

Southsea Hoverport  
Terminal, Clarence  
Esplanade, Southsea,  
Portsmouth, Hampshire,  
PO5 3AD

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Ecological Appraisal Report

November 2020

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Hampshire Ecological Services Ltd  
*Consultant Ecologists*

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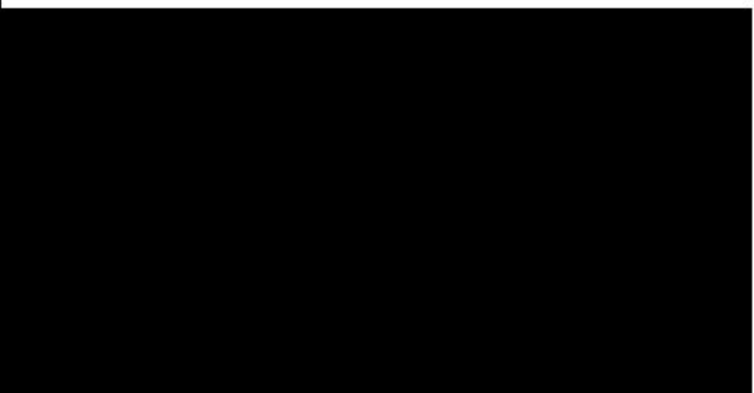
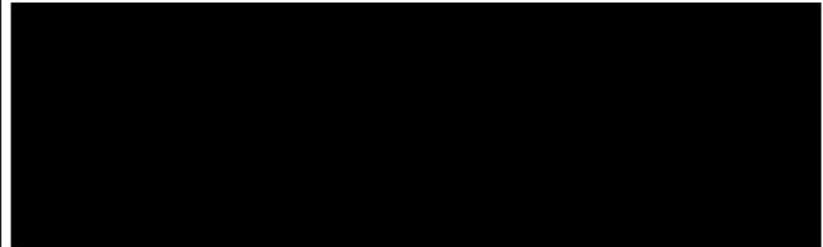
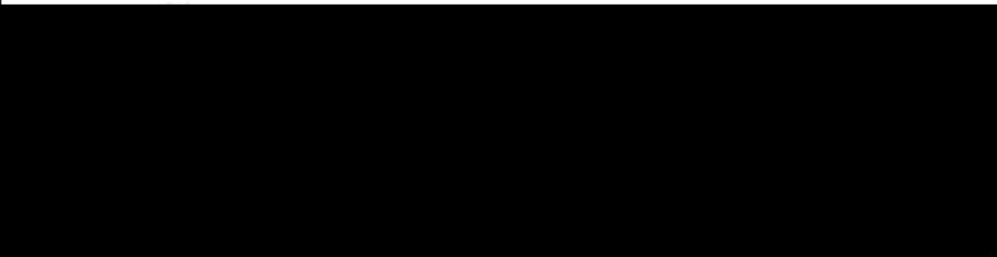
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**Ecological Appraisal Report**  
**Southsea Hoverport Terminal, Clarence Esplanade, Southsea, Portsmouth,**  
**Hampshire, PO5 3AD**  
**for**  
**Griffon Hoverworks**

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 Principal Ecologist	<b>05/11/20</b>	<b>25/11/20</b>

This report represents sound industry practice; reports and recommends correctly, truthfully and objectively; is appropriate given the local site conditions; scope of works proposed and resources allocated to us by the client; and avoids invalid, biased, and exaggerated statements.

The author disclaims any responsibility to the client and others in respect of any matters outside the scope of the above. This report is confidential to the client and the author accepts no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.

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**EXECUTIVE SUMMARY**

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1. This report provides information from an ecological appraisal carried out by Hampshire Ecological Services Ltd for Griffon Hoverworks in connection with a proposal to build a temporary building at Southsea Hoverport Terminal, Clarence Esplanade, Southsea, Portsmouth, Hampshire, PO5 3AD (approximate Ordnance Survey Grid Reference SZ635987). The site location is shown in *Figures 1 and 2* in *Section 6*.
2. An ecological appraisal was carried out during the daytime on the 21<sup>st</sup> October 2020 by Phil Budd BSc and Calum Cooper BSc GradCIEEM.
3. The site consists of a strip of partially vegetated shingle beach adjacent to the Southsea Hoverport Terminal building and the hovercraft slipway. The habitats are shown in the Phase 1 Habitat Survey map given in *Figure 3* in *Section 6* with vascular plant species listed in *Appendix C*.
4. The footprint of the proposed temporary building is an area of shingle on the upper foreshore which consists of roughly 50% vegetation and 50% bare shingle. There is an existing concrete base below much of this area but it has been almost totally covered in the shingle and vegetation. The shingle here is very unstable and, although lying entirely above the high water mark, winter storms move the loose shingle and bury most or all of the vegetation each year.
5. No plant species listed on *Schedules 8 or 9* of the *Wildlife and Countryside Act 1981* (as amended) were recorded on the site.
6. The adjacent Hoverport Terminal building was briefly assessed for its bat roost suitability. This building is unsuitable habitat for bats. There is no foraging habitat for bats on site and does not link suitable habitat. The nearest suitable vegetation is Southsea Common to the east. No further surveys are proposed.
7. The vegetation and adjacent buildings to the proposed footprint site are unsuitable for nesting birds. However, as a precaution, a breeding bird check of the site should be carried out by a suitably qualified ecologist immediately prior to the commencement of the works. In the unlikely event that any active nests are found during works, a 5m buffer zone should be established around them and be temporarily fenced off to prevent plant or personnel disturbing the nest until the end of the breeding bird season (or until the nest is no longer in use).
8. Recent development plans for the wider Southsea Seafront area outline that levels of disturbance from construction, recreation and noise must be considered and mitigated. The Hoverport site is not adjacent or within 100m or 200m of the nearby SPAs and Ramsar sites, where the most negative impacts of visual and noise disturbance will occur. In these most sensitive areas, screening is essential to reduce disturbance. As a precautionary measure, screening is recommended during the construction period.

