

Breamore Camp Site

ECOLOGICAL APPRAISAL

Breamore Estate Company Ltd.

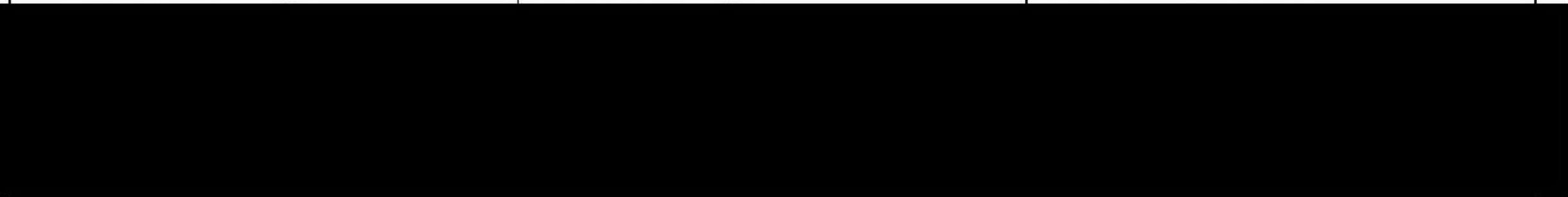
May 2022

Prepared on Behalf of Tetra Tech Limited. Registered in England
number: 01959704

DOCUMENT CONTROL

Project:	Breamore Camp Site
Document:	Preliminary Ecological Appraisal
Client:	Breamore Estate Ltd.
Job Number:	784-B0387616- Rev 1
File Origin:	M:\Projects\784-B038761_Breamore_Camp_Site\60 Project Output

Revision:	1	Status:	FINAL
Date:	26.05.2022		
Prepared by: Emma Taylor Consultant Ecologist	Checked by Ann Bailey Senior Ecologist	Approved By: David West Associate Director	



Description of revision:

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EXECUTIVE SUMMARY

Contents	Summary
Site Location	The site is located within the Breamore Estate to the north of Fordingbridge, Hampshire and is centred at Ordnance Survey National Grid Reference SU 15386 18722. The site comprises a large grassland field and is bordered to the north by a single dwelling and garden, and to the west by an access track for this property. A connecting grassland field bounds the site to the east which is the location of the current campsite proposed for expansion, and North Street runs along the boundary to the south.
Proposals	The proposals for the site are to extend the number of days the existing campsite can be in operation. The proposed number of days the campsite will be open will 120 days with a maximum of 50 pitches across the site. Due to the fact the number of opening days exceeds the pop-up camp site regulations, a planning application will be required. The facilities currently used by the existing campsite, will accommodate for the increased number of visitors and therefore no additional facilities will be built.
Scope of this Survey(s)	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> • Undertake a desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence • Present the results of an extended Phase 1 Habitat Survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species, and evidence of protected fauna or habitats capable of supporting such species • Evaluate potential ecological receptors on site and within the zone of influence; identify any constraints to the sites development and make any recommendations for further surveys, mitigation, or enhancement.
Results and Evaluation	<p>The survey has found that:</p> <ul style="list-style-type: none"> • The nearest European site is the River Avon SAC located 1.1 km southeast. The site is also within the impact zones for the New Forest SAC, SPA and Ramsar, and within 2 km of two SSSI's and 21 SINC's. • A Nutrient Balancing Assessment will be needed to establish the net change in phosphorous resulting from the development of the site, and whether that change is likely to cause adverse effects to the River Avon SAC. • The habitats recorded on site comprised predominantly of the large improved grassland field, species poor hedgerows ran along the northern and southern boundaries, and a mature line of trees was present in the southwestern corner.

	<ul style="list-style-type: none"> The site has the potential to support populations of commuting and foraging bats, roosting bats and hazel dormice.
Recommendations	<p>Designated Sites.</p> <p>The site is within 2.4 km of the River Avon SAC which is highly vulnerable to increases in nutrient pollution. Additionally, the site is also within the impact risk zone for the New Forest SPA, SAC and Ramsar. As a result, there is the potential for the proposals to impact the integrity of these designated sites and further assessment is required.</p> <p>Recreational impacts will be mitigated for through financial contribution, the contribution is detailed within the Supplementary Planning Document (SPD).</p> <p>A Nutrient Balancing Assessment should also be completed alongside this process to establish the likely net change in phosphorus outputs following the proposals, this will dictate the mitigation measures that may be required.</p> <p>Habitats</p> <p>The habitats on site are of limited ecological value and are common and widespread within the local landscape. They do have some potential to support protected species however, which is discussed further below.</p> <p>Protected and Notable Species</p> <p>The site has the potential to support populations of foraging and commuting bats, roosting bats and hazel dormice. The proposals for the site do not include habitat removal, increased lighting. As there are no perceived impacts populations of protected species, no further survey work is recommended. If the scope of the proposals is changed, further survey work would be required to inform an impact assessment.</p>

1.0 INTRODUCTION

1.1 BACKGROUND

Tetra Tech was commissioned by Breamore Estate Ltd. on 28th April to undertake a Preliminary Ecological Appraisal (PEA) of Breamore Camp site, hereafter referred to as “the site”.

This report has been prepared by Emma Taylor, Tetra Tech Consultant Ecologist.

1.2 SITE DESCRIPTION

The site is located within the Breamore Estate to the north of Fordingbridge, Hampshire and is centred at Ordnance Survey National Grid Reference SU 15386 18722. The site comprises a large grassland field and is bordered to the north by a single dwelling and garden, and to the west by an access track for this property. A connecting grassland field bounds the site to the east, and North Street runs along the boundary to the south.

The western part of the site currently has a licence for a campsite during the summer months and during the rest of the year the site is managed and left undisturbed. The current campsite is owned by the Breamore Estate.

1.3 DEVELOPMENT PROPOSALS

The proposals for the site are to extend the number of days the existing campsite can be in operation. The proposed number of days the campsite will be open will be 120 days with a maximum of 50 pitches across the site. Due to the fact the number of opening days exceeds the pop up camp site regulations, a planning application will be required. The facilities currently used by the existing campsite, will accommodate for the increased number of visitors and therefore no additional facilities will be built.

1.4 PURPOSE OF REPORT

The purpose of this report is to:

- Undertake a desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence
- Present the results of an extended Phase 1 Habitat Survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species, and; evidence of protected fauna or habitats capable of supporting such species
- Evaluate potential ecological receptors on site and within the zone of influence; identify any constraints to the sites development and make any recommendations for further surveys, mitigation or enhancement.

The details of this report will remain valid for a period of eighteen months from the date of the survey, after which the validity of this assessment should be reviewed to determine whether further updates are necessary. 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.

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 HISTORIC SURVEYS

No known ecological surveys been undertaken of the site itself. Tetra Tech completed bat emergence / return surveys of the buildings within the wider Breamore estate between May – October 2021 and recorded a number of rare bats including greater horseshoe *Rhinolophus ferrumequinum* and barbastelle *Barbastella barbastellus* (Tetra Tech, 2021). During the survey's day roosts for common pipistrelles, soprano pipistrelle, brown long-eared, Natterer's bat, Serotine and Barbastelle were recorded within various out buildings across the Breamore estate.

2.2 DESK STUDY

The desktop study comprised two elements:

- A data search obtained from Hampshire Biological Record Centre (HBIC) in April 2022
- Online element including a search using :Multi Agency Geographic Information for the Countryside (MAGIC) (<https://magic.defra.gov.uk>) website and Ordnance Survey (OS) and Aerial Imagery (<https://www.bing.com/maps>).

The geographical extent of the search area was related to the significance of sites and species and potential zones of influence. For this site the following search areas were considered appropriate:

- 10km for sites of International Importance (e.g. Special Areas of Conservation (SAC), Special Protection Area (SPA), Ramsar sites);
- 2km for sites of National or Regional Importance (e.g. Sites of Special Scientific Interest (SSSI), protected or otherwise notable species and non-statutory designated sites of County Importance (e.g. Local Wildlife Sites (LWS));
- 2km for biological records, and
- 1km for ancient woodland and mapped priority habitats.

The data search did not cover Tree Preservation Orders (TPOs); or Conservation Areas designated for their special architectural and historic interest.

