

19/01/2022

Our ref: 2212211221CG

Your ref: Proposed Duct at CHINACORP PLC



**Dean Vincent**

Openreach  
Totton ATE,  
Junction Road,  
Totton,  
Hampshire  
SO40 9HJ  
By Email Only

Natural England  
Area 5A Nobel  
House 17 Smith  
Square London  
SW1P 3JR

T [REDACTED]

Dear Dean,

**The New Forest SSSI ASSENT OF NATURAL ENGLAND UNDER SECTION 28H OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)**

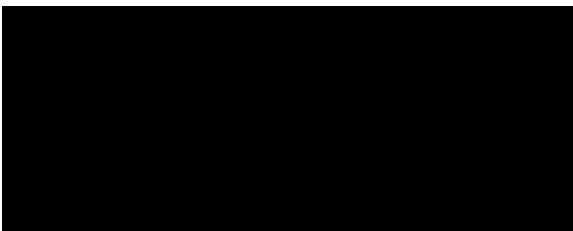
Natural England assents to the operations specified in your notice of 04/01/2021 under S28H of the Wildlife and Countryside Act 1981 (as amended) as attached.

This assent covers the period 01/09/2022 - 31/09/2022

Please note the important information about this assent below.

I draw your attention to your duty, under section 28G of the Wildlife and Countryside Act 1981, as inserted by the Countryside and Rights of Way Act 2000, to take reasonable steps, consistent with the proper exercise of your functions, to further the conservation and enhancement of the SSSI.

Yours sincerely,



Lewis Heath

Conservation Delivery Team Adviser  
Thames Solent  
Natural England

Mobile: [REDACTED]  
Office: [REDACTED]

### **Important information about this assent**

If you wish to change the proposed operations or their location or to carry out additional operations for which assent has not yet been given, or if a time period set out above has expired, you must give further written notice to Natural England. Before doing so, you can seek advice from Natural England.

You may face enforcement action if you undertake unauthorised operations which destroy, damage or disturb the notified features of special scientific interest.

Before undertaking the operations specified in this assent, you may also need to get additional permissions from other authorities. For example, the assented operations might also require planning permission from the Local Planning Authority, a permit from the Environment Agency or a licence from the Forestry Commission. It is your responsibility, as the grantee of this assent, to ensure that no other permissions or consents, whether of a public or a private nature, are needed and, if any are needed, to acquire them before you exercise this assent.

This is Natural England's assent only, and it does not allow you to undertake the specified operations without first having obtained all of the necessary permissions needed to undertake the operation lawfully. If you do not obtain all of the permissions you require, and carry out the work anyway, you may face enforcement action from other authorities or parties.

As the grantee of this assent, you are responsible for carrying out the assented operation(s) safely and in all ways according to the law.

# Notice of proposal to carry out an operation affecting a site of special scientific interest (SSSI)

**Name of site of special scientific interest (SSSI):** New Forest SSSI – SSSI Unit 505 – MA10 Dry

**Name and address of public body or statutory undertaker:** Openreach, Totton ATE, Junction Road, Totton, Hampshire SO40 9HJ

**Email address:** [REDACTED]

**Phone number:** [REDACTED]

[I/We] give notice to Natural England under Section 28H(1) of the Wildlife and Countryside Act 1981 (as amended and inserted by section 75 and Schedule 9 of the Countryside and Rights of Way Act 2000) of [my/our] proposal to carry out the operations specified below in the exercise of [my/our] functions and on the land as specified below.

## Operation and land details

Continue on separate sheet if necessary or attach additional information or documents.

### **Specified operations** (summary of proposal):

The scope of the works comprises the installation of approximately 823 metres of new underground duct and cable to provide fibre optic broadband service to nearby properties. The working area lies north of Broadley Farm between Wootton and Sway, along Boundway Hill, Sway, Lympington, Hampshire SO41 6EN.

The proposed new duct and cable route lies within the New Forest Site of Special Scientific Interest (SSSI). A location plan showing the working areas and designated site boundaries is provided in **Appendix 1**.

### **Details of proposed operations:**

The new underground duct and cable route starts at National Grid Reference (NGR) SZ 2490 9839, where the cable will be linked up to an existing pole. From here the route travels eastwards across acid grassland for approximately 823 metres before turning south and cutting through an existing pathway between shrubs to the Boundway road carriageway. Here the cable will link up to an existing fibre jointing box, north of the Mosscroft property

(NGR SZ 2567 9841). See Map 1 for the location of the route and designated sites.

A narrow trench measuring up to 0.5 metres wide and up to 0.6 metres deep will be dug along the route to install the new duct and cabling. Where the route crosses the acid grassland of Boundway Hill, the trench will be dug using a mole plough. Where the route cuts through an existing pathway between shrubs down to the Boundway road carriageway, hand tools will be used. This will ensure ground disturbance is minimised.

**Timing of proposed operations** (including avoidance of certain weather conditions):

The works will be undertaken in September 2022 to avoid the breeding bird season and when weather and ground conditions are more likely to be favourable. This will avoid unnecessary damage to acid grassland habitat caused by earthworks becoming saturated and losing structure, working areas becoming waterlogged and damaged beneath equipment and machinery. Weather conditions will also be assessed prior to works commencing and the works will be postponed if necessary. The works will take up to three days to complete and will be undertaken during daylight hours.