9. According to the Solent Waders and Brent Goose Strategy (SWBGS), the nearby Southsea Common is a core feeding area for brent geese. The construction works have the potential to disturb these birds.
10. As an active hoverport terminal, the adjacent slipway is in use approximately every 30 minutes during the daytime from 6:30am to 8:30pm. The level of disturbance this creates through noise and vibration contributes to making this site unsuitable for birds utilise, even for short periods.
11. However noise should be limited where possible. Common construction activities likely to result in novel disturbance events include excessive vehicle revving, reversing alarms, certain power tools and loud, percussive noises (e.g. via concrete breaking, piling). Research has shown that noise levels approaching 70 decibels (dB) result in the most profound responses from bird species (i.e. site abandonment), whereas general background construction noise below *c.*55dB is unlikely to result in disturbance. It appears that irregular yet frequent loud noise exceeding 70dB is the most likely to result in effects, and that impacts can be observed for distances up to 300m in some species.
12. It is recommended that, if required to support the planning application, the main construction works are carried out outside the core season for overwintering waterfowl, avoiding November to February when visual and noise disturbance would be most prevalent.
13. No marine fauna were observed in the survey footprint or on any immediately adjacent areas.
14. Runoff from the building site should be prevented from entering The Solent. This can affect the ecology of the waterbody. Spill kits must be available on site at all times.
15. National Planning Policy Framework (NPPF 2019) states "*opportunities to incorporate biodiversity in and around developments should be encouraged*" as part of the consideration for "*presumption in favour of sustainable development*". As the proposed building will not permanent, it is not viable that ecological enhancements are installed on the building. In addition, the existing terminal building may be subject to future works, therefore enhancements on this building are also not recommended. Therefore, the following outline measures are proposed:
  - External lighting will not be installed near to or directed onto the site immediately to the south so that light disturbance will not be a problem for wildlife.
  - Plastic waste was observed washed up or littered with in with the shingle. This area should be periodically cleared of plastic (every 3 months) to prevent these from re-entering The Solent.
  - Runoff from the building site should be prevented from entering The Solent. This can affect the ecology of the waterbody. Spill kits must be available on site at all times.

16. This survey data is valid for a maximum of 12 months. If more than 12 months elapses it may be advisable to conduct further survey work to obtain up-to-date information prior to commencement of construction to ensure protected species compliance.
  
17. According to the *Multi-Agency Geographic Information for the Countryside* website ([www.magic.gov.uk](http://www.magic.gov.uk)), the site is neither designated nor immediately adjacent to any designated areas of nature conservation. However, there are seven internationally and nationally statutory designated sites within 5km and 2km of the site (see *Table 4.1.1.1*) including three SPAs, one Ramsar, two SACs and one SSSI. None of these will be directly affected by this small-scale development.
  
18. As a result of its proximity to these designated sites, the impacts of this development on the SPA and SACs must be considered. The building is a temporary structure and will be dismantled during a future redevelopment the wider site. Provided care is taken to avoid spills during construction, it is unlikely that the addition of this temporary building will increase the pollution on these designated sites.

## **2 INTRODUCTION**

### **2.1 Purpose of this report**

This report provides information from an ecological appraisal carried out by Hampshire Ecological Services Ltd for Griffon Hoverworks in connection with a proposal to build a temporary building at Southsea Hoverport Terminal, Clarence Esplanade, Southsea, Portsmouth, Hampshire, PO5 3AD (approximate Ordnance Survey Grid Reference SZ635987). The site location is shown in *Figures 1 and 2 in Section 6*.

### **2.2 Site description**

The site consists of a strip of partially vegetated shingle beach adjacent to the Southsea Hoverport Terminal building and the hovercraft slipway. The area surveyed is shown on the plan in *Figure 3 in Section 6*.

The site is located to the south-west of Clarence Esplanade, on the south-west coast of Portsea Island, between Southsea and Old Portsmouth. The immediate surroundings consist of a steep shingle beach down to The Solent on the south-west; the Hoverport terminal buildings and slipway to the south-east and north-east; and Clarence Pier amusement park to the north-west. In the wider landscape, The Solent extends to the south-east and south west; the buildings and fortification of Old Portsmouth to the north-west; and the urban areas of Southsea and Portsmouth to the north and north-east.

### **2.3 Proposed activities**

This survey was carried out in connection with a proposal to build a temporary building on the shingle to the rear of part of the existing building.

### **2.4 Current planning status**

Planning permission is being applied for.



## 2.5 *Structure of this report*

This report is structured as follows:

- *Section 1* contains the executive summary;
- *Section 2* contains an introduction;
- *Section 3* describes the survey methods;
- *Section 4* describes the results;
- *Section 5* evaluates the findings;
- *Section 6* contains the figures including:
  - *Figure 1* gives aerial photographs showing the site location;
  - *Figure 2* gives an Ordnance Survey map showing the location of the site; and
  - *Figure 3* gives a Phase 1 Habitat Survey map for the site.
- *Section 7* gives photographs of the site;
- *Section 8* lists the references;
- *Appendix A* lists key legislation and regulations;
- *Appendix B* gives the target notes; and
- *Appendix C* lists vascular plant species recorded on site.

## 3 **METHODS**

### 3.1 **Desk study**

The *Multi-Agency Geographic Information for the Countryside* website ([www.magic.gov.uk](http://www.magic.gov.uk)) was used to search for designated sites on or adjacent to the site including Local Nature Reserves (LNRs), National Nature Reserves (NNRs), Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites. The search area was 5km for SAC and SPA sites and 2km for LNRs, NNRs, Ramsar sites and SSSIs, as specified in Hampshire's *Biodiversity Checklist*. The search area is also 500m for Sites of Importance to Nature Conservation (SINCs) and ancient semi-natural and ancient replanted woodlands.

In addition, the *Multi-Agency Geographic Information for the Countryside* website ([www.magic.gov.uk](http://www.magic.gov.uk)) was used to search for granted European Protected Species (EPS) licences within 2km of the site.

A data search from the Hampshire Biodiversity Information Centre (HBIC) has not been commissioned in relation to this site.

### 3.2 **Field survey**

#### 3.2.1 *General*

An ecological appraisal was carried out on this site. This type of survey is not designed to prove presence or absence of significant or protected species; it is used to highlight habitat that is suitable and to identify where further work to show presence or absence is required. However, in some circumstance's species can be ruled out because there is unsuitable habitat or barriers to inward migration.

Significant species were defined as follows:

- European Protected Species (listed on *Schedules 2 and 5 of the Conservation of Habitats & Species Regulations 2017*);
- nationally protected species under *Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981*, the *Protection of Badgers Act 1992* (as amended) and the *Deer Act 1991*;
- non-native pest species listed on *Schedule 9 of the Wildlife & Countryside Act 1981* (as amended);
- species listed as Critically Endangered, Endangered or Vulnerable on the *IUCN Red List*;
- all species listed on the *RSPB Birds of Conservation Concern 2015* as Red or Amber; and
- Nationally Rare or Nationally Scarce species.

#### 3.2.2 *Date, time and weather*

An ecological appraisal was carried out during the daytime on the 21<sup>st</sup> October 2020. The weather was mild (14°C) with drizzle, an overcast sky and a moderate breeze (Beaufort scale 4).

### 3.2.3 *Personnel*

The survey was carried out by Phil Budd BSc who has over 27 years of experience in ecological consultancy and is a highly competent ecologist trained in Phase 1 Habitat Survey and National Vegetation Classification techniques and protected species surveys (including intertidal flora and fauna). He was assisted by Calum Cooper BSc GradCIEEM who is a member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and has over 5 years of experience in ecological consultancy. He is experienced in carrying out surveys for protected species.

