

Hulbert Road

Dormouse Report



**For Trustees of the GHM Jackson 1972
Settlement**

January 2020

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Executive Summary

Contents	Summary
Site Location	The Site is located to the east of the B2150 (Hulbert Road) on the western outskirts of Havant, Hampshire and is centred on Ordnance Survey National Grid Reference: SU60439 08148.
Proposals	The proposals currently include the construction of residential units with associated landscaping and access.
Existing Site Information	An EA for the site was produced by WYG (2019). This identified suitable dormouse habitat, consisting of dense scrub, scattered scrub, bracken, semi-natural mixed-woodland and semi-natural broadleaved woodland. The data search in the EA provided by HBIC returned nine records of dormice within 2 km of the Site within the last 10 years. A search of data using MAGIC identified three granted EPSL for hazel dormice within a 2 km radius of the Site.
Scope of this Survey(s)	The aims of the survey work and the subsequent report presented herein were to: • Determine if dormice are present or are likely to be absent from the Site; • Assess the impact of the development proposals on dormice; and • Present the outline mitigation measures necessary to protect reptiles during construction and their associated habitats in the long term. Present the outline mitigation measures necessary to protect dormice during construction and their associated habitats in the long term.
Results	Dormice nests were recorded in six nest tubes along with individual dormice in observed Tube 7 and Tube 14. A single dead juvenile dormouse was recorded within Tube 23.
Mitigation and Enhancement Recommendations	Due to the fact dormice were recorded present on site a EPSL licence will be required to undertake any construction works. The EPSL will detail the measures that will be required to protect hazel dormice during works and compensate for the habitats that would be lost. These measures have yet to be finalised but are likely to include: • Protection for retained habitats; • Enhancing dormouse habitat within adjacent area of habitat; • Sensitive timing of works; and • Supervision of habitat removal works.



Glossary

CIEEM	Chartered Institute of Ecology & Environmental Management
CRoW	Countryside and Rights of Way Act
EPS	European Protected Species
EPSL	European Protected Species Licence
Habitat Regulations	Conservation of Habitats and Species Regulations 2017 (as amended)
HBIC	Hampshire Biological Record Centre
MAGIC	Multi-Agency Geographic Information for the Countryside
MCIEEM	Member of Chartered Institute of Ecology & Environmental Management
NE	Natural England
W&CA	Wildlife & Countryside Act 1981 (as amended)

1.0 Introduction

1.1 Background

WYG was commissioned by GHM Jackson 1972 Settlement to undertake surveys to identify if there was the potential for dormice to pose a constraint to development at a site located at Hulbert Road.

This survey was recommended following the results of an Ecological Appraisal (EA) undertaken by WYG in July 2019 (WYG, 2019). The data search in the EA provided by HBIC returned nine records of dormice within 2 km of the Site within the last 10 years. A search of data from MAGIC identified three granted European Protected Species Licences (EPSL) for hazel dormice within a 2 km radius of the Site as shown in Table 1.

Table 1: EPSL for Dormice within 2 km of the Site

Distance and direction from site	Activity	Licence validity	Granted application reference
0.6 km NE	Destruction of breeding / resting site	2014-2019	2014-3156-EPS-MIT
0.8 km NE	Damage of a breeding / resting site Destruction of a resting place	2016-2019	2016-21182-EPS-MIT
0.9 km NE	Destruction of breeding / resting site	2014-2020	2014-456-EPS-MIT

During the EA, dormouse suitable habitat was recorded consisting of:

- Semi-improved neutral grassland (for hibernation at the base of wooded areas);
- Dense scrub;
- Scattered scrub;
- Semi-natural broadleaved woodland; and
- Semi-natural mixed woodland.

This report was completed by WYG Project Ecologist Emma Taylor Consultant Ecologist. The conditions pertinent to this report are provided in Appendix A.

1.2 Site Location

The Site is located between the A3 dual carriageway and the B2150 Hulbert Road approximately 0.4 km west of Havant and is centred at Ordnance Survey National Grid Reference: SU 69445 08150. The Site is shown in Figure 1 and comprises a field of semi-improved grassland with scattered scrub. Areas of dense scrub and tall ruderal vegetation are present around the edge of the grassland, the south west corner of the Site is dominated by an area of hardstanding that is surrounded by a ditch that is partially filled with water. The Site is adjacent to areas of broadleaved and mixed woodland to the north and south and scrub / trees to its east and west.