**Land on which operations are to be carried out** (include map):

The working area along Boundway Hill is located within one SSSI unit of the New Forest SSSI:

SSSI Unit 505 – MA10 Dry

The main habitat within this unit is listed as being lowland dwarf shrub heath and the most recent assessment carried out in 2017 assessed the unit as being in 'favourable' condition. This is a dry unit with only very small areas of wet heath and mire. In places calcareous indicator species are present such as eyebright species, dwarf thistle, fairy flax and frequent ribwort plantain. In parts heather is present but suppressed by grazing or newly establishing, in less well-grazed parts bramble aggregate with sapling scrub is establishing.

Large areas of dry to humid heath occur on Hinchleslea Moor with scattered areas of bracken *Pteridium aquilinum* and gorse *Ulex europaeus* typical of the dryer less well-grazed parts of the open forest. Heather species is varied in structure and age but typically species-poor except for a rich lichen flora.

A review of the MAGIC database undertaken as part of a desktop study identifies the working area as lying within two Habitats of Principal Importance lowland dry acid grassland and lowland heathland.

The habitats recorded within the working areas during a site visit carried out on 15th November 2021 are consistent with the Habitat of Principal Importance acid grassland identified within the desktop study. The area comprised open grassland habitat heavily grazed to a short sward, areas of bare ground where grassland has been removed through poaching and walking and the tarmac hardstanding of the Boundway carriageway.

**Storage and disposal of materials:**

There will be no temporary storage of equipment or vehicles at the site or within the New Forest SSSI. All equipment and vehicles will be removed from the site at the end of each working day and brought back the following morning, therefore a site compound is not required.

All excavated materials created from hand digging will be stored on the tarmac hardstanding of the Boundway carriageway and not on top of any vegetated areas. Materials will be stored in the layers they were excavated, for example turf/vegetation followed by topsoil/subsoil. All excavated materials will be replaced in the layers they were removed on the same day as removal.

The mole plough creates a narrow temporary trench for installing the duct and cable and does not involve spoil removal. Instead, the mole plough pushes the spoils removed by the plough back together as the machine feeds the cable into the hole, thus eliminating the need for backfill. Track matting will be laid along the route to ensure that acid grassland habitat either side of the laid cable is protected from damage.

**Precise routing of operations and vehicles:**

See **Appendix 1** for new duct and cable route. There will be no temporary storage of equipment or vehicles at the site or within the New Forest SSSI. All equipment and vehicles will be removed from the site at the end of each working day and brought back the following morning, therefore a site compound is not required. Workers' cars/vans will be parked on the tarmac roadway and not within the working area or on any vegetated land.

**Frequency of access:**

The working area will be accessed each day for no more than three days.

**The provenance and chemical nature of imported materials:**

N/A

**Type and ground-pressure of vehicles to be deployed:**

All vehicles such as worker's vans/cars will be parked on tarmac hardstanding at all times. Track matting will be laid along the route to ensure that acid grassland habitat either side of the laid cable is protected from damage while the mole plough is in use.

**Mitigation measures:**

The works will be restricted to within the working area of an 823-metre-long route with a 0.5-metre-wide trench. Where the route crosses the acid grassland of Boundway Hill, the trench will be dug using a mole plough. The mole plough is a trenchless technology. It creates a narrow temporary 'cut' in the ground for installing the duct and cable and does not involve spoil removal. Instead, the mole plough pushes the spoils back together as the machine feeds the cable into the hole, thus eliminating the need for backfill. Track matting will be laid along the route to ensure that acid grassland habitat either side of the laid cable is protected from damage.

Prior to the commencement of the works a toolbox talk will be delivered by an Ecological Clerk of Works (ECoW) which will include a summary of the ecological sensitivities of the working area and any constraints. The ECoW will also review the site set up and advise as to any minor changes necessary.

Where the route cuts through an existing pathway down to the Boundway road carriageway, hand tools will be used. This will ensure ground disturbance is minimised.

All excavated materials created from hand digging will be stored on the tarmac hardstanding of the Boundway carriageway and not on top of any vegetated areas within the SSSI. Storing excavated materials in the layers they were excavated, for example top layer vegetation followed by topsoil/subsoil and replacing the materials in the layers they were removed on the same day as removal will minimise soil disturbance. All excavated materials will be replaced in the layers they were removed on the same day as removal.

**Further information:**

**Signed by on behalf of public body / statutory undertaker:**

**Date:**

## Using and sharing your information

The Data Controller is Natural England. For further information on how we process your personal information please see the sites of special scientific interest (SSSI) privacy notice at [www.gov.uk/government/publications/natural-england-privacy-notice](http://www.gov.uk/government/publications/natural-england-privacy-notice).