2.3 FIELD SURVEYS

The following methodologies have been used to identify the ecological receptors present on or near the site and which are relevant to the proposed development.

2.3.1 Habitats

An extended Phase 1 habitat survey was undertaken on the site on 28th April by Tetra Tech Consultant Ecologist Emma Taylor. The weather conditions were dry and sunny.

The vegetation and broad habitat types within the site were recorded using the Phase 1 categories (JNCC, 2016), with the sites suitability to support notable flora assessed according to the Chartered Institute of Ecology and Environmental Management guidelines (CIEEM, 2017). Dominant plant species were recorded for each habitat present using standard nomenclature (Stace, 2019).

2.3.2 Protected and Notable Species

The site was inspected for evidence of, and its potential to support, protected or notable species, especially those listed under the Schedule 2 of the Habitat Regulations 2017 (as amended), Schedule 5 of the Wildlife and Countryside Act (W&CA) 1981 (as amended), the Countryside Rights of Way (CRoW) Act 2000, those given extra protection under the Natural Environment and Rural Communities (NERC) Act 2006, and species included in the Hampshire BAP.

The presence of some species was determined using standard best practice guidance and are listed below.

Badger

The site was surveyed for evidence of badger *Meles meles* setts or other badger activity such as paths, latrines or signs of foraging. Methodologies used and any setts recorded were classified according to published criteria (Harris, 1989).

Hazel Dormouse

The site was surveyed for its suitability to support hazel dormouse *Muscardinus avellanarius* based on best practice guidance (Bright, 2006).

Otter

The site was assessed for its suitability to support otter *Lutra lutra* using standing Government advice (Chanin, 2003).

Bats

Roosting Bats – Buildings / Structures / Trees

Any suitable buildings, structures or trees on site were assessed from the ground for their suitability to support breeding, resting and hibernating bats using survey methods based on the BCT *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016) – hereafter referred to as the 'BCT Guidelines'.

Foraging / Commuting Bats

Potential habitat for foraging and commuting bats were assessed on site according to the BCT Guidelines.

Birds

Bird Species identified at the time of survey were noted and nesting birds recorded as seen. An assessment of habitats was undertaken to determine the likely value to breeding and foraging birds.

Great Crested Newt & Common Amphibians

The site was appraised for its suitability to support great crested newt *Triturus cristatus* based on guidance outlined in the Herpetofauna Workers' Manual (Gent, 2003) and the *Great Crested Newt Conservation Handbook* (Langton, 2001). This appraisal also considered waterbodies within 500m of the site and their potential to be used for breeding newts. Each pond was assessed using the Habitat Suitability Index (HSI) (Oldham R.S., 2000) which assigns a value to the pond calculated from 10 pre-identified features.

The HSI value gives a correlation of likely use by GCN and below 0.46 the waterbody is considered to have less likelihood of GCN presence however this should be assessed on a site-by-site basis as waterbodies with low HSI are known to support GCN, such as concrete lined Emergency Storage Tanks.

Habitat suitability and evidence of other common amphibians was recorded on site where relevant.

Reptiles

The site was appraised for its suitability to support reptiles using guidance outlined in the Herpetofauna Workers' Manual (Gent, 2003).

Invertebrates

The site habitats were appraised for suitability to support assemblages of invertebrates and commented on in the report as appropriate.

Other Species

The site was also appraised for its suitability to support other protected or notable fauna with regard to the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity – Code of Practice for Planning and Development (BSI, 2013). Evidence of any current or historical presence of such species was recorded.

Invasive Species

Evidence of species listed on Schedule 9 of the Wildlife and Countryside Act (1981) as amended, were recorded as seen.

2.4 LIMITATIONS

Any absence of desk study records cannot be relied upon to infer absence of a species/habitat as the absence of records may be a result of under-recording within the given search area.

The site visit was carried out in April during the optimal survey window when most flowering plants are most readily identifiable. The habitats on site were accurately assessed during the site visit. To determine presence or likely absence of protected species usually requires multiple visits at suitable times of the year. As a result, this survey focuses on assessing the potential of the site to support species of note, which are considered to be of principal importance for the conservation of biodiversity with reference to those given protection under UK or European wildlife legislation. This report cannot therefore be considered a comprehensive assessment of the ecological interest of the site. However, it does provide an assessment of the ecological interest present on the day the site was visited and highlights areas where further survey work may be recommended.

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 & EVALUATION

3.1 PROTECTED SITES

The designated sites for nature conservation sites with the designation, qualifying features and proximity from the development site within 2 km of the site are provided in Table 1 and are shown on Figure 3. A couple of the site fall just outside the 2 km but they have been included.

Table 1. Designated Sites for nature conservation within 2 km of the site

Site Name	Designation	Distance and direction from Site	Reasons for designation
Breamore Marsh	SSSI	0.43 km Southeast	Breamore Marsh SSSI is a privately-owned grassland containing a series of shallow pools, currently in unfavourable recovering condition, having been ecologically improved in part through the implementation of a Higher-Level Stewardship (HLS) grazing regime. The ponds at Breamore have been attracting naturalists since the 1930s due to the presence of rare plants such as the brown galingale <i>Cyperus fuscus</i> .
River Avon	SSSI	0.43 km South	The River Avon is one of the most diverse chalk streams in the UK, with over 180 species of plants, one of the most diverse fish faunas, and a wide range of aquatic invertebrates. The River Avon is a Site of Special Scientific Interest (SSSI) and therefore forms part of the nation's finest natural heritage.
The New Forest	SSSI	2.03 km Southeast	The New Forest SSSI includes heaths, mires, grassland, and woodland as well as other habitats. Nowhere else in lowland Britain contains such a mix and such large areas. It is also home to a huge number of notable species. It is estimated that nearly half of the 2,500 species of butterfly and moth have been recorded in the New Forest. Many of these, and other invertebrates, are considered rare. In addition, 9 rare and 25 nationally scarce species of vascular plants are recorded.
The New Forest	Ramsar	2.2 km SE	The site comprises of valley mires, fens and wet heath within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. Other wetland habitats include numerous ponds including several ephemeral ponds and a network of small streams. The plant communities in the numerous valleys and mires show considerable variation. In the most nutrient-poor zones, Sphagnum bog-mosses, cross-leaved heath, bog asphodel, common cotton grass and similar

Site Name	Designation	Distance and direction from Site	Reasons for designation
			species predominate. In more enriched conditions the communities are more fen-like.
New Forest	SPA	2.2 km	<p>Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</p> <p>During the breeding season;</p> <ul style="list-style-type: none"> • Dartford warbler <i>Sylvia undata</i>, 538 pairs representing at least 33.6% of the breeding population in Great Britain. • Honey buzzard <i>Pernis apivorus</i>, 2 pairs representing at least 10.0% of the breeding population in Great Britain. • Nightjar <i>Caprimulgus europaeus</i>, 300 pairs representing at least 8.8% of the breeding population in Great Britain. • Woodlark <i>Lullula arborea</i>, 184 pairs representing at least 12.3% of the breeding population in Great Britain). <p>Over winter;</p> <p>Hen harrier <i>Circus cyaneus</i>, 15 individuals representing at least 2.0% of the wintering population in Great Britain.</p>
River Avon	SAC	2.4 km SE	<p>Annex I habitats that are a primary reason for selection of this site:</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-batrachion</i> vegetation. A large lowland river system that include sections running through chalk and clay.</p> <p>Annex II species that are a primary reason for selection of this site: Desmoulin's whorl snail <i>Vertigo moulinsiana</i>. Sea Lamprey <i>Petromyzon marinus</i>, Brook Lamprey <i>Lampetra planeri</i>, Atlantic Salmon <i>Salmo salar</i> and Bullhead <i>Cottus gobio</i></p>

There is also a total of 21 SINC's within 2 km of the site, the closest one being the Breamore Wood located 0.29 km northwest of the site.

3.2 HABITATS

The following habitats have been identified through our assessment, a Phase 1 habitat map can be found in Figure 2, with detailed Target Notes and Photographic Plates included in Appendix B, as appropriate.