1.3 Development Proposals

The proposals currently include the construction of residential units with associated landscaping and access.

1.4 Purpose of the Report

The aims of the survey work and the subsequent report presented herein were to:

- Determine the presence / likely absence of hazel dormice on the Site;
- Provide an assessment of the potential ecological constraints to the proposed works relating to the presence of hazel dormice at the Site; and
- Provide preliminary advice on mitigation strategies against any adverse effects on local hazel dormice population(s) which may arise as a result of the proposed development.

Note that scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.

2.0 Methodology

2.1 Field Surveys

The Site was surveyed in accordance with the guidance outlined in the *Dormouse Conservation Handbook* (Bright, Morris and Mitchell-Jones, 2006) and *Surveying Dormice Using Nest Tubes* (Chanin and Woods, 2003). All surveys were completed by WYG Field Surveyor Lydon Trowbridge, Project Ecologist Ben Cooke and licenced WYG Consultant Ecologist Emma Taylor (Natural England Licence No. 2019-43546-CLS-CLS).

Fifty nest tubes were placed along the woodland edge on the northern boundary, in the scrub along the southern boundary and in the scrub along the western boundary. These are readily used by hazel dormice for breeding and daytime shelter. Tubes are made from stiff double walled black plastic sheet, 5 x 5 cm in cross section and 25 cm long. A small plywood tray is placed inside, projecting 5 cm beyond the tube's entrance to allow the animals' easy access. One end of the tube is sealed with a wooden block mounted on the tray. The tubes are suspended by wire or tape, fixed firmly underneath horizontal limbs, where they resemble a hollow branch. Nest tubes were located approximately 20 m apart along hedgerows and treelines. They were positioned on trees and shrubs between 1 m and 2 m from the ground and distributed throughout all suitable habitats within the Site. Locations of tubes are shown on Figure 2.

To prove the likely absence of hazel dormice, an index of probability score is used in which the tubes should remain in-situ between July 2019- November 2019 (Table 2). Tubes are to be checked once a month or enough months in order to gain a minimum number of points, but it is important to include the month May and September.



Table 2: Index of Probability Scoring (adapted from Bright Morris and Mitchell-Jones, 2006)

Month	Index of Probability	Cumulative point score
April	1	1
May	4	-
June	2	-
July	2	-
August	5	6
September	7	13
October	2	15
November	2	17

2.2 Limitations

The details of this report will remain valid for a period of **two years** from the date of the survey, after which the validity of this assessment should be reviewed to determine whether further updates are necessary. Note that the recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals which this report was based on.

3.0 Results

3.1 Weather Conditions

Table 2: below provides the weather conditions during each of the dormouse surveys conducted within the Site.

Table 2: Survey Weather Conditions

Survey	Date	Start Time	End Time	Air Temp (°C)	End temp	Rain	Wind Speed	Cloud Cover (%)
1	12.08.2019	14.00	14.10	20.2	21.9	Nil	0	0
2	12.09.2019	11:30	12:30	17.9	19.1	Nil	1	90
3	22.10.2019	16:55	17:15	12	12	Nil	1	40
4	19.12.2019	11:30	12:48	8	9	Nil	1	100
5	09.04.20	11.45	12.10	13	20	Nil	1	20

3.2 Survey Results

3.2.1 Presence Absence results

A summary of the results from the surveys are provided in Table 3.

Table 3: Survey results

Survey	Date	Dormice nest recorded	Notes
1	12.08.2019	No	-
2	12.09.2019	No	-
3	22.10.19	Yes	Dormouse nests found in Tube 7, single dormouse found in Tube 14.
4	19.12.19	Yes	Dormouse nests found in Tube 14, 16 and 20. Single dormice were found in Tube 7 and 21. Dead juvenile dormouse found in Tube 23
5	09.04.20	Yes	Adult male and female/ nest found in tube 21.

The locations of nest tubes where dormice nests were found are shown on Figure 2. An example of one of the dormice recorded is shown in Photograph 1.

Photograph 1: Dormouse recorded in Tube 14





4.0 Relevant Planning Policy & Legislation

4.1 National Policy Framework

A revised NPPF was issued on 19th February 2019 (Ministry of Housing Communities and Local Government, 2019) and currently supplements government Circular 06/2005, *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* (Office of the Deputy Prime Minister, 2005).

Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 107 of the NPPF also states that:

"Planning policies and decisions should contribute to and enhance the natural environment by:

- a) protecting and enhancing valued landscapes, Sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*

The conservation and enhancement of wildlife is also specifically reference re: development within the National Parks or the Broads.

"When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative Site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the Site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*



- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."*

4.2 Local Plan

The site falls within the area governed by Havant Borough Council and the Havant Brough Local Plan (Core strategy) 2011 applies to development within this area. The local plan includes Policy CS11 – (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) relating to biodiversity.

Planning permission will be granted for development that:

"1. Ensures the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected and where possible enhanced by partnership working with developers, groups and the wider community.

2. Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. Protection and enhancement will be achieved by appropriate adaptation and mitigation measures including wardening, education and information and the creation of new habitats, water bodies/courses planting of new trees and woodland.

3. Has particular regard to the following hierarchy of nature conservation designations within the borough (as identified on the Proposals Map): (i) Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar [International]. (ii) Sites of Special Scientific Interest (SSSI) and National Nature Reserves [National]. (iii) Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), other Ancient Woodland not identified in (ii) above [Local].

4. Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

5. Supports an ongoing programme of survey of habitats and species and designation of Sites of Importance for Nature Conservation.

6. Incorporates partnership working with conservation organisations to improve public understanding of biodiversity and to manage public access to designated sites, particularly on the coast, to reduce harm to nature conservation interests.

7. Incorporates partnership working with landowners and developers to ensure land management practices restore, enhance and where appropriate create new valued landscapes, habitats and their soil structure, particularly the ancient woodland remnants of the Forest of Bere and coastal salt marsh.



8. Protects wildlife habitats and wildlife corridors to prevent the fragmentation of existing habitats and to allow species, for example Brent Geese, to respond to the impacts of climate change by making provision for habitat adaptation e.g. coastal managed realignment and species migration.

9. Maintains undeveloped gaps between the settlements of Emsworth / Havant; Havant/Waterlooville; Havant/Portsmouth; Emsworth / Westbourne and Leigh Park/Rowlands Castle as shown on the Proposals Map.

10. Protects the best and most versatile agricultural land that has the greatest potential for local food security.

11. Responds to the emerging evidence from the Solent Disturbance and Mitigation Project, the published recommendations, and future related research."

4.2.1 DM8 Conservation, Protection and Enhancement of Existing Natural Features

Development will only be permitted where it protects and enhances local habitats and landscape distinctiveness and which addresses all of the relevant criteria as set out below:

"1. Protects natural features of nature conservation and/or amenity importance on the site, for example trees, woodlands, hedgerows, soils, streams, stream corridors, springs, ditches or ponds from damage, destruction and a deterioration in quality.

2. Sympathetically incorporates existing features into the overall design of the scheme including measures taken to ensure their continued survival.

3. Provides new landscape works that integrate successfully with the local environment and existing natural features, using local materials and plant species and making provision for future maintenance of new landscape works associated with new developments.

4. Ensures sequences of greenspaces are maintained and protects the attractiveness and visual amenity of all green open spaces that contribute to the identity of the borough."

4.3 Dormouse Legislation

The hazel dormouse is legally protected in the United Kingdom under Schedule 5 of the Wildlife and Countryside Act (WCA) 1981 (as amended); this legal protection was strengthened in 2000 by the Countryside and Rights of Way (CROW) Act 2000 in England and Wales. Under Schedule 12 of this Act, it is an offence to intentionally or recklessly damage, destroy or obstruct access to any structure used by hazel dormice for shelter or protection or to disturb an animal whilst occupying such a structure.

Further, hazel dormice are also afforded full legal protection under European legislation on Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended), which transposed the European 'Habitats' Directive (92/43/EEC) into UK law, making it a European protected species. In combination, these legislations make it an offence to:

- Intentionally or deliberately kill, injure or capture a hazel dormouse;
- Damage, destroy or obstruct access to any structure or place used for shelter or protection by a hazel dormouse; and / or



- Deliberately disturb a hazel dormouse while it is occupying a structure or place which it uses for that purpose.

An EPSL from Natural England is required for any development works that would affect dormouse or dormouse habitat (e.g. hedgerows or scrub) where the species is known to be present.