**Map 1**      Locations of Works and Designated Sites



**CHINACORP PLC, MOSSCROFT,  
BOUNDWAY HILL, SWAY, LYMINGTON,  
HAMPSHIRE**

SSSI ASSESSMENT REQUEST

Map 1 - Locations of Works and Designated Sites

Client:	Openreach
Date:	December 2021
Status:	Draft

**KEY**

- Location of Existing Joining Box
- Location of Existing Pole
- - - New Duct and Cable Route
- ▭ New Forest SPA
- ▭ New Forest Ramsar Site
- ▨ New Forest SSSI
- New Forest SAC

Scale at A4: 1:10,000



Prepared by: HB

Date: 16/12/21

Last amended by: N/A

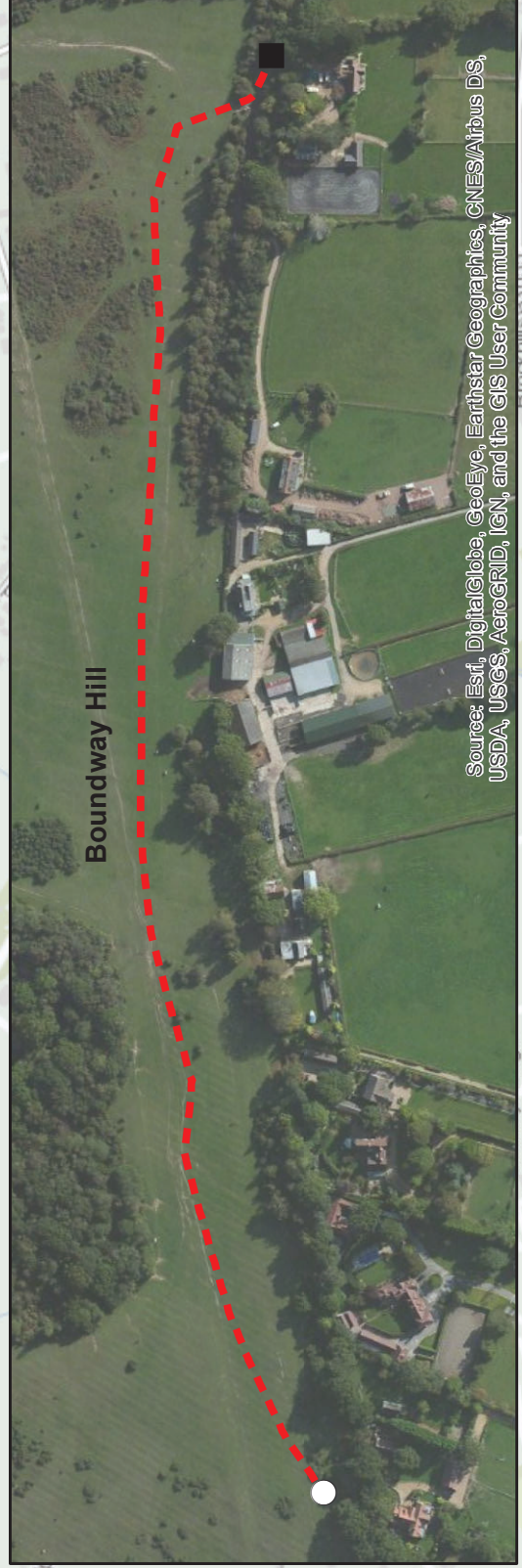
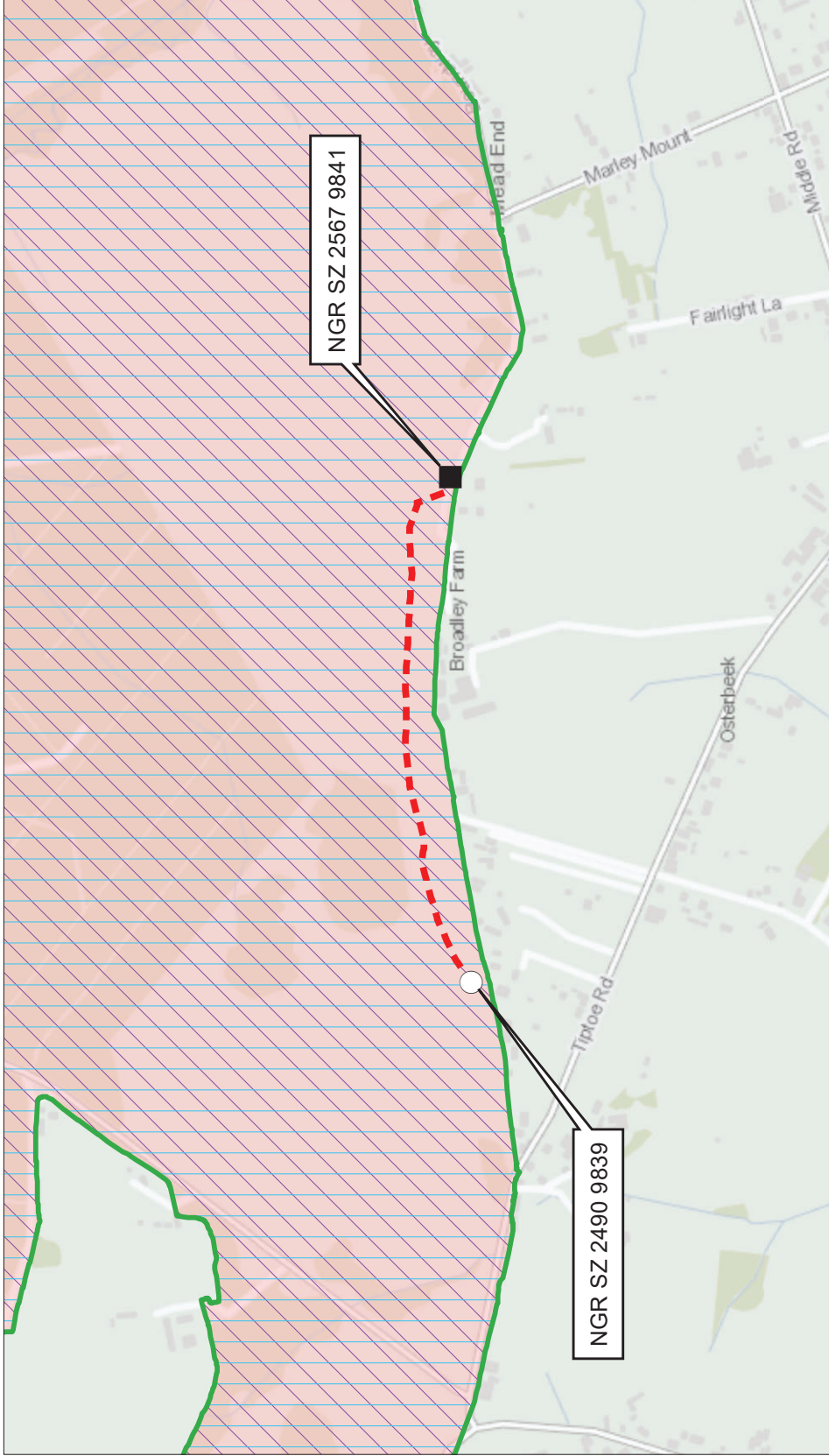
Date: N/A