This report was reviewed by John Poland CEnv MCIEEM CBiol MSB, who is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM), a Chartered Environmentalist (CEnv), a Chartered Biologist (CBiol) and multi-species licence holder with 20 years of experience in ecological consultancy and Victoria Russell MCIEEM who is a full member of the CIEEM and multi-species licence holder with over 23 years of experience in ecological consultancy.

All staff adhere to the Chartered Institute of Ecology and Environmental Management's (CIEEM) *Code of Professional Conduct*.

### 3.2.4 *Botanical surveys - Phase 1 Habitat Survey*

The botanical surveys in this report are based on the Phase 1 Habitat Survey methodology (Joint Nature Conservation Committee 2003) and involve the following elements: habitat mapping using a set of standard colour codes to indicate habitat types on a Phase 1 Habitat Survey map; and descriptions of habitats and features of ecological or nature conservation interest relating to locations on the Phase 1 Habitat Survey map.

Basic Phase 1 Habitat Survey methods are described in detail in Joint Nature Conservation Committee (JNCC, 2003). Limits to the method are discussed in Cherrill & McClean (1999).

Plant species lists were compiled for the various habitat types on the site. Subjective estimates of the relative abundance of species were added to the plant species list using a DAFOR scale. The DAFOR scale ranks species according to their relative abundance in a given parcel of land as follows: d – dominant, a – abundant, f – frequent, o – occasional, r – rare. The terms 'abundant' and 'rare' are used by convention and apply only to relative-abundance within the recorded area. It does not mean that species are 'rare' in the general sense.

Plant nomenclature in this report follows Poland & Clement (2009) for native, naturalised and garden species of vascular plant. Plant names in the text are given with scientific names first, followed by the English name in brackets.

### 3.2.5 *Animal surveys*

#### *General*

The habitat was assessed to determine whether or not it is suitable for those protected vertebrates that occur in the region. Initial surveys do not usually confirm species presence or absence, but obvious signs and incidental sightings of protected species would have been noted had they been encountered.

An assessment was made of the likelihood of protected vertebrates using the site. Taking into consideration the geographical region and habitat type, species and groups that might be encountered are:

- bats;
- nesting and wintering birds;
- reptiles; and
- marine fauna.

According to aerial photographs (GoogleEarth™) and online Ordnance Survey 1:25,000 maps, there are no ponds within 500m of the site, therefore great crested newt are not considered further.

Details of initial survey methods for each of the relevant species that might have been encountered are given below and an overview of the legal protection of the species and groups is provided in *Appendix A*.

#### *Bats*

##### General

The survey for bats concentrated on identifying foraging opportunities and potential roost locations or hibernation sites.

##### Building assessment

Because bats are crevice-dwelling mammals it is often difficult to thoroughly inspect buildings for bats and evidence of bats without a destructive search, which is not generally practical or acceptable. Examples are where bats roost between the roofing felt and tiles, around window frames and behind barge boards. These areas cannot be inspected, but a surveyor would know that bats might roost here because there are places where bats could gain entry. A pipistrelle bat is small enough to fit into a match box and can roost in gaps just 14-20mm wide.

The buildings were assessed for their **bat roost suitability** according to the following factors that influence the likelihood of bat roosting:

- Surrounding habitat: whether there are potential flight-lines and bat foraging areas nearby.
- Construction detail: the type and construction of architectural features such as voids, barge boards, soffit boxes, lead flashing, cavity walls and hanging tiles that could be used by roosting bats. Some construction details and materials are more favourable to bat occupation than others.

- Building condition: whether the building has no roof or has a sound roof without any potential bat access points.
- Internal conditions: bats favour sheltered locations with a stable temperature regime, protection from the elements and little wind/light/rain penetration.
- Potential bat access points: whether there is flight and crawl access.
- Potential roosting locations: the presence of bat-accessible voids, cracks and crevices.

The risk of bat roosts being present will be lower where structures have:

- Urban setting with little greenspace.
- Heavy disturbance.
- Small, cluttered roof void (particularly for brown long-eared).
- Modern construction with few gaps or crevices that bats can fly or crawl through (although pipistrelles may still be present).
- Prefabricated of steel or sheet materials.
- Active industrial premises.

The above list provides generic criteria and there are exceptions to consider. For example, pipistrelle roost sites are often found in modern housing estates and therefore the absence of bats from such locations should not always be assumed.

Following the internal and external inspections, the buildings are assigned a level of suitability for being used by roosting bats. This is based on the criteria in *Table 3.2.5.1* (Collins, 2016).

Table 3.2.5.1. Bat Roost Suitability.

Suitability	Description of roosting habitats	Description of commuting and foraging habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats	Negligible habitat features on site likely to be used by commuting or foraging bats
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats ( <i>i.e.</i> unlikely to be suitable for maternity or hibernation).	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or un-vegetated stream, but isolated, <i>i.e.</i> not very well connected to the surrounding landscape by other habitat.  Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland) or a patch of scrub.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only)	Continuous habitat connected to the wider landscape that could be used by bats for commuting, such as lines of trees and scrub or linked back gardens.  Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge.  High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland.  The site is close to and connected to known roosts.

### Assessment of commuting and foraging habitat

Bats use a variety of habitats for foraging, in particular hedgerows, woods and water bodies, and roost in a range of structures including buildings, trees, bridges and caves. Areas that could be used for foraging were noted.

### *Birds*

Habitat that might be used by nesting birds was identified. Different bird species use buildings, trees and shrubs, undergrowth or even open fields to nest.

Habitat suitable for wintering birds that may use the site and surroundings to roost or forage was also identified.

The suitability of the site for use by a range of bird species was assessed, giving consideration to factors such as cover, food, disturbance and other habitat requirements.

### *Widespread species of reptile*

The site was assessed for widespread species of reptile, with particular attention paid to those features that could be used as basking areas (*e.g.* south-facing slopes), hibernation sites (*e.g.* banks, walls, piles of hardcore) and opportunities for foraging (rough grassland and scrub). The site was assessed for its suitability for each of the four widespread reptile species which have broadly similar habitat requirements. However, more specific requirements include the following (Beebee & Griffiths 2000):

- common lizards (*Zootoca vivipara*) use a variety of habitats from woodland glades to walls and pastures, although one of their favoured habitats is rough grassland;
- slow-worms (*Anguis fragilis*) use similar habitats to common lizards, and are often found in rank grassland, gardens and derelict land;
- grass snakes (*Natrix natrix*) have broadly similar requirements to common lizards with a greater reliance on ponds and wetlands, where they prey on common frogs; and
- adders (*Vipera berus*) use a range of fairly open habitats with some cover, but are most often found in dry heath.

Reptile activity is highly seasonal; they hibernate over the winter (October to March) and are active over the summer months. They become increasingly active as temperatures increase in spring, and in most years they are fully active by mid-April. Reproduction varies between species, but generally peaks in mid-summer when reptiles are at their most active. In late September/ October, activity begins to decrease as reptiles seek frost-free refuges for hibernation.

