

Land adjacent to 12 West Road Dibden Purlieu, Hampshire

Ecological Assessment

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Executive Summary

A single new dwelling is proposed to be constructed on land (former garden area) adjacent to 12 West Road, Dibden Purlieu, Hampshire. 4Woods Ecology Ltd was commissioned by the landowner to complete an ecological assessment of the land and complete an impact assessment with mitigation strategy (as appropriate). The assessment involved a walk-over survey and desktop study, completed during October 2021 by Su Forster BSc PGDip MCIEEM CEnv.

The plot was found to comprise flat ground which had recently been cleared at the time of survey, with a few very small patches grass remaining and a few trees/shrubs at the boundaries.

Mature trees exist just beyond the site boundary, which are likely to be local value, contributing to the local network of habitat for common bird species, foraging bats and invertebrates. In addition, the Hedgehog is known to occur in the local neighbourhood.

Otherwise, no habitats, features or species of nature conservation value were discovered at the site, or are considered likely to occur. Consequently, no further ecological surveys are considered necessary to inform an Ecological Impact Assessment (EclA).

Mitigation measures will therefore include minimising any necessary lighting at the site during the operational phase, and taking care to avoid harm to any Hedgehogs that may be present during the construction phase.

The proposed increase in residential accommodation will result in predicted in-combination impacts on various sites subject to European Nature Conservation designations, including increased recreational pressure on The New Forest SPA/SAC/Ramsar and Solent & Southampton Water SPA/Ramsar, and increases in nutrients draining into the Solent affecting SPA/SAC/Ramsar interest features within the Solent. Such predicted impacts have legal implications that must be considered by the LPA in the form of a Habitats Regulations Assessment(HRA). Appropriate mitigation/compensation will be required to avoid/mitigate/off-set predicted impacts in order to pass the HRA test and thereby allow planning consent to be granted. Mitigation/compensation is likely to take the form of financial contributions towards various off-site mitigation schemes.

Planning policy requires that ecological enhancement measures (Biodiversity Net Gain) are also included within planning applications. Ecological enhancement measures have been proposed within the new development, including integrated bat and bird nest boxes, new planting to include species of benefit to wildlife, and provision of wildlife access gaps (suitable for Hedgehog) at the bottom of the garden boundary fencing.

1.0 Introduction

1.1 Background

A planning application is to be submitted for the development of a single dwelling on an area of land located to the front of an existing residential property known as 'Faraway', at 12 West Road, Dibden Purlieu, Hampshire (SU410 064) (**Map 1**).

In order to determine potential ecological impacts of the proposed development a preliminary ecological assessment (PEA) was required. 4Woods Ecology Ltd, was subsequently commissioned by the landowner to complete a PEA of the site in order to determine likely ecological impacts, the need for any further investigations and proposals for mitigation and enhancement opportunities.

1.2 Overview of Legislation & Policy

1.2.1 Protected Species Legislation

In the UK, varying levels of legal protection are afforded to a number of rare, declining or vulnerable species in the UK, principally via The Wildlife & Countryside Act, 1981 (as amended).

Species which are at threat in a European context are afforded additional legal protection in the UK via *The Conservation of Habitats and Species Regulations 2017 (as amended)*.

Species protected under the former or both legislative instruments (with varying levels of protection) include: Bats, birds and their nests/eggs, Dormice, Great Crested Newt, all native reptile species, etc.

Badgers and their setts are also afforded legal protection in the UK via the Protection of Badgers Act, 1992.

1.2.2 Biodiversity Action Plans

Following UK devolution, the UK Post-2010 Biodiversity Framework was set up in 2012, and succeeds the previous UK BAP. This sets out the aims and activities required to achieve identified targets to halt the decline in biodiversity across the various countries that make up the UK.

Lists of Priority species and habitats were devised for the purposes of the previous UK BAP, which were identified as most threatened in the UK and required action plans to aid their recovery. These lists remain an important reference source and have been used to revise the statutory lists of priorities for England and the other countries of the UK, to allow for a country-level approach rather than UK-wide as before.

The Countryside & Rights of Way (CROW) Act, 2000 requires that Government departments have regard to the purpose of conserving biological diversity in accordance with the Biodiversity Convention 1992 and to promote the action required to further the conservation of species published on Biodiversity Action Plans (BAPs).

Further, The Natural Environment and Rural Communities (NERC) Act (2006) places a duty upon public bodies in England and Wales (including Local Planning Authorities) to have regard to the purposes of conserving biodiversity in exercising their functions. A list of ‘habitats and species of principal importance for the conservation of biodiversity in England’ was drawn up, as required by the NERC Act, to help guide decision-makers in this respect. The list includes all the habitats and species listed in the UK Biodiversity Action Plan, with the addition of Hen Harrier.