Table 2. Habitats

Habitat	Result	Importance assessment
Dense Scrub	<p>Along the northern boundary a corridor of dense scrub had formed providing a buffer between the site and the residential property adjacent. A larger section of dense scrub was present at the base of the large conifer tree (TN5). Species dominant here was bramble <i>Rubus fruticosus</i>.</p> <p>The edge of the dense scrub was scalloped by tall ruderal. Species dominated here included common nettle <i>Urtica dioica</i>.</p>	Habitat common and widespread in the wider landscape.
Species-Poor Intact Hedgerows	<p>A species poor intact hedgerow was present 2/3 of the length of the southern boundary. Species present within the hedgerow included hawthorn <i>Crataegus monogyna</i>, dog rose <i>Rosa canina</i>, common hazel <i>Corylus avellana</i> and a ground flora of common nettle, ground ivy <i>Glechoma hederacea</i> and cleavers <i>Galium aparine</i>.</p> <p>Along the northern boundary a large cherry laurel <i>Prunus laurocerasus</i> hedge was present along the western section of the hedge. This hedgerow is over spilling from the adjacent residential house. Occasional field maple <i>Acer campestre</i> was present trying the grow through the laurel.</p>	Habitat common and widespread in the wider landscape.
Improved grassland	<p>The site predominantly consisted of the improved grassland field. The grassland is regularly managed and kept to a short sward height; a tractor was seen cutting the grass during the survey. The field edges left cut achieving a more diverse sward structure.</p> <p>There was evidence of damage from BBQs or fire pits associated with previous camp site users, along the western edge.</p>	Habitat common and widespread in the wider landscape.
Tall ruderal	<p>This habitat was present along the northern boundary at the base of the laurel hedgerow and in the area between the residential house and the large Leyland cypress <i>Cupressocyparis leylandii</i>. On the southern boundary tall ruderal was present along the base of the species poor hedgerow.</p>	Habitat common and widespread in the wider landscape.

Habitat	Result	Importance assessment
	Species consisted predominantly of common nettle <i>Urtica dioica</i> , lords and ladies <i>Arum maculatum</i> and hogweed <i>Heracleum sphondylium</i> .	
Bare ground	This habitat was present at the site in the southwestern corner at the entrance to the site (TN11). The bare ground is a result of the constant disturbance by vehicles driving over it.	Negligible ecological value
Line of trees	A line of mature hazel trees was present in the southwestern corner of the site (TN2). The base flora was dominated by common nettle and hog weed.	Habitat common and widespread in the wider landscape.
Scattered trees	<p>In the southwestern corner at the entrance to the site was a large English oak tree <i>Quercus robur</i>. The large oak tree presented a potential roosting feature (PRF) for bats in the form of a rot hole where a branch had previously broken off.</p> <p>Within the northern part of the site a mature apple <i>Malus Spp.</i> was present (TN8). The tree also presented a PRF in the form of a cavity formed by rot.</p> <p>In the north-western corner of the site is a large mature ornamental tree (TN 10).</p> <p>In the north-eastern section of the site, was a large mature Leyland cypress <i>Cupressocyparis leylandii</i> (TN5).</p>	Habitat common and widespread in the wider landscape.

3.3 PROTECTED AND NOTABLE SPECIES

Data purchased from HBIC confirmed the presence of a number of protected and notable species within 2km of the site. Relevant data are discussed in Table 3 below.

Protected and notable species identified as a receptor for the site are detailed in Table 3. For species with legal protection arising from persecution, such as badgers, some details are purposefully omitted, but can be provided on request to inform the masterplan.

Table 3. Species

Species	Legal protection	Result	Importance assessment
Badger	Protection of Badgers Act 1992; Wildlife and Countryside Act 1981 (as amended) Schedule 6.	<p>The desk study returned four records of badgers within 2 km of the site.</p> <p>There was no evidence of badgers recorded during the EA site visit. The large, short sward improved grassland field has excellent foraging suitability for badgers to forage and dig for earth worms which is an important food source. The fruits and flowers from dense scrub and species poor hedgerow also provide badgers with a continuous food source.</p> <p>The hedgerows and dense scrub on site have limited suitability to support sett building.</p> <p>The proposals of the site are unlikely to impact foraging and commuting badgers as the surrounding habitats within the Breamore estate, provide excellent foraging and sett building opportunities to compensate for the months the campsite is open.</p>	<p>Negligible –</p> <p>No evidence of badger setts was recorded during the survey.</p>
Hazel Dormouse	Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife and Countryside Act 1981 (as amended) Schedules 5 & 6; Natural	<p>The desk study returned no records of hazel dormice within 2 km of the site. A desk study on magic returned no European protected species licences (EPSL) within 2 km.</p> <p>The species poor hedgerow along the southern boundary provides an potential commuting and foraging corridor connecting to a network of offsite suitable habitat within the Breamore Estate.</p> <p>The corridor of dense scrub along the northern boundary also provides moderate suitability for foraging and hibernating dormice. Species recorded within the</p>	<p>Local-</p> <p>The species poor hedgerow along the southern boundary connects to a wider network of hedgerows and woodland that</p>

Species	Legal protection	Result	Importance assessment
	Environment and Rural Communities 2006 Section 41.	boundary habitats which include hazel, hawthorn and bramble scrub provide a varying food source throughout the year, from flowers in the spring to hazel nuts in the autumn. The proposals for the site, do not include removal of any boundary habitats and therefore any populations of dormice on site will not be impacted by the development.	could support a population of dormice.
Otter	Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife and Countryside Act 1981 (as amended) Schedules 5 & 6; Natural Environment and Rural Communities 2006 Section 41.	The desk study returned two records of otters within 2 km of the site. There are no watercourses on site and it is separated from the River Avon by the busy Salisbury Road. The habitats on site have negligible potential to support otters or their holts, therefore no further surveys are required, and the development is unlikely to impact this species.	Negligible – The habitats on site do not have potential to support otters or their holts.
Water vole	Wildlife and Countryside Act 1981 (as amended) Schedule 5; Natural Environment and Rural Communities 2006 Section 41.	The desk study returned one record of water voles within 2 km of the site. There are no watercourses on site and the habitats present have negligible potential to support water voles, therefore no further surveys are required.	Negligible – The habitats on site do not have potential to support water voles or their burrows.
Bats	Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife and Countryside Act 1981 (as amended)	The desk study returned 299 records of seven different species including common pipistrelle <i>Pipistrellus pipistrellus</i> , Brown Long-eared Bat <i>Plecotus auratus</i> , Natterer's Bat <i>Myotis nattereri</i> , Noctule Bat <i>Nyctalus noctule</i> , Serotine <i>Eptesicus serotinus</i> , Soprano Pipistrelle <i>Pipistrellus pygmaeus</i> and Western Barbastelle <i>Barbastella barbastellus</i> .	Low - The site has potential to support roosting and foraging and commuting bats

Species	Legal protection	Result	Importance assessment
	<p>Schedules 5 & 6; Natural Environment and Rural Communities 2006 Section 41.</p>	<p>A series of emergences surveys has been conducted by Tetra Tech of some of the outbuildings across the Breamore Estate, which recorded rarer species of bats including barbastelle and greater horseshoe (Tetra Tech, 2021).</p> <p><i>Roosting Bats</i></p> <p>The large oak tree situated to the entrance to the site in the southwestern corner, presented a bat potential roosting feature about 10 m up facing west (TN1). The apple tree situated in the northern part of the site, has a rot hole about 5 m up on the main branch facing northeast (TN8). These trees have moderate potential to support roosting bats.</p> <p>At present the proposals do not require the removal of these trees or an increase in lighting on the site. If the scope of the works is to change, additional survey work may be required to establish whether the trees do support roosting bats (Collins, 2016). If the surveys confirmed that the tree supported a bat roost, an application for an EPSL would need to be made to NE in order for removal to proceed lawfully.</p> <p><i>Foraging and Commuting Bats</i></p> <p>The site supports foraging and commuting features for bats, including the scrub, hedgerows and a line of mature hazel trees bounding the site along the northern and southern boundary. These established features form linear 'green corridors' in the landscape which bats use to move between roosts and foraging locations, as well as offering foraging opportunities as a habitat itself. The site was established as having moderate suitability for foraging and commuting bats.</p> <p>The proposals include the extension of an existing campsite for part of the year, during the summer months. The campsite will just be a base for tent and motor vehicles to park up overnight. Facilities for the campers can be found on a different part of the estate. It is anticipated there will be no additional lighting as a result of the proposals that are likely to impact foraging and commuting bats.</p>	