### *Marine fauna*

The site was walked over and any marine fauna either living on site or washed up were noted.

**4 RESULTS**

**4.1 Desk study**

**4.1.1 Designated sites**

According to the *Multi-Agency Geographic Information for the Countryside* website ([www.magic.gov.uk](http://www.magic.gov.uk)), the site is neither designated nor immediately adjacent to any designated areas of nature conservation. However, there are internationally and nationally statutory designated sites within 5km and 2km of the site respectively. These are listed in *Table 4.1.1.1*.

*Table 4.1.1.1. Statutory designated sites; non-statutory designated sites within the designated search areas of the site.*

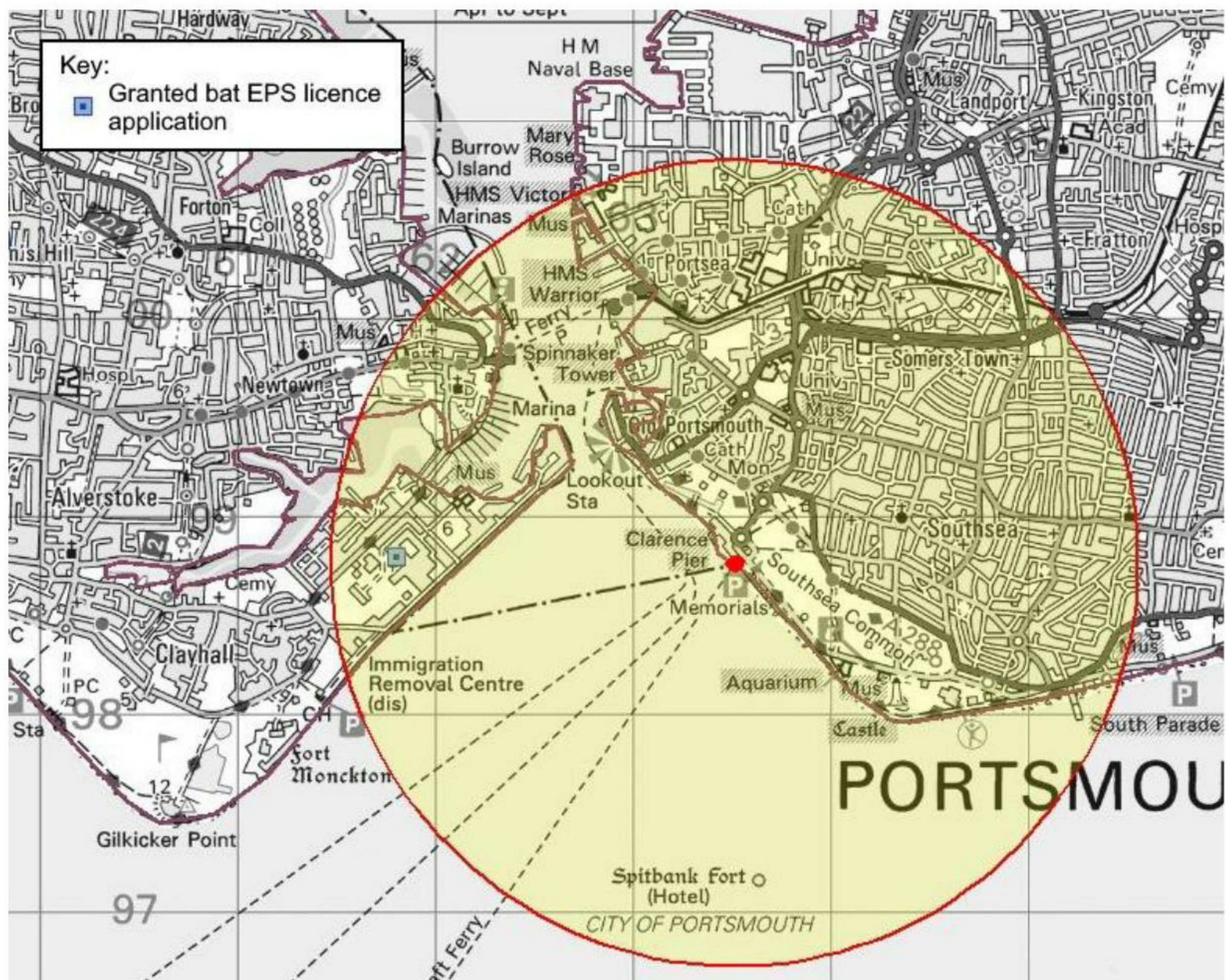
<b>Level of designation</b>	<b>Designation</b>	<b>Name</b>	<b>Distance &amp; direction from site</b>
International	SPA	Portsmouth Harbour	c.1,635m west
		Chichester & Langstone Harbours	c.4,455m east
		Solent & Southampton Water	c.4,981m south
	Ramsar	Portsmouth Harbour	c.1,635m west
	SAC	Solent & Isle of Wight Lagoons	c.2,843m south-west
		Solent Maritime	c.4,455m east
National	SSSI	Portsmouth Harbour	c.1,635m west
	NNR	-	-
	Marine Conservation Zones	-	-
	Marine habitats	-	-
County	LNR	-	-
Local	SINC	-	-
	Ancient woodland	-	-

**4.1.2 European Protected Species**

According to the *Multi-Agency Geographic Information for the Countryside* website ([www.magic.gov.uk](http://www.magic.gov.uk)), there have been one granted European Protected Species (EPS) licence within 2km of the site. This was a resting place roost for common pipistrelles granted in 2015, c.1695m west of the site.



Figure 4.1.2.1. Location of sites with granted EPS licences within 2km of the site. The site location is shown by a red dot.



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## 4.2 Habitats and plant species

### 4.2.1 Habitats

The footprint of the proposed temporary building is an area of shingle on the upper foreshore which consists of roughly 50% vegetation and 50% bare shingle (*Target Note 1*). There is an existing concrete base below much of this area, but it has been almost totally covered in the shingle and vegetation. The shingle here is very unstable and, although lying entirely above the high water mark, winter storms move the loose shingle and bury most or all of the vegetation each year. The vegetation on the shingle is dominated by *Crithmum maritimum* (Rock Samphire) with large amounts of *Atriplex* species (Orache species), *Crambe maritima* (Seakale) and *Glaucium flavum* (Yellow-horned Poppy). There are lesser amounts of *Beta vulgaris* ssp. *maritima* (Sea Beet), *Festuca rubra* (Red Fescue), *Plantago coronopus* (Buck's-horn Plantain) and *Tripleurosprum maritimum* (Sea Mayweed) in small patches in the shingle. There is also a single plant of *Polygonum oxyspermum* ssp. *raii* (Ray's Knotgrass). It most resembles the National Vegetation Classification (NVC) community SD1 *Rumex crispus*-*Glaucium flavum* shingle community.