5.0 Ecological Constraints, Impacts and Recommendations

5.1 European Protected Species licence

As adverse effects upon dormice are anticipated, suitable mitigation will need to be included in an EPSL application to Natural England to facilitate the works. Clearance of scrub habitats that border the southern boundary of the site and scrub habitats within the site boundaries are considered to be habitat for dormice following the completion of the surveys. An EPSL application can only be submitted once full planning permission is received and all planning conditions relevant to wildlife have been discharged. All survey, mitigation and development information must be included in the licence application to be submitted to Natural England for determination. The EPSL would need to detail how dormice themselves would be protected during works, and how their favourable conservation status would be maintained in the long-term. These are described in brief in the following sections, albeit they may require additional detail to be added in a future application for an EPSL.

5.1.1 Measures to protect individual Dormice

Toolbox Talk

Prior to all works that could affect hazel dormouse habitats, a toolbox talk will be given to all contractors by a licenced ecologist. They should explain the potential for discovering hazel dormice during works and the procedure to take in the event a hazel dormouse is found

Winter vegetation clearance

Once the EPSL has been obtained, the above-ground vegetation should be cut to no lower than 300 mm from the ground, this will be undertaken between early November and February under the supervision of a licensed ecologist. This is to protect hazel dormice when they are in their winter nests as they hibernate at ground level.

During this clearance, arisings are left on the ground to reduce the risk of predation. This relies on vegetation clearance being completed as sensitively as possible by using hand-tools only. The theory is that hazel dormice will not be disturbed during these works and will wake from hibernation and disperse naturally into taller retained adjacent habitats.

If dormice are exposed, then they and their nests should be moved into adjacent habitats that would be unaffected by works. They must be placed in areas that mimic as closely as possible the conditions in which they were found. This includes topography, aspect and surrounding habitat types e.g. around roots or in leaf litter.



Summer vegetation removal

Arisings, stump and root removal should then be undertaken between April and October, after the hibernation season is over, when hazel dormice will be using arboreal habitats. This will be supervised by a hazel dormouse licenced ecologist.

5.2 Managing Habitat Loss

In the areas where habitat loss cannot be avoided, careful planning is required to ensure that there is still connectivity around the Site and areas of retained habitat are not isolated. This is to prevent fragmentation of habitats and associated risks of localised extinctions caused by higher risk of predation and reduced foraging capacity.

5.3 Habitat Enhancement

5.3.1 Habitat Management

Suitable retained and created habitat (e.g. woodland and scrub) within the Site should be managed in the long term to enhance fruit / seed production and minimise disturbance to hazel dormice. These areas of suitable habitat connects to a wider habitat network for dormice, providing an all year round food source.

In order to compensate for the loss of dormouse habitat within the proposed development footprint it is recommended that works to increase / improve dormouse habitat within Hulbert Road Meadow SINC (Ref: HV0035) and Neville's Park West Wood SINC (Ref: HV0033) are undertaken (see Figure 3).

This may include removing non-native species and replanting the understory with species such as hazel *Corylus avellana* and honeysuckle *Lonicera periclymenum* and providing a range of vegetation structures suitable for dormouse throughout the year.

In order to compensate and enhance the site for future dormouse populations, 10 dormouse nest boxes should be erected within surrounding woodland to provide increased nesting opportunities. Signs of woodmice were recorded during the surveys and the species is known to compete with dormice for nesting sites (Devon Mammal Group, 2019). Increasing the number of nesting locations available to dormice is considered to help reduce competition with woodmice. Th

5.4 Monitoring

Hazel dormouse boxes should be monitored by a licensed hazel dormouse surveyor twice a year (May and October) for five years after completion of the scheme (or creation of new habitats). The schedule for the monitoring will be agreed with Natural England and included within an EPSL granted for the site. Results of the monitoring surveys will inform the long term management of the Site by allowing management prescriptions to be revised.