Species of Principal Importance/Priority Species listed (as revised in 2012 for England) include Soprano Pipistrelle bat, Brown Long-eared Bat, Noctule Bat, Hedgehog, House Sparrow, Starling, Song Thrush, Great Crested Newt, Grass snake, Slow-worm, Common Lizard, etc.

1.2.3 Nature Conservation Designations

Statutory Nature Conservation Designations

The site is over 384m from The New Forest, designated SSSI, SPA, SAC, Ramsar site.

The site is around 2.18km+ from Hythe to Calshot Marshes SSSI and the Solent & Southampton Water SPA/Ramsar, and is 2.34km+ from Solent Maritime SAC.

The site is also within the ‘Solent nutrient impact area’, which must be considered in relation to impacts on Solent SPA/SAC/Ramsar sites.

The Wildlife & Countryside Act, 1981 (as amended) and Countryside and Rights of Way (CRoW) Act 2000, afford sites which are designated SSSI legal protection from damaging activities. Natural England must be consulted where any potentially damaging activities are likely to occur to a SSSI or its interest features, including possible indirect impacts arising from a proposal.

SACs and SPAs are designated under the EC Habitats Directive 1992, and are afforded strict protection in the UK via *The Conservation of Habitats and Species Regulations 2017*, (as amended) (aka ‘The Habitats Regulations’).

A Ramsar site is a designation of a wetland site of international importance under the Convention on Wetlands (Ramsar Convention), which is an intergovernmental treaty established in 1971. Planning policy indicates that for the purposes of considering development proposals that may affect them, Ramsar sites should be treated the same as SACs and SPAs.

Where the proposals may affect the qualifying habitats and features of a SAC/SPA/Ramsar site, either alone or in-combination with other plans/projects, a procedure set out in Regulation 61 of the Habitats Regulations must be followed. This is known as the Habitats Regulations Assessment (HRA), which requires certain tests to be met before planning consent could be granted.

Further details of these designated areas are provided at **Section 3.2.1**, below.

Non-statutory Nature Conservation Designations

There are no non-statutory nature conservation sites located in close proximity to the application site (New Forest District Local Plan 2016-2036, Totton & Waterside Policies Map).

1.2.4 Planning Policy

NPPF & NPPG

The Government's planning policies for England, including how the Natural Environment should be considered, is contained within the National Planning Policy Framework (NPPF), as revised most recently in July 2021 (www.gov.uk/guidance/national-planning-policy-framework).

Underpinning the entirety of the NPPF is a presumption in favour of sustainable development. However, this does not apply where the project is likely to have a significant effect on an internationally designated site (SPA, SAC, Ramsar etc) unless an Appropriate Assessment (part of an HRA) has concluded that the project will not adversely affect the integrity of the designated site.

The NPPF states that 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.

The Government's Planning Practice Guidance contains up to date (last updated 2021) guidance on implementing the requirements of the NPPF (www.gov.uk/guidance/natural-environment). The guidance states that planning authorities need to consider the potential impacts of development on protected and priority species. Natural England's standing advice on protected species provides the LPA with advice on dealing with protected species issues. The guidance states that an ecological survey will be

necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Even where an EIA is not needed, the guidance indicates that an ecological survey might still be appropriate, for example, where protected species may be present or where biodiverse habitats may be lost. LPAs should require ecological surveys only where clearly justified.

The ODPM Circular 06/2005 contains further administrative guidance on the application of the law relating to planning and nature conservation in England, and should be read in conjunction with the NPPF and PPG. The Circular advises that the *'presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.'*

It is also stated in the Circular that it is *'essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'*. However, it is noted that *'developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development'*.

Local Plan Policy – New Forest District (outside of National Park

The Core Strategy (2016-2036) part 1: Planning Strategy (adopted July 2020) states that the *overall objective is that developments should protect and enhance biodiversity* (as set out in Strategic Objective SO2 and Saved Policy DM2 of the Local Plan part 2 (as detailed below)).

Core Strategy - SO2: Biodiversity and environmental quality

To safeguard and improve biodiversity, and the protection and enhancement of wildlife, species, habitats and water bodies in the Plan Area. To avoid where possible or fully mitigate where necessary, the direct and cumulative impacts of development on designated nature conservation sites. To promote the understanding of and care for the natural environment; managing recreational pressures in sensitive locations. To manage and where possible reduce or mitigate activities that unacceptably impact on air quality or levels of noise, dust, odour or light pollution

Parts of **Planning policy DM2** of the Local Plan Part 2, Section 2: Development Management Policies (adopted April 2014) is relevant and states:

Development proposals which would be likely to adversely affect the integrity of a designated or candidate Special Area of Conservation (SAC), classified or potential Special Protection Area (SPA), or listed Ramsar site will not be permitted unless there is no alternative solution and there are imperative reasons of overriding public interest which would justify the development. Development proposals within or outside a Site of Special Scientific Interest (SSSI) which would be likely to adversely affect the site will not be permitted unless the benefits of the development outweigh both the adverse impacts on the site and any adverse impacts on the wider network of SSSIs.