Coastal vegetated shingle is a UK Biodiversity Action Plan Priority Habitat and a Habitat of Principal Importance in England under *Section 41* of the Natural Environment and Rural Communities (NERC) Act 2006.

The definition of this habitat remains unchanged from the pre-existing Habitat Action Plan:

<https://webarchive.nationalarchives.gov.uk/20110303150148/http://www.ukbap.org.uk/UKPlans.aspx?ID=29>.

The intertidal shore below the proposed footprint consists of steeply sloping shingle with minimal vegetation down to a brown seaweed dominated low tide mark. Several species of brown sea weed; *Fucus serratus* (Toothed Wrack), *Fucus vesiculosus* (Bladder Wrack), *Ascophyllum nodosum* (Egg Wrack), *Chorda filum* (Sea Lace), *Laminaria saccharata* (Sugar Kelp) were observed cast up dead on the shingle. The surrounding beach and the hovercraft slipway (*Target Note 3*) was not surveyed in detail beyond the proposed footprint of the building as they would not be affected by the proposed development and were lacking in visible flora and fauna.

Immediately adjacent to the proposed footprint is the existing terminal building (*Target Note 2*). This is a largely metal building.

A Phase 1 Habitat Survey map showing the location of the various habitats is given in *Figure 3* (see *Section 6*).

#### 4.2.2 *Plant species*

No plant species listed on *Schedules 8 or 9* of the *Wildlife and Countryside Act 1981* (as amended) were recorded on the site.

Vascular plant species recorded from each habitat type (along with relative abundance) are given in *Appendix C*.

### 4.3 **Protected vertebrates**

#### 4.3.1 *Bats*

##### *Bat roost suitability of buildings*

There are no buildings within the development footprint, however the adjacent Hoverport Terminal building was briefly assessed for its bat roost suitability.

The terminal building is a single-storey metal building with pitched and flat metal roofs. While there is an open section of roof and several holes that are suitable for bat access. The inside to the building is unsuitable for roosting bats.

##### *Commuting and foraging habitat*

The limited vegetation on site does not provide foraging habitat for bats. The site does not link to any quality habitat adjacent to the site.

Bats follow linear landscape features such as lines of trees, hedges, buildings and waterways in order to commute from their roost sites to their feeding grounds. Likewise they use these features to navigate between feeding areas and alternative roosts.

#### 4.3.2 *Birds*

There are no trees and bushes on the site to support nesting birds, the levels of light and noise pollution on the site also make the site unsuitable for ground nesting birds. The buildings on site are also unsuitable.

There are many bird species on the UK and Local BAP (or in the RSPB *Birds of Conservation Concern*) that could be using the adjacent intertidal area for foraging. No Birds of Conservation Concern were recorded on site during the Phase 1 Habitat Survey.

In addition, as an active hoverport terminal, the adjacent slipway is in use approximately every 30 minutes during the daytime from 6:30am to 8:30 pm. The level of disturbance this creates through noise and vibration contributes to making this site unsuitable for birds utilise, even for short periods.

#### 4.3.3 *Widespread species of reptile*

There is no suitable habitat for reptiles on site.

#### 4.4 ***Marine Invertebrates***

No marine fauna were observed in the survey footprint or on any immediately adjacent areas.

## 5 ***INTERPRETATION AND EVALUATION***

### 5.1 ***Constraints***

#### 5.1.1 *Constraints on survey data*

There were no constraints on gaining access to the survey area. For health and safety reasons, the surveyors were escorted from the terminal building to the survey area at times when the hovercraft was not using the slipway.

#### 5.1.2 *Constraints on the mitigation, compensation and enhancement measures*

The new building will be temporary so no enhancements (such as for birds) can be attached to this building.

### 5.2 ***Survey report expiry***

This survey data is valid for a maximum of 12 months. If more than 12 months elapses it may be advisable to conduct further survey work to obtain up-to-date information to advise work, thereby ensuring protected species compliance.

It is recommended that a walkover of the site to update the survey information is undertaken prior to the development commencing, if this does not occur before the end of October 2021.

### 5.3 ***Legal context***

No habitat has been identified on site that is suitable for protected species. Different species are afforded different levels of protection; as detailed in *Appendix A*.

The site is not designated for its wildlife interest at an international, national or local scale.

### 5.4 ***Potential impacts of the proposed development***

#### 5.4.1 *Desk study*

According to the *Multi-Agency Geographic Information for the Countryside* website ([www.magic.gov.uk](http://www.magic.gov.uk)), the site is neither designated nor immediately adjacent to any designated areas of nature conservation. However, there are seven internationally and nationally statutory designated sites within 5km and 2km of the site respectively (see *Table 4.1.1.1*).

The site is within 5km of three SPAs, one Ramsar, two SACs and one SSSI. The SPAs and Ramsar are designated particularly for the birds that they support and the SAC's are designated due to the types of habitats they encompass.

As a result of its proximity to these designated sites, the impacts of this development on the SPA and SACs must be considered. The building is a temporary structure and will be dismantled during a future redevelopment of the wider site. Provided care is taken to avoid spills during construction, it is unlikely that the addition of this temporary building will increase the disturbance or pollution on these designated sites.

There has been one granted European Protected Species (EPS) licence within 2km of the site, c. 1,695m west of the site. It is unlikely that the current proposals will impact this bat population.

#### 5.4.2 *Habitats and plants*

The site features coastal vegetated shingle, which is a Biodiversity Action Plan (BAP) Priority Habitat. This area is of high ecological value. The remainder of the site has no conservation importance, however the nearby intertidal area has high ecological value and should be protected where possible.

#### 5.4.3 *Bats*

##### *Bat roost suitability of buildings*

There are no buildings within the works footprint and the adjacent terminal building (*Target Note 2*) has negligible bat roost suitability due to its construction. No further surveys are proposed.

##### *Foraging and commuting habitat*

There is no foraging habitat for bats on and adjacent to the site. In addition, the area is highly lit due to high pedestrian footfall on the promenade and security lighting on the adjacent amusement park. Therefore, it is unlikely that bats are using the site for foraging and/or commuting.

However, any additional lighting installed on the site should avoid spillage of greater than 1 lux onto the beach. The use of non-UV LED lighting (preferably using warm spectrum wavelengths) is strongly recommended to avoid the most deleterious impacts of lighting on biodiversity.

#### 5.4.4 *Birds*

The vegetated shingle is unsuitable for nesting birds. However, as a precaution, a breeding bird check of the site should be carried out immediately prior to the commencement of the construction works. In the unlikely event that any active nests are found within the shingle vegetation or immediately adjacent on the terminal building, a 5m buffer zone should be established around them and be temporarily fenced off to prevent plant or personnel disturbing the nest until the end of the breeding bird season (or until the nest is no longer in use).

According to the Solent Waders and Brent Goose Strategy (SWBGS), the nearby Southsea Common is a core feeding area for brent geese. The construction works have the potential to disturb these birds.

