reptile Habitat
-  Barn Owl Box

Scale at A4: 1:1,500



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Map 3 Ecological Mitigation, Compensation and Enhancements



SOUTHMERE FIELD, LANGSTONE ROAD, LANGSTONE, HAVANT, HAMPSHIRE

BIODIVERSITY MITIGATION AND ENHANCEMENT PLAN

Map 3 - Ecological Mitigation, Compensation and Enhancements

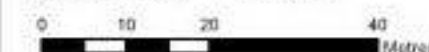
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KEY

- Site Boundary
- Reptile Hibernacula

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Map 4 Reptile Mitigation



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BIODIVERSITY MITIGATION AND ENHANCEMENT PLAN

Map 4 - Reptile Mitigation

Client:	Persimmon Homes South Coast
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KEY

-  Site Boundary
-  Reptile Fencing Route
-  Reptile Receptor Area

Scale at A4: 1:1,500



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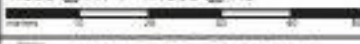
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Appendix 1 Site Proposals Plan



-  Principal elevation
-  Primary Street
-  Secondary Street
-  Private Drive

Rev	Class	Revision Details	By	Chk
 PERSIMMON Together, we make a home				
Job Title Southmere Field, Langstone				
Drawing Title Layout Structure				
Job No.	Design No.	Rev		
-	A-02-111-SD	-		
Drawn	Checked	Date		
br	gs	02.08.21		
Scale 1:500 @ A1 / 1:1000 @ A3				
 				
APPROVAL				

Appendix 2 Relevant Legislation

Bats

All UK bat species are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). They are afforded full protection under Section 9(4) of the Act and Regulation 43 of the Regulations. These make it an offence to:

- Deliberately capture, injure or kill any such animal;
- Deliberately disturb any such animal, including in particular any disturbance which is likely:
- To impair its ability to survive, breed, or rear or nurture their young;
- To impair its ability to hibernate or migrate;
- To affect significantly the local distribution or abundance of that species;
- Damage or destroy a breeding site or resting place of any such animal;
- Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- Greater horseshoe bat *Rhinolophus ferrumequinum*;
- Lesser horseshoe bat *Rhinolophus hipposideros*;
- Bechstein's bat *Myotis bechsteinii*;
- Barbastelle *Barbastella barbastellus*; and
- Greater mouse-eared bat *Myotis myotis*.

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Hazel Dormouse

This species is listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). They are afforded full protection under Section 9(4) of the Act and Regulation 43 of the Regulations. These make it an offence to:

- Deliberately capture, injure or kill any such animal;
- Deliberately disturb any such animal, including in particular any disturbance which is likely, to impair its ability to survive, breed, or rear or nurture their young, to impair its ability to hibernate or migrate;
- To affect significantly the local distribution or abundance of that species;
- Damage or destroy a breeding site or resting place of any such animal;
- Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- Intentionally or recklessly obstruct access to any place that any one of these species uses for shelter or protection.

Breeding Birds

With certain exceptions, all wild birds, their nests and eggs are protected by Section 1 of the Wildlife and Countryside Act 1981 (as amended). Therefore, it is an offence, to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built; or
- Intentionally take or destroy the egg of any wild bird.

These offences do not apply to hunting of birds listed in Schedule 2 subject to various controls. Bird species listed on Schedule 1 of the Act receive further protection, thus for these species it is also an offence to:

- Intentionally or recklessly disturb any bird while it is nest building, or is at a nest containing eggs or young; or
- Intentionally or recklessly disturb the dependent young of any such bird.

Reptiles

The four widespread species of reptile that are native to Britain, namely common or viviparous lizard *Zootoca vivipara*, slow-worm *Anguis fragilis*, adder *Vipera berus* and grass snake *Natrix*

helvetica, are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence to:

- Intentionally kill or injure any of these species.

The remaining native species of British reptile (sand lizard *Lacerta agilis* and smooth snake *Coronella austriaca*) receive a higher level of protection via inclusion under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). They are afforded full protection under Section 9(4) of the Act and Regulation 43 of the Regulations (in England and Wales only) and the Wildlife and Countryside Act 1981 (as amended). The distribution of these species are restricted to only a few sites in England.

Species and Habitats of Principal Importance in England

The Natural Environment and Rural Communities (NERC) Act came into force on 1st October 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The England Biodiversity List is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the NERC Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal functions. There are currently 943 species of principal importance and 41 habitats of principal importance included on the England Biodiversity List.