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.

In addition, relevant sections of Policy ENV1 of the Core Strategy states:

ENV1: Mitigating the impacts of development on International Nature Conservation sites

- 1. Except as provided for in the first paragraph of Saved Policy DM2: Nature Conservation, Biodiversity and Geodiversity, development will only be permitted where the Council is satisfied that any necessary mitigation, management or monitoring measures are secured in perpetuity as part of the proposal and will be implemented in a timely manner, such that, in combination with other plans and development proposals, there will not be adverse effects on the integrity of any of the following International Nature Conservation sites:*
 - The New Forest Special Area of Conservation (SAC), the New Forest Special Protection Area (SPA) and the New Forest Ramsar site;*
 - The Solent Maritime SAC, Solent and Isle of Wight Lagoons SAC, the Solent and Southampton Water SPA, and the Solent and Southampton Water Ramsar site;*
 - The River Avon SAC, Avon Valley SPA and Ramsar site; and*
 - The River Itchen SAC.*
- 2. For residential development and the provision of overnight visitor accommodation adverse effects can be adequately mitigated by implementing approved measures relevant to the site location, including as set out in the Mitigation for Recreational Impacts SPD and in the Solent Recreation Mitigation Strategy, and in supplementary guidance on nutrient management.*
- 4. The approved mitigation measures for residential developments currently include:*
 - i. For developments providing 49 or fewer net additional units of residential accommodation, financial contributions towards the provision of recreational mitigation measures as set out below and in the Mitigation for Recreational Impacts SPD:*
 - (a) Projects for the provision of alternative natural recreational green spaces 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 International Nature Conservation sites for recreation; and*
 - (b) Access and Visitor Management: measures to manage the number of recreational visits to the New Forest and Solent Coast International Nature Conservation sites; and to modify visitor behaviour within those sites so as to reduce the potential for harmful recreational impacts; and*

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

- iii. Additionally for all residential developments within 5.6km of the Solent and Southampton Water SPA, as shown on Figure 5.1, a financial contribution is required towards a Solent-wide programme of visitor management, monitoring and development mitigation projects.*
- iv. Additionally for residential developments and the provision of overnight visitor accommodation draining or discharging wastewater to the River Avon in relation to phosphate neutrality or to the Solent and Southampton Water in relation to nitrogen neutrality, a financial contribution or other appropriate mechanisms to achieve nutrient-neutral development.*
- v. Additionally for all residential developments, a financial contribution towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site*

2.0 Methodology of Assessment

2.1 Desk study

Statutory nature conservation designations and any protected species data was extracted from the governmental website: www.magic.defra.gov.uk. A 'site check' report was generated for the application site via this website to check for any likely impacts on SSSI (i.e. identified SSSI impact zones).

Policies maps within the New Forest District Local Plan were reviewed to identify any areas subject to non-statutory nature conservation designations (e.g. Site of importance for Nature Conservation (SINC)) or other relevant allocations.

An OS map and aerial photograph of the local area were examined to assess potential ecological value of the site or features (including potential for protected species to occur) in the context of the surrounding landscape.

2.2 Site Survey

A walk-over survey of the site was completed on 12 October 2021 by Su Forster BSc PGDip CEnv MCIEEM, of 4Woods Ecology Ltd.

The application site was surveyed for any floristic interest and habitats were described (based broadly on Phase I habitat survey techniques), with main or any notable species being recorded. An assessment of habitats within the site and surrounding land for potential to support legally protected and/or notable species was also completed. In particular, this included:

- Assessment of the habitat to support a reptile population;
- A search for evidence of any Badger activity across the site and at the boundaries (e.g. Setts/excavations, foraging signs, tracks, dung pits/latrines, underpasses, footprints/hair etc);
- Assessment of habitat for use by nesting birds and any notable bird species.
- Assessment of the potential for amphibians, such as Great Crested Newt, to occur based on habitat availability together with map-based assessment and existing records;
- Assessment for the potential for other notable species (e.g. priority species) to occur, such as Hedgehog, Harvest Mouse, Stag Beetle and other notable invertebrates.

3.0 Results

3.1 Overall Description of Site & Local Context

The application site is a flat plot of a recently cleared area of garden, which is located between existing residential properties within an urban area. The site is surrounded by medium density residential development, being located within the centre of Dibden Purlieu.