Recent development plans for the wider Southsea Seafront area outline that levels of disturbance from construction, recreation and noise must be considered and mitigated. The Hoverport site is not adjacent or within 100m or 200m of the nearby SPAs and Ramsar sites, where the most negative impacts of visual and noise disturbance will occur. In these most sensitive areas screening is essential to reduce disturbance. As a precautionary measure, screening is recommended at this site during the construction period.

It is recommended that, if required to support the planning application, the main construction works are carried out outside the core season for overwintering waterfowl, avoiding November to February when visual and noise disturbance would be most prevalent.

Noise should be limited where possible. Common construction activities likely to result in novel disturbance events include excessive vehicle revving, reversing alarms, certain power tools and loud, percussive noises (e.g. via concrete breaking, piling). Research has shown that noise levels approaching 70 decibels (dB) result in the most profound responses from bird species (i.e. site abandonment), whereas general background construction noise below c.55dB is unlikely to result in disturbance. It appears that irregular yet frequent loud noise exceeding 70dB is the most likely to result in effects, and that impacts can be observed for distances up to 300m in some species.

It should also be noted that, with the adjacent slipway in use approximately every 30 minutes during the daytime from 6:30am to 8:30 pm. There is already a high level of noise and vibration pollution making this site unsuitable for birds utilise, even for short periods. If disturbance happens regularly, birds may avoid areas completely, leading to more competition for food and resting space elsewhere.

#### 5.4.5 *Widespread species of reptile*

There is no suitable habitat for reptiles on or adjacent to the site. Therefore, no impacts are anticipated on reptiles in the area and no further surveys are proposed.

#### 5.4.6 *Marine invertebrates*

No species of marine invertebrate were found in the proposed footprint. Winter storms move the loose shingle and bury most or all of the vegetation each year and so a rich fauna community is unable to develop and establish.

### 5.5 *Further survey*

No other further surveys are proposed. However a check for breeding birds using the vegetated shingle of the adjacent buildings should be carried out by a suitably qualified ecologist immediately prior to the construction works commencing.

## 5.6 ***Outline enhancement measures***

### 5.6.1 *General*

From the 19<sup>th</sup> February 2019, the Government published the revised National Planning Policy Framework (Ministry of Housing, Communities and Local Government, 2019). The document sets out the government's planning policies for England and how these are expected to be applied. This replaces a previous version which was published in March 2012. It states: "*at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*"

It also states "*opportunities to incorporate biodiversity in and around developments should be encouraged*" as part of the consideration for "*presumption in favour of sustainable development*".

The updated National Planning Policy Framework (NPPF) also states (paragraph 170) that: "*Planning Policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*"

The updated Planning Policy Guidance (PPG) for the Natural Environment, updated in July 2019 states (paragraph 020) that:

*"Net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand."*

The updated PPG provides examples of how biodiversity net gain can be achieved. Measures suggested include "creating new habitats" and "enhancing existing habitats".

### 5.6.2 *Habitats*

Runoff from the building site should be prevented from entering The Solent. This can affect the ecology of the waterbody. Spill kits must be available on site at all times.

Plastic waste was observed washed up or littered with in with the shingle. This area should be periodically cleared of plastic, at regular intervals (every three months), to prevent these from re-entering The Solent.

### 5.6.3 *Building*

As the proposed building will not permanent, it is not viable that ecological enhancements are installed on the building. In addition, the existing terminal building may be subject to future works, therefore enhancements on this building are also not recommended.

### 5.6.4 *Lighting*

No lighting should be installed near to or directed onto the beach to the south so that light disturbance is not a problem. This is because lighting can impact wildlife populations directly by disturbing roosts/ resting areas and reducing their foraging area or (in the case of bats) indirectly by

severing commuting routes from roosts. Therefore, the following (modified from *Bats and lighting in the UK* (ILP 2018)) should be undertaken:

- **Aim of light** The light should be aimed to illuminate only the immediate area required by using as sharp a downward angle as possible. This lit area must avoid being directed at, or close to, any retained vegetation. A shield or hood can be used to control or restrict the area to be lit. Avoid illuminating at a wider angle as this will be more disturbing to foraging and commuting bats as well as people and other wildlife.

For any security lighting, the following should also apply:

- **Power** It is rarely necessary to use a lamp of greater than 2000 lumens (150W) in security lights. The use of a higher power is not as effective for the intended function and will be more disturbing for bats.
- **Movement sensors** Many security lights are fitted with movement sensors which, if well installed and aimed, will reduce the amount of time a light is on each night. This is more easily achieved in a system where the light unit and the movement sensor are able to be separately aimed.
- **Timers** If the light is fitted with a timer this should be adjusted to the minimum to reduce the amount of 'lit time'.
- **Alternatives** The requirement for security lighting in each instance should be carefully considered and only used where absolutely necessary to deter crime.

The use of non-UV LED lighting (preferably using warm spectrum wavelengths) is strongly recommended to avoid the most deleterious impacts of lighting on biodiversity.

## 5.7 ***Requirement for Natural England licences***

### 5.7.1 *European Protected Species licences*

Currently there is no need for a licence.

A licence from Natural England permits activities that may otherwise be offences under the *Conservation of Habitats & Species Regulations 2017*.

Evidence is required from surveys in order to gather enough information about populations to support a licence application.

Survey data supporting licence applications must be up-to-date *i.e.* have been conducted within the current or most recent optimal survey season (May to September for bats and April to October for dormice). Therefore, if surveys show protected species are present, and any licensable work is delayed until, during or after the next survey season, updated survey(s) will be required to support an application.

Natural England takes a minimum of 30 working days to process licence applications following receipt of all the relevant documentation. This includes an application form, a Reasoned Statement



and a Method Statement. The latter includes a detailed mitigation strategy to eliminate or reduce impacts.

It is not possible to apply for a licence until full planning permission has been granted and any conditions relating to wildlife fulfilled, although Local Planning Authorities usually request the information prior to determining a planning application request. Additional time will be required where any revisions to a proposed mitigation strategy are necessary to obtain the licence.

#### 5.7.2 *Protection of Badgers Act (1992) licences*

As no setts have been identified within (or close to) the site boundary, a licence is currently not required.