Species	Legal protection	Result	Importance assessment
Birds	Wildlife and Countryside Act 1981 (as amended).	<p>The desk study returned 2,740 records of a total of 52 species of birds within 2 km of the site.</p> <ul style="list-style-type: none"> • A total of 19 species were listed on Schedule 1 of the W&CA including kingfisher <i>Alcedo atthis</i>, peregrine <i>Falco peregrinus</i> and barn owl <i>Tyto alba</i>. • Fourteen species listed in accordance with the requirements of Section 41 of the NERC act including cuckoo <i>Cuculus canorus</i>, house sparrow <i>Passer domesticus</i> and Yellow hammer <i>Emberiza citronella</i>. • A total of 23 species listed under the BoCC Red list, including house sparrow <i>Passer domestiucs</i>, corn bunting <i>Emberiza calandra</i> and linnet <i>Linaria cannabina</i> <p>Within the Breamore Estate and the surrounding 2 km, are an array of different habitats including the River Avon, that has suitability to support an diverse array of bird species including protected and listed species.</p> <p>The habitats on site are common and widespread. The large, improved grassland paddock provides a foraging ground for an array of common species as well as peregrines and other birds of prey including buzzards. The species poor hedgerows and dense scrub provide nesting suitability for common species, including house sparrow.</p> <p>The proposed plans for the site do not include the removal or impact the areas of dense scrub and species poor hedgerow. Therefore, no further surveys are required. The grassland will be impacted during the summer months, restricting foraging opportunities.</p>	Negligible – Widespread and common species likely to be on site due to habitats present.
GCN and Common Amphibians	GCN: Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife and Countryside Act 1981	The desk study returned a total of 27 records of GCN and 80 records of common toad <i>Bufo bufo</i> within 2 km of the site. Within 500 m of the site, are a total of four waterbodies. From the desk study carried out on Magic Maps, records of GCN have been repeatedly recorded within Waterbody 1 from 2014 -2016.	Negligible – No impacted is anticipated on local population within Waterbody 1

Species	Legal protection	Result	Importance assessment
	(as amended) Schedules 5; Natural Environment and Rural Communities 2006 Section 41.	<p>The regularly managed grassland was assessed as unsuitable to support foraging and commuting GCN, and common amphibians. The short sward leaves commuting GCN and amphibians exposed and vulnerable which deteriorates populations from colonising the grassland. Therefore, the central habitat has been assessed as being negligible for GCN and common amphibians.</p> <p>The boundary habitats which consisted of hedgerow and dense scrub along the northern and southern boundary, has limited suitability to support foraging and commuting GCN. The southern boundary hedgerow is connected to a network of woodland, grassland and scrub within the Breamore Estate. The boundary habitats have been assessed as having low suitability.</p> <p>The proposed plans for the site, are an extension of the existing campsite in on site is already used for. The proposals do not result in a loss of habitats or direct impact. Therefore, no further surveys of the waterbodies are required.</p>	
Reptiles	<i>Adder, grass snake, slow worm and common lizard</i> : Wildlife and Countryside Act 1981 (as amended) Schedules 5; Natural Environment and Rural Communities 2006 Section 41.	<p>The desk study returned a single record of a grass snake <i>Natrix helvetica</i> and four records of slow worms <i>Anguis fragilis</i>.</p> <p>The perimeter habitats along the north, south and western boundaries have the potential to support common reptiles commuting and basking. The areas of dense scrub, tall ruderal and long grass buffer provide common reptiles with foraging opportunities. The majority of the field is unsuitable for reptiles due to the short sward length and lack of structural diversity.</p> <p>A population of reptiles, if present, is likely confined to the boundary habitats and are unlikely to be significantly impacted by the proposals.</p>	Negligible – The majority of the site is deemed unsuitable to support common reptiles.
Invertebrates	Some invertebrates are protected under Conservation of Habitats and Species Regulations 2017 and	<p>The desk study returned 299 of records of invertebrates within 2 km of the site. The records included several species listed under Section 41 of the NERC Act (2006) including dingy skipper <i>Erynnis tages</i>, ghost moth <i>Hepialus humuli</i> and Small Square-spot <i>Diarsia rubi</i>.</p>	Negligible – Widespread and common species likely to be on site due to habitats present.

Species	Legal protection	Result	Importance assessment
	Wildlife and Countryside Act 1981 (as amended). Many invertebrates are also listed as rare and most threatened species under Section 41 of the Natural Environment and Rural Communities Act (2006).	The site is likely to support an assemblage of common and widespread invertebrate species and unlikely to support an invertebrate assemblage of notable importance. The tall ruderal and scrub habitats likely offer the habitat of most importance for invertebrates on the site, overall the site is likely to be of low value to invertebrates	
Invasive species	Wildlife and Countryside Act 1981 (as amended) Schedule 9; Environmental Protection Act 1990.	The desk study returned no records of invasive species within 2 km of the site.	Negligible – None were recorded on site

3.4 MITIGATION AND FURTHER SURVEY

All of the works outlined below in Table 4 should be assumed as likely requirements for the pre-planning stage to inform a planning application, unless otherwise stated.

Table 4. Mitigation and Further Survey / Assessment

Ecological Receptor	Further survey / Assessment	Mitigation required
Habitats Sites	The site is within 2.4 km of the River Avon SAC which is highly vulnerable to increases in nutrient pollution.	Measures to mitigate for an increase in phosphate outputs will be determined by the Nutrient Balancing Assessment but may include the tankering of additional outputs to a WwTW outside of the River Avon catchment in an area where phosphate outputs are not an issue.

Ecological Receptor	Further survey / Assessment	Mitigation required
	<p>Additionally, the site is also within the impact risk zone for the New Forest SPA, SAC and Ramsar. As a result, there is the potential for the proposals to impact the integrity of these designated sites and further assessment is required.</p>	<p>The Revised Habitat Mitigation Scheme SPD5 provides a set of measures that are designed to mitigate the recreational impacts on the designated sites. The full contribution level is reduced for visitor accommodation based on the maximum occupancy during the year, and this principle will apply to campsites. Therefore, if a proposed campsite was open for 120 days a year, the contribution should only reflect the duration that the campsite is open and therefore only x /365 of the full contribution to the Habitat Mitigation Scheme will be payable.</p> <p>Furthermore, the £3,512 'full' contribution in the Revised Habitat Mitigation Scheme SPD is a one-off contribution that secures mitigation 'in-perpetuity' – this in-perpetuity element of the contribution would not be required as the proposed campsite is only looking for mitigation for a one-year period that equates to its permission to operate each year. Paragraph 14.4 to 14.6 of the Habitat Scheme SPD outlines that the developer contribution for the in-perpetuity element (ie funding the long term 20-100 year mitigation) equates to £2,262, with the remaining £1,250 contribution being the element to fund current mitigation during the Local Plan period. It is logical, therefore, that a contribution from a campsite would not include the in-perpetuity element but would only need to mitigate for each year of its operation.</p> <p>Consequently, a yearly contribution will be paid for the years that the campsite will be in operation.</p> <p>$\text{£1,264} * 1.1\%$ (inflation adjustment for 2022) = £1,390. This then needs to be divided by 20, being the number of years in the Local Plan period (from 2016-2036) to give the contribution for just one year. Hence $\text{£1,390} / 20 = \text{£69.50}$ per year, per pitch. Then this £69.50 would be 'discounted' by the proportion of the year that the camp site will be open.</p>

Ecological Receptor	Further survey / Assessment	Mitigation required
		£69.50 x (number of days open)120/365 = £22.80 per pitch for each year of operation.
Sites of Special Scientific Interest	<p>The closest SSSI to the site is Breamore Marshes which lies 0.43 km southeast of the site. The SSSI is privately owned grass land which is not accessible to the public, is currently in a recovering condition following an HLS grazing scheme. The increased visitor numbers not anticipated to impact the SSSI or impact its recovery as the terrain and marshes are potential an unsafe and unaccessible.</p> <p>The river Avon located 1.1km south of the site, a fast-flowing river is home to over 180 species of plants, one of the most diverse fish faunas, and a wide range of aquatic invertebrates. Due to the nature of the river its is unlikely to be impacted by recreational pressure. To fish on the river permits are required from the Town Council, which helps monitor and restrict recreational pressure on the river.</p> <p>Overall, the proposed extension to the campsite, is not likely to impact the SSSI's within 2 km of the site. No further mitigation is required.</p>	No mitigation required.
Local Wildlife sites	<p>The closest SINC to the site is Breamore Wood located 0.29 km northwest of the site, with the Breamore Estate. The site can be accessed from the campsite by a series of country lanes and footpaths. The camp site is only estimated to be open for part of the year and therefore the impacts would be minimal.</p>	No mitigation required.