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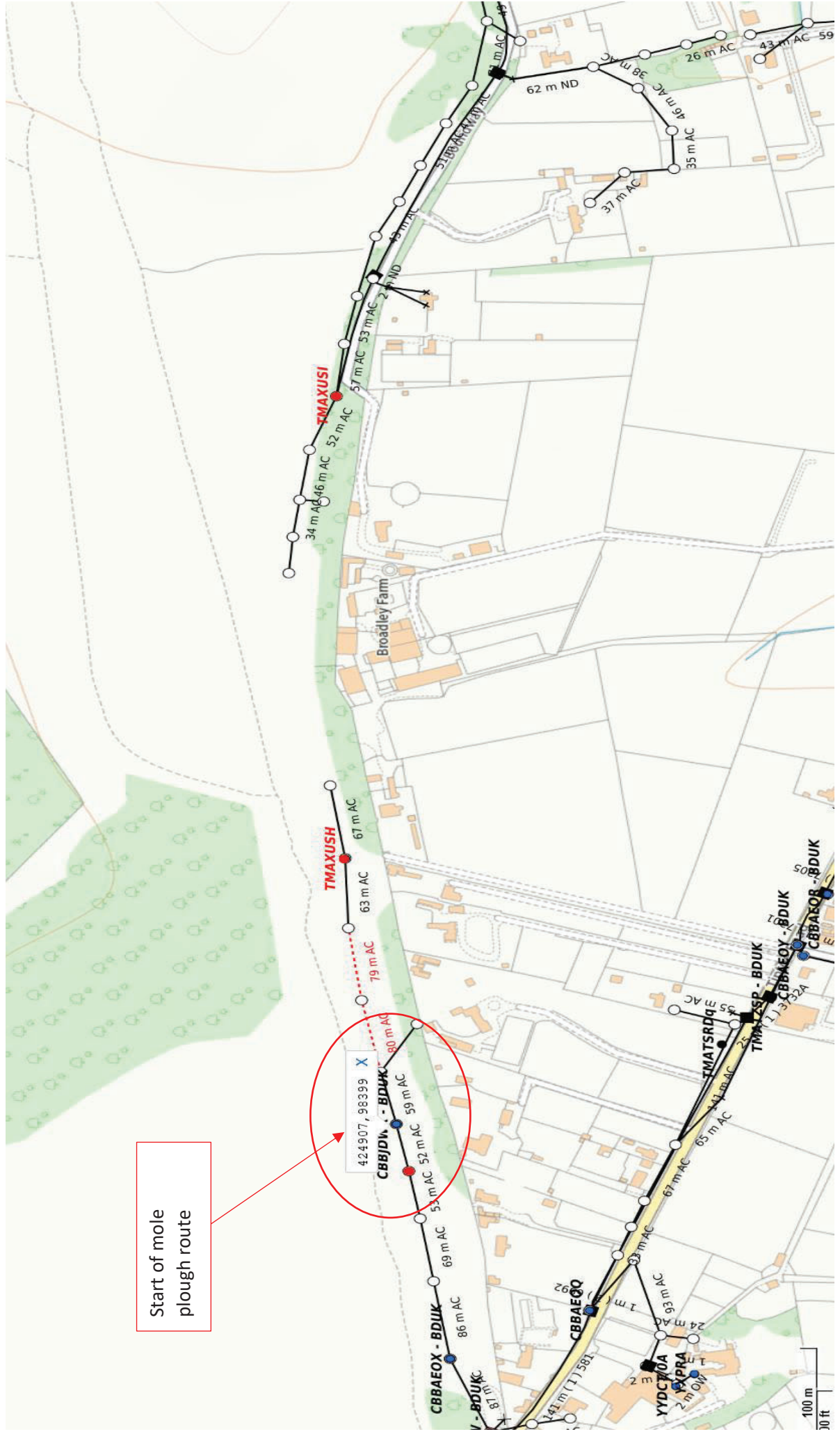
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