**FIGURES**

*Figure 1. Aerial photographs showing the location of the site.*

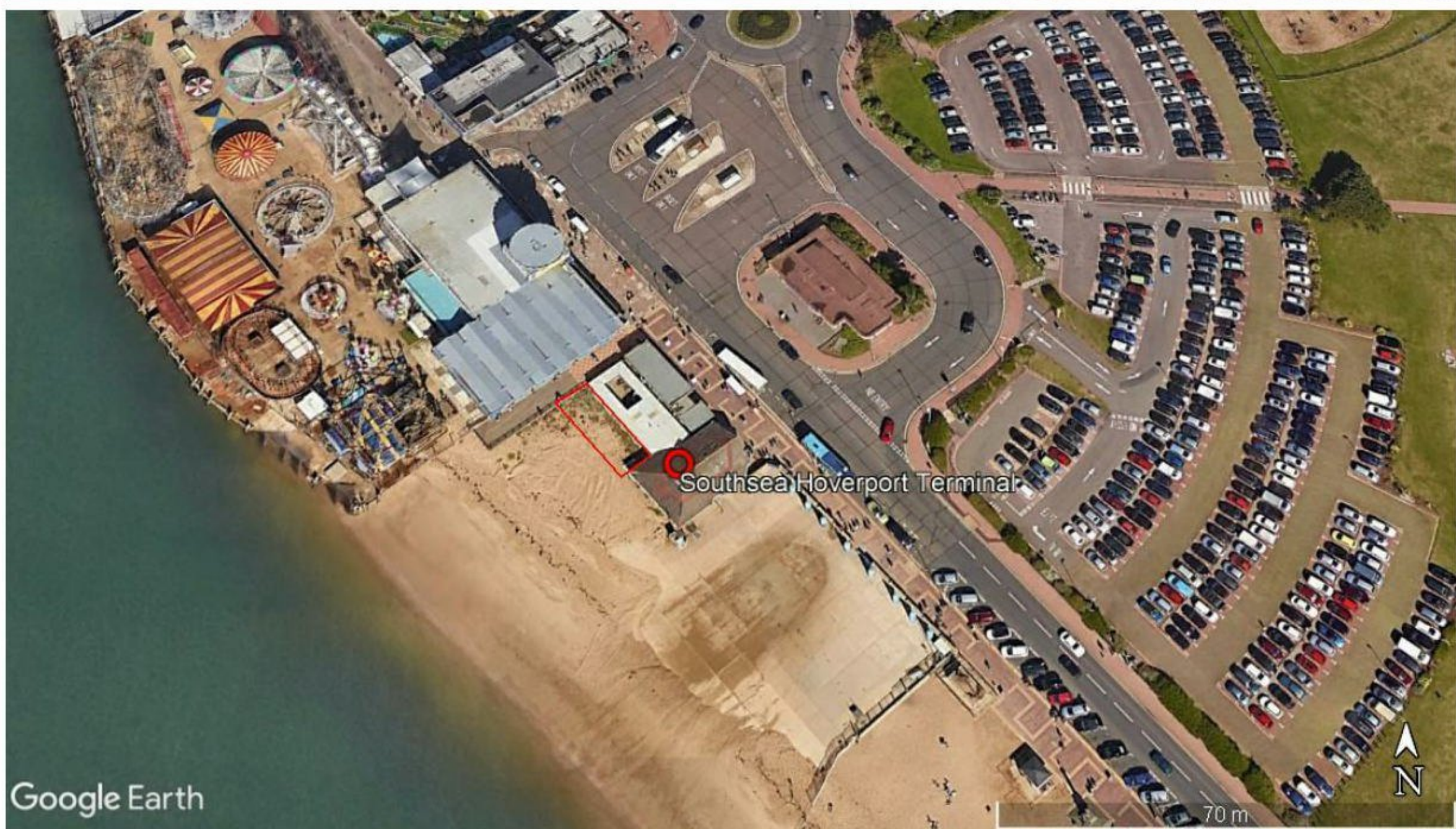
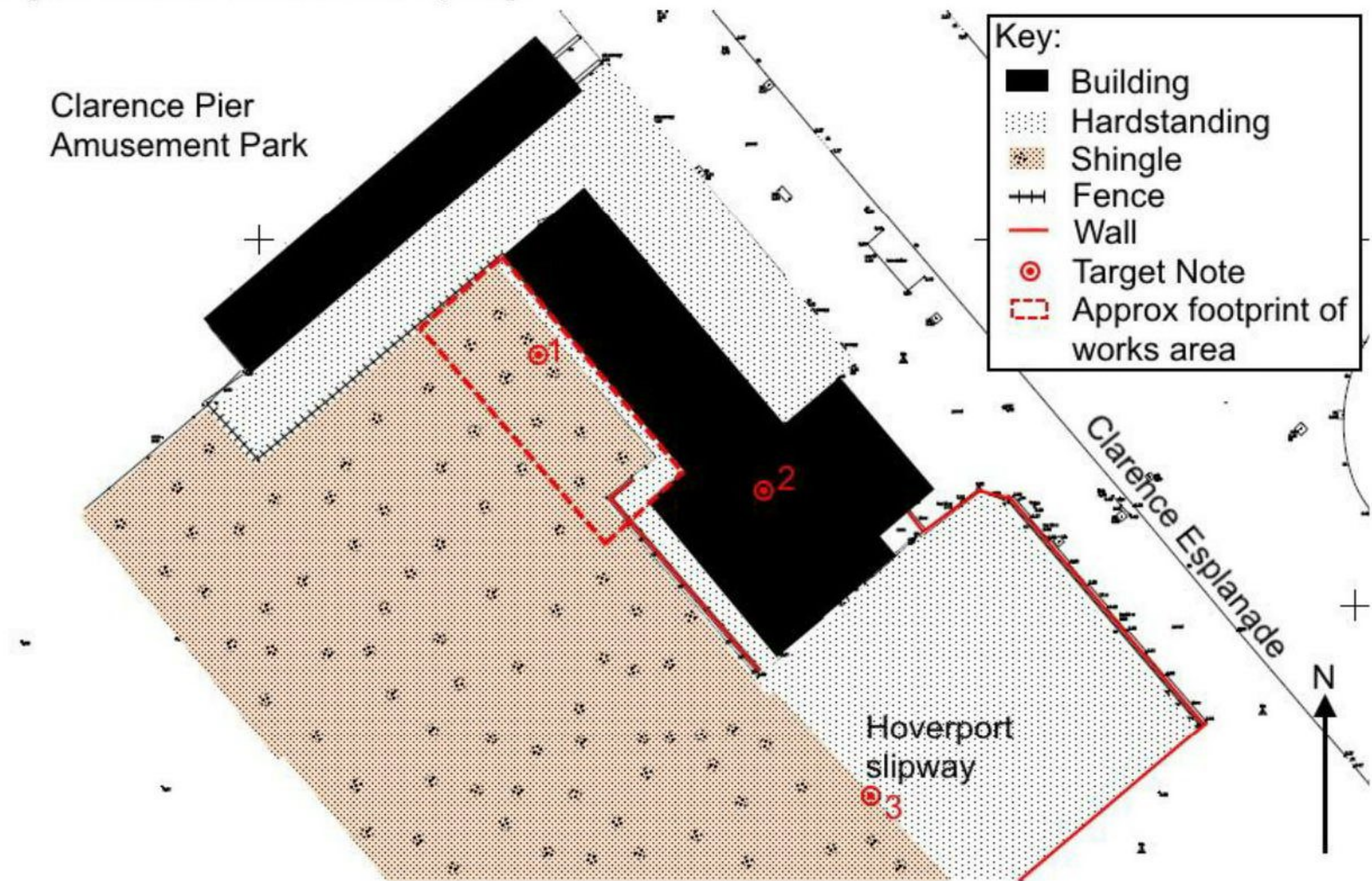


Figure 2. Ordnance Survey map showing the location of the site (as indicated by the red arrow).