6.0 References

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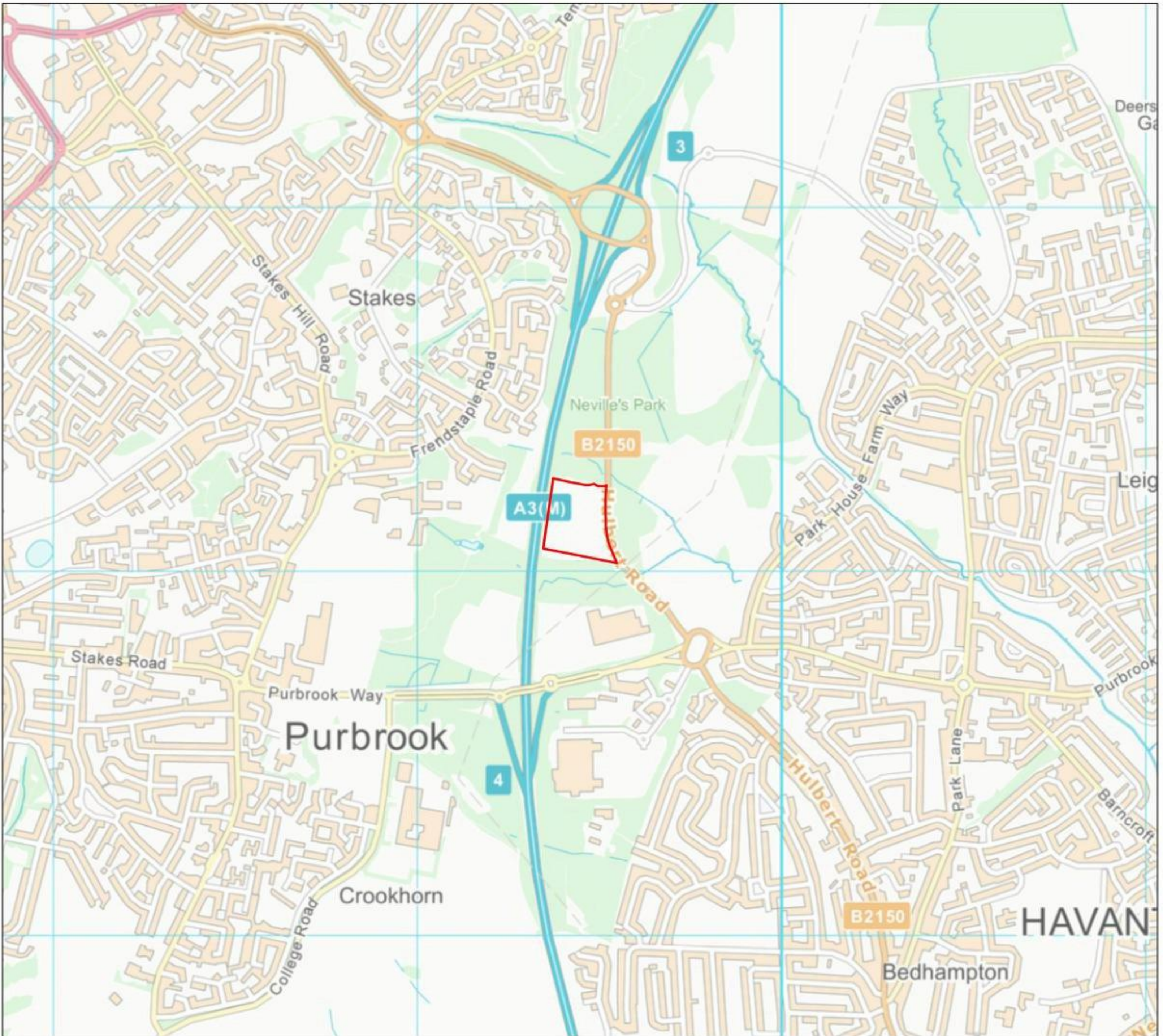