Ecological Receptor	Further survey / Assessment	Mitigation required
	The other 20 SINC's are not within walking distance from the site and are small and would be of little interest to visitors. Therefore, it is unlikely they will be impacted by the extension to the campsite.	
Habitats	The habitats across the site are widespread and common with limited importance, although they do have the potential to support protected and notable species. The extended use of the campsite from 28 days to 120 days a year, is anticipated to have no impact on the habitats present on site. Therefore, no further survey work is required to assess their importance.	No mitigation required
Badger	No evidence of badger was recorded on site.	No mitigation required
Hazel Dormouse	The southern hedgerow which connects to an offsite network of suitable habitat, is not going to be impacted by the proposals.	No mitigation required
Bats	<p>The large oak and apple trees have the potential to support roosting bats. The proposals are not anticipated to impact the trees, so no further survey work is necessary.</p> <p>The proposals will not result in significant construction or increases in lighting therefore no significant impacts to commuting or foraging bats are anticipated. If the scope of the work changes, then further survey work may be required to assess the impact of the proposals on bats,</p>	No mitigation required
Birds	The hedgerows on site have potential to support an array of common species. No vegetation is anticipated to be cleared.	No mitigation required

Ecological Receptor	Further survey / Assessment	Mitigation required
GCN and Common Amphibians	The boundary habitats have been assessed as having low suitability to support GCN. The proposals are for an extension for a campsite already present on site during the summer months. It is anticipated that there will be no impacts to GCN or common amphibian.	No mitigation required
Reptiles	The boundary habitats have limited suitability to support common reptiles' species. The boundary habitats will not be impacted to by the proposals, and therefore unlikely to impact populations of reptiles on site if present.	No mitigation required

4.0 CONCLUSIONS

The proposals for the site are to extend the number of days the existing campsite can be in operation for. The proposed number of days the campsite will be open will 120 days with a maximum of 50 pitches across the site.

The results of the EA indicate that most habitats on site are of low value or are common and widespread throughout the local landscape. The proposals to extend the number of days the campsite is in operation for is not likely to impact any habitats recorded on site.

The area of improved grassland is a widespread common habitat type, but it does have potential to support protected and notable species, including foraging birds and badgers. The boundary habitats which consisted of species poor hedgerows and dense scrub, provide an important commuting corridor for foraging and commuting bats, GCN, dormice and nesting birds. The linear habitats connect to a network of offsite habitat across the Breamore Estate. No further survey work is being recommended as the proposals for the site do not include habitat clearance or increased lighting levels. If the scope of the works changes than further survey work maybe required.

REFERENCES

- Bright, P. M.-J. (2006). *The dormouse conservation handbook, second edition*. English Nature.
- BSI. (2013). *BS 42020 – a code of practice for biodiversity in planning and development*, [online] Available at <https://www.bsigroup.com/LocalFiles/en-GB/biodiversity/BS-42020-Smart-Guide.pdf>.
- Chanin, P. (2003). *Monitoring the Otter Lutra lutra. Conserving Natura 2000 Rivers Monitoring Series No 10.* .
- CIEEM. (2017). *Guidelines for Preliminary Ecological Appraisal, 2nd Edition*, CIEEM. Winchester.
- Collins, J. (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd Edition*, The Bat Conservation Trust. London.
- Gent, T. &. (2003). *Herpetofauna Workers' Manual*. Peterborough: JNCC.
- Harris, S. C. (1989). *Surveying badgers. An occasional publication of the mammal society – No. 9*. London: Mammal Society.
- New Forest District Council, (2020), *Local Plan 2016-2036 Part 1: Planning Strategy (New Forest District outside the New Forest National Park)*, [online] Available at: <http://www.newforest.gov.uk/article/16541/Local-Plan-2016-2036-Part-1-Planning-Strategy>, Accessed May 2022.
- JNCC. (2010). *Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit*. Peterborough: JNCC.
- Langton, T. B. (2001). *Great Crested Newt Conservation Handbook*. Halesworth: Froglife.
- Oldham R.S., K. J. (2000). Evaluating the Suitability of Habitat for the Great Crested Newt (*Triturus cristatus*). *Herpetological Journal*, 10 (4), 143-155.
- Stace. (2019). *New Flora of the British Isles, 4th Edition*. Suffolk: C&M Floristics Middlewood Green.
- Tetra Tech, 2021, *Bat Emergence Survey Report* of Breamore Estate, on behalf of Breamore Estate Company Ltd.

FIGURES

Figure 1 – Site Location Plan

Figure 2 – Phase 1 Habitat Map

Figure 3 – Designated Site Plan

Figure 4- Waterbody Location Plan



Site Location Plan

Breamore Camp Site

Tetra Tech Planning



Legend

Site boundary

Notes:

Drawn by: SB
 Checked by: ET
 Office: Southampton

Figure No. 1
 Revision No. A

0 50 100 150 Meters
 Scale 1:5,000 @A3

03 May 2022
 NGR: 415353E 118709N

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Phase 1 Habitat Plan

Breamore Camp Site

Tetra Tech Planning

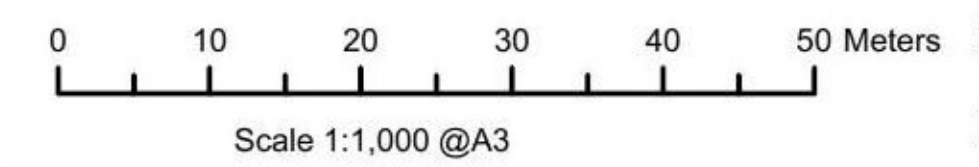
Legend

- Site Boundary
- Scrub - dense/continuous
- Improved grassland
- Tall ruderal
- Bare ground
- Intact hedge - native species-poor
- Line of trees
- Scattered tree
- Target note

Notes:

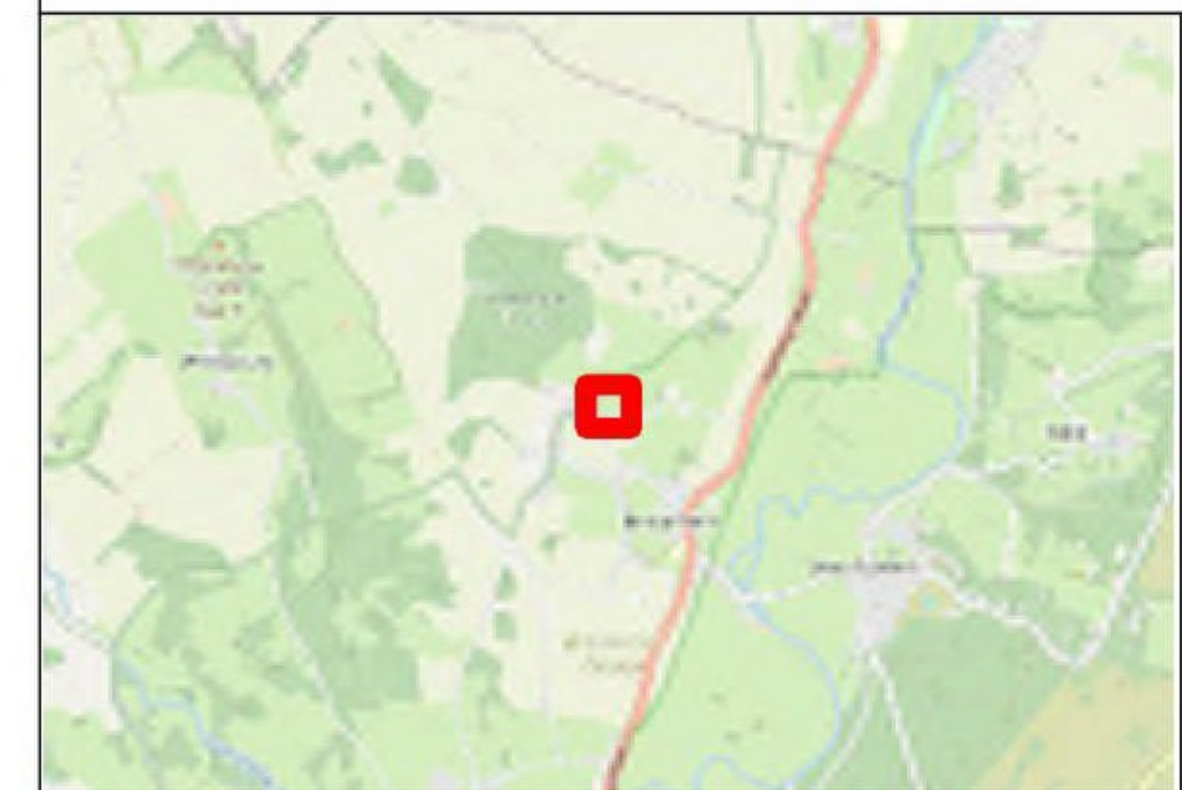
Drawn by: CD
 Checked by: ET
 Office: Southampton