3.2 Results of Desk Study

3.2.1 Nature Conservation Designations

Statutory Nature Conservation Designations

New Forest SSSI/SAC/SPA/Ramsar

The site is 384m+ from the boundary of the New Forest SSSI/SAC/SPA/Ramsar. As a brief summary, the New Forest is designated based on it being the largest area of 'unsown' vegetation in lowland England, with habitat formations formerly common but now fragmented and rare in lowland western Europe, including lowland heath, valley and seepage step mire, or fen, and ancient pasture woodland. A range of neutral to acid grasslands and unimproved meadows also occur. The site supports a range of significant populations of breeding and wintering bird species, as well as other species of high conservation value (e.g. Nightjar, Dartford Warbler, Woodlark, Stag Beetle, Southern Damselfly)
(www.designatedsites.naturalengland.org.uk)

Solent & Southampton Water SPA/Ramsar

The internationally designated Solent and Southampton Water SPA /Ramsar occurs around 2.18km+ to the east of the application site, along the edge of Southampton Water. This area of intertidal habitat is designated primarily due to:

- Breeding populations of water birds: Mediterranean Gull, Sandwich tern, Common tern, Little tern and Roseate tern.
- Over-wintering water birds: Dark-bellied brent geese, Teal, Ringed Plover, Black-tailed godwit.
- Supporting an outstanding assemblage of waterfowl/sea birds.

Solent Maritime SAC

The application site is 2.34km+ from part of the Solent Maritime SAC, located along the edge of Southampton Water. The Solent Maritime SAC stretches across various coastal areas of the Solent, including parts of Southampton Water. The SAC comprises various areas of important intertidal/coastal habitat types. (www.sac.jncc.gov.uk)

Hythe to Calshot Marshes SSSI

The application site is 2.18km+ from Hythe to Calshot Marshes SSSI. This comprises the most extensive remaining areas of saltmarsh and mudflats in Southampton Water, which supports nationally important numbers of migratory and over-wintering waders/wildfowl.
(www.designatedsites.naturalengland.org.uk).

SSSI Impact Zones

The 'site check' report for the application site, generated by www.magic.defra.gov.uk, states that all planning applications (except Householder applications) could have a potential impact on a SSSI, and therefore Natural England should be consulted as part of the planning process. The report also indicates that :

- a) For new residential developments in this area financial contributions are required to mitigate increased recreational disturbance on coastal SPAs and Ramsar Sites.
- b) The site is within the *Solent Nutrient Impact Area*. Any proposed residential units in this area would need to demonstrate nutrient neutrality in terms of waste water/sewage/run-off that would eventually drain into the Solent (where it would affect Solent SPAs/SACs/Ramsars).

In addition, The New Forest District Council has adopted a New Forest Mitigation Strategy for Recreational impacts, which states that mitigation requirements for residential development apply to all forms of new residential development that result in a net gain of a self-contained dwelling (*Mitigation for Recreational Impacts on New Forest European Sites SPD*, adopted May 2021).

3.2.2 UKBAP Habitats & Habitat Network

Based on information gleaned from the governmental website www.magic.defra.gov.uk there are no priority habitats located within or adjacent to the application site.

3.2.3 Notable & Protected Species

There are no records of Great Crested Newt occurring in this area (www.magic.defra.gov.uk)

An EPS license was granted for a site located around 384m from the application site, within Dibden Purlieu, for work affecting Brown Long-eared Bat in 2015. (www.magic.defra.gov.uk)

3.3 Results of Site Surveys

3.3.1 Habitats & Flora

The site comprises a flat plot of land which has recently been cleared of grassland, some large non-native conifers and some other ornamental shrubs. The very few small patches of grassland remaining in places indicate that the grassland comprised typical species-poor lawn species, with the following species being identified: Yorkshire Fog *Holcus lanatus*, Creeping Bent *Agrostis stolonifera*, Ribwort Plantain *Plantago lanceolata*, Herb Robert *Geranium robertianum*, Common Sorrel *Rumex acetosa*, Germander Speedwell *Veronica chamaedrys*, Selfheal *Prunella vulgaris*, Yarrow *Achillea millefolium*, Ivy *Hedera helix* and Bramble *Rubus fruticosus* (agg.). Photographs provided by the property owner of the land prior to it being cleared illustrate that the grassland habitat was dominated by grass species, and was mown.

The site is partially bound by close-boarded timber fencing, with a few remaining small ornamental trees and shrubs at the rear boundaries including

Laurel, Garden Privet, Beech *Fagus sylvatica*, Holly *Ilex aquifolium*, Sycamore *Acer pseudoplatanus* and a Bay tree. A few mature trees exist just beyond the site boundary including Oak *Quercus pedunculata*, Scots Pine *Pinus sylvestris* and Beech.



Views of cleared plot, with boundary fencing and mature trees in gardens beyond

To the north of the existing garage (i.e. proposed new access to the existing dwelling) are areas of paving and vegetable plots, with some ornamental planting and lawn.



Land to the north of the garage, showing vegetable plots

3.3.2 Fauna

Mammals

There are no trees, buildings or other structures within the site that could potentially be used by bats for roosting. Neighbouring properties could potentially be used by bat roosts and the local gardens are likely to contribute towards a network of potential foraging habitat for small numbers common bat species.