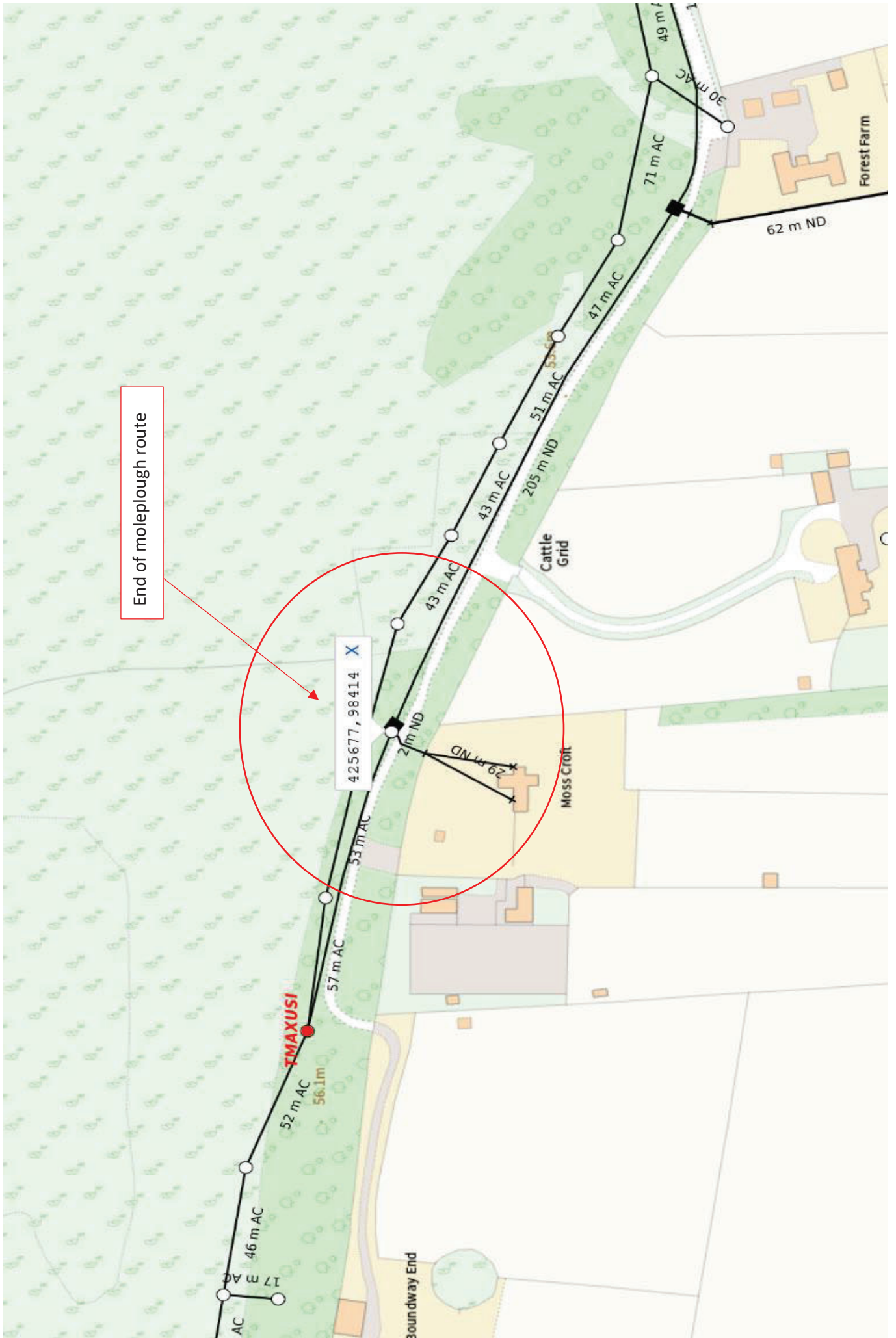
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## **Appendix 1** Plans and Photographs