Figure No. 1
 Revision No. A



24 May 2022
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Designated Sites Plan

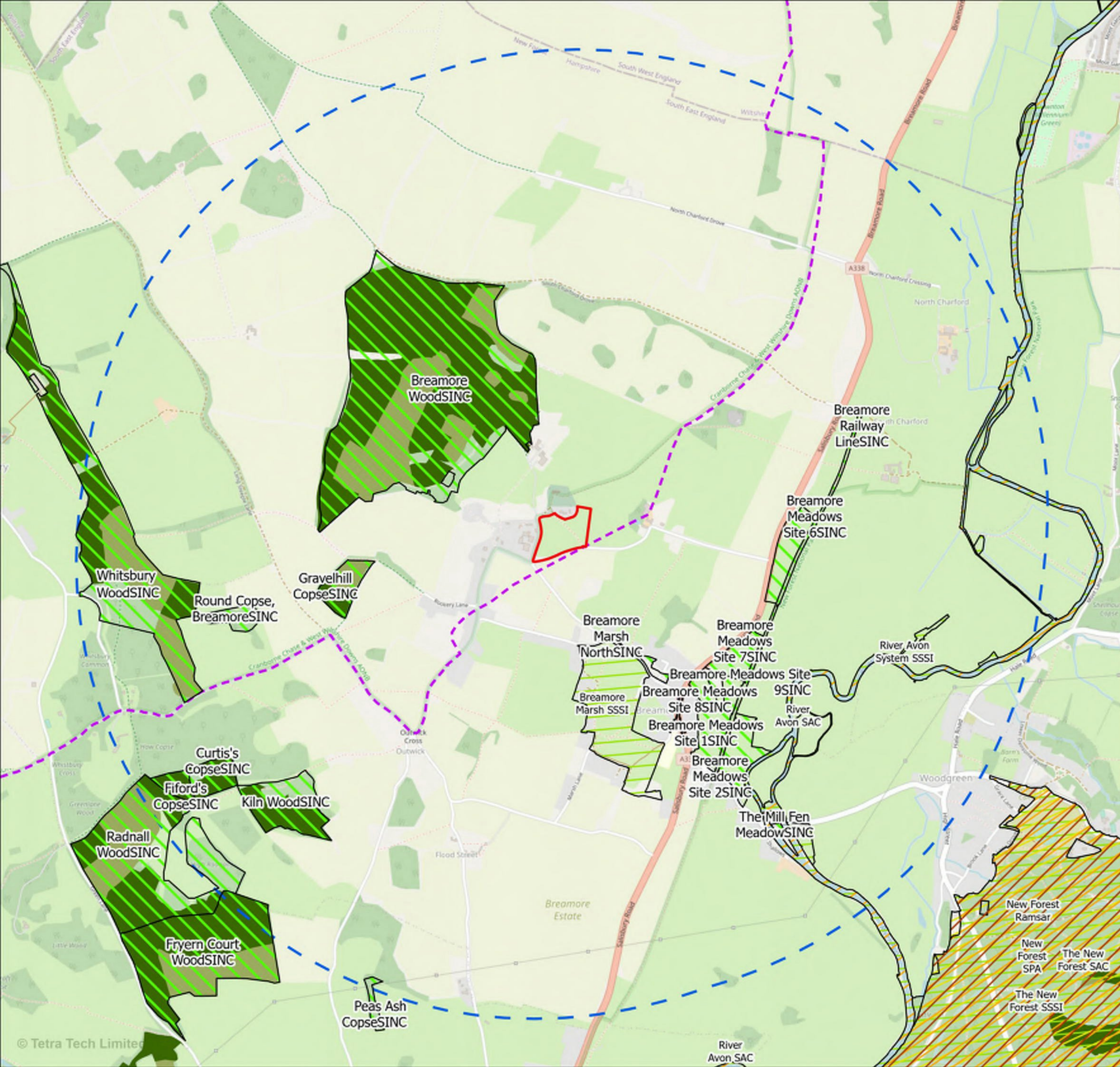
Breamore Camp Site



Tetra Tech Planning

Legend

-  Site boundary
-  Site boundary 2 km buffer
-  Site of Ecological Importance (SINC)
-  Road Verge of Ecological Importance (RVEI)
-  Special Protection Areas (SPA)
-  Special Areas of Conservation (SAC)
-  Ramsar
-  Sites of Special Scientific Interest (SSSI)
-  Ancient & Semi-Natural Woodland
-  Ancient Replanted Woodland
-  Areas of Outstanding Natural Beauty (AONB)



Notes:

Drawn by: SB
 Checked by: ET
 Office: Southampton

Figure No. 3
 Revision No. A

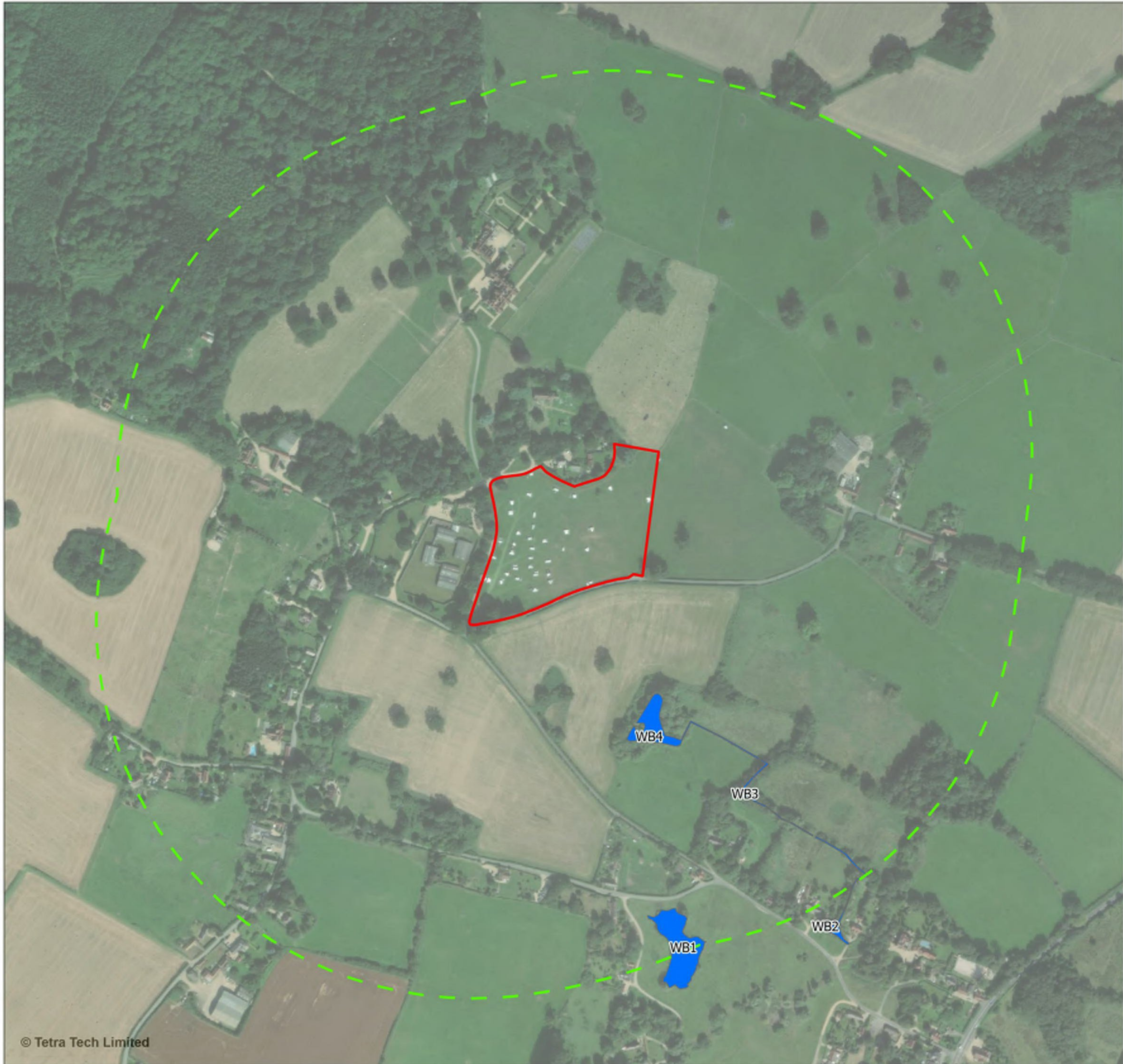
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16 May 2022
 NGR: 415353E 118709N

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Waterbody Location Plan

Breamore Camp Site

Tetra Tech Planning



Legend

- Site boundary
- Site boundary 500 m buffer
- Waterbodies

Notes:

Drawn by: SB
 Checked by: ET
 Office: Southampton

Figure No. 4
 Revision No. A

0 50 100 150 200 Meters
 Scale 1:5,000 @A3

03 May 2022
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APPENDIX A – REPORT CONDITIONS

This Report has been prepared using reasonable skill and care for the sole benefit of Breamore Estate Ltd. (“the Client”) for the proposed uses stated in the report by [Tetra Tech Environment Planning Transport Limited] (“Tetra Tech”). Tetra Tech exclude all liability for any other uses and to any other party. The report must not be relied on or reproduced in whole or in part by any other party without the copyright holder’s permission.

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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. Tetra Tech accept no liability for issues with performance arising from such factors.



APPENDIX B –TARGET NOTES & SURVEY DATA



Target Notes


Target Note	Description	Photographic Plates
TN1	<p>In the southwestern corner at the entrance to the site was a large English oak tree <i>Quercus robur</i>. The large oak tree presented a potential roosting feature in the form of a root hole where a branch has previously broken off.</p>	
TN2	<p>The line of mature hazel trees <i>Corylus avellana</i> were present in the southwestern corner of the site. The line of trees is connected to the species poor hedgerow, creating an important linear feature.</p>	

<p>TN3</p>	<p>The majority of the site comprised a managed improved grassland, which was seen being mowed during the survey. The field edges were less disturbed where a more diverse sward structure was present and some tall ruderal vegetation had established.</p> <p>Species recorded here included; perennial rye grass <i>Lolium perenne</i>, common dandelion <i>Taraxacum officinale</i>, daisy <i>Bellis perennis</i>, greater plantain <i>plantago major</i> and occasional ribwort plantain <i>plantago lanceolata</i>.</p>	
<p>TN4</p>	<p>A species poor intact hedgerow was present the whole length of the southern boundary. Species present within the hedgerow include; hawthorn <i>Crataegus monogyna</i>, dog rose <i>Rosa canina</i>, common hazel <i>Corylus avellana</i> and a ground flora of common nettle, ground ivy <i>Glechoma hederacea</i> and cleavers <i>Galium aparine</i>.</p>	

<p>TN 5</p>	<p>In the north-eastern section of the site, was a large mature Leyland cypress <i>Cupressocyparis leylandii</i>.</p>	
<p>TN6</p>	<p>This habitat was present along the northern boundary at the base of the laurel hedgerow and in the area between the residential house and the large Leyland cypress <i>Cupressocyparis leylandii</i>. On the southern boundary tall ruderal was present along the base of the species poor hedgerow.</p> <p>Species consisted predominantly of common nettle <i>Urtica dioica</i>, lords and ladies <i>Arum maculatum</i> and hogweed <i>Heracleum sphondylium</i>.</p>	

<p>TN7</p>	<p>Along the northern boundary a corridor of dense scrub had formed providing a buffer between the site and the residential property adjacent. A larger section of dense scrub was present at the base of the large conifer tree (TN5). Species dominant here was bramble <i>Rubus fruticosus</i>.</p> <p>The edge of the dense scrub was scalloped by tall ruderal. Species dominated here included common nettle <i>Urtica dioica</i>.</p>	
<p>TN8</p>	<p>The apple tree situated in the northern part of the site, has a root hole about 5 m up on the main branch facing northeast (TN8). These trees have moderate potential to support roosting bats.</p>	

<p>TN9</p>	<p>Along the northern boundary a large cherry laurel <i>Prunus laurocerasus</i> hedge was present along the western section of the hedge. This hedgerow is over spilling from the adjacent residential house. Occasional field maple <i>Acer campestre</i> trying to break through.</p>	
<p>TN10</p>	<p>In the north western corner of the site is a large mature ornamental tree (TN 10).</p>	

TN11	<p>Bare ground was present at the site along the in the southwestern corner at the entrance to the site (TN11). The bare ground is a result of the constant disturbance by vehicles driving over it.</p>	
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APPENDIX C – KEY LEGISLATION

Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, or the 'Habitats Directive', is a European Union directive adopted in 1992 in response to the Bern Convention. Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales, and via the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland.

Birds Directive

The EC Directive on the Conservation of Wild Birds (79/409/EEC) or 'Birds Directive' was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.

Conservation of Habitats and Species Regulations 2017 (as amended)

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by Ministers, are then designated as Special Protection Areas (SPAs) within six years. Public bodies must also help preserve, maintain and re-establish habitats for wild birds.

The 2018 amendments mainly related to the impact of the *People Over Wind* decision and some implications arising for neighbourhood plan development and a range of other planning tools including Local Development Orders and Permission in Principle – see here for full details:

<https://www.legislation.gov.uk/uksi/2018/1307/note/made>

The 2019 amendments related to the EU exit. Most of these changes involved transferring functions from the European Commission to the appropriate authorities in England and Wales. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant. The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change.– see here for full details:

<https://www.legislation.gov.uk/ukdsi/2019/9780111176573>

The Regulations make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, or pick, uproot, destroy, or trade in the plants listed in Schedule 5.

Wildlife & Countryside Act 1981 (as amended)

This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK. Since it was first introduced, the Act has been amended several times.

The Act makes it an offence to (with exception to species listed in Schedule 2) 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
- take or destroy an egg of any wild bird.

Or to intentionally do the following to a wild bird listed in Schedule 1:

- disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird.

In addition, the Act makes it an offence (subject to exceptions) to:

- intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5;
- interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places; and
- The Act also prohibits certain methods of killing, injuring, or taking wild animals.

Finally, the Act also makes it an offence (subject to exceptions) to: intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or any seed or spore attached to any such wild plant; unless an authorised person, intentionally uproot any wild plant not included in Schedule 8; or sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Following all amendments to the Act, Schedule 5 'Animals which are Protected' contains a total of 154 species of animal, including several mammals, reptiles, amphibians, fish and invertebrates. Schedule 8 'Plants which are Protected' of the Act, contains 185 species, including higher plants, bryophytes and fungi and lichens. A comprehensive and up-to-date list of these species can be obtained from the JNCC website.

Part 14 of the Act makes unlawful to plant or otherwise cause to grow in the wild any plant which is listed in Part II of Schedule 9.

It is recommended that plant material of these species is disposed of as bio-hazardous waste, and these plants should not be used in planting schemes.

Protection of Badgers Act 1992

The Act imposes a classification of soil and other waste containing viable propagules of invasive non-native plant species as controlled waste. This has been applied to Japanese Knotweed *Reynoutria japonica*, with the result that waste containing this species must be disposed of in accordance with the duty of care set out in section 34 of the Act.

Protection of Badgers Act 1992

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992 (the 1992 Act). Under the 1992 Act it is an offence to: wilfully kill, injure, take or attempt to kill, injure or take a badger; dig for a badger; interfere with a badger sett by, damaging a sett or any part thereof, destroying a sett, obstructing access to a sett, causing a dog to enter a sett or disturbing a badger while occupying a sett.

The 1992 Act defines a badger sett as: "any structure or place which displays signs indicating current use by a badger".

Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

Hedgerow Regulations 1997

The Hedgerow Regulations were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.

Birds of Conservation Concern

This is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations, including the British Trust for Ornithology (BTO), Joint Nature Conservation Committee (JNCC) and The Royal Society for the Protection of Birds (RSPB).

The latest report was produced in 2015 (Eaton *et al*, 2015) and identified 67 red list species, 96 amber species, and 81 green species. The criteria are complex, but generally:

Red list species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.

Amber list species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.

Green list species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed.

Global IUCN Red List

The International Union for Conservation of Nature (IUCN) Threatened Species was devised to provide a list of those species that are most at risk of becoming extinct globally. It provides taxonomic, conservation status and distribution information about threatened taxa around the globe.

The system catalogues threatened species into groups of varying levels of threat, which are: Extinct (EX), Extinct in the Wild (EW), Critically Endangered (CE), Endangered (EN), Vulnerable (VU), Near Threatened (NT), Least Concern (LC), Data Deficient (DD), Not Evaluated (NE). Criteria for designation into each of the categories is complex, and consider several principles.

Local Biodiversity Action Plan (LBAP)

Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level), and are usually drawn up by a consortium of local Government organisations and conservation charities. Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP), which are used to guide and inform the local decision making process.

Wild Mammals (Protection) Act 1996

This Act offers protection to all wild species of mammals, irrespective of other legislation, and focussed on animal welfare, rather than conservation.

Unless covered by one of the exceptions, a person is guilty of an offence if he mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering.

Its application is typically restricted to preventing deliberate harm to wildlife (in general) during construction works etc.

APPENDIX D – NATIONAL AND LOCAL PLANNING POLICY

National Planning Policy Framework

National Planning Policy Framework (NPPF)³ is the top tier of planning policy. The Framework provides guidance to local authorities and other agencies on planning policy and the operation of the planning system. Section 15 relates to ‘Conserving and enhancing the natural environment’.

Relevant policies in relation to planning application include Paragraphs:

“174. Planning policies and decisions should contribute to and enhance the natural and local 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.

179. To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and

local partnerships for habitat management, enhancement, restoration or creation; and b) 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.

180. 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 improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.” – see here for full details:

<https://www.gov.uk/guidance/national-planning-policy-framework>

[NEW FOREST DISTRICT LOCAL PLAN (New Forest District Council, 2020)

New Forest District and is governed by the *Local Plan 2016-2036 Part 1: Planning Strategy (New Forest District outside the New Forest National Park)* (New Forest District Council, 2020)

The site is within New Forest District and is governed by the *Local Plan 2016-2036 Part 1: Planning Strategy (New Forest District outside the New Forest National Park)* (New Forest District Council, 2020).

The Local Plan states that:

“Development proposals must protect and, where possible, enhance sites of recognised importance for nature and heritage conservation.

Working with local communities, features of local heritage value which contribute to local distinctiveness will be identified. New development proposals should maintain local distinctiveness and where possible enhance the character of identified features.

Measures will be taken, working with other partners, to secure the enhancement, restoration and creation of biodiversity, including measures to adapt to the consequences of climate change, so as

[NEW FOREST DISTRICT LOCAL PLAN (New Forest District Council, 2020)

to assist in achieving national, county and local biodiversity targets as set out in the Hampshire and New Forest Biodiversity Action Plans.

The special characteristics of the Plan Area's natural and built environment will be protected and enhanced through:

- (a) applying relevant national and regional policies;*
- (b) ensuring that new development protects and enhances local distinctiveness (see Policy CS2);*
- (c) a review of Areas of Special Character and landscape features through subsequent Local Development Framework Documents;*
- (d) using the development management process to positively bring about development which enhances local character and identity and which retains, protects and enhances features of biological or geological interest, and provides for the appropriate management of these features;*
- (e) producing Conservation Area appraisals and management plans, including enhancements such as environmental improvements, traffic management etc.;*
- (f) supporting an ongoing programme of survey of habitats and species, and designation of Sites of Importance for Nature Conservation;*
- (g) encouraging and developing public understanding of biodiversity, e.g. through the New Forest Biodiversity Action Plan, and enabling public access to designated sites for the purpose of interpretation and understanding where feasible without harm to nature conservation interests;*
- (h) encouraging land management practices that restore or enhance sites of biodiversity value and which create new sites;*
- (i) working with landowners and developers to ensure land management practices protect and enhance valued landscapes, and to restore landscapes where valued features and habitats have been lost or degraded;*
- (j) protecting networks of natural habitats identified through the local Biodiversity Action Plan, where appropriate including them in access routes and areas of natural green space;*
- (k) extending specific protection to important trees and hedgerows including those not currently included within designated sites;*
- (l) ensuring development contributes, where possible, to biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for (including on sensitive areas outside the Plan Area including the international nature conservation designations in the National Park); and*
- (m) retaining and enhancing the green infrastructure networks within settlements.*

Policy DM2 of the Local Plan Part 2 requires that development proposals which are likely to have an adverse effect on designated European Sites (Special Areas of Conservation, SAC's and Special Protection Area's SPA's) and Sites of Special Scientific Interest (SSSI's) will only be permitted where there are no alternative solutions. In the case of European sites, development would only be permitted where there are imperative reasons of overriding public interest; in the case of SSSI's development would only be permitted where the benefits of the development clearly outweigh the adverse effects. Likewise, development proposals which may have an adverse effect on non-statutory sites of importance for their biodiversity will only be permitted where the benefits of the development clearly outweigh the harm.

Development proposals will be expected to:

"...incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity. Where development is permitted, the local planning authority will use conditions and/or planning obligations to minimise the damage, provide mitigation and site management measures and, where appropriate, compensatory and enhancement measures. Development will not be permitted which would adversely affect species of fauna or flora that are protected under national or international law, or their habitats, unless their protection can be adequately secured through conditions and/or planning obligations"

[NEW FOREST DISTRICT LOCAL PLAN (New Forest District Council, 2020)

Policy DM3 states that development which is likely to have significant effects on European sites, will only be permitted where it included sufficient mitigation to demonstrate that it will not have adverse effects on the integrity of those sites. For residential development the required suite of mitigation measures consists of a combination of the following:

(a) Provision of alternative natural green spaces (ANRG) and recreational routes: new or improved open space and recreational routes of a quality and type suitable to attract residents of new development within the Plan Area who might otherwise visit the European nature conservation sites for recreation. These will be delivered by:

- *Additional areas of publicly accessible natural green space (30 to 40 ha) of ANRGS quality*
- *Enhancing the character and accessibility of existing public open spaces to provide additional areas of publicly accessible natural green space of ANRGS quality;*
- *Improvements to walking routes and the connectivity between local green spaces, to be more attractive to local visitors who might otherwise visit the European nature conservation sites.*

(b) Access and Visitor Management: measures to manage the number of recreational visits to the New Forest European sites and the Solent Coast European sites; and to modify visitor behaviour within those sites so as to reduce the potential for harmful recreational impacts.

(c) Monitoring of the impacts of new development on the European nature conservation sites and establishing a better evidence base: to reduce uncertainty and inform future refinement of mitigation measures.

To achieve these mitigation measures, all residential developments that result in additional dwellings will be required to provide for appropriate mitigation and/or financial contributions towards off-site mitigation. This will need to be agreed and secured prior to approval of the development. The required level of contributions (to be set out in more detail in the Mitigation Strategy Supplementary Planning Document) will be based on x/y where:

x = the assessed overall cost of the package of mitigation measures set out in (a) and (b) above needed to offset potentially harmful visits to the European nature conservation sites, and

y = the number of contributing dwellings (having regard also to the size of the dwellings.)”