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Figure 3. Phase 1 Habitat Survey map.



7 **PHOTOGRAPHS**

*Photo 1. The proposed footprint of the building (Target Note 1), with bare and vegetated shingle. (Taken 21/10/20)*



*Photo 2. Hardstanding/ concrete under some of the shingle area. (Taken 21/010/20)*



*Photo 3. Terminal building (Target Note 2), left and background. (Taken 21/10/20)*



*Photo 4. Hovercraft slipway (Target Note 3) to the south-east of the proposed building. (Taken 21/10/20)*



*Photo 5. Adjacent bike-shed section of the terminal building and the neighbouring amusement park. (Taken 21/10/20)*



*Photo 6. Inside of the terminal building. (Taken 21/10/20)*



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## 9 APPENDIX A: PROTECTED SPECIES LEGISLATION

### 9.1 General

This section briefly describes the legal protection afforded to the protected species identified in this report. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation, but summarises the salient points.

### 9.2 Bats

All species of British bat are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act). This legislation makes it an offence to:

- intentionally kill, injure or take a bat;
- possess or control a bat;
- intentionally or recklessly damage, destroy or obstruct access to a bat roost; and
- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

Bats are also European protected species listed on *Schedule 2* of the *Conservation of Habitats & Species Regulations 2017* which gives them full protection under *Regulation 43*. This legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb a bat (in such a way as to be likely to significantly affect: (i) the ability of a significant group of bats to survive, breed or rear/nurture their young; or (ii) the local distribution or abundance of the species concerned);
- damage or destroy a breeding site or resting place of a bat; and
- possess, control, transport, sell, exchange a bat, or offer a bat for sale or exchange.

All bat roosting sites receive legal protection even when bats are not present (bats tend to reuse the same roost).

Several species of bat are included as a Priority Species in the UK Biodiversity Action Plan (UKBAP - JNCC (2003)) and also as species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

All species of British bat are also protected under *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended). This protection relates specifically to trapping and direct pursuit of the species.

### 9.3 **Birds**

#### 9.3.1 *Birds - general protection*

All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the CRow Act.

The legislation makes it an offence to intentionally:

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

#### 9.3.2 *Birds - specially protected species*

Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The protection was extended by the CRow Act. The legislation confers special penalties where the above mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
- disturb the dependant young of such a bird.

### 9.4 **Widespread species of reptile**

Common lizard (*Zootoca vivipara*), grass snake (*Natrix natrix*), slow-worm (*Anguis fragilis*), and adder (*Vipera berus*) are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the CRow Act.

Under the above legislation it is an offence to:

- intentionally or deliberately kill or injure any individual of such a species; or
- sell or attempt to sell any part of the species alive or dead.

### 9.5 **European Protected Species Licences**

Where it is necessary to carry out an action that could result in an offence under the *Conservation of Habitats & Species Regulations 2017* it is possible to apply for a European Protected Species (EPS) licence from Natural England. Licences are only issued where Natural England are satisfied that three derogation tests are met. These are that the activity is for **imperative reasons of overriding public interest**, that there must be **no satisfactory alternative** and that **favourable conservation status of the species must be maintained**.

Consideration of these three derogation tests was previously left to Natural England as part of their deliberations on whether to grant a licence for the development activity after a planning consent has been issued. However, the regulations now require that **all public bodies, i.e. Local Planning Authorities (LPAs)**, have regard to the requirements of the European Habitats Directive when



carrying out their functions. As a result, LPAs **must** address the three derogation tests when considering a planning application that could impact upon any European Protected Species (EPS).

## 9.6 *National planning context*

### 9.6.1 *General*

Surveys should be completed in line with Natural England's *Standing Advice for Local Authorities* (<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/default.aspx>), which states:

- Natural England will not comment on applications that are submitted without the relevant protected species surveys if there are no other issues (*i.e.* in relation to SSSIs or landscape).
- Natural England will not comment on scoping surveys that recommend further surveys where these have not been undertaken and submitted with the scoping reports.

In addition to the above, *Section 40* of the *Natural Environment and Rural Communities Act (2006)* imposes a new duty on all public authorities to have regard for biodiversity.

### 9.6.2 *National Planning Policy Framework (NPPF)*

From the 19<sup>th</sup> February 2019, the Government published the revised National Planning Policy Framework. The document sets out the government's planning policies for England and how these are expected to be applied. This replaces a previous version which was published in March 2012. It states: "*at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*"

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective;
- a social objective; and
- an environmental objective.

The environmental objective is to "*contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy*".

Planning policies and decisions should contribute to and enhance the natural and local environment by "*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)*" and "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*".

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.

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.

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.

*It states that "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".*

*It should be noted that the "presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".*

The NPPF also encourages *"minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"* and aims to *"promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity"*. This applies to non-statutory designated sites including Sites of Importance for Nature Conservation (SINCs) and equivalent county wildlife sites.

Early engagement with all necessary stakeholders, including expert bodies, is encouraged by the NPPF.

**10 APPENDIX B: TARGET NOTES**

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*Target Note 1.* Vegetated shingle within the proposed footprint. The shingle here is very unstable and, although lying entirely above the high water mark, winter storms move the loose shingle and bury most or all of the vegetation each year and so a rich faunal community is unable to develop. NVC most resembles SD1 *Rumex crispus-Glaucum flavum* community.

*Target Note 2.* The Hoverport Terminal building adjacent to the proposed footprint of the new building. This has pitched and flat metal roof sections.

*Target Note 3.* The hovercraft slipway. This is a large slab of concrete with patches of shingle present due to the regular arrival and departure of the hovercraft.

**11 APPENDIX C: PLANT SPECIES LISTS**

<b>Species</b>	<b>TN1</b>
<i>Atriplex</i> species (Orache species)	A
<i>Beta vulgaris</i> ssp. <i>maritima</i> (Sea Beet)	O
<i>Crambe maritima</i> (Seakale)	A
<i>Crithmum maritimum</i> (Rock Samphire)	D
<i>Festuca rubra</i> (Red Fescue)	F
<i>Glaucium flavum</i> (Yellow-horned Poppy)	A
<i>Plantago coronopus</i> (Buck's-horn Plantain)	O
<i>Polygonum oxyspermum</i> ssp. <i>raii</i> (Ray's Knotgrass)	R
<i>Tripleurospermum maritimum</i> (Sea Mayweed)	O
TN=Target Note, D=Dominant, A=Abundant, F=Frequent, O=Occasional, R=Rare	