# Mole plough route



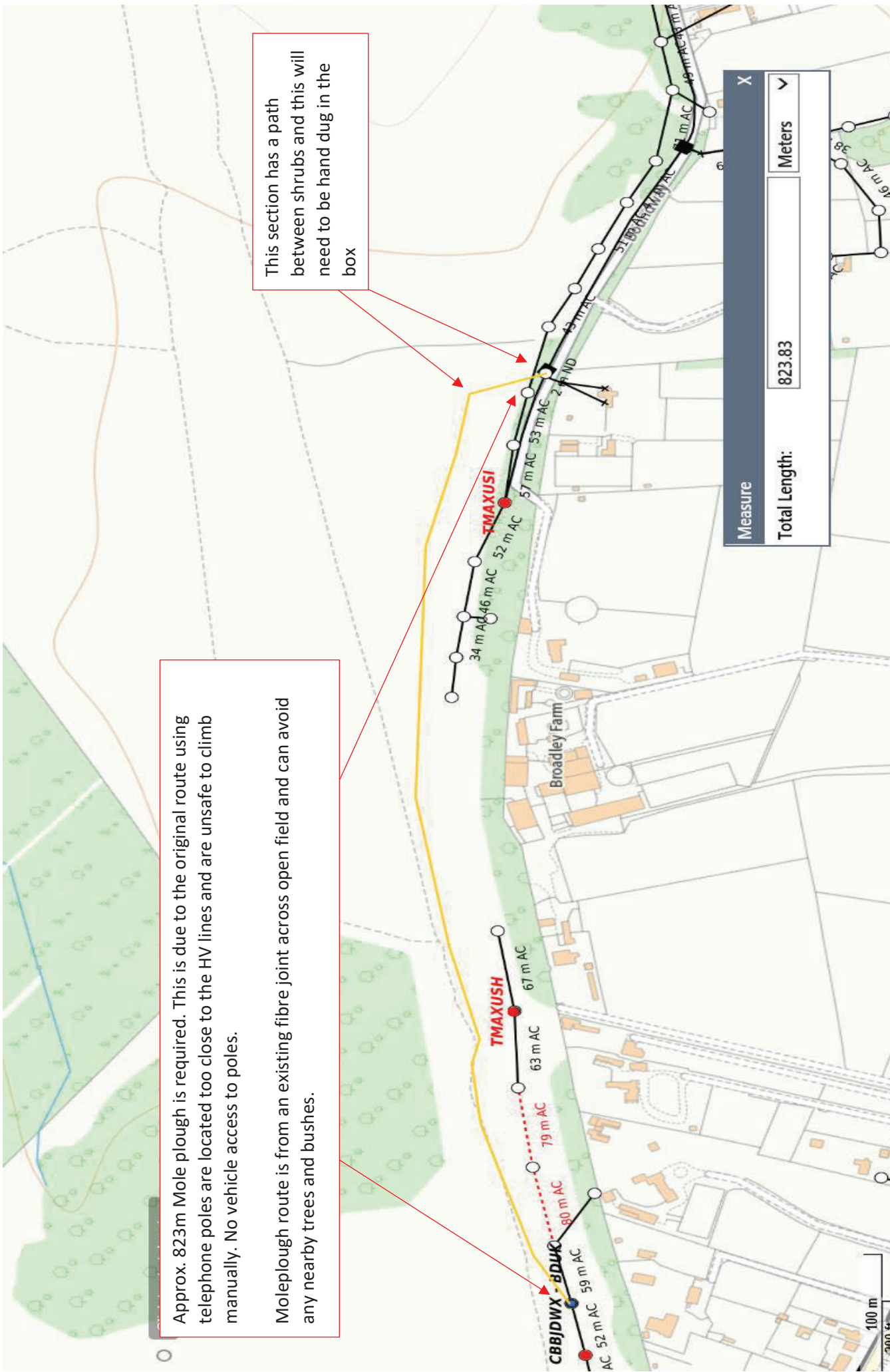




Approx. 823m Mole plough is required. This is due to the original route using telephone poles are located too close to the HV lines and are unsafe to climb manually. No vehicle access to poles.

Moleplough route is from an existing fibre joint across open field and can avoid any nearby trees and bushes.

This section has a path between shrubs and this will need to be hand dug in the box



## **Appendix 2** Working Method Statement

**CHINACORP PLC, MOSSCROFT, BOUNDWAY HILL,  
SWAY, LYMINGTON, HAMPSHIRE**

**WORKING METHOD STATEMENT**

**Final Document**

December 2021

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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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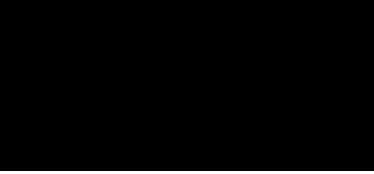
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### ECOSA Quality Assurance Record

This report has been produced in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Report Writing 2018 (CIEEM, 2018).

<b>Description:</b>	Working Method Statement
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<b>Date of Issue:</b>	20 <sup>th</sup> December 2021
<b>Author:</b>	 <b>Helen Butt MSc ACIEEM</b> Ecologist
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**CHINACORP PLC, MOSSCROFT, BOUNDWAY HILL, SWAY,  
LYMINGTON, HAMPSHIRE**

**WORKING METHOD STATEMENT**

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## **1.0 INTRODUCTION**

### **1.1 Background**

Ecological Survey & Assessment Limited (ECOSA) have been appointed by Openreach to prepare a Working Method Statement in relation to proposed telecommunications activities to be undertaken north of Broadley Farm between Wootton and Sway, along Boundway Hill, Sway, Lymington, Hampshire SO41 6EN, to provide fibre optic broadband service to nearby properties.