FIGURES

Figure 1 – Site Location Plan

Figure 2 – Dormouse Tube Location Plan

Figure 3 – Site Location in Relation to SINCs



Rev	Date	Notes
A	24/09/19	Initial map production

Legend

- Site boundary

0 50 100 200 Metres

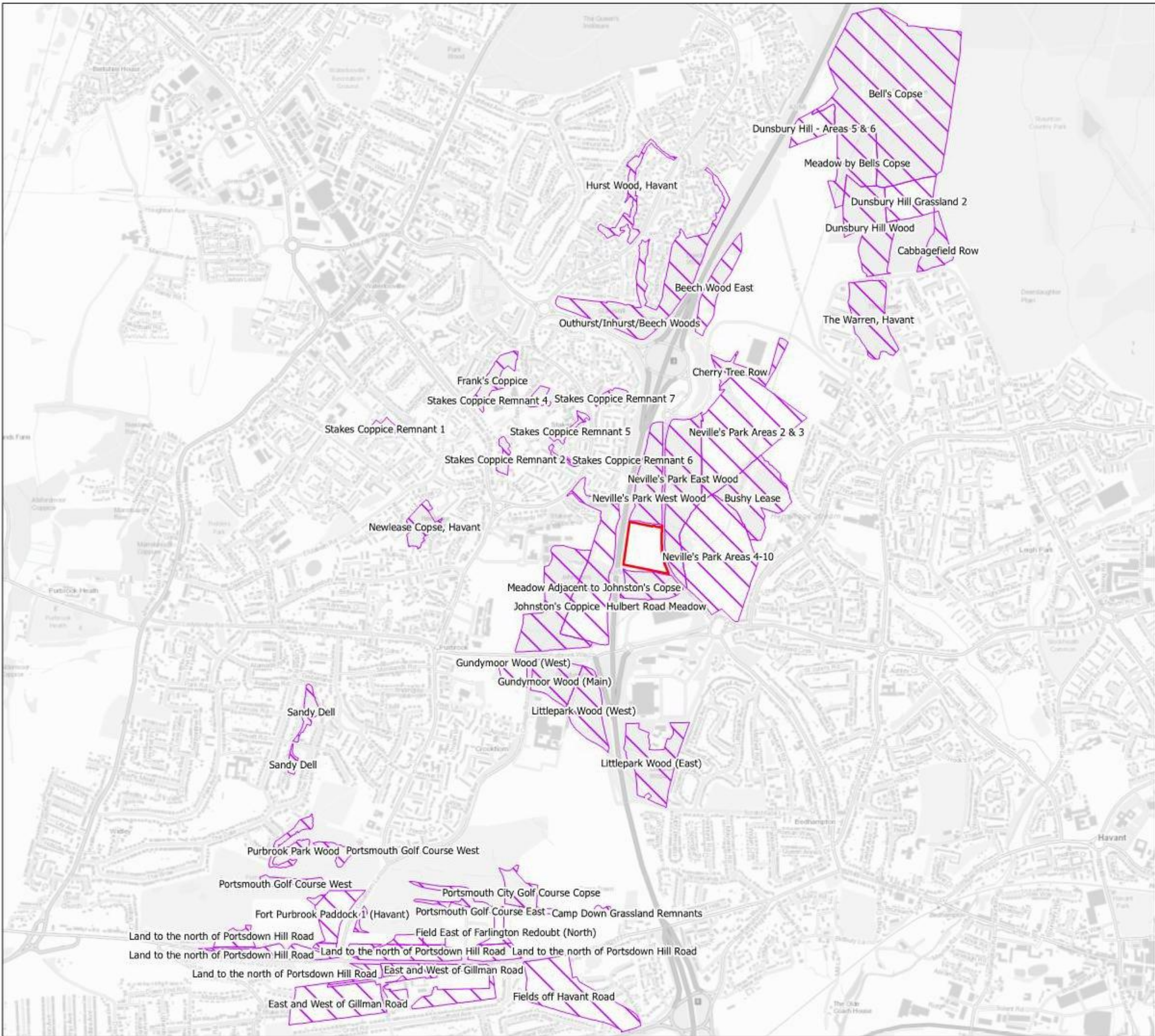


Site Location Plan

Hulbert Rd, Havant
Trustees of the GHM Jackson
1972 Settlement

Scale at A3: 1:10,000	Project No: A096474	Drawing No: Figure 1	Revision: A
Drawn by: Maddie Errington	Drawn date: 24/09/2019	Approved by: John Simper	

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Rev	Date	Notes
A	29/08/19	Initial map production

Legend

-  Site boundary
-  Site of Importance for Nature Conservation (SINC)

0 150 300 600 Metres



Site Location Plan in relation to nearby SINCs

Hulbert Rd, Havant
Trustees of the GHM Jackson
1972 Settlement

Scale at A3: 1:16,250	Project No: A096474	Drawing No: Figure 3	Revision: A
Drawn by: Maddie Errington	Drawn date: 29/08/2019	Approved by: John Simper	

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Appendix A – Report Conditions

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The 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. 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. 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 "shelf life" of the Report will be determined by a number of factors including; its original purpose, the Client's instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.

The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

The performance of environmental protection measures and 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.



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