Evidence of a mammal accessing the site under the rear boundary fence was noted at the northern end of the site, however, only evidence of cat was found. No evidence of any Badger activity was found.

Hedgehog is known by the applicant to occur in the local area and could potentially access the site via existing gaps in the rear boundary fence. However, at present there is little cover available within the application site which could be used by this species for refuge.

Reptiles

The site does not support suitable habitat for reptiles, and is isolated from any other potentially suitable reptile habitat. It is understood that the land

was regularly mown prior to the site being cleared, and is therefore unlikely to have supported suitable reptile habitat previously.

Amphibians

There are no ponds within the application site. Based on OS map evidence the nearest pond appears to be around 396m to the north-east of the application site, beyond a moderately dense urban area. There are no known records of Great Crested Newt occurring within 1km of the site (**Section 3.2.3**).

It is therefore considered unlikely that Great Crested Newt would occur at the application site.

Birds

The few remaining small trees/shrubs could potentially be used by nesting birds, however no other valuable habitat for birds currently exists within this cleared urban site.

Invertebrates

This cleared small site is unlikely to support a notable invertebrate fauna due to the lack of vegetation or other suitable habitat features.

No rotting deadwood is present within the site which might support specialist deadwood invertebrates. No other specialist invertebrate habitat exists on the site.

4.0 Discussion – Interpretation & Recommendations

4.1 Assessment of Nature Conservation Value

The site is considered to be of low nature conservation value, comprising a recently cleared, small urban site with a few remaining small trees and ornamental shrubs at the boundaries. Findings on site, photographs and discussions with the applicant (land owner) indicate that prior to the clearance the site comprised an area of regularly mown, species-poor grassland (typical of lawns) with a few non-native conifers and ornamental shrubs, with little potential to support any protected or notable species.

However, Hedgehog is known to occur within the local area, and nesting birds (common garden species) could potentially use the remaining trees/shrubs. Small numbers of common bat species may also forage along the wider network of gardens in this area. No other notable species are considered likely to occur based on habitat assessment and current findings.

In a wider context, the application site lies within the nutrient neutrality zone of the Solent SPA/SAC/Ramsars, buffer zone of the New Forest SPA and mitigation zone of the Solent & Southampton Water SPA. These sites are of nature conservation value at the European/international level. The legal protection afforded to these designated sites means that the proposals will need to be subject to a Habitats Regulations Assessment (HRA) at the planning application stage.

4.2 Ecological Impacts

4.2.1 Direct Impacts

Proposed development at the site is unlikely to result in any significant direct ecological impacts given that the site contains no habitats, features or species of nature conservation value (and is unlikely to have contained any notable habitats/species prior to site clearance).

4.2.2 Indirect Impacts

Construction Phase

Based on current findings, building activities at the site are unlikely to result in any significant ecological impacts.

However, there is potential for Hedgehog (a Biodiversity Action Plan Priority species) to enter the site which could utilise any temporary refuges created by stored materials, and could potentially fall into excavated trenches and become trapped. Note that currently there are no remaining piles of material on site to be removed that could be used as refuge by this species.

No further trees/shrubs are to be removed (except a small area of Laurel) on site, and therefore nesting birds are unlikely to be affected.

Operational Phase

Development of a single new residential property on this site is unlikely to result in any new significant indirect ecological impacts post-development given that the plot is within an area of existing moderately dense residential development. However, consideration should be given to the possibility that

unsympathetic lighting could have potential to reduce value of habitat used by foraging bats in the local neighbourhood.

In a wider context, the proposed net increase of one residential unit is expected to result in:

- An impact on Solent SPA/SAC/Ramsar sites due to increases in discharge of nutrients. The application site is within the Southern Water Discharge Area. Therefore, indirect impacts, in combination with other residential developments, upon SPA/SAC/Ramsar sites in the Solent due to increases in nutrients entering the Solent area (via run-off and sewage treatment) is expected. Increases in nutrients (particularly nitrates) draining into the Solent are causing eutrophication and increased growth of algae on intertidal habitats of the designated SPA/SAC/Ramsars in this region, affecting interest features. The Nitrogen Budget Calculator should be used to determine predicted level of impact of the proposed development and measures required to ensure the development will be nutrient neutral. [Nutrient neutral development - New Forest District Council](#)
- an impact on the New Forest SPA/SAC/Ramsar interest features. An increase in residential units, resulting in increases in residents within close proximity to the New Forest (e.g. within the New Forest District) is expected to result in an overall increase in disturbance impacts within the New Forest SPA/SAC, when considered in combination with other residential developments (New Forest District Council, 2021).
- An impact on the Solent & Southampton Water SPA/Ramsar. An increase in the local human population, resulting from provision of additional new residential units, within a 5.6km impact zone around The Solent & Southampton Water SPA/Ramsar, is resulting in increased numbers of visitors and consequently increased disturbance of important wintering bird populations at the site (i.e. interest features of the SPAs). (Bird Aware, 2017)

4.3 Legal Considerations

4.3.1 Protected Species

It is unlikely that any legally protected species will be affected by the proposed development.