The proposed working area lies within the New Forest Special Protection Area (SPA), Ramsar site, Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

### **1.2 The Site**

The working area lies north of Broadley Farm between Wootton and Sway, along Boundway Hill, Sway, Lymington, Hampshire. The new underground duct and cable route starts at National Grid Reference (NGR) SZ 2490 9839, where the cable will be linked up to an existing pole. From here the route travels eastwards across open grassland for approximately 823 metres before turning south and cutting through an existing pathway between shrubs to the Boundway road carriageway. Here the cable will link up to an existing fibre jointing box, north of the Mosscroft property (NGR SZ 2567 9841). See **Map 1** for the location of the route and designated sites.

The proposed new duct and cable route lies within the New Forest SAC, Ramsar Site and SPA as well as the New Forest SSSI. Therefore, it will be necessary to ensure that there are no negative impacts on the designated sites and associated nature conservation interests. This document sets out the working methods to be undertaken in order to achieve this and in order to comply with other relevant wildlife legislation. This document does not provide a detailed impact assessment of the proposals. For further information on the impact assessment, the Habitats Regulation Assessment (HRA) screening report (ECOSA, 2021) should be consulted.

The proposed works will be undertaken in strict accordance with this Method Statement and Natural England's Method of Working Statement for Pipe and Cable (**Appendix 2**).

### **1.3 Roles and Responsibilities**

The implementation of this Method Statement will be the responsibility of Openreach (or their approved contractor) who will be responsible for ensuring that all site staff are aware of the ecological constraints at the site and will distribute this document accordingly.

The Site Manager will be responsible for the day-to-day implementation of this document and ensuring that site staff and contractors adhere to the measures set out within it.

#### **1.4 Timings**

The works will be undertaken in September 2022 to avoid the breeding bird season and when weather and ground conditions are more likely to be favourable. This will avoid unnecessary damage to acid grassland habitat caused by earthworks becoming saturated and losing structure or working areas becoming waterlogged and damaged beneath equipment and machinery. Weather conditions will also be assessed prior to works commencing and the works will be postponed if necessary. The works will take up to three days to complete and will be undertaken during daylight hours.

## **2.0 WORKING METHODOLOGIES**

### **2.1 Toolbox Talk**

Prior to the commencement of the works a toolbox talk will be delivered by an Ecological Clerk of Works (ECoW), in co-ordination with the Site Manager, to the site operatives undertaking the works. The toolbox talk will include a summary of the ecological sensitivities of the working area and any constraints. A review of the avoidance and mitigation measures set out within this method statement will also be undertaken. The on-site operatives will also be provided with the contact details of the ECoW should they have any queries or issues. As part of the toolbox talk, the ECoW will review the site set up and advise as to any minor changes necessary to the working method.

### **2.2 Site Set Up and Access**

There will be no temporary storage of equipment or vehicles at the site or within the New Forest SPA, SAC, Ramsar Site or SSSI. All equipment and vehicles will be removed from the site at the end of each working day and brought back the following morning, therefore a site compound is not required. Workers' cars/vans will be parked on the tarmac roadway and not within the working area or on any vegetated land.

### **2.3 Equipment**

The equipment to be used will include a mole plough, hand tools for trench digging, ground protection matting and sheeting for temporary storage of excavated materials.

### **2.4 Trench Work**

A narrow trench measuring up to 0.5 metres wide and up to 0.6 metres deep will be dug along the route to install the new duct and cabling. Where the route crosses the open acid grassland of Boundway Hill, the trench will be dug using a mole plough. Where the route cuts through an existing bare ground/grassland pathway down to the Boundway road carriageway (**Figure 2**), hand tools will be used. This will ensure ground disturbance is minimised.

All excavated materials created from hand digging will be stored on the tarmac hardstanding of the Boundway carriageway and not on top of any vegetated areas. Materials will be stored in the layers they were excavated, for example turf/vegetation followed by topsoil/subsoil. All excavated materials will be replaced in the layers they were removed on the same day as removal.

The mole plough creates a narrow temporary trench for installing the duct and cable and does not involve spoil removal. Instead, the mole plough pushes the spoils removed by the plough back together as the machine feeds the cable into the hole,

thus eliminating the need for backfill. Track matting will be laid along the route to ensure that acid grassland habitat either side of the laid cable is protected from damage.

**Table 1** shows the approximate lengths of the duct and cable route and methods to be used within different locations/habitats. Error! Reference source not found. and Error! Reference source not found. show examples along the route of where each method is to be used.

**Table 1.** Lengths of route and construction method to be used in each area

Location/Habitat	Length (m)	Method
Acid grassland	783	Mole plough
Pathway between shrubs	40	Hand tools



**Figure 1:** Example of acid grassland habitat where mole plough will be used



**Figure 2:** Existing pathway where hand tools will be used

## 2.5 Protected Species

The works will be undertaken in September which will avoid the breeding bird season.

## 2.6 Pollution Prevention Measures

Refuelling will be undertaken on areas of the hardstanding roadway away from the working area. A bunded bowser will be used with drip traps positioned under pumps in order to collect any minor drips and spills. A spill kit will be available in order to contain any potential spills.