4.3.2 Habitats Regulations Assessment

With the potential for the proposals to affect designated SACs and SPAs, the local planning authority will need to undertake a Habitats Regulations Assessment (HRA) of the proposals before granting planning consent, in accordance with the requirements of the *Conservation of Habitats and Species Regulations 2017* (as amended).

An HRA is required where the proposal is likely to have a significant impact on an SPA/SAC/Ramsar, either alone or in-combination with other plans/projects. The proposed net increase of one residential unit would be expected to have an indirect impact on various SPA/SAC/Ramsar sites in the

local area, when considered in combination with other residential developments only. Mitigation measures would then be required to demonstrate that these predicted significant impacts can be avoided. This is likely to involve financial contributions towards off-site mitigation schemes, payable at the planning application stage (e.g. as part of a CIL payment),. Planning consent may then be granted where the tests of the HRA are satisfied.

4.4 Proposed Mitigation & Enhancement

4.4.1 Lighting – Operational Phase

In the long-term (operational phase) external lighting within the developed site should be minimised. Any necessary lighting should be designed to avoid illuminating the trees/shrubs at or just beyond the site boundary.

Therefore, any necessary lights should be set at an appropriate height to minimise light spill (i.e. below eaves level), and directional lights or shields/hoods used to ensure light does not spill upwards (i.e. around tree canopies/eaves) or beyond the area that requires illumination. Wherever appropriate, external lighting should be on a timer and/or motion-activated to ensure lights are only used when necessary. Warm/neutral colour lighting (avoiding use of white/blue wavelengths of the light spectrum) should be used to minimise potential impacts on wildlife.

4.4.2 Hedgehogs – Construction Phase

During the construction phase, in the event that any Hedgehogs are discovered beneath new piles of stored building materials, they will be carefully moved (or allowed to move) to the site boundary to avoid potential for causing harm. In the unlikely event that any hibernating individuals are discovered during winter, and could be harmed by ongoing work, further advice will be sought from an ecologist or appropriate local wildlife protection group.

Any open excavations will be covered over at night to prevent animals (e.g. Hedgehog) falling into them, and an additional means of escape placed within each excavation (i.e. wooden plank to act as a ramp) as a further precaution. All excavations will be checked each morning (and immediately prior to them being filled) by the contractor and any Hedgehogs carefully removed.

4.4.3 Mitigation of Impacts on European Designated Sites

New Forest SPA/SAC/Ramsar

For small developments it is expected that mitigation of predicted impacts of increases in residential units (leading to increases in recreational disturbance on interest features of the New Forest SPA/SAC/Ramsar) will be in the form of a financial contribution (CIL contribution). The level of payment is related to the number of bedrooms within the proposed new dwelling. For example, a 3-bed dwelling would require a payment of £5,155 (subject to annual inflation rises) for full mitigation off-site (New Forest District Council 2021).

Solent & Southampton Water SPA/Ramsar

For small developments it is expected that mitigation of predicted impacts of increases in residential units (leading to increases in recreational disturbance on interest features of the Solent & Southampton Water SPA/Ramsar) will be in the form of a financial contribution towards an overarching mitigation strategy. The level of payment is related to the number of bedrooms within the proposed new dwelling. For example, a 3-bed dwelling would require a payment of £637 (subject to annual review/inflation) (Bird Aware, 2017).

Nutrient Neutrality in the Solent

Mitigation will be required to ensure the development will be nutrient neutral in terms of sewage treatment and surface water run-off.

Where possible, measures should be incorporated into the scheme to avoid increases in nitrates draining via surface water to the Solent. Where this is not possible, mitigation measures should be considered to reduce the impact and compensation measures (i.e. off-site mitigation site) adopted to off-set any remaining predicted impacts. In most cases, off-site compensation measures will be required, which may include purchasing nutrient offset 'credits' from an appropriate body (e.g. Council, Wildlife Trust, Solent Nutrient trading platform).

A European Site Avoidance and Mitigation Checklist will need to be completed and included with the planning application. [european-site-avoidance-and-mitigation-checklist.pdf \(newforest.gov.uk\)](https://www.newforest.gov.uk/avoidance-and-mitigation-checklist.pdf)

Further guidance can be found on the New Forest District Council website, including the Nitrogen Budget Calculator, which should be used to determine the level of impact and consequently the extent of mitigation/compensation required:

[Nutrient neutral development - New Forest District Council](#)

4.4.3 Ecological Enhancement

In accordance with current planning policy, ecological enhancement measures (biodiversity net gain) will be included in the development proposals.

The following measures are proposed:

- **New Planting**

The surrounding garden area of the proposed new dwelling will be significantly enhanced with new garden planting. The following is the current proposed planting list:

*Clematis**
*Crocus, winter and spring flowering ***
*Helleborus, winter and spring flowering***
Acers – Various small trees
*Borage***
*Delphiniums**
*Lavender ***
*Iris**
Hydrangea

Alpine Sea Holly
*Roses, various **
*Alliums***
*Agapanthus**
*Tulips**
Daffodils
*Poppies***

*Those species/groups considered to be of benefit to invertebrates are highlighted with **.*

*A single * indicates that a few species in this group are beneficial to invertebrates only.*

[Based on the RHS list of Plants for Pollinators. www.rhs.org.uk]

In addition, a herb/vegetable plot will be established with a variety of additional species, which will provide further habitat for insects.

Additional taller trees will be planted (max. 7m tall at maturity) selected from the following list:

*Crab Apple***, *Ornamental Cherry**, *Magnolia*, *Flowering Dogwood***.

Overall, the proposed planting will greatly enhance habitat availability within this largely cleared plot of land and which previously contained mown species-poor grassland. In addition to the inclusion of species of benefit to invertebrates (e.g. bees, butterflies, hoverflies etc), the planting will also increase ground cover which will be beneficial to hedgehog and other small mammals. The increase in trees at the site will provide additional potential nesting habitat for birds. The increase in planting, trees and subsequent insect abundance is also expected to improve the site's contribution towards the local network of bat and bird foraging habitat.

- **Mammal Access**

Small gaps will be maintained/created beneath the close-boarded fencing (at least one on each of the four main sides of the plot) of a sufficient size to allow movement of Hedgehog and other smaller terrestrial species (i.e. 13cmx13cm) between rear gardens;

- **Composting**

Composters will be installed to allow for recycling of garden waste;

- **Bat Box**

x1 integrated brick bat box will be installed within the rendered/blockwork wall of the new garage, at the top of the south-western gable (approx. height 4m). Note that lighting must be avoided at this gable. (Map 2);

- **Bird Box**

x1 integrated Sparrow terrace box will be installed within the wall of the new garage, within the north-eastern gable (**Map 2**).

5.0 Conclusions

The findings indicate that the application site is of low nature conservation value, and that proposed development is unlikely to result in any significant direct or indirect impacts. However, it is recommended that any lighting is minimised and carefully designed to avoid illumination of boundary vegetation, which could otherwise affect its use by wildlife, such as foraging bats. In addition, care will be taken during the construction phase to ensure any Hedgehogs are not harmed.

Further ecological surveys are not considered necessary, based on current habitat assessment and available information.

In a wider context, based on research studies to date and published guidance/policies, the proposal is likely to have a significant impact on European designated sites (i.e. The New Forest SPA/SAC/Ramsar, The Solent & Southampton Water SPA/Ramsar and Maritime SAC), when considered in-combination with other residential developments. As required by the Habitats Regulations 2017 (as amended) the proposals will therefore need to be subject to an HRA before planning consent could be granted. Mitigation/compensation measures will be required in order to meet the HRA tests, which is likely to consist of financial contributions towards wider mitigation projects.

6.0 References

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www.solent.birdaware.org
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CIEEM (2016). *Guidelines for Ecological Impact Assessment in the UK and Ireland. Second Edition, January, 2016.* www.cieem.net

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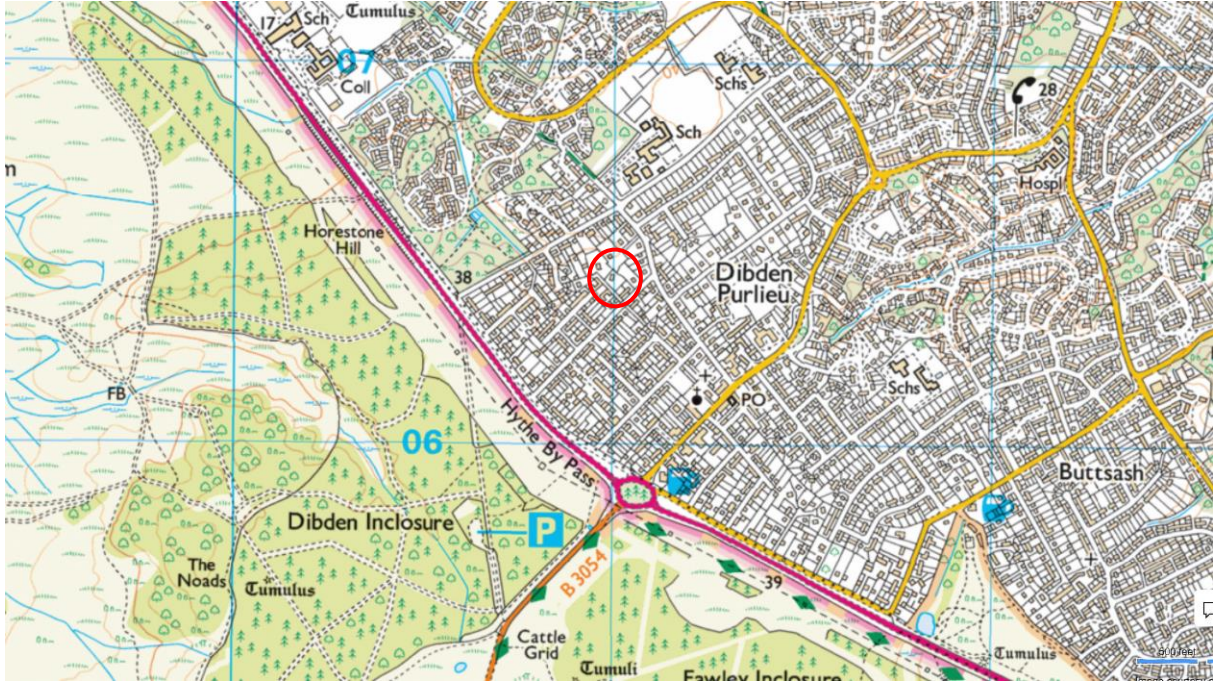
Natural England (2020). *Advice on achieving nutrient neutrality for new development in the Solent Region.* Version 5 – June 2020.
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New Forest District Council (2019). *Position Statement on Nutrient Neutral Development – Interim Nitrogen Mitigation solution* (September 2019).
www.newforest.gov.uk
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New Forest District Council (2021). *Mitigation for Recreational Impacts on New Forest European Sites – Supplementary Planning Document.* Adopted May 2021. www.newforest.gov.uk
[Ref \(newforest.gov.uk\)](#)

Land adjacent to 12 West Road, Dibden Purlieu

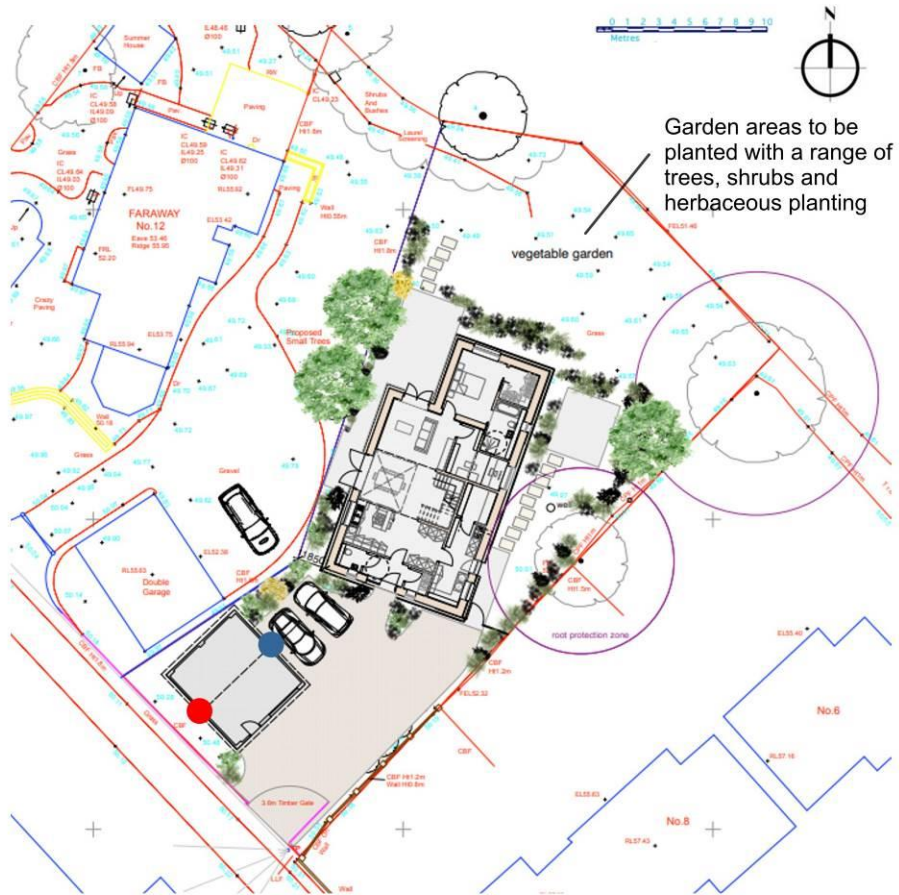
Map 1 – Site Location



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12 West Road, Dibden Purlieu

Map 2 - Ecological Enhancement



Key

- Integrated bat box
- Integrated House Sparrow terrace box