Should any chemical spills occur then these should be traced, recorded and addressed in compliance with COSHH. A spill kit will be maintained on site at all times in order to appropriately deal with any chemical spills which may occur.

Should any fuel containers be damaged or leaking then these should be removed from the site immediately and disposed of in an appropriate manner.



In the unlikely event of a pollution incident actions which could be necessary are as follows:

- The Environment Agency should be contacted to report the incident and for further advice. The current incident hotline is 0800 80 70 60;
- In the first instance the pollution should be contained at source in order to minimise potential spread; and
- Working methods may require amendment to prevent any future pollution or litter issues.

For further information on dealing with chemical spills and incidents reference should be made to PPG21 'Dealing with Spills'<sup>1</sup>. A copy of this guidance should be kept on site during the construction works.

## **2.7 Lighting**

It is not anticipated that any lighting will be required at the site. All works will be undertaken during normal working daylight hours.

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<sup>1</sup> Environment Agency Pollution Prevention Guidance has been formally withdrawn however, no specific guidance has been produced to replace this and therefore, it is considered that this still remains relevant.

**Map 1** Site Location Plan and Designated Sites

## **Appendix 1** Proposed Works and Photographs

**Appendix 2** Natural England's Method of Working Statement for Pipe and Cable

## **Method of Working Statement**

### **Pipe and Cable Laying**

**The purpose of this Method of Working Statement is to inform all 28G authorities, owner/occupiers and their contractors of the care that must be taken when carrying out operation or works on The New Forest SSSI/SPA/SAC/Ramsar sites in view of its ecological importance and the national and international protection.**

#### **1. Excavation and Reinstatement**

- 1) All materials excavated shall be lifted and stored separately in the correct order according to turf/vegetation, topsoil and subsoil.
- 2) All materials are to be stored on Terram or similar sheeting to protect the vegetation and ground underneath.
- 3) All materials excavated shall be returned to the position from which it was taken in the correct order.
- 4) Excavated material is not to be placed in adjacent ditches or on adjacent banks (note: these are particularly important ecologically and must not be disturbed).
- 5) Excavations within or under the canopy of trees shall be made using hand tools only.
- 6) Care should be taken to ensure that tree roots are not cut or injured.
- 7) Any excavation is to be thoroughly compacted on reinstatement to minimise settlement. Any defects apparent six months after the excavated materials were replaced will be repaired and made good by the 28G authority or their contractors.
- 8) No imported materials should be used and no reseedling should be carried out.
- 9) Any hole or excavation left open temporarily shall be adequately fenced to protect commoners' stock and members of the public from injury.

- 10) Wherever possible the pipe is to be laid in the track/roadway itself and not in its verge, subject to the approval of the landowner/occupier and other relevant stakeholders.
- 11) Where any road or track is disturbed, the materials excavated shall be lifted and stored separately in the correct order according to base material or sub-base and running surface.
- 12) Reinstatement of the surface of the track/roadway shall be with naturally occurring local hoggin gravel or coated roadstone depending on the original material.
- 13) In digging any trench in a road or track, excavated material will be contained within the boundary of the track at all times and not be permitted to spill onto the vegetation either side.

## **2. General**

- 1) Any materials or equipment placed on the land temporarily shall be kept in a neat and tidy condition and safe to any stock or wild animals.
- 2) All manholes and covers shall be positioned so as not to stand proud of or above the natural level of the adjacent or surrounding land.
- 3) Upon completion of the works to leave the land disturbed thereby in a clean and tidy condition.
- 4) Any barriers, dragon's teeth or Car Free Area ditching that is removed or disturbed during the course of the works shall be reinstated and made good.
- 6) Work will not be undertaken any time when the ground is waterlogged.
- 7) All ditches or streams will be crossed by laying the pipe at a minimum depth of one metre beneath the ditch bed and overlaying with concrete.
- 8) On the sections marked on the plan the pipe will be thrust bored beneath the surface in order to minimise disturbance of the ground surface and its vegetation.
- 9) Staff and contractors must be informed of the need to keep traffic movements to a minimum.

## **3. Conditions for use of cable mole plough**

- 1) Wherever possible, work within existing footprint of tracks, paths and roads or their immediate unvegetated verges to minimise habitat disturbance.
- 2) Maintain the necessary clearance distance to avoid using a mole plough within or under the canopy of trees. Where this is not



- possible, do not use mole plough and excavate trenches by hand, avoiding causing harm or injury to tree roots.
- 3) Wet areas (denoted by habitat type e.g. wet heath, bog, mire, ponds, wet woodland (NVC types W4, W5, W7 and W8), quaking bog etc.) on SSSI citation or through assessment of ground condition on site visit), are particularly valuable for wildlife and susceptible to damage, for this reason a mole plough should not be used and an alternative route through dry ground should be identified.
  - 4) Track back over route that mole plough has taken to reinstate ground, levelling out any uneven or rutted ground.
  - 5) Undertake further reinstatement if necessary to ensure that ground is left in same condition as before works took place, adhering to all other ways of working listed in this document.

**All work, restoration and reinstatement must be to the satisfaction of the